



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, November 19, 2018

7:00 PM

Council Chamber

ROLL CALL

ROLL CALL

- Present:** 9 - Councilor Gary Anderson, Councilor Zack Filipovich, Councilor Arik Forsman, Councilor Arik Forsman, Councilor Barb Russ, Councilor Joel Sipress, Councilor Em Westerlund, Councilor Renee Van Nett and President Noah Hobbs
- Absent:** 1 - Councilor Jay Fosle

PLEDGE OF ALLEGIANCE

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PUBLIC HEARING - Building Appeals Board: Chester Creek Cooperative

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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

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

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OPPORTUNITY FOR CITIZENS TO BE HEARD

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CONSENT AGENDA

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BY COUNCILOR FILIPOVICH (FINANCE)

BY COUNCILOR FILIPOVICH (FINANCE)

1. [18-0771R](#) RESOLUTION APPROVING THE FISCAL YEAR JANUARY 1, 2019 TO DECEMBER 31, 2019, OPERATION BUDGET OF THE DULUTH AIRPORT AUTHORITY.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

Absent: Councilor Fosle

2. [18-0772R](#) RESOLUTION APPROVING THE FISCAL YEAR JANUARY 1, 2019 TO DECEMBER 31, 2019 BUDGETS OF THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY.

Indexes:

Attachments: [Exhibit A](#)

**This Resolution was adopted unanimously.
Absent: Councilor Fosle**

3. [18-0773R](#) RESOLUTION APPROVING THE FISCAL YEAR JANUARY 1, 2019 TO DECEMBER 31, 2019, OPERATION BUDGET OF THE DULUTH TRANSIT AUTHORITY.

Indexes:

Attachments: [Exhibit A](#)

**This Resolution was adopted unanimously.
Absent: Councilor Fosle**

BY COUNCILOR ANDERSON (PERSONNEL)

BY COUNCILOR ANDERSON (PERSONNEL)

4. [18-0766R](#) RESOLUTION APPROVING PAY AND BENEFITS PLAN FOR THE APPOINTED POSITION OF CITY ATTORNEY PURSUANT TO CHAPTER IV, SECTION 26 OF THE DULUTH HOME RULE CHARTER

**This Resolution was adopted unanimously.
Absent: Councilor Fosle**

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

5. [18-0776R](#) RESOLUTION APPROVING A PROPERTY DEMOLITION AGREEMENT BETWEEN THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY AND THE CITY OF DULUTH.

Indexes:

Attachments: [Exhibit A](#)

**This Resolution was adopted unanimously.
Absent: Councilor Fosle**

BY COUNCILOR FORSMAN (PUBLIC WORKS & UTILITIES)

BY COUNCILOR FORSMAN (PUBLIC WORKS & UTILITIES)

6. [18-0749R](#) RESOLUTION AUTHORIZING APPLICATIONS FOR SAFE ROUTES TO

SCHOOL GRANTS RELATED TO PROVIDING IMPROVEMENTS TO PEDESTRIAN ACCESS TO VARIOUS SCHOOLS IN THE CITY OF DULUTH.

Indexes:

- Attachments:** [18-0749R Map Bayview MacArthur](#)
[18-0749R Map Lincoln Park](#)
[18-0749R Map Piedmont & Congdon](#)

**This Resolution was adopted unanimously.
Absent: Councilor Fosle**

7. [18-0778R](#) RESOLUTION AUTHORIZING AGREEMENT WITH CRISPIN PORTER & BOGUSKY LLC, AS AGENT FOR DOMINO'S PIZZA LLC, TO FUND STREET REPAIR IN THE AMOUNT OF \$5,000.

Indexes:

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

**This Resolution was adopted unanimously.
Absent: Councilor Fosle**

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

8. [18-0779R](#) RESOLUTION AUTHORIZING APPLICATION TO AND, IF OFFERED, ACCEPTANCE OF A \$10,000 ST. LOUIS COUNTY AQUATIC INVASIVE SPECIES PREVENTION PROGRAM GRANT FOR CD3 STATION MAINTENANCE AND INVASIVE MANAGEMENT EDUCATION.

**This Resolution was adopted unanimously.
Absent: Councilor Fosle**

END OF CONSENT AGENDA

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The following entitled resolutions are also to be considered:

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BY COUNCILOR FOSLE (PURCHASING & LICENSING)

BY COUNCILOR FOSLE (PURCHASING & LICENSING)

- 9. [18-0763R](#) RESOLUTION AFFIRMING DECISION OF THE BUILDING APPEAL BOARD AND CITY BUILDING OFFICIAL TO REQUIRE CHESTER CREEK HOUSING COOPERATIVE ASSOCIATION TO OBTAIN A RENTAL LICENSE FOR ITS PROPERTY LOCATED AT 1306 EAST SECOND STREET.

This Resolution was tabled.

- 10. [18-0764R](#) RESOLUTION REVERSING DECISION OF THE BUILDING APPEAL BOARD AND CITY BUILDING OFFICIAL TO REQUIRE CHESTER CREEK HOUSING COOPERATIVE ASSOCIATION TO OBTAIN A RENTAL LICENSE FOR ITS PROPERTY LOCATED AT 1306 EAST SECOND STREET.

This Resolution was tabled.

ORDINANCES TABLED

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BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

- 11. [18-054-O](#) AN ORDINANCE GRANTING VERIZON WIRELESS A CONCURRENT USE PERMIT FOR SIX SMALL CELL WIRELESS FACILITIES ON MINNESOTA POWER POLES IN THE PLATTED STREET RIGHT OF WAY AROUND THE UNIVERSITY OF MINNESOTA, DULUTH CAMPUS.

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

This Ordinance remains on the table.

- 12. [18-055-O](#) AN ORDINANCE GRANTING VERIZON WIRELESS A CONCURRENT USE PERMIT FOR ONE SMALL CELL WIRELESS FACILITY ON A MINNESOTA POWER POLE IN THE PLATTED STREET RIGHT OF WAY NEAR 8551 GRAND AVENUE.

Indexes:

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

This Ordinance remains on the table.

- 13. [18-056-O](#) AN ORDINANCE GRANTING VERIZON WIRELESS A CONCURRENT USE PERMIT FOR THREE SMALL CELL WIRELESS FACILITIES ON MINNESOTA POWER POLES IN THE PLATTED STREET RIGHT OF WAY NEAR 6001, 6002, AND 6025 EAST SUPERIOR STREET.

Indexes:

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

This Ordinance remains on the table.

INTRODUCTION AND CONSIDERATION OF ORDINANCES

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

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BY COUNCILOR FILIPOVICH (FINANCE)

BY COUNCILOR FILIPOVICH (FINANCE)

- 14. [18-057-O](#) AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL TAXING DISTRICT, DULUTH TRANSIT AUTHORITY, FOR THE YEAR 2019.

This Ordinance was read for the first time.

- 15. [18-058-O](#) AN ORDINANCE DETERMING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL PARKS FUND LEVY FOR THE YEAR 2019.

This Ordinance was read for the first time.

- 16. [18-059-O](#) AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR GENERAL PURPOSES FOR THE YEAR 2019.

Indexes:

Attachments: [Tax Levy](#)

[Motion To Amend: Sipress.Filipovich - Passed 5-4 \(Forsman, Fosle, Van Nett & Hobbs\)](#)

This Ordinance was read for the first time.

- 17. [18-060-O](#) AN ORDINANCE SETTING THE BUDGET FOR THE FISCAL YEAR 2019 APPROPRIATING MONIES FOR THE SUPPORT OF THE CITY GOVERNMENT, PUBLIC UTILITIES, AND PUBLIC ENTERPRISE FUNDS AND FOR OTHER PURPOSES.

Indexes:

Attachments: [Motion to Amend: Filipovich - Passed 8-1 \(Fosle\)](#)

This Ordinance was read for the first time.

COUNCILOR QUESTIONS AND COMMENTS

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COUNCILOR PREVIEW OF UPCOMING BUSINESS

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