



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, December 5, 2016

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

Public Hearings

7:00 p.m.

- 2016 Budget and Levy (Truth in Taxation)
- Capital Improvement Plan Amendment
- Proposed Issuance of General Obligation Capital Improvement Bonds
- Liquor License Fees

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

1. [16-168](#) Clerk Application for Exempt Permit
 - Twin Ports Walleye Association
 - MN Bluegrass & Old-Time Music Association

Attachments: [Application for Exempt Permit - MN Bluegrass](#)
[Application for Exempt Permit - Twin Ports Walleye Association](#)

REPORTS OF BOARDS AND COMMISSIONS

2. [16-166](#) DPUC Meeting Minutes

 Attachments: [10-18-2016 DPUC Meeting Minutes](#)
3. [16-167](#) Library Board Meeting Minutes

 Attachments: [10-25-2016 Library Board 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)

4. [16-0857R](#) RESOLUTION APPROVING THE FISCAL YEAR JANUARY 1, 2017 TO
 DECEMBER 31, 2017 BUDGETS OF THE DULUTH ECONOMIC
 DEVELOPMENT AUTHORITY.

 Attachments: [Exhibit A](#)
5. [16-0870R](#) RESOLUTION DISTRIBUTING THE ESTIMATED 2017 HOTEL-MOTEL
 AND FOOD AND BEVERAGE TOURISM TAXES.

 Attachments: [Exhibit A](#)

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

6. [16-0871R](#) RESOLUTION APPROVING THE ISSUANCE OF A 2017 MINNESOTA
 CURRENCY EXCHANGE LICENSE TO THE TITLE LOAN COMPANY,
 INC.

 Attachments: [CURRENCY EXCHANGE-11282016155610](#)

BY COUNCILOR ANDERSON (PERSONNEL)

7. [16-0817R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE
 SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE
 CLASSIFICATION OF LIBRARY TECHNICIAN.

 Attachments: [Library Technician](#)
 [Library Technician \(strikeout\)](#)

8. [16-0819R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF GAS PROJECT COORDINATOR, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Gas Project Coordinator](#)

9. [16-0820R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF FACILITY MAINTENANCE LEADWORKER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Facility Maintenance Leadworker](#)

10. [16-0856R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF REVERAND GARY GOTTFRIED TO THE SAINT LOUIS COUNTY HEADING HOME GOVERNANCE BOARD

11. [16-0859R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF ABIGAIL MLINAR TO THE COMMUNITY DEVELOPMENT COMMITTEE

Attachments: [A. Mlinar](#)

12. [16-0860R](#) THIS RESOLUTION CONFIRMS THE APPOINTMENT OF SANDY JOHNSON, MELISSA LA TOUR, AND ASHLEY KOLKA TO THE DULUTH PUBLIC ARTS COMMISSION.

Attachments: [S. Johnson](#)
[M. La Tour](#)
[A. Kolka](#)

13. [16-0862R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF MICHAEL MALONE AND STACEY DEROCHE TO THE HERITAGE PRESERVATION COMMISSION

Attachments: [M. Malone](#)
[S. DeRoche](#)

14. [16-0864R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF MARY OWEN AND LAWRENCE HEADY TO THE INDIGENOUSE COMMITTEE.

Attachments: [M. Owen](#)
[L. Heady](#)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

15. [16-0812R](#) RESOLUTION VACATING A UTILITY EASEMENT OVER PORTIONS OF VACATED SAINT LOUIS AVENUE AND TENTH STREET, AND A STREET EASEMENT OVER THE SOUTHEASTERLY 15 FEET OF LOTS 176 AND 175 INCLUDING ADJACENT SAINT LOUIS AVENUE, ALL IN UPPER DULUTH (LAKEHEAD HOTEL PARTNERS).

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

16. [16-0847R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 1421 EAST SUPERIOR STREET (MICHAEL SCHRAEPFER).

Attachments: [Attachment 1](#)

17. [16-0848R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 350 MYGATT AVENUE (JULIANNA AND SRI MUTHU).

Attachments: [Attachment 1](#)

BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)

18. [16-0802R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO CONTRACT C22747 WITH ENERGY INSIGHT, INC. FOR PROFESSIONAL SERVICES RELATING TO THE PUBLIC WORKS AND UTILITIES COMMERCIAL AND INDUSTRIAL CONSERVATION IMPROVEMENT PROGRAM FOR AN AMOUNT NOT TO EXCEED \$49,000 AND A NEW CONTRACT TOTAL NOT TO EXCEED \$70,000.

Attachments: [Exhibit A](#)

19. [16-0805R](#) RESOLUTION AWARDED A CONTRACT TO LAKEHEAD CONSTRUCTORS, INC. FOR THE MINNESOTA SLIP PEDESTRIAN BRIDGE REHABILITATION IN THE AMOUNT OF \$2,770,234.07.

Attachments: [16-0805R Map](#)

20. [16-0806R](#) RESOLUTION TO RESCIND THE DESIGNATION AND ESTABLISHMENT AS ONE WAY STREETS THAT PART OF THE SEGMENT OF FIRST AVENUE WEST BETWEEN SUPERIOR STREET AND THIRD STREET, THE SEGMENT OF SECOND AVENUE WEST BETWEEN SUPERIOR STREET TO FOURTH STREET, AND THE SEGMENT OF THIRD AVENUE WEST BETWEEN SUPERIOR STREET AND FOURTH STREET.

Attachments: [16-0806R Existing Configuration Map](#)
 [16-0806R Memo](#)
 [16-0806R Phase 1 Map](#)
 [16-0806R Phase 2 Map](#)
 [16-0806R Phase 3 Map](#)
 [16-0806R Project Overview Map](#)

21. [16-0829R](#) RESOLUTION AUTHORIZING ANNUAL BANKING SERVICES FOR 2017 WITH BMO HARRIS BANK, N.A., FOR AN ESTIMATED TOTAL OF \$118,000.
22. [16-0830R](#) RESOLUTION AUTHORIZING A PURCHASE FROM COMPASS MINERALS FOR THE TAX-EXEMPT PURCHASE OF ROAD SALT FOR SPRING 2017 IN THE AMOUNT OF \$472,240.
23. [16-0835R](#) RESOLUTION APPROVING DULUTH STEAM DISTRICT NO. 1 THERMAL ENERGY HOT WATER RATE FOR EASTERN CANAL PARK.
24. [16-0850R](#) RESOLUTION AUTHORIZING RENEWAL OF AN ANNUAL CONTRACT WITH INFOSEND, INC., FOR MAILING SERVICES AND POSTAGE DURING YEAR 2017 IN THE AMOUNT OF \$196,000.

Attachments: [Exhibit A for Resolution.pdf](#)

BY COUNCILOR FOSLE (PUBLIC SAFETY)

25. [16-0837R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, IN AN AMOUNT TOTALING \$444,152 AND FURTHER AUTHORIZING AN AGREEMENT WITH PROGRAM TO AID VICTIMS OF SEXUAL ASSAULT FOR THEIR PARTICIPATION IN THE PROJECT ENTITLED "2016 SEXUAL ASSAULT KIT INITIATIVE PROJECT".

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

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

26. [16-0832R](#) RESOLUTION APPROVING THE DULUTH PUBLIC LIBRARY'S STRATEGIC PLAN FOR 2016-2020.

Attachments: [Exhibit A - Duluth Library Strategic Plan](#)

END OF CONSENT AGENDA

BY COUNCILOR HANSEN (FINANCE)

27. [16-0836R](#) RESOLUTION ESTABLISHING AN INTERFUND LOAN NOT TO EXCEED \$2,000,000 TO PARTIALLY FINANCE THE REHABILITATION OF THE MINNESOTA SLIP BRIDGE.
28. [16-0838R](#) RESOLUTION AUTHORIZING CITY OFFICIALS TO ALLOCATE \$500,000 FROM THE TOURISM TAX FUND TO PARTIALLY FINANCE THE REHABILITATION OF THE MINNESOTA SLIP BRIDGE.
29. [16-0839R](#) RESOLUTION APPROVING CAPITAL IMPROVEMENT PLAN AND STATING INTENT TO ISSUE GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS UNDER MINNESOTA STATUTES, SECTION 475.521.
30. [16-0842R](#) RESOLUTION OF THE CITY OF DULUTH, MINNESOTA, STATING THE INTENT TO ISSUE GENERAL OBLIGATION CAPITAL EQUIPMENT NOTES, SERIES 2017, IN THE APPROXIMATE AMOUNT OF \$3,950,000 AND APPROVING THE CAPITAL EQUIPMENT LIST ASSOCIATED WITH THE NOTES.

Attachments: [Exhibit A](#)

31. [16-0846R](#) RESOLUTION ADOPTING LICENSE, PERMIT, FINE, PENALTY AND OTHER CHARGES FOR 2017.

Attachments: [Exhibit A](#)

[Exhibit B](#)

[12.1.2016 Hobbs mta 16-0846R](#)

32. [16-0852R](#) RESOLUTION APPROVING THE FISCAL YEAR JANUARY 1, 2017 TO DECEMBER 31, 2017, OPERATION BUDGET OF THE DULUTH TRANSIT AUTHORITY.

Attachments: [Exhibit A](#)

33. [16-0854R](#) RESOLUTION ESTABLISHING ANNUAL BONDING PLAN FOR 2017.

Attachments: [Exhibit A](#)

34. [16-0858R](#) RESOLUTION APPROVING THE FISCAL YEAR JANUARY 1, 2017 TO DECEMBER 31, 2017, OPERATION BUDGET OF THE DULUTH AIRPORT AUTHORITY.

Attachments: [Exhibit A](#)

BY COUNCILOR ANDERSON (PERSONNEL)

35. [16-0818R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF UTILITY SERVICES HELPER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Utility Services Helper](#)

36. [16-0866R](#) RESOLUTION CONFIRMING THE APPOINTMENTS OF CRUZ MENDOZA, ROGIER GREGOIRE, SANDRA VAN DEN BOSSE, CHARLES OBIJE, PATTI LARSEN, REBECCA DOMAGALA, ASHLEY NEENAN CHRISTINA WOODS AND ASHLEY GRIMM TO THE DULUTH HUMAN RIGHTS COMMISSION.

Attachments: [S. Van Den Bosse](#)

[C. Obije](#)

[C. Woods](#)

[R. Gregoire](#)

37. [16-0874R](#) RESOLUTION SUPPORTING THE STANDING ROCK SIOUX TRIBE'S EFFORT TO PROTECT SACRED TRIBAL LANDS AND THE MISSOURI RIVER.

Sponsors: Anderson and Westerlund

Attachments: [Exhibit A](#)

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

38. [16-0851R](#) RESOLUTION AUTHORIZING A CONTRACT WITH KTM PAVING, INC. FOR THE RECONSTRUCTION OF FOUR PARKING AREAS AT HARTLEY PARK FOR AN AMOUNT NOT TO EXCEED \$221,394.09.

INTRODUCTION AND CONSIDERATION OF ORDINANCES

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

BY COUNCILOR HANSEN (FINANCE)

39. [16-071-O](#) AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL PARKS FUND LEVY FOR THE YEAR 2017.

40. [16-072-O](#) AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR GENERAL PURPOSES FOR THE YEAR 2017.
- Attachments: [12.1.2016 Hobbs mta 16-072-O](#)
41. [16-073-O](#) AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL TAXING DISTRICT, DULUTH TRANSIT AUTHORITY, FOR THE YEAR 2017.
42. [16-075-O](#) AN ORDINANCE SETTING THE BUDGET FOR THE FISCAL YEAR 2017 APPROPRIATING MONIES FOR THE SUPPORT OF THE CITY GOVERNMENT, PUBLIC UTILITIES, AND PUBLIC ENTERPRISE FUNDS AND FOR OTHER PURPOSES.
- Attachments: [12.1.2016 Hobbs mta 16-075-O](#)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

43. [16-074-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION OF PROPERTY ALONG WEST ARROWHEAD ROAD FROM RR-1 TO R-2, AND FOR PROPERTY ALONG WEST MARBLE STREET FROM RR-1 TO R-1.
- Attachments: [Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)

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

BY COUNCILOR ANDERSON (PERSONNEL)

44. [16-069-O](#) AN ORDINANCE AMENDING CHAPTER 29C OF DULUTH CITY CODE UPDATING THE CITY'S HUMAN RIGHTS ORDINANCE BY CLARIFYING THE POWERS AND DUTIES OF THE COMMISSION AND HUMAN RIGHTS OFFICER, DECREASING THE SIZE OF THE HUMAN RIGHTS COMMISSION FROM 15 TO NINE MEMBERS, AND CORRECTING REFERENCES TO STATE STATUTES.
- Sponsors: Anderson
Legislative History
11/21/16 City Council read for the first time
45. [16-070-O](#) AN ORDINANCE REPEALING ARTICLE XXIV OF CHAPTER 2 OF THE CITY CODE RELATING TO THE HUMAN RIGHTS COMMISSION.
- Legislative History
11/21/16 City Council read for the first time

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS