

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, April 25, 2011, 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

*11-0425-01 Harland and Arlene Nelson communication regarding the annual deer control hunt (11-0172R). -- Received

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REPORTS FROM THE ADMINISTRATION

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REPORTS FROM OTHER OFFICERS

*11-0425-02 Assistant city attorney event agreement with Marshall School, pursuant to Section 2-35 of the Duluth City Code. -- Mayor for execution

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REPORTS OF BOARDS AND COMMISSIONS

*11-0425-03 Commission on disabilities minutes of March 2, 2011, meeting. -- Received

*11-0425-04 Duluth airport authority minutes of March 15, 2011, meeting. -- Received

*11-0425-05 Duluth public arts commission minutes of March 21, 2011, meeting. -- Received

*11-0425-06 Duluth public utilities commission minutes of March 9, 2011, 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 FEDORA (FINANCE)

11-0197R - RESOLUTION AMENDING RESOLUTION 10-0579 ADOPTING LICENSE, PERMIT AND FEE CHARGES FOR 2011; ADDING A CANDIDATE PHYSICAL ASSESSMENT TEST FEE.

BY COUNCILOR CUNEO (PURCHASING & LICENSING)

11-0184R - RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF PDL OF DULUTH, INC. (CLUB SARATOGA), 331 CANAL PARK DRIVE, AND THE LAKE EFFECT RESTAURANT, INC. (LAKE AVENUE CAFÉ), 394 LAKE AVENUE SOUTH.

11-0189R - RESOLUTION AWARDED A CONTRACT TO DSC COMMUNICATIONS, INC., FOR THE PURCHASE AND DELIVERY OF 88 MOBILE RADIOS, SOFTWARE AND RELATED EQUIPMENT, A CITY-WIDE DIGITAL UPGRADE, IN THE AMOUNT OF \$53,374.11.

11-0190R - RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH SEH, INC., FOR ELECTRICAL AND LIGHTING ENGINEERING SERVICES ASSOCIATED WITH THE WEST DULUTH LIGHTING IMPROVEMENTS PROJECT FOR AN AMOUNT NOT TO EXCEED \$26,800.

11-0191R - RESOLUTION AUTHORIZING A CONTRACT WITH CITON COMPUTER CORPORATION FOR THE PURCHASE AND DELIVERY OF LENOVO COMPUTER HARDWARE (LAPTOPS) AND RELATED EQUIPMENT AS NEEDED IN YEAR 2011, NOT TO EXCEED THE BUDGET ALLOCATION OF \$150,000.

11-0194R - RESOLUTION AUTHORIZING A CONTRACT WITH INSIGHT PUBLIC SECTOR, INC., FOR COMPUTER HARDWARE AND RELATED PRODUCTS AS NEEDED IN YEAR 2011 NOT TO EXCEED THE BUDGET ALLOCATION OF \$100,000.

11-0196R - RESOLUTION AUTHORIZING A CONTRACT WITH SOFTWARE HOUSE INTERNATIONAL (SHI), INC., FOR COMPUTER SOFTWARE AND HARDWARE AS NEEDED IN YEAR 2011, NOT TO EXCEED THE BUDGET ALLOCATION OF \$200,000.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

11-0198R - RESOLUTION AUTHORIZING TRANSFER OF \$125,551.07 IN THE 2009 HUD HOMELESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP).

11-0204R - RESOLUTION VACATING THE PORTION OF STREET AND ALLEY LOCATED NEAR BLOCKS 10 AND 11, CLAGUE AND PRINDLE'S ADDITION (MILLER-DWAN FOUNDATION HOSPICE HOUSE, LLC).

11-0208R - RESOLUTION AMENDING THE COMPREHENSIVE LAND USE PLAN - FUTURE LAND USE MAP FOR THE MORGAN PARK SCHOOL SITE.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

11-0209R - RESOLUTION AUTHORIZING APPLICATION AND, UPON APPROVAL, ACCEPTANCE OF A STATE OF MINNESOTA CONTAMINATION INVESTIGATION GRANT RELATED TO THE DULUTH DUMP #5 SITE.

11-0211R - RESOLUTION AUTHORIZING APPLICATION AND, UPON APPROVAL, ACCEPTANCE OF A STATE OF MINNESOTA CONTAMINATION CLEAN-UP GRANT RELATED TO THE HAWKS BOO ~~(REPLACEMENT)~~

BY PRESIDENT GARDNER (COMMITTEE OF THE WHOLE)

11-0188R - RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE NATIONAL CENTER FOR CIVIC INNOVATION IN THE AMOUNT OF \$1,500.

COMMITTEE 3

BY COUNCILOR HARTMAN (PUBLIC WORKS AND UTILITIES)

11-0183R - RESOLUTION AWARDED A CONTRACT WITH DULUTH READY MIX, INC., FOR THE PURCHASE AND DELIVERY OF CLASS 5 GRAVEL AND WASHED SAND FOR A TOTAL ESTIMATED AMOUNT OF \$277,875. **(REPLACEMENT)**

11-0186R - RESOLUTION AWARDED A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH, LLC, INC., FOR THE PURCHASE OF BITUMINOUS MATERIAL, HOT MIX (FINE), FOR A TOTAL ESTIMATED AMOUNT OF \$641,562.08.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

11-0192R - RESOLUTION AUTHORIZING ACCEPTANCE OF TWO GRANTS FROM MINNESOTA DEPARTMENT OF PUBLIC SAFETY HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION IN THE COMBINED AMOUNTS OF \$132,885 FOR EQUIPMENT AND TRAINING AND COMMITTING LOCAL SHARE.

11-0193R - RESOLUTION AMENDING AGREEMENT FOR SERVICES WITH DOMESTIC ABUSE INTERVENTION PROJECT TO AMEND THE CONTRACT TO INCLUDE THE BUDGETED AMOUNT OF \$61,958 FOR A TOTAL CONTRACT AMOUNT OF \$82,571.15.

11-0206R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE STATE OF MINNESOTA, DEPARTMENT OF PUBLIC SAFETY, HOMELAND SECURITY AND EMERGENCY MANAGEMENT, IN THE TOTAL AMOUNT OF \$50,000 FOR THE PURPOSE OF ENHANCING VISUAL SURVEILLANCE IN THE DULUTH/SUPERIOR PORT AREA.

11-0207R - RESOLUTION AUTHORIZING A CONTRACT WITH DODGE OF BURNSVILLE FOR THE PURCHASE AND DELIVERY OF EIGHT 2011 DODGE CHARGER V-6 VEHICLES FOR USE AS FULLY-MARKED POLICE SQUADS IN THE AMOUNT OF \$181,644.

BY COUNCILOR HALBERG (RECREATION, LIBRARIES & AUTHORITIES)

11-0195R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO EXECUTE NECESSARY AGREEMENTS TO ACCEPT A STATE GRANT IN THE AMOUNT OF \$200,000 FOR THE RESTORATION OF BRIDGES AT THE LAKE SUPERIOR ZOO.

END OF CONSENT AGENDA

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

COMMITTEE 1

BY COUNCILOR BOYLE (PERSONNEL)

11-0199R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF CUSTOMER RELATIONS SUPERVISOR.

11-0200R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF WATER PLANT SUPERVISOR.

11-0201R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF CHIEF GAS CONTROLLER.

11-0202R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF LIBRARY SUPERVISOR AND SPECIFYING CONTRACT BENEFITS FOR SAME.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

11-0210R - RESOLUTION REQUESTING THE FREE CONVEYANCE OF TAX FORFEITED LAND FOR PARK, RECREATION AND UTILITY PURPOSE AT RIVERSIDE. *(COMPANION TO 11-017-O)*

BY PRESIDENT GARDNER (COMMITTEE OF THE WHOLE)

NEW 11-0205R - RESOLUTION OF SUPPORT FOR STUDENTS FOR THE FUTURE AND RACHEL'S CHALLENGE.

COMMITTEE 3

BY COUNCILOR HALBERG (RECREATION, LIBRARIES & AUTHORITIES)

11-0172R - RESOLUTION APPROVING AGREEMENT WITH ARROWHEAD BOWHUNTER'S ALLIANCE FOR MANAGEMENT OF THE ANNUAL DEER CONTROL HUNT.

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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)

11-014-O - AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN PROPERTY IN THE CENTRAL HILLSIDE AREA TO HILLSIDE APARTMENTS DULUTH, LLLP, AT NO COST.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

11-015-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, PROPERTY AT 1001 TO 1025 EAST SECOND STREET (ST LUKE'S HOSPITAL).

11-016-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 OF THE PLAZA AREA BUSINESS DISTRICT, FROM TENTH AVENUE EAST TO 15TH AVENUE EAST, FROM MIXED USE-NEIGHBORHOOD (MU-N) TO FORM DISTRICT MID-RISE COMMUNITY MIX (F-4) AND THE LONDON ROAD BUSINESS DISTRICT AREA FROM 14TH AVENUE EAST TO 21ST AVENUE EAST FROM THE UTILITY EASEMENT ABOVE LONDON ROAD TO SOUTH STREET, FROM MIXED USE-NEIGHBORHOOD (MU-N) AND MIXED USE-BUSINESS PARK (MU-B) TO FORM DISTRICT LOW-RISE NEIGHBORHOOD MIX (F-2), RESPECTIVELY (CITY OF DULUTH).

11-017-O - AN ORDINANCE AUTHORIZING RECONVEYANCE OF PROPERTY IN THE RIVERSIDE ADDITION TO THE STATE OF MINNESOTA SO THAT THE CITY CAN REQUEST FREE CONVEYANCE FOR PARK, RECREATION AND UTILITY PURPOSES.

COMMITTEE 3

BY COUNCILOR HARTMAN (PUBLIC WORKS AND UTILITIES)

11-013-O - AN ORDINANCE DEDICATING TO THE PUBLIC CERTAIN MESABA AVENUE RIGHT-OF-WAY.

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The following entitled ordinance is to be read for the second 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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COUNCILOR QUESTIONS AND COMMENTS

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COUNCILOR PREVIEW OF UPCOMING BUSINESS

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