



# 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 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]*

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Monday, September 9, 2019

7:00 PM

Council Chamber

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#### ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF MINUTES

1. [19-168](#) Minutes of the Duluth City Council

**Attachments:** [August 26, 2019](#)

#### REPORTS FROM THE ADMINISTRATION

#### REPORTS FROM OTHER OFFICERS

2. [19-165](#) Petitions for Local Improvements

**Attachments:** [Petitions for Local Improvements](#)

3. [19-167](#) MN Lawful Gambling: Application for Exempt Permits

**Attachments:** [Essentia](#)  
[St. Michael's Church](#)

#### REPORTS OF BOARDS AND COMMISSIONS

4. [19-169](#) Duluth Public Utilities Commission Meeting Minutes  
**Attachments:** [05/21/2019 - DPUC](#)
5. [19-170](#) Entertainment and Convention Center Authority Meeting Minutes  
**Attachments:** [April 23, 2019 DECC Board Meeting Minutes](#)  
[June 26, 2019 DECC Board Meeting Minutes](#)  
[May 29, 2019 DECC Board Meeting Minutes](#)
6. [19-171](#) Parks and Recreation Commission Meeting Minutes  
**Attachments:** [06/12/2019 - Parks and Rec](#)
7. [19-172](#) Housing and Redevelopment Authority Meeting Minutes  
**Attachments:** [HRA Minutes June 2019](#)  
[HRA Minutes July 2019](#)

## REPORTS OF COUNCIL COMMITTEES

## REPORTS OF COUNCIL OPEN ISSUES

## OPPORTUNITY FOR CITIZENS TO BE HEARD

## CONSENT AGENDA

## BY COUNCILOR ANDERSON (FINANCE)

8. [19-0606R](#) RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS, SERIES 2019A, IN THE APPROXIMATE AMOUNT OF \$1,200,000; ESTABLISHING THE TERMS AND FORM THEREOF; CREATING A DEBT SERVICE FUND THEREFOR; AND PROVIDING FOR AWARDING THE SALE THEREOF.  
**Attachments:** [Exhibit A](#)  
[Exhibit B](#)

9. [19-0607R](#) RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION CAPITAL EQUIPMENT NOTES, SERIES 2019B, IN THE APPROXIMATE AMOUNT OF \$3,170,000; ESTABLISHING THE TERMS AND FORM THEREOF; CREATING A DEBT SERVICE FUND THEREFOR; AND PROVIDING FOR AWARDED THE SALE THEREOF.

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

10. [19-0608R](#) RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION CAPITAL IMPROVEMENT REFUNDING BONDS, SERIES 2019C; ESTABLISHING THE TERMS AND FORM THEREOF; CREATING A DEBT SERVICE FUND THEREFOR; AND PROVIDING FOR AWARDED THE SALE THEREOF.

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

#### **BY COUNCILOR FOSLE (PURCHASING & LICENSING)**

11. [19-0602R](#) RESOLUTION AUTHORIZING A THREE-YEAR AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC., FOR GIS LICENSING FOR AN AMOUNT NOT TO EXCEED \$156,000.

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

12. [19-0613R](#) RESOLUTION ISSUING AN OFF SALE 3.2 PERCENT MALT LIQUOR LICENSE TO KWIK TRIP, INC. (KWIK TRIP #941), 110 S. BOUNDARY AVENUE

**Attachments:** [Attachment A](#)

13. [19-0615R](#) RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE BREWER TAPROOM LICENSE OF DULUTH CIDER, LLC (DULUTH CIDER) 2307 W. SUPERIOR STREET

**Attachments:** [Attachment B](#)

14. [19-0616R](#) RESOLUTION APPROVING ISSUANCE OF AN ON SALE INTOXICATING LIQUOR LICENSE AND SUNDAY LICENSE TO CRABBY OL' BILLS, INC (LAKEWALK GALLEY), 504 CANAL PARK DRIVE

**Attachments:** [Attachment C](#)

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

15. [19-0581R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 1210 SOUTH LAKE AVENUE (STEVE AND HEATHER PITSCHKA).

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

16. [19-0582R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 1535 SOUTH LAKE AVENUE (STEVE AND HEATHER PITSCHKA).

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

17. [19-0583R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 1302 MINNESOTA AVENUE (STEVE AND HEATHER PITSCHKA).

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

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

18. [19-0605R](#) RESOLUTION ACCEPTING PERMANENT EASEMENT FOR UTILITY PURPOSES FROM MOLINE MACHINERY, LLC AUTHORITY OVER, UNDER, AND ACROSS PROPERTY LOCATED IN THE IRVING NEIGHBORHOOD, AT NO COST TO THE CITY.

**Attachments:** [Exhibit 1.pdf](#)

19. [19-0609R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH MSA PROFESSIONAL SERVICES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE EAST SECOND STREET RECONSTRUCTION PROJECT FROM SIXTH AVENUE EAST TO 12TH AVENUE EAST IN THE AMOUNT OF \$610,409.68.

**Attachments:** [19-0609R Map](#)  
[19-0609R Exhibit A](#)

20. [19-0610R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH TOOLE DESIGN GROUP, LLC, FOR THE DESIGN OF THE TEMPORARY RELOCATION OF THE CROSS CITY TRAIL, TO INCREASE THE AMOUNT BY \$43,294 FOR A NEW AMOUNT NOT TO EXCEED \$68,720.

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

21. [19-0611R](#) RESOLUTION OF INTENT FOR CONSTRUCTION OF PAVEMENT AND SIDEWALK IMPROVEMENTS TO TECHNOLOGY DRIVE TO SERVE 3301 TECHNOLOGY DRIVE, 3401 TECHNOLOGY DRIVE AND 4314 RICE LAKE ROAD.

Attachments: [19-0611R Map](#)  
[19-0611R Signed Petition No. 1](#)  
[19-0611R Signed Petition No. 2](#)  
[19-0611R Signed Petition No. 3](#)

22. [19-0618R](#) RESOLUTION AMENDING A CONTRACT WITH MSA PROFESSIONAL SERVICES, INC., TO PROVIDE PROFESSIONAL ENGINEERING, TO INCLUDE ENVIRONMENTAL DESIGN FOR THE LIFT STATION 15 RELOCATION PROJECT, TO INCREASE THE AMOUNT BY \$36,448 FOR A NEW TOTAL OF \$166,807.

Attachments: [19-0618R Map](#)  
[Amendment 1 8.30.19.pdf](#)

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

23. [19-0603R](#) RESOLUTION ACCEPTING PERMANENT EASEMENT FOR PUBLIC RECREATIONAL, WALKWAY AND TRAIL PURPOSES IN CONNECTION WITH THE CROSS CITY TRAIL FROM MOLINE MACHINERY, LLC AUTHORITY OVER, UNDER, AND ACROSS PROPERTY LOCATED IN THE IRVING NEIGHBORHOOD, AT NO COST TO THE CITY.

Attachments: [Exhibit 1.pdf](#)

24. [19-0604R](#) RESOLUTION ACCEPTING PERMANENT EASEMENT FOR PUBLIC RECREATIONAL, WALKWAY AND TRAIL PURPOSES IN CONNECTION WITH THE GRASSY POINT TRAIL FROM MOLINE MACHINERY, LLC AUTHORITY OVER, UNDER, AND ACROSS PROPERTY LOCATED IN THE IRVING NEIGHBORHOOD, AT NO COST TO THE CITY.

Attachments: [Exhibit 1.pdf](#)

25. [19-0617R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR A CONSERVATION PARTNERS LEGACY GRANT OF UP TO \$400,000 FOR THE PURPOSE OF SKYLINE PARKWAY LAND ACQUISITION.

Attachments: [Exhibit A Location Map](#)

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

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

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

26. [19-038-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY SOUTH OF THE INTERSECTION OF WEST GARY STREET AND BECKS ROAD FROM RURAL RESIDENTIAL 1 (RR-1) TO MIXED USE BUSINESS PARK (MU-B).

**Attachments:** [Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)

27. [19-039-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTIES NEAR THE INTERSECTION OF COMMONWEALTH AVENUE AND BECKS ROAD FROM RURAL RESIDENTIAL 1 (RR-1) AND RESIDENTIAL-TRADITIONAL (R-1) TO MIXED USE BUSINESS PARK (MU-B).

**Attachments:** [Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)

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

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

28. [19-040-O](#) AN ORDINANCE GRANTING A CONCURRENT USE PERMIT FOR A GROUNDWATER MONITORING WELL IN THE PLATTED STREET RIGHT OF WAY OF GRAND AVENUE.

**Attachments:** [PL 19-101 Exhibit & Legal](#)  
[PL 19-101 Staff Report and attachments](#)

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

29. [19-041-O](#) ORDINANCE AMENDING SECTION 1 OF ORDINANCE 10298 TO EXTEND THE REPEAL DATE TO DECEMBER 31, 2024, FOR ARTICLE XII OF CHAPTER 45 OF THE CITY CODE ENTITLED STREET LIGHTING SYSTEM UTILITY.

**Sponsors:** Hobbs

**COUNCILOR QUESTIONS AND COMMENTS****COUNCILOR PREVIEW OF UPCOMING BUSINESS**

