



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Meeting Agenda - 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 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, March 28, 2016

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARING - City's Street Preservation Projects

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

1. [16-037](#) Jerome & Margaret Nelson Communication

Attachments: [Jerome and Margaret Nelson Communication Woodland Roll Out](#)

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [16-035](#) Duluth Public Utilities Commission Meeting Minutes. Feb. 16, 2016

Attachments: [02162016 DPUC meeting minutes](#)

3. [16-036](#) DPUC Resolution 16PUC-004.
Increasing water rates.

Attachments: [16PUC-004 Establishing Water Rates 3-15-2016](#)
[DPUC Public Hearing 03-15-2016](#)

4. [16-038](#) AGT March Meeting Minutes

Attachments: [AGT March Minutes 2016](#)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

RESOLUTIONS TABLED

MOTIONS AND RESOLUTIONS

CONSENT AGENDA

BY COUNCILOR HANSEN (FINANCE)

5. [16-0145R](#) RESOLUTION CONFIRMING ASSESSMENT ROLL LEVIED TO DEFRAID THE ASSESSABLE PORTION OF THE CITY'S STREET PRESERVATION PROJECTS FOR 2015.

Attachments: [Street Preservation Program - 2015 Projects](#)

6. [16-0199R](#) RESOLUTION CONFIRMING ASSESSMENT ROLL LEVIED TO DEFRAID THE ASSESSABLE PORTION OF THE IMPROVEMENTS FOR EASTRIDGE ESTATES.

Attachments: [Exhibit A](#)

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

7. [16-0173R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH CARDNO FOR KINGSBURY CREEK DESIGN & CONSTRUCTION ENGINEERING SERVICES FOR AN AMOUNT NOT TO EXCEED \$53,400.

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

8. **16-0205R** RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT FROM LANDSCAPE STRUCTURES, INC., AKA: FLAGSHIP RECREATION LLC, IN THE AMOUNT OF \$148,835.

9. [16-0214R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT 22618 WITH TKDA FOR ADDITIONAL SERVICES FOR THE WESTERN WATERFRONT TRAIL RESTORATION PROJECT, AN INCREASE OF \$2,500, FOR AN AMENDED TOTAL NOT TO EXCEED \$72,500.

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

10. [16-0215R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT 22490 WITH BARR ENGINEERING, FOR ADDITIONAL SERVICES FOR THE SPIRIT MOUNTAIN ENVIRONMENTAL ASSESSMENT WORKSHEET (EAW), AN INCREASE OF \$13,200, FOR A TOTAL AMOUNT NOT TO EXCEED \$62,870.

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

BY COUNCILOR ANDERSON (PERSONNEL)

11. [16-0203R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF FIREFIGHTER.

Attachments: [Firefighter Job Description \(strikeout\)](#)
[Firefighter Job Description](#)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

12. [16-0209R](#) RESOLUTION AUTHORIZING A DECREASE OF \$19,917 IN FY 2016 HUD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.
13. [16-0210R](#) RESOLUTION AUTHORIZING AN INCREASE OF \$658 IN FY 2016 HUD EMERGENCY SOLUTIONS GRANT (ESGP) PROGRAM.
14. [16-0211R](#) RESOLUTION AUTHORIZING A DECREASE OF \$11,491 IN FY 2016 HUD HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM.

BY COUNCILOR HANSON (INTERGOVERNMENTAL RELATIONS)

15. [16-0167R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH AND ACCEPT FUNDS FROM ST. LOUIS COUNTY TO PROVIDE MINNESOTA FAMILY INVESTMENT PROGRAM AND DIVERSIONARY WORK PROGRAM EMPLOYMENT AND TRAINING SERVICES IN AN AMOUNT NOT LESS THAN \$908,222 FOR THE PERIOD JANUARY 1, 2016 THROUGH DECEMBER 31, 2016.

BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)

16. [16-0207R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT 21702 WITH TENASKA MARKETING VENTURES TO EXTEND THE SERVICE TERM THROUGH OCTOBER 31, 2017.
- Attachments: [Exhibit A](#)
17. [16-0208R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC. FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN SERVICES FOR THE SKYLINE PARKWAY RETAINING WALL RESTORATION PROJECT FOR AN AMOUNT NOT TO EXCEED \$103,496.
- Attachments: [16-0208R Exhibit A](#)
 [16-0208R Exhibit B](#)
 [16-0208R Proposal](#)
 [16-0208R Maps](#)
18. [16-0213R](#) RESOLUTION AMENDING A CONTRACT WITH LHB, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR BRIDGE REHABILITATION, TO INCREASE THE AMOUNT BY \$97,833.00 FOR A NEW TOTAL OF \$149,734.00.
- Attachments: [16-0213R Map](#)
 [16-0213R Amendment](#)
19. [16-0219R](#) RESOLUTION AWARDED A CONTRACT TO GEORGE BOUGALIS & SONS CO. FOR THE MICHIGAN STREET UTILITY RECONSTRUCTION FROM 3RD AVENUE WEST TO 6TH AVENUE WEST IN THE AMOUNT OF \$1,076,157.
- Attachments: [16-0219R Map](#)

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

20. [16-0165R](#) RESOLUTION AUTHORIZING APPLICATION TO AND, IF OFFERED, ACCEPTANCE OF A \$100,000 MINNESOTA DEPARTMENT OF NATURAL RESOURCES (MN DNR) OUTDOOR RECREATION GRANT TO IMPLEMENT PORTIONS OF THE QUARRY PARK MINI-MASTER PLAN - PHASE I.
- Attachments: [EXHIBIT A - 16-0165R](#)
 [EXHIBIT B - 16-0165R](#)
 [EXHIBIT C - 16-0165R](#)

21. [16-0169R](#) RESOLUTION AUTHORIZING APPLICATION TO, AND ACCEPTANCE OF, IF OFFERED, A \$250,000 MINNESOTA DEPARTMENT OF NATURAL RESOURCES (MN DNR) REGIONAL TRAIL PROGRAM GRANT TO IMPROVE THE DWP (DULUTH WINNIPEG PACIFIC) /CROSS CITY TRAIL SYSTEM - STEWART CREEK RAILROAD TRESTLE.

Attachments: [EXHIBIT A - 16-0169R](#)
[EXHIBIT B - 16-0169R](#)
[EXHIBIT C - 16-0169R](#)

22. [16-0170R](#) RESOLUTION AUTHORIZING APPLICATION TO AND, IF OFFERED, ACCEPTANCE OF A \$100,000 MINNESOTA DEPARTMENT OF NATURAL RESOURCES (MN DNR) OUTDOOR RECREATION GRANT TO IMPLEMENT PORTIONS OF THE WEST DULUTH SPORTS CORRIDOR MINI-MASTER PLAN - PHASE I.

Attachments: [EXHIBIT A - 16-0170R](#)
[EXHIBIT B - 16-0170R](#)
[EXHIBIT C - 16-0170R](#)

23. [16-0172R](#) RESOLUTION AUTHORIZING APPLICATION TO, AND ACCEPTANCE OF, IF OFFERED A \$90,680 MINNESOTA DEPARTMENT OF NATURAL RESOURCES (MN DNR) LOCAL TRAIL CONNECTIONS PROGRAM GRANT TO CONSTRUCT TRAILS FROM QUARRY PARK TO THE GREATER DULUTH MULTIUSE TRAIL SYSTEM.

Attachments: [EXHIBIT A - 16-0172R](#)
[EXHIBIT B - 16-0172R](#)
[EXHIBIT C - 16-0172R](#)

24. [16-0212R](#) RESOLUTION AUTHORIZING APPLICATION TO A \$250,000 MINNESOTA DEPARTMENT OF NATURAL RESOURCES (MN DNR) REGIONAL TRAIL PROGRAM GRANT TO BUILD THE 3.3KM NORDIC SKI CENTER TRAIL AT THE BASE OF SPIRIT MOUNTAIN RECREATION AREA.

Attachments: [EXHIBIT A - 16-0212R](#)
[EXHIBIT B - 16-0212R](#)
[EXHIBIT C - 16-0212R](#)

END OF CONSENT AGENDA

INTRODUCTION AND CONSIDERATION OF ORDINANCES

ORDINANCES TABLED

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

BY COUNCILOR HANSEN (FINANCE)

25. [16-018-O](#) AN ORDINANCE TO AMEND THE BUDGET OF THE CITY OF DULUTH FOR YEAR 2016 BY INCREASING THE BUDGET \$800,000 FOR ADDITIONAL STREET WORK.

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

26. [16-017-O](#) AN ORDINANCE AMENDING SECTIONS 50-19.8 USE TABLE, 50-20.3 COMMERCIAL USES, 50-20.5 ACCESSORY USES, AND 50-41 DEFINITIONS, TO ALLOW FOR VACATION DWELLING UNITS, ACCESSORY VACATION DWELLING UNITS, AND ACCESSORY HOME SHARE.

Attachments: [Attachment A - 16-017-O](#)
 [Attachment B - 16-017-O](#)
 [Motion to Split 16-017](#)
 [Hansen Motion to amend 16-017](#)
 [Filipovich Motion to amend 16-017](#)

BY COUNCILOR FOSLE (PUBLIC SAFETY)

27. [16-016-O](#) AN ORDINANCE REPEALING ARTICLE IV, CHAPTER 10A, OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO PADDLEWHEELS.

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

28. [16-013-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM MU-B TO MU-N PROPERTY ALONG THE SOUTH SIDE OF GRAND AVENUE AND FROM R-1 TO MU-N, PROPERTY ALONG THE NORTH SIDE OF GRAND AVENUE.

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

29. [16-014-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY WITHIN THE CITY OF DULUTH TO INDEPENDENT SCHOOL DISTRICT #709 FOR AN ENTRANCE TO DENFELD HIGH SCHOOL.

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

BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)

30. [16-012-O](#) AN ORDINANCE AUTHORIZING A PENALTY FOR UNAUTHORIZED TURNING ON OF WATER OR GAS SERVICE AMENDING SECTION 48-27 OF THE DULUTH CITY CODE, 1959, AS AMENDED.
31. [16-015-O](#) AN ORDINANCE DEDICATING EASEMENTS FOR UTILITY PURPOSES ON CITY-OWNED PROPERTY NORTH OF 45TH AVENUE WEST.

Attachments: [Sanitary easement\(1\)](#)
[Storm Easement Block 8](#)

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS