

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, March 12, 2012, 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

*12-0312-01 Carolyn Sheets communication regarding the proposed ordinances relating to civil service (11-060-O and 12-010-O). -- Received

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REPORTS FROM THE ADMINISTRATION

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REPORTS OF BOARDS AND COMMISSIONS

- *12-0312-02 Civil service board minutes of January 3, 2012, meeting. -- Received
- *12-0312-03 Duluth airport authority minutes of January 24, 2012, meeting. -- Received
- *12-0312-04 Duluth public utilities commission: (a) Minutes of January 25, 2012, meeting; (b) Resolution No. 12PUC-001 regarding membership terms. -- Received
- *12-0312-05 Duluth transit authority minutes of December 28, 2011, meeting. -- Received
- *12-0312-06 Housing and redevelopment authority of Duluth minutes of January 31, 2012: (a) Annual; (b) Regular, meetings. -- 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 KRAUSE (PURCHASING & LICENSING)

12-0118R - RESOLUTION AUTHORIZING A CONTRACT WITH ENGLE FABRICATION, LLC, D.B.A. CENTERLINE TANK AND TRAILER MANUFACTURING, FOR THE RETROFIT OF STREET FLUSHER TRUCK UNIT 3857 TO INCLUDE THE REMOVAL OF AN OLD AND INSTALLATION OF A NEW 2,000 GALLON WATER TANK AND SHEET METAL IN THE AMOUNT OF \$52,224.47.

12-0124R - RESOLUTION AUTHORIZING A CONTRACT WITH J-CRAFT, INC., FOR PARTS AND LABOR NEEDED IN THE COMPLETE OUTFITTING OF TWO NEW TANDEM CAB AND CHASSIS UNITS WITH DUMP BODIES AND HYDRAULICS IN THE AMOUNT OF \$54,474.19.

12-0126R - RESOLUTION APPROVING THE TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE AND ON SALE SUNDAY LICENSE AND APPROVING APPLICATION FOR A 2:00 A.M. BEVERAGE LICENSE FROM RAY'S B&G, (NORTH POLE BAR), 5606-10 RALEIGH STREET, TO SCOTT SUTHERLAND, LLC (NORTH POLE BAR), SAME ADDRESS.

12-0127R - RESOLUTION ISSUING AN ON SALE BREWERY MALT LIQUOR LICENSE TO LAKE SUPERIOR BREWING COMPANY, LLC, 2711 WEST SUPERIOR STREET.

BY COUNCILOR BOYLE (PERSONNEL)

12-0101R - RESOLUTION AUTHORIZING EXECUTION OF 2012-2013 PROFESSIONAL SERVICES AGREEMENT WITH DULUTH JOINT POWERS ENTERPRISE TRUST AND ACCEPTING PAYMENT OF \$255,000 ANNUALLY FOR YEARS 2012 AND 2013 FROM THE DULUTH JOINT POWERS ENTERPRISE TRUST.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

12-0128R - RESOLUTION AUTHORIZING LEASE AGREEMENT WITH SERVICES BY BILL, INC., FOR OPERATION OF CRABBY OL' BILL'S VENDING OPERATION IN CANAL PARK.

BY COUNCILOR GARDNER (INTERGOVERNMENTAL RELATIONS)

12-0106R - 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 \$863,636 FOR THE PERIOD JANUARY 1, 2012, THROUGH DECEMBER 31, 2012.

12-0107R - RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH AND ACCEPT FUNDS FROM ST. LOUIS COUNTY TO PROVIDE MINNESOTA INNOVATION FUND 2012 TRANSPORTATION IN AN AMOUNT NOT LESS THAN \$13,125.80 FOR THE PERIOD JANUARY 1, 2012, THROUGH DECEMBER 31, 2012.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

12-0121R - RESOLUTION AUTHORIZING AN ANNUAL CONTRACT WITH ULLAND BROTHERS, INC., FOR THE PURCHASE OF FINE COLD MIX DURING YEAR 2012 FOR AN ESTIMATED TOTAL AMOUNT OF \$58,620.94.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

12-0104R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE STATE OF MINNESOTA, COMMISSIONER OF PUBLIC SAFETY, BUREAU OF CRIMINAL APPREHENSION, IN THE AMOUNT OF \$70,000 FOR THE PURPOSE OF SUPPORTING THE DULUTH POLICE DEPARTMENT'S PARTICIPATION IN THE MINNESOTA FINANCIAL CRIMES TASK FORCE.

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

12-0119R - RESOLUTION AUTHORIZING RENEWAL OF A PROPRIETARY ANNUAL CONTRACT WITH POLARIS LIBRARY SYSTEMS FOR MAINTENANCE OF THE POLARIS INTEGRATED LIBRARY SYSTEMS IN THE AMOUNT OF \$31,168.25.

12-0122R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH SAS & ASSOCIATES FOR PROFESSIONAL SERVICES FOR THE DEVELOPMENT OF A MASTER PLAN FOR FOUR CITY PARKS (LOWER CHESTER, BRIGHTON BEACH, CHESTER BOWL AND WASHINGTON) FOR AN AMOUNT NOT TO EXCEED \$45,500.

12-0123R - RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH THE LAKE SUPERIOR CENTER AUTHORITY (LSCA) FOR THE USE OF LSCA PROPERTY ADJACENT TO BAYFRONT FESTIVAL PARK.

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)

12-0117R - RESOLUTION AUTHORIZING THE PURCHASE OF TWO 2013 INTERNATIONAL MODEL 7600 6X4 TANDEM AXLE CAB AND CHASSIS UNITS FROM MANEY INTERNATIONAL, INC., IN THE AMOUNT OF \$226,996.42.

NEW 12-0132R - RESOLUTION ISSUING AN ON SALE THEATER LIQUOR LICENSE TO FAMILY ENTERTAINMENT, LLC (DULUTH CINEMA), 300 HARBOR DRIVE.

COMMITTEE 2

BY COUNCILOR GARDNER (INTERGOVERNMENTAL RELATIONS)

12-0130R - RESOLUTION ESTABLISHING CIVIL SERVICE REFORM WORKING GROUP.

COMMITTEE 2

BY PRESIDENT HARTMAN (COMMITTEE OF THE WHOLE)

12-0108R - RESOLUTION ESTABLISHING CITY OF DULUTH ELECTION PRECINCTS. **(AMENDMENT)**

NEW 12-0129R - RESOLUTION NAMING FOREST AREAS IN FOND DU LAC, MISSION CREEK AND MAGNEY SNIVELY THE MAGNEY-SNIVELY FOREST PRESERVE AND THE FREDERICK RODNEY PAINE FOREST PRESERVE.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

12-0109R - RESOLUTION AUTHORIZING AN AGREEMENT WITH FOTH INFRASTRUCTURE AND ENVIRONMENT, LLC, FOR PROFESSIONAL ENGINEERING SERVICES IN THE PREPARATION OF AN OPERATIONS AND MAINTENANCE MANUAL FOR THE CITY'S UTILITIES SERVICES FOR AN AMOUNT NOT TO EXCEED \$49,000.

12-0111R - RESOLUTION AUTHORIZING A ONE-YEAR EXTENSION OF AGREEMENT 20595 AND INCREASE OF \$30,000 WITH EPC ENGINEERING & TESTING FOR PROFESSIONAL FIELD AND LABORATORY TESTING SERVICES IN FISCAL YEAR 2012 FOR AN ESTIMATED CONTRACT TOTAL OF \$40,000.

12-0112R - RESOLUTION AUTHORIZING A ONE-YEAR EXTENSION OF AGREEMENT 20596 AND INCREASE OF \$25,000 WITH SALO ENGINEERING, INC., FOR PROFESSIONAL SURVEY AND FIELD DATA COLLECTION SERVICES IN FISCAL YEAR 2012 FOR AN ESTIMATED CONTRACT TOTAL OF \$40,000.

12-0113R - RESOLUTION AUTHORIZING A ONE-YEAR EXTENSION OF AGREEMENT 20598 AND INCREASE OF \$25,000 WITH LHB, INC., FOR PROFESSIONAL SURVEY AND FIELD DATA COLLECTION SERVICES IN FISCAL YEAR 2012, FOR AN ESTIMATED CONTRACT TOTAL OF \$40,000.

12-0114R - RESOLUTION AUTHORIZING A ONE-YEAR EXTENSION OF AGREEMENT 20599 AND INCREASE OF \$25,000 WITH AYRES ASSOCIATES, INC., FOR PROFESSIONAL SURVEY AND FIELD DATA COLLECTION SERVICES IN FISCAL YEAR 2012, FOR AN ESTIMATED CONTRACT TOTAL OF \$40,000.

12-0115R - RESOLUTION AUTHORIZING A ONE-YEAR EXTENSION OF AGREEMENT 20706 AND INCREASE OF \$25,000 WITH GOLDBER ASSOCIATES, INC., FOR PROFESSIONAL FIELD AND LABORATORY TESTING SERVICES IN FISCAL YEAR 2012 FOR AN ESTIMATED CONTRACT TOTAL OF \$40,000.

12-0116R - RESOLUTION AUTHORIZING A ONE-YEAR EXTENSION OF AGREEMENT 20716 AND INCREASE OF \$25,000 WITH AMERICAN ENGINEERING TESTING, INC., FOR PROFESSIONAL FIELD AND LABORATORY TESTING SERVICES IN FISCAL YEAR 2012 FOR AN ESTIMATED CONTRACT TOTAL OF \$40,000.

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

12-0091R - RESOLUTION AUTHORIZING AN AGREEMENT WITH SPIRIT LAKE DEVELOPMENT, LLC, D.B.A SPIRIT LAKE MARINA & RV PARK FOR THE LEASE AND OPERATION OF THE CITY'S INDIAN POINT CAMPGROUND.

INTRODUCTION AND CONSIDERATION OF ORDINANCES

ORDINANCES 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) (AS AMENDED) (RETABLED 2/27) **(AMENDMENTS)**

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. (TABLED 2/27)

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

COMMITTEE 2

BY COUNCILOR STAUBER

(PLANNING & ECONOMIC DEVELOPMENT)

12-013-O - AN ORDINANCE AUTHORIZING THE RECONVEYANCE OF CERTAIN PROPERTY IN THE UPPER RIVERSIDE AREA TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY (DEDA) AT NO COST.

BY PRESIDENT HARTMAN

(COMMITTEE OF THE WHOLE)

12-012-O - AN ORDINANCE AMENDING SECTION 2-42 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO ASSIGNMENT OF ELECTION PRECINCTS.

The following entitled ordinances are to be read for the second 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.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS