

**MINUTES OF THE REGULAR MEETING  
OF THE DULUTH CITY COUNCIL**

January 12, 2015

Duluth City Council meeting held on Monday, January 12, 2015, 7:00 p.m. in the Council Chamber, City Hall, Duluth, Minnesota.

Roll call: Present: Councilors Filipovich, Fosle, Gardner, Hanson, Julsrud, Krug, Russ, Sipress and President Larson -- 9

Absent: None -- 0

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**ELECTION OF OFFICERS**

Councilor Larson was elected council president upon a unanimous vote.

Councilor Julsrud was elected council vice president upon a unanimous vote.

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The minutes of the council meetings held on May 12, 27, June 9 and 23, 2014, were approved upon a unanimous vote.

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**PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS**

15-0112-01 Minnesota state auditor audit report for Spirit Mountain recreation area authority for the years ended April 30, 2014, and 2013. -- Received

15-0112-08 Johnson-Wilson Constructors, Inc., J&S Partnership and RDS, LLC, by William M. Burns, attorney, communication relating the proposed vacation of a railroad spur easement between First and Second streets West (15-0014R). -- Received

15-0112-07 The following communications regarding the proposed designation of St. Peter's Church as a local historic preservation landmark (14-076-O): (a) Glen Filipovich; (b) Julie Heilman; (c) Mike Poupore; (d) Carolyn Sundquist; (e) Jolane Sundstrom; (f) John M. Vigen. -- Received

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**REPORTS FROM OTHER OFFICERS**

15-0112-02 Clerk application for exempt permit to the Minnesota gambling control board from Knights of Columbus on May 15, 2015 (bingo). -- Received

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**REPORTS OF BOARDS AND COMMISSIONS**

15-0112-03 Civil service board minutes of November 4, 2014, meeting. -- Received

15-0112-04 Duluth airport authority minutes of November 18, 2014, meeting. -- Received

15-0112-05 Duluth economic development authority minutes of November 19, 2014, meeting. -- Received

15-0112-06 Spirit Mountain recreation area authority minutes of November 20, 2014, meeting. -- Received

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**OPPORTUNITY FOR CITIZENS TO BE HEARD**

Garrett Niska spoke regarding the traffic on Eklund Avenue in Duluth Heights, and expressed concern over the poor road condition, speeding drivers and the high volume of traffic.

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## MOTIONS AND RESOLUTIONS

### CONSENT AGENDA

*(All matters listed under the consent agenda were considered routine and/or non-controversial and were enacted by one unanimous motion.)*

President Larson moved passage of the consent agenda, which motion was seconded and unanimously carried.

RESOLVED, that the proper city officials are hereby authorized to execute a renewal of Agreement 21491 with BMO Harris Bank, N.A., for an estimated total of \$100,000 in banking services in year 2015, payable as follows:

\$26,000 - Water Fund 510, Public Works and Utilities 500, Customer Services 1940, Customer Accounts 2400, Contract Services 5310;

\$39,000 - Gas Fund 520, Public Works and Utilities 500, Customer Services 1940, Customer Accounts 2400, Contract Services 5310;

\$23,000 - Sewer Fund 530, Public Works and Utilities 500, Customer Services 1940, Customer Accounts 2400, Contract Services 5310;

\$12,000 - Stormwater Fund 535, Public Works & Utilities 500, Customer Services 1940, Customer Accounts 2400, Contract Services 5310.

Resolution 15-0010 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that the proper city officials are hereby authorized to amend Agreement C22120 with CR-Building Performance Specialist, Inc., for the continued facility assessment and data implementation services required to populate the asset management system currently being utilized by the property and facilities management division, for a total amount not to exceed \$75,000, payable as follows:

\$50,000 - General 110, Public Administration 121, Facilities Management 1222, Software Licenses and Maintenance Agreements 5414;

\$25,000 - Energy Management 257, Public Administration 015, Contract Services 5310.

Resolution 15-0004 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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WHEREAS, the Duluth City Council approved an annual contract with Holiday Stationstores, Resolution 12-0079, on February 13, 2012, and renewed said contract in years 2013 and 2014.

RESOLVED, that the proper city officials are authorized to execute renewal of the contract with Holiday Stationstores in year 2015, the fourth year of a potential five-year contract, for purchase and delivery of service station fuels during year 2015 for an amount not to exceed \$1,200,000, payable from Fleet Services 660, Public Administration 015, Motor Fuels 5212.

Resolution 15-0007 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that the proper city officials are hereby authorized to contract with North American Salt Company for the purchase and delivery of 8,100 tons of road salt for year 2015 in accordance with Minnesota State Contract 77776, Release S-803(5) specifications, and pricing

at \$60.86 per ton for a total amount of \$492,966, terms net 30, FOB destination, payable from General Fund 110, Public Administration 121, Maintenance Operations 1217, Street Maintenance 2140, Salt and Sand Salt 5223-01.

RESOLVED FURTHER, that this purchase is exempt from state sales tax as a result of legislative changes signed into law in 2013.

Resolution 15-0009 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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WHEREAS, the Duluth City Council approved an annual contract with Inter-City Oil Company, Inc., Resolution 12-0080, on February 13, 2012, and renewed said contract in 2013 and 2014.

RESOLVED, that the proper city officials are hereby authorized to execute renewal of the annual contract with Inter-City Oil Company, Inc., in year 2015, the fourth year of a potential five-year contract, for purchase and delivery of bulk fuels during year 2015 for an amount not to exceed \$200,000, payable from Fleet Services 660, Public Administration 015, Motor Fuels 5212.

Resolution 15-0011 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that city officials are hereby authorized to contract with Duluth Ready Mix, Inc., for the purchase and delivery of 10,500 tons of washed sand to three different city locations, in accordance with Minnesota State Contract 56238, for an estimated total of \$105,000, payable from General 110, Public Administration 121, Maintenance Operations 1217, Street Maintenance 2140, Salt and Sand 5223, Sand 02.

Resolution 15-0024 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that the proper city officials are hereby authorized to contract with SFM Risk Solutions, Inc., for professional services in the third party administration of workers' compensation insurance for the human services division in accordance with the consultant's quote as follows: Year One - \$43,775; Year Two - \$54,106; Year Three - \$55,729; for a total contract amount of \$153,610, payable from Self Insurance Fund 605, Insurance Accounts 036, Insurance Administration 1650, Other Professional Services 5319.

Resolution 15-0028 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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BE IT RESOLVED, that the city council of the city of Duluth hereby approves issuance of the following temporary on sale intoxicating liquor license, subject to departmental approvals with any further restrictions and further subject to approval of the liquor control commissioner:

Minnesota Ballet (Celebrity Dance Challenge), 1215 Rice Lake Road, for February 5, 2015, with Willy McManus, managing director.

Resolution 15-0035 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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BE IT RESOLVED, that the Duluth City Council hereby approves of the Minnesota gambling control board issuing a lawful gambling exemption to Western Lake Superior Habitat for

Humanity and does hereby waive the 60 day waiting period which it has to object to the issuance of said exemptions.

RESOLVED FURTHER, that the city clerk is hereby authorized and directed to send a copy of this resolution to the Minnesota gambling control board immediately after its passage.

Resolution 15-0036 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that the proposed amendments to the specifications for the existing civil service classification of support analyst, which were approved by the civil service board on December 9, 2014, and which are filed with the city clerk as Public Document No. 15-0112-19, are approved. This classification shall remain subject to the city's collective bargaining agreement with its basic unit employees and compensated at Pay Range 131, \$3,828 to \$4,485 per month.

Resolution 15-0030 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that the appointments by Mayor Ness of the following to the St. Louis County homeless leadership council are confirmed:

(a) Beverly M. Downs (formerly homeless representative) for a term expiring on March 31, 2017, replacing Scott Yeazle who resigned;

(b) David A. Bard (faith community representative) for a term expiring on March 31, 2015, replacing Fred Lund who resigned;

(c) Dawn Ammesmaki (Fond du Lac Business Council representative) for a term expiring on March 31, 2017, replacing Kathryn King who resigned;

(d) Ashley E. Compton (at large representative) for a term expiring on March 31, 2015, replacing Deborah Wagner who resigned.

FURTHER RESOLVED, that the reappointments to the St. Louis County homeless leadership council by Mayor Ness of David A. Bard (faith community representative) and Ashley E. Compton (at large representative) for terms expiring on March 31, 2018, are confirmed.

Resolution 15-0038 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that the proper city officials are hereby authorized to execute an agreement with DEDA, substantially in the form of that on file in the office of the city clerk as Public Document No. 15-0112-09, which allows DEDA to participate in the city's self insurance fund program during 2015; DEDA funds in the amount of \$7,000 to be deposited into self insurance fund Fund 610 (self insurance liabilities fund), Agency 036 (insurance accounts), Organization 1656 (DEDA), Object 4904 (liabilities insurance charges).

Resolution 15-0034 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that the proper city officials are hereby authorized to execute an agreement, substantially the same as that on file with the city clerk as Public Document No. 15-0112-10, with Fryberger, Buchanan, Smith and Frederick, P.A., under which that firm will provide professional services related to the city's 2015 state legislative program, at a cost to the city not to exceed \$48,000 for the year 2015, and ability for the administration to renew for a second year, which

shall be payable from 110-700-1401-5312 (general fund, transfers and other functions, citywide dues and lobbying, lobbyist fees).

Resolution 15-0008 was unanimously adopted.  
Approved January 12, 2015  
DON NESS, Mayor

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RESOLVED, that the proper city officials are hereby authorized to accept from Cheryl B. Goldberg and Gregg Batanich, married to each other, and Joyce C. Goldberg, a single person, the donation of two easements for street purposes at no cost to the city as described in Public Document No. 15-0112-11 on file in the office of the city clerk and legally described as:

The North Twenty-five (25) feet and the West Twenty-five (25) feet of the North half of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter (N 1/2 of NE 1/4 of NW 1/4 of SE 1/4), Section Ten (10), Township Fifty (50) North, Range Fourteen (14) West, St. Louis County, Minnesota; and the West Twenty-five(25)feet of the South Half of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter (S 1/2 of NE 1/4 of NW 1/4 of SE 1/4), Township Fifty (50) North, Range Fourteen (14) West, St. Louis County, Minnesota.

Resolution 15-0012 was unanimously adopted.  
Approved January 12, 2015  
DON NESS, Mayor

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RESOLVED, that the proper city officials are authorized to renew the second year of a possible three-year contract with Duluth Ready Mix, Inc., for the purchase and delivery of Class 5 gravel, 3/4 inch crushed washed rock, rip-rap and bedding sand for public works and utilities in year 2015 for \$145,537.50, terms net 30, FOB destination, payable as follows:

\$50,938.13 - Water 510, Public Works and Utilities 500, Utility Operations 1945, Gravel and Other Maintenance Materials 5224;

\$36,384.37 - Sewer 530, Public Works and Utilities 500, Utility Operations 1945, Gravel and Other Maintenance Materials 5224;

\$36,384.37 - Stormwater 535, Public Works and Utilities 500, Utility Operations 1945, Gravel and Other Maintenance Materials 5224;

\$21,830.63 - Gas 520, Public Works and Utilities 500, Utility Operations 1945, Gravel and Other Maintenance Materials 5224.

Resolution 15-0013 was unanimously adopted.  
Approved January 12, 2015  
DON NESS, Mayor

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RESOLVED, that the Minnesota department of transportation has improved adjacent city streets and utilities in the Miller Hill Mall area, State Project 6915-129 (TH 53 - 106), S.P. 118-196-003, S.P. 118-201-001, S.P. 118-202-001, S.P. 118-178-005, and S.P. 118-030-009 located on Burning Tree Road from CSAH 6 to TH 53, Mall Drive from 500 feet south of CSAH 6 to 800 feet north of CSAH 6, the TH 53 West Frontage Road, Maple Grove Road from ES 20+39.14 to ES 62+39.96 (500 feet east of Joshua Avenue), and on Joshua Avenue from 500 feet south of Maple Grove Road to Maple Grove Road (the mall area project), City Project No. 0391TR, at a cost to the city of \$6,220,392.04.

FURTHER RESOLVED, that the proper city officials are hereby authorized to remit to the commissioner of transportation the remaining sum of \$673,032.97 as the city of Duluth's share of costs for improvement to the city-owned facilities as part of MnDOT's improvement to the mall area project, payable from Permanent Improvement Fund 0411, Department/Agency 035 (capital projects accounts), Object 5530 (improvements other than buildings), City Project No. 0391TR.

These monies will be reimbursed from the municipal state aid construction account and the various appropriate utility funds.

Resolution 15-0015 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that the proper city officials are authorized to renew the annual contract with InfoSend, Inc., the fourth and final year of a four-year contract, for mailing services (\$34,380) and postage (\$156,620) during year 2015 for a total amount of \$191,000, payable as follows:

Mailing Services \$34,380		PWU	Cust Srvc	Cust Accts	Contract Svcs
\$8,938.80	Water 510	500	1940	2400	5310
\$13,408.20	Gas 520	500	1940	2400	5310
\$7,907.40	Sewer 530	500	1940	2400	5310
\$4,125.60	Stormwater 535	500	1940	2400	5310
Postage \$156,620					
\$40,721.20	Water 510	500	1940	2400	5310
\$61,081.80	Gas 520	500	1940	2400	5310
\$36,022.60	Sewer 530	500	1940	2400	5310
\$18,794.40	Stormwater 535	500	1940	2400	5310

Resolution 15-0016 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that the city of Duluth has applied to the commissioner of transportation for a grant from the Minnesota state transportation fund for the construction of the MacFarlane Road box culvert over Chester Creek, Bridge 69J90, City Project No. 0711.

FURTHER RESOLVED, that the grant has been approved and that the amount of the grant is \$140,288.

FURTHER RESOLVED, that the city of Duluth agrees to the terms and conditions of the grant consistent with Minnesota Statutes, Section 174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota state transportation fund any amount appropriated for the project but not required. The proper city officials are hereby authorized to execute a grant agreement concerning the above referenced grant. Grant monies shall be deposited into Permanent Improvement 411, Department/Agency 035 (capital projects accounts), Object 5530 (improvements other than buildings), City Project 0711, S.A.P. 118-080-043.

Resolution 15-0021 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that the proper city officials are hereby authorized to enter into a contract with KGM Contractors, Inc., for construction of the MacFarlane Road box culvert over Chester Creek, Bridge No. 69J90, in the amount of \$187,977, with \$140,288 payable out of Permanent Improvement 411, Department/Agency 035 (capital projects accounts), Object 5530

(improvements other than buildings), and \$47,689 payable out of Stormwater Fund 535, Department/Agency 500 (public works and utilities), Division 1905 (capital), Object 5530 (improvements other than buildings), City Project No. 0711, S.A.P. 118-080-043.

Resolution 15-0022 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that Section (d) of Resolution No. 14-0075 is hereby amended to read as follows:

“(d) The city council of the city of Duluth approves the vacation of the alley described below and as described depicted on Public Document No. 15-0112-12:

Existing 20 foot alley located between Blocks 39 and 37 as platted in the Portland Division of Duluth that lies between the centerline of the former right-of-way of North 11th Avenue East and the westerly right-of-way of North 12th Avenue East.”

Resolution 15-0023 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that the proper city officials are authorized to accept a grant from the Minnesota board of firefighter training and education in the amount of \$12,901, said funds to be deposited in Fund 210, Agency 030, Organization 3178, Revenue Source 4220-02 (special projects, finance, fire training fund, state of Minnesota), and committed for the purpose of supporting the Duluth fire department personnel training.

Resolution 15-0001 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that city officials are hereby authorized to contract with A Plus Landscaping for the demolition of four structures at various city locations for the building safety office in accordance with approved specifications and the vendor's low bid of \$123,715, payable as follows:

\$74,000 - Community Development 262; Planning 020; Grants and Awards 5434; Project: CDBG 2013 CD13CD, Public Facility Improvement Projects 2013 PFAC, Demolition Blighted Properties PF07;

\$49,715 - General 110, Planning and Construction Services 132, Construction Services and Inspection 1304, Building Demolition 5453.

Resolution 15-0006 was unanimously adopted.

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that the proper city officials are hereby authorized to execute an agreement with St. Louis County for an amount not to exceed \$67,284, the University of Minnesota-Duluth police department for an amount not to exceed \$17,300, the city of Hermantown for an amount not to exceed \$30,200, the city of Proctor for an amount not to exceed \$30,100, and the city of Floodwood for an amount not to exceed \$17,400, substantially the same as that on file in the office of the city clerk as Public Document No. 15-0112-13, for services provided under the 2015 toward zero deaths law enforcement grant from the Minnesota department of public safety. All reimbursement payments made to other agencies under the agreement shall be paid from Fund No. 215-200-2209-5447 (Duluth police grant programs, police, 2015 TZD grant, payments to other government agencies) and reimbursement payments for the Duluth police department shall be

paid from Fund No. 215-200-2209-5700-10 (Duluth police grant programs, police, 2015 TZD grant, interfund transfers out to general fund).

Resolution 15-0018 was unanimously adopted.  
Approved January 12, 2015  
DON NESS, Mayor

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RESOLVED, that the proper city officials are hereby authorized to accept a FY14 justice assistance grant program award from the United States department of justice, bureau of justice assistance, office of justice programs, in the amount of \$40,288 to be used for state and local initiatives including the First Witness Child Abuse & Resource Center, St. Louis County DUI court, Neighborhood Youth Services and Duluth police department; equipment, supplies contractual support and criminal justice information systems; and further are authorized to execute any documents required to be executed to accept said grant, funds to be deposited in Fund 215-200-2302-4209-02 (Duluth police grant programs, police, 2014 JAG, payment to other government agencies) and other expenses to be paid from Fund 215-200-2302-5441 (Duluth police grant programs, police, 2014 JAG and other services and charges).

FURTHER RESOLVED, that the proper city officials are hereby authorized to execute an agreement, substantially the same as that on file in the office of the city clerk as Public Document No. 15-0112-14, with the St. Louis County sheriff's office, who is a partner of the city under this grant.

Resolution 15-0019 was unanimously adopted.  
Approved January 12, 2015  
DON NESS, Mayor

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RESOLVED, that the proper city officials are hereby authorized to enter into a five-year agreement substantially in the form of that on file in the office of the city clerk as Public Document No. 15-0112-15, with Regents of the University of Minnesota, through the department of recreational sports, Duluth campus, for the lease of property on Park Point for operating its water-based recreational and educational activities for both university students and the public with rent payments payable to Fund 110 Department 121, Organization 1222, Revenue Source 4623 (general, public administration, facilities management, rent of land).

Resolution 15-0017 was unanimously adopted.  
Approved January 12, 2015  
DON NESS, Mayor

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RESOLVED, that the proper city officials are hereby authorized to enter into a three year rental agreement substantially in the form of that on file in the office of the city clerk as Public Document No. 15-0112-16, with Arrowhead Youth Soccer Association for the use of space in the Wheeler Fieldhouse for operating its administrative functions of its youth soccer programs with rent payments payable to Fund 110-121-1222-4622 (general, public administration, facilities management, rent of buildings).

Resolution 15-0020 was unanimously adopted.  
Approved January 12, 2015  
DON NESS, Mayor

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The following resolutions were also considered:

RESOLVED, that the proposed specifications for the new civil service classification of senior support analyst, which were approved by the civil service board on December 9, 2014, and which are filed with the city clerk as Public Document No. 15-0112-17, are approved; that said classification shall be subject to the city's collective bargaining agreement with its basic unit

employees; and that pay range for said classification shall be Range 134, \$4,313 to \$5,095 per month. The proper city officials are authorized to execute and implement an agreement with the union to provide for employing one or more unit members consistent with this resolution.

Resolution 15-0031 was adopted upon the following vote:

Yeas: Councilors Filipovich, Gardner, Hanson, Julsrud, Krug, Russ, Sipress and President Larson -- 8

Nays: Councilor Fosle -- 1

Approved January 12, 2015

DON NESS, Mayor

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Resolution 15-0014, vacating a railroad spur easement on Lot 12, Block 1, Oneota Industrial Park, running between First and Second Streets West (J&S Partnership), was introduced by Councilor Russ for discussion.

The rules were suspended upon a unanimous vote to hear from speakers on the resolution.

Mike Casey spoke against the resolution.

Bill Burns spoke in support of the resolution.

Councilor Filipovich moved to table the resolution, which motion was seconded and carried upon the following vote:

Yeas: Councilors Filipovich, Fosle, Gardner, Julsrud, Krug, Russ, Sipress and President Larson -- 8

Nays: Councilor Hanson -- 1

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Resolution 15-0037, setting 2015 legislative priorities, was introduced by President Larson for discussion.

Councilor Sipress moved to amend the resolution as follows:

(a) In subparagraph (a) of the last paragraph, add the phrase "including but not limited to local streets" after the phrase "funding for street construction and repair";

(b) Add the following priorities at the end of the resolution:

"(8) Revision of the state seed law to allow noncommercial seed sharing without labeling or germination testing;

(9) Opposition to any increase in the state truck weight limit";

which motion was seconded and carried unanimously.

Resolution 15-0037, as amended, was adopted as follows:

The city council finds as follows:

(a) The city desires to establish a legislative agenda for 2015;

(b) The city has devoted meeting time and discussion to the city legislative priorities;

(c) The city supports legislative initiatives that are of vital interest to the region.

NOW, THEREFORE, BE IT RESOLVED, that the city of Duluth supports the following initiatives:

(a) Public infrastructure funding, including but not limited to, funding for street construction and repair, including but not limited to local streets, bridge construction and repair, and wastewater and drinking water infrastructure;

(b) Funding for housing projects, including construction and rehabilitation of affordable housing and supportive housing units;

(c) Maintaining local government aid;

(d) Extending the boundary for half and half tax from 34th Avenue West to 11th Avenue West to include the Lincoln Park neighborhood;

(e) Funding for improvements at the Lake Superior Zoo;

(f) Other city priorities:

- (1) State bond funding for the conversion of the Duluth district heating system from steam to hot water;
- (2) State bond funding for the Superior Street reconstruction in 2016;
- (3) Authorizing an on sale liquor license for the Lester Park clubhouse;
- (4) State funding for improvements to the seawall and pedestrian plaza near the Duluth entertainment convention center, from Minnesota Slip to Pier B;
- (5) State bond funding for phase two of Wade stadium renovations;
- (6) State funding for Duluth public library renovations;
- (7) State programs and projects that impact the Duluth community, including but not limited to, port development, public transit funding, and tax increment financing options;
- (8) Revision of the state seed law to allow noncommercial seed sharing without labeling or germination testing;
- (9) Opposition to any increase in the state truck weight limit.

Resolution 15-0037, as amended, was adopted upon the following vote:

Yeas: Councilors Filipovich, Gardner, Hanson, Julsrud, Krug, Russ, Sipress and President Larson -- 8

Nays: Councilor Fosle -- 1

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that city officials are hereby authorized to contract with K.A. Steel Chemicals, Inc., for the purchase and delivery of 85,000 gallons of caustic soda in year 2015 in accordance with city-approved specifications and the vendor's low bid of \$1.86 per gallon, for a total of \$158,100, terms net 30, FOB destination, payable from Water 510, Public Works and Utilities 500, Water Treatment and Pumping 1955, Chemicals 5216, Liquid Caustic Soda 05.

Resolution 15-0002 was adopted upon the following vote:

Yeas: Councilors Filipovich, Gardner, Hanson, Julsrud, Krug, Russ, Sipress and President Larson -- 8

Nays: Councilor Fosle -- 1

Approved January 12, 2015

DON NESS, Mayor

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RESOLVED, that the proper city officials are hereby authorized to contract with Thunder Bay Chemicals, Ltd., for the purchase and delivery of 125,000 gallons of liquid aluminum sulfate in year 2015 in accordance with city-approved specifications and the vendor's low bid of \$1.2638 per gallon, for a total of \$157,975, payable from Water 510, Public Works and Utilities 500, Water Treatment and Pumping 1955, Chemicals 5216, Liquid Aluminum Sulfate 04.

Resolution 15-0003 was adopted upon the following vote:

Yeas: Councilors Filipovich, Gardner, Hanson, Julsrud, Krug, Russ, Sipress and President Larson -- 8

Nays: Councilor Fosle -- 1

Approved January 12, 2015

DON NESS, Mayor

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**INTRODUCTION AND CONSIDERATION OF ORDINANCES  
ORDINANCES TABLED**

INTRODUCED BY COUNCILOR FILIPOVICH  
14-077 - AN ORDINANCE AMENDING SECTIONS 41-24 AND 41-32 OF DULUTH CITY CODE, 1959, AS AMENDED, TO INCREASE THE MINIMUM CONTRACT AMOUNT IN SOLE SOURCE CONTRACTS REQUIRING CITY COUNCIL APPROVAL FROM MORE THAN \$25,000 TO

MORE THAN \$50,000 AND ALLOWING THE PURCHASING AGENT, WITH THE APPROVAL OF THE CHIEF ADMINISTRATIVE OFFICER, TO AUTHORIZE THE AWARD OF NONCOMPETITIVE BID CONTRACTS OF \$50,000 OR LESS.

Councilor Filipovich moved to remove the ordinance from the table, which motion was seconded and carried unanimously.

Councilor Sipress moved to amend the ordinance title, body and statement of purpose to delete "\$50,000" and replace it with "\$40,000," which motion was seconded and carried unanimously.

*[Editor's Note: With the amendment, the ordinance was considered to have had a new first reading at this meeting.]*

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INTRODUCED BY COUNCILOR RUSS

14-076 - AN ORDINANCE DESIGNATING SAINT PETER'S CHURCH, 810 WEST THIRD STREET, AS A LOCAL HISTORIC PRESERVATION LANDMARK.

Councilor Russ moved to remove the ordinance from the table, which motion was seconded and carried unanimously.

The rules were suspended upon a unanimous vote to hear from speakers on the ordinance.

Glenn Filipovich, Tony Dierckins, David Woodward and Carolyn Sundquist spoke in support of the ordinance.

Father Peter Muhich spoke in opposition to the ordinance.

The ordinance failed upon a unanimous vote (Public Document No. 15-0112-18).

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The following entitled ordinances were read for the first time:

INTRODUCED BY COUNCILOR RUSS

15-001 - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM INDUSTRIAL-WATERFRONT (I-W) TO PARKS AND OPEN SPACE (P-1) THE PROPERTY LOCATED ON PARK POINT, SOUTH OF SAINT LOUIS AVENUE, TO THE SHORELINE OF THE DULUTH HARBOR BASIN, FROM 13TH STREET SOUTH TO 15TH STREET.

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INTRODUCED BY COUNCILOR RUSS

15-002 - AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN PROPERTY WITHIN THE CITY OF DULUTH TO THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION, FOR \$3,000.

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INTRODUCED BY COUNCILOR RUSS

15-003 - AN ORDINANCE AMENDING ORDINANCE 10283 GRANTING CONCURRENT USE PERMIT TO THE DULUTH TRANSIT AUTHORITY FOR A SKYWALK BRIDGE PERTAINING TO CONTINUING USE.

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INTRODUCED BY COUNCILOR RUSS

15-005 - AN ORDINANCE AMENDING ORDINANCE 10208 GRANTING CONCURRENT USE PERMIT TO THE DULUTH TRANSIT AUTHORITY FOR A SKYWALK AND CANOPY OVER WEST MICHIGAN STREET BETWEEN SECOND AND THIRD AVENUES WEST PERTAINING TO CONTINUING USE.

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The meeting was adjourned at 8:28 p.m.

CHELSEA J. HELMER, Assistant City Clerk, for  
JEFFREY J. COX, City Clerk