



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 20, 2017

7:00 PM

Council Chamber

ROLL CALL

ROLL CALL

Present: 7 - Councilor Gary Anderson, Councilor Zack Filipovich, Councilor Jay Fosle, President Noah Hobbs, Councilor Barb Russ, Councilor Em Westerlund and Councilor Joel Sipress

PLEDGE OF ALLEGIANCE

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PUBLIC HEARING - Ecumen Lakeshore Facilities

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APPROVAL OF MINUTES

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This was approved.

1. [17-182](#) November 6, 2017 - Duluth City Council Meeting

Indexes:

Attachments: [November 6 - City Council Meeting](#)

This Minutes was approved.

REPORTS FROM THE ADMINISTRATION

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REPORTS FROM OTHER OFFICERS

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

REPORTS OF BOARDS AND COMMISSIONS

- 2. [17-183](#) Housing and Redevelopment Authority Meeting Minutes

Indexes:

Attachments: [9-26-2017 HRA Meeting Minutes](#)

This Board or Commission Report was received.

- 3. [17-184](#) Civil Service Board Meeting Minutes

Indexes:

Attachments: [08-08-17 Civil Service Board Meeting Minutes](#)

This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES

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REPORTS OF COUNCIL OPEN ISSUES

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Distinguished Artist Award - Mary Fox & Blake Thomas

OPPORTUNITY FOR CITIZENS TO BE HEARD

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RESOLUTIONS TABLED

RESOLUTIONS TABLED

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

- 4. [17-0757R](#) RESOLUTION AFFIRMING THE DECISION OF THE PLANNING COMMISSION TO DENY A VARIANCE TO CONSTRUCT A STAIRWAY WITHIN THE FIFTY-FOOT GENERAL DEVELOPMENT WATERS SHORELAND SETBACK AT 4814 LONDON ROAD.

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

This Resolution remains on the table

- 5. [17-0758R](#) RESOLUTION REVERSING THE DECISION OF THE PLANNING COMMISSION TO DENY A VARIANCE TO CONSTRUCT A STAIRWAY WITHIN THE FIFTY-FOOT GENERAL DEVELOPMENT WATERS SHORELAND SETBACK BY DAVID LARSEN.

Indexes:

Attachments: [Attachment 1](#)

This Resolution remains on the table

CONSENT AGENDA

CONSENT AGENDA

BY COUNCILOR HANSEN (FINANCE)

BY COUNCILOR HANSEN (FINANCE)

6. [17-0805R](#) RESOLUTION AUTHORIZING A JPA WITH MPCA ACCEPTING A GRANT IN THE AMOUNT NO LESS THAN \$2,155,660 TO FUND PART OF THE COST OF MINNESOTA SLIP SEAWALL REPAIR.

Indexes:

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

This Resolution was adopted unanimously.

7. [17-0821R](#) RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION OF A PLEDGE AGREEMENT WITH THE DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY.

Indexes:

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

This Resolution was adopted unanimously.

8. [17-0824R](#) RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION DECC IMPROVEMENT BONDS, SERIES 2018A, IN THE APPROXIMATE AMOUNT OF \$4,400,000; ESTABLISHING THE TERMS AND FORM THEREOF; CREATING A DEBT SERVICE FUND THEREFOR; AND PROVIDING FOR AWARDDING THE SALE THEREOF.

Indexes:

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

This Resolution was adopted unanimously.

BY COUNCILOR HANSON (PURCHASING & LICENSING)

BY COUNCILOR HANSON (PURCHASING & LICENSING)

9. [17-0797R](#) RESOLUTION ISSUING AN ON SALE 3.2 PERCENT NON INTOXICATING MALT LIQUOR LICENSE AND APPROVING ISSUANCE

OF AN ON SALE WINE LICENSE TO CORKTOWN, LLC. (CORKTOWN TAPHOUSE & DELICATESSEN) 1906 WEST SUPERIOR STREET

Indexes:

Attachments: [CORKTOWN-10312017112111](#)

This Resolution was adopted unanimously.

10. [17-0812R](#) RESOLUTION AUTHORIZING THE THREE CONTRACTS FOR MATERIALS AND LABOR NECESSARY FOR THE REPAIR OF THE SEAWALL ADJACENT TO THE DULUTH ENTERTAINMENT CONVENTION CENTER (DECC) FOR A TOTAL PROJECT CONSTRUCTION AMOUNT NOT TO EXCEED \$6,032,240.41:

Indexes:

Attachments: [EXHIBIT A](#)

[EXHIBIT B](#)

This Resolution was adopted unanimously.

11. [17-0820R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO CONTRACT 22895 WITH AMI CONSULTING ENGINEERS P. A. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE REPAIR AND REHABILITATION OF THE SEAWALL SURROUNDING THE DULUTH ENTERTAINMENT CONVENTION CENTER (DECC) FOR AN INCREASE OF \$188,483.39 AND A NEW CONTRACT TOTAL NOT TO EXCEED \$622,978.39.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

12. [17-0804R](#) RESOLUTION AUTHORIZING THE BUILDING OFFICIAL TO ABATE NUISANCES BY REMOVAL OF STRUCTURALLY UNSOUND BUILDINGS IN THE CITY OF DULUTH IN AN AMOUNT NOT TO EXCEED \$60,000.

This Resolution was adopted unanimously.

13. [17-0806R](#) RESOLUTION OUTLINING THE COMMITMENT OF FY 2017 HUD HOME FUNDS AND AUTHORIZING DEVELOPMENT AGREEMENTS WITH ONE ROOF COMMUNITY HOUSING'S COMMUNITY LAND TRUST PROGRAM.

Indexes:

Attachments: [Attachment 1](#)

This Resolution was adopted unanimously.

Yea: 8 - Councilor Anderson, Councilor Filipovich, Councilor Fosle, Hansen, Hanson, Councilor Russ, Councilor Westerlund and Councilor Sipress

Abstain: 1 - President Hobbs

14. [17-0807R](#) RESOLUTION AUTHORIZING THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH (HRA) TO EXTEND THE TERM OF TWO MORTGAGE AGREEMENTS BY FIVE YEARS RELATED TO THE SKINNER APARTMENTS.

This Resolution was adopted unanimously.

BY PRESIDENT SIPRESS (COMMITTEE OF THE WHOLE)

BY PRESIDENT SIPRESS (COMMITTEE OF THE WHOLE)

15. [17-0808R](#) RESOLUTION DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD NOVEMBER 7, 2017.

Indexes:

Attachments: [2017 General Voter Turnout](#)

[Election Totals](#)

[Election Totals 2](#)

This Resolution was adopted unanimously.

BY COUNCILOR HOBBS (PUBLIC WORKS & UTILITIES)

BY COUNCILOR HOBBS (PUBLIC WORKS & UTILITIES)

16. [17-0810R](#) RESOLUTION AUTHORIZING THE PURCHASE OF 9,600 TONS OF

ROAD SALT FROM MORTON SALT INC. IN THE AMOUNT OF \$333,696.

This Resolution was adopted unanimously.

- 17. [17-0811R](#) RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH MOSS & BARNETT FOR CABLE FRANCHISE MATTERS IN A TOTAL AMOUNT NOT TO EXCEED \$25,000.

Indexes:

Attachments: [2017 Moss & Barnett Professional Services Agreement \(Fund 110-700-1407-5319\)](#)

This Resolution was adopted unanimously.

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

- 18. [17-0799R](#) RESOLUTION AUTHORIZING DISBURSEMENT OF GRANT FUNDS IN THE AMOUNT OF \$46,150 FROM THE PARKS FUND NEIGHBORHOOD GRANT PROGRAM.

Indexes:

Attachments: [Exhibit A grant agreement](#)

This Resolution was adopted unanimously.

- 19. [17-0809R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE MINNESOTA LAND TRUST FOR PROFESSIONAL SERVICES TO SUPPORT THE PLANNING OF THE ST. LOUIS RIVER NATURAL AREA IN AN AMOUNT NOT TO EXCEED \$180,000.

Indexes:

Attachments: [Exhibit 1](#)

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

END OF CONSENT AGENDA

BY COUNCILOR HANSEN (FINANCE)

BY COUNCILOR HANSEN (FINANCE)

20. [17-0826R](#) RESOLUTION CONSENTING TO AND APPROVING THE EXPENDITURE OF SALE PROCEEDS FOR A PROJECT IMPROVING ECUMAN LAKESHORE IN DULUTH.

This Resolution was adopted unanimously.

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

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

BY COUNCILOR HANSEN (FINANCE)

BY COUNCILOR HANSEN (FINANCE)

21. [17-061-O](#) AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR GENERAL PURPOSES FOR THE YEAR 2018.

Indexes:

- Attachments:** [Property Tax Levy](#)
[Motion To Amend: Sipress/Westerlund - Failed \(3-6\)](#)
[Motion To Amend: Filipovich - Failed \(3-6\)](#)

This Ordinance was read for the first time.

22. [17-062-O](#) AN ORDINANCE SETTING THE BUDGET FOR THE FISCAL YEAR 2018 APPROPRIATING MONIES FOR THE SUPPORT OF THE CITY GOVERNMENT, PUBLIC UTILITIES, AND PUBLIC ENTERPRISE FUNDS AND FOR OTHER PURPOSES.

Indexes:

- Attachments:** [Motion To Amend: Sipress/Westerlund - Withdrawn](#)
[Motion To Amend: Filipovich - Withdrawn](#)

This Ordinance was read for the first time.

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

- 23. [17-060-O](#) AN ORDINANCE GRANTING VERIZON WIRELESS A CONCURRENT USE PERMIT FOR THREE SMALL WIRELESS FACILITIES ON MINNESOTA POWER POLES IN THE PLATTED STREET RIGHT OF WAY NEAR 4405 WEST 4TH STREET, 2500 LONDON ROAD, AND 3860 EAST SUPERIOR STREET.

Indexes:

- Attachments:** [Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Attachment 4](#)

This Ordinance was read for the first time.

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

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

BY COUNCILOR HANSEN (FINANCE)

BY COUNCILOR HANSEN (FINANCE)

- 24. [17-058-O](#) AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF UP TO \$5,000,000 GENERAL OBLIGATION DECC IMPROVEMENT BONDS OF THE CITY OF DULUTH UPON TERMS AND CONDITIONS TO BE PROVIDED BY RESOLUTIONS OF THE CITY COUNCIL.

This Ordinance was adopted.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

COUNCILOR PREVIEW OF UPCOMING BUSINESS