



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, April 22, 2019

7:00 PM

Council Chamber

ROLL CALL

- Present:** 8 - Councilor Gary Anderson, Councilor Zack Filipovich, Councilor Arik Forsman, Councilor Barb Russ, Councilor Joel Sipress, Councilor Renee Van Nett, Councilor Em Westerlund and President Noah Hobbs
- Absent:** 1 - Councilor Jay Fosle

PLEDGE OF ALLEGIANCE

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APPROVAL OF MINUTES

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1. [19-086](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [April 8, 2019](#)

This Minutes was approved.

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. [19-084](#) Housing and Redevelopment Authority Meeting Minutes

Indexes:

Attachments: [HRA 1-29-19](#)
[HRA 1-29-19.2](#)

This Board or Commission Report was received.

3. [19-085](#) Charter Commission Meeting Minutes

Indexes:

Attachments: [Charter Commission 3-20-19](#)

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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CONSENT AGENDA

CONSENT AGENDA

BY COUNCILOR ANDERSON (FINANCE)

BY COUNCILOR ANDERSON (FINANCE)

- 4. [19-0251R](#) RESOLUTION APPROVING THE BUDGET FOR THE FISCAL YEAR MAY 1, 2019 TO APRIL 30, 2020 IN THE AMOUNT OF \$6,377,168 FOR THE SPIRIT MOUNTAIN RECREATION AREA AUTHORITY.

Indexes:

Attachments: [Exhibit A](#)

**This Resolution was adopted unanimously.
Absent: Councilor Fosle.**

BY COUNCILOR FOSLE (PURCHASING & LICENSING)

BY COUNCILOR FOSLE (PURCHASING & LICENSING)

- 5. [19-0240R](#) RESOLUTION APPROVING THE ISSUANCE OF ON SALE 3.2 PERCENT MALT LIQUOR LICENSE RENEWALS FOR THE PERIOD BEGINNING MAY 1, 2019, AND ENDING APRIL 30, 2020

Indexes:

Attachments: [Attachment A](#)

**This Resolution was adopted unanimously.
Absent: Councilor Fosle.**

BY COUNCILOR FORSMAN (PERSONNEL)

BY COUNCILOR FORSMAN (PERSONNEL)

- 6. [19-0243R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF DEB HOLLEMAN TO THE SAINT LOUIS COUNTY HEADING HOME GOVERNANCE BOARD

**This Resolution was adopted unanimously.
Absent: Councilor Fosle.**

- 7. [19-0244R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF GREG GILBERT TO THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH.

**This Resolution was adopted unanimously.
Absent: Councilor Fosle.**

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

8. [19-0242R](#) RESOLUTION AUTHORIZING DEVELOPMENT AGREEMENT WITH HARBOR LIGHT DEVELOPMENT LLC RELATED TO THE DEVELOPMENT OF PROPERTY SOUTH OF ARROWHEAD ROAD AND WEST OF ARLINGTON AVENUE.

Indexes:

Attachments: [Exhibit A](#)
[Harbor Light site map](#)

**This Resolution was adopted unanimously.
Absent: Councilor Fosle.**

9. [19-0253R](#) RESOLUTION AMENDING THE COMPREHENSIVE LAND USE PLAN - FUTURE LAND USE MAP FOR THE UPPER CENTRAL-EAST HILLSIDE LAND USE STUDY AREA, FROM EAST NINTH STREET TO EAST SKYLINE PARKWAY ALONG NORTH SIXTH AVENUE EAST.

Indexes:

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

**This Resolution was adopted unanimously.
Absent: Councilor Fosle.**

10. [19-0260R](#) RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A THIRD AMENDED AND RESTATED MASTER SUBORDINATION AGREEMENT REGARDING THE WASHINGTON SCHOOL PROJECT.

Indexes:

Attachments: [Exhibit 1](#)

**This Resolution was adopted unanimously.
Absent: Councilor Fosle.**

BY COUNCILOR FILIPOVICH (PUBLIC WORKS & UTILITIES)

BY COUNCILOR FILIPOVICH (PUBLIC WORKS & UTILITIES)

11. [19-0246R](#) RESOLUTION AMENDING PROGRAM GUIDELINES FOR THE RENTAL ENERGY UPGRADE PROGRAM.

Indexes:

Attachments: [REUP Program Guidelines 4.4.19](#)

**This Resolution was adopted unanimously.
Absent: Councilor Fosle.**

12. [19-0247R](#) RESOLUTION CONCURRING WITH COUNTY AWARD OF THE WOODLAND AVENUE AND CALVARY ROAD RECONSTRUCTION PROJECT.

Indexes:

Attachments: [19-0247R Map](#)

**This Resolution was adopted unanimously.
Absent: Councilor Fosle.**

13. [19-0257R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC. FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN SERVICES FOR THE TH 53 AND I 35 UTILITY RELOCATIONS IN THE AMOUNT OF \$120,943.

Indexes:

Attachments: [19-0257R Map](#)
[19-0257R Exhibit A](#)

**This Resolution was adopted unanimously.
Absent: Councilor Fosle.**

BY COUNCILOR VAN NETT (PUBLIC SAFETY)

BY COUNCILOR VAN NETT (PUBLIC SAFETY)

14. [19-0248R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE STATE OF MINNESOTA IN THE AMOUNT OF \$6,542.22 AND FURTHER AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH THE STATE OF MINNESOTA.

Indexes:

Attachments: [Exhibit A](#)

**This Resolution was adopted unanimously.
Absent: Councilor Fosle.**

15. [19-0259R](#) RESOLUTION AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO THE 2016 AMENDED AND RESTATED LAKE SUPERIOR DRUG AND VIOLENT CRIME TASK FORCE JOINT POWERS AGREEMENT PROVIDING FOR THE PARTICIPATION THERETO BY THE PROCTOR POLICE DEPARTMENT AND THE MINNESOTA STATE PATROL.

Indexes:

Attachments: [Exhibit A 19-0259R](#)

This Resolution was adopted unanimously.

Absent: Councilor Fosle.

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

- 16. [19-0238R](#) RESOLUTION ACCEPTING REIMBURSEMENT MONEY IN THE AMOUNT OF \$42,000 FROM THE ARROWHEAD LIBRARY SYSTEM FOR THE PURCHASE OF LIBRARY MATERIALS.

This Resolution was adopted unanimously.

Absent: Councilor Fosle.

- 17. [19-0250R](#) RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH WISCONSIN CENTRAL LTD., FOR A LICENSE FOR A PRIVATE TRAIL CROSSING UNDER RAILROAD TRESTLE FOR \$500.00.

Indexes:

Attachments: [Exhibit 1.pdf](#)

This Resolution was adopted unanimously.

Absent: Councilor Fosle.

- 18. [19-0254R](#) RESOLUTION ACCEPTING PERMANENT EASEMENT FOR RECREATIONAL TRAIL PURPOSES FROM VERSO MINNESOTA WISCONSIN LLC OVER PROPERTY NEAR MAIN STREET AND NORTH FIFTY-SIXTH AVENUE WEST TOGETHER WITH PORTIONS OF VACATED POLK STREET.

Indexes:

Attachments: [Exhibit 1.pdf](#)

This Resolution was adopted unanimously.

Absent: Councilor Fosle.

- 19. [19-0258R](#) RESOLUTION APPROVING THE ACQUISITION BY THE DULUTH AIRPORT AUTHORITY OF CERTAIN TAX-FORFEITED PROPERTY LOCATED AT THE DULUTH INTERNATIONAL AIRPORT.

Indexes:

Attachments: [Exhibit 1](#)

This Resolution was adopted unanimously.

Absent: Councilor Fosle.

END OF CONSENT AGENDA

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

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

20. [19-015-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY AT 5300 BRISTOL STREET, 202 AND 210 NORTH CENTRAL AVENUE FROM MIXED USE-NEIGHBORHOOD (MU-N) AND FORM DISTRICT 4 (F-4) TO MIXED USE-COMMERCIAL (MU-C).

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

This Ordinance was read for the first time.

21. [19-016-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE CODY NEIGHBORHOOD TO WESTERN LAKE SUPERIOR HABITAT FOR HUMANITY FOR \$1.

Indexes:

Attachments: [Exhibit 1](#)

[Exhibit 2](#)

This Ordinance was read for the first time.

BY COUNCILOR VAN NETT (PUBLIC SAFETY)

BY COUNCILOR VAN NETT (PUBLIC SAFETY)

22. [19-009-O](#) AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 5 OF THE DULUTH CITY CODE PERTAINING TO MASSAGE THERAPISTS, ESTABLISHMENTS AND LICENSES.

Indexes:

- Attachments: [Motion to Amend: Anderson \(7-1-1\)](#)
[Motion to Amend: Anderson \(7-0-2\)](#)

This Ordinance was read for the first time.

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

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

23. [19-014-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE DULUTH HEIGHTS NEIGHBORHOOD TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY.

Indexes:

- Attachments: [Exhibit A](#)

**This Ordinance was adopted unanimously.
Absent: Councilor Fosle**

BY PRESIDENT HOBBS (COMMITTEE OF THE WHOLE)

BY PRESIDENT HOBBS (COMMITTEE OF THE WHOLE)

24. [19-012-O](#) ORDINANCE AMENDING CHAPTER 9 OF THE DULUTH CITY CODE BY DELETING IT IN ITS ENTIRETY AND SUBSTITUTING A NEW BICYCLES, ELECTRIC-ASSISTED BICYCLES AND MOTORIZED FOOT SCOOTERS CHAPTER.

Indexes:

- Attachments: [Motion to Amend: Hobbs \(Passed 7-1-1\)](#)

**This Ordinance was adopted unanimously.
Absent: Councilor Fosle**

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

COUNCILOR PREVIEW OF UPCOMING BUSINESS