

**AGENDA FOR THE DULUTH CITY COUNCIL MEETING**

**REPLACEMENT**

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

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES** - July 12, 2010.

**PUBLIC HEARINGS** - 7:00 PM - Proposed City Charter Amendment Pertaining to the Establishment of a Parks Fund in the City Treasury (10-058-O).

7:00 PM - Proposed City Charter Amendment Pertaining to Ordinance Publication Requirements (10-059-O).

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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**

\*10-1122-01 Assessor amended assessment roll of solid waste collection expenses during the period of March 1, 2009, to June 1, 2010, for which the licensed collector has not been reimbursed. -- Received

\*10-1122-02 Clerk applications for exempt permits (raffle) to the Minnesota gambling control board from: (a) Amyotrophic Lateral Sclerosis Association on February 11, 2011; (b) CHOICE, Unlimited, on April 29, 2011. -- Received

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**REPORTS OF BOARDS AND COMMISSIONS**

\*10-1122-03 Charter commission minutes of July 14, 2010, meeting. -- Received

\*10-1122-04 Commission on disabilities minutes of October 6, 2010, meeting. -- Received

\*10-1122-08 Duluth public arts commission minutes of October 18, 2010, meeting. -- Received

\*10-1122-05 Entertainment and convention center authority minutes of October 26, 2010, meeting. -- Received

\*10-1122-06 Housing and redevelopment authority minutes of September 28, 2010, meeting. -- Received

\*10-1122-07 Spirit Mountain recreation area authority minutes of October 21, 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 1**

**BY COUNCILOR CUNEO (PURCHASING & LICENSING)**

10-0584R - RESOLUTION APPROVING THE ISSUANCE OF A 2011 MINNESOTA CURRENCY EXCHANGE LICENSE TO THE TITLE LOAN COMPANY, INC.

**BY COUNCILOR BOYLE (PERSONNEL)**

10-0582R - RESOLUTION CONFIRMING THE APPOINTMENTS OF THOMAS BEERY, JON C. WELLES AND ANDY HOLAK TO THE PARKS AND RECREATION COMMISSION, REPLACING ELIZABETH MACKAY, JIM TOPIE AND CAROLE NEWKUMET.

10-0586R - RESOLUTION ELECTING MEMBERS TO THE BOARD OF MANAGERS OF THE DULUTH/NORTH SHORE SANITARY DISTRICT PURSUANT TO MINNESOTA STATUTES, SECTION 115.23, SUBDIVISION 7.

**COMMITTEE 2**

**BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)**

10-0568R - RESOLUTION AMENDING RESOLUTION 10-0455 AWARDED A CONTRACT TO CHARLES BAILEY, DBA BAILEY CONSTRUCTION, FOR THE 2010 CDBG-ARRA SIDEWALK REPLACEMENT PROJECT, INCREASING THE AMOUNT BY \$24,076.89 FOR A NEW TOTAL OF \$77,131.39.

10-0585R - RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH VISUAL COMMUNICATIONS TO DEVELOP AND IMPLEMENT ALL ASPECTS OF A WAYFINDING PLAN FOR SKYLINE PARKWAY IN DULUTH FOR AN AMOUNT NOT TO EXCEED \$92,000.

10-0587R - RESOLUTION GRANTING MARK LAMBERT, SUMMIT MANAGEMENT, LLC, THE THIRD AMENDMENT TO A SECTION 50-38 SPECIAL USE PERMIT, ORIGINALLY APPROVED FEBRUARY 14, 2005, FOR PHASE III OF BOULDER RIDGE APARTMENTS ON THE SOUTHWEST SIDE OF RICE LAKE ROAD BETWEEN PECAN AVENUE AND HICKORY STREET.

10-0588R - RESOLUTION VACATING A PORTION OF THE 26 FOOT WIDE UTILITY EASEMENT IN BLOCK 69, ONEOTA DIVISION, BETWEEN 46TH AVENUE WEST AND THE NORTHEASTERLY LINE OF LOT 4, BLOCK 69, ONEOTA DIVISION, SUBJECT TO PETITIONER DEDICATING REPLACEMENT EASEMENTS AND RELOCATING EXISTING UTILITIES (VELMEIR COMPANIES).

**BY COUNCILOR HARTMAN (INTERGOVERNMENTAL RELATIONS)**

10-0583R - RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENTS TO THE JOINT POWERS AGREEMENT FORMING THE NORTHEAST REGIONAL RADIO BOARD.

**COMMITTEE 3**

**BY COUNCILOR GAUTHIER (PUBLIC WORKS & UTILITIES)**

10-0578R - RESOLUTION AMENDING RESOLUTION 07-0012 AWARDING A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES WITH LHB, INC., FOR THE CONSTRUCTION ADMINISTRATION FOR THE REHABILITATION OF BRIDGE NO. 92277 AT 26TH AVENUE WEST OVER MILLER CREEK IN THE ESTIMATED AMOUNT OF \$95,559 FOR A NEW TOTAL OF \$167,390.

10-0580R - RESOLUTION AUTHORIZING AN AGREEMENT WITH AYRES ASSOCIATES, INC., TO PROVIDE ENGINEERING SERVICES FOR SANITARY SEWER, WATERMAIN, STORM SEWER AND STREET IMPROVEMENTS FOR DULUTH'S RIVERSIDE NEIGHBORHOOD.

10-0581R - RESOLUTION AMENDING RESOLUTION 10-0377 FOR A CONTRACT WITH INTERSTATE IMPROVEMENT, INC., FOR 2010 CONCRETE PAVEMENT REHABILITATION, INCREASING THE AMOUNT BY \$520,000 FOR A NEW CONTRACT TOTAL OF \$1,755,868.50.

**END OF CONSENT AGENDA**

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

**COMMITTEE 1**

**BY COUNCILOR FEDORA (FINANCE)**

10-0579R - RESOLUTION ADOPTING LICENSE, PERMIT AND FEE CHARGES FOR 2011.

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**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)**

**NEW** 10-063-O - AN ORDINANCE AUTHORIZING THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH TO EXERCISE POWERS UNDER MINNESOTA STATUTES, CHAPTER 462C, ON BEHALF OF THE CITY OF DULUTH.

**BY PRESIDENT ANDERSON (COMMITTEE OF THE WHOLE)**

**NEW** 10-062-O - AN ORDINANCE AMENDING CHAPTER 29A OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO THE CITY HOUSING, PROPERTY MAINTENANCE AND RENTAL CODE.

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The following entitled ordinances are to be read for the second 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)**

10-053-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)

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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**COUNCILOR QUESTIONS AND COMMENTS**

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**COUNCILOR PREVIEW OF UPCOMING BUSINESS**

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