

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, February 28, 2011, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - January 6 and 10, 2011.

- - -

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.

- - -

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]

- - -

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

*11-0228-01 Jeff Stuermer communication regarding the proposed reclassification of Park Point from Eighth Street to 11th Street, from Minnesota Avenue to the rear property line (11-008-O). -- Received

- - -

REPORTS FROM THE ADMINISTRATION

- - -

REPORTS FROM OTHER OFFICERS

*11-0228-02 Clerk applications for exempt permits (raffles) to the Minnesota gambling control board from: (a) St. Margaret Mary Church for April 17, 2011; (b) United Northern Sportsmen Club for April 8, 2011. -- Received

- - -

REPORTS OF BOARDS AND COMMISSIONS

*11-0228-03 Duluth public utilities commission minutes of January 12, 2011, meeting. -- Received

*11-0228-04 Duluth transit authority: (a) Minutes of January 5, 2011, meeting; (b) November 2010 income statement. -- Received

*11-0228-05 Parks and recreation commission minutes of January 12, 2011, meeting. -- Received

*11-0228-06 Planning commission minutes of January 11, 2011, meeting. -- Received

*11-0228-07 Spirit Mountain recreation area authority minutes of January 20, 2011, meeting. -- Received

* Listed only, not copied.

- - -

REPORTS OF COUNCIL COMMITTEES

- - -

REPORTS OF COUNCIL OPEN ISSUES

- - -

OPPORTUNITY FOR CITIZENS TO BE HEARD

- - -

RESOLUTIONS TABLED

COMMITTEE 2

BY COUNCILOR ANDERSON (INTERGOVERNMENTAL RELATIONS)

11-0052R - RESOLUTION REQUESTING DETACHMENT OF SOUTH ST. LOUIS COUNTY FAIRGROUNDS FROM DULUTH AND ANNEXATION TO PROCTOR. (TABLED 2/14) (REPLACEMENT)

BY COUNCILORS ANDERSON AND HARTMAN

11-0087R - RESOLUTION ESTABLISHING A TOURISM TAX TASK FORCE. (TABLED 2/14)

BY PRESIDENT GARDNER (COMMITTEE OF THE WHOLE)

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. (TABLED 1/24)

- - -

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 11-0091R - RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF DULUTH AND LOCAL 66 OF AFSCME, REPRESENTED BY AFSCME MINNESOTA COUNCIL 5, FOR THE YEAR 2011.

BY COUNCILOR CUNEO (PURCHASING & LICENSING)

11-0084R - RESOLUTION AUTHORIZING A CONTRACT WITH NELSON AUTO CENTER FOR THE PURCHASE OF FIVE 2011 GMC SIERRA 3500HD 4WD CAB AND CHASSIS UNITS FOR A TOTAL AMOUNT OF \$173,786.07.

11-0094R - RESOLUTION AUTHORIZING A CONTRACT WITH LISCOMB HOOD MASON COMPANY FOR PROPERTY INSURANCE IN THE AMOUNT OF \$84,110.99.

11-0100R - RESOLUTION AMENDING AGREEMENT 20890 WITH ARCHITECTURE ADVANTAGE, LLP, FOR ARCHITECTURAL SERVICES IN CONNECTION WITH REPLACEMENT OF CITY HALL WINDOWS FOR AN INCREASE OF \$33,500, AND A NEW CONTRACT TOTAL OF \$61,500.

11-0103R - RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR THE RUFFED GROUSE SOCIETY.

COMMITTEE 1

BY COUNCILOR BOYLE (PERSONNEL)

11-0089R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF CORROSION TECHNICIAN.

11-0101R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF TRAILS COORDINATOR AND SPECIFYING CONTRACT BENEFITS FOR SAME.

COMMITTEE 2

BY COUNCILOR ANDERSON (INTERGOVERNMENTAL RELATIONS)

11-0093R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH AND ACCEPT FUNDS FROM ST. LOUIS COUNTY TO PROVIDE MINNESOTA FAMILY INVESTMENT PROGRAM AND DIVERSIONARY WORK PROGRAM EMPLOYMENT AND TRAINING SERVICES IN AN AMOUNT NOT LESS THAN \$1,010,207 FOR THE PERIOD JANUARY 1, 2011, THROUGH DECEMBER 31, 2011.

11-0095R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH AND ACCEPT FUNDS FROM ST. LOUIS COUNTY TO PROVIDE MINNESOTA INNOVATION FUND 2011 TRANSPORTATION IN AN AMOUNT NOT LESS THAN \$14,853.86 FOR THE PERIOD JANUARY 1, 2011, THROUGH DECEMBER 31, 2011.

COMMITTEE 3

BY COUNCILOR HARTMAN (PUBLIC WORKS AND UTILITIES)

11-0085R - RESOLUTION AUTHORIZING A CONTRACT WITH HD SUPPLY WATERWORKS, LTD., FOR THE PURCHASE AND DELIVERY OF FIRE HYDRANTS DURING YEAR 2011 FOR A TOTAL AMOUNT OF \$68,857.43.

11-0088R - RESOLUTION AMENDING RESOLUTIONS 08-0497, 09-0123 AND 09-0530 AWARDED A CONTRACT FOR A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH SALO ENGINEERING, INC., FOR THE YEAR 2009 MUNICIPAL STATE AID PROJECT LOCATED ON WOODLAND AVENUE BETWEEN KENT ROAD AND ARROWHEAD ROAD IN THE AMOUNT OF \$44,085.40 FOR A NEW TOTAL OF \$643,106.68.

11-0096R - RESOLUTION AUTHORIZING RENEWAL OF A CONTRACT WITH WASTE MANAGEMENT OF MINNESOTA, INC., (CANYON) FOR LANDFILL TIPPING FEES IN THE DISPOSAL OF BOILER ASH IN YEAR 2011 FOR A TOTAL AMOUNT OF \$55,125.

11-0102R - RESOLUTION AUTHORIZING AN AGREEMENT WITH LAKE SUPERIOR CONSULTING, LLC FOR PROFESSIONAL ENGINEERING SERVICES TO DEVELOP A DISTRIBUTION INTEGRITY MANAGEMENT PLAN FOR THE CITY'S NATURAL GAS SYSTEM IN THE AMOUNT OF \$23,404.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

11-0097R - RESOLUTION AUTHORIZING THE CITY OF DULUTH POLICE DEPARTMENT TO ENTER INTO A USE AGREEMENT WITH THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION (MN/DOT) PERMITTING THE POLICE DEPARTMENT TO INSTALL AND MAINTAIN COMMUNICATIONS EQUIPMENT ON THE MN/DOT COMMUNICATIONS TOWER.

COMMITTEE 3

BY COUNCILOR FOSLE

(PUBLIC SAFETY)

11-0099R - RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT IN YEAR 2011 WITH ST. LOUIS COUNTY FOR FOUR QUARTERS OF SHIELD MAINTENANCE SOFTWARE ASSOCIATED WITH NEMESIS (NORTHEASTERN MINNESOTA ENFORCEMENT SAFETY INFORMATION SYSTEM) IN THE AMOUNT OF \$66,975.

11-0106R - RESOLUTION AUTHORIZING THIRD AMENDMENT TO CITY CONTRACT NO. 21014 WITH LHB ENGINEERS AND ARCHITECTS, INC., TO SERVICES RELATED TO FURNITURE FOR NEW HEADQUARTERS BUILDING, INCREASING THE AMOUNT PAYABLE BY \$34,087.

BY COUNCILOR HALBERG (RECREATION, LIBRARIES & AUTHORITIES)

11-0075R - RESOLUTION APPROVING A FIVE-YEAR LEASE PURCHASE AGREEMENT WITH MTI DISTRIBUTING, INC., FOR ASSORTED GOLF COURSE MAINTENANCE EQUIPMENT AT AN ANNUAL AMOUNT OF \$125,771.24 AND A TOTAL CONTRACT AMOUNT OF \$628,856.20.

11-0092R - RESOLUTION ACCEPTING A GRANT FROM THE DEPARTMENT OF NATURAL RESOURCES 2010 TO 2012 COMMUNITY FOREST BONDING GRANT FOR THE CITY'S PLANTING FOR TOMORROW PROJECT TO BE USED TO PLANT TREES ON DULUTH'S BOULEVARDS AND IN PARKS IN THE AMOUNT OF \$25,000.

END OF CONSENT AGENDA

- - -

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

COMMITTEE 2

BY COUNCILOR ANDERSON

(INTERGOVERNMENTAL RELATIONS)

11-0105R - RESOLUTION OPPOSING DETACHMENT OF SOUTH ST. LOUIS COUNTY FAIRGROUNDS FROM DULUTH AND SUPPORTING ANNEXATION TO PROCTOR, REFERRING ISSUE TO CHARTER COMMISSION AND PLANNING COMMISSION AND COMMITTING TO RECONSIDERATION.

NEW 11-0107R - RESOLUTION REQUESTING DETACHMENT OF PROPERTY FROM PROCTOR FOR ANNEXATION TO DULUTH.

BY PRESIDENT GARDNER AND COUNCILOR ANDERSON

11-0104R - RESOLUTION EXPRESSING OPPOSITION TO THE ADDITION OF PHOTO IDENTIFICATION REQUIREMENTS IN ELECTIONS.

- - -

INTRODUCTION AND CONSIDERATION OF ORDINANCES

ORDINANCE TABLED

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

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.). (TABLED 2/14)

- - -

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

COMMITTEE 2

BY PRESIDENT GARDNER (COMMITTEE OF THE WHOLE)

11-008-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 MU-B, MIXED USE-BUSINESS PARK, TO R-1, RESIDENTIAL TRADITIONAL, THAT AREA OF PARK POINT FROM EIGHTH STREET TO 11TH STREET, FROM MINNESOTA AVENUE TO THE REAR PROPERTY LINE (CITY OF DULUTH).

- - -

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

COMMITTEE 1

BY COUNCILOR FEDORA (FINANCE)

11-007-O - AN ORDINANCE CREATING TOURISM ATTRACTION REINVESTMENT AND INVESTMENT FUND TO FUND INVESTMENT AND REINVESTMENT IN PUBLIC TOURISM-RELATED INFRASTRUCTURE, PROVIDING FOR FUNDING THEREOF AND FOR EXPENDING FUNDS THEREFROM, ADDING A NEW DIVISION 9 TO ARTICLE II OF CHAPTER 20 OF THE DULUTH CITY CODE, 1959, AS AMENDED. (REPLACEMENT)

- - -

COUNCILOR QUESTIONS AND COMMENTS

- - -

COUNCILOR PREVIEW OF UPCOMING BUSINESS

- - -