



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 26, 2017

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [17-105](#) June 8 & 12, 2017 City Council Meeting Minutes

Attachments: [June 8, 2017 - Special Council Meeting](#)
[June 12, 2017 - Council Meeting](#)

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [17-106](#) 5-5-2017 Alcohol, Gambling & Tobacco Commission Meeting Minutes

Attachments: [5-5-2017 Alcohol, Gambling & Tobacco Commission Meeting Minutes](#)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD**RESOLUTIONS TABLED****BY COUNCILOR HOBBS (PUBLIC WORKS & UTILITIES)**

3. [17-0451R](#) RESOLUTION ESTABLISHING A RED TAPE TASK FORCE.
(REPLACEMENT)

Sponsors: Hobbs and Hansen

CONSENT AGENDA**BY COUNCILOR HANSEN (FINANCE)**

4. [17-0463R](#) RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR ASSESSMENTS LEVIED AGAINST PROPERTY WITH REGARD TO PROPERTY VIOLATIONS DURING PERIOD OF APRIL 1, 2016, TO APRIL 1, 2017.

Attachments: [Exhibit A](#)

5. [17-0464R](#) RESOLUTION CONFIRMING THE ASSESSMENT ROLL OF DELINQUENT SOLID WASTE COLLECTION FEES DURING PERIOD OF MARCH 1, 2016, TO JUNE 1, 2017.

Attachments: [Exhibit A](#)

6. [17-0465R](#) RESOLUTION CONFIRMING THE ASSESSMENT ROLL OF DELINQUENT UTILITY FEES DURING THE PERIOD OF JANUARY 1, 2016, TO DECEMBER 31, 2016.

Attachments: [Exhibit A](#)

7. [17-0466R](#) RESOLUTION CONFIRMING ASSESSMENT ROLL LEVIED FOR REASSESSMENT OF PRIOR CANCELED ASSESSMENTS.

Attachments: [Exhibit A](#)

8. [17-0475R](#) RESOLUTION DETERMINING NOT TO REASSESS PARCEL FOR CANCELED DEMOLITION ASSESSMENT IN THE AMOUNT OF \$2,749.

Attachments: [Exhibit A](#)

BY COUNCILOR HANSON (PURCHASING & LICENSING)

9. [17-0373R](#) RESOLUTION AMENDING RESOLUTION 16-0846, ADOPTING LICENSE, PERMIT, FINE, PENALTY, AND OTHER CHARGES FOR 2017, TO REVISE RENTAL HOUSING LICENSING FEES.

10. [17-0460R](#) RESOLUTION AUTHORIZING A SERVICE AGREEMENT WITH WETLAND HABITAT RESTORATIONS FOR NATIVE PLANT RESTORATION AND REMOVAL OF INVASIVE SPECIES ON THE WESTERN WATERFRONT TRAIL FOR AN AMOUNT NOT TO EXCEED \$165,400.
- Attachments:** [Exhibit A](#)
[Map](#)
11. [17-0488R](#) RESOLUTION AUTHORIZING THE PURCHASE OF THREE (3) 2018 FREIGHTLINER CABS AND CHASSIS FROM I-STATE TRUCK CENTER, INC. IN THE AMOUNT OF \$253,600.20.
- Attachments:** [Exhibit A](#)
12. [17-0489R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH TKDA FOR ADDITIONAL ENGINEERING SERVICES FOR THE STEWART CREEK BRIDGE AND CLYDE CONNECTOR TRAIL RESTORATION PROJECTS AS PART OF THE DWP TRAIL IMPROVEMENT IN THE AMOUNT OF \$14,389 AND NEW TOTAL CONTRACT NOT TO EXCEED \$76,889.
- Attachments:** [Exhibit A](#)

BY COUNCILOR ANDERSON (PERSONNEL)

13. [17-0481R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF VEHICLE MAINTENANCE TECHNICIAN, AND SPECIFYING CONTRACT BENEFITS FOR SAME.
- Attachments:** [Vehicle Maintenance Technician](#)
14. [17-0482R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF EQUIPMENT MAINTENANCE SPECIALIST, INCLUDING A TITLE CHANGE TO VEHICLE REPAIR SPECIALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.
- Attachments:** [Vehicle Repair Specialist](#)
[Equipment Maintenance Specialist \(strikeout\)](#)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

15. [17-0472R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 11 B EAST FOURTH STREET (NIKKI OLSON).
- Attachments:** [Attachment 1](#)

16. [17-0473R](#) RESOLUTION AUTHORIZING THE ST. LOUIS COUNTY HOUSING AND REDEVELOPMENT AUTHORITY (HRA) TO INVEST FUNDS IN THE CITY OF DULUTH FOR THE GARFIELD SQUARE AND GATEWAY TOWER AFFORDABLE HOUSING PROJECTS.

BY PRESIDENT SIPRESS (COMMITTEE OF THE WHOLE)

17. [17-0490R](#) RESOLUTION APPROVING SETTLEMENT IN THE MATTER OF RONALD GARY GUSTAFSON VS CITY OF DULUTH IN THE AMOUNT OF \$22,500 AND PURSUANT TO THE TERMS OF THE MEDIATED SETTLEMENT AGREEMENT.

Attachments: [June 15, 2017 Mediated Settlement Agreement - Gufstafson v. City of Duluth, S](#)

BY COUNCILOR HOBBS (PUBLIC WORKS & UTILITIES)

18. [17-0433R](#) RESOLUTION AUTHORIZING AN AGENCY AGREEMENT BETWEEN THE CITY AND MNDOT FOR FEDERAL PARTICIPATION IN ADVANCE CONSTRUCTION FOR THE WEST SKYLINE PARKWAY STONE MASONRY RETAINING WALL PROJECT.

Attachments: [17-0433R Exhibit A](#)

[14-0433R Map](#)

19. [17-0458R](#) RESOLUTION AUTHORIZING A MASTER PARTNERSHIP AGREEMENT WITH MNDOT TO COOPERATIVELY PROVIDE ROADWORK SERVICES.

Attachments: [17-0458R Exhibit 1](#)

20. [17-0478R](#) RESOLUTION AWARDED A CONTRACT TO ULLAND BROTHERS, INC. FOR THE WATER STREET SHARED USE PATH PROJECT IN THE AMOUNT OF \$304,632.38.

Attachments: [17-0478R Map](#)

21. [17-0483R](#) RESOLUTION ACCEPTING PERMANENT EASEMENT FOR UTILITY PURPOSES FROM THE WICK LLC OVER PROPERTY LOCATED AT EAST SUPERIOR STREET AND FIFTH AVENUE AT NO COST TO THE CITY.

Attachments: [Exhibit 1](#)

[Exhibit 2](#)

BY COUNCILOR FOSLE (PUBLIC SAFETY)

22. [17-0459R](#) RESOLUTION AUTHORIZING AGREEMENT WITH DIVERSION SOLUTIONS, LLC, FOR ADMINISTRATION OF THE DRIVING DIVERSION PILOT PROGRAM FOR AN ADDITIONAL TWO YEAR PERIOD AT NO COST TO CITY.
- Attachments:** [Exhibit A](#)
23. [17-0467R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A \$5,000 GRANT FROM TARGET CORPORATION TO FUND THE BLUE SANTA/SHOP WITH A COP PROGRAM.
24. [17-0476R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY FIRE MARSHAL DIVISION TO CONDUCT PUBLIC SCHOOL CODE INSPECTIONS.
- Sponsors:** Public Safety
- Attachments:** [Exhibit A](#)
25. [17-0477R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE MINNESOTA BOARD OF FIREFIGHTER TRAINING AND EDUCATION IN THE AMOUNT OF \$27,000 FOR THE PURPOSE OF SUPPORTING FIRE DEPARTMENT PERSONNEL TRAINING AND ESTABLISHING A DEDICATED ACCOUNT FOR THE GRANTS.
- Sponsors:** Public Safety

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

26. [17-0484R](#) RESOLUTION AUTHORIZING AN EXCLUSIVE USE PERMIT AGREEMENT WITH BENTLEYVILLE TOUR OF LIGHTS, INC., FOR THE PRODUCTION, PROMOTION, AND MANAGEMENT OF THE BENTLEYVILLE TOUR OF LIGHTS IN BAYFRONT FESTIVAL PARK FOR THE 2017 HOLIDAY SEASON.
- Attachments:** [Exhibit 1](#)
27. [17-0485R](#) RESOLUTION AUTHORIZING LEASE AGREEMENT WITH SYDNEY JOHNSON FOR RESIDENTIAL DWELLING UNIT LOCATED WITHIN THE DULUTH HEIGHTS COMMUNITY CLUB.
- Attachments:** [Exhibit 1](#)
28. [17-0486R](#) RESOLUTION AUTHORIZING A LICENSE AGREEMENT FOR PUBLIC RECREATIONAL TRAIL PURPOSES WITH INDEPENDENT SCHOOL DISTRICT NO. 709 OVER PROPERTY NEAR LINCOLN PARK MIDDLE SCHOOL AT NO COST TO THE CITY.
- Attachments:** [Exhibit 1](#)
[Exhibit 2](#)

29. [17-0487R](#) RESOLUTION AUTHORIZING THE EXECUTION AND FILING OF A DECLARATION OF RESTRICTIVE COVENANT FOR CHESTER CREEK WITHIN CHESTER PARK.

Attachments: [Exhibit 1](#)

[Exhibit 2](#)

END OF CONSENT AGENDA

BY COUNCILOR HANSON (PURCHASING & LICENSING)

30. [17-0374R](#) RESOLUTION AMENDING RESOLUTION 16-0846, ADOPTING LICENSE, PERMIT, FINE, PENALTY, AND OTHER CHARGES FOR 2017, TO REVISE VACANT BUILDING REGISTRATION FEES.
31. [17-0375R](#) RESOLUTION AMENDING RESOLUTION 16-0846, ADOPTING LICENSE, PERMIT, FINE, PENALTY, AND OTHER CHARGES FOR 2017, TO ESTABLISH TENT, CANOPY, AND TEMPORARY MEMBRANE STRUCTURE PERMIT FEES.

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

32. [17-0474R](#) RESOLUTION ACCEPTING \$201,400 FROM THE KNIGHT CITIES CHALLENGE FUND FROM THE JOHN S. AND JAMES L. KNIGHT FOUNDATION FOR THE MAKING CANAL PARK POP DEMONSTRATION PROJECT.

INTRODUCTION AND CONSIDERATION OF ORDINANCES

MOTION TO RECONSIDER: Ordinance 17-028-O

33. [MO-1](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION OF PROPERTY BETWEEN ANCHOR STREET AND PARK PLACE AND BETWEEN SOUTH BOUNDARY AVENUE AND TERMINAL AVENUE FROM R-1 TO MU-N.

Attachments: [17-028-O](#)

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

BY COUNCILOR FOSLE (PUBLIC SAFETY)

34. [17-024-O](#) AN ORDINANCE ESTABLISHING SECTION 21.8 OF THE DULUTH CITY CODE RELATED TO TENTS AND CANOPIES

Attachments: [2015 Minnesota Fire Code - CHAPTER 31- TENTS AND OTHER MEMBRANE](#)

35. [17-034-O](#) AN ORDINANCE AMENDING SECTION 10-3 RELATED TO VACANT BUILDING REGISTRATION REQUIREMENTS

Attachments: [MTA 17-034-O Sipress](#)

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS