

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, February 22, 2010, 7:00 p.m.

**ROLL CALL
PLEDGE OF ALLEGIANCE**

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The Duluth City Council promotes the use and adherence of the tools of civility in conducting the business of the council. The tools of civility will provide increased opportunities for civil discourse in order to find positive resolutions to the issues that face the city. These tools include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility. [Approved by the council on August 25, 2003]

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PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

* 10-0222-01 The following communications regarding proposed snow removal requirements for residential rental property (10-009-O): (a) Rod Lubiani; (b) Denette Lynch. -- Received

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REPORTS FROM THE ADMINISTRATION

* 10-0222-02 Chief administrative officer notification of special assessment board rule change regarding solid waste disposal annual assessments with regard to tax forfeited property, pursuant to Section 45-75 of the Duluth City Code. -- Received

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REPORTS FROM OTHER OFFICERS

* 10-0222-03 Assessor letter of sufficiency of petition to vacate existing utility easement in its entirety and re-establish a new 18 foot wide utility easement measured perpendicularly from the east boundary of Outlot A, Oneota Industrial Park, First Addition (No. 359900156). -- Received

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REPORTS OF BOARDS AND COMMISSIONS

* 10-0222-04 Housing and redevelopment authority of Duluth minutes of: (a) September 29; (b) September 30; (c) October 27; (d) November 24, 2009, meetings. -- Received

* 10-0222-05 Seaway port authority of Duluth minutes of: (a) May 28; (b) June 25; (c) August 7; (d) October 8; (e) November 19, 2009, meetings. -- Received

* 10-0222-06 Spirit Mountain recreation area authority minutes of: (a) December 17; (b) December 28, 2009, meetings. -- Received

* Listed only, not copied.

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REPORTS OF COUNCIL COMMITTEES

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OPPORTUNITY FOR CITIZENS TO BE HEARD

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MOTIONS AND RESOLUTIONS

CONSENT AGENDA

All matters listed under the consent agenda are considered routine and/or noncontroversial and will be enacted by one unanimous motion. If a councilor requests, or a citizen wishes to speak on an item on the consent agenda, it will be removed and handled separately.

COMMITTEE 1

BY COUNCILOR FEDORA (FINANCE)

10-0098R - RESOLUTION AUTHORIZING CITY OFFICIALS TO ALLOCATE \$12,700 FROM THE TOURISM TAX FUND BALANCE TO THE GREAT LAKES AQUARIUM.

NEW 10-0101R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED FOR REASSESSMENT OF A CANCELED STREET ASSESSMENT.

BY COUNCILOR CUNEO (PURCHASING & LICENSING)

10-0095R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH LISCOMB HOOD MASON COMPANY FOR PROPERTY INSURANCE DURING YEAR 2010 IN THE AMOUNT OF \$79,085.33.

BY COUNCILOR BOYLE (PERSONNEL)

10-0082R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF LABOR RELATIONS SPECIALIST.

10-0083R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF ANIMAL CONTROL OFFICER.

10-0084R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF WATER PLANT OPERATOR APPRENTICE WITH A TITLE CHANGE TO WATER PLANT OPERATOR C.

10-0094R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF MANAGER, PARKS AND RECREATION, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

NEW 10-0103R - RESOLUTION APPROVING JOB SPECIFICATIONS FOR THE APPOINTED POSITION OF COMMUNITY RELATIONS OFFICER.

NEW 10-0104R - RESOLUTION APPROVING JOB SPECIFICATIONS FOR THE APPOINTED POSITION OF COMMUNICATIONS AND POLICY OFFICER.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

10-0093R - RESOLUTION AUTHORIZING APPLICATION TO DEED FOR A BUSINESS DEVELOPMENT INFRASTRUCTURE GRANT RELATED TO THE ATLAS CEMENT PLANT SITE. **(REPLACEMENT)**

COMMITTEE 2

BY COUNCILOR HARTMAN (INTERGOVERNMENTAL RELATIONS)

10-0080R - RESOLUTION AUTHORIZING A COOPERATIVE AGREEMENT WITH THE DULUTH AIRPORT AUTHORITY REGARDING THE NORTH BUSINESS DEVELOPMENT AREA MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT (DEED) INFRASTRUCTURE GRANT IN THE AMOUNT OF \$250,000.

COMMITTEE 3

BY COUNCILOR GAUTHIER (PUBLIC WORKS & UTILITIES)

10-0085R - RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY AND TO ENTER INTO A LOAN AGREEMENT FOR PHASE II OF THE EAST INTERCEPTOR SSO STORAGE FACILITY PROJECT, CONSTRUCTION OF AN 8.3 MILLION GALLON STORAGE TANK, DEMOLITION OF LIFT STATION NO. 6 AND REMOVAL OF CONTAMINATED SOIL.

10-0086R - RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY AND TO ENTER INTO A LOAN AGREEMENT FOR PHASE III OF THE EAST INTERCEPTOR SSO STORAGE FACILITY PROJECT, CONSTRUCTION OF DIVERSION STRUCTURE PIPING AND SEWER, MAINTENANCE BUILDING, PUBLIC RESTROOM AND LANDSCAPING.

10-0096R - RESOLUTION AUTHORIZING AGREEMENT WITH INFOR GLOBAL SOLUTIONS (MICHIGAN), INC., FOR INSTALLATION AND SERVICE OF A COMPUTERIZED ASSET MAINTENANCE AND MANAGEMENT SYSTEM FOR ITS WASTEWATER COLLECTION AND TREATMENT SYSTEM IN THE AMOUNT OF \$278,625.96.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

10-0088R - RESOLUTION AUTHORIZING AMENDMENT TO CITY CONTRACT NO. 20454 WITH THE STATE OF MINNESOTA HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION FOR HAZARDOUS MATERIALS CHEMICAL ASSESSMENT TEAM; EXTENDING THE TERM AND INCREASING THE COMPENSATION.

10-0092R - RESOLUTION AUTHORIZING ACCEPTANCE OF OVERTIME REIMBURSEMENT FUNDS FROM THE NORTHEAST LAW ENFORCEMENT ADMINISTRATORS COUNCIL IN AN AMOUNT ESTIMATED NOT TO EXCEED \$22,000 FOR DULUTH POLICE DEPARTMENT PARTICIPATION IN A METHAMPHETAMINE INITIATIVE.

10-0097R - RESOLUTION AUTHORIZING LEASE AGREEMENT WITH ST. LOUIS COUNTY FOR THE JOINT IMPOUND LOT IN THE AMOUNT OF \$2,800 PER YEAR.

BY COUNCILOR GARDNER (RECREATION , LIBRARIES & AUTHORITIES)

10-0087R - RESOLUTION ACCEPTING UNCONDITIONAL GIFTS FROM THE DULUTH LIBRARY FOUNDATION FOR THE BENEFIT OF THE LIBRARY.

END OF CONSENT AGENDA

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The following entitled resolution is also for consideration at this meeting:

COMMITTEE 3

BY COUNCILOR GARDNER (RECREATION , LIBRARIES & AUTHORITIES)

NEW 10-0100R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO PROCEED WITH THE PARKS MASTER PLAN BASED UPON THE GUIDING PRINCIPLES DOCUMENT.

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INTRODUCTION AND CONSIDERATION OF ORDINANCES

The following entitled ordinances are to be read for the first time:

COMMITTEE 1

BY COUNCILOR FEDORA (FINANCE)

10-005-O - AN ORDINANCE TO AMEND THE BUDGET OF THE CITY OF DULUTH FOR THE YEAR 2010; ELIMINATING THE HUMAN RESOURCES DEPARTMENT BY TRANSFERRING THE FUNCTION INTO THE LEGISLATIVE AND EXECUTIVE DEPARTMENT; ELIMINATING THE PLANNING AND CONSTRUCTION SERVICES DEPARTMENT BY TRANSFERRING THE PLANNING DIVISION INTO THE LEGISLATIVE AND EXECUTIVE DEPARTMENT AND TRANSFERRING THE CONSTRUCTION SERVICES AND INSPECTION DIVISION INTO THE FIRE DEPARTMENT; AND TRANSFERRING \$98,100 FROM PUBLIC ADMINISTRATION DEPARTMENT AND \$174,100 FROM THE PLANNING DIVISION INTO BUSINESS AND COMMUNITY DEVELOPMENT DEPARTMENT.

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC SAFETY)

10-013-O - AN ORDINANCE AUTHORIZING ESTABLISHMENT OF BUS ONLY LANES ON STREETS AND ALLOWING ESTABLISHMENT OF THE HOURS WHEN SUCH DESIGNATION SHALL BE IN EFFECT, ADDING A NEW SECTION 33-19 OF THE CODE.

The following entitled ordinances are to be read for the second time:

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

10-009-O - AN ORDINANCE AMENDING SECTION 29A-32 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO OFF STREET PARKING REQUIREMENTS FOR RESIDENTIAL RENTAL PROPERTY.

10-012-O - AN ORDINANCE AMENDING THE NEED FOR POS CERTIFICATE AND AUTHORIZING ASSESSMENT FOR UNPAID COSTS THEREOF, AMENDING SECTIONS 43-3.24.2 AND 43-33.4 OF THE DULUTH CITY CODE, 1959, AS AMENDED.

BY COUNCILOR HARTMAN (INTERGOVERNMENTAL RELATIONS)

10-003-O - AN ORDINANCE AUTHORIZING RECONVEYANCE OF PROPERTY IN THE WEST DULUTH AREA TO THE STATE OF MINNESOTA.

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COUNCILOR QUESTIONS AND COMMENTS