



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, July 17, 2017

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [17-118](#) July 10, 2017 City Council Meeting Minutes

Attachments: [July 10, 2017 - Council Meeting](#)

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

2. [17-115](#) Application for Exempt Permit: Epilepsy Foundation of Minnesota & Northern Lights Foundation

Attachments: [Application for Exempt Permit - Epilepsy Foundation of Minnesota](#)
[Application for Exempt Permit - Northern Lights Foundation](#)

REPORTS OF BOARDS AND COMMISSIONS

3. [17-116](#) Civil Service Board Meeting Minutes

Attachments: [05-02-2017 - Civil Service Board Meeting Minutes](#)

4. [17-117](#) Alcohol, Gambling & Tobacco Commission Meeting Minutes

Attachments: [06-07-2017 - Alcohol, Gambling & Tobacco Commission](#)

DISTINGUISHED ARTIST AWARD - Cecilia Lieder

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

RESOLUTIONS TABLED

BY COUNCILOR HANSON (PURCHASING & LICENSING)

5. [17-0374R](#) RESOLUTION AMENDING RESOLUTION 16-0846, ADOPTING LICENSE, PERMIT, FINE, PENALTY, AND OTHER CHARGES FOR 2017, TO REVISE VACANT BUILDING REGISTRATION FEES.

CONSENT AGENDA

BY COUNCILOR HANSEN (FINANCE)

6. [17-0512R](#) RESOLUTION AUTHORIZING CABLE TELEVISION FRANCHISE EXTENSION AGREEMENT WITH CHARTER COMMUNICATIONS THROUGH DECEMBER 31, 2017.

Attachments: [Charter Communications Franchise Extension Agreement \(through December 3](#)

BY COUNCILOR HANSON (PURCHASING & LICENSING)

7. [17-0495R](#) RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE DESIGNATED SERVING AREA OF THEIR ON SALE INTOXICATING LIQUOR LICENSE TO VARIOUS LICENSEES.

Attachments: [Attachment A MR D's](#)
[Attachment B Kom on Inn](#)
[Attachment C GRIZZLYS](#)

8. [17-0504R](#) RESOLUTION AUTHORIZING A CONTRACT WITH DIRT, INC. FOR EQUESTRIAN TRAIL IMPROVEMENTS AT MAGNEY-SNIVELY NATURAL AREA FOR AN AMOUNT NOT TO EXCEED \$137,610.

9. [17-0516R](#) RESOLUTION AUTHORIZING A CONTRACT WITH SUNRAM CONSTRUCTION, INC. FOR MILLER CREEK STREAMBANK RESTORATION FOR AN AMOUNT NOT TO EXCEED \$477,575.

10. [17-0517R](#) RESOLUTION AUTHORIZING A CONTRACT WITH STACK BROTHERS MECHANICAL CONTRACTORS, INC. FOR A RESTROOM ADDITION TO LAFAYETTE COMMUNITY CENTER FOR AN AMOUNT NOT TO EXCEED \$239,000.

BY COUNCILOR ANDERSON (PERSONNEL)

11. [17-0511R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF LAURA NESS TO THE SANITARY SEWER BOARD OF THE WESTERN LAKE SUPERIOR SANITARY DISTRICT

Attachments: [Laura Ness App](#)

12. [17-0513R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF CHERISE PAYTON TO THE DULUTH CITIZEN REVIEW BOARD.

Attachments: [Payton App](#)

13. [17-0522R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF FLEET ASSISTANT, INCLUDING A TITLE CHANGE TO FLEET SERVICES COORDINATOR, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Fleet Services Coordinator](#)
[Fleet Assistant \(strikeout\)](#)

14. [17-0523R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF FIREFIGHTER.

Attachments: [Job Description](#)
[Job Description \(Strikeout\)](#)

15. [17-0524R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF PROJECT TECHNICIAN, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Project Technician](#)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

16. [17-0525R](#) RESOLUTION OF INTENT TO SELL OR CONVEY CERTAIN REAL PROPERTY IN THE CODY NEIGHBORHOOD.

Attachments: [Exhibit A](#)

BY COUNCILOR HOBBS (PUBLIC WORKS & UTILITIES)

17. [17-0510R](#) RESOLUTION CONSENTING TO ASSIGNMENT OF CITY CONTRACT NO. 22911 TO TWIN PORTS TESTING II, INC.
- Attachments: [Attachment - 17-0510R](#)
18. [17-0515R](#) RESOLUTION AWARDED A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH, LLC FOR THE KENWOOD AVENUE MILL & OVERLAY AND LYONS STREET REALIGNMENT PROJECT IN THE AMOUNT OF \$336,054.86.
- Attachments: [17-0515R Map](#)
19. [17-0518R](#) RESOLUTION AWARDED A CONTRACT TO UTILITY SYSTEMS OF AMERICA, INC. FOR THE 2017 BWSR SEDIMENT REDUCTION PROJECT IN THE AMOUNT OF \$416,149.
- Attachments: [17-0518R Map](#)
20. [17-0527R](#) RESOLUTION AUTHORIZING THE PURCHASE OF PRE-INSULATED PIPE, VALVES AND FITTINGS FOR THE STEAM PORTION OF THE SUPERIOR STREET RECONSTRUCTION PROJECT FROM URECON FOR AN ESTIMATED AMOUNT NOT TO EXCEED \$260,696.24.

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

21. [17-0457R](#) RESOLUTION AUTHORIZING APPLICATION TO AND, IF OFFERED, ACCEPTANCE OF A \$750,000 GREATER MINNESOTA REGIONAL PARK AND TRAIL COMMISSION GRANT FOR HARTLEY PARK MINI MASTER PLAN IMPLEMENTATION.
- Attachments: [Exhibit A 2017 Park Legacy Contract Sample](#)
22. [17-0519R](#) RESOLUTION AUTHORIZING A CONTRIBUTION OF UP TO \$7,500 FROM MINNESOTA TRAIL RIDERS ASSOCIATION ON BEHALF OF THE DULUTH AREA HORSE TRAIL ALLIANCE FOR EQUESTRIAN TRAIL IMPROVEMENTS IN MAGNEY-SNIVELY NATURAL AREA.
23. [17-0521R](#) RESOLUTION AUTHORIZING A THREE-YEAR USE AGREEMENT WITH THE CONGDON PARK SOCCER CLUB FOR USE OF OLD MAIN PARK.
- Attachments: [Exhibit 1](#)

BY PRESIDENT SIPRESS (COMMITTEE OF THE WHOLE)

24. [17-0528R](#) RESOLUTION APPROVING SETTLEMENT IN THE MATTER OF NORMAN, ET AL. V. CITY OF DULUTH, ET AL. IN THE AMOUNT OF \$385,000 PURSUANT TO THE TERMS OF THE MEDIATED SETTLEMENT AGREEMENT.
- Attachments: [RELEASE AND INDEMNITY AGREEMENT](#)

END OF CONSENT AGENDA**BY COUNCILOR FOSLE (PUBLIC SAFETY)**

25. [17-0520R](#) RESOLUTION REVERSING CONDEMNATION FOR HABITATION ORDER ISSUED FEBRUARY 21, 2017 BY CITY LIFE SAFETY OFFICE TO OWNER AND TENANT OF 120 WEST FIFTH STREET, UPPER UNIT
26. [17-0526R](#) RESOLUTION AFFIRMING BUILDING APPEAL BOARD'S DECISION TO DENY APPEAL OF CONDEMNATION FOR HUMAN HABITATION ORDER ISSUED FEBRUARY 21, 2017 BY CITY LIFE SAFETY OFFICE FOR 120 WEST FIFTH STREET, UPPER UNIT

ORDINANCES TABLED**BY COUNCILOR FOSLE (PUBLIC SAFETY)**

27. [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 \(Original\)](#)

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

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

28. [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**