



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Minutes - Final

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, July 16, 2018

7:00 PM

Council Chamber

ROLL CALL

ROLL CALL

Present: 8 - Councilor Gary Anderson, Councilor Zack Filipovich, Councilor Jay Fosle, Councilor Barb Russ, Councilor Joel Sipress, Councilor Em Westerlund, Councilor Renee Van Nett and President Noah Hobbs

PLEDGE OF ALLEGIANCE

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APPROVAL OF MINUTES

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1. [18-157](#) Duluth City Council Meeting Minutes: June 25, 2018 & July 9, 2018.

Indexes:

Attachments: [June 25 2018 - City Council Meeting](#)
[July 9 2018 - City Council Meeting](#)

This Minutes was approved.

PUBLIC HEARING - Resolution 18-0516R (RESOLUTION AMENDING RESOLUTION 89-0323 ESTABLISHING THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY, ADDING REQUIREMENTS PERTAINING TO THE CITY BUSINESS SUBSIDY REQUIREMENTS AND THE USE OF PROJECT LABOR AGREEMENTS.)

PUBLIC HEARING - Resolution 18-0516R (RESOLUTION AMENDING RESOLUTION 89-0323 ESTABLISHING THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY, ADDING REQUIREMENTS PERTAINING TO THE CITY BUSINESS SUBSIDY REQUIREMENTS AND THE USE OF PROJECT LABOR AGREEMENTS.)

REPORTS FROM THE ADMINISTRATION

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

REPORTS OF BOARDS AND COMMISSIONS

2. [18-149](#) Duluth Transit Authority Meeting Minutes

Indexes:

Attachments: [Duluth Transit Authority Meeting Minutes](#)

This Board or Commission Report was received.

3. [18-150](#) Housing and Redevelopment Authority Meeting Minutes

Indexes:

Attachments: [Housing and Redevelopment Authority Meeting Minutes](#)

This Board or Commission Report was received.

4. [18-151](#) Library Board Meeting Minutes

Indexes:

Attachments: [Library Board April Meeting Minutes](#)

[Library Board May Meeting Minutes](#)

This Board or Commission Report was received.

- 5. [18-152](#) Parking Commission Meeting Minutes

Indexes:

Attachments: [Parking Commission May Meeting Minutes](#)

This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

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OPPORTUNITY FOR CITIZENS TO BE HEARD

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RESOLUTIONS TABLED

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BY COUNCILOR FILIPOVICH (FINANCE)

BY COUNCILOR FILIPOVICH (FINANCE)

- 6. [18-0516R](#) RESOLUTION AMENDING RESOLUTION 89-0323 ESTABLISHING THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY, ADDING REQUIREMENTS PERTAINING TO THE CITY BUSINESS SUBSIDY REQUIREMENTS AND THE USE OF PROJECT LABOR AGREEMENTS.

This Resolution was adopted unanimously.

CONSENT AGENDA

CONSENT AGENDA

BY COUNCILOR FOSLE (PURCHASING & LICENSING)

BY COUNCILOR FOSLE (PURCHASING & LICENSING)

7. [18-0525R](#) RESOLUTION APPROVING THE TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE AND TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE TO VARIOUS LICENSEES.

Indexes:

Attachments: [Attachment A - Mr. D's](#)
[Attachment B - Kom On Inn](#)
[Attachment C - Players Sports Bar](#)
[Attachment D - Ridgeview Country Club](#)
[Attachment E- Spurs](#)
[Attachment F - Blacklist](#)

This Resolution was adopted unanimously.

Yea: 8 - Councilor Anderson, Councilor Filipovich, Councilor Fosle, Councilor Russ, Councilor Sipress, Councilor Westerlund, Councilor Van Nett and President Hobbs

Abstain: 1 - Hansen

8. [18-0526R](#) RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO DULUTH AMATEUR HOCKEY ASSOCIATION

Indexes:

Attachments: [Attachment A - Blues Fest](#)

This Resolution was adopted unanimously.

9. [18-0542R](#) RESOLUTION ISSUING A 3.2 PERCENT MALT LIQUOR LICENSE AND APPROVING ISSUANCE OF AN ON SALE WINE LICENSE TO WEST THEATER LLC, (WEST THEATER), 319 NORTH CENTRAL AVENUE.

Indexes:

Attachments: [Attachment A - West Theater](#)

This Resolution was adopted.

10. [18-0558R](#) RESOLUTION AUTHORIZING AN INCREASE TO THE ANNUAL CONTRACT FOR ORIGINAL EQUIPMENT MANUFACTURER (OEM)

PARTS, SUPPLIES AND LABOR FOR 2018 FROM ZIEGLER, INC. IN THE AMOUNT OF \$62,500 FOR A TOTAL AMOUNT NOT TO EXCEED \$187,500.

This Resolution was adopted unanimously.

- 11. [18-0561R](#) RESOLUTION APPROVING THE APPLICATION FOR EXEMPT PERMIT AND WAIVING THE 60 DAY WAITING PERIOD FOR GARY NEW DULUTH COMMUNITY CLUB.

This Resolution was adopted unanimously.

- 12. [18-0562R](#) RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF JUST TAKE ACTION, INC. (THE RATHESKELLER), 132 EAST SUPERIOR STREET, 55802

This Resolution was adopted unanimously.

Yea: 8 - Councilor Anderson, Councilor Fosle, Hansen, Councilor Russ, Councilor Sipress, Councilor Westerlund, Councilor Van Nett and President Hobbs

Abstain: 1 - Councilor Filipovich

BY COUNCILOR ANDERSON (PERSONNEL)

BY COUNCILOR ANDERSON (PERSONNEL)

- 13. [18-0563R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF DON MCISAAC TO THE DULUTH AIRPORT AUTHORITY.

This Resolution was adopted unanimously.

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

- 14. [18-0541R](#) RESOLUTION VACATING THE ENTIRE TWENTY-FIVE-FOOT-WIDE BUILDING LINE EASEMENT ACROSS THE SOUTHEASTERLY 150.84

FEET OF LOTS 9, 10 AND 11 IN THE ENDION DIVISON OF DULUTH.

Indexes:

Attachments: [Attachment 1](#)
[Attachment 2](#)

This Resolution was adopted unanimously.

15. [18-0549R](#) RESOLUTION RESCINDING RESOLUTION NO. 18-0393 AND VACATING A PORTION OF SUPERIOR STREET IN THE PLAT OF WEST DULUTH SEVENTH DIVISION.

Indexes:

Attachments: [Attachment 1](#)
[Attachment 2](#)

This Resolution was adopted unanimously.

16. [18-0550R](#) RESOLUTION VACATING UNIMPROVED PLATTED RIGHT OF WAY IN CONJUNCTION WITH THE REPLATTING OF THE LAND INTO THE KAYAK BAY PLAT.

Indexes:

Attachments: [Attachment 1](#)
[Attachment 2](#)

This Resolution was adopted unanimously.

17. [18-0552R](#) RESOLUTION OF INTENT TO SELL OR CONVEY CERTAIN REAL PROPERTY IN THE DULUTH HEIGHTS NEIGHBORHOOD.

Indexes:

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

This Resolution was adopted unanimously.

BY COUNCILOR HOBBS (PUBLIC WORKS & UTILITIES)

BY COUNCILOR HOBBS (PUBLIC WORKS & UTILITIES)

18. [18-0548R](#) RESOLUTION AWARDING A CONTRACT TO JMF CONSTRUCTION, INC. FOR THE 2018 CITYWIDE CATCH BASIN IMPROVEMENTS IN THE AMOUNT OF \$539,332.60.

Indexes:

Attachments: [18-0548R Maps](#)

This Resolution was adopted unanimously.

19. [18-0557R](#) RESOLUTION AUTHORIZING A CONTRACT WITH CARLSON DULUTH CO. FOR THE INSTALLATION OF PHASE 1 SCOPE E BUILDING ENERGY TRANSFER STATIONS FOR AN AMOUNT NOT TO EXCEED \$112,187.

This Resolution was adopted unanimously.

Yea: 8 - Councilor Anderson, Councilor Fosle, Hansen, Councilor Russ, Councilor Sipress, Councilor Westerlund, Councilor Van Nett and President Hobbs

Abstain: 1 - Councilor Filipovich

20. [18-0565R](#) RESOLUTION APPROVING SETTLEMENT OF CLAIM OF MARSHALL HARDWARE PROPERTIES, LLC IN THE AMOUNT OF \$17,361.18.

This Resolution was adopted unanimously.

BY COUNCILOR VAN NETT (PUBLIC SAFETY)

BY COUNCILOR VAN NETT (PUBLIC SAFETY)

21. [18-0547R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE DULUTH SUPERIOR AREA COMMUNITY FOUNDATION IN THE AMOUNT OF \$30,690 TO PROVIDE TRAINING FOR FIRE DEPARTMENT PERSONNEL IN THE OPERATION OF THE ALL-HAZARD QUICK RESPONSE VESSEL.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

22. [18-0483R](#) RESOLUTION AUTHORIZING THE APPLICATION FOR A \$1,308,946 GREATER MINNESOTA REGIONAL PARK AND TRAIL COMMISSION GRANT FOR HARTLEY PARK MINI MASTER PLAN IMPLEMENTATION.

Indexes:

Attachments: [exhibit A contract sample](#)

This Resolution was adopted unanimously.

23. [18-0484R](#) RESOLUTION AUTHORIZING THE APPLICATION FOR A \$2,156,680 GREATER MINNESOTA REGIONAL PARK AND TRAIL COMMISSION GRANT FOR DULUTH TRAVERSE MINI MASTER PLAN IMPLEMENTATION.

Indexes:

Attachments: [exhibit A contract sample](#)

This Resolution was adopted unanimously.

24. [18-0554R](#) RESOLUTION AUTHORIZING AN AMENDED AND RESTATED AGREEMENT WITH SPIRIT MOUNTAIN RECREATION AREA AUTHORITY FOR CONSTRUCTION OF AN ALL-WEATHER BIKING TRAIL IN AN AMOUNT NOT TO EXCEED \$146,200.

Indexes:

Attachments: [Exhibit 2.pdf](#)

[Exhibit 3.pdf](#)

[Exhibit 4.pdf](#)

[Exhibit 1.pdf](#)

A motion was made that this Resolution be adopted The motion carried by the following vote:

Yea: 8 - Councilor Anderson, Councilor Filipovich, Hansen, Councilor Russ, Councilor Sipress, Councilor Westerlund, Councilor Van Nett and President Hobbs

Nay: 1 - Councilor Fosle

25. [18-0555R](#) RESOLUTION AUTHORIZING A CONTRACT WITH DIRT INC. FOR THE

CONSTRUCTION OF THE CHAMBERS GROVE INTERPRETATIVE TRAIL FOR AN AMOUNT NOT TO EXCEED \$149,500.

This Resolution was adopted unanimously.

- 26. [18-0556R](#) RESOLUTION AUTHORIZING THE APPLICATION FOR A \$300,000 NATIONAL RECREATION AND PARKS ASSOCIATION GRANT FOR LINCOLN PARK GREEN STORM WATER INFRASTRUCTURE.

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

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BY PRESIDENT HOBBS (COMMITTEE OF THE WHOLE)

BY PRESIDENT HOBBS (COMMITTEE OF THE WHOLE)

- 27. [18-0566R](#) RESOLUTION APPOINTING ARIK FORSMAN TO FILL THE VACANCY OF THE AT LARGE CITY COUNCIL SEAT.

This Resolution was adopted unanimously.

Yea: 8 - Councilor Anderson, Councilor Filipovich, Councilor Fosle, Councilor Russ, Councilor Sipress, Councilor Westerlund, Councilor Van Nett and President Hobbs

Abstain: 1 - Hansen

COUNCILOR QUESTIONS AND COMMENTS

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COUNCILOR PREVIEW OF UPCOMING BUSINESS

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