



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, February 27, 2017

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARING - Resolution 17-0171R TAX ABATEMENT FOR THE CAPSTONE PROJECT

APPROVAL OF MINUTES

1. [17-033](#) March and April 2016 City Council Meeting Minutes

Attachments:

[March 14, 2016 - Council Meeting](#)

[March 28, 2016 - Council Meeting](#)

[April 11, 2016 - Council Meeting](#)

[April 25th, 2016 - Council Meeting](#)

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

2. [17-032](#) Exempt Permit Application - Kraus-Anderson Community Foundation (Krause- Anderson Bike Duluth Festival)

Attachments:

[BIKE DULUTH-02142017155611](#)

3. [17-036](#) Exempt Permit Application -Churches United in Ministry (Rhubarb Festival)
Attachments: [CHUM-02212017110222](#)
4. [17-037](#) Exempt Permit Application - Lincoln Park Business Group
Attachments: [Lincoln Park Business](#)
5. [17-040](#) Clerk application to conduct excluded bingo by St. Elizabeth's Catholic Church on April 9, November 19th, and December 10th, 2017

REPORTS OF BOARDS AND COMMISSIONS

6. [17-030](#) 2-1-17 - Alcohol Gambling and Tobacco Commission Meeting Minutes
Attachments: [2-1-17 - Alcohol, Gambling & Tobacco Commission Meeting Minutes](#)
7. [17-034](#) 11-29-16 Housing & Redevelopment Authority Meeting Minutes
Attachments: [11-29-16 - Housing & Redevelopment Authority Meeting Minutes](#)
8. [17-035](#) 12-28-16 Duluth Transit Authority Meeting Minutes
Attachments: [12-28-16 - Duluth Transit Authority Meeting Minutes](#)
9. [17-041](#) Resolution No. 17PUC-001 - RESOLUTION OF THE DULUTH PUBLIC UTILITIES COMMISSION RECOMMENDING THAT THE CITY OF DULUTH APPROVE THE 2016 WATER SUPPLY PLAN.
Attachments: [Attachment A](#)
[Attachment B](#)
[Attachment C](#)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

RESOLUTIONS TABLED

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

10. [17-0063R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 2126 EAST WATER STREET UNIT L103 (LAURIE ANDERSON AND RANDY HOLT).
Attachments: [Attachment 1](#)

MOTIONS AND RESOLUTIONS**CONSENT AGENDA****BY COUNCILOR HANSON (PURCHASING & LICENSING)**

11. [17-0161R](#) RESOLUTION AUTHORIZING A SECOND AMENDMENT TO AN AGREEMENT WITH BENCH STRENGTH PARTNERS, INC., TO INCLUDE THE NEGOTIATION OF LEASES FOR THE INSTALLATION OF SMALL CELL COMMUNICATION SYSTEMS.

Attachments: [Exhibit A](#)

12. [17-0172R](#) RESOLUTION AUTHORIZING A CONTRACT WITH DONALD HOLM CONSTRUCTION COMPANY, INC. FOR THE PARK POINT BEACH HOUSE NORTH WALL REPLACEMENT FOR AN AMOUNT NOT TO EXCEED \$182,706.

13. [17-0173R](#) RESOLUTION AUTHORIZING A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH LHB, INC. FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR PHASE 1 SITE IMPROVEMENTS IN LINCOLN PARK FOR A TOTAL NOT TO EXCEED OF \$96,878.

Attachments: [Exhibit A](#)

14. [17-0183R](#) RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR MINNESOTA FRATERNAL ORDER OF POLICE

Attachments: [MN FRATERNAL ORDER OF POLICE-02082017125112](#)

BY COUNCILOR ANDERSON (PERSONNEL)

15. [17-0156R](#) RESOLUTION CONFIRMING THE APPOINTMENTS OF JOSH SMERDON AND JULIE ZARUBA FOUNTAINE, TO THE DULUTH TRANSIT AUTHORITY.
16. [17-0165R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF ROBERTA CICH TO THE COMMISSION ON DISABILITIES
17. [17-0166R](#) RESOLUTION CONFIRMING THE REAPPOINTMENTS OF MEMBERS TO THE COMMISSION ON DISABILITIES BY MAYOR LARSON.

Attachments: [Disabilities Commission Attachment A](#)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

