

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, February 27, 2012, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES - January 17, 2012.

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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

*12-0227-01 Minnesota state auditor of Spirit Mountain recreation area authority audit report for the years ended April 30, 2011, and 2010. -- Received

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REPORTS FROM THE ADMINISTRATION

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REPORTS FROM OTHER OFFICERS

*12-0227-02 Chief engineer of transportation recommendations on city council requests to review the feasibility of:
(a) Creating a four-way stop and/or installing stops lights at 43rd Avenue East and Superior Street (11-0351R);
(b) Rescinding the one-way street designations of First, Second and Third avenues West from Michigan to Fourth streets (11-0499R). -- Received

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REPORTS OF BOARDS AND COMMISSIONS

*12-0227-03 Commission on disabilities minutes of January 4, 2012, 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 KRUG (FINANCE)

12-0085R - RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH THE DULUTH POLICE DEPARTMENT CREDIT UNION FOR OFFICE SPACE WITHIN THE PUBLIC SAFETY BUILDING.

BY COUNCILOR KRAUSE (PURCHASING & LICENSING)

12-0084R - RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR UMD DUCKS UNLIMITED.

BY COUNCILOR BOYLE (PERSONNEL)

12-0094R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF WELDER.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

12-0089R - RESOLUTION AWARDED A CONTRACT TO FERGUSON WATERWORKS FOR THE PURCHASE AND DELIVERY OF FIRE HYDRANTS DURING YEAR 2012 FOR A TOTAL AMOUNT OF \$52,234.09.

12-0092R - RESOLUTION RENEWING ANNUAL CONTRACT WITH DULUTH READY MIX, INC., FOR THE PURCHASE AND DELIVERY OF CLASS 5 GRAVEL, 3/4-INCH WASHED ROCK, RIP RAP, AND BEDDING SAND FOR YEAR 2012 FOR A TOTAL ESTIMATED AMOUNT OF \$154,274.06.

12-0100R - RESOLUTION AUTHORIZING AN AGREEMENT ACCEPTING AN EASEMENT FROM DULUTH UNITED, LLC.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

12-0086R - RESOLUTION APPROVING SETTLEMENT OF CLAIM OF USAA INSURANCE COMPANY (AS SUBROGEE: STEVEN WAYNE CRANDELL) IN THE AMOUNT OF \$17,086.30.

12-0087R - RESOLUTION INCREASING THE ORIGINAL PURCHASE ORDER TO PIERCE MANUFACTURING, INC., FOR ADDITIONAL TAX EXEMPT REPAIR OF THE DULUTH FIRE DEPARTMENT'S AERIAL APPARATUS LADDER VEHICLE BY \$12,389.00, FOR A TOTAL PURCHASE ORDER AMOUNT OF \$54,132.00

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

12-0090R - RESOLUTION AUTHORIZING A THREE YEAR AGREEMENT WITH DULUTH ENTERTAINMENT CONVENTION CENTER AUTHORITY FOR THE PRODUCTION, PROMOTION AND MANagements OF EVENTS AT BAYFRONT FESTIVAL PARK AT AN ANNUAL COST OF \$50,000.

COMMITTEE 3

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

12-0096R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH HOISINGTON KOEGLER GROUP INC. FOR PROFESSIONAL SERVICES FOR THE DEVELOPMENT OF A MASTER PLAN FOR THREE CITY PARKS (MEMORIAL, GARY/NEW DULUTH AND MORGAN PARK) FOR AN AMOUNT NOT TO EXCEED \$44,200.

12-0102R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A JOINT POWERS AGREEMENT WITH INDEPENDENT SCHOOL DISTRICT 709, DULUTH PUBLIC SCHOOLS, TO PROVIDE FOR COMMUNITY EDUCATION AND RECREATION PROGRAMS THROUGH COLLABORATION AND COORDINATION OF RESOURCES.

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)

12-0093R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF HELP DESK TECHNICIAN AND SPECIFYING CONTRACT BENEFITS FOR SAME.

12-0095R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF LABOR COMPLIANCE TECHNICIAN AND SPECIFYING BENEFITS FOR THE SAME.

NEW 12-0105R - RESOLUTION APPROVING JOB SPECIFICATIONS FOR THE APPOINTED DEPARTMENT HEAD POSITION OF DIRECTOR, PLANNING AND CONSTRUCTION SERVICES, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

COMMITTEE 2

BY COUNCILOR GARDNER (INTERGOVERNMENTAL RELATIONS)

12-0103R - RESOLUTION NAMING THE NEW PUBLIC SAFETY BUILDING TRAINING ROOM IN HONOR AND MEMORIAM OF ELLEN LOUISE PENCE. **(REPLACEMENT)**

BY PRESIDENT HARTMAN (COMMITTEE OF THE WHOLE)

12-0062R - RESOLUTION APPROVING SETTLEMENT IN THE MATTER OF NORTHLAND COUNTRY CLUB V. CITY OF DULUTH IN THE AMOUNT OF \$7,500.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

12-0099R - RESOLUTION AWARDED A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH, LLC FOR THE RECONSTRUCTION OF ANDERSON ROAD FROM HAINES ROAD TO CHAMBERSBURG AVENUE IN THE AMOUNT OF \$2,798,698.47.

COMMITTEE 3

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

12-0097R - RESOLUTION ACCEPTING A GIFT OF APPROXIMATELY \$200,000 FROM THE ESTATE OF FLORENCE SCHNEIDER TO BE USED FOR PUBLIC LIBRARY PURPOSES AND EXPRESSING PUBLIC GRATITUDE FOR THE GENEROUS GIFT.

12-0098R - RESOLUTION ACCEPTING A GIFT OF APPROXIMATELY \$15,000 FROM THE ESTATE OF CHRISTINE H. CROCKETT TO BE USED FOR PUBLIC LIBRARY PURPOSES AND EXPRESSING PUBLIC GRATITUDE FOR THE GENEROUS GIFT.

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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 02-09-2012)

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

COMMITTEE 1

BY COUNCILOR KRUG (FINANCE)

12-008-O - AN ORDINANCE MODIFYING VARIOUS FEE LANGUAGE, PROVIDING FOR FEES TO BE SET BY RESOLUTION, AMENDING SECTIONS 12-10, 43-33.4, 44A-9, 44A-10, 44A-15 AND 48-40 OF THE DULUTH CITY CODE, 1959, AS AMENDED.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

12-011-O - AN ORDINANCE AUTHORIZING THE GRANTING OF AN EASEMENT TO THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION ADJACENT TO INTERSTATE 35 IN THE POINT OF ROCKS AREA FOR \$39,000.

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

COMMITTEE 1

BY COUNCILOR BOYLE (PERSONNEL)

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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COUNCILOR QUESTIONS AND COMMENTS

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COUNCILOR PREVIEW OF UPCOMING BUSINESS