



# 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, July 10, 2017

7:00 PM

Council Chamber

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#### ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF MINUTES

1. [17-107](#) June 26, 2017 City Council Meeting Minutes

Attachments: [June 26, 2017 - Council Meeting](#)

#### REPORTS FROM THE ADMINISTRATION

#### REPORTS FROM OTHER OFFICERS

#### REPORTS OF BOARDS AND COMMISSIONS

2. [17-108](#) Duluth Transit Authority Meeting Minutes

Attachments: [04-26-2017 Duluth Transit Authority Meeting Minutes](#)

3. [17-109](#) Duluth Public Utilities Commission Meeting Minutes

Attachments: [05-16-2017 Duluth Public Utilities Commission Meeting Minutes](#)

4. [17-110](#) Housing Redevelopment Authority Meeting Minutes

Attachments: [05-30-2017 Housing Redevelopment Authority Meeting Minutes](#)

## REPORTS OF COUNCIL COMMITTEES

## REPORTS OF COUNCIL OPEN ISSUES

## OPPORTUNITY FOR CITIZENS TO BE HEARD

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

### BY COUNCILOR FOSLE (PUBLIC SAFETY)

5. [17-024-O](#) AN ORDINANCE ESTABLISHING SECTION 21.8 OF THE DULUTH CITY CODE RELATED TO TENTS AND CANOPIES

Attachments: [2015 Minnesota Fire Code - CHAPTER 31- TENTS AND OTHER MEMBRANE](#)

6. [17-034-O](#) AN ORDINANCE AMENDING SECTION 10-3 RELATED TO VACANT BUILDING REGISTRATION REQUIREMENTS

Attachments: [Motion To Amend: Sipress - Passed \(8-1\)](#)  
[17-034-O \(Original\)](#)

## RESOLUTIONS TABLED

### BY COUNCILOR HANSON (PURCHASING & LICENSING)

7. [17-0374R](#) RESOLUTION AMENDING RESOLUTION 16-0846, ADOPTING LICENSE, PERMIT, FINE, PENALTY, AND OTHER CHARGES FOR 2017, TO REVISE VACANT BUILDING REGISTRATION FEES.
8. [17-0375R](#) RESOLUTION AMENDING RESOLUTION 16-0846, ADOPTING LICENSE, PERMIT, FINE, PENALTY, AND OTHER CHARGES FOR 2017, TO ESTABLISH TENT, CANOPY, AND TEMPORARY MEMBRANE STRUCTURE PERMIT FEES.

## CONSENT AGENDA

### BY COUNCILOR HANSEN (FINANCE)

9. [17-0505R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT FOR \$15,000,000 TO UPGRADE THE STEAM HEATING FACILITY AND SYSTEMS.

**BY COUNCILOR HANSON (PURCHASING & LICENSING)**

10.     [17-0502R](#)     RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE DESIGNATED SERVING AREA OF THE ON SALE INTOXICATING LIQUOR LICENSE OF HOSPITALITY ASSOCIATES OF DULUTH (ACES ON 1ST), 113 WEST 1ST STREET.

Attachments:     [ACES-06282017152546](#)

11.     [17-0503R](#)     RESOLUTION AMENDING RESOLUTION 16-0846, ADOPTING LICENSE, PERMIT, FINE, PENALTY, AND OTHER CHARGES FOR 2017, TO ESTABLISH FEE FOR PUBLIC DATA SEARCH AND RETRIEVAL.

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

12.     [17-0498R](#)     RESOLUTION AUTHORIZING A REDUCTION OF \$2,314 IN FY 2017 HUD EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM.
13.     [17-0499R](#)     RESOLUTION AUTHORIZING AN INCREASE OF \$3,411 IN FY 2017 HUD HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM.
14.     [17-0500R](#)     RESOLUTION AUTHORIZING AN INCREASE OF \$27,695 IN FY 2017 HUD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.
15.     [17-0501R](#)     RESOLUTION VACATING UNDEVELOPED PORTIONS OF CUL DE SAC ON MATTERHORN CIRCLE.

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

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

16.     [17-0494R](#)     RESOLUTION ACCEPTING A SPECIAL LAW EXPANDING THE AREA IN WEST DULUTH WHICH DULUTH MAY SPEND REVENUES FROM ITS EXTRA HALF PERCENT FOOD AND BEVERAGE TAX AND EXTRA HALF PERCENT HOTEL AND MOTEL TAX.

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

17.     [17-0497R](#)     RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT 22770 WITH SHORT ELLIOTT HENDRICKSON, INC FOR ADDITIONAL SERVICES FOR THE COFFEE CREEK LETTER OF MAP REVISION (LOMR) PROJECT, AN INCREASE OF \$8,689.45, AND A NEW TOTAL AMOUNT NOT TO EXCEED \$45,554.45

Attachments:     [Exhibit A](#)

**BY COUNCILOR FOSLE (PUBLIC SAFETY)**

18.     [17-0480R](#)     RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH THE STATE OF MINNESOTA DEPARTMENT OF TRANSPORTATION (MnDOT) AND THE NORTH EAST EMERGENCY COMMUNICATIONS BOARD FOR THE OPERATION OF AN 800 MHz COUNTY/REGIONAL INTEGRATED PUBLIC SAFETY RADIO COMMUNICATION SUBSYSTEM ("ARMER").

Attachments:     [Document A 17-0480](#)

**BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)**

19.     [17-0493R](#)     RESOLUTION ACCEPTING A \$30,000 CONTRIBUTION FROM THE DULUTH AREA HORSE TRAIL ALLIANCE FOR EQUESTRIAN TRAIL IMPROVEMENTS IN MAGNEY-SNIVELY NATURAL AREA.

Attachments:     [Exhibit A\\_map](#)

**END OF CONSENT AGENDA****BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)**

20.     [17-0461R](#)     RESOLUTION AFFIRMING THE DECISION OF THE PLANNING COMMISSION TO DENY A VARIANCE FROM ENCROACHING INTO THE REAR YARD SET BACK TO CONSTRUCT A SCREEN PORCH AND DECK BY JAMES MOHN AND HEATHER MUSTER.

Attachments:     [Attachment 1](#)  
                          [Attachment 2](#)  
                          [Attachment 3](#)  
                          [Attachment 4](#)  
                          [Attachment 5](#)

21.     [17-0462R](#)     RESOLUTION REVERSING THE DECISION OF THE PLANNING COMMISSION TO DENY A VARIANCE FROM ENCROACHING INTO THE REAR YARD SET BACK TO CONSTRUCT A SCREEN PORCH AND DECK BY JAMES MOHN AND HEATHER MUSTER.

Attachments:     [Attachment 1](#)  
                          [Attachment 2](#)  
                          [Attachment 3](#)  
                          [Attachment 4](#)  
                          [Attachment 5](#)

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

**BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)**

22.     [17-030-O](#)     AN ORDINANCE CREATING EXCEPTION TO TREE SERVICE  
                          LICENSING REQUIREMENT FOR CITY PROJECTS BEYOND THE  
                          CAPACITY OF ORDINARY LICENSEES, AMENDING ARTICLE IV OF  
                          CHAPTER 35 OF THE DULUTH CITY CODE.

**COUNCILOR QUESTIONS AND COMMENTS**

**COUNCILOR PREVIEW OF UPCOMING BUSINESS**