

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, January 24, 2011, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - September 13 and 27, and October 11 and 25, 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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PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

*11-0124-01 The following communications regarding the proposed parks and recreation master plan (10-0644R): (a) Jon Aamodt; (b) Duluth Amateur Hockey Association; (c) Todd W. Langdon; (d) RJ Larson. -- Received

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REPORTS FROM THE ADMINISTRATION

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REPORTS FROM OTHER OFFICERS

*11-0124-02 Purchasing agent emergency purchase order awarded to Groebner & Associates, Inc., for installation of two replacement valves mandated by the Minnesota department of transportation for the gas main relocation project prior to start up reconstruction of I-35 at a cost of \$53,416.13, pursuant to Section 41-27 of the Duluth City Code. -- Received

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REPORTS OF BOARDS AND COMMISSIONS

*11-0124-03 Commission on disabilities minutes of December 1, 2010, meeting. -- Received

*11-0124-04 Duluth public utilities commission minutes of: (a) November 10; (b) December 8, 2010, meetings. -- 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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RESOLUTIONS TABLED

COMMITTEE 1

BY COUNCILOR FEDORA (FINANCE)

11-0017R - RESOLUTION AMENDING RESOLUTION 10-0579 ADOPTING LICENSE, PERMIT AND FEE CHARGES FOR 2011; AMENDING STREET LIGHTING SYSTEM UTILITY FEES. (TABLED 1/10/2011)
(AMENDMENTS)

COMMITTEE 3 (RECREATION, LIBRARIES & AUTHORITIES)

BY COUNCILOR HALBERG (Introduced by President Gardner)

10-0644R - RESOLUTION ADOPTING THE PARKS AND RECREATION MASTER PLAN FOR THE CITY OF DULUTH. (TABLED 12/20/2010; RETABLED 1/10/2011)

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MOTIONS AND RESOLUTIONS

The following entitled resolution is to be read for the first time, pursuant to City Council Standing Rule No. 15:

COMMITTEE 3

BY COUNCILOR HARTMAN (PUBLIC WORKS AND UTILITIES)

11-0039R - RESOLUTION AMENDING THE STANDING RULES - AMENDMENTS.

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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)

11-0030R - RESOLUTION AUTHORIZING BANKING SERVICES WITH M&I MARSHALL & ILSLEY BANK FOR AN ESTIMATED AMOUNT OF \$82,506 IN YEAR 2011.

BY COUNCILOR CUNEO (PURCHASING & LICENSING)

11-0026R - RESOLUTION ISSUING A TEMPORARY ON SALE 3.2 PERCENT MALT LIQUOR LICENSE TO THE COLLEGE OF ST. SCHOLASTICA, 1200 KENWOOD AVENUE.

NEW 11-0031R - RESOLUTION AUTHORIZING CITY OFFICIALS TO CONTRACT WITH WASTE MANAGEMENT OF NORTHERN MINNESOTA FOR GARBAGE/REFUSE REMOVAL AND RECYCLING PICKUP AS NEEDED DURING 2011 FOR A TOTAL ESTIMATED AMOUNT OF \$160,000. **(REPLACEMENT)**

11-0038R - RESOLUTION THE RENEWAL OF CONTRACT NO. 20352 WITH INTER-CITY OIL COMPANY, INC., FOR BOTH BULK AND SERVICE STATION FUELS WITH DELIVERY SERVICE AS NEEDED DURING YEAR 2011 FOR AN AMOUNT NOT TO EXCEED \$1,080,000.

COMMITTEE 1

BY COUNCILOR CUNEO (PURCHASING & LICENSING)

11-0042R - RESOLUTION AUTHORIZING A CONTRACT WITH MANEY INTERNATIONAL, INC., FOR OEM PARTS, SUPPLIES AND LABOR AS NEEDED DURING YEAR 2011 AT AN ESTIMATED AMOUNT OF \$56,000.

11-0043R - RESOLUTION FOR EXECUTION OF SECOND ADDENDUM EXTENDING THE ADMINISTRATIVE SERVICES AGREEMENT WITH RTW, INC., FOR THIRD-PARTY ADMINISTRATION OF WORKERS' COMPENSATION EFFECTIVE FEBRUARY 1, 2011.

BY COUNCILOR BOYLE (PERSONNEL)

11-0018R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF OPERATIONS COORDINATOR, PARKS AND RECREATION DIVISION, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

11-0027R - RESOLUTION REAPPOINTING ROBERT REICHERT AND JOHN IVEY THOMAS TO THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH.

11-0035R - RESOLUTION AUTHORIZING THE CITY COUNCIL TO APPROVE A PAY EQUITY IMPLEMENTATION REPORT.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

11-0028R - RESOLUTION APPROVING SURVEYOR'S CERTIFICATE OF PLAT CORRECTION RELATED TO ONEOTA INDUSTRIAL PARK FIRST ADDITION.

11-0040R - RESOLUTION VACATING THE PORTION OF ALLEY LOCATED BETWEEN BLOCKS 36 AND 40, PORTLAND DIVISION OF DULUTH (ST. LUKE'S HOSPITAL).

COMMITTEE 3

BY COUNCILOR HARTMAN (PUBLIC WORKS AND UTILITIES)

11-0023R - RESOLUTION DESIGNATING PORTION OF SEWER BASIN NO. 28 FOR I&I ENFORCEMENT UNDER CHAPTER 43 AND GIVING NOTICE TO AFFECTED PROPERTIES.

