



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 provide increased opportunities for civil discourse leading to positive resolutions for the issues that face our city. We know that when we have civility, we get civic engagement, and because we can't make each other civil and we can only work on ourselves, we state that today I will: pay attention, listen, be inclusive, not gossip, show respect, seek common ground, repair damaged relationships, use constructive language, and take responsibility. [Approved by the council on May 14, 2018]*

Monday, July 15, 2019

7:00 PM

Council Chamber

PLEDGE OF ALLEGIANCE

PUBLIC HEARING - Tax Increment Financing District No. 32

PUBLIC HEARING - Property Tax Abatement

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

CONSENT AGENDA

BY PRESIDENT HOBBS (COMMITTEE OF THE WHOLE)

1. [19-0514R](#) RESOLUTION APPROVING SETTLEMENT WITH MARINE IRON & SHIP BUILDING COMPANY IN AN AMOUNT UP TO \$35,000 AND PURSUANT TO TERMS OF SETTLEMENT AGREEMENT.

Attachments: [Exhibit 1-Settlement 7-12-19](#)

2. [19-0515R](#) RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT, AMENDING AGREEMENT DATED JULY 24, 1992 BETWEEN MARINE IRON & SHIP BUILDING COMPANY AND CITY REGARDING THE MINNESOTA SLIP AND ACCEPTANCE OF A QUIT CLAIM DEED FROM MARINE IRON & SHIP BUILDING COMPANY CONVEYING A PORTION OF THE MINNESOTA SLIP TO CITY.

Attachments: [Exhibit 1-Amendment and Deed](#)
[Exhibit 2-Amendment & Deed](#)

3. [19-0517R](#) RESOLUTION REQUESTING THAT THE ADMINISTRATION STUDY STRATEGIES TO IMPLEMENT CORE INVESTMENT AREAS AND TO REPORT TO THE COUNCIL.

Sponsors: Forsman and Hobbs

BY COUNCILOR FOSLE (PURCHASING & LICENSING)

4. [19-0491R](#) RESOLUTION APPROVING THE RENEWAL OF OFF AND ON SALE INTOXICATING LIQUOR LICENSES FOR THE PERIOD BEGINNING SEPTEMBER 1, 2019, AND ENDING AUGUST 31, 2020.

Attachments: [Attachment A](#)

5. [19-0492R](#) RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE DESIGNATED SERVING AREA OF THE ON SALE INTOXICATING LIQUOR LICENSE TO VARIOUS LICENSEES.

Attachments: [Attachment A](#)
[Attachment B](#)
[Attachment C](#)
[Attachment D](#)
[Attachment E](#)
[Attachment F](#)
[Attachment G](#)
[Attachment H](#)

6. [19-0493R](#) RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE DESIGNATED SERVING AREA OF THE ON SALE INTOXICATING LIQUOR LICENSE OF THE CADDY SHACK INDOOR GOLF & PUB, 2023 W. SUPERIOR ST.
- Attachments: [Attachment A](#)
7. [19-0499R](#) RESOLUTION APPROVING THE TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE, SUNDAY LICENSE, AND 2:00 A.M LICENSE, OF FLAME NIGHTCLUB, INC. (FLAME NIGHTCLUB), 28 NORTH FIRST AVENUE WEST, TO NEW OWNER JDV HOSPITALITY, INC.
- Attachments: [Attachment A](#)
8. [19-0500R](#) RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE PERMIT AND WAIVING THE 60 DAY WAITING PERIOD FOR MILLER-DWAN FOUNDATION.
- Attachments: [Attachment A](#)
9. [19-0501R](#) RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE PERMIT AND WAIVING THE 60 DAY WAITING PERIOD FOR THE EPILEPSY FOUNDATION OF MINNESOTA.
- Attachments: [Attachment A](#)

BY COUNCILOR FORSMAN (PERSONNEL)

10. [19-0507R](#) RESOLUTION SUPPORTING THE NORTHLAND FOUNDATION'S GRANT APPLICATION TO THE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT FOR A CHILD CARE ECONOMIC DEVELOPMENT GRANT.
- Sponsors: Forsman
11. [19-0509R](#) RESOLUTION CONFIRMING THE FOLLOWING APPOINTMENTS TO THE ENERGY PLAN COMMISSION: MINDY GRANLEY, ALISON HOXIE, NATHAN LACOURSIERE, BRIAN HINDERLITER AND GARY OLSON.
12. [19-0510R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF VALERIE JOECKEL TO THE COMMUNITY DEVELOPMENT COMMITTEE.
13. [19-0512R](#) RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DULUTH AND AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, MINNESOTA COUNCIL 5, LOCAL 66, FOR CITY OF DULUTH BASIC UNIT EMPLOYEES FOR THE YEARS 2019-2020.
- Attachments: [Exhibit A - Final 2019-2020 AFSCME Agreement - clean](#)
[Final 2019-2020 AFSCME Agreement - Red Line](#)

14. [19-0513R](#) RESOLUTION CONFIRMING THE REAPPOINTMENTS OF EDMUND GLEESON, AARON BRANSKY, AND MICHAEL CASEY TO THE DULUTH TRANSIT AUTHORITY.

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

15. [19-0471R](#) RESOLUTION ADOPTING A MODIFICATION TO THE HOUSING DEVELOPMENT PROJECT \ MUNICIPAL DEVELOPMENT DISTRICT PROGRAM PLAN AND ESTABLISHING TAX INCREMENT FINANCING DISTRICT NO. 32 THEREIN AND ADOPTING A TAX INCREMENT FINANCING PLAN THEREFOR.

Attachments: [EXHIBIT A](#)

[Exhibit B - TIF PLAN - Housing Development Project](#)

16. [19-0494R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 702 SOUTH LAKE AVENUE (JEFF HUOTARI).

Attachments: [Attachment 1](#)

17. [19-0496R](#) RESOLUTION GRANTING THE RENEWAL OF AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 13402 WEST THIRD STREET (MATTHEW EVINGSON).

Attachments: [Attachment 1](#)

18. [19-0497R](#) RESOLUTION GRANTING THE RENEWAL OF AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 611 WEST SKYLINE PARKWAY (CONNIE AND LEE HOFFMAN).

Attachments: [Attachment 1](#)

19. [19-0498R](#) RESOLUTION GRANTING THE RENEWAL OF AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 10 INDUSTRIAL AVENUE (RIVERSIDE RETREAT, LLC).

Attachments: [Attachment 1](#)

20. [19-0506R](#) RESOLUTION AUTHORIZING A PARKING LEASE AGREEMENT IN THE MEDICAL DISTRICT PARKING RAMP WITH ROERS LAKE & FIRST LLC, RELATED TO THE LAKE & FIRST RESIDENTIAL DEVELOPMENT.

Attachments: [Exhibit 1](#)

21. [19-0508R](#) RESOLUTION AUTHORIZING AN INTERFUND TRANSFER OF \$250,000 FROM THE COMMUNITY INVESTMENT TRUST FUND TO THE HOUSING INVESTMENT FUND AND EXPENDITURES FROM THE HOUSING INVESTMENT FUND AND COMMUNITY DEVELOPMENT HOUSING REHAB REVOLVING LOAN FUND TO SUPPORT HOUSING REHABILITATION IN THE STRATEGIC IMPROVEMENT AREAS IN THE LINCOLN PARK AND HILLSIDE NEIGHBORHOODS.

Sponsors: Hamre

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

BY COUNCILOR FILIPOVICH (PUBLIC WORKS & UTILITIES)

22. [19-0483R](#) RESOLUTION AMENDING A CONTRACT WITH LHB, INC. TO PROVIDE PROFESSIONAL ENGINEERING FOR THE TRUNK HIGHWAY 53 AND INTERSTATE 35 UTILITY DESIGN SERVICES, TO INCREASE THE AMOUNT BY \$111,452 FOR A NEW TOTAL OF \$232,395.

Attachments: [19-0483R Attachment 1](#)

23. [19-0503R](#) RESOLUTION OF INTENT FOR CONSTRUCTION OF A SANITARY SEWER EXTENSION TO SERVE LOTS 148, 150, 152, 154, 156, 157, 158, 159, & 160, BLOCK 106 AND LOTS 155, 157, & 159, BLOCK 140, ALL IN DULUTH PROPER THIRD DIVISION, AND TO ASSESS THE COSTS THEREOF.

Attachments: [19-0503R Map](#)
[19-0503R Signed Petition Form 1](#)
[19-0503R Signed Petition Form 2](#)
[19-0503R Signed Petition Form 3](#)

BY COUNCILOR VAN NETT (PUBLIC SAFETY)

24. [19-0505R](#) RESOLUTION AUTHORIZING THE PURCHASE OF 109 PORTABLE RADIOS FROM MOTOROLA SOLUTIONS FOR AN AMOUNT NOT TO EXCEED \$422,961.40
25. [19-0511R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH DIVERSION SOLUTIONS, LLC, FOR ADMINISTRATION OF THE DRIVING DIVERSION PROGRAM FOR FOUR YEARS AT NO COST TO THE CITY.

Attachments: [Attachment A](#)

BY COUNCILOR WESTERLUND (RECREATION, LIBRARIES & AUTHORITIES)

26. [19-0470R](#) RESOLUTION AUTHORIZING APPLICATION TO AND, IF OFFERED, ACCEPTANCE OF A \$1,527,909 GREATER MINNESOTA REGIONAL PARKS AND TRAIL COMMISSION GRANT FOR THE GRAND AVENUE NORDIC CENTER AT SPIRIT MOUNTAIN RECREATION AREA.
- Attachments: [Exhibit A Memorandum & Signature Page](#)
27. [19-0489R](#) RESOLUTION AUTHORIZING APPLICATION TO THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY FOR AN ADVANCE ASSISTANCE HAZARD MITIGATION GRANT OF UP TO \$375,000 FOR COASTAL INFRASTRUCTURE ASSESSMENT.
28. [19-0504R](#) RESOLUTION AUTHORIZING A CONTRACT WITH KRAUS ANDERSON CONSTRUCTION COMPANY FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE LAKE SUPERIOR ZOO POLAR SHORES/BEAR COUNTRY PROJECT IN AN AMOUNT NOT TO EXCEED \$394,675.
- Attachments: [Exhibit A - Agreement](#)
[Exhibit B for Agreement](#)
[Exhibit C for Agreement](#)
[Exhibit D for Agreement](#)

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY PRESIDENT HOBBS (COMMITTEE OF THE WHOLE)

29. [19-0520R](#) RESOLUTION ASKING THAT THE ENVIRONMENTAL PROTECTION AGENCY STUDY THE USAGE OF HYDROGEN FLUORIDE BY REFINERIES IN THE TWIN PORTS REGION.
- Attachments: [Attachment A](#)
[Attachment B](#)
[2019.07.15. MTA 19-0520. Forsman](#)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

30. [19-0472R](#) RESOLUTION APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY AND THREE D I, LLC, FOR THE DEVELOPMENT OF THE BOARD OF TRADE MULTI-FAMILY RESIDENTIAL AND MIXED USE PROJECT.
- Attachments: [Exhibit A - Development Agreement Final 6-27-19](#)
[Exhibit B - DEDA R. 19D-26](#)
[Attachment 1 - Business Subsidy Agreement Pre-approval. June 2019](#)

31. [19-0502R](#) RESOLUTION RELATING TO A TAX ABATEMENT; GRANTING THE ABATEMENT FOR THE BLUFFS OF DULUTH SENIOR HOUSING CARE PROJECT.

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

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

BY PRESIDENT HOBBS (COMMITTEE OF THE WHOLE)

32. [19-036-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A NON-EXCLUSIVE EASEMENT TO MARINE IRON & SHIP BUILDING COMPANY FOR AUTOMOBILE PARKING AND SIGNAGE PURPOSES OVER REAL PROPERTY IN CANAL PARK.

Attachments: [Exhibit 2-Parking Easement Ordinance](#)
[Exhibit 1-Parking Easement 7-12-19](#)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

33. [19-035-O](#) AN ORDINANCE GRANTING A CONCURRENT USE PERMIT FOR PARKING IN THE PLATTED STREET RIGHT OF WAY OF SOUTH STREET.

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

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

34. [19-034-O](#) AN ORDINANCE DESIGNATING THE LAKE SUPERIOR AND MISSISSIPPI RAILROAD AS A DULUTH HERITAGE PRESERVATION LANDMARK.

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

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS