



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 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]*

Monday, June 13, 2016

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [16-076](#) January and February 2016 City Council Meeting Minutes

Attachments: [OPS 1-7-2016](#)
[OPS 1-11-2016](#)
[OPS 1-25-2016](#)
[OPS 2-8-2016](#)
[OPS 2-22-2016](#)

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

2. [16-069](#) Garfield Square Apartment Communications

Attachments: [Garfield Square - letter of support](#)
[Andy Goldine Communication - Garfield Square Apartments](#)
[Dehlia Garfield Square Apartments Communication](#)
[Pamela Kramer - Garfield Square Apartments Communication](#)
[AT HOME DULUTH](#)
[LINCOLN PARK BUSINESS GROU](#)
[ST LOUIS COUNTY-](#)
[HDC](#)
[CHUM](#)

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

3. [16-067](#) Clerk Applications for Exempt Permit for The ALS Association, MN/ND/SD Chapter raffle to be held on February 4, 2017 at Cirrus Aircraft.

Attachments: [ALS EXEMPT PERMIT-Attachment A](#)

4. [16-068](#) Clerk Applications for Exempt Permit for The NORTHERN LIGHTS FOUNDATION raffle to be held on August 25, 2016 at Wade Stadium. Attachment A

Attachments: [NORTHERN LIGHTS FOUNDATION-05312016092551](#)

5. [16-075](#) Duluth Airport Authority Audit Report

Attachments: [Duluth Airport Authority Audit Report](#)

REPORTS OF BOARDS AND COMMISSIONS

6. [16-070](#) DTA Board of Directors Meeting Minutes

Attachments: [3-30-16 DTA BOD Meeting Minutes](#)

7. [16-071](#) Civil Service Board Meeting Minutes

Attachments: [04-05-16 Civil Service Board Meeting Minutes](#)

8. [16-072](#) Duluth Public Utilities Commission Meeting Minutes

Attachments: [4-19-16 DPUC Meeting Minutes](#)

9. [16-073](#) Library Board Meeting Minutes
Attachments: [4-22-16 Library Board Meeting Minutes](#)
10. [16-074](#) DEDA Meeting Minutes
Attachments: [4-27-16 DEDA Meeting Minutes](#)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

RESOLUTIONS TABLED

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

11. [16-0381R](#) RESOLUTION OF INTENT TO SUPPORT THE REQUEST BY CENTER CITY HOUSING CORPORATION FOR THE AWARD OF LOW-INCOME HOUSING TAX CREDITS FOR GARFIELD SQUARE APARTMENTS.
Legislative History
5/23/16 City Council tabled

MOTIONS AND RESOLUTIONS

CONSENT AGENDA

BY COUNCILOR HANSEN (FINANCE)

12. [16-0375R](#) RESOLUTION AMENDING RESOLUTION 15-0831, ADOPTING LICENSE, PERMIT, FINE, PENALTY AND OTHER CHARGES FOR 2016, TO ADD FEE FOR TEMPORARY USE PERMITS ISSUED FOR TEMPORARY USES (ZONING - PARKLETS) OCCUPYING METERED PARKING SPACES.
Sponsors: Hansen
Attachments: [Healthy Duluth Area Coalition PARKLET REPORT FINAL](#)
13. [16-0404R](#) RESOLUTION APPROVING A TRANSFER IN THE AMOUNT OF \$762,440 FROM THE DECC REVENUE FUND TO THE CAPITAL IMPROVEMENT FUND TO FINANCE DESIGN AND ENGINEERING CONTRACTS FOR THE REHABILITATION OF THE MINNESOTA SLIP PEDSTRIAN BRIDGE AND SEAWALL IMPROVEMENTS.

14. [16-0439R](#) RESOLUTION AUTHORIZING THE CITY TO PROVIDE A \$4,000,000 LINE OF CREDIT TO THE DULUTH AIRPORT AUTHORITY TO ASSIST WITH CASH FLOW MANAGEMENT

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

15. [16-0240R](#) RESOLUTION APPROVING ISSUANCE OF AN ON SALE WINE LICENSE TO SAMMYS PIZZA OF DULUTH, INC (SAMMYS PIZZA AND RESTAURANT), 103 WEST FIRST STREET, DULUTH, MN 55802

Attachments: [Attachment A-Sammy's Pizza](#)

16. [16-0410R](#) RESOLUTION APPROVING THE TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE AND TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE TO VARIOUS LICENSEES.

Attachments: [ALPINE BAR AND LOUNGE Attachment A](#)
[THE REEF BAR Attachment B](#)
[SUMMER BREW FEST-Attachment D](#)
[SUMMER BREWFEST Attachment C](#)
[SIR BENS Attachment E](#)
[SIR BENS Attachment F](#)
[BEDROCK-Attachment G](#)
[SHOTZ BAR-Attachment H](#)
[RIDGEVIEW COUNTRY CLUB-Attachment I](#)
[Red Herring Super Blg Block Party - Attachment J](#)
[Red Herring Expansion - Attachment K](#)

17. [16-0414R](#) RESOLUTION AUTHORIZING THE PURCHASE FROM PRECISE MRM, LLC, FOR TWELVE MONTHS OF GPS/AVL SYSTEM USAGE IN THE AMOUNT OF \$131,250

18. [16-0415R](#) RESOLUTION AUTHORIZING THE PURCHASE OF A NEW 2016 ELGIN PELICAN STREET SWEEPER FROM MACQUEEN EQUIPMENT IN THE AMOUNT OF \$193,459

Attachments: [Exhibit A](#)

19. [16-0416R](#) RESOLUTION AUTHORIZING AN INCREASE TO PURCHASE ORDER 2016-00000042 IN THE AMOUNT OF \$45,000 TO COVER ADDITIONAL DEALER REPAIRS TO VACTORS AND ELGIN STREET SWEEPERS

BY COUNCILOR ANDERSON (PERSONNEL)

20. [16-0401R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF UTILITIES INFORMATION SPECIALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.
Attachments: [Utilities Information Specialist](#)
21. [16-0405R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF LON HANSON TO THE ALCOHOL, GAMBLING AND TOBACCO COMMISSION, REPLACING CHRIS PEKKALA
Attachments: [Lon Hanson](#)
22. [16-0406R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF DON NESS TO THE ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
Attachments: [Don Ness](#)
23. [16-0407R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF JODI L.T. ROBERTS TO THE PARKS AND REC COMMISSION, FILLING THE RECREATION PROFESSIONAL VACANCY
Attachments: [Jodi R.T. Roberts](#)
24. [16-0408R](#) RESOLUTION CONFIRMING THE APPOINTMENTS OF LIZZY LUOMA, NEIL GLAZMAN AND DAVID SPERL TO THE LIBRARY BOARD REPLACING FRANK JEWELL, DANIEL D'ALLAIRD AND JANE BRISSETT.
Attachments: [Neil Glazman](#)
[Lizzy Luoma](#)
[David Sperl](#)
25. [16-0409R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF AARON BRANSKY TO THE DULUTH TRANSIT AUTHORITY
Attachments: [Aaron Bransky](#)
26. [16-0412R](#) RESOLUTION CONFIRMING THE REAPPOINTMENTS OF JAY SEILER AND CARRIE HEFFERNAN TO THE ENTERTAINMENT AND CONVENTION CENTER AUTHORITY
27. [16-0413R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF JOHN BROSTROM TO THE DULUTH TRANSIT AUTHORITY
28. [16-0441R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF JULENE BOE TO THE WESTERN LAKE SUPERIOR SANITARY DISTRICT BOARD

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

29. [16-0418R](#) RESOLUTION REPROGRAMMING FUNDS FROM THE 2011 PROGRAM YEAR IN THE AMOUNT OF \$10,000; FROM THE 2012 PROGRAM YEAR IN THE AMOUNT OF \$500; AND FROM THE 2014 PROGRAM YEAR IN THE AMOUNT OF \$15,000 FOR A TOTAL OF \$25,500 FOR THE JAY STREET DEVELOPMENT PROJECT BY ONE ROOF.
30. [16-0419R](#) RESOLUTION REPROGRAMMING FUNDS FROM THE 2011 PROGRAM YEAR IN THE AMOUNT OF \$57,000 TO THE 2015 PROGRAM YEAR FOR THE JAY STREET DEVELOPMENT PROJECT BY ONE ROOF.
31. [16-0424R](#) RESOLUTION OF INTENT TO RECONVEY CERTAIN REAL PROPERTY IN THE KENWOOD NEIGHBORHOOD TO THE STATE OF MINNESOTA.
32. [16-0428R](#) RESOLUTION AUTHORIZING THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH, MINNESOTA, TO FORGIVE PARTIAL AMOUNTS OF A REHABILITATION LOAN MADE UNDER THE SINGLE FAMILY HOMEOWNER REHABILITATION PROGRAM.

BY COUNCILOR HANSON (INTERGOVERNMENTAL RELATIONS)

33. [16-0422R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A QUIT CLAIM DEED FROM THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION, FOR REAL PROPERTY ADJACENT OR NEAR CENTRAL ENTRANCE FOR TRUNK HIGHWAY PURPOSES.

Attachments: [Exhibit A-Quit Claim Deed](#)
[Exhibit B](#)

BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)

34. [16-0423R](#) RESOLUTION AUTHORIZING THE TERMINATION AND RELEASE OF CERTAIN DECLARATIONS AFFECTING VACATED EASEMENTS AND EXECUTION OF A NEW DECLARATION IN THE PLAT OF ATLAS INDUSTRIAL PARK.

Attachments: [Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)
[Exhibit D](#)
[Exhibit E](#)

35. [16-0427R](#) RESOLUTION AWARDED A CONTRACT TO A PLUS LANDSCAPING, LLC FOR STREAM BANK STABILIZATION AT MILLER CREEK IN THE AMOUNT OF \$138,923.50.

Attachments: [16-0427R Map](#)

36. [16-0438R](#) RESOLUTION AWARDED A CONTRACT TO GEORGE BOUGALIS AND SONS CO. FOR CONSTRUCTION OF THE 18TH AVENUE EAST GAS MAIN TO UMD AND MISCELLANEOUS GAS MAINS AND SERVICES AT VARIOUS LOCATIONS IN THE AMOUNT OF \$1,237,505.55.

Attachments: [16-0427R Map](#)

BY COUNCILOR FOSLE (PUBLIC SAFETY)

37. [16-0437R](#) RESOLUTION ADOPTING SKYWALK CLEANING AND MAINTENANCE EXPECTATIONS, STANDARDS, AND PROCEDURES PURSUANT TO THE AUTHORITY GRANTED UNDER SECTIONS 44A-12 AND 44A-16 OF THE DULUTH CITY CODE.

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

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)

38. [16-0426R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH EVER-GREEN ENERGY FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN SERVICES FOR THE CONSTRUCTION OF A DISTRICT ENERGY HOT WATER SYSTEM ALONG SUPERIOR STREET FROM FOURTH AVENUE EAST TO SEVENTH AVENUE WEST IN AN AMOUNT NOT TO EXCEED \$99,457.

Attachments: [16-0426R Map](#)
[16-0426R Proposal](#)

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

39. [16-0436R](#) RESOLUTION AUTHORIZING A TEN (10) YEAR MANAGEMENT AGREEMENT BETWEEN THE CITY OF DULUTH AND THE ARROWHEAD ZOOLOGICAL SOCIETY, INC.

Attachments: [Exhibit 1](#)

40. [16-0440R](#) RESOLUTION ADOPTING AN EMERALD ASH BORER (EAB) MANAGEMENT PLAN

Attachments: [EXHIBIT A - 16-0440R](#)

INTRODUCTION AND CONSIDERATION OF ORDINANCES

ORDINANCES TABLED

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

41. [16-027-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION FROM RR-1 AND I-G TO P-1, FOR QUARRY PARK .

Attachments: [Attachment 1](#)

[Attachment 2](#)

42. [16-028-O](#) AN ORDINANCE TO OPT-OUT OF THE REQUIREMENTS OF MINN. STAT. 462.3593 (2016), THE TEMPORARY FAMILY HEALTHCARE DWELLINGS STATUTE.

43. [16-029-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE KENWOOD NEIGHBORHOOD TO THE STATE OF MINNESOTA.

Attachments: [Exhibit A](#)

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

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

44. [16-025-O](#) AN ORDINANCE AMENDING SECTION 41-23 OF DULUTH CITY CODE, 1959, AS AMENDED, TO ALLOW ELECTRONIC BID POSTINGS, BIDS, AND SECURE BONDS FOR CITY CONTRACTS EXCEEDING \$100,000.

Legislative History

5/9/16

City Council

read for the first time

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS