

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, September 27, 2010, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - May 24, June 14 and June 28, 2010.

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MISSION STATEMENT: The mission of the Duluth City Council is to develop effective public policy rooted in citizen involvement that results in excellent municipal services and creates a thriving community prepared for the challenges of the future.

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TOOLS OF CIVILITY: 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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REPORTS FROM THE ADMINISTRATION

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REPORTS FROM OTHER OFFICERS

*10-0927-01 Assessor letters of sufficiency regarding petitions to:
(a) Reclassify from R-4 to Medical District 205 and 211 North Tenth Avenue East and 925 East Second Street;
(b) Vacation West Birch Street from Garfield Avenue to property owned by the Burlington Northern Sante Fe Railroad. -- Received

*10-0927-02 Clerk application for exempt permit (raffle) to the Minnesota gambling control board from Northland Family Programs on December 1, 2010. -- Received

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REPORTS OF BOARDS AND COMMISSIONS

*10-0927-03 Duluth economic development authority minutes of August 25, 2010, meeting. -- Received

*10-0927-04 Duluth public utilities commission minutes of September 7, 2010, meeting. -- Received

*10-0927-05 Entertainment and convention center authority minutes of August 31, 2010, meeting. -- Received

*10-0927-06 Parks and recreation commission minutes of August 11, 2010, meeting. -- Received

* Listed only, not copied.

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REPORTS OF COUNCIL COMMITTEES

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REPORTS OF COUNCIL OPEN ISSUES

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OPPORTUNITY FOR CITIZENS TO BE HEARD

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RESOLUTION TABLED

COMMITTEE 1

BY COUNCILOR BOYLE (PERSONNEL)

10-0477R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF UTILITY MAINTENANCE WORKER AND SPECIFYING CONTRACT BENEFITS FOR SAME. (TABLED 9/13)

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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)

10-0508R - RESOLUTION APPROVING AGREEMENT WITH KANUIT & BRAY, LTD., FOR LEGAL SERVICES IN THE AMOUNT OF \$5,000 PLUS CONTINGENCY FEE.

10-0509R - RESOLUTION AMENDING RESOLUTION 09-0742 ADOPTING LICENSE, PERMIT AND FEE CHARGES FOR 2010; ADDING UDC PRINTING FEE.

BY COUNCILOR CUNEO (PURCHASING & LICENSING)

10-0495R - RESOLUTION AWARDDING A CONTRACT TO VENTURE FUELS FOR PROVIDING COAL TO THE DULUTH STEAM COOPERATIVE DISTRICT ONE FOR THREE HEATING SEASONS AS FOLLOWS: APPROXIMATELY \$2,546,880 FOR 2010-2011; APPROXIMATELY \$2,546,880 FOR 2011-2012, AND APPROXIMATELY \$2,546,880 FOR 2012-2013 FOR A THREE-YEAR CONTRACT TOTAL OF APPROXIMATELY \$7,640,640.

10-0503R - RESOLUTION AWARDDING A CONSTRUCTION CONTRACT TO VIELE CONTRACTING, INC., FOR COMPLETION OF BITUMINOUS PAVING IMPROVEMENTS AT DULUTH CITY FIRE HALLS NOS. 1, 4 AND 7, FOR A TOTAL AMOUNT OF \$144,026.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

10-0500R - RESOLUTION VACATING A PORTION OF THE ALLEY BEHIND PROPERTIES LOCATED BETWEEN 208 AND 210 NORTH CENTRAL AVENUE AND 5300 BRISTOL STREET (MINER'S, INC).

10-0505R - RESOLUTION VACATING A PORTION OF 44TH AVENUE EAST BETWEEN LOT 9, BLOCK 108, AND LOT 16, BLOCK 109, LONDON ADDITION, AND RETAINING A UTILITY EASEMENT OVER THE ENTIRE VACATION AREA, PETITIONED BY JARROD B. NOVOTNY, 4401 DODGE STREET.

COMMITTEE 3

BY COUNCILOR GAUTHIER (PUBLIC WORKS & UTILITIES)

10-0466R - RESOLUTION AUTHORIZING A CONTRACT WITH INFRATECH, INFRASTRUCTURE TECHNOLOGIES, INC., FOR THE PURCHASE OF TWO CCTV (CLOSED CIRCUIT TELEVISION) FORD E-350 TRUCKS WITH IBAK RAPIDVIEW CAMERA EQUIPMENT IN THE AMOUNT OF \$387,757.38.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

10-0496R - RESOLUTION AUTHORIZING A CONTRACT WITH AVRIO RMS GROUP, LLC, FOR THE PURCHASE AND INSTALLATION OF A PORT SECURITY CAMERA SYSTEM WITH WIRELESS COMMUNICATION FOR THE CITY OF DULUTH FOR A TOTAL AMOUNT OF \$478,399.

10-0498R - RESOLUTION AUTHORIZING A CONTRACT WITH SHI SOFTWARE HOUSE INTERNATIONAL CORPORATION FOR THE TAX-EXEMPT PURCHASE OF 20 PANASONIC LAPTOPS FOR NEW POLICE EMERGENCY VEHICLES IN THE AMOUNT OF \$83,120.

BY COUNCILOR GARDNER (RECREATION, LIBRARIES & AUTHORITIES)

10-0494R - RESOLUTION REQUESTING THE CITY INITIATE AND FUND A SMALL AREA PLAN FOR A PORTION OF PARK POINT.

END OF CONSENT AGENDA

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The following entitled resolutions are also for consideration at this meeting:

COMMITTEE 1

BY COUNCILOR CUNEO (PURCHASING & LICENSING)

10-0493R - RESOLUTION IN THE MATTER OF THE OFF SALE INTOXICATING LIQUOR LICENSE OF DAJER, INC. (LAKE SUPERIOR BOTTLE SHOP), 31 EAST FIRST STREET.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

10-0501R - RESOLUTION VACATING THE ALLEY BETWEEN 44TH AND 46TH AVENUES WEST SOUTH OF GRAND AVENUE AND A UTILITY EASEMENT ON WEST SECOND STREET ALSO KNOWN AS TRAVERSE STREET (J&S PARTNERSHIP).

NEW 10-0502R - RESOLUTION ISSUING TO HEARTLAND DIGITAL OUTDOOR DENIAL OF A C-5 PLAN AMENDMENT FOR CONSTRUCTION AND OPERATION OF AN OFF PREMISE ELECTRONIC BILLBOARD AT 1101 MALL DRIVE.

NEW 10-0510R - RESOLUTION APPROVING AN APPLICATION TO AMEND A C-5 PLAN FOR CONSTRUCTION AND OPERATION OF AN OFF PREMISE ELECTRONIC BILLBOARD AT 1101 MALL DRIVE SUBMITTED BY HEARTLAND DIGITAL OUTDOOR.

COMMITTEE 2

BY COUNCILOR STAUBER AND PRESIDENT ANDERSON

10-0499R - RESOLUTION OF SUPPORT FOR THE HEARTSAFE NORTHLAND PROGRAM SPONSORED BY THE NORTHLAND CHAPTER OF THE RED CROSS AND OTHER COMMUNITY PARTNERS.

COMMITTEE 3

BY COUNCILOR GARDNER (RECREATION, LIBRARIES & AUTHORITIES)

10-0507R - RESOLUTION RECOGNIZING DAN PROCTOR FOR HIS EXCEPTIONAL VOLUNTEER EFFORTS WORKING AT CHESTER BOWL AND LESTER PARK AND REQUESTING THE MAIN CHESTER BOWL TRAIL BE NAMED IN HIS HONOR.

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INTRODUCTION AND CONSIDERATION OF ORDINANCES

ORDINANCE TABLED

COMMITTEE 2

BY COUNCILORS STAUBER AND BOYLE

10-039-O - AN ORDINANCE AMENDING SECTION 34-40 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO SMOKING PROHIBITIONS IN CITY PARKS AND PLAYGROUNDS. (TABLED 8/30)
(AMENDMENT)

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

COMMITTEE 1

BY COUNCILOR FEDORA (FINANCE)

10-050-O - AN ORDINANCE AMENDING CHAPTER 2, ARTICLE XV, OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO DUTIES OF THE CITY DEFERRED COMPENSATION PLAN COMMISSION.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

10-048-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, ZONING DISTRICT MAP NO. 17 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM M-1, MANUFACTURING, AND I-P, INDUSTRIAL PARK, TO C-5, PLANNED COMMERCIAL, PROPERTY BETWEEN 44TH AND 46TH AVENUES WEST SOUTH OF GRAND AVENUE (J&S PARTNERSHIP).

10-049-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, AMENDING PUBLIC DOCUMENT NO. 03-0324-15 TITLED "RAMSEY VILLAGE NEIGHBORHOOD DOCUMENTS OF IMPLEMENTATION."

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

10-051-O - AN ORDINANCE GRANTING TO JEFFREY B. SMITH AND PETER S. LAMBERT A CONCURRENT USE PERMIT FOR OFF STREET PARKING AREA INTO THE RIGHT-OF-WAY OF THE WEST SKYLINE PARKWAY ADJACENT TO PROPERTIES LOCATED AT 610 AND 618 WEST SKYLINE PARKWAY.

COMMITTEE 3

BY COUNCILOR GAUTHIER (PUBLIC WORKS & UTILITIES)

10-047-O - AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY IN THE LINCOLN PARK AREA TO PAUL JEFFREY AND MELISSA LYNN-SCHULTZ ODENBACH FOR \$10,000.

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

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

10-045-O - AN ORDINANCE REPEALING CHAPTER 2, ARTICLE VII, OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF THE PLANNING COMMISSION.

COMMITTEE 3

BY COUNCILOR GAUTHIER (PUBLIC WORKS & UTILITIES)

10-046-O - AN ORDINANCE AUTHORIZING ASSESSMENT FOR SIDEWALK VAULT REPAIR OR ABANDONMENT.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

10-044-O - AN ORDINANCE AMENDING SECTION 12-2 OF THE DULUTH CITY CODE, 1959, AS AMENDED, AMENDING DEFINITIONS OF VIOLATION AND PROPERTY VIOLATION TO REFLECT THE UDC AND ADDING CHAPTER 5 AMUSEMENTS TO PROPERTY VIOLATIONS.

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COUNCILOR QUESTIONS AND COMMENTS

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COUNCILOR PREVIEW OF UPCOMING BUSINESS

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