



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Meeting Agenda - Final-revised

City Council

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.*

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 provide increased opportunities for civil discourse leading to positive resolutions for the issues that face our city. We know that when we have civility, we get civic engagement, and because we can't make each other civil and we can only work on ourselves, we state that today I will: pay attention, listen, be inclusive, not gossip, show respect, seek common ground, repair damaged relationships, use constructive language, and take responsibility. [Approved by the council on May 14, 2018]*

Monday, January 28, 2019

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [19-015](#) Meeting Minutes of the Duluth City Council

Attachments: [December 17th, 2018](#)
[January 14th, 2019](#)

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [19-016](#) Charter Commission Meeting Minutes

Attachments: [Charter Commission 10-10-2018](#)

3. [19-017](#) Duluth Public Utilities Commission Meeting Minutes

Attachments: [Duluth Public Utilities Commission 12-18-2018](#)
[Duluth Public Utilities Commission 11-20-2018](#)

4. [19-018](#)

Charter Commission recommending ordinance amending chapter v, section 36 of the city of Duluth home rule charter, 1912, as amended, pertaining to civil service requirements for deputy fire chiefs.

Attachments: [19-004-O](#)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

CONSENT AGENDA

BY COUNCILOR FILIPOVICH (FINANCE)

5. [19-0075R](#) RESOLUTION AUTHORIZING SETTLEMENT OF CLAIM AGAINST 2821 HAGBERG STREET IN THE AMOUNT OF \$11,464.95.

BY COUNCILOR ANDERSON (PERSONNEL)

6. [19-0047R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF RON BOSHEY TO THE DULUTH HOUSING AND REDEVELOPMENT AUTHORITY.
7. [19-0058R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF KRIS LILJEBLAD TO THE DULUTH PARKING COMMISSION.
8. [19-0076R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF PUBLIC INFORMATION OFFICER.

Attachments: [Exhibit A](#)
[Exhibit A \(strikeout\)](#)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

9. [19-0064R](#) RESOLUTION AUTHORIZING A REQUEST FOR HUD HOME FUNDS FOR THE 2019 PROGRAM YEAR, AUTHORIZING AGREEMENTS WITH APPROPRIATE AGENCIES.

10. [19-0065R](#) RESOLUTION AUTHORIZING A REQUEST FOR HUD EMERGENCY SOLUTIONS GRANTS PROGRAM (ESG) FUNDING FOR THE 2019 PROGRAM YEAR, AUTHORIZING CONTRACTS, AUTHORIZING AGREEMENTS WITH APPROPRIATE AGENCIES.
11. [19-0066R](#) RESOLUTION APPROVING A PRE-COMMITMENT OF \$275,000 FISCAL YEAR 2020 FUNDING ALLOCATION TO THE CITY OF DULUTH FROM THE HOUSING AND URBAN DEVELOPMENT (HUD) DEPARTMENT FOR THE CONSTRUCTION OF THE DECKER DWELLINGS APARTMENTS, AND SUPPORTING ITS CONSTRUCTION.

BY COUNCILOR FORSMAN (PUBLIC WORKS & UTILITIES)

12. [19-0034R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH MSA PROFESSIONAL SERVICES, INC. FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN SERVICES FOR THE LIFT STATION 15 RELOCATION PROJECT IN THE AMOUNT OF \$130,359.

Attachments: [19-0034R Map](#)

13. [19-0048R](#) RESOLUTION AUTHORIZING THE PURCHASE OF DELIVERED CLASS 5 GRAVEL, 3/4-INCH CRUSHED WASHED ROCK, RIP-RAP, AND SAND FROM DULUTH READY MIX, INC. FOR AN AMOUNT NOT TO EXCEED \$380,692.50

14. [19-0050R](#) RESOLUTION APPROVING A COUNTY PROJECT WITHIN MUNICIPAL CORPORATE LIMITS FOR IMPROVEMENTS TO COUNTY STATE AID HIGHWAY 91 (NORTH 40TH AVENUE WEST).

Attachments: [19-0050R Map & Section](#)

15. [19-0052R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH ST. LOUIS COUNTY TO CONSTRUCT AND MAINTAIN DECORATIVE STREET LIGHTS ON CSAH 9 (WOODLAND AVENUE).

