

AGENDA FOR THE DULUTH CITY COUNCIL MEETING
Monday, October 25, 2010, 7:00 p.m.

REPLACEMENT

ROLL CALL
PLEDGE OF ALLEGIANCE

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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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PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

*10-1025-01 J&S Partnership, LLC, J&S V, LLC, and Grand Avenue Development Company, LLC, by William M. Burns, attorney, petition to vacate portions of 45th Avenue West. -- Assessor

*10-1025-02 St. Luke's Hospital of Duluth, by Kenneth D. Butler, attorney, petition to vacate the alley between Blocks 36 and 40, Portland Division of Duluth. -- Received

*10-1025-03 The Velmeir Companies, et al. (three signatures) petition to vacate a 26 foot easement in Block 69, Oneota, from 46th Avenue West north to the north property line of Lot 4, Block 69, Oneota. -- Assessor

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REPORTS FROM THE ADMINISTRATION

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REPORTS FROM OTHER OFFICERS

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REPORTS OF BOARDS AND COMMISSIONS

*10-1025-04 Commission on disabilities minutes of September 1, 2010, meeting. -- Received

*10-1025-05 Duluth human rights commission minutes of August 11, 2010, meeting. -- Received

*10-1025-06 Duluth public utilities commission minutes of September 15, 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 2

BY PRESIDENT ANDERSON (COMMITTEE OF THE WHOLE)

10-0514R - RESOLUTION AMENDING RESOLUTION 09-0007, AS AMENDED, RETAINING MAKI AND OVEROM, CHARTERED, INCREASING THE AMOUNT BY \$150,000 FOR A NEW TOTAL AMOUNT NOT TO EXCEED \$460,000. (TABLED 10/11)

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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)

NEW 10-0550R - RESOLUTION AMENDING RESOLUTION 09-0742 ADOPTING LICENSE, PERMIT AND FEE CHARGES FOR 2010; MODIFYING EXISTING PLANNING AND ZONING FEES AND ESTABLISHING NEW APPLICATION FEES FOR THE UNIFIED DEVELOPMENT CHAPTER.

BY COUNCILOR CUNEO (PURCHASING & LICENSING)

10-0557R - RESOLUTION AUTHORIZING AN AGREEMENT WITH SAS + ASSOCIATES FOR LANDSCAPE ARCHITECTURAL SERVICES IN PROVIDING ADA (AMERICANS WITH DISABILITIES ACT) COMPLIANT ACCESS TO VARIOUS CITY OF DULUTH LOCATIONS FOR AN AMOUNT NOT TO EXCEED \$27,050.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

10-0558R - RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE STATE OF MINNESOTA FOR THE CONTAMINATION CLEAN-UP OF THE FORMER DULUTH SPRING SITE.

COMMITTEE 3

BY COUNCILOR GAUTHIER (PUBLIC WORKS & UTILITIES)

10-0545R - RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 1 TO CONTRACT NO. 21117 FOR NOBLE NURSERY RETAIL, INC., FOR THE 2010 TREE PLANTING PROJECT IN THE AMOUNT OF \$20,132 FOR A NEW CONTRACT AMOUNT OF \$54,792.

10-0546R - RESOLUTION AUTHORIZING A CONTRACT WITH MORTON INTERNATIONAL, INC., MORTON SALT DIVISION, FOR THE PURCHASE AND DELIVERY OF ROAD SALT FOR THE 2010 - 2011 SEASON (OCTOBER - APRIL) AT A TOTAL AMOUNT OF \$772,808.85.

COMMITTEE 3

BY COUNCILOR GAUTHIER (PUBLIC WORKS & UTILITIES)

10-0551R - RESOLUTION AUTHORIZING AMENDMENT TO CITY CONTRACT NO. 21070, ADDING WORK TO THE CMMS SOFTWARE CONTRACT WITH INFOR GLOBAL SOLUTIONS (MICHIGAN), INC., AND INCREASING THE AMOUNT PAYABLE BY \$75,000.

10-0556R - RESOLUTION AUTHORIZING AN INCREASE TO AGREEMENT NO. 20626 WITH ST. LOUIS COUNTY AND THE CITY OF HERMANTOWN FOR SIGNAL INSTALLATION AT THE INTERSECTION OF HAINES ROAD AND ANDERSON ROAD IN THE AMOUNT OF \$2,832.14 FOR A NEW TOTAL OF \$12,832.14.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

10-0547R - RESOLUTION APPROVING WAIVING PARKING FEES AT CITY-OWNED DOWNTOWN PARKING RAMPS AND DOWNTOWN PARKING METERS AT CERTAIN TIMES DURING THE CHRISTMAS CITY OF THE NORTH PARADE AND BENTLEYVILLE TOUR OF LIGHTS 2010.

10-0548R - RESOLUTION APPROVING RENEWAL AGREEMENT WITH ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES PROGRAM FOR REIMBURSEMENT OF CITY OVERTIME FOR INVESTIGATIVE SERVICES RELATED TO FEDERAL CRIMINAL INVESTIGATIONS (OCDETF GL-MN-193) IN THE TOTAL AMOUNT OF \$25,000.

10-0549R - RESOLUTION APPROVING RENEWAL AGREEMENT WITH ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES PROGRAM FOR REIMBURSEMENT OF CITY OVERTIME FOR INVESTIGATIVE SERVICES RELATED TO FEDERAL CRIMINAL INVESTIGATIONS (OCDETF GL-MN-181) IN THE TOTAL AMOUNT OF \$25,000.

10-0554R - RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, OFFICE OF JUSTICE PROGRAMS, IN AN AMOUNT NOT TO EXCEED \$16,634.50 AND A GRANT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$22,199.10, FOR PURCHASE OF BULLETPROOF VESTS.

END OF CONSENT AGENDA

INTRODUCTION AND CONSIDERATION OF ORDINANCES

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

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

10-057-O - AN ORDINANCE TO RENAME STREETS IN COFFEE CREEK PARK DEVELOPMENT AS FOLLOWS: MOCHA WAY TO VALLEY VIEW LANE, JAVA LANE TO VISTA VIEW LANE, ESPRESSO COURT TO MALLARD LANE, CAFÉ COURT AND CAFÉ AVENUE TO DEER VALLEY ROAD AND LATTE LANE TO CLEARWATER COURT.

COMMITTEE 3

BY COUNCILOR GAUTHIER (PUBLIC WORKS & UTILITIES)

10-056-O - AN ORDINANCE ESTABLISHING A PERMIT PROGRAM FOR LONG-TERM DISABILITY PARKING AND SETTING FORTH THE TERMS THEREOF, ADDING NEW SECTIONS 33-88.3.1 AND 33-88.3.2 OF THE CODE.

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

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

10-052-O - AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE JOHN J. ASTOR PARK A/K/A HISTORICAL PARK AS A LOCAL HERITAGE PRESERVATION LANDMARK.

BY PRESIDENT ANDERSON (COMMITTEE OF THE WHOLE)

10-053-O - AN ORDINANCE RELATING TO THE PLANTING, MAINTAINING AND REMOVAL OF VEGETATION ON PUBLIC AND PRIVATE PROPERTY; ADDING A NEW DIVISION 6 TO ARTICLE 2 OF CHAPTER 20 AND AMENDING ARTICLE IV OF CHAPTER 35 OF THE DULUTH CITY CODE, 1959, AS AMENDED.

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC SAFETY)

10-054-O - AN ORDINANCE AMENDING CHAPTER 40, ARTICLE II, OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO LOST, STOLEN OR ABANDONED PROPERTY.

BY COUNCILOR GARDNER (RECREATION, LIBRARIES & AUTHORITIES)

10-055-O - AN ORDINANCE ADDING A NEW ARTICLE III, CHAPTER 33 OF THE DULUTH CITY CODE, 1959, AS AMENDED REGARDING MINI-TRUCK REGULATIONS.

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COUNCILOR QUESTIONS AND COMMENTS

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COUNCILOR PREVIEW OF UPCOMING BUSINESS

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