



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, September 12, 2016

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

REPORTS FROM THE ADMINISTRATION

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

1. [16-109](#) Polymet Communications

Attachments:

- [Polymet Communication - B. Doup](#)
- [Polymet Communication - C. Conrad](#)
- [Polymet Communication - E. Bong](#)
- [Polymet Communication - G. Olson](#)
- [Polymet Communication - Gilbert Law](#)
- [Polymet Communication - J. Studelska](#)
- [Polymet Communication C. Gordon](#)
- [Polymet Communication - Heron](#)
- [Polymet Communication - G. Benson](#)
- [Polymet Communication - A. Reiersen](#)

2. [16-113](#) Polymet Communications #2

Attachments:

[Polymet Communication - B. Jeanetta](#)

[Polymet Communication - B. Johnson](#)

[Polymet Communication - D. Crotteau](#)

[Polymet Communication - D. Gaddie](#)

[Polymet Communication - D. Larson](#)

[Polymet Communication - G. Patrick](#)

[Polymet Communication - H. Seely](#)

[Polymet Communication - J. Korthals](#)

[Polymet Communication - K. Aagenes](#)

[Polymet Communication - K. Zakovich](#)

[Polymet Communication - L. deGrood](#)

[Polymet Communication - M. Martinie](#)

[Polymet Communication - N. Ojard](#)

[Polymet Communication - P. Johnson](#)

[Polymet Communication - S. Bradt](#)

[Polymet Communication - S. Youngdahl](#)

[Polymet Communication - T. Beddow](#)

3. [16-114](#) Polymet Communications #3
- Attachments: [Polymet Communication - B. Albiston](#)
 [Polymet Communication - C. Kivi](#)
 [Polymet Communication - D. Hoffman](#)
 [Polymet Communication - D. Reisenweber](#)
 [Polymet Communication - F. Onargo](#)
 [Polymet Communication - I. Murphy](#)
 [Polymet Communication - J. Daveau](#)
 [Polymet Communication - J. Vincent](#)
 [Polymet Communication - K. Hoffman](#)
 [Polymet Communication - K. Rasley](#)
 [Polymet Communication - M. Garramone](#)
 [Polymet Communication - M. Johnson](#)
 [Polymet Communication - M. Ness](#)
 [Polymet Communication - N. Nelson](#)
 [Polymet Communication - N. Norr](#)
 [Polymet Communication - P. Francisco](#)
 [Polymet Communication - Patrick](#)
 [Polymet Communication - S. Kappes](#)
 [Polymet Communication - V. Kanitz](#)

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

4. [16-106](#) DEDA Meeting Minutes
- Attachments: [6-22-16 DEDA Meeting Minutes](#)
5. [16-107](#) DTA Meeting Minutes
- Attachments: [5-25-16 DTA Meeting Minutes](#)
6. [16-108](#) Library Board Meeting Minutes
- Attachments: [6-21-16 Library Board Meeting Minutes](#)
7. [16-110](#) AGT Meeting Minutes
- Attachments: [7-2016 AGT Meeting Minutes](#)
 [8-2016 AGT Meeting Minutes](#)

8. [16-111](#) HRA Meeting Minutes

Attachments: [8-3-16 HRA Meeting Minutes](#)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

MOTIONS AND RESOLUTIONS

CONSENT AGENDA

BY COUNCILOR HANSEN (FINANCE)

9. [16-0659R](#) RESOLUTION PROPOSING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL TAXING DISTRICT, HOUSING AND REDEVELOPMENT AUTHORITY, FOR THE YEAR 2017.

Attachments: [Exhibit A](#)
 [Exhibit B](#)
 [mta 16-0659R Sipress](#)

10. [16-0663R](#) RESOLUTION PROPOSING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL TAXING DISTRICT, DULUTH TRANSIT AUTHORITY, FOR THE YEAR 2017.

Attachments: [Exhibit A](#)

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

11. [16-0651R](#) RESOLUTION AUTHORIZING A PURCHASE FROM MOTOROLA SOLUTIONS OF TWO (2) RADIO CONTROLS STATIONS AND SIXTY (60) RADIOS IN THE AMOUNT OF \$179,096.50.

12. [16-0654R](#) RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR MARCH OF DIMES FOUNDATION - MINNESOTA CHAPTER

Attachments: [MARCH OF DIMES RECOMMENDATION](#)

13. [16-0674R](#) RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR CIRCLE OF HOPE.