Attachments: [19-0052R Exhibit A](#)

16. [19-0068R](#) RESOLUTION ACCEPTING PERMANENT EASEMENT FOR STREET AND UTILITY PURPOSES FROM THE STATE OF MINNESOTA OVER, UNDER, AND ACROSS TAX-FORFEITED PROPERTY LOCATED AT THE INTERSECTION W. PAGE ST. AND JOSHUA AVE. FOR \$150.

Attachments: [Exhibit 1.pdf](#)

BY COUNCILOR VAN NETT (PUBLIC SAFETY)

17. [19-0051R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE IN THE TOTAL AMOUNT OF \$1,000,000 AND FURTHER AUTHORIZING AN AGREEMENT WITH ST. LOUIS COUNTY, PROGRAM FOR AID TO VICTIMS OF SEXUAL ASSAULT AND EMILY GAARDER PHD FOR THEIR PARTICIPATION IN THE 2018 SAKI PROJECT: CITY OF DULUTH AS PART OF THE NATIONAL SEXUAL ASSAULT KIT INITIATIVE.

Attachments: [Exhibit A.pdf](#)
[Exhibit B.pdf](#)
[Exhibit C.pdf](#)

18. [19-0054R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE LAKE SUPERIOR TRAFFIC ENFORCEMENT TEAM PARTNER AGENCIES FOR SERVICES UNDER A GRANT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY FOR THE 2019 TOWARD ZERO DEATHS PROJECT.

Attachments: [Exhibit A.pdf](#)
[Exhibit B.pdf](#)
[Exhibit C.pdf](#)

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

19. [19-0069R](#) RESOLUTION AUTHORIZING A THREE-YEAR LICENSE AGREEMENT WITH REGENTS OF THE UNIVERSITY OF MINNESOTA FOR USE OF SPACE ON PARK POINT FOR THE USE AND MAINTENANCE OF TWO CAMERAS AND RELATED EQUIPMENT TO MONITOR RIP CURRENTS FOR NOMINAL CONSIDERATION.

Attachments: [Exhibit 1.pdf](#)

20. [19-0074R](#) RESOLUTION AUTHORIZING A THREE-YEAR AGREEMENT WITH THE DULUTH CROSS COUNTRY SKI CLUB TO ASSIST THE CITY WITH THE PRESERVATION, MAINTENANCE, AND ENHANCEMENT OF CROSS COUNTRY SKI TRAILS, AT NO COST TO THE CITY.

Attachments: [Exhibit 1.pdf](#)

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

21. [19-0062R](#) RESOLUTION APPROVING THE 2019 ANNUAL ACTION PLAN AND AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME PROGRAM (HOME), AND EMERGENCY SOLUTIONS GRANT PROGRAM (ESG) PROGRAM FUNDS.

Attachments: [Summary Memo and 2019 Annual Action Plan](#)

22. [19-0063R](#) RESOLUTION AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE 2019 PROGRAM YEAR, AUTHORIZING AGREEMENTS WITH APPROPRIATE AGENCIES.

Attachments: [01.28.2019. MTA 19-0063R. Sipress.Forsman](#)

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

BY PRESIDENT HOBBS (COMMITTEE OF THE WHOLE)

23. [19-004-O](#) AN ORDINANCE AMENDING CHAPTER V, SECTION 36 OF THE CITY OF DULUTH HOME RULE CHARTER, 1912, AS AMENDED, PERTAINING TO CIVIL SERVICE REQUIREMENTS FOR DEPUTY FIRE CHIEFS.

Attachments: [19-04](#)

[19-03](#)

[19-02](#)

BY COUNCILOR FORSMAN (PUBLIC WORKS & UTILITIES)

24. [19-003-O](#) AN ORDINANCE AMENDING CHAPTER 48 OF THE DULUTH CITY CODE, 1959, AS AMENDED TO ALLOW TERMINATION OF WATER SERVICE TO CUSTOMERS OF THE CITY'S DISTRICT HEATING UTILITY FOR FAILURE TO TIMELY PAY UTILITY BILL AMENDING SECTIONS 48-1, 48-208, 48-208.2, 48-208.3, 48-209, 48-210 AND 48-212 THEREOF..

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

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

25. [19-002-O](#) ORDINANCE AMENDING CHAPTER 11 OF THE DULUTH CITY CODE TO PROHIBIT THE DISTRIBUTION OF TOBACCO OR TOBACCO RELATED DEVICES TO ANYONE UNDER THE AGE OF 21 YEARS.

Sponsors: Westerlund and Filipovich

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS