



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Meeting Agenda - Final-revised

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, January 25, 2016

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

1. [16-009](#) Park Point Marina appeal citizen communications

Attachments:

[FW_Park Point Marina Appeal](#)

[FW Appeal of Planning Commission Decision for Park Point Marina Inn](#)

[FW Park Point Marina Inn request for variance](#)

[FW PL16-005 Park Point Marina Hotel](#)

[Attachment 1 of 2](#)

[Attachment 2 of 2](#)

[Duluth City Council - re Park Point Marina Inn](#)

[FW Plea to uphold the Planning Commission Decision](#)

[FW Uphold Plan Commission Decision](#)

[FW Uphold the Planning Commission Decision](#)

REPORTS FROM THE ADMINISTRATION

2. [16-010](#) Acting Mayor communication

REPORTS OF BOARDS AND COMMISSIONS

3. [16-011](#) Duluth airport authority meeting minutes
Attachments: [DAA Meeting Minutes](#)

4. [16-012](#) Duluth public utilites commission meeting minutes
Attachments: [11172015 DPUC clean water surcharge public hearing minutes](#)
[11172015 DPUC meeting minutes](#)
[11172015 DPUC stormwater rate public hearing minutes](#)
[16PUC-001 with recommended unofficial ordinance](#)

REPORTS OF COUNCIL COMMITTEES**REPORTS OF COUNCIL OPEN ISSUES****OPPORTUNITY FOR CITIZENS TO BE HEARD****CONSENT AGENDA****BY COUNCILOR HOBBS (PURCHASING & LICENSING)**

5. [16-0023R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH CR-BUILDING PERFORMANCE SPECIALISTS, INC., FOR PROFESSIONAL SERVICES IN THE CONTINUED IMPLEMENTATION OF A CITYWIDE ASSET MANAGEMENT SYSTEM FOR AN AMOUNT NOT TO EXCEED \$80,000.
Attachments: [Exhibit A](#)
[Exhibit B](#)

6. [16-0045R](#) RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO THE MINNESOTA BALLET (CELEBRITY DANCE CHALLENGE), 1215 RICE LAKE ROAD.

7. [16-0046R](#) RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE LICENSE PREMISES OF THE ON SALE INTOXICATING LIQUOR LICENSE AND AN APPLICATION FOR AN ON SALE DANCING LICENSE OF HISTORIC UNION DEPOT, INC. (SLC HERITAGE & ARTS CENTER), 506 WEST MICHIGAN STREET.

8. [16-0049R](#) RESOLUTION APPROVING THE TRANSFER OF THE OFF SALE INTOXICATING LIQUOR LICENSE OF CITY WINE & LIQUOR STORE, INC. (WAREHOUSE LIQUOR STORE), 104 WEST CENTRAL ENTRANCE, TRANSFERRED TO 27 LIQUORS, LLC (27 LIQUORS), 2700 WEST MICHIGAN STREET.

BY COUNCILOR ANDERSON (PERSONNEL)

9. [16-0047R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF JENNIFER JULSRUD TO THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH, REPLACING ROBERT REICHART.

Attachments: [J. Julsrud Application](#)

10. [16-0050R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF COUNCILORS ZACK FILIPOVICH, ELISSA HANSEN AND THE REAPPOINTMENT OF JAY FOSLE TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY.

11. [16-0057R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF MANAGER, MAINTENANCE & SUPPLY SERVICES, INCLUDING A TITLE CHANGE TO MANAGER, FLEET SERVICES, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Manager, Maintenance & Supply Services \(Strikeout\)](#)
[Manager, Fleet Services](#)

12. [16-0060R](#) RESOLUTION APPOINTING COUNCILOR EM WESTERLUND TO THE DULUTH PUBLIC UTILITIES COMMISSION.

13. [16-0061R](#) RESOLUTION APPOINTING COUNCILOR HOWIE HANSON TO THE DULUTH PARKING COMMISSION.

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

14. [16-0044R](#) RESOLUTION AUTHORIZING A FUNDING AGREEMENT WITH KENWOOD VILLAGE, LLC, RELATED TO IMPROVEMENTS TO CLEVELAND STREET.

Attachments: [Exhibit A - 16-0044R](#)

BY COUNCILOR HANSON (INTERGOVERNMENTAL RELATIONS)

15. [16-0036R](#) RESOLUTION OF INTENT TO SELL OR CONVEY CERTAIN REAL PROPERTY WITHIN THE CITY OF DULUTH TO ST. LOUIS COUNTY, MINNESOTA FOR THE INSTALLATION OF A DRY POND.

Attachments: [Exhibit A](#)

BY PRESIDENT FILIPOVICH (COMMITTEE OF THE WHOLE)

16. [16-0077R](#) RESOLUTION ESTABLISHING A 2016 DULUTH DISTINGUISHED ARTIST AWARD TO BE BESTOWED ON DULUTH ARTISTS BY MEMBERS OF THE CITY COUNCIL.

Sponsors: Filipovich

BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)

17. [16-0004R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH SRF, INC. FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN ENGINEERING FOR THE ARROWHEAD/KENWOOD AND WEST CLEVELAND STREET SIGNAL IMPROVEMENTS IN THE AMOUNT OF \$118,217.

Attachments: [16-0004R Aerial Photo](#)

18. [16-0022R](#) RESOLUTION AUTHORIZING STREAM RESTORATION WORK ON CHESTER CREEK WITHIN CHESTER BOWL BY THE SOUTH ST LOUIS COUNTY SOIL AND WATER CONSERVATION DISTRICT (SWCD).

Attachments: [Attachment A -Deed declaration \(16-0022R\)](#)
[Exhibit A \(16-0022R\)](#)

19. [16-0058R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC. FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE THE DESIGN FOR THE SUPERIOR STREET RECONSTRUCTION PROJECT IN THE AMOUNT NOT TO EXCEED \$1,633,674.00.

Attachments: [Exhibit A - Resolution Map \(16-0058R\)](#)
[Exhibit B - LHB Cost Proposal \(16-0058R\)](#)
[Exhibit C - LHB Proposal \(16-0058R\)](#)

20. [16-0059R](#) RESOLUTION AUTHORIZING A REQUEST TO MNDOT TO PROVIDE PERMITTED ACCESS TO TRUNK HIGHWAY 23 AT RIVERSIDE DRIVE.

Attachments: [Exhibit A \(16-0059R\)](#)

21. [16-0064R](#) RESOLUTION AWARDING A CONTRACT TO PCI ROADS, LLC FOR THE REHABILITATION AND RELINE OF BREWERY CREEK STORM SEWER SECTIONS 29 AND 31 IN THE AMOUNT OF \$743,150.

Attachments: [16-0064R Map](#)

BY COUNCILOR FOSLE (PUBLIC SAFETY)

22. [16-0012R](#) RESOLUTION AUTHORIZING PAYMENT TO ST. LOUIS COUNTY FOR SHARED ACCESS TO SHIELD MAINTENANCE SOFTWARE AND SERVICES ASSOCIATED WITH NEMESIS (NORTHEASTERN MINNESOTA ENFORCEMENT SAFETY INFORMATION SYSTEM) DURING 2016 FOR A TOTAL AMOUNT OF \$110,441.25.

23. [16-0051R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A \$125,000 GRANT AWARD FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY TO FUND A SEX TRAFFICKING INVESTIGATOR FOR TWO YEARS AND AUTHORIZING EXECUTION OF GRANT AGREEMENT.

Attachments: [Attachment A](#)

24. [16-0052R](#) RESOLUTION AUTHORIZING CITY OFFICIALS TO GIVE TO OFFICER KOPP A RETIRED POLICE CANINE NAMED MALAKAI.

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

25. [16-0072R](#) RESOLUTION AUTHORIZING THE EXECUTION OF A DECLARATION OF RESTRICTIVE COVENANT FOR CHAMBERS GROVE PARK.

Attachments: [EXHIBIT A](#)

26. [16-0073R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF TWO UTILITY EASEMENTS FOR PROPERTY BELOW SPIRIT MOUNTAIN WITH THE SPIRIT VALLEY LAND COMPANY, LLC FOR THE SPIRIT MOUNTAIN WATER LINE PROJECT AT NO COST TO THE CITY.

Attachments: [Exhibit 1](#)

[Exhibit 2](#)

27. [16-0074R](#) RESOLUTION GRANTING APPROVAL AND IMPLEMENTATION OF THE IRVING PARK MINI-MASTER PLAN.

Attachments: [EXHIBIT A - 16-0074R](#)

END OF CONSENT AGENDA

BY COUNCILOR HANSEN (FINANCE)

28. [16-0076R](#) RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DULUTH AND CITY OF DULUTH SUPERVISORY ASSOCIATION FOR THE YEARS 2015-2017.

Attachments: [Exhibit A - Reopener Final 2015-2017 CDSA CBA \(Clean\)](#)

[Reopener Final 2015-2017 CDSA CBA \(Changed Marked\)](#)

[TA - initialled redlined reopenner CBA](#)

BY COUNCILOR ANDERSON (PERSONNEL)

29. [16-0063R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF WAYNE PARSON AS CHIEF FINANCIAL OFFICER FOR THE CITY OF DULUTH.

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

30. [16-0065R](#) RESOLUTION AFFIRMING THE PLANNING COMMISSION'S DECISION TO DENY PARK POINT MARINA INN AND SUITES, LLC A VARIANCE FROM THE MIXED USE WATERFRONT DEVELOPMENT STANDARDS AT 1003 MINNESOTA AVENUE.

Attachments: [Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Attachment 4](#)
[Attachment 5](#)
[Attachment 6](#)
[Attachment 7](#)

31. [16-0066R](#) RESOLUTION REVERSING THE PLANNING COMMISSION'S DECISION TO DENY PARK POINT MARINA INN AND SUITES, LLC A VARIANCE FROM THE MIXED USE WATERFRONT DEVELOPMENT STANDARDS AT 1003 MINNESOTA AVENUE.

Attachments: [Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Attachment 4](#)
[Attachment 5](#)
[Attachment 6](#)
[Attachment 7](#)

BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)

32. [16-0053R](#) RESOLUTION AWARDING A PURCHASE FROM THUNDER BAY CHEMICALS, LTD., FOR THE PURCHASE AND DELIVERY OF 125,400 GALLONS OF LIQUID ALUMINUM SULFATE IN YEAR 2016 FOR \$125,826.36.

Attachments: [Exhibit A](#)

33. [16-0054R](#) RESOLUTION AUTHORIZING A PURCHASE FROM HAWKINS FOR THE PURCHASE AND DELIVERY OF 85,000 GALLONS OF LIQUID CAUSTIC SODA IN YEAR 2016 FOR A TOTAL OF \$144,075.

Attachments: [Exhibit A](#)

34. [16-0084R](#) RESOLUTION AWARDING A CONTRACT TO LAKEHEAD CONSTRUCTORS, INC. FOR THE REPLACEMENT OF THE OPERATING ROPES ON THE AERIAL LIFT BRIDGE IN THE AMOUNT OF \$190,963.

Attachments: [16-0084R Map](#)

INTRODUCTION AND CONSIDERATION OF ORDINANCES

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

35. [16-002-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM R-1 TO MU-N, AND MU-N AND MU-B TO MU-C FOR PROPERTY ALONG THE NORTH AND SOUTH SIDES OF LONDON ROAD.

Attachments: [Attachment 1](#)

36. [16-003-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM I-W TO MU-W FOR PROPERTY ALONG THE WEST SIDE OF MINNESOTA AVENUE AND ST. LOUIS AVENUE.

Attachments: [Attachment 1](#)

[Attachment 2](#)

BY COUNCILOR HANSON (INTERGOVERNMENTAL RELATIONS)

37. [16-005-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY WITHIN THE CITY OF DULUTH TO ST. LOUIS COUNTY, MINNESOTA FOR NOMINAL CONSIDERATION.

Attachments: [Exhibit A](#)

[Exhibit B](#)

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

38. [16-004-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION, REARRANGEMENT AND/OR EXPANSION OF THE CURRENT ZONE DISTRICTS; PARK AND OPEN SPACE (P-1), RESIDENTIAL-TRADITIONAL (R-1), RESIDENTIAL-URBAN (R-2), MIXED USE- BUSINESS (MU-B), MIXED USE-NEIGHBORHOOD (MU-N), INDUSTRIAL-GENERAL (I-G), FORM DISTRICT 5 (F-5) MID-RISE COMMUNITY SHOPPING AND OFFICE, AND RECLASSIFICATION OF LAND TO MIXED USE-COMMERCIAL (MU-C).

Attachments:

[Attachment 1](#)

[Attachment 2](#)

Legislative History

1/11/16 City Council read for the first time

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

39. [16-001-O](#) AN ORDINANCE AMENDING CHAPTER 2, ARTICLE XXIII OF THE DULUTH CITY CODE, 1959, AS AMENDED, CHANGING THE NAME OF THE TREE COMMISSION TO THE URBAN FOREST COMMISSION.

Legislative History

1/11/16 City Council read for the first time

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS