

**AGENDA FOR THE DULUTH CITY COUNCIL MEETING**

**REPLACEMENT**

Monday, February 13, 2012, 7:00 p.m.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES** - November 28, December 5, 15 and 19, 2011.

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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**

\*12-0213-01 Mayor order of appointment of Linda Krug as acting mayor. -- Received

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**REPORTS FROM OTHER OFFICERS**

\*12-0213-02 Clerk applications for exempt permits (raffles) to the Minnesota gambling control board from: (a) Holy Family Catholic Church on March 25, 2012; (b) Holy Family Catholic Church on September 22, 2012; (c) St. Margaret Mary Church on April 1, 2012. -- Received

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**REPORTS OF BOARDS AND COMMISSIONS**

\*12-0213-03 Duluth airport authority minutes of December 20, 2011, meeting. -- Received

\*12-0213-04 Civil service board minutes of December 6, 2011, meeting. -- Received

\*12-0213-05 Duluth human rights commission minutes of December 14, 2011, meeting. -- Received

\*12-0213-06 Duluth public arts commission minutes of: (a) November 14; (b) December 12, 2011, meetings. -- Received

\*12-0213-07 Library board minutes of November 22, 2011, meeting. -- Received

\*12-0213-08 Entertainment and convention center authority minutes of December 14, 2011, meeting. -- Received

\*12-0213-09 Housing and redevelopment authority minutes of: (a) October 25; (b) December 27, 2011, meetings. -- Received

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\* 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 1**

**BY COUNCILOR BOYLE (PERSONNEL)**

12-0060R - RESOLUTION APPOINTING MEMBERS TO THE DULUTH PARKING COMMISSION.  
(TABLED 1/30/2012)

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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 KRUG (FINANCE)**

12-0050R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF MILL AND OVERLAY AT FOURTH AVENUE WEST.

12-0051R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF MILL AND OVERLAY AT EAST FIRST STREET.

12-0052R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF MILL AND OVERLAY AT ARROWHEAD ROAD.

12-0053R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF MILL AND OVERLAY IN MORGAN PARK.

12-0054R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF MILL AND OVERLAY AT SWAN LAKE ROAD.

12-0055R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF STREET RECONSTRUCTION AT GLENWOOD STREET.

12-0056R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF STREET RECONSTRUCTION AT 36TH AVENUE EAST.

12-0057R - RESOLUTION CONFIRMING THE ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF STREET RECONSTRUCTION AT IVANHOE STREET.

12-0063R - RESOLUTION AMENDING RESOLUTION 11-0632 ADOPTING LICENSE, PERMIT AND FEE CHARGES FOR 2012; ADDING NEW FEES REMOVED FROM THE DULUTH CITY CODE, 1959, AS AMENDED, TO BE SET BY RESOLUTION.

**COMMITTEE 1**

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

12-0036R - RESOLUTION AUTHORIZING A CONTRACT WITH ZIEGLER, INC., FOR THE PURCHASE AND DELIVERY OF TWO CATERPILLAR MODEL 257B3 MULTI-TERRAIN LOADERS WITH OPTIONS IN THE AMOUNT OF \$96,636.38.

12-0046R - RESOLUTION AUTHORIZING A CONTRACT WITH INFOSEND, INC., FOR MAILING SERVICES AND POSTAGE DURING YEAR 2012 IN THE AMOUNT OF \$187,000.

12-0059R - RESOLUTION APPROVING THE ISSUANCE OF A 2012 MINNESOTA CURRENCY EXCHANGE LICENSE TO THE TITLE LOAN COMPANY, INC., DBA MONEYXCHANGE.

12-0067R - RESOLUTION AUTHORIZING A PROPRIETARY ANNUAL CONTRACT WITH ST. LOUIS COUNTY FOR INTERNET SERVICE IN THE AMOUNT OF \$42,000.

12-0068R - RESOLUTION AUTHORIZING A PROPRIETARY ANNUAL CONTRACT WITH ST. LOUIS COUNTY FOR SOFTWARE MAINTENANCE OF THE CITY ASSESSOR'S PROPERTY TAX SYSTEM IN THE AMOUNT OF \$26,887.52.

12-0070R - RESOLUTION APPROVING THE EXEMPTION OF A BINGO LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR HOLY FAMILY CATHOLIC CHURCH.

12-0071R - RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO MARSHALL SCHOOL (MARSHALL AUCTION), 1215 RICE LAKE ROAD.

12-0077R - RESOLUTION AUTHORIZING RENEWAL OF CONTACT WITH ARAMARK UNIFORM SERVICES, INC., FOR LAUNDRY SERVICES AND RENTAL OF UNIFORMS AND MISCELLANEOUS ITEMS FOR YEAR 2012 FOR AN ESTIMATED \$80,000.

12-0079R - RESOLUTION AWARDED A CONTRACT TO HOLIDAY STATIONSTORES FOR THE PURCHASE AND DELIVERY OF SERVICE STATION FUELS DURING YEAR 2012 FOR AN AMOUNT NOT TO EXCEED \$1,325,000.

12-0080R - RESOLUTION AWARDED A CONTRACT TO INTER-CITY OIL COMPANY, INC., FOR THE PURCHASE AND DELIVERY OF BULK FUELS DURING 2012 FOR AN AMOUNT NOT TO EXCEED \$200,000.

12-0081R - RESOLUTION AUTHORIZING AN EXTENSION OF THE CURRENT CONTRACT WITH INTER-CITY OIL COMPANY, INC., FOR THE PURCHASE AND DELIVERY OF SERVICE STATION FUELS THROUGH MARCH 31, 2012, FOR AN AMOUNT NOT TO EXCEED \$175,000.

**BY COUNCILOR BOYLE (PERSONNEL)**

12-0064R - RESOLUTION REAPPOINTING MARY RENNIE TO THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH.

**COMMITTEE 2**

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

12-0042R - RESOLUTION VACATING AN UNIMPROVED PORTION OF WREN AVENUE BETWEEN TERRACE STREET AND SWAN LAKE ROAD (WILLIAM AND SUSAN GATEWOOD).

**COMMITTEE 3**

**BY COUNCILOR FOSLE (PUBLIC SAFETY)**

12-0069R - RESOLUTION AUTHORIZING THE CITY OF DULUTH POLICE DEPARTMENT TO ACCEPT AN AWARD OF A LIDAR LASER SPEED DETECTOR.

12-0082R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A RENEWAL GRANT FROM THE STATE OF MINNESOTA, COMMISSIONER OF PUBLIC SAFETY, OFFICE OF JUSTICE PROGRAMS, IN THE TOTAL AMOUNT OF \$310,813 FOR THE PURPOSE OF SUPPORTING THE OPERATIONS OF THE LAKE SUPERIOR DRUG AND GANG TASK FORCE FROM JANUARY 1, 2012 THROUGH DECEMBER 31, 2012.

**END OF CONSENT AGENDA**

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

**COMMITTEE 1**

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

12-0076R - RESOLUTION AUTHORIZING THE PURCHASE AND DELIVERY OF THREE CHEVROLET COLORADO PICKUP TRUCKS FROM THANE HAWKINS POLAR CHEVROLET FOR A TOTAL AMOUNT OF \$65,679.19.

**BY COUNCILOR BOYLE (PERSONNEL)**

**NEW** 12-0083R - RESOLUTION AUTHORIZING PAY PLANS FOR THE COMMUNICATIONS AND POLICY OFFICER AND COMMUNITY RELATIONS OFFICER APPOINTED POSITIONS PURSUANT TO CHAPTER IV, SECTION 18 OF THE DULUTH HOME RULE CHARTER.

**COMMITTEE 2**

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

12-0072R - RESOLUTION APPROVING THE 2012 ANNUAL ACTION PLAN PORTION OF THE 2010-2014 CONSOLIDATED PLAN AND AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME PROGRAM AND EMERGENCY SOLUTIONS GRANT PROGRAM (ESGP) FUNDS.

12-0073R - RESOLUTION AUTHORIZING A REQUEST FOR HUD EMERGENCY SOLUTIONS GRANT PROGRAM (ESGP) FUNDS FOR THE 2012 PROGRAM YEAR AND AUTHORIZING CONTRACTS.

12-0074R - RESOLUTION AUTHORIZING A REQUEST FOR HUD HOME FUNDS FOR THE 2012 PROGRAM YEAR AND AUTHORIZING CONTRACTS.

12-0075R - RESOLUTION AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE 2012 PROGRAM YEAR AS WELL AS APPROVING THE REALLOCATION OF CERTAIN PRIOR CDBG FUNDS AND AUTHORIZING AGREEMENTS WITH APPROPRIATE AGENCIES.

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**INTRODUCTION AND CONSIDERATION OF ORDINANCES**

**ORDINANCE TABLED**

**COMMITTEE 1**

**BY COUNCILOR BOYLE (PERSONNEL)**

11-060-O - AN ORDINANCE AMENDING CHAPTER 13 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO CIVIL SERVICE. (REPLACEMENT 2) (RETABLED 2/9/2012)

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

**COMMITTEE 1**

**BY COUNCILOR BOYLE (PERSONNEL)**

**NEW** 12-010-O - AN ORDINANCE AMENDING SECTIONS 13-1, 13-2, 13-3, 13-5.5, 13-6, 13-11, 13-19, 13-22, 13-24.1, 13-28, 13-29, 13-30, 13-36, 13-38, 13-39, 13-41, 13-42, 13-43, 13-45, 13-47, 13-48, 13-53, 13-54, 13-57.5, 13-60, 13-64.5, 13-65, 13-66, 13-69, 13-80, 13-85, 13-106 AND 13-125, ADDING A NEW SECTION 13-42.1, AND REPEALING SECTIONS 13-4, 13-7, 13-8, 13-9, 13-10, 13-12, 13-16, 13-18, 13-21, 13-27, 13-34, 13-37, 13-37.5, 13-39.1, 13-46, 13-49, 13-50, 13-51, 13-52, 13-55, 13-56, 13-58, 13-59, 13-60.5, 13-61, 13-61.5, 13-62, 13-63, 13-64, 13-67, 13-114, 13-115, 13-116 AND 13-124 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO CIVIL SERVICE.

**COMMITTEE 3**

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

12-009-O - AN ORDINANCE AUTHORIZING CHARGING FOR UTILITY TURN-ON AND SHUT-OFFS RELATED TO MAINTENANCE AND REPAIR AMENDING SECTION 48-210 OF THE DULUTH CITY CODE, 1959, AS AMENDED.

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

**COMMITTEE 1**

**BY COUNCILOR KRUG (FINANCE)**

12-007-O - AN ORDINANCE TO AMEND THE BUDGET OF THE CITY OF DULUTH FOR THE YEAR 2012; ADDING THE PARKS FUND CREATED THROUGH THE APPROVAL OF DULUTH VOTERS ON A REFERENDUM BALLOT IN NOVEMBER OF 2011.

**COMMITTEE 2**

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

12-005-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, URBAN-RESIDENTIAL, TO MU-N, MIXED USE-NEIGHBORHOOD, ON THE PROPERTY LOCATED AT 1400 WOODLAND AVENUE (ST. LUKE'S).

12-006-O - AN ORDINANCE GRANTING TO DANIEL NEFF A CONCURRENT USE PERMIT FOR THE INSTALLATION OF THE EXTERIOR STORAGE OF PROPANE TANKS IN A LOCKABLE METAL STORAGE CONTAINER TO PROJECT INTO THE MICHIGAN STREET RIGHT-OF-WAY.

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**COUNCILOR QUESTIONS AND COMMENTS**

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**COUNCILOR PREVIEW OF UPCOMING BUSINESS**