

City of Duluth

411 West First Street
Duluth, Minnesota 55802



Meeting Agenda - Final-revised

Monday, November 23, 2015

7:00 PM

Council Chamber

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 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]*

ROLL CALL**PLEDGE OF ALLEGIANCE****PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS**

1. [15-088](#) Communication regarding the proposed rezoning of the Morgan Park School site (15-092-O).

Attachments: [George A. Ruetschi Communication](#)

REPORTS FROM THE ADMINISTRATION**REPORTS FROM OTHER OFFICERS**

2. [15-085](#) Clerk applications for exempt permits submitted to the Minnesota gambling control board from Minnesota Ballet on April 28, 2016, and St. John's the Evangelist Church on March 10, 2016 (raffles).

Attachments: [Minnesota Ballet Raffle Application](#)
[St John Raffle Application](#)

REPORTS OF BOARDS AND COMMISSIONS

3. [15-084](#) Civil service board minutes of September 15, 2015, meeting.

Attachments: [11-17-15 Agenda Minutes](#)

4. [15-086](#) Duluth economic development authority minutes of September 23, 2015, meeting.

Attachments: [9-23-15 DEDA Mtg Minutes](#)

5. [15-087](#) Duluth airport authority minutes of September 15, 2015, meeting.

Attachments: [Duluth Airport Authority Minutes](#)

REPORTS OF COUNCIL COMMITTEES**REPORTS OF COUNCIL OPEN ISSUES****OPPORTUNITY FOR CITIZENS TO BE HEARD****RESOLUTION TABLED****COMMITTEE 2**

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

6. [15-0775R](#) RESOLUTION AMENDING RESOLUTION 14-0599, ADOPTING LICENSE, PERMIT, FINE, PENALTY AND OTHER CHARGES FOR 2015, BE AMENDED BY ADDING AN ANNUAL LICENSE FEE FOR KEEPING SMALL FARM ANIMALS.

MOTIONS AND RESOLUTIONS**CONSENT AGENDA****COMMITTEE 1****BY COUNCILOR FILIPOVICH (FINANCE)**

7. [15-0791R](#) RESOLUTION DISTRIBUTING THE ESTIMATED 2016 HOTEL-MOTEL AND FOOD AND BEVERAGE TOURISM TAXES.

BY COUNCILOR HANSON (PURCHASING & LICENSING)

8. [15-0790R](#) RESOLUTION AUTHORIZING THE EXECUTION OF A SNOWMOBILE TRAILS ASSISTANCE PROGRAM GRANT AGREEMENT FOR FY2016 WITH THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN AN AMOUNT NOT TO EXCEED \$13,025.

Attachments: [Exhibit A](#)

9. [15-0793R](#) RESOLUTION AUTHORIZING THE PURCHASE OF STREET LIGHTING MATERIALS FROM ON2 SOLUTIONS IN THE AMOUNT OF \$207,360.

Attachments: [Exhibit A](#)
 [Exhibit B](#)

10. [15-0804R](#) RESOLUTION APPROVING DIRECT PURCHASING, SURVEILLANCE HARDWARE AND SOFTWARE MAINTENANCE AGREEMENT WITH HITACHI DATA SYSTEMS INCLUDING \$71,382.00 FOR YEAR 2015.

Attachments: [Exhibit A \(15-0804R\).pdf](#)

BY COUNCILOR GARDNER (PERSONNEL)

11. [15-0808R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF HEATHER RAND AS DIRECTOR OF BUSINESS AND ECONOMIC DEVELOPMENT FOR THE CITY OF DULUTH.

COMMITTEE 2

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

12. [15-0780R](#) RESOLUTION AUTHORIZING FIRST AMENDMENTS TO SUBLEASE AGREEMENTS WITH ARROWHEAD ECONOMIC OPPORTUNITY AGENCY AND NORTHEAST MINNESOTA OFFICE OF JOB TRAINING TO PROVIDE TELECOMMUNICATION SERVICES AND NETWORK INFRASTRUCTURE AND INCREASING RENT FOR SAID SERVICES.

Attachments: [Exhibit A FIRST AMENDMENT to arrowhead sublease 11.6.2015](#)
 [Exhibit B First Amendment to NMOJT sublease](#)

13. [15-0781R](#) RESOLUTION AUTHORIZING UTILITY EASEMENT AGREEMENT WITH PIER B HOLDING LLC OVER PROPERTY IN BAY FRONT DIVISION.

Attachments: [Exhibit A - 15-0781R](#)

14. [15-0792R](#) RESOLUTION ACCEPTING A TRAIL EASEMENT AND A CONSERVATION EASEMENT FROM GRAND AVENUE ESTATES OF DULUTH, LLC

Attachments: [Attachment A](#)
 [Attachment B](#)
 [Attachment C](#)

15. [15-0794R](#) RESOLUTION APPLYING THE PROPERTY TRANSFER RESTRICTIONS OF MINNESOTA STATE SECTION 272.162

Attachments: [Attachment A](#)

16. [15-0799R](#) RESOLUTION VACATING NICK GLUMAC DRIVE AND EAST SPUR ROAD IN ATLAS INDUSTRIAL PARK (DEDA)

Attachments: [Attachment A](#)
 [Attachment B](#)

COMMITTEE 3**BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)**

17. [15-0779R](#) RESOLUTION APPROVING A COUNTY PROJECT WITHIN MUNICIPAL CORPORATE LIMITS FOR IMPROVEMENTS TO COUNTY STATE AID HIGHWAY NO. 9 (FOURTH STREET AND WALLACE AVENUE).

Attachments: [15-0779R Map](#)

18. [15-0782R](#) RESOLUTION AUTHORIZING A ONE-YEAR EXTENSION TO CONTRACT 20814 WITH NORTHERN ENERGETICS IN THE AMOUNT OF \$57,200, AND A NEW CONTRACT TOTAL AMOUNT NOT TO EXCEED \$483,100.

Attachments: [Exhibit A](#)
 [Exhibit B](#)

19. [15-0783R](#) RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN ST. LOUIS COUNTY, THE CITY OF DULUTH AND THE CITY OF HERMANTOWN TO COMPLETE A TRAFFIC SIGNAL TIMING PLAN UPDATE PROJECT WITHIN THE CITIES OF DULUTH AND HERMANTOWN.

Attachments: [15-0783R Agreement & Appendices](#)

20. [15-0786R](#) RESOLUTION AUTHORIZING THE EXTENSION OF A MINNESOTA DEPARTMENT OF NATURAL RESOURCES GRANT AGREEMENT FOR REMOVAL OF DEBRIS AND SEDIMENT.

Attachments: [15-0786R Appendix 1](#)
 [15-0786R Appendix 2](#)

21. [15-0789R](#) RESOLUTION AMENDING CONTRACT NO. 22547 WITH FOUR STAR CONSTRUCTION, INC. FOR RETAINING WALL REPAIRS AT 1720 NEW STREET AND 2305 WEST FIFTH STREET IN THE AMOUNT OF \$47,094.88 FOR A NEW TOTAL OF \$143,265.88.

Attachments: [15-0789R Map](#)

22. [15-0795R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC. FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN AND CONSTRUCTION ENGINEERING SERVICES FOR THE AERIAL LIFT BRIDGE OPERATING ROPE REPLACEMENT PROJECT IN THE AMOUNT OF \$67,407.

Attachments: [15-0795R PESA](#)

23. [15-0800R](#) RESOLUTION AWARDED A CONTRACT TO PARSONS ELECTRIC, INC. FOR THE INSTALLATION OF CITYWIDE STREET LIGHTING UPGRADES IN THE AMOUNT OF \$124,096.50.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

24. [15-0784R](#) RESOLUTION AUTHORIZING AGREEMENT WITH ST. LOUIS COUNTY TO PERFORM POLICE SERVICES PURSUANT TO 2014 OPERATION STONEGARDEN AND ACCEPTING REIMBURSEMENT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY, HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION THROUGH ST. LOUIS COUNTY IN AN AMOUNT NOT TO EXCEED \$24,157

Attachments: [Exhibit B](#)
[Exhibit A](#)

25. [15-0785R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE ST. LUKE'S FOUNDATION FOR THE DULUTH POLICE DEPARTMENT SPONSORED CRISIS INTERVENTION TRAINING PROJECT IN THE AMOUNT OF \$6,000.

26. [15-0788R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE DEPARTMENT OF JUSTICE OFFICE OF VIOLENCE AGAINST WOMEN IN THE AMOUNT OF \$150,000 TO SUPPORT THE CREATION OF A CUSTOMIZED VERSION OF THE BLUEPRINT FOR SAFETY.

Attachments: [Attachment A - Blueprint for Safety](#)
[Attachment B - Blueprint for Safety](#)
[Attachment C - Blueprint for Safety](#)

27. [15-0797R](#) RESOLUTION AUTHORIZING AGREEMENT WITH THE MINNESOTA NATIONAL GUARD FOR COUNTERDRUG SUPPORT FOR THE DULUTH POLICE DEPARTMENT.

Attachments: [Exhibit A 15-0797R.pdf](#)

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

28. [15-0787R](#) RESOLUTION AUTHORIZING DISBURSEMENT OF GRANT FUNDS IN THE AMOUNT OF \$52,000 FROM THE PARKS FUND NEIGHBORHOOD GRANT PROGRAM.

Attachments: [EXHIBIT A - 15-0787R.pdf](#)

END OF CONSENT AGENDA

The following entitled resolution is also to be considered:

COMMITTEE 1

BY COUNCILOR GARDNER (PERSONNEL)

29. [15-0810R](#) RESOLUTION OPPOSING THE TRANS-PACIFIC PARTNERSHIP
FREE TRADE AGREEMENT.

Sponsors: Gardner

INTRODUCTION AND CONSIDERATION OF ORDINANCES

The following entitled ordinance is to be read for the first time:

COMMITTEE 2

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

30. [15-094-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE
CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION
FROM R-1 TO MU-B, PROPERTY AT 3125 W ARROWHEAD ROAD
(MINNESOTA POWER)

Attachments: [Attachment A](#)
 [Attachment B](#)

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

COMMITTEE 2

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

31. [15-092-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE
CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION
FROM R-1 TO R-2 AND MU-N, PROPERTY AT 1243 88th AVENUE
WEST (SDH&M, LLC)

Attachments: [Map Attachment](#)
 [Staff Report](#)
 [Comments Received After Staff Report](#)

32. [15-093-O](#) AN ORDINANCE AMENDING CHAPTER 6, ARTICLE VII, OF THE
DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO
NONDOMESTIC ANIMALS.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS