



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, October 10, 2016

7:00 PM

Council Chamber

ROLL CALL

ROLL CALL

Present: 7 - Councilor Gary Anderson, Councilor Jay Fosle, President Noah Hobbs, Councilor Barb Russ, Councilor Joel Sipress, Councilor Em Westerlund and Councilor Zack Filipovich

PLEDGE OF ALLEGIANCE

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PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

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1. [16-131](#) District Court submitting order appointing Charter Commissioners

Indexes:

Attachments: [Amended Charter Commission Order](#)

This Petition/Other Communication was received.

REPORTS FROM THE ADMINISTRATION

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REPORTS FROM OTHER OFFICERS

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REPORTS OF BOARDS AND COMMISSIONS

REPORTS OF BOARDS AND COMMISSIONS

- 2. [16-129](#) Duluth Transit Authority Meeting Minutes

Indexes:

Attachments: [DTA Minutes \(6-29-16\)](#)

This Board or Commission Report was received.

- 3. [16-130](#) Civil Service Board Meeting Minutes

Indexes:

Attachments: [Civil Service Board Minutes \(06-07-16\)](#)

This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES

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REPORTS OF COUNCIL OPEN ISSUES

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Distinguished Artist Award - Brad Nelson

OPPORTUNITY FOR CITIZENS TO BE HEARD

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MOTIONS AND RESOLUTIONS

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CONSENT AGENDA

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BY COUNCILOR HANSEN (FINANCE)

BY COUNCILOR HANSEN (FINANCE)

- 4. [16-0573R](#) RESOLUTION ENTERING INTO AN AGREEMENT WITH AND ACCEPTING ANY POSSIBLE FUNDING FROM SENIOR SERVICE AMERICA, INC. TO OPERATE THE SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM FROM JULY 1, 2016 THROUGH JUNE 30, 2017.

Indexes:

Attachments: [SCSEP Sponsor Agreement July 16 to June 17](#)

This Resolution was adopted unanimously.

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

- 5. [16-0740R](#) RESOLUTION AUTHORIZING A CONTRACT WITH J.R. JENSEN CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF AN ADDITION TO THE TOOL HOUSE BUILDING ON RILEY ROAD FOR AN AMOUNT NOT TO EXCEED \$253,100.

This Resolution was adopted unanimously.

BY COUNCILOR ANDERSON (PERSONNEL)

BY COUNCILOR ANDERSON (PERSONNEL)

- 6. [16-0737R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF PROPERTY & EVIDENCE TECHNICIAN.

Indexes:

Attachments: [Property & Evidence Technician](#)
[Property & Evidence Technician \(strikeout\)](#)

This Resolution was adopted unanimously.

7. [16-0738R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF PROPERTY & EVIDENCE SPECIALIST.

Indexes:

Attachments: [Property & Evidence Specialist](#)
[Property & Evidence Specialist \(strikeout\)](#)

This Resolution was adopted unanimously.

8. [16-0739R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF UTILITY OPERATIONS SUPERVISOR.

Indexes:

Attachments: [Utility Operations Supervisor](#)
[Utility Operations Supervisor \(strikeout\)](#)

This Resolution was adopted unanimously.

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

9. [16-0725R](#) RESOLUTION AUTHORIZING SKYWALK AGREEMENT WITH RENDFELD LAND COMPANY PERTAINING TO THE FUR STORAGE BUILDING PROPERTY.

Indexes:

Attachments: [Exhibit I to 16-0725R](#)
[Exhibit A to 16-0725R](#)
[Exhibit B to 16-0725R](#)
[Exhibit C to 16-0725R](#)
[Exhibit D to 16-0725R](#)

This Resolution was adopted unanimously.

10. [16-0726R](#) RESOLUTION VACATING 175 FEET OF THE 16 FOOT WIDE ALLEY BETWEEN CENTRAL AVENUE AND 54TH AVENUE WEST, AND BRISTOL STREET AND ROOSEVELT STREET, OF THE RECORDED PLAT "WEST DULUTH FIRST DIVISION", AND RETAINING A UTILITY EASEMENT.

Indexes:

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

This Resolution was adopted unanimously.

11. [16-0734R](#) RESOLUTION AMENDING RESOLUTION 16-0590 TO CORRECT ERROR IN ABATEMENT AMOUNT.

This Resolution was adopted unanimously.

12. [16-0741R](#) RESOLUTION AUTHORIZING AN AMENDED AND RESTATED FUNDING AGREEMENT WITH KENWOOD VILLAGE LLC CONCERNING IMPROVEMENTS TO CLEVELAND STREET RELATED TO THE MIXED USE DEVELOPMENT AT THE SOUTHWEST CORNER OF WEST ARROWHEAD ROAD AND KENWOOD AVENUE.

Indexes:

Attachments: [Exhibit A - 16-0741R](#)

This Resolution was adopted unanimously.

BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)

BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)

13. [16-0735R](#) RESOLUTION AUTHORIZING ROW USE AGREEMENT WITH THE BETHEL SOCIETY INC. FOR WORK ADJACENT TO THE FIRST STREET ROW.

Indexes:

Attachments: [Exhibit I](#)
[Exhibit A](#)
[Exhibit B](#)

This Resolution was adopted unanimously.

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

Abstain: 1 - Hanson

14. [16-0730R](#) RESOLUTION AUTHORIZING AGREEMENT WITH MINNESOTA POWER-HIBBARD RENEWABLE ENERGY CENTER FOR INTERRUPTABLE GAS SERVICE.

Indexes:

Attachments: [Exhibit I to 16-0730](#)
[Exhibit A to 16-0730](#)

This Resolution was adopted unanimously.

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

15. [16-0717R](#) RESOLUTION AUTHORIZING THE EXECUTION OF A SNOWMOBILE TRAILS ASSISTANCE PROGRAM GRANT AGREEMENT FOR FY2017 WITH THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN AN AMOUNT NOT TO EXCEED \$13,025.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

16. [16-0729R](#) RESOLUTION ACCEPTING A \$5,000 CONTRIBUTION FROM THE DULUTH SOFTBALL PLAYERS ASSOCIATION FOR IMPLEMENTATION OF THE WEST DULUTH SPORTS CORRIDOR MINI MASTER PLAN.

Indexes:

Attachments: [Exhibit A-mini-master plan](#)

This Resolution was adopted unanimously.

17. [16-0732R](#) RESOLUTION ACCEPTING PERMANENT EASEMENT FOR PUBLIC RECREATIONAL, WALKWAY, AND TRAIL PURPOSES FROM JAY GILPIN AND STACI GILPIN OVER PROPERTY NEAR CHESTER PARK

AT NO COST TO THE CITY.

Indexes:

Attachments: [Exhibit 1 for Resolution.pdf](#)

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

END OF CONSENT AGENDA

BY COUNCILOR HANSEN (FINANCE)

BY COUNCILOR HANSEN (FINANCE)

18. [16-0727R](#) RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS, SERIES 2016C, IN THE APPROXIMATE AMOUNT OF \$1,230,000; ESTABLISHING THE TERMS AND FORM THEREOF; CREATING A DEBT SERVICE FUND THEREFOR; AND PROVIDING FOR AWARDDING THE SALE THEREOF.

Indexes:

Attachments: [Exhibit A - Official terms 2016C](#)
[Exhibit B - 2016C](#)
[Exhibit C - 2016C](#)

This Resolution was adopted.

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

Nay: 1 - Councilor Fosle

19. [16-0728R](#) RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION CAPITAL EQUIPMENT NOTES, SERIES 2016D, IN THE APPROXIMATE AMOUNT OF \$3,750,000; ESTABLISHING THE TERMS AND FORM THEREOF; CREATING A DEBT SERVICE FUND THEREFOR; AND PROVIDING FOR AWARDDING THE SALE THEREOF.

Indexes:

Attachments: [Exhibit A - Official terms 2016D](#)

[Exhibit B - 2016D](#)

[Exhibit C - 2016D](#)

This Resolution was adopted unanimously.

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

Nay: 1 - Hanson

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

COUNCILOR PREVIEW OF UPCOMING BUSINESS