



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Minutes - 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 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, February 8, 2016

7:00 PM

Council Chamber

ROLL CALL

ROLL CALL

Present: 7 - Councilor Gary Anderson, Councilor Jay Fosle, President Noah Hobbs, Councilor Barb Russ, Councilor Joel Sipress, Councilor Em Westerlund and Councilor Zack Filipovich

PLEDGE OF ALLEGIANCE

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APPROVAL OF MINUTES

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1. [16-014](#) Duluth Transit Authority Board of Directors meeting minutes

Indexes:

Attachments: [BOD Minutes \(12-02-15\)](#)
[DTA Financial Statement 2015](#)

This Minutes was received.

2. [16-015](#) Civil Service Board meeting minutes

Indexes:

Attachments: [Civil Service Board 12-08-15 Minutes \(Approved 01-05-16\)](#)

This Minutes was received.

3. [16-016](#) Duluth Economic Development Authority meeting minutes

Indexes:

Attachments: [DEDA 12-16-15 Mtg Minutes](#)

This Minutes was received.

4. [16-017](#) Library Board meeting minutes

Indexes:

Attachments: [Minutes Library Board 2015 11 24](#)

This Minutes was received.

5. [16-018](#) Housing and Redevelopment Authority meeting minutes

Indexes:

Attachments: [HRA Board Minutes 150825](#)

[HRA Board Minutes 150929](#)

[HRA Board Minutes 151027](#)

This Minutes was received.

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

6. [16-019](#) Lake Avenue South appeal citizen communications

Indexes:

Attachments: [Judy Harrsion Communication](#)

[Richard Brown Communication](#)

This Petition/Other Communication was received.

REPORTS FROM OTHER OFFICERS

REPORTS FROM OTHER OFFICERS

BY COUNCILOR HANSEN (FINANCE)

BY COUNCILOR HANSEN (FINANCE)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

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OPPORTUNITY FOR CITIZENS TO BE HEARD

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Lynne Pickart expressed her concern about the icy sidewalks.

CONSENT AGENDA

CONSENT AGENDA

BY COUNCILOR HANSEN (FINANCE)

BY COUNCILOR HANSEN (FINANCE)

7. [16-0055R](#) RESOLUTION CONFIRMING ASSESSMENT ROLL LEVIED TO DEFRAY THE ASSESSABLE PORTION OF DEMOLITIONS AT FIFTEEN CITY LOCATIONS.

This Resolution was adopted unanimously.

8. [16-0075R](#) RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION DECC IMPROVEMENT REFUNDING BONDS, SERIES 2016A, IN THE APPROXIMATE AMOUNT OF \$33,440,000; ESTABLISHING THE TERMS AND FORM THEREOF; AND PROVIDING FOR AWARDED THE SALE THEREOF.

Indexes:

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

This Resolution was adopted unanimously.

9. [16-0113R](#) 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 2016-2018.

Indexes:

Attachments: [Exhibit A - 2016-2018 AFSCME CBA - clean](#)
[2016-2018 AFSCME CBA - Redline](#)

This Resolution was adopted unanimously.

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

10. [16-0097R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH HITACHI DATA SYSTEMS FOR ANNUAL SUPPORT AND MAINTENANCE OF THE CITYWIDE CAMERA SYSTEM FOR AN AMOUNT NOT TO EXCEED \$71,382.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR ANDERSON (PERSONNEL)

BY COUNCILOR ANDERSON (PERSONNEL)

11. [16-0086R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF SEASONAL GROUNDSKEEPER.

Indexes:

Attachments: [Seasonal Groundskeeper strikeout](#)
[Seasonal Groundskeeper](#)

This Resolution was adopted unanimously.

12. [16-0093R](#) RESOLUTION AUTHORIZING THE EXECUTION OF 2016-2018

PROFESSIONAL SERVICES AGREEMENT WITH THE DULUTH JOINT POWERS ENTERPRISE TRUST FOR CITY TO PROVIDE WELLNESS COORDINATOR SERVICES AND ACCEPTING REIMBURSEMENT FOR SERVICES IN AN AMOUNT NOT TO EXCEED \$70,000 PER YEAR.

Indexes:

Attachments: [Exhibit A \(16-0093R\)](#)

This Resolution was adopted unanimously.

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

13. [16-0100R](#) RESOLUTION AUTHORIZING A THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF DULUTH AND THE ARROWHEAD ZOOLOGICAL SOCIETY, INC.

Indexes:

Attachments: [EXHIBIT A](#)

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

END OF CONSENT AGENDA

BY COUNCILOR HANSEN (FINANCE)

BY COUNCILOR HANSEN (FINANCE)

14. [16-0103R](#) RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF TAXABLE GENERAL OBLIGATION TAX ABATEMENT BONDS, SERIES 2016B, IN THE APPROXIMATE AMOUNT OF \$7,820,000; ESTABLISHING THE TERMS AND FORM THEREOF; CREATING A BOND FUND THEREFOR; AND PROVIDING FOR AWARDED THE SALE THEREOF.

Indexes:

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

This Resolution was adopted unanimously.