Attachments: [CIRCLE OF HOPE](#)

BY COUNCILOR ANDERSON (PERSONNEL)

14. [16-0613R](#) RESOLUTION APPROVING APPOINTMENT OF STEVE GERADS AS CITY REPRESENTATIVE TO THE BOARD OF ADJUSTMENT FOR THE DULUTH INTERNATIONAL AIRPORT JOINT AIRPORT ZONING BOARD

15. [16-0653R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF MARK OSTHUS TO THE ALCOHOL, GAMBLING AND TOBACCO COMMISSION, REPLACING BRYN POLLARD

Attachments: [Mark Osthus AGT Board](#)

16. [16-0679R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF DEAN VOGTMAN TO THE PARKS AND RECREATION COMMISSION, REPLACING THOMAS ALBRIGHT

Attachments: [Dean Vogtman Redacted](#)

17. [16-0680R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF JOHN SCHMIDT TO THE PARKS AND RECREATION COMMISSION, REPLACING PATRICK CONTARDO

Attachments: [John Schmidt Redacted](#)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

18. [16-0662R](#) RESOLUTION ACCEPTING A CERTIFIED LOCAL GOVERNMENT GRANT OF \$15,600 FROM THE MINNESOTA STATE HISTORICAL SOCIETY AND APPROVING LOCAL MATCH OF \$5,000 AND \$5,400 OF IN-KIND SERVICES TO CONDUCT AN INTENSIVE SURVEY OF HISTORIC RESOURCES IN A PORTION OF THE LINCOLN PARK NEIGHBORHOOD.

Attachments: [Attachment 1](#)

19. [16-0668R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO SUB-RECIPIENT FUNDING AGREEMENTS WITH SOAR CAREER SOLUTIONS, COMMUNITY ACTION DULUTH AND ISD 709 ADULT BASIC EDUCATION FOR EMPLOYMENT AND TRAINING SERVICES FUNDED THROUGH THE STATE OF MINNESOTA'S PATHWAYS TO PROSPERITY GRANT PROGRAM.

Attachments: [Attachment A - SOAR Sub Agreement](#)
[Attachment B - CAD Sub Agreement](#)
[Attachment C - ABE Sub Agreement](#)

20. [16-0670R](#) RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH BARR ENGINEERING CO. RELATED TO THE FORMER FRANKLIN FOODS PRODUCTION FACILITY

Attachments: [Exhibit A Franklin Foods Production Facility BARR Prof Svcs Agmnt](#)

BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)

21. [16-0655R](#) RESOLUTION AUTHORIZING AGREEMENT WITH WLSSD FOR SUPERIOR ST. SEWER LINING PROJECT.

Attachments: [Exhibit A](#)

22. [16-0658R](#) RESOLUTION AUTHORIZING AGREEMENT WITH ME GLOBAL, INC. FOR GAS TRANSPORTATION SERVICES.

Attachments: [Exhibit A - 16-0658](#)

BY COUNCILOR FOSLE (PUBLIC SAFETY)

23. [16-0639R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO EXECUTE A MASTER SUBSCRIBER AGREEMENT WITH STATE OF MINNESOTA OFFICE OF STATE COURT ADMINISTRATION TO PROVIDE ACCESS TO THE NEW MINNESOTA GOVERNMENT ACCESS (MGA) SYSTEM.

Attachments: [Document A](#)

24. [16-0671R](#) RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY TO ALLOW THE DULUTH FIRE DEPARTMENT TO UTILIZE DEDA PROPERTY FOR PARKING DURING A TRAINING EXERCISE IN THE BAYFRONT AREA.

Attachments: [Exhibit A - License Agreement](#)

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

25. [16-0660R](#) RESOLUTION AUTHORIZING A TEN-YEAR AGREEMENT WITH DULUTH MARKET GARDENERS AND BERRY ASSOCIATION, INC. FOR LEASE OF SPACE AT 1324 E. THIRD STREET FOR ITS FARMERS' MARKET OPERATIONS.

Attachments: [Exhibit 1](#)

26. [16-0661R](#) RESOLUTION AUTHORIZING A THIRTEEN-MONTH LICENSE AGREEMENT WITH THE REGENTS OF THE UNIVERSITY OF MINNESOTA FOR USE OF SPACE ON PARK POINT FOR THE INSTALLATION AND MAINTENANCE OF A CAMERA AND RELATED EQUIPMENT TO MONITOR RIP CURRENTS.

Attachments: [Exhibit 1](#)

27. [16-0666R](#) RESOLUTION AUTHORIZING AN EXCLUSIVE USE PERMIT AGREEMENT WITH BENTLEYVILLE TOUR OF LIGHTS, INC., FOR THE PRODUCTION, PROMOTION, AND MANAGEMENT OF THE BENTLEYVILLE TOUR OF LIGHTS IN BAYFRONT FESTIVAL PARK FOR THE 2016 HOLIDAY SEASON. (REPLACEMENT)

Attachments: [Exhibit 1](#)

END OF CONSENT AGENDA

BY COUNCILOR HANSEN (FINANCE)

28. [16-0672R](#) RESOLUTION PROPOSING THE SUM TO BE RAISED BY TAXATION FOR GENERAL PURPOSES FOR THE YEAR 2017.

Attachments: [Tax and Fee Impact](#)
[mta 16-0672R Hobbs.Hansen.Russ](#)

BY COUNCILOR ANDERSON (PERSONNEL)

29. [16-0673R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF MATTHEW CARTIER TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY, REPLACING MEGAN HASERODT

Attachments: [M. Cartier Application](#)

30. [16-0681R](#) RESOLUTION CALLING FOR THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES TO SUBMIT ANY POLYMET PERMIT TO MINE APPLICATION TO THE OFFICE OF ADMINISTRATIVE HEARINGS FOR AN EVIDENTIARY HEARING IF ANY PARTY HAS ASKED FOR ONE IN COMPLIANCE WITH THE PERMIT TO MINE RULES PRIOR TO MAKING A DECISION ON THE APPLICATION.

Sponsors: Anderson, Westerlund and Sipress

BY COUNCILOR HANSON (INTERGOVERNMENTAL RELATIONS)

31. [16-0667R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO APPROVE AN AGREEMENT FOR MEMBERSHIP IN THE MINNEAPOLIS-DULUTH/SUPERIOR PASSENGER RAIL ALLIANCE AMENDING THE JOINT POWERS AGREEMENT TO INCLUDE THE CITY OF CAMBRIDGE AS A FULL VOTING MEMBER.

Attachments: [Exhibit A - 16-0667R](#)

BY PRESIDENT FILIPOVICH (COMMITTEE OF THE WHOLE)

32. [16-0689R](#) RESOLUTION APPROVING THE APPOINTMENTS OF TERESE TOMANEK, STEPHAN WITHERSPOON, TODD GUSTAFSON, TONEY BOEN, KATHERYN WAGER, ARIK FORSMAN, MARK SWANSON, ANGIE MILLER, MARY FAULKNER, LAURA WEINTRAUB AND BRENDA DENTON TO THE EARNED SICK AND SAFE TIME TASK FORCE.

Sponsors: Filipovich

INTRODUCTION AND CONSIDERATION OF ORDINANCES

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

BY COUNCILOR HANSEN (FINANCE)

33. [16-061-O](#) AN ORDINANCE REPLACING ORDINANCE NO. 9223, FILE NO. 94-0042, AND GRANTING MINNESOTA POWER , A DIVISION OF ALLETE, INC., A FRANCHISE TO CONSTRUCT AND MAINTAIN AN ELECTRIC DISTRIBUTION SYSTEM WITHIN THE CITY

Attachments: [Sample Minnesota Power Bill \(Duluth Resident\)](#)
[Duluth City Ordinance No. 9223 - Minnesota Power Franchise Agreement \(19...](#)
[Electric Utility Franchise Fees Overview](#)

34. [16-062-O](#) AN ORDINANCE TO FUND FROM THE GENERAL LEVY THE STREET SYSTEM MAINTENANCE UTILITY, AMENDING ARTICLE XIII OF CHAPTER 45 OF THE DULUTH CITY CODE, 1959, AS AMENDED.

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

35. [16-057-O](#) AN ORDINANCE AMENDING CHAPTER 10 OF DULUTH CITY CODE TO CLARIFY NOTICE REQUIREMENTS FOR ORDERS CONCERNING DEMOLITION OF DAMAGED OR UNSAFE BUILDINGS.

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

36. [16-054-O](#) AN ORDINANCE AMENDING THE APPROVED REGULATING PLAN FOR RAMSEY VILLAGE TO ALLOW A MIXED USE RESIDENTIAL AND COMMERCIAL BUILDING AT 5103 RAMSEY STREET.

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

37. [16-055-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM RR-1 TO R-2 FOR The PROPERTY AT 3727 WEST ARROWHEAD ROAD AND 3625 WEST ARROWHEAD ROAD.

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

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