



# City of Duluth

411 West First Street  
Duluth, Minnesota 55802

## Meeting Agenda - Final

### 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, March 12, 2018

7:00 PM

Council Chamber

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#### ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF MINUTES

1. [18-050](#) February 26, 2018 - Duluth City Council Meeting

Attachments: [February 26 - City Council Meeting](#)

#### REPORTS FROM THE ADMINISTRATION

#### REPORTS FROM OTHER OFFICERS

#### REPORTS OF BOARDS AND COMMISSIONS

2. [18-051](#) Duluth Transit Authority Meeting Minutes

Attachments: [DTA Meeting Minutes 12-27-2017](#)

3. [18-052](#) Housing and Redevelopment Authority Meeting Minutes

Attachments: [HRA Meeting Minutes 1-30-2018](#)

4. [18-053](#) Library Board Meeting Minutes

Attachments: [Library Board Meeting Minutes 1-23-2018](#)

5.     [18-054](#)           Alcohol, Gambling and Tobacco Commission Meeting Minutes

Attachments:     [February 2018 Minutes](#)

## REPORTS OF COUNCIL COMMITTEES

## REPORTS OF COUNCIL OPEN ISSUES

## OPPORTUNITY FOR CITIZENS TO BE HEARD

## MOTIONS AND RESOLUTIONS

## CONSENT AGENDA

## BY COUNCILOR FOSLE (PURCHASING & LICENSING)

6.     [18-0181R](#)       RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR THE WELCH CENTER, INC. d/b/a VALLEY YOUTH CENTER
7.     [18-0188R](#)       RESOLUTION AUTHORIZING AN AGREEMENT WITH PYROTECHNIC DISPLAY INC. FOR THE CREATION AND EXECUTION OF A FIREWORKS DISPLAY FOR JULY 4, 2018 FOR A TOTAL NOT TO EXCEED \$43,000.
- Attachments:     [Exhibit A](#)
8.     [18-0190R](#)       RESOLUTION APPROVING THE ISSUANCE OF THE DULUTH WOMEN'S CLUB AND PARK POINT MARINA INN AND SUITES, LLC. AND SUPERIOR STUDIOS, INC CONSUMPTION AND DISPLAY LICENSE RENEWALS FOR THE PERIOD BEGINNING APRIL1, 2018, AND ENDING MARCH 31, 2019
9.     [18-0191R](#)       RESOLUTION ISSUING A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO GRANDMA'S MARATHON – DULUTH, INC, CANAL PARK DRIVE AND BUCHANAN STREET
- Attachments:     [MARATHON-02282018164946](#)
10.    [18-0192R](#)       RESOLUTION ISSUING A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO DULUTH AIRSHOW WINGS FOUNDATION, 2110 WEST 1ST STREET, DULUTH MN. FOR THE DULUTH BALLOON FESTIVAL/CRAFT BREW VILLAGE

Attachments:     [Ballon Festival](#)

11. [18-0194R](#) RESOLUTION ISSUING A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO DULUTH AIRSHOW WINGS FOUNDATION, (DULUTH AIR SHOW) 2110 WEST FIRST STREET  
  
Attachments: [AIRSHOW-02282018155550](#)
12. [18-0195R](#) RESOLUTION ISSUING AN ON SALE 3.2 PERCENT MALT LIQUOR LICENSE AND APPROVING ISSUANCE OF AN ON SALE WINE LICENSE TO LOVE CREAMERY, LLC (LOVE CREAMERY) 1908 WEST SUPERIOR STREET  
  
Attachments: [LOVE CREAMERY-02282018155429](#)  
[LOVE CREAMERY-02282018155440](#)
13. [18-0196R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT C23115 WITH TKDA FOR ADDITIONAL ENGINEERING SERVICES FOR THE STEWART CREEK BRIDGE AND CLYDE CONNECTOR TRAIL RESTORATION PROJECTS AS PART OF THE DWP TRAIL IMPROVEMENT FOR AN INCREASE OF \$10,019 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$86,908.  
  
Attachments: [Exhibit A](#)
14. [18-0198R](#) RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF AVI, LLC. (BOAT CLUB RESTAURANT) FOR TASTE OF FITGERS, 600 EAST SUPERIOR STREET.  
  
Attachments: [Boat Club](#)
15. [18-0201R](#) RESOLUTION APPROVING THE TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE FROM PAUL'S WINE AND CIDER, LLC (THE SLIP) 325 S LAKE AVE - STE 109, DULUTH, TO THE MAGGIE'S FARM LLC (THE RIPPLE BAR ON LAKE SUPERIOR), SAME ADDRESS.  
  
Attachments: [Maggies Farm LLC](#)

**BY COUNCILOR ANDERSON (PERSONNEL)**

16. [18-0197R](#) RESOLUTION CONFIRMING THE 2018 REAPPOINTMENTS OF MEMBERS TO CITY BOARDS AND COMMISSIONS BY MAYOR LARSON.  
  
Attachments: [Attachment A](#)

17. [18-0207R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF WAREHOUSE SPECIALIST.

Attachments: [Exhibit A](#)

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

18. [18-0184R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH ONE ROOF COMMUNITY HOUSING FOR THE TENANT LANDLORD CONNECTION IN THE AMOUNT OF \$40,000.

Attachments: [Attachment 1](#)

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

19. [18-0200R](#) RESOLUTION AMENDING RESOLUTON 18-0114 TO ADD SUPPORT FOR THE WESTERN LAKE SUPERIOR SANITARY DISTRICT COMBINED HEAT AND POWER ENERGY PROJECT AS A REGIONAL LEGISLATIVE PRIORITY.

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

20. [18-0172R](#) RESOLUTION RENEWING JOINT POWERS AGREEMENT C20604 WITH DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY FOR THE OPERATION OF MINNESOTA SLIP PEDESTRIAN DRAW BRIDGE DURING YEAR 2018 FOR AN AMOUNT NOT TO EXCEED \$39,361.40.

21. [18-0183R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DULUTH SEAWAY PORT AUTHORITY FOR THE INTERMODAL CONTAINER TERMINAL EXPANSION PROJECT.

Attachments: [18-0183R Attachment 1](#)

[18-0183R Exhibit A](#)

[18-0183R Exhibit B](#)

22. [18-0185R](#) RESOLUTION OF SUPPORT FOR THE CORRIDORS OF COMMERCE PROGRAM APPLICATIONS TO THE MINNESOTA DEPARTMENT OF TRANSPORTATION.

Attachments: [18-0185 Letter](#)

[18-0185R Attachment A](#)

23. [18-0205R](#) RESOLUTION AUTHORIZING A CONTRACT WITH API OUTSOURCING INC., FOR MAILING SERVICES AND POSTAGE FOR APRIL THROUGH DECEMBER OF 2018 IN THE AMOUNT OF \$156,600.

Attachments: [Exhibit A](#)

[March 6, 2018 Centerviews API Outsourcing Master Service Agreement](#)

24. [18-0206R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A FIFTY-PERCENT REIMBURSEMENT SAFETY GRANT FROM THE STATE OF MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY OCCUPATIONAL SAFETY AND HEALTH CONSULTATION UNIT FOR THE STREET MAINTENANCE DIVISION.

Attachments: [Exhibit A](#)

25. [18-0209R](#) RESOLUTION AUTHORIZING AN AGENCY AGREEMENT FOR ADVANCE CONSTRUCTION BETWEEN THE CITY OF DULUTH AND MNDOT FOR THE INTERMODAL CONTAINER TERMINAL EXPANSION PROJECT.

Attachments: [18-0209R Exhibit A](#)

[18-0209R Map](#)

#### **BY COUNCILOR VAN NETT (PUBLIC SAFETY)**

26. [18-0182R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT FROM THE STATE OF MINNESOTA IN THE AMOUNT OF \$18,066.36 AND FURTHER AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH THE STATE OF MINNESOTA.

Attachments: [Grant Agreement A-HMEP2017-DULUTHFD-008](#)

27. [18-0189R](#) RESOLUTION AUTHORIZING THE PURCHASE OF AN ALL HAZARD RESPONSE VESSEL FROM LAKE ASSAULT BOATS, LLC IN THE AMOUNT OF \$445,100.

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

28. [18-0199R](#) RESOLUTION AUTHORIZING A ONE YEAR AGREEMENT WITH DULUTH SUPERIOR AREA COMMUNITY FOUNDATION TO PROVIDE GRANT MAKING ADMINISTRATION FOR THE PARKS FUND GRANT PROGRAM AT AN ANNUAL COST NOT TO EXCEED \$2,500.

Attachments: [Exhibit A Agreement](#)

29. [18-0203R](#) RESOLUTION AUTHORIZING AN INCREASE TO CONTRACT 23238 WITH DIRT, INC. TO COMPLETE IMPROVEMENT OF ELY PEAK LOOP TRAIL TO SUPPORT EQUESTRIAN USE, AN INCREASE OF \$58,948.02, FOR A NEW TOTAL AMOUNT NOT TO EXCEED \$196,558.02.
30. [18-0204R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DULUTH ENTERTAINMENT CONVENTION CENTER AUTHORITY TO PRODUCE, PROMOTE, COORDINATE, AND MANAGE EVENTS AT BAYFRONT FESTIVAL PARK IN 2018 FOR \$60,000.

Attachments: [Exhibit 1](#)

## END OF CONSENT AGENDA

### BY COUNCILOR FOSLE (PURCHASING & LICENSING)

31. [18-0218R](#) RESOLUTION REFERRING A PROPOSED ORDINANCE AMENDING SECTION 50.37.10(E) OF THE DULUTH CITY CODE TO INCREASE THE NUMBER OF INTERIM USE PERMITS ISSUED FOR VACATION DWELLING UNITS AND ACCESSORY VACATION DWELLING UNITS FROM 60 TO 120 FOR REVIEW AND RECOMMENDATION BY THE DULUTH PLANNING COMMISSION.

Sponsors: Fosle

Attachments: [Exhibit A](#)

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

32. [18-0202R](#) RESOLUTION AWARDED A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH, LLC FOR THE SUPERIOR STREET RECONSTRUCTION PROJECT IN THE AMOUNT OF \$28,390,000.
33. [18-0186R](#) RESOLUTION ORDERING THE IMPROVEMENT OF THE 2018 STREET PRESERVATION PROJECTS.

Attachments: [18-0202R Map](#)

Attachments: [18-0186R Map](#)  
[March 6 Public Hearing Minutes](#)  
[Street Selection Criteria](#)  
[18-0186R Map 8th St 9th St](#)

## INTRODUCTION AND CONSIDERATION OF ORDINANCES

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

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

34.     [18-009-O](#)     ORDINANCE ADDING A NEW CHAPTER 29E TO THE DULUTH CITY CODE ESTABLISHING MINIMUM STANDARDS FOR EARNED SICK AND SAFE TIME IN THE CITY OF DULUTH.

**Sponsors:**     Hansen and Hobbs

**Attachments:**   [MTA 18-009-O Sipress.Russ1](#)  
                          [MTA 18-009-O Sipress.Russ2](#)  
                          [MTA 18-009-O Filipovich](#)  
                          [MTA 18-009-O Westerlund1](#)  
                          [MTA 18-009-O Westerlund2](#)

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

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

35.     [18-008-O](#)     AN ORDINANCE AMENDING AND EXTENDING CABLE TELEVISION FRANCHISE AGREEMENT WITH CC VIII OPERATING, LLC, D/B/A CHARTER COMMUNICATIONS FOR TERM OF TEN YEARS.

**Attachments:**   [Certified Copy of Ordinance No. 9775](#)  
                          [CHARTER FRANCHISE AGREEMENT-03092018092702](#)

**COUNCILOR QUESTIONS AND COMMENTS****COUNCILOR PREVIEW OF UPCOMING BUSINESS**