



# 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]*

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Monday, November 7, 2016

7:00 PM

Council Chamber

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#### ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

1. [16-152](#) Application to Conduct Excluded Bingo  
John Beargrease Sled Dog Marathon  
**Attachments:** [John Beargrease Sled Dog Marathon - Excluded Bingo Application](#)
2. [16-153](#) Application for Exempt Permit  
Twin Ports Walleye Association  
**Attachments:** [Twin Ports Walleye Association](#)

#### REPORTS FROM THE ADMINISTRATION

#### REPORTS FROM OTHER OFFICERS

#### REPORTS OF BOARDS AND COMMISSIONS

3. [16-147](#) Civil Service Board Meeting Minutes  
**Attachments:** [08-02-16 Civil Service Board Minutes](#)

4.     [16-148](#)             DTA Board Meeting Minutes  
  
      Attachments:     [04-26-2016 DTA Meeting Minutes](#)  
                              [08-31-2016 DTA Meeting Minutes](#)
5.     [16-149](#)             DAA Meeting Minutes  
  
      Attachments:     [09-20-2016 DAA Meeting Minutes](#)
6.     [16-150](#)             DECC Meeting Minutes  
  
      Attachments:     [05-19-2016 DECC Meeting Minutes](#)  
                              [06-28-2016 DECC Meeting Minutes](#)
7.     [16-151](#)             HRA Meeting Minutes  
  
      Attachments:     [9-27-2016 HRA Meeting Minutes](#)

## REPORTS OF COUNCIL COMMITTEES

## REPORTS OF COUNCIL OPEN ISSUES

## OPPORTUNITY FOR CITIZENS TO BE HEARD

## CONSENT AGENDA

### BY COUNCILOR HOBBS (PURCHASING & LICENSING)

8.     [16-0776R](#)             RESOLUTION AUTHORIZING CHANGE ORDER 1 TO CONTRACT C22736 WITH KTM PAVING FOR FIREHALL #6 DRIVEWAY IN THE AMOUNT OF \$12,960.02 AND A NEW TOTAL CONTRACT PRICE OF \$111,018.02.
9.     [16-0783R](#)             RESOLUTION AUTHORIZING A CONTRACT WITH HITACHI DATA SYSTEMS FOR ANNUAL SUPPORT AND MAINTENANCE OF THE CITYWIDE CAMERA SYSTEM FOR AN AMOUNT NOT TO EXCEED \$71,382.  
  
      Attachments:     [Exhibit A 10.27.16.docx](#)
10.    [16-0790R](#)             RESOLUTION ISSUING A 3.2 PERCENT MALT LIQUOR LICENSE AND APPROVING ISSUANCE OF AN ON SALE WINE LICENSE TO ZEN HOUSE, INC. (ZEN HOUSE), 4023 WOODLAND AVE.

### BY COUNCILOR ANDERSON (PERSONNEL)

11. [16-0780R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF PROPERTY & FACILITIES MANAGER.

Attachments: [Property & Facilities Manager](#)  
[Property & Facilities Manager \(strikeout\)](#)

#### **BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)**

12. [16-0778R](#) RESOLUTION AUTHORIZING REPROGRAMMING OF \$101,200 IN 2011 AND 2012 CDBG FUNDS AND TRANSFERRING IT TO THE WEST DULUTH FOOD ACCESS AND EDUCATION PROJECT.
13. [16-0779R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A DONATION FROM KIFF SAMUELSON FOR THE DEMOLITION, UTILITY CUT-OFFS, AND SITE RESTORATION FOR THE HOUSE AT 1019 NORTH 14TH AVENUE EAST IN THE AMOUNT OF \$11,835.

Attachments: [Attachment 1](#)

14. [16-0784R](#) RESOLUTION APPROVING THE FIRST AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY AND GARFIELD BUSINESS PARK LLC.

Attachments: [Exhibit A. Amendment to Amended and Restated Development Agreement](#)  
[Attachment - Map](#)

15. [16-0786R](#) RESOLUTION AUTHORIZING CONSTRUCTION AND TEN YEAR OPERATIONS AGREEMENT WITH DULUTH COMMUNITY ACTION DULUTH FOR THE CITY'S DENFELD GREENHOUSE PROJECT.

Attachments: [Exhibit A - 16-0786R](#)

#### **BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)**

16. [16-0750R](#) RESOLUTION OF INTENT TO RECONSTRUCT WHITTIER STREET BEGINNING AT CLAYMORE STREET AND ENDING APPROXIMATELY 750 FEET SOUTH OF CLAYMORE STREET.

Attachments: [16-0750R Map](#)

#### **BY COUNCILOR FOSLE (PUBLIC SAFETY)**

17. [16-0751R](#) RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED LAKE SUPERIOR DRUG AND VIOLENT CRIME TASK FORCE JOINT POWERS AGREEMENT PROVIDING FOR THE PARTICIPATION THERETO BY THE VIRGINIA, HIBBING, BABBITT, BREITUNG, CHISHOLM, EAST RANGE, ELY, EVELETH, AND GILBERT POLICE DEPARTMENTS AND THE U.S. BORDER PATROL AND FURTHER AUTHORIZING EXECUTION OF AN MOU WITH U.S. IMMIGRATION & CUSTOMS ENFORCEMENT AND THE U.S. BORDER PATROL.

Attachments: [16-0751R Exhibit I](#)  
[16-0751R Exhibit A](#)  
[16-0751R Exhibit B](#)

18. [16-0761R](#) RESOLUTION AUTHORIZING COOPERATIVE FIRE PROTECTION AGREEMENT WITH MNDNR DIVISION OF FORESTRY FOR COOPERATIVE RESPONSE TO WILDLAND FIRE CALLS.

Attachments: [Exhibit A 16-0761R](#)

19. [16-0775R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE IN THE AMOUNT OF \$41,022 AND FURTHER AUTHORIZING EXECUTION OF GRANT AGREEMENT WITH ST. LOUIS COUNTY.

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

#### **BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)**

20. [16-0782R](#) RESOLUTION AUTHORIZING THE DULUTH INDIGENOUS COMMISSION TO ACT AS A CULTURAL LIASON FOR PARKS AND RECREATION WAYFINDING AND INTERPRETIVE SIGNAGE.

#### **END OF CONSENT AGENDA**

#### **INTRODUCTION AND CONSIDERATION OF ORDINANCES**

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

#### **BY COUNCILOR HANSEN (FINANCE)**

21. [16-068-O](#) AN ORDINANCE TO AMEND THE BUDGET OF THE CITY OF DULUTH FOR YEAR 2016 BY INCREASING THE BUDGET BY \$700,000 FOR CALLING STREET IMPROVEMENT BONDS SERIES 2008C.

**BY PRESIDENT FILIPOVICH (COMMITTEE OF THE WHOLE)**

22.     [16-067-O](#)     AN ORDINANCE AMENDING THE DEFINITION OF SIGNATURE IN THE DULUTH CITY CODE, 1959, TO ALLOW FOR ELECTRONIC SIGNATURES

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

**BY COUNCILOR HANSEN (FINANCE)**

23.     [16-065-O](#)     AN ORDINANCE AMENDING ORDINANCE 10473 TO LIMIT THE AMOUNT OF THE FRANCHISE FEE ASSESSED TO ANY MINNESOTA POWER CUSTOMER PURSUANT TO THE FRANCHISE TO AN AMOUNT NOT TO EXCEED \$420,000 PER YEAR.

**COUNCILOR QUESTIONS AND COMMENTS**

**COUNCILOR PREVIEW OF UPCOMING BUSINESS**