

UNOFFICIAL ACTIONS

**DULUTH CITY COUNCIL MEETING
Monday, July 21, 2014, 7:00 p.m.**

ROLL CALL – ALL PRESENT

- - -

RESOLUTIONS TABLED

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 7/14) – **REMAINED ON TABLE**

[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 7/14) – **PASSED UNANIMOUSLY**

[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 7/14) – **PASSED UNANIMOUSLY**

[14-0337R](#) 

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INTRODUCTION AND CONSIDERATION OF ORDINANCE

The following entitled ordinance was read for the second time:

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. -- **PASSED UNANIMOUSLY**

[14-047-O](#) 

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RESOLUTION TABLED

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC SAFETY)

14-0333R - RESOLUTION ESTABLISHING FEES FOR EMERGENCY WRECKER SERVICE FOR MOTOR VEHICLES AND TRAFFIC. (REPLACEMENT) (TABLED 7/14 FOR CONSIDERATION WITH ORDINANCE 14-050-O) – **PASSED UNANIMOUSLY**

[14-0333R](#) 

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INTRODUCTION AND CONSIDERATION OF ORDINANCE

The following entitled ordinance was read for the second time:

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. – **PASSED UNANIMOUSLY**

[14-050-O](#) 

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MOTIONS AND RESOLUTIONS

CONSENT AGENDA

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

COMMITTEE 1

BY COUNCILOR JULSRUD (FINANCE)

14-0384R - RESOLUTION CREATING A TELECOMMUNICATIONS INFRASTRUCTURE FUND WITHIN THE CITY'S SPECIAL PROJECTS SPECIAL REVENUE FUND AND COMMITTING CERTAIN RESOURCES FOR TELECOMMUNICATION PURPOSES. -- **PASSED**

[14-0384R](#) 

BY COUNCILOR HANSON (PURCHASING & LICENSING)

14-0379R - RESOLUTION AUTHORIZING A CONTRACT WITH ASTROTURF, LLC, FOR THE PURCHASE AND INSTALLATION OF ARTIFICIAL TURF AT WADE STADIUM IN THE AMOUNT OF \$554,398. - **PASSED**

[14-0379R](#) 

14-0391R - RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE LEASE AGREEMENT WITH NORTHERN PCS SERVICES, LLC IN THE AMOUNT OF \$906,754 FOR THE PURPOSE OF PROVIDING SPACE FOR CELLULAR COMMUNICATIONS EQUIPMENT ON THE TOWER AND COMMUNICATIONS BUILDING AT THE ORPHANAGE/WOODLAND WATER TOWER SITE. - **PASSED**

[14-0391R](#) 

14-0392R - RESOLUTION AUTHORIZING RENEWAL OF A LICENSE AGREEMENT WITH SPRINT SPECTRUM L.P. IN THE AMOUNT OF \$552,558.98 FOR THE PURPOSE OF PROVIDING CELLULAR COMMUNICATIONS EQUIPMENT SPACE AT THE CHESTER BOWL SITE. -- **PASSED**

[14-0392R](#) 

14-0395R - RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO NORTHLAND COUNTRY CLUB, 3901 EAST SUPERIOR STREET. - **PASSED**

[14-0395R](#) 

BY COUNCILOR GARDNER (PERSONNEL)

14-0386R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF ASSISTANT MANAGER, PARKS & RECREATION, AND SPECIFYING CONTRACT BENEFITS FOR SAME. -- **PASSED**

[14-0386R](#) 

14-0387R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF PROPERTY SERVICES SUPERVISOR, AND SPECIFYING CONTRACT BENEFITS FOR SAME. -- **PASSED**

[14-0387R](#) 

14-0388R - RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF PROPERTY SERVICES SPECIALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME. -- **PASSED**

[14-0388R](#) 

COMMITTEE 2

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

14-0353R - RESOLUTION AMENDING THE 2013 ACTION PLAN ADDING A NEW PROJECT TO THE CDBG PROGRAM, THE CITY OF DULUTH'S UTILITY ASSESSMENT ASSISTANCE FOR THE UTILITY IMPROVEMENTS ON 85TH AVENUE WEST TRANSFERRING \$50,827 FROM 2010 AND 2014 PROGRAM YEARS. -- **PASSED**

[14-0353R](#) 

14-0371R - RESOLUTION VACATING PORTIONS OF PLATTED SOUTH EIGHTH AVENUE WEST BELOW RAILROAD STREET AND RETAINING A PARTIAL UTILITY EASEMENT (PIER B HOLDING, LLC.). -- **PASSED**

[14-0371R](#) 

14-0375R - RESOLUTION GRANTING AN INTERIM USE PERMIT FOR MINING, EXTRACTION AND STORAGE AT 3339 OAK STREET (GREG KUNST). -- **PASSED**

[14-0375R](#) 

14-0394R - RESOLUTION REGARDING THE SUPPORT OF A JOB CREATION FUND APPLICATION IN CONNECTION WITH IKONICS CORPORATION. -- **PASSED**

[14-0394R](#) 

BY COUNCILOR SIPRESS (INTERGOVERNMENTAL RELATIONS)

14-0364R - RESOLUTION ENTERING INTO AN AGREEMENT ACCEPTING A GRANT

OF \$233,287 FROM SENIOR SERVICE AMERICA, INC., TO OPERATE THE SENIOR AIDES PROGRAM FROM JULY 1, 2014, THROUGH JUNE 30, 2015. -- **PASSED**

[14-0364R](#) 

14-0368R - RESOLUTION AUTHORIZING A JOINT POWERS AGREEMENT WITH MIDWAY TOWNSHIP PERTAINING TO WEST SKYLINE PARKWAY. -- **PASSED**

[14-0368R](#) 

COMMITTEE 3

BY COUNCILOR FILIPOVICH (PUBLIC WORKS & UTILITIES)

14-0367R - RESOLUTION AMENDING CONTRACT C20096 WITH LHB, INC. FOR ENGINEERING SERVICES FOR WEST DULUTH RESERVOIR ROOF RECONSTRUCTION IN THE ESTIMATED AMOUNT OF \$155,936 FOR A NEW TOTAL OF \$314,950. -- **PASSED**

[14-0367R](#) 

14-0369R - RESOLUTION ORDERING THE IMPROVEMENT OF THE 2014 STREET PRESERVATION PROJECT AT AN ESTIMATED COST OF \$296,820.40. -- **PASSED**

[14-0369R](#) 

14-0377R - RESOLUTION AUTHORIZING ACQUISITION OF A UTILITY EASEMENT OVER TAX FORFEIT PROPERTY FROM ST. LOUIS COUNTY FOR \$1,946. -- **PASSED**

[14-0377R](#) 

14-0378R - RESOLUTION AWARDED A CONTRACT TO A PLUS LANDSCAPING, LLC. FOR RIVERSIDE - GOGEBIC CREEK STORM SEWER AND SLOPE REPAIRS IN THE AMOUNT OF \$215,734.44. -- **PASSED**

[14-0378R](#) 

14-0380R - RESOLUTION AWARDED A CONTRACT TO KGM CONTRACTORS, INC. FOR 2014 CITY WIDE STORM SEWER IMPROVEMENTS, SITES 1, 2 AND 4, IN THE AMOUNT OF \$330,823.65. -- **PASSED**

[14-0380R](#) 

14-0381R - RESOLUTION AWARDED A CONTRACT TO KTM PAVING, INC. FOR 2014 CITY WIDE STORM SEWER IMPROVEMENTS, SITES 3 AND 5, IN THE AMOUNT OF \$213,120.91. -- **PASSED**

[14-0381R](#) 

14-0389R - RESOLUTION AUTHORIZING A LIMITED USE PERMIT AGREEMENT WITH MNDOT FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF PHASE I OF THE CROSS CITY TRAIL FROM LAKE AVENUE TO CARLTON STREET. -- **PASSED**

[14-0389R](#) 

BY COUNCILOR FOSLE (PUBLIC SAFETY)

14-0373R - RESOLUTION AUTHORIZING CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES ON THE 100 BLOCK OF WEST FIRST STREET IN CONJUNCTION WITH THE TWELVE HOLY APOSTLES FIRST STREET DANCE AND SUBJECT TO CERTAIN CONDITIONS. -- **PASSED**

[14-0373R](#) 

14-0374R - RESOLUTION AUTHORIZING CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES IN WEST DULUTH IN CONJUNCTION WITH SPIRIT VALLEY DAYS AND SUBJECT TO CERTAIN CONDITIONS. -- **PASSED**

[14-0374R](#) 

BY COUNCILOR LARSON (RECREATION, LIBRARIES AND AUTHORITIES)

14-0376R - RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE DULUTH LEGACY ENDOWMENT FUND IN THE AMOUNT OF \$2,500 TO SUPPORT THE LIBRARY TEEN SPACE PROGRAM AT THE DULUTH PUBLIC LIBRARY. -- **PASSED**

[14-0376R](#) 

END OF CONSENT AGENDA

The following entitled resolutions were also considered:

COMMITTEE 1

BY COUNCILOR HANSON (PURCHASING & LICENSING)

14-0382R - RESOLUTION IN THE MATTER OF THE ON SALE INTOXICATING LIQUOR LICENSE OF WESSMAN ESTATE, LLC (TWINS BAR), 501 EAST FOURTH STREET. -- **PASSED UNANIMOUSLY**

[14-0382R](#) 

COMMITTEE 2

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

14-0385R - RESOLUTION APPROVING THE SALE OF CERTAIN TAX FORFEIT LANDS ON PARK POINT (MINNESOTA POINT) BY ST. LOUIS COUNTY. -- **TABLED**

[14-0385R](#) 

COMMITTEE 3

BY COUNCILOR FILIPOVICH (PUBLIC WORKS & UTILITIES)

14-0372R - RESOLUTION ORDERING THE CONSTRUCTION OF APPROXIMATELY 970 FEET OF WATERMAIN IN 85TH AVENUE WEST BEGINNING AT VINLAND STREET AND EXTENDING NORTHERLY, AT AN ESTIMATED COST OF \$151,029.30, AND TO ASSESS THE COSTS THEREOF. – **AMENDED & PASSED 8-1 (Julrud)**

[14-0372R](#) 
[AMENDMENT](#) 

BY COUNCILOR LARSON (RECREATION, LIBRARIES AND AUTHORITIES)

14-0390R - RESOLUTION GRANTING APPROVAL AND IMPLEMENTATION OF THE HARTLEY MASTER PLAN. – **PASSED UNANIMOUSLY**

[14-0390R](#) 

14-0383R - RESOLUTION AUTHORIZING AN AGREEMENT WITH MEYER, SCHERER & ROCKCASTLE, LTD., FOR A LIBRARY FACILITY ALTERNATIVES STUDY FOR AN AMOUNT NOT TO EXCEED \$52,396. – PASSED UNANIMOUSLY

[14-0383R](#) 

INTRODUCTION AND CONSIDERATION OF ORDINANCES

**The following entitled ordinance was read for the first time:
COMMITTEE 1**

BY COUNCILOR HANSON (PURCHASING & LICENSING)

14-055-O - AN ORDINANCE AMENDING SECTIONS 8-41 AND 8-44 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO ON-SALE INTOXICATING LIQUOR LICENSES. – **1st READING**

[14-055-O](#) 

The following entitled ordinances were read for the second time:

COMMITTEE 2

BY COUNCILOR SIPRESS (INTERGOVERNMENTAL RELATIONS)

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) – **PASSED UNANIMOUSLY**

[14-054-O](#) 

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. – **PASSED UNANIMOUSLY**

[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. – **PASSED UNANIMOUSLY**

[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. – **PASSED UNANIMOUSLY**

[14-053-O](#) 

COMMITTEE 2

BY COUNCILOR SIPRESS (INTERGOVERNMENTAL RELATIONS)

14-052-O - AN ORDINANCE ANNEXING PARCEL I IN MIDWAY TOWNSHIP INTO THE

CITY OF DULUTH. – **PASSED 8-1 (Fosle)**

14-052-O 

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The meeting was adjourned at 9:43 p.m.