



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, July 8, 2019

7:00 PM

Council Chamber

ROLL CALL

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

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [19-159](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [June 24, 2019](#)

These Minutes were approved.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

2. [19-156](#) Friends of the Lakewalk - Annual Meeting Minutes

Indexes:

Attachments: [2019-05-16](#)

This Other Officers Report was received.

3. [19-158](#) State of Minnesota. Office of the State Auditor

Indexes:

Attachments: [Duluth Airport Authority
Management & Compliance Report
Duluth Economic Development Authority](#)

This Other Officers Report was received.

REPORTS OF BOARDS AND COMMISSIONS

4. [19-154](#) Parks & Recreation Commission Meeting Minutes

Indexes:

Attachments: [2019-05-08, Parks and Recreation Meeting Minutes](#)

This Board or Commission Report was received.

5. [19-155](#) Housing and Redevelopment Authority Meeting Minutes

Indexes:

Attachments: [2019-05-28](#)

This Board or Commission Report was received.

6. [19-157](#) Duluth Parking Commission Resolutions

Indexes:

Attachments: [DPC June 2019 Resolutions](#)

This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

RESOLUTIONS TABLED

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

A motion was made that this Resolution be adopted. The motion passed by the following vote:

Yea: 8 - Councilor Anderson, Councilor Filipovich, Councilor Fosle, Councilor Russ, Councilor Sipress, Councilor Van Nett, Councilor Westerlund and President Hobbs

Abstain: 1 - Councilor Forsman

CONSENT AGENDA

BY COUNCILOR FORSMAN (PERSONNEL)

8. [19-0465R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF JULENE BOE TO THE SANITARY SEWER BOARD OF THE WESTERN LAKE SUPERIOR SANITARY DISTRICT.

This Resolution was adopted unanimously.

9. [19-0467R](#) RESOLUTION APPOINTING ELECTION JUDGES FOR THE AUGUST 13, 2019, MUNICIPAL PRIMARY, AND THE NOVEMBER 5, 2019, GENERAL ELECTION.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

10. [19-0468R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 702 NORTH 7TH AVENUE EAST (CHARLES D. SILL AND LINDA SIMMONS).

Indexes:

Attachments: [Attachment 1](#)

This Resolution was adopted unanimously.

11. [19-0474R](#) RESOLUTION AUTHORIZING THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH (HRA) TO EXTEND THE TERM OF A MORTGAGE AGREEMENT BY FIVE YEARS RELATED TO THE MEMORIAL PARK APARTMENTS.

This Resolution was adopted unanimously.

12. [19-0475R](#) RESOLUTION AUTHORIZING THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH (HRA) TO EXTEND THE TERM OF A

MORTGAGE AGREEMENT BY FIVE YEARS RELATED TO THE BUCKINGHAM GREEN APARTMENTS.

This Resolution was adopted unanimously.

7. [19-0424R](#) RESOLUTION VACATING EXISTING PUBLIC PLAZA AGREEMENTS FOR LAKE SUPERIOR PLAZA TO BE REPLACED WITH UPDATED AGREEMENTS THAT ALLOW PUBLIC ACCESS. (REPLACEMENT)

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

[Attachment 4](#)

This Resolution was adopted unanimously.

BY COUNCILOR FILIPOVICH (PUBLIC WORKS & UTILITIES)

13. [19-0476R](#) RESOLUTION APPROVING LIST OF PROJECTS FOR USE OF ONE-HALF OF ONE PERCENT LOCAL SALES TAX AS REQUIRED BY LAWS OF MINNESOTA 2019, 1ST SPECIAL SESSION CHAPTER 6, ARTICLE 6, SECTION 34.

Indexes:

Attachments: [Exhibit A](#)

A motion was made that this Resolution be adopted. The motion carried by the following vote:

Yea: 8 - Councilor Anderson, Councilor Filipovich, Councilor Forsman, Councilor Russ, Councilor Sipress, Councilor Van Nett, Councilor Westerlund and President Hobbs

Nay: 1 - Councilor Fosle

14. [19-0477R](#) RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT WITH WLSSD PERTAINING TO THE RECONSTRUCTION OF DECKER ROAD.

Indexes:

Attachments: [19-0477R Exhibit A](#)

[19-0477R Map](#)

This Resolution was adopted unanimously.

15. [19-0478R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC. FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN SERVICES FOR THE EAST SUPERIOR STREET RECONDITIONING IN

THE AMOUNT OF \$69,462.

Indexes:

Attachments: [19-0478R Map](#)
[19-0478R Exhibit A](#)

This Resolution was adopted unanimously.

16. [19-0479R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH MSA PROFESSIONAL SERVICES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE MIDDLE BOOSTER STATION DESIGN AND BIDDING PHASE IN THE AMOUNT OF \$148,578.60.

Indexes:

Attachments: [19-0479R Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR VAN NETT (PUBLIC SAFETY)

17. [19-0466R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A FIFTY-PERCENT REIMBURSEMENT SAFETY GRANT IN THE AMOUNT OF \$10,000 FROM THE STATE OF MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY OCCUPATIONAL SAFETY AND HEALTH CONSULTATION UNIT FOR THE UTILITY OPERATIONS DIVISION.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

18. [19-0464R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A \$74,225 GRANT FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES TO FUND PURCHASE OF SNOWMAKING EQUIPMENT FOR THE GRAND AVENUE NORDIC CENTER AT SPIRIT MOUNTAIN.

Indexes:

Attachments: [Exhibit A sample agreement](#)

This Resolution was adopted unanimously.

19. [19-0473R](#) RESOLUTION AUTHORIZING A CONTRACT WITH DAMBERG SCOTT GERZINA WAGNER ARCHITECTS, INC. DBA DSGW ARCHITECTS FOR PROFESSIONAL ARCHITECTURAL DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE LAKE SUPERIOR ZOO BLACK BEAR EXHIBIT AREA FOR AN AMOUNT NOT

TO EXCEED \$73,384.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

20. [19-034-O](#) AN ORDINANCE DESIGNATING THE LAKE SUPERIOR AND MISSISSIPPI RAILROAD AS A DULUTH HERITAGE PRESERVATION LANDMARK.

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

This Ordinance was read for the first time.

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

21. [19-031-O](#) AN ORDINANCE GRANTING ESSENTIA HEALTH A CONCURRENT USE PERMIT FOR A PRIVATE STRUCTURE CONSISTING OF AN INPATIENT TOWER AND MEDICAL CLINIC OVER THE PLATTED STREET RIGHT OF WAY OF EAST FIRST STREET ALLEY.

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

This Ordinance was adopted unanimously.

22. [19-032-O](#) AN ORDINANCE GRANTING ESSENTIA HEALTH A CONCURRENT USE PERMIT FOR A PRIVATE STRUCTURE CONSISTING OF AN INPATIENT TOWER AND MEDICAL CLINIC OVER THE PLATTED STREET RIGHT OF WAY AND FOOTINGS AND FOUNDATIONS IN THE PLATTED STREET RIGHT OF WAY OF EAST FIRST STREET.

Indexes:

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

This Ordinance was adopted unanimously.

23. [19-033-O](#) AN ORDINANCE GRANTING ESSENTIA HEALTH A CONCURRENT USE PERMIT FOR A PRIVATE ELECTRICAL DUCT BANK IN THE PLATTED STREET RIGHT OF WAY OF NORTH FIFTH AVENUE EAST.

Indexes:

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

This Ordinance was adopted unanimously.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS