

**AGENDA FOR THE DULUTH CITY COUNCIL MEETING**

**REPLACEMENT**

Monday, April 11, 2011, 7:00 p.m.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES** - January 24, February 10 and 14, 2011.

**PUBLIC HEARING - 7:00 p.m.** - DEDA Spending Plan - *Building in Duluth 2011* (11-0155R).

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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 OF BOARDS AND COMMISSIONS**

- \*11-0411-01 Civil service board minutes of February 1, 2011, meeting. -- Received
- \*11-0411-02 Duluth economic development authority minutes of March 2, 2011, meeting. -- Received
- \*11-0411-03 Duluth public arts commission minutes of February 28, 2011, meeting. -- Received
- \*11-0411-04 Duluth transit authority: (a) Minutes of January 26, 2011, meeting; (b) December 2010 income statement. -- Received
- \*11-0411-05 Housing and redevelopment authority of Duluth minutes of February 22, 2011, meeting. -- Received
- \*11-0411-06 Seaway Port authority of Duluth February 2011 financial summary. -- 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 COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)**

11-0155R - RESOLUTION APPROVING THE *BUILDING IN DULUTH 2011* SPENDING PLAN.

(TABLED 3/28) **(REPLACEMENT)**

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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)**

11-0182R - RESOLUTION APPROVING THE BUDGET FOR THE FISCAL YEAR MAY 1, 2011, TO APRIL 30, 2012, IN THE AMOUNT OF \$5,787,409 FOR THE SPIRIT MOUNTAIN RECREATION AREA AUTHORITY.

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

11-0148R - RESOLUTION AWARDED A CONTRACT TO DULUTH COATING SOLUTIONS, INC., FOR THE RESURFACING OF THE CITY'S FLEET SERVICES BUILDING FLOOR FOR A TOTAL AMOUNT OF \$117,406.

11-0176R - RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO LAKE SUPERIOR BREWING COMPANY, LLC (RESPECT YOUR MOTHER EARTH), LEIF ERICKSON PARK.

11-0177R - RESOLUTION ISSUING AN ON SALE 3.2 PERCENT MALT LIQUOR LICENSE AND APPROVING ISSUANCE OF AN ON SALE WINE LICENSE TO VITTA PIZZA, INC. (VITTA PIZZA), 307 CANAL PARK DRIVE.

11-0178R - RESOLUTION APPROVING THE ISSUANCE OF ON SALE 3.2 PERCENT MALT LIQUOR LICENSE RENEWALS FOR THE PERIOD BEGINNING MAY 1, 2011, AND ENDING APRIL 30, 2012.

11-0179R - RESOLUTION APPROVING THE ISSUANCE OF OFF SALE 3.2 PERCENT MALT LIQUOR LICENSE RENEWALS FOR THE PERIOD BEGINNING MAY 1, 2011, AND ENDING APRIL 30, 2012.

11-0180R - RESOLUTION RECOMMENDING APPROVAL OF THE CONSUMPTION AND DISPLAY LICENSE RENEWALS OF THE ORDER OF THE OWLS, DULUTH NEST #1200, AND DULUTH WOMAN'S CLUB FOR THE PERIOD BEGINNING APRIL 1, 2011, AND ENDING MARCH 31, 2012.

11-0181R - RESOLUTION APPROVING THE EXEMPTION OF RAFFLE LICENSES AND WAIVING THE 60 DAY WAITING PERIOD FOR LINCOLN PARK BUSINESS GROUP AND ST. JAMES CATHOLIC CHURCH.

**BY COUNCILOR BOYLE (PERSONNEL)**

11-0166R - RESOLUTION CONFIRMING THE APPOINTMENT OF DAVID ROSS TO THE ENTERTAINMENT AND CONVENTION CENTER AUTHORITY, REPLACING MARSHA SIGNORELLI.

**COMMITTEE 2**

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

11-0167R - RESOLUTION AUTHORIZING TRANSFER OF \$10,000 IN THE 2010 AND 2011 HUD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAMS.

**COMMITTEE 2**

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

11-0168R - RESOLUTION AUTHORIZING THE ACCEPTANCE OF \$1,144,684 IN LEAD-BASED PAINT HAZARD CONTROL GRANT PROGRAM FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S OFFICE OF HEALTHY HOMES AND LEAD HAZARD CONTROL AND AUTHORIZING CONTRACTS WITH APPROPRIATE AGENCIES.

**BY COUNCILOR ANDERSON (INTERGOVERNMENTAL RELATIONS)**

11-0164R - RESOLUTION AUTHORIZING AN MEMORANDUM OF UNDERSTANDING WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR FAIR HOUSING ENFORCEMENT.

**COMMITTEE 3**

**BY COUNCILOR HARTMAN (PUBLIC WORKS AND UTILITIES)**

11-0159R - RESOLUTION AMENDING A CONTRACT WITH MSA PROFESSIONAL SERVICES, INC., FOR ENGINEERING SERVICES RELATED TO THE GAS, WATER AND SANITARY SEWER UTILITIES SCADA SYSTEM IN THE ESTIMATED AMOUNT OF \$154,900 FOR A NEW TOTAL OF \$477,613.59.

11-0170R - RESOLUTION OF INTENT FOR CONSTRUCTION OF 600 FEET OF SANITARY SEWER IN COLUMBIA STREET BEGINNING AT NORTH CENTRAL AVENUE AND EXTENDING WESTERLY AND TO ASSESS THE COSTS THEREOF.

11-0173R - RESOLUTION AUTHORIZING APPLICATION FOR AND, IF SELECTED, ACCEPTANCE OF A GRANT ANTICIPATED TO BE \$30,000 FROM THE GREAT LAKES BASIN PROGRAM FOR A PROJECT ENTITLED MILLER CREEK DISC GOLF COURSE DEMONSTRATION PROJECT.

11-0174R - RESOLUTION ORDERING THE IMPROVEMENT OF THE 2011 MUNICIPAL STATE AID PROJECT ON ANDERSON ROAD AT AN ESTIMATED COST OF \$2,880,000.

**BY COUNCILOR FOSLE (PUBLIC SAFETY)**

**NEW** 11-0171R - RESOLUTION AUTHORIZING THE CITY OF DULUTH POLICE DEPARTMENT TO ENTER INTO AN AGREEMENT WITH ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES FOR REIMBURSEMENT OF CITY OVERTIME FOR INVESTIGATIVE SERVICES RELATED TO FEDERAL CRIMINAL INVESTIGATIONS IN THE AMOUNT OF \$25,000.

**BY COUNCILOR HALBERG (RECREATION, LIBRARIES & AUTHORITIES)**

11-0169R - RESOLUTION ACCEPTING UNCONDITIONAL GIFTS FROM INDIVIDUALS, CIVIC GROUPS, CORPORATIONS AND OTHER PUBLIC ENTITIES FOR THE BENEFIT OF IMPROVEMENTS TO HARRISON COMMUNITY CENTER IN 2011 AND 2012.

**END OF CONSENT AGENDA**

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

**COMMITTEE 1**

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

11-0165R - RESOLUTION AWARDED A CONTRACT TO BERT'S TRUCK EQUIPMENT, INC., FOR THE PURCHASE AND DELIVERY OF FIVE DUMP BODIES AND RELATED EQUIPMENT FOR OUTFITTING TRUCKS IN THE AMOUNT OF \$72,093.60.

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**INTRODUCTION AND CONSIDERATION OF ORDINANCES**

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

**COMMITTEE 2**

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

11-012-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-N, MIXED USE-NEIGHBORHOOD, TO FORM DISTRICTS, MID-RISE COMMUNITY SHOPPING (F-3) AND MID-RISE COMMUNITY MIX (F-4), WEST DULUTH/SPIRIT VALLEY BUSINESS DISTRICT ALONG GRAND AVENUE FROM CODY STREET TO NORTH 59TH AVENUE WEST, CENTRAL AVENUE FROM CODY STREET TO ROOSEVELT AND BETWEEN ROOSEVELT STREET AND GRAND AVENUE (CITY OF DULUTH).

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

**COMMITTEE 2**

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

11-010-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH LEGISLATIVE CODE TO PROVIDE FOR THE REMOVAL OF A PORTION OF GREY'S CREEK DESIGNATED AS GENERAL DEVELOPMENT SHORELAND FROM THE NATURAL RESOURCES OVERLAY DISTRICT LOTS 13, 14, 15 AND 16 OF BLOCK 26, LAKEVIEW DIVISION OF DULUTH.

**BY PRESIDENT GARDNER AND COUNCILOR HARTMAN**

11-011-O - AN ORDINANCE AMENDING SECTION 34-17 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO PREDATORY OFFENDER RESIDENCY RESTRICTIONS.

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**COUNCILOR QUESTIONS AND COMMENTS**

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**COUNCILOR PREVIEW OF UPCOMING BUSINESS**

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