



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, March 13, 2017

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [17-043](#) May, June & July 2016 City Council Meeting Minutes

Attachments: [May 9, 2016 - Council Meeting](#)
[May 23, 2016 - Council Meeting](#)
[June 10, 2016 - Special Council Meeting](#)
[June 13, 2016 - Council Meeting](#)
[June 27, 2016 - Council Meeting](#)
[July 11, 2016 - Council Meeting](#)
[July 18, 2016 - Council Meeting](#)

REPORTS OF BOARDS AND COMMISSIONS

2. [17-044](#) 1-17-17 - Duluth Public Utilities Commission Meeting Minutes

Attachments: [1-17-17 Duluth Public Utilities Commission Meeting Minutes](#)

3. [17-045](#) 1-24-17 Library Board Meeting Minutes

Attachments: [1-24-17 Library Board Meeting Minutes](#)

4. [17-046](#) 3-1-17 Alcohol, Gambling & Tobacco Commission Meeting Minutes

Attachments: [3-1-17 Alcohol, Gambling & Tobacco Commission Meeting Minutes](#)

REPORTS FROM THE ADMINISTRATION

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

5. [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](#)
[MTA 17-0063R](#)

CONSENT AGENDA

BY COUNCILOR HANSEN (FINANCE)

6. [17-0086R](#) RESOLUTION AUTHORIZING THE PURCHASE OF A NEW 2017 ELGIN PELICAN STREET SWEEPER FROM MACQUEEN EQUIPMENT IN THE AMOUNT OF \$218,795.67.

BY COUNCILOR HANSON (PURCHASING & LICENSING)

7. [17-0108R](#) RESOLUTION APPROVING ISSUANCE OF AN ON SALE LIQUOR LICENSE AND SUNDAY LIQUOR LICENSE TO PARK POINT MARINA INN & SUITES, LLC (PARK POINT MARINA INN) 1023 MINNESOTA AVE, DULUTH, MN 55802

8. [17-0130R](#) RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR ROCKY MOUNTAIN ELK FOUNDATION

Attachments: [ELK FOUNDATION-02022017131545](#)

9. [17-0152R](#) RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF 600 EAST SUPERIOR STREET, INC. (TASTE OF FITGERS) 600 EAST SUPERIOR STREET.

10. [17-0155R](#) RESOLUTION ISSUING A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO BONG P-38, D/B/A DULUTH AIRSHOW, 305 EAST 2ND STREET, SUPERIOR WISCONSIN WITH RYAN KERN, MANAGER.

11. [17-0196R](#) RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISE PERMIT TO CONFIDENCE LEARNING CENTER FOR QUINLAN'S BAR, 220 W SUPERIOR STREET, DULUTH MN

Attachments: [Confidence Learning Center Premise Permit](#)

12. [17-0197R](#) RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR RIDGEVIEW COUNTRY CLUB

Attachments: [Ridgeview](#)

13. [17-0198R](#) RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR LAKE SUPERIOR ZOOLOGICAL SOCIETY

Attachments: [ZOO-02142017153948](#)

14. [17-0207R](#) RESOLUTION AUTHORIZING A 4TH AMENDMENT TO CONTRACT 21565 WITH NORTHEAST SERVICE COOPERATIVE (NESC) DBA MN TELECOMMUNICATIONS TO ADD FIBER OPTIC CABLE SERVICE TO 40TH AVENUE WEST TOOL HOUSE IN THE ADDITIONAL AMOUNT OF \$17,514 AND INCREASING THE MONTHLY SERVICE CHARGES BY AN ADDITIONAL \$400.

Attachments: [Change Order 4.pdf](#)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

15. [17-0195R](#) RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO GRANT AGREEMENT #109704 WITH THE STATE OF MINNESOTA, DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT ("DEED") TO INCORPORATE A CONFLICT OF INTEREST POLICY AUTHORIZED BY MINN. STAT. §16B.97, SUBD. 4(a)(1).

Attachments: [Exhibit A 17-0195](#)
[Exhibit 4 17-0195](#)

16. [17-0210R](#) RESOLUTION AUTHORIZING A TWELFTH AMENDMENT TO THE MINNESOTA INVESTMENT FUND LOAN AGREEMENT AND A TWELFTH PROMISSORY NOTE MODIFICATION AGREEMENT WITH NORTHSTAR MACHINE & TOOL CO., INC., D/B/A NORTHSTAR AEROSPACE, AND A FIRST AMENDMENT TO THE INTERCREDITOR AGREEMENT WITH REPUBLIC BANK, DULUTH 1200 FUND, INC. AND NORTHLAND FOUNDATION.

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

BY PRESIDENT SIPRESS (COMMITTEE OF THE WHOLE)

17. [17-0199R](#) RESOLUTION ESTABLISHING A 2017 DULUTH DISTINGUISHED ARTIST AWARD TO BE BESTOWED ON DULUTH ARTISTS BY MEMBERS OF THE CITY COUNCIL.

BY COUNCILOR HOBBS (PUBLIC WORKS & UTILITIES)

18. [17-0162R](#) RESOLUTION APPROVING THE CITY'S 2016 WATER SUPPLY PLAN.

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

19. [17-0189R](#) RESOLUTION AWARDED A CONTRACT TO HANCO UTILITIES, INC. FOR CONSTRUCTION OF THE 2017 HIGH PRESSURE GAS MAINS AND SERVICES AT VARIOUS LOCATIONS IN THE AMOUNT OF \$982,021.

20. [17-0191R](#) RESOLUTION ORDERING IN THE WHITTIER STREET RECONSTRUCTION PROJECT AT AN ESTIMATED COST OF \$163,000.

Attachments: [17-0191R Map](#)
 [17-0191R Memo to Council](#)
 [17-0191R Public Hearing Minutes](#)

21. [17-0194R](#) RESOLUTION AUTHORIZING A DEVELOPMENT AND ASSESSMENT AGREEMENT WITH AND ACCEPTING A PERMANENT EASEMENT FROM CARLA M. AND DALE A. PEARSON, TRUSTEES OF THE TRUST AGREEMENT FOR CARLA M. PEARSON DATED APRIL 22, 2014 RELATING TO THE RECONSTRUCTION OF WHITTIER STREET.

Attachments: [17-0194R Easement Map](#)
 [17-0194R Exhibit 1](#)
 [17-0194R Exhibit 2](#)

BY COUNCILOR FOSLE (PUBLIC SAFETY)

22. [17-0157R](#) RESOLUTION AUTHORIZING CHALLENGE PARTNERSHIP AGREEMENT WITH THE DEPARTMENT OF THE ARMY AND MINNESOTA SEA GRANT PERTAINING TO RIP CURRENT WARNING SYSTEM.

Attachments: [Exhibit A 17-0157R](#)

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

23. [17-0072R](#) RESOLUTION GRANTING APPROVAL AND IMPLEMENTATION OF THE ST. LOUIS RIVER CORRIDOR TRAILS PLAN.

Attachments: [SLRC Trail Plan final for council approval 3-13-17](#)

24. [17-0192R](#) RESOLUTION ACCEPTING REIMBURSEMENT MONEY IN THE AMOUNT OF \$42,000 FROM THE ARROWHEAD LIBRARY SYSTEM FOR THE PURCHASE OF LIBRARY MATERIALS.

END OF CONSENT AGENDA

BY COUNCILOR HANSON (PURCHASING & LICENSING)

25. [17-0087R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH TKDA FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE PREDESIGN STUDY FOR FIRE HALL #11 FOR AN AMOUNT NOT TO EXCEED \$40,000.00.

Attachments: [Exhibit A](#)

BY COUNCILOR FOSLE (PUBLIC SAFETY)

26. [17-0208R](#) RESOLUTION ESTABLISHING COLLABORATION BETWEEN CITY ADMINISTRATION, CITY COUNCIL AND COMMUNITY PARTNERS TO ADDRESS THE ADVERSE EFFECTS OF HOMELESSNESS.

INTRODUCTION AND CONSIDERATION OF ORDINANCES

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

BY COUNCILOR HOBBS (PUBLIC WORKS & UTILITIES)

27. [17-010-O](#) AN ORDINANCE AMENDING CHAPTER 47 OF THE DULUTH CITY CODE BY ADDING A NEW ARTICLE V RELATING TO TRANSPORTATION NETWORK COMPANIES AND AMENDING SECTION 47-16 TO EXCLUDE TRANSPORTATION NETWORK COMPANY VEHICLES FROM THE DEFINITION OF TAXICAB. [REPLACEMENT]

Sponsors: Hobbs

Attachments: [17-010-O Attachment](#)
 [17-010-O - Original](#)

BY COUNCILOR FOSLE (PUBLIC SAFETY)

28. [17-009-O](#) AN ORDINANCE REPEALING SECTION 90, CHAPTER 33, OF THE DULUTH CITY CODE, 1959 AS AMENDED RELATING TO ADVERTISING VEHICLES FOR SALE
29. [17-011-O](#) AN ORDINANCE AMENDING SECTION 8-46, CHAPTER 8 OF THE DULUTH CITY CODE TO ALLOW ESTABLISHMENTS WITH SUNDAY LICENSES TO BEGIN SELLING INTOXICATING LIQUOR ON SUNDAY AT 8:00 A.M. INSTEAD OF 10:00 A.M., TO ELIMINATE THE REQUIREMENT THAT CLUBS SERVE MEALS ON A DAILY BASIS, AND TO ADD BOWLING CENTERS AS ELIGIBLE FOR SUNDAY LICENSES.

Sponsors: Fosle

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

30. [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](#)

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS