



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 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, February 11, 2019

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [19-027](#) Meeting Minutes of the Duluth City Council

Attachments: [January 28, 2019](#)

PUBLIC HEARING: Proposed ordinance amending chapter v, section 36 of the city of Duluth home rule charter, 1912, as amended, pertaining to civil service requirements for deputy fire chiefs.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [19-025](#) Duluth Transit Authority Meeting Minutes

Attachments: [Duluth Transit Authority 11-28-18](#)

3. [19-026](#) Library Board Meeting Minutes

Attachments: [Library Board 11-27-2018](#)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

Distinguished Artist Award: Carla Hamilton

OPPORTUNITY FOR CITIZENS TO BE HEARD

RESOLUTIONS TABLED

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

4. [19-0062R](#) RESOLUTION APPROVING THE 2019 ANNUAL ACTION PLAN AND AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME PROGRAM (HOME), AND EMERGENCY SOLUTIONS GRANT PROGRAM (ESG) PROGRAM FUNDS. (REPLACEMENT)

Attachments: [Summary Memo and 2019 Annual Action Plan](#)
[2019 Action Plan 2.1.19](#)

CONSENT AGENDA

BY COUNCILOR ANDERSON (FINANCE)

5. [19-0057R](#) RESOLUTION CONFIRMING ASSESSMENT ROLL FOR SIDEWALK REPAIRS AT SEVEN CITY LOCATIONS IN 2018.

Attachments: [Exhibit A](#)

6. [19-0114R](#) RESOLUTION APPROVING SETTLEMENT IN THE MATTER OF JACK LEVINE AND DOROTHY LEVINE VS 3M COMPANY, ET AL., IN AMOUNT OF \$50,000 AND PURSUANT TO TERMS OF SETTLEMENT AGREEMENT.

Attachments: [Levine v. City of Duluth - Release and Indemnification Agreement](#)

BY COUNCILOR FOSLE (PURCHASING & LICENSING)

7. [19-0061R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH PYROTECHNIC DISPLAY INC. FOR THE CREATION AND EXECUTION OF A FIREWORKS DISPLAY FOR JULY 4, 2019 FOR A TOTAL NOT TO EXCEED \$50,000.

Attachments: [Exhibit A](#)

8. [19-0092R](#) RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND BINGO PERMIT AND WAIVING THE 60 DAY WAITING PERIOD FOR STELLA MARIS ACADEMY.

Attachments: [Stella Maris Academy](#)

9. [19-0098R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH GRANICUS, INC., FOR AN ADDITIONAL THREE (3) YEARS OF SOFTWARE AND MANAGED SERVICES FOR AN AMOUNT NOT TO EXCEED \$138,509.72.

Attachments: [23110 Amendment 1](#)

BY COUNCILOR FORSMAN (PERSONNEL)

10. [19-0056R](#) RESOLUTION CONFIRMING THE REAPPOINTMENTS OF MEMBERS TO CITY BOARDS AND COMMISSIONS BY MAYOR LARSON.

Attachments: [Boards and Commissions Reappointments Attachment A](#)

11. [19-0082R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF DATA RELEASE COORDINATOR, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Exhibit A](#)

12. [19-0083R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF SEASONAL STREETS LABORER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Exhibit A](#)

13. [19-0084R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF SEASONAL UTILITIES LABORER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Exhibit A](#)

14. [19-0085R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE PAY RANGE FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF JANITOR I.

Attachments: [Exhibit A](#)

15. [19-0086R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE PAY RANGE FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF JANITOR II.
- Attachments:* [Exhibit A](#)
28. [19-0093R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF HOWARD JACOBSON TO THE DULUTH PUBLIC UTILITIES COMMISSION.
16. [19-0107R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF CHRIS MCINTOSH, TO THE DULUTH PUBLIC UTILITIES COMMISSION

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

17. [19-0103R](#) RESOLUTION VACATING A PORTION OF SUPERIOR STREET IN THE PLAT OF WEST DULUTH SEVENTH DIVISION.
- Attachments:* [Exhibit A](#)
[Exhibit B](#)

BY COUNCILOR FILIPOVICH (PUBLIC WORKS & UTILITIES)

18. [19-0091R](#) RESOLUTION AUTHORIZING THE RENEWAL OF CONTRACT L30048 WITH API OUTSOURCING INC. FOR MAILING SERVICES AND POSTAGE FOR YEAR 2019 IN THE AMOUNT OF \$183,000.
- Attachments:* [Exhibit A](#)
19. [19-0097R](#) RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF DULUTH AND THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR STORM SEWER, SANITARY SEWER, WATER MAIN, AND GAS LINE DESIGN AND CONSTRUCTION UPON, ALONG, AND ADJACENT TO TRUNK HIGHWAY 39 (MCCUEN STREET) WITHIN THE CITY LIMITS UNDER STATE PROJECT 6941-08 AT AN ESTIMATED COST OF \$455,333.22.
- Attachments:* [19-0097R-Cooperative-Construction-Agreement](#)
[19-0097R-Map](#)
20. [19-0099R](#) RESOLUTION AUTHORIZING AMENDMENT NO. 4 TO A CONTRACT WITH AMI CONSULTING ENGINEERS P.A. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE REPAIR AND REHABILITATION OF THE SEAWALL SURROUNDING THE DECC, TO INCREASE THE AMOUNT BY \$69,200 FOR A NEW TOTAL OF \$864,103.39.
- Attachments:* [19-0099R-Amendment](#)
[19-0099R-Map](#)

21. [19-0104R](#) RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A SIX-YEAR AGREEMENT WITH MAGNOLIA RIVER SERVICES, INC., FOR SOFTWARE AND SOFTWARE SUPPORT FOR CITY TO OBTAIN FIELD DATA COLLECTION AND REAL TIME ACCESS TO ITS UTILITY DATA IN AN AMOUNT NOT TO EXCEED \$78,000.

Attachments: [City of Duluth and Magnolia River Services Agreement - Final](#)
[Certificate of Insurance for Duluth MN from Magnolia Rivers Services](#)
[City of Duluth MN FlowGIS Magnolia River Proposal Nov 2 2018](#)

22. [19-0105R](#) RESOLUTION OF INTENT FOR THE 2019 STREET PRESERVATION PROJECT AND TO ASSESS A PORTION OF THE COSTS THEREOF.

Attachments: [19-0105R-Map](#)

BY COUNCILOR VAN NETT (PUBLIC SAFETY)

23. [19-0094R](#) RESOLUTION AUTHORIZING A PURCHASE FROM M & T FIRE AND SAFETY INC. FOR SEVENTY-ONE (71) SETS OF STRUCTURAL FIREFIGHTING TURNOUT GEAR IN THE AMOUNT OF \$170,258.

24. [19-0095R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF UNDERSTANDING AND ANNEX AGREEMENTS WITH THE FEDERAL BUREAU OF INVESTIGATION (FBI) FOR THE DULUTH POLICE DEPARTMENT TO PARTICIPATE IN THE MINNEAPOLIS CHILD EXPLOITATION TASK FORCE AND FURTHER AUTHORIZING THE ACCEPTANCE OF REIMBURSEMENT MONIES FROM THE FBI FOR OVERTIME EXPENSES.

Attachments: [Cover sheet for nonpublic data](#)

25. [19-0096R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE U.S.DEPARTMENT OF JUSTICE IN AN AMOUNT TOTALING \$468,750, AND FURTHER AUTHORIZING AN AGREEMENT WITH INDEPENDENT SCHOOL DISTRICT NO. 709 AS A SUBRECIPIENT, TO PURCHASE AND INSTALL SECURITY AND ACCESS EQUIPMENT FOR THE DISTRICT AND TO PROVIDE AN ADDITIONAL \$156,250 IN MATCH DOLLARS.

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

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

26. [19-0072R](#) RESOLUTION AUTHORIZING A RENEWAL OF AGREEMENT L30054 WITH CR-BUILDING PERFORMANCE SPECIALISTS, INC. FOR FACILITY ASSET MANAGEMENT (FAM) ASSET MANAGEMENT SOFTWARE MAINTENANCE FOR 2019 FOR AN INCREASE OF \$75,000 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$114,450.00.

Attachments: [Exhibit A CRBPS Amendment 1](#)

27. [19-0073R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A MINNESOTA DEPARTMENT OF EDUCATION LIBRARY CONSTRUCTION GRANT OF \$88,200.00 FOR CONSTRUCTION OF FIRST FLOOR BATHROOMS AT THE DULUTH PUBLIC LIBRARY.

Attachments: [Exhibit A - Draft Library Grant Agreement](#)

END OF CONSENT AGENDA

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

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

29. [19-005-O](#) AN ORDINANCE AMENDING CHAPTER 2, ARTICLE XXIII, OF THE DULUTH CITY CODE CHANGING THE TITLE OF THE URBAN FOREST COMMISSION TO NATURAL RESOURCES COMMISSION AND EXPANDING THE ROLE OF THE NATURAL RESOURCES COMMISSION TO INCLUDE STEWARDSHIP OF ALL NATURAL RESOURCES ON CITY OWNED AND CITY MANAGED LAND.

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

BY PRESIDENT HOBBS (COMMITTEE OF THE WHOLE)

30. [19-004-O](#) AN ORDINANCE AMENDING CHAPTER V, SECTION 36 OF THE CITY OF DULUTH HOME RULE CHARTER, 1912, AS AMENDED, PERTAINING TO CIVIL SERVICE REQUIREMENTS FOR DEPUTY FIRE CHIEFS.

Attachments: [19-04](#)

[19-03](#)

[19-02](#)

BY COUNCILOR FILIPOVICH (PUBLIC WORKS & UTILITIES)

31. [19-003-O](#) AN ORDINANCE AMENDING CHAPTER 48 OF THE DULUTH CITY CODE, 1959, AS AMENDED TO ALLOW TERMINATION OF WATER SERVICE TO CUSTOMERS OF THE CITY'S DISTRICT HEATING UTILITY FOR FAILURE TO TIMELY PAY UTILITY BILL AMENDING SECTIONS 48-1, 48-208, 48-208.2, 48-208.3, 48-209, 48-210 AND 48-212 THEREOF..

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS