



# 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]*

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Monday, October 24, 2016

7:00 PM

Council Chamber

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#### ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

1. [16-137](#) Closing time for specific parks  
**Attachments:** [Closing Time for Specific Parks](#)
2. [16-139](#) Minnesota Power written acceptance of terms and conditions of 16-061-O  
**Attachments:** [MN Power Acceptance \(16-061-O\)](#)

#### REPORTS FROM THE ADMINISTRATION

#### REPORTS FROM OTHER OFFICERS

#### REPORTS OF BOARDS AND COMMISSIONS

3. [16-134](#) Library Board Meeting Minutes  
**Attachments:** [08-23-2016 Library Board Meeting Minutes](#)

4.     [16-135](#)           DEDA Meeting Minutes  
      Attachments:     [08-24-2016 DEDA Meeting Minutes](#)
5.     [16-136](#)           HRA Meeting Minutes  
      Attachments:     [08-30-2016 HRA Meeting Minutes](#)
6.     [16-138](#)           DPUC Meeting Minutes  
      Attachments:     [09-20-2016 DPUC 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)**

7.     [16-0723R](#)       RESOLUTION DETERMINING NOT TO REASSESS PARCEL FOR  
                          CANCELED DEMOLITION ASSESSMENT IN THE AMOUNT OF  
                          \$5,413.  
      Attachments:     [Exhibit A - Public Hearing Minutes](#)

### **BY COUNCILOR HOBBS (PURCHASING & LICENSING)**

8.     [16-0742R](#)       RESOLUTION AUTHORIZING AN AMENDMENT TO CONTRACT  
                          22091 WITH VENTURE FUELS FOR THE PURCHASE AND  
                          DELIVERY OF COAL TO DULUTH ENERGY SYSTEMS FOR 2017  
                          FOR AN ESTIMATED COST OF \$2,524,480 AND A NEW ESTIMATED  
                          CONTRACT TOTAL OF \$9,939,385.  
      Attachments:     [Amendment 1](#)
9.     [16-0752R](#)       RESOLUTION APPROVING ISSUANCE OF AN ON SALE WINE  
                          LICENSE AND ISSUING AN ON SALE 3.2 PERCENT MALT LIQUOR  
                          LICENSE TO OMC SMOKE HOUSE, OMC, LLC, 1909 W SUPERIOR  
                          STREET.
10.    [16-0753R](#)       RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE  
                          INTOXICATING LIQUOR LICENSE TO CHURCHES UNITED IN  
                          MINISTRY.

11. [16-0754R](#) RESOLUTION APPROVING ISSUANCE OF ON SALE INTOXICATING LIQUOR, ON SALE SUNDAY INTOXICATING LIQUOR, 2:00 A.M. BEVERAGE LICENSE FOR THE PERIOD ENDING AUGUST 31, 2017, LUCKYS 13 PUB-DULUTH MILLER HILL MALL, LLC/LUCKY U II, LLC.

**BY COUNCILOR ANDERSON (PERSONNEL)**

12. [16-0769R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF RAY KLOSOWSKI TO THE SEAWAY PORT AUTHORITY OF DULUTH.
13. [16-0770R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF PATRICIA STOLEE TO THE ALCOHOL, GAMBLING AND TOBACCO COMMISSION, REPLACING JOHN SERRE

**BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)**

14. [16-0756R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 241 WEST ARROWHEAD ROAD (SUSAN YUNIS).

Attachments: [Attachment 1](#)

15. [16-0757R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 712 SOUTH 63RD AVENUE WEST (CONSTANCE MOELLER).

Attachments: [Attachment 1](#)

**BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)**

16. [16-0758R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT C22890 WITH EVER-GREEN ENERGY FOR ADDITIONAL DESIGN SERVICES IN THE AMOUNT OF \$39,000.00 RESULTING IN A NEW CONTRACT TOTAL OF \$138,457.00.

Attachments: [Exhibit A.pdf](#)

17. [16-0759R](#) RESOLUTION AUTHORIZING THE 2012 ROAD AND BRIDGE DISASTER RELIEF BOND GRANT 1026874 AND ACCEPTING A GRANT FROM THE MINNESOTA STATE TRANSPORTATION FUND FOR ENGINEERING AND CONSTRUCTION OF BRIDGE NO. L8500 IN THE AMOUNT OF \$51,038.93.

Attachments: [16-0759R Letter](#)  
[MAP 16-0759r](#)  
[Agreement 16-0759](#)

18. [16-0760R](#) RESOLUTION AUTHORIZING ASSESSMENT AGREEMENT WITH THERESA AND DARRIN SEVERANCE FOR A WATER MAIN EXTENSION IN MAXWELL AVENUE AND AMENDING ORDERING IN RESOLUTION NO. 16-0638. INCREASING THE AUTHORIZED AMOUNT THEREOF.

Attachments: [Exhibit A 16-0760](#)

#### **BY COUNCILOR FOSLE (PUBLIC SAFETY)**

19. [16-0755R](#) RESOLUTION APPROVING LEASE AGREEMENT WITH THE DULUTH TRANSIT AUTHORITY OF DULUTH FOR LEASED SPACE FOR THE DULUTH POLICE DEPARTMENT AT A COST OF \$2,400 PER YEAR FOR A TERM OF FIVE YEARS AND AN OPTION TO RENEW FOR ADDITIONAL TERMS.

Attachments: [Exhibit I](#)  
[Exhibit A](#)

#### **BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)**

20. [16-0768R](#) RESOLUTION OF SUPPORT FOR THE CITY OF DULUTH'S PRELIMINARY THREE-YEAR COMMITMENT TO PROVIDE FUNDING TO THE DULUTH AREA FAMILY YMCA FOR THE TRUE NORTH AMERICORPS PROGRAM TO PROVIDE YOUTH DEVELOPMENT PROGRAMMING FOR A MAXIMUM ANNUAL AMOUNT NOT TO EXCEED \$120,000, AND A TOTAL AMOUNT NOT TO EXCEED \$360,000.

Attachments: [2017-2020 True North AmeriCorps Program Proposal](#)

#### **END OF CONSENT AGENDA**

#### **BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)**

21. [16-0695R](#) RESOLUTION GRANTING APPROVAL TO DESIGNATE RILEY ROAD PROPERTY AS A CITY PARK, AND NAMING THE SITE JEAN DULUTH DOG PARK.

Attachments: [Exhibit A-East Duluth Dog Park Naming Letter](#)

22. [16-0767R](#) RESOLUTION AUTHORIZING A GRANT TO THE ARROWHEAD ZOOLOGICAL SOCIETY, INC. IN THE AMOUNT OF \$200,000 AND AUTHORIZING A ONE YEAR EXTENSION OF A LINE OF CREDIT PROMISSORY NOTE.

#### **INTRODUCTION AND CONSIDERATION OF ORDINANCES**

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

**BY COUNCILOR HANSEN (FINANCE)**

23.     [16-065-O](#)     AN ORDINANCE AMENDING ORDINANCE 10473 TO LIMIT THE AMOUNT OF THE FRANCHISE FEE ASSESSED TO ANY MINNESOTA POWER CUSTOMER PURSUANT TO THE FRANCHISE TO AN AMOUNT NOT TO EXCEED \$420,000 PER YEAR.

**BY PRESIDENT FILIPOVICH (COMMITTEE OF THE WHOLE)**

**COUNCILOR QUESTIONS AND COMMENTS**

**COUNCILOR PREVIEW OF UPCOMING BUSINESS**