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## **UNOFFICIAL ACTIONS**

### **DULUTH CITY COUNCIL MEETING**

Monday, May 12, 2014

#### **ROLL CALL -- ALL PRESENT**

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#### **PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS**

14-0512-01 David Ogren, et al. (16 signatures), petition for watermain extension of North 85th Avenue West. -- Assessor

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#### **REPORTS FROM OTHER OFFICERS**

14-0512-02 Clerk application for exempt permit to the Minnesota gambling control board from Churches United in Ministry on June 28, 2014 (raffle). -- Received

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#### **REPORTS OF BOARDS AND COMMISSIONS**

14-0512-03 Duluth transit authority: (a) Minutes of February 26, 2014, meeting; (b) February 2014 financial statement. -- Received

14-0512-04 Library board minutes of March 25, 2014, meeting. -- Received

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#### **MOTIONS AND RESOLUTIONS**

#### **COMMITTEE 2**

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

14-0217R - RESOLUTION ADOPTING THE PARK POINT SMALL AREA PLAN RECOMMENDATIONS AND AMENDING THE COMPREHENSIVE PLAN - FUTURE LAND USE MAP IN THREE LOCATIONS. -- **TABLED**

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### **CONSENT AGENDA**

All matters listed under the consent agenda were enacted by one unanimous motion.

#### **COMMITTEE 1**

##### **BY COUNCILOR HANSON (PURCHASING & LICENSING)**

14-0209R - RESOLUTION AWARDED AN ANNUAL CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH, LLC, FOR THE PURCHASE OF HOT MIX FINES IN YEAR 2014 FOR A TOTAL AMOUNT OF \$391,200. -- **PASSED**

14-0242R - RESOLUTION ISSUING AN ON SALE 3.2 PERCENT MALT LIQUOR LICENSE AND APPROVING ISSUANCE OF AN ON SALE WINE LICENSE TO T&J ENTERPRISE, LLC (THE BANK ON SUPERIOR), 3 WEST SUPERIOR STREET. -- **PASSED**

#### **COMMITTEE 2**

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

14-0210R - RESOLUTION AUTHORIZING A TEMPORARY CONSTRUCTION EASEMENT IN FAVOR OF WISCONSIN CENTRAL LTD. RELATED TO ITS STEELTON HILL PROJECT. -- **PASSED**

14-0219R - RESOLUTION VACATING PORTIONS OF A PLATTED UNIMPROVED STREET EASEMENT OF PALMETTO STREET (DONALD ELLISON). -- **PASSED**

14-0220R - RESOLUTION VACATING PORTIONS OF PLATTED UNIMPROVED ALLEY LOCATED BETWEEN FIRST AND SECOND STREETS, AND NORTH 38TH AND 39TH AVENUES WEST (ARROWHEAD LAND AND LEASING LLC AND MINER'S INC.). -- **PASSED**

14-0221R - RESOLUTION VACATING PORTIONS OF PLATTED WEST SECOND STREET BETWEEN NORTH 38TH AND 39TH AVENUES WEST AND RETAINING A 20 FOOT UTILITY EASEMENT (ARROWHEAD LAND AND LEASING LLC AND MINER'S INC.). -- **PASSED**

14-0233R - RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR THE RECONSTRUCTION OF THE MISSION CREEK TRAIL OVERPASS AND FURTHER AUTHORIZING ACCEPTANCE OF A PERMANENT AIR RIGHTS EASEMENT RELATED TO SAID OVERPASS FROM WISCONSIN CENTRAL LTD. RELATED TO ITS STEELTON HILL PROJECT. -- **PASSED**

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

14-0211R - RESOLUTION AUTHORIZING CITY PARTICIPATION IN THE MINNESOTA GREENSTEP CITIES PROGRAM. -- **PASSED**

**COMMITTEE 3**

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

14-0212R - RESOLUTION AUTHORIZING A COOPERATIVE CONSTRUCTION AGREEMENT WITH MN/DOT FOR DRAINAGE REPAIRS, GRADING, BITUMINOUS PAVEMENT AND CONCRETE PAVEMENT ON T.H. 61 (LONDON ROAD) WITHIN THE CORPORATE CITY LIMITS IN THE AMOUNT OF \$25,763.40. -- **PASSED**

14-0213R - RESOLUTION AMENDING AN AGREEMENT WITH LHB, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR GRAND AVENUE CIMS ENHANCEMENTS IN THE ESTIMATED AMOUNT OF \$148,708. -- **PASSED**

14-0227R - RESOLUTION AWARDED A CONTRACT TO HANCO UTILITIES, INC., FOR CONSTRUCTION OF AN EIGHT INCH GAS MAIN IN THIRD STREET FROM FIRST AVENUE EAST TO MESABA AVENUE IN THE AMOUNT OF \$592,785.25. -- **PASSED**

**BY COUNCILOR FOSLE (PUBLIC SAFETY)**

14-0223R - RESOLUTION ACCEPTING DEDICATION OF A SHARED USE PATH FROM INDEPENDENT SCHOOL DISTRICT #709. -- **PASSED**

**BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)**

14-0208R - RESOLUTION AUTHORIZING AN AMENDMENT AGREEMENT C21589 WITH SAS & ASSOCIATES, FOR ADDITIONAL SERVICES IN DEVELOPING A MASTER PLAN FOR CITY PARKS, AN INCREASE OF \$9,740, AND TOTAL CONTRACT AMOUNT NOT TO EXCEED \$55,240. -- **PASSED**

14-0230R - RESOLUTION AWARDED A CONTRACT TO ROCK SOLID TRAIL CONTRACTING, LLC FOR THE DULUTH TRAVERSE TRAIL - MISSION CREEK PHASE II PROJECT IN THE AMOUNT OF \$221,142. -- **PASSED**

**END OF CONSENT AGENDA**

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**The following entitled resolutions were also considered:**

**COMMITTEE 1**

**BY COUNCILOR JULSRUD (FINANCE)**

14-0204R - RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF \$11,500,000 TAXABLE TAX INCREMENT AND PARKING FACILITY REVENUE BOND, SERIES 2014A; ESTABLISHING THE TERMS AND FORM THEREOF; CREATING FUNDS AND ACCOUNTS THEREFOR; AND AWARDING THE SALE THEREOF. -- **PASSED 8-0-1 (Krug abstained)**

**BY COUNCILORS GARDNER, LARSON AND JULSRUD (PERSONNEL)**

14-0239R - RESOLUTION OF SUPPORT FOR THE WOMEN'S ECONOMIC SECURITY ACT. -- **PASSED UNANIMOUSLY**

**COMMITTEE 2**

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

14-0214R - RESOLUTION OF INTENT TO SUPPORT THE REQUEST BY ONE ROOF COMMUNITY HOUSING, DULUTH HOUSING AND REDEVELOPMENT AUTHORITY AND CENTER CITY HOUSING CORPORATION TO THE STATE OF MINNESOTA FOR THE AWARD OF LOW-INCOME HOUSING TAX CREDITS FOR THE GATEWAY TOWER REDEVELOPMENT PROJECT. -- **PASSED 7-2 (Fosle, Hanson)**

14-0215R - RESOLUTION OF INTENT TO SUPPORT THE REQUEST BY GRANT CARLSON TO THE STATE OF MINNESOTA FOR THE AWARD OF LOW-INCOME HOUSING TAX CREDITS FOR THE HISTORIC BURNHAM APARTMENTS PROJECT. -- **FAILED 1-8 (Hanson)**

14-0226R - RESOLUTION OF INTENT TO SUPPORT THE REQUEST BY PASTORET LLC TO THE STATE OF MINNESOTA FOR THE AWARD OF LOW-INCOME HOUSING TAX CREDITS AND INTENT TO SUPPORT TAX INCREMENT FINANCING FOR THE PASTORET TERRACE PROJECT. -- **PASSED 6-3 (Fosle, Hanson, Julsrud)**

14-0216R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT GRANTS FROM THE DULUTH LEGACY ENDOWMENT FUND FOR THE DOWNTOWN TACTICAL URBANISM PROJECT IN THE AMOUNT OF \$2,500. -- **PASSED UNANIMOUSLY**

14-0231R - RESOLUTION AUTHORIZING GRANT AGREEMENT WITH DEED RELATED TO THE MAURICES OFFICE TOWER PROJECT IN THE AMOUNT NOT TO EXCEED \$8,500,000. -- **PASSED 8-0-1 (Krug abstained)**

14-0234R - RESOLUTION AUTHORIZING FIRST AMENDMENT TO PEDESTRIAN PASSAGEWAY AGREEMENT PERTAINING TO THE PROPERTY OF NORTHWEST COMMUNICATIONS, INC. WITH FORUM COMMUNICATIONS COMPANY RELATED TO THE MAURICES OFFICE TOWER PROJECT. -- **PASSED 8-0-1 (Krug abstained)**

14-0235R - RESOLUTION AUTHORIZING VARIOUS AGREEMENTS WITH DULUTH REAL ESTATE LLC RELATED TO THE MAURICES OFFICE TOWER PROJECT. -- **PASSED 8-0-1 (Krug abstained)**

14-0236R - RESOLUTION AUTHORIZING FIRST AMENDMENT TO PEDESTRIAN

PASSAGEWAY AGREEMENT PERTAINING TO THE CHINESE LANTERN BUILDING WITH A & L PARTNERSHIP LLP RELATED TO THE MAURICES OFFICE TOWER PROJECT. -- **PASSED 8-0-1 (Krug abstained)**

14-0237R - RESOLUTION AUTHORIZING DOOR AGREEMENT WITH 414 WEST FIRST UNIT OWNERS' ASSOCIATION FOR THE "WATER AND GAS BUILDING" RELATED TO THE MAURICES OFFICE TOWER PROJECT. -- **PASSED 8-0-1 (Krug abstained)**

**BY COUNCILORS SIPRESS AND GARDNER (INTERGOVERNMENTAL RELATIONS)**

14-0238R - RESOLUTION OPPOSING THE CONSTRUCTION OF A NUCLEAR WASTE REPOSITORY IN THE GREAT LAKES BASIN. -- **PASSED 8-1 (Krug)**

**BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)**

14-0224R - RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE UNIVERSITY OF MINNESOTA IN THE AMOUNT OF \$5,750 TO SUPPORT THE DULUTH SEED LIBRARY. -- **PASSED UNANIMOUSLY**

14-0225R - RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE MINNESOTA HISTORICAL SOCIETY IN THE AMOUNT OF \$7,000 FOR PURCHASE OF A DIGITAL MICROFILM READER/PRINTER/SCANNER FOR THE DULUTH PUBLIC LIBRARY. -- **PASSED UNANIMOUSLY**

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**INTRODUCTION AND CONSIDERATION OF ORDINANCES**

The following entitled ordinances were read for the first time:

**COMMITTEE 1**

**BY COUNCILOR GARDNER (PERSONNEL)**

14-023-O - AN ORDINANCE AMENDING CHAPTER V, SECTION 36, OF THE CITY CHARTER, CIVIL SERVICE, REMOVING THE PROVISION RELATING TO RANDOM SELECTION FOR ENTRY-LEVEL EMPLOYEES. -- **1st READING**

**COMMITTEE 2**

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

14-024-O - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING CHANGES TO THE PERMITTED USE TABLE. -- **1st READING**

14-025-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM R-1 TO MU-I FOR THE PROPERTY LOCATED AT 2501 RICE LAKE ROAD LAYING SOUTH OF WEST

ARROWHEAD ROAD, EAST OF NORTH ARLINGTON ROAD, AND WEST OF RICE LAKE ROAD (SAINT LOUIS COUNTY). -- **1st READING**

**14-026-O** - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM R-1 TO MU-I FOR THE PROPERTY LOCATED AT 2501 RICE LAKE ROAD LAYING SOUTH OF WEST ARROWHEAD ROAD, EAST OF NORTH ARLINGTON ROAD, AND WEST OF NORTH BLACKMAN AVENUE (SAINT LOUIS COUNTY). -- **1st READING**

**The following entitled ordinances were read for the second time:**

## **COMMITTEE 2**

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

**14-020-O** - AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY IN THE LINCOLN PARK NEIGHBORHOOD TO GRAND AVENUE DEVELOPMENT, LLC, FOR \$43,400. -- **PASSED UNANIMOUSLY**

**14-022-O** - AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN PROPERTY WITHIN THE CITY OF DULUTH TO WISCONSIN CENTRAL, LTD. ("CANADIAN NATIONAL") FOR \$10,500. -- **PASSED UNANIMOUSLY**

## **COMMITTEE 3**

### **BY COUNCILOR FILIPOVICH (PUBLIC WORKS & UTILITIES)**

**14-021-O** - AN ORDINANCE MODIFYING THE SPRINKLING CREDIT, AMENDING SECTION 43-9 OF THE DULUTH CITY CODE, 1959, AS AMENDED. -- **PASSED UNANIMOUSLY**

The meeting was adjourned at 9:53 p.m.

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