11-0033R - RESOLUTION AUTHORIZING SECOND AMENDMENT TO CITY CONTRACT NO. 21,070, WITH INFOR GLOBAL SOLUTIONS (MICHIGAN), INC., ADDING 15 ADDITIONAL EAM USER LICENSES AND REDUCING MAINTENANCE INFLATION COSTS, AND INCREASING THE AMOUNT PAYABLE BY \$98,027.23.

11-0034R - RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS FROM J & S PARTNERSHIP LLP, J & S V, LLC AND GLENN AND SALLY PRATT FOR J & S/ONEOTA REDEVELOPMENT PROJECT AT A COST OF \$50,000.

11-0036R - RESOLUTION APPROVING FIRST AMENDMENT TO MANAGEMENT AGREEMENT (CITY CONTRACT NO. 20554) WITH DULUTH STEAM COOPERATIVE ASSOCIATION.

11-0037R - RESOLUTION AUTHORIZING AGREEMENT WITH HRA ACCEPTING EASEMENTS FOR THE HAWK RIDGE DEVELOPMENTS AT NO COST.

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC SAFETY)

11-0024R - RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FROM MINNESOTA DEPARTMENT OF PUBLIC SAFETY HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION IN THE AMOUNT OF \$55,000 FOR THE PURPOSE OF SUPPORTING THE FIRE DEPARTMENT'S CHEMICAL ASSESSMENT TEAM.

END OF CONSENT AGENDA

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

COMMITTEE 1

BY COUNCILOR FEDORA (FINANCE)

11-0032R - RESOLUTION APPROVING BUDGET AND COST SHARING FORMULA OF MINNEAPOLIS - DULUTH/SUPERIOR PASSENGER RAIL ALLIANCE AND AUTHORIZING PAYMENT OF CITY'S COST SHARE OF \$38,000.

BY COUNCILOR CUNEO (PURCHASING & LICENSING)

11-0025R - RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING LIQUOR LICENSE OF PIZZA LUCE III, INC. (PIZZA LUCE), 11 EAST SUPERIOR STREET.

COMMITTEE 2

BY PRESIDENT GARDNER (COMMITTEE OF THE WHOLE)

11-0041R - RESOLUTION AMENDING RESOLUTION 09-0059 RETAINING FRANK MADDEN & ASSOCIATES FOR SERVICE RELATED TO LABOR CONTRACTS BEGINNING IN 2011, INCREASING THE AMOUNT BY \$50,000 FOR A NEW TOTAL AMOUNT NOT TO EXCEED \$100,000.

11-0045R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A JOINT POWERS AGREEMENT AND TRUST AGREEMENT WITH THE DULUTH ENTERTAINMENT CONVENTION CENTER, HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH AND DULUTH AIRPORT AUTHORITY TO FORM AND IMPLEMENT A JOINT POWERS ENTERPRISE, ALONG WITH APPROVAL OF THE BYLAWS OF THE JOINT POWERS ENTERPRISE.

COMMITTEE 3

BY COUNCILOR HALBERG (RECREATION, LIBRARIES & AUTHORITIES)

11-0029R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE GRANT COMMUNITY SCHOOL COLLABORATIVE FOR THE OPERATION OF THE GRANT COMMUNITY RECREATION CENTER.

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INTRODUCTION AND CONSIDERATION OF ORDINANCES

ORDINANCE TABLED

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

10-068-O - AN ORDINANCE AMENDING SECTIONS 50-18.1, 50-36.6 AND 50-41.269 OF CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO SHORELAND STANDARDS.

(TABLED 12/20/2010)

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

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

11-002-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50, OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION FROM R-2, RESIDENTIAL-URBAN, TO MU-I, MIXED USE-INSTITUTIONAL, THE PROPERTY THAT CONSTITUTES THE CAMPUS OF THE COLLEGE OF SAINT SCHOLASTICA (CITY OF DULUTH).

11-003-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50, OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION FROM I-W, INDUSTRIAL WATERFRONT, AND MU-N, MIXED USE NEIGHBORHOOD, TO MU-W, MIXED USE WATERFRONT, THE WESTERN BAYFRONT DISTRICT PROPERTY BETWEEN SIXTH AND TENTH AVENUES WEST SOUTH OF RAILROAD STREET (CITY OF DULUTH).

11-004-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50, OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION FROM I-W, INDUSTRIAL WATERFRONT, TO MU-W, MIXED USE WATERFRONT, PROPERTY AT 1000 MINNESOTA AVENUE (LAKEHEAD BOAT BASIN, INC.).

BY PRESIDENT GARDNER (COMMITTEE OF THE WHOLE)

11-005-O - AN ORDINANCE AMENDING SECTIONS 29A-27 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PROVIDING FOR DEFINITIONS, AND ADDING A NEW SECTION 29A-32.1 PROVIDING AUTHORITY FOR A RENTAL CONVERSION FEE. **(AMENDMENTS)**

The following entitled ordinance is to be read for the second time:

COMMITTEE 1

BY COUNCILOR CUNEO (PURCHASING & LICENSING)

11-001-O - AN ORDINANCE AMENDING SECTION 11-1 OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO INCORPORATE CURRENT STATUTORY DEFINITIONS.

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COUNCILOR QUESTIONS AND COMMENTS

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COUNCILOR PREVIEW OF UPCOMING BUSINESS