

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, November 8, 2010, 7:00 p.m.

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

*10-1108-01 Minnesota state auditor Duluth/North Shore Sanitary District audit report for the year ended December 31, 2009. -- Received

*10-1108-02 Peter S. Lambert and Jeffrey B. Smith acceptance of the terms and conditions of a concurrent use permit granted by Ordinance No. 10055 on October 11, 2010. -- Received

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REPORTS FROM THE ADMINISTRATION

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REPORTS FROM OTHER OFFICERS

*10-1108-03 Assessor letters of sufficiency regarding petitions to vacate:
(a) A 26 foot easement in Block 69, Oneota, from 46th Avenue West north to the north property line of Lot 4, Block 69, Oneota;
(b) The alley between Blocks 36 and 40, Portland Division of Duluth;
(c) Portions of 45th Avenue West. -- Received

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REPORTS OF BOARDS AND COMMISSIONS

*10-1108-04 Duluth airport authority: (a) Minutes of September 28, 2010, meeting; (b) Unaudited balance sheet of August 31, 2010. -- Received

*10-1108-05 Duluth economic development authority minutes of September 15, 2010, meeting. -- Received

*10-1108-06 Duluth public arts commission minutes of September 20, 2010, meeting. -- Received

*10-1108-07 Duluth transit authority: (a) Income statement of July 2010; (b) Minutes of: (1) August 5; (2) August 25, 2010, meetings. -- Received

*10-1108-08 Library board minutes of September 28, 2010, meeting. -- Received

*10-1108-09 Parks and recreation commission minutes of September 8, 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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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 2

BY COUNCILOR HARTMAN (INTERGOVERNMENTAL RELATIONS)

10-0573R - RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE SALVATION ARMY RELATING TO DISTRIBUTION OF EMERGENCY ENERGY ASSISTANCE FUNDS IN THE AMOUNT OF \$16,086.

BY PRESIDENT ANDERSON (COMMITTEE OF THE WHOLE)

10-0575R - RESOLUTION REQUESTING THE ADMINISTRATION REVIEW THE FEASIBILITY OF CREATING FOUR WAY STOPS ALONG THE INTERSECTIONS OF FIRST THROUGH FOURTH STREETS AND 12TH, 14TH AND 19TH AVENUES EAST.

COMMITTEE 3

BY COUNCILOR GAUTHIER (PUBLIC WORKS & UTILITIES)

10-0565R - RESOLUTION AUTHORIZING THE EXECUTION OF A SNOWMOBILE TRAILS ASSISTANCE PROGRAM GRANT AGREEMENT FOR FY2011 WITH THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN AN AMOUNT NOT TO EXCEED \$13,925.

10-0567R - RESOLUTION ORDERING THE CONSTRUCTION OF APPROXIMATELY 110 FEET OF SANITARY SEWER IN EIGHTH AVENUE EAST BEGINNING AT EIGHTH STREET ALLEY AND EXTENDING NORTHERLY AT AN ESTIMATED COST OF \$28,700.

10-0572R - RESOLUTION AUTHORIZING AGREEMENT WITH RENDFIELD LAND COMPANY, INC., FOR A WINDOW TREATMENT AGREEMENT PERTAINING TO THE SKYWALK THROUGH THE FUR STORAGE BUILDING PROPERTY.

10-0574R - RESOLUTION AUTHORIZING CHANGE ORDER 1 TO CONTRACT 21234 WITH STACK BROTHERS MECHANICAL CONTRACTORS, INC., IN THE REPLACEMENT OF THE MCCARTHY MANOR SANITARY SEWER (AS PART OF THE NEW POLICE HEADQUARTERS PROJECT) FOR AN INCREASE OF \$30,000, AND A TOTAL CONTRACT AMOUNT OF \$73,800.

10-0576R - RESOLUTION REQUESTING THE PARKING COMMISSION AND ADMINISTRATION REVIEW THE FEASIBILITY OF REMOVING PARKING METERS FROM THE LINCOLN PARK BUSINESS DISTRICT.

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC SAFETY)

10-0559R - RESOLUTION CHANGING THE PARKING TIME LIMIT TO THREE HOURS ON GRAND AVENUE BETWEEN 58TH AVENUE WEST AND 59TH AVENUE WEST.

10-0566R - RESOLUTION TO ESTABLISH NO PARKING ON THE WEST SIDE OF ST. LOUIS AVENUE.

10-0570R - RESOLUTION TO ESTABLISH NO PARKING ON BOTH SIDES OF ANDERSON ROAD FROM HAINES ROAD TO CHAMBERSBURG AVENUE.

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)

10-0552R - RESOLUTION IN THE MATTER OF THE OFF SALE INTOXICATING LIQUOR LICENSE OF J&J JAUSS, INC. (GARY LIQUORS), 1431 COMMONWEALTH AVENUE. (AMENDMENT)

10-0553R - RESOLUTION IN THE MATTER OF THE OFF SALE INTOXICATING LIQUOR LICENSE OF GEORGE'S LIQUOR, INC. (GEORGE'S LIQUOR), 1340 WEST ARROWHEAD ROAD. (AMENDMENT)

COMMITTEE 2

BY COUNCILOR HARTMAN (INTERGOVERNMENTAL RELATIONS)

NEW 10-0577R - RESOLUTION OF SUPPORT FOR BEYOND THE YELLOW RIBBON OF DULUTH.

COMMITTEE 3

BY COUNCILOR GAUTHIER (PUBLIC WORKS & UTILITIES)

10-0569R - RESOLUTION OF INTENT TO IMPROVE A PORTION OF ANDERSON ROAD AND TO ASSESS A PORTION OF THE COSTS THEREOF.

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INTRODUCTION AND CONSIDERATION OF ORDINANCES

ORDINANCE TABLED

COMMITTEE 2

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.

(AS AMENDED) (TABLED 10/25) (AMENDMENTS)

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

COMMITTEE 1

BY COUNCILOR FEDORA (FINANCE)

10-058-O - AN ORDINANCE AMENDING CHAPTER VIII, SECTION 54, OF THE CITY OF DULUTH HOME RULE CHARTER, 1912, AS AMENDED, PERTAINING TO ESTABLISHMENT OF A PARKS FUND IN CITY TREASURY.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

10-060-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, ZONING DISTRICT MAP NO. 35 AS CONTAINED IN THE APPENDIX TO CHAPTER 50, TO PROVIDE FOR THE RECLASSIFICATION FROM R-4, APARTMENT RESIDENTIAL DISTRICT, TO MC, MEDICAL CENTER DISTRICT, PROPERTY AT THE NORTHWEST CORNER OF TENTH AVENUE EAST AND SECOND STREET (ST. LUKE'S HOSPITAL).

BY PRESIDENT ANDERSON (COMMITTEE OF THE WHOLE)

10-059-O - AN ORDINANCE AMENDING CHAPTER III, SECTION 13, OF THE CITY OF DULUTH HOME RULE CHARTER, 1912, AS AMENDED, PERTAINING TO ORDINANCE PUBLICATION REQUIREMENTS.

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

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

10-057-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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COUNCILOR QUESTIONS AND COMMENTS

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COUNCILOR PREVIEW OF UPCOMING BUSINESS

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