BY COUNCILOR ANDERSON (PERSONNEL)

BY COUNCILOR ANDERSON (PERSONNEL)

15. [16-0092R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF HRIS ANALYST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [HRIS Analyst Job Description](#)

This Resolution was adopted as follows;

Yea: 8 - Councilor Anderson, Hansen, Hanson, President Hobbs, Councilor Russ, Councilor Sipress, Councilor Westerlund and Councilor Filipovich

Nay: 1 - Councilor Fosle

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

16. [16-0094R](#) RESOLUTION AFFIRMING THE PLANNING COMMISSION'S DECISION TO DENY BILL BROWNELL AND PAT BROWNELL STERNER A VARIANCE FROM THE RESIDENTIAL-TRADITIONAL (R-1) SIDE YARD SETBACK REQUIREMENT AT 3427 LAKE AVENUE SOUTH.

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

[Attachment 4](#)

This Resolution was denied, as follows;

Yea -0

Nay: 9 - Councilor Anderson, Councilor Fosle, Hansen, Hanson, President Hobbs, Councilor Russ, Councilor Sipress, Councilor Westerlund and Councilor Filipovich

17. [16-0096R](#) RESOLUTION REVERSING THE PLANNING COMMISSION'S DECISION TO DENY BILL BROWNELL AND PAT BROWNELL STERNER A VARIANCE FROM THE RESIDENTIAL-TRADITIONAL (R-1) SIDE YARD SETBACK REQUIREMENT AT 3427 LAKE AVENUE SOUTH.

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

[Attachment 4](#)

Motion was made, seconded and unanimously carried to hear a speaker on this resolution.

Bob Lent spoke in support of the resolution.

This Resolution was adopted unanimously.

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)

18. [16-0105R](#) RESOLUTION AUTHORIZING THE USE OF THE DULUTH CITY COUNCIL NAME ON A THANK YOU PLAQUE TO BE PRESENTED TO CONGRESSMAN RICK NOLAN IN APPRECIATION FOR OPPOSING INCREASES IN TRUCK SIZE AND WEIGHT LIMITS ON MINNESOTA'S ROADS.

This Resolution was adopted as follows;

Yea: 7 - Councilor Anderson, Hansen, Hanson, Councilor Russ, Councilor Sipress, Councilor Westerlund and Councilor Filipovich

Nay: 2 - Councilor Fosle and President Hobbs

INTRODUCTION AND CONSIDERATION OF ORDINANCES

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ORDINANCES TABLED

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

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BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

19. [16-006-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION OF THE CURRENT ZONE DISTRICT; RESIDENTIAL-TRADITIONAL (R-1) TO RESIDENTIAL-URBAN (R-2), AND MIXED USE-NEIGHBORHOOD (MU-N) AND INDUSTRIAL-GENERAL (I-G) TO MIXED USE-NEIGHBORHOOD (MU-N).

Indexes:

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

This Ordinance was read for the first time.

20. [16-009-O](#) AN ORDINANCE AMENDING CHAPTER 6, ARTICLE VII, OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO NONDOMESTIC ANIMALS.

This Ordinance was read for the first time.

BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)

BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)

21. [16-007-O](#) AN ORDINANCE ADOPTING SPECIAL PROCEDURES PERTAINING TO TERMINATION OF NATURAL GAS SERVICE DURING THE COLD WEATHER RULE PERIOD, AMENDING ARTICLE XV OF CHAPTER 48 OF THE DULUTH CITY CODE, 1959, AS AMENDED TO ADD A NEW SECTION 48-239.1.

This Ordinance was read for the first time.

22. [16-008-O](#) AN ORDINANCE MODIFYING THE TERMS OF PUBLIC UTILITY COMMISSIONERS TO EXCLUDE PARTIAL TERMS FROM TERM LIMITATIONS, AMENDING SECTION 2-184 OF THE DULUTH CITY CODE, 1959, AS AMENDED.

This Ordinance was read for the first time.

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

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

23. [16-002-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM R-1 TO MU-N, AND MU-N AND MU-B TO MU-C FOR PROPERTY ALONG THE NORTH AND SOUTH SIDES OF LONDON ROAD.

Indexes:

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

A motion was made that this Ordinance be tabled. The motion carried by the following vote:

Yea: 8 - Councilor Anderson, Hansen, Hanson, President Hobbs, Councilor Russ, Councilor Sipress, Councilor Westerlund and Councilor Filipovich

Nay: 1 - Councilor Fosle

24. [16-003-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM I-W TO MU-W FOR PROPERTY ALONG THE WEST SIDE OF MINNESOTA AVENUE AND ST. LOUIS AVENUE.

Indexes:

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

This Ordinance was adopted unanimously.

BY COUNCILOR HANSON (INTERGOVERNMENTAL RELATIONS)

BY COUNCILOR HANSON (INTERGOVERNMENTAL RELATIONS)

25. [16-005-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY WITHIN THE CITY OF DULUTH TO ST. LOUIS COUNTY, MINNESOTA FOR NOMINAL CONSIDERATION.

Indexes:

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

This Ordinance was adopted unanimously.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

Meeting was adjourned at 7:37 p.m.