18. [17-0098R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH AND ACCEPT FUNDS FROM ST. LOUIS COUNTY TO PROVIDE MINNESOTA FAMILY INVESTMENT PROGRAM AND DIVERSIONARY WORK PROGRAM EMPLOYMENT AND TRAINING SERVICES IN AN AMOUNT NOT LESS THAN \$926,445 FOR THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2017.
- Attachments: [2017 MFIP-DWP Contract](#)
19. [17-0163R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 2314 HOOVER STREET (TARA AND MATT ANDERSON).
- Attachments: [PL16-149 Staff Report with Attachments](#)
20. [17-0167R](#) RESOLUTION VACATING A PLATTED 10 FOOT WIDE UTILITY EASEMENT ON LOTS 12 AND 13, BLOCK 3, OF THE COTTAGE GROVE ADDITION PLAT.
- Attachments: [Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
21. [17-0168R](#) RESOLUTION AUTHORIZING DEVELOPMENT AGREEMENT WITH CAPSTONE LLC FOR DEVELOPMENT OF 80 RENTAL UNITS OF WORKFORCE HOUSING IN THE MILLER HILL AREA AND APPLICATION TO ST. LOUIS COUNTY FOR TAX ABATEMENT ASSISTANCE FOR THE PROJECT.
- Attachments: [Exhibit A](#)
[Attachment A](#)
[Attachment B](#)
22. [17-0171R](#) RESOLUTION RELATING TO A TAX ABATEMENT; GRANTING THE ABATEMENT FOR THE CAPSTONE PROJECT
- Attachments: [Exhibit A](#)

BY COUNCILOR HOBBS (PUBLIC WORKS & UTILITIES)

23. [17-0053R](#) RESOLUTION ACCEPTING DEDICATION OF A UTILITY EASEMENT FROM PIER B HOLDING, LLC.
- Attachments: [17-0053R Exhibit 1](#)
[17-0053R Map](#)

BY COUNCILOR FOSLE (PUBLIC SAFETY)

24. [17-0175R](#) RESOLUTION AUTHORIZING CITY OFFICIALS TO ALLOW OFFICER TOMLIN TO PURCHASE A POLICE CANINE NAMED KOBRA.

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

25. [17-0159R](#) RESOLUTION ACCEPTING A \$5,000 CONTRIBUTION FROM THE DULUTH SOFTBALL PLAYERS ASSOCIATION FOR IMPLEMENTATION OF THE WEST DULUTH SPORTS CORRIDOR MINI MASTER PLAN.

Attachments: [Exhibit A MiniMasterPlan](#)

26. [17-0170R](#) RESOLUTION ACCEPTING PERMANENT EASEMENT FOR PUBLIC RECREATIONAL, WALKWAY, AND TRAIL PURPOSES FROM LAKE SUPERIOR CENTER AUTHORITY OVER PROPERTY AT BAYFRONT FESTIVAL PARK AT NO COST TO THE CITY.

Attachments: [Exhibit 1](#)

27. [17-0176R](#) RESOLUTION AUTHORIZING APPLICATION TO AND IF AWARDED ACCEPTANCE OF A MINNESOTA DEPARTMENT OF NATURAL RESOURCES FEDERAL RECREATIONAL TRAIL PROGRAM GRANT OF UP TO \$150,000 TO REMEDY FAILING INFRASTRUCTURE ON THE DWP TRAIL.

Attachments: [Exhibit A Grant agreement draft](#)
[exhibit B DWP Map 02 21 17](#)

28. [17-0177R](#) RESOLUTION AUTHORIZING APPLICATION TO AND IF AWARDED ACCEPTANCE OF A MINNESOTA DEPARTMENT OF NATURAL RESOURCES FEDERAL RECREATIONAL TRAIL PROGRAM GRANT OF UP TO \$150,000 TO CONSTRUCT LIGHTING AND RELATED TRAIL IMPROVEMENTS AT THE GRAND AVENUE NORDIC CENTER.

Attachments: [Exhibit A Grant agreement draft](#)

END OF CONSENT AGENDA

BY COUNCILOR FILIPOVICH (INTERGOVERNMENTAL RELATIONS)

29. [17-0187R](#) RESOLUTION REQUESTING THAT THE CITY'S ADMINISTRATION PLACE ADDITIONAL RECYCLING CONTAINERS ON CITY PROPERTY TO REDUCE PLASTIC WASTE IN LOCAL LANDFILLS AND THE CITY'S WATERSHED.

Sponsors: Filipovich

BY COUNCILOR FOSLE (PUBLIC SAFETY)

30. [17-0160R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY, OCCUPATIONAL SAFETY AND HEALTH CONSULTATION UNIT IN AN AMOUNT UP TO \$7,000 FOR THE PURPOSE OF PURCHASING BAILOUT KITS AND BAILOUT COMPONENTS AND ESTABLISHING A DEDICATED ACCOUNT FOR THE GRANT.

Sponsors: Public Safety

Attachments: [Exhibit A 17-0160](#)

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

31. [17-0174R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A \$100,000 GRANT FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES AND MINNESOTA LAKE SUPERIOR COASTAL PROGRAM TO CONSTRUCT RESTROOMS AT LAFAYETTE PARK.

Attachments: [Exhibit A_sample grant agreement](#)

INTRODUCTION AND CONSIDERATION OF ORDINANCES

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

32. [17-008-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION OF PROPERTY NORTH OF WEST ARROWHEAD ROAD AND EAST OF SWAN LAKE ROAD FROM R-2 TO MU-P.

Attachments: [Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

33. [17-007-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN WEST DULUTH TO MENARD, INC. FOR \$5,100.

Attachments: [Exhibit A](#)

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS