

UNOFFICIAL ACTIONS

**DULUTH CITY COUNCIL MEETING
Monday, July 14, 2014, 7:00 p.m.**

ROLL CALL – ABSENT: Fosle, Julsrud

APPROVAL OF MINUTES - December 5, 9 and 16, 2013; and January 13, 2014. – **PASSED UNANIMOUSLY**

[December 2013 Minutes](#) 

[January 14, 2014 Minutes](#) 

RESOLUTIONS TABLED

COMMITTEE 2

BY PRESIDENT KRUG (COMMITTEE OF THE WHOLE)

14-0309R - RESOLUTION PROVIDING FOR THE IMPOSITION OF SERVICE CHARGES WITHIN THE DOWNTOWN WATERFRONT SPECIAL SERVICE DISTRICT. (TABLED 6/23 FOR CONSIDERATION WITH 14-042-O) – **PASSED UNANIMOUSLY**

[14-0309R](#) 

14-0310R - RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE GREATER DOWNTOWN COUNCIL SETTING FORTH THE ESTABLISHED LEVEL OF SERVICES FOR THE DOWNTOWN WATERFRONT SPECIAL SERVICE DISTRICT. (TABLED 6/23 FOR CONSIDERATION WITH 14-042-O) – **PASSED UNANIMOUSLY**

[14-0310R](#) 

14-0311R - RESOLUTION AUTHORIZING A SERVICE CONTRACT WITH THE GREATER DOWNTOWN COUNCIL TO PROVIDE SERVICES TO IMPLEMENT THE DOWNTOWN WATERFRONT SPECIAL SERVICE DISTRICT. (TABLED 6/23 FOR CONSIDERATION WITH 14-042-O) – **PASSED UNANIMOUSLY**

[14-0311R](#) 

INTRODUCTION AND CONSIDERATION OF ORDINANCE

COMMITTEE 2

BY PRESIDENT KRUG (COMMITTEE OF THE WHOLE)

14-042 (10313) - AN ORDINANCE EXTENDING THE TERM OF THE DOWNTOWN WATERFRONT SPECIAL SERVICE DISTRICT.

[14-042-O](#) 

MOTIONS AND RESOLUTIONS

CONSENT AGENDA

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

COMMITTEE 1

BY COUNCILOR HANSON (PURCHASING & LICENSING)

14-0348R - RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING LIQUOR LICENSE OF TAPPA KEG, INC. (TAPPA KEG INN), 7036 GRAND AVENUE. -- **PASSED**

[14-0348R](#) 

14-0349R - RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING LIQUOR LICENSE OF PLAYER'S GRANDSTAND, INC. (PLAYERS SPORTS BAR), 4024 GRAND AVENUE. -- **PASSED**

[14-0349R](#) 

14-0350R - RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING LIQUOR LICENSE OF JOEL'S, LLC (MEXICO LINDO), 600 EAST SUPERIOR STREET. -- **PASSED**

[14-0350R](#) 

14-0351R - RESOLUTION AWARDED A CONTRACT TO MAX GRAY CONSTRUCTION, INC., FOR THE EXTERIOR RENOVATION OF THE SOUTHEAST CORNER OF DULUTH FIRE STATION ONE IN THE AMOUNT OF \$295,200. -- **PASSED**

[14-0351R](#) 

14-0358R - RESOLUTION APPROVING ISSUANCE OF TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO LAKE SUPERIOR BREWING COMPANY, LLC (TWIN PORTS BRIDGE FESTIVAL). -- **PASSED**

[14-0358R](#) 

14-0359R - RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF VARIOUS LICENSEES. -- **PASSED**

[14-0359R](#) 

14-0360R - RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF RED HERRING, LLC (THE RED HERRING LOUNGE), 208 EAST FIRST STREET. -- **PASSED**

[14-0360R](#) 

14-0361R - RESOLUTION APPROVING THE TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE AND ON SALE SUNDAY LICENSE FROM GMRI, INC. (RED LOBSTER), 301 SOUTH LAKE AVENUE, TO RED LOBSTER HOSPITALITY, LLC (RED LOBSTER), SAME ADDRESS. -- **PASSED**

[14-0361R](#) 

14-0363R - RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR NORTHERN LIGHTS FOUNDATION. -- **PASSED**

[14-0363R](#) 

BY COUNCILOR GARDNER (PERSONNEL)

14-0335R - RESOLUTION CONFIRMING THE REAPPOINTMENT OF DONALD SIMONS AND THE APPOINTMENT OF DEBBY A. PUTNEY, REPLACING ANNA MARIE FRIESEN, TO THE DULUTH TRANSIT AUTHORITY. -- **PASSED**

[14-0335R](#) 

14-0345R - RESOLUTION CONFIRMING THE APPOINTMENTS OF MEMBERS TO SERVE ON CITY BOARDS AND COMMISSIONS. -- **PASSED**

[14-0345R](#) 

COMMITTEE 2

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

14-0339R - RESOLUTION VACATING A PLATTED UNIMPROVED ALLEY AND STREET IN THE NORTON'S STEEL PLANT DIVISION OF DULUTH LOCATED NORTH OF BECKS ROAD AND WEST OF COMMONWEALTH AVENUE (WISCONSIN CENTRAL LTD). (REPLACEMENT) -- **PASSED**

[14-0339R](#) 

14-0340R - RESOLUTION VACATING A PORTION OF PLATTED UNIMPROVED ROOSEVELT AVENUE LOCATED NORTH OF BECKS ROAD AND EAST OF 108TH AVENUE WEST IN THE PLAT OF PITTSBURGH ADDITION TO DULUTH (WISCONSIN CENTRAL LTD). -- **PASSED**

[14-0340R](#) 

14-0341R - RESOLUTION VACATING PORTIONS OF PLATTED UNIMPROVED CURTIS STREET AND 119TH AVENUE WEST LOCATED IN THE BALKAN DIVISION OF DULUTH PLAT (WISCONSIN CENTRAL LTD). -- **PASSED**

[14-0341R](#) 

14-0362R - RESOLUTION VACATING PORTIONS OF PLATTED UNIMPROVED STREET EASEMENT OF LYNN AVENUE (DULUTHY SEAWAY PORT AUTHORITY). -- **PASSED**

[14-0362R](#) 

BY PRESIDENT KRUG (COMMITTEE OF THE WHOLE)

14-0347R - RESOLUTION APPOINTING ELECTION JUDGES FOR THE AUGUST 12, 2014, STATE PRIMARY ELECTION AND THE NOVEMBER 4, 2014, STATE GENERAL ELECTION. -- **PASSED**

[14-0347R](#) 

COMMITTEE 3

BY COUNCILOR FILIPOVICH (PUBLIC WORKS & UTILITIES)

14-0331R - RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC., FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN ENGINEERING FOR THE LOWELL TO LAKEWALK TRAIL PHASE I IN THE AMOUNT OF \$122,267. -- **PASSED**

[14-0331R](#) 

14-0332R - RESOLUTION AUTHORIZING A UTILITY EASEMENT AGREEMENT OVER PROPERTY ADJACENT TO MACFARLANE ROAD WITH JUDITH G. LARSON FOR \$500. -- **PASSED**

[14-0332R](#) 

14-0344R - RESOLUTION AWARDING A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH, LLC FOR THE 2014 STREET PRESERVATION PROJECT - RECONDITIONING OF SUPERIOR STREET/FIRST STREET AND 40TH AVENUE WEST IN THE AMOUNT OF \$562,562.08. -- **PASSED**

[14-0344R](#) 

14-0352R - RESOLUTION APPROVING A COUNTY PROJECT WITHIN MUNICIPAL CORPORATE LIMITS FOR IMPROVEMENTS TO COUNTY STATE AID HIGHWAY NO. 54 (PIEDMONT AVENUE). -- **PASSED**

[14-0352R](#) 

14-0354R - RESOLUTION AMENDING CONTRACT C12679 WITH LHB, INC., FOR ENGINEERING SERVICES FOR SEVEN BRIDGES ROAD REALIGNMENT AND SLOPE REPAIRS IN THE ESTIMATED AMOUNT OF \$12,660.06 FOR A NEW TOTAL OF

\$73,384.06. -- **PASSED**

[14-0354R](#) 

14-0355R - RESOLUTION AWARDING A CONTRACT TO SUNRAM CONSTRUCTION, INC., FOR DEBRIS REMOVAL AND STREAM BANK STABILIZATION AT MILLER CREEK IN THE AMOUNT OF \$213,613. -- **PASSED**

[14-0355R](#) 

14-0357R - RESOLUTION AWARDING A CONTRACT TO A PLUS LANDSCAPING, LLC FOR 2012 FLOOD REPAIRS - RECONSTRUCT STONE RETAINING WALL AND REHABILITATION OF BRIDGE 88552 IN THE AMOUNT OF \$128,360. -- **PASSED**

[14-0357R](#) 

BY COUNCILOR FOSLE (PUBLIC SAFETY)

14-0334R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE DULUTH LEGACY ENDOWMENT FUND FOR DULUTH POLICE ACTIVITY LEAGUE IN THE AMOUNT OF \$2,500. -- **PASSED**

[14-0334R](#) 

14-0342R - RESOLUTION AUTHORIZING CITY TO ACCEPT AN EQUIPMENT DONATION FROM THE NORTHEAST LAW ENFORCEMENT ADMINISTRATORS COUNCIL (NLEAC) TO SUPPORT THE LAKE SUPERIOR DRUG AND VIOLENT CRIME TASK FORCE. -- **PASSED**

[14-0342R](#) 

END OF CONSENT AGENDA

The following entitled resolutions were also considered:

COMMITTEE 1

BY COUNCILOR HANSON (PURCHASING & LICENSING)

14-0365R - RESOLUTION REQUESTING THE STATE LEGISLATURE AMEND STATE GAMBLING LAWS TO PROVIDE FOR THE OPERATION OF A FOR-PROFIT CASINO AT THE DULUTH ENTERTAINMENT CONVENTION CENTER. -- **TABLED**

[14-0365R](#) 

BY COUNCILOR GARDNER (PERSONNEL)

14-0336R - RESOLUTION CONFIRMING THE REAPPOINTMENTS OF ELAINE HANSEN, DAVID KOHLHAAS, DAN O'NEILL AND CORY SALMELA TO THE SPIRIT MOUNTAIN RECREATION AREA AUTHORITY. -- **TABLED**

[14-0336R](#) 

COMMITTEE 2

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

14-0337R - RESOLUTION ACCEPTING CONVEYANCE OF AN EASEMENT FROM JEROLD M. AND LINDA S. FORSBERG FOR AN EXISTING GOLF CART AND PEDESTRIAN TRAIL. -- **TABLED**

[14-0337R](#) 

BY COUNCILOR SIPRESS (INTERGOVERNMENTAL RELATIONS)

14-0366R - RESOLUTION APPROVING LAWS OF MINNESOTA, CHAPTER 308, ARTICLE 3, SECTIONS 21 AND 22. -- **PASSED UNANIMOUSLY**

[14-0366R](#) 

COMMITTEE 3

BY COUNCILOR FILIPOVICH (PUBLIC WORKS & UTILITIES)

14-0346R - RESOLUTION AUTHORIZING THE 2012 ROAD AND BRIDGE DISASTER RELIEF BOND GRANT 05940 AND ACCEPTING A GRANT FROM THE MINNESOTA STATE TRANSPORTATION FUND FOR ENGINEERING AND CONSTRUCTION OF STONE MASONRY AND CONCRETE RETAINING WALLS AND REHABILITATION OF BRIDGE L6115 ON SKYLINE PARKWAY OVER CHESTER CREEK IN THE AMOUNT OF \$691,353.75. -- **PASSED UNANIMOUSLY**

[14-0346R](#) 

14-0370R - RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO APPLY FOR AND ACCEPT A GRANT FROM THE McKNIGHT FOUNDATION, ON BEHALF OF DULUTH STEAM, IN THE TOTAL AMOUNT OF \$50,000, FOR THE PURPOSE OF PLANNING A HIGH-EFFICIENT ENERGY INFRASTRUCTURE IN CONJUNCTION WITH A MAJOR INFRASTRUCTURE UPGRADES PROJECT IN DOWNTOWN DULUTH. -- **PASSED UNANIMOUSLY**

[14-0370R](#) 

BY COUNCILOR FOSLE (PUBLIC SAFETY)

14-0333R - RESOLUTION ESTABLISHING FEES FOR EMERGENCY WRECKER SERVICE FOR MOTOR VEHICLES AND TRAFFIC. (REPLACEMENT) -- **PASSED UNANIMOUSLY**

[14-0333R](#) 

14-0356R - RESOLUTION CHANGING DRIVING LANES ON COLLEGE STREET. --

AMENDED & PASSED UNANIMOUSLY

[14-0356R](#) 

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

14-0176R - RESOLUTION AUTHORIZING THE EXECUTION OF A REAL ESTATE PURCHASE AND SALE AGREEMENT PROVIDING FOR THE ACQUISITION OF CERTAIN PROPERTY FROM THE BNSF RAILWAY COMPANY FOR THE AMOUNT OF \$109,800. (REPLACEMENT) – **PASSED UNANIMOUSLY**

[14-0176R](#) 

14-0299R - RESOLUTION ACCEPTING A GRANT FROM THE DULUTH LEGACY ENDOWMENT FUND FOR THE GARY NEW DULUTH RECREATION AREA PROJECT. – **PASSED UNANIMOUSLY**

[14-0299R](#) 

INTRODUCTION AND CONSIDERATION OF ORDINANCES

The following entitled ordinances were read for the first time:

COMMITTEE 1

BY COUNCILOR JULSRUD (FINANCE)

14-048-O - AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION REVENUE BONDS OR NOTE OF THE CITY OF DULUTH IN THE MAXIMUM AGGREGATE AMOUNT OF \$1,000,000 FOR THE IMPROVEMENT OF THE MUNICIPAL SEWER UTILITY UPON TERMS AND CONDITIONS TO BE PROVIDED BY RESOLUTION OF THE CITY COUNCIL AND PLEDGING REVENUES FOR THE PAYMENT THEREOF. – **1st READING**

[14-048-O](#) 

14-049-O - AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION BONDS IN THE MAXIMUM AMOUNT OF \$4,600,000 OF THE CITY OF DULUTH TO FINANCE IMPROVEMENTS TO WADE STADIUM AND SPIRIT MOUNTAIN RECREATION AREA UPON TERMS AND CONDITIONS TO BE PROVIDED BY RESOLUTIONS OF THE CITY COUNCIL AND LEVYING TAXES FOR THE PAYMENT THEREOF. – **1st READING**

[14-049-O](#) 

BY COUNCILORS HANSON AND FOSLE

14-053-O - AN ORDINANCE AMENDING CHAPTER 29A, SECTION 32, OF THE DULUTH CITY CODE, 1959, AS AMENDED, EXCLUDING OWNER-OCCUPIED RENTAL UNITS FROM POSTED NOTICE REQUIREMENTS. – **1st READING**

[14-053-O](#) 

COMMITTEE 2

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

14-047-O - AN ORDINANCE AUTHORIZING THE DIRECT SALE OF CERTAIN PROPERTY IN THE PIEDMONT HEIGHTS NEIGHBORHOOD TO JEROLD M. AND LINDA S. FORSBERG FOR \$4,600 SUBJECT TO RETENTION OF AN EASEMENT. – **1st READING**

[14-047-O](#) 

BY COUNCILOR SIPRESS (INTERGOVERNMENTAL RELATIONS)

14-052-O - AN ORDINANCE ANNEXING PARCEL I IN MIDWAY TOWNSHIP INTO THE CITY OF DULUTH. – **1st READING**

[14-052-O](#) 

14-054-O - AN ORDINANCE ALLOCATING 1/2 OF 1% OF FOOD AND BEVERAGE TAX AND 1/2 OF 1% OF HOTEL-MOTEL TAX PROCEEDS TO \$18 MILLION RECREATION AND TOURISM BOND ISSUE FOR WEST DULUTH, AMENDING SECTION 42A-44 OF THE DULUTH CITY CODE, 1959, AS AMENDED. (REPLACEMENT) – **1st READING**

[14-054-O](#) 

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC SAFETY)

14-050-O - AN ORDINANCE AMENDING SECTION 33-259 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING EMERGENCY WRECKER SERVICE FOR MOTOR VEHICLES AND TRAFFIC. – **1st READING**

[14-050-O](#) 

The following entitled ordinances were read for the second time:

COMMITTEE 2

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

14-043 (10314) - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM MU-B AND R-2 TO MU-P FOR THE PROPERTY LOCATED AT 800 EAST CENTRAL ENTRANCE; THE FORMER CENTRAL HIGH SCHOOL (ISD #709). – **PASSED UNANIMOUSLY**

[14-043-O](#) 

14-044 (10315) - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM F-3 AND F-4 TO MU-C FOR THE PROPERTY LOCATED AT THE 215 NORTH CENTRAL AVENUE (CHADCO OF DULUTH, LLC). – **PASSED UNANIMOUSLY**

[14-044-O](#) 

14-045 (10316) - AN ORDINANCE GRANTING TO LINCOLN SCHOOL LIMITED PARTNERSHIP AND SHERMAN ASSOCIATES INC A CONCURRENT USE PERMIT FOR STRUCTURE FOOTINGS UNDER THE RIGHT-OF-WAY OF WEST FOURTH STREET BETWEEN 24TH AND 25TH AVENUE WEST. – **PASSED UNANIMOUSLY**

[14-045-O](#) 

The meeting was adjourned at 8:05 p.m.