

**UNOFFICIAL ACTIONS**

**DULUTH CITY COUNCIL MEETING  
Monday, November 10, 2014, 7:00 p.m.**

**ROLL CALL -- ALL PRESENT**

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**RESOLUTIONS TABLED**

**COMMITTEE 2**

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

[14-0517R](#) - RESOLUTION AFFIRMING THE DECISION OF THE PLANNING COMMISSION TO DENY THE APPLICATION FOR THREE VARIANCES BY GEORGE HOVLAND FROM THE SKYLINE PARKWAY OVERLAY OF SECTION 50-18.4 OF THE DULUTH CITY CODE. (TABLED 10/13) -- **PASSED 7-2 (Fosle, Hanson)**

[14-0518R](#) - RESOLUTION REVERSING THE DECISION OF THE PLANNING COMMISSION TO DENY THE APPLICATION FOR THREE VARIANCES BY GEORGE HOVLAND FROM THE SKYLINE PARKWAY OVERLAY OF SECTION 50-18.4 OF THE DULUTH CITY CODE. (TABLED 10/13) -- **FAILED 2-7 (Fosle, Hanson)**

**COMMITTEE 3**

**BY COUNCILOR FOSLE (PUBLIC SAFETY)**

[14-0557R](#) - RESOLUTION REQUESTING THE CITY ADMINISTRATION DESIGNATE AND RE-OPEN THE MAGNEY-SNIVELY TRAILS AND THE 1.5 MILES OF AMITY TRAIL FOR HORSEBACK RIDING AND THE PRESERVATION OF HISTORIC MULTI USE ON MISSION CREEK TRAIL. (TABLED 10/27) -- **REMAINED ON TABLE**

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**MOTIONS AND RESOLUTIONS**

**COMMITTEE 3**

**BY COUNCILORS LARSON, SIPRESS AND JULSRUD**

[14-0570R](#) - RESOLUTION REQUESTING THAT THE CITY ADMINISTRATION MAKE NECESSARY REPAIRS TO A 1.5 MILE SECTION OF THE AMITY CREEK TRAIL AND DESIGNATE THE TRAIL FOR USE BY HORSES. -- **PASSED UNANIMOUSLY**

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## CONSENT AGENDA

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

### COMMITTEE 1

#### BY COUNCILOR JULSRUD (FINANCE)

[14-0546R](#) - RESOLUTION CONFIRMING ASSESSMENT ROLL LEVIED FOR REASSESSMENT OF A CANCELED DELINQUENT GARBAGE ASSESSMENT. --

**PASSED**

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

[14-0558R](#) - RESOLUTION AUTHORIZING THE EXECUTION OF A SNOWMOBILE TRAILS ASSISTANCE PROGRAM GRANT AGREEMENT FOR FY2015 WITH THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN AN AMOUNT NOT TO EXCEED \$13,926.33. -- **PASSED**

#### BY COUNCILOR GARDNER (PERSONNEL)

[14-0559R](#) - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF SOLID WASTE COMPLIANCE OFFICER. -- **PASSED**

[14-0563R](#) - RESOLUTION CONFIRMING THE APPOINTMENTS OF ARCHIE DAVIS AND MICHELLE PEDERSON TO THE DULUTH CITIZEN REVIEW BOARD, REPLACING BLAIR POWLESS AND GABRIEL GREEN. -- **PASSED**

### COMMITTEE 2

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

[14-0560R](#) - RESOLUTION AUTHORIZING THE ACCEPTANCE OF A MINNESOTA HISTORICAL AND CULTURAL GRANT AGREEMENT WITH THE MINNESOTA HISTORICAL SOCIETY AND AUTHORIZING A SUBAGREEMENT WITH THE SACRED HEART MUSIC CENTER. -- **PASSED**

[14-0561R](#) - RESOLUTION AUTHORIZING AN AMENDING TO AGREEMENT C22081 WITH FRYBERGER, BUCHANAN, SMITH & FREDERICK, AN INCREASE OF \$20,000, AND A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$120,000. -- **PASSED**

**COMMITTEE 3**

**BY COUNCILOR FOSLE (PUBLIC SAFETY)**

[14-0555R](#) - RESOLUTION AUTHORIZING CITY OFFICIALS TO ALLOW OFFICER HENDRICKSON TO PURCHASE A POLICE CANINE NAMED LOKI. -- **PASSED**

**END OF CONSENT AGENDA**

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

**COMMITTEE 1**

**BY COUNCILOR GARDNER (PERSONNEL)**

[14-0569R](#) - RESOLUTION AMENDING RESOLUTION 13-0593, ADOPTING LICENSE, PERMIT, FINE, PENALTY AND OTHER CHARGES FOR 2014, TO REDUCE THE CONVERSION FEE FOR MULTI TENANT RENTAL HOUSING FROM \$3,500 TO \$2,500. - **- TABLED**

**COMMITTEE 2**

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

[14-0565R](#) - RESOLUTION AFFIRMING THE DECISION OF THE PLANNING COMMISSION TO GRANT STEVE STULZ AND SPRINT PCS A SPECIAL USE PERMIT FOR A WIRELESS TELECOMMUNICATIONS FACILITY ON CITY PROPERTY. - **PASSED UNANIMOUSLY**

[ATTACHMENT TO 14-0565R AND 14-0566R](#)

[14-0566R](#) - RESOLUTION REVERSING THE DECISION OF THE PLANNING COMMISSION TO GRANT STEVE STULZ AND SPRINT PCS A SPECIAL USE PERMIT FOR A WIRELESS TELECOMMUNICATIONS FACILITY ON CITY PROPERTY. - **FAILED UNANIMOUSLY**

[ATTACHMENT TO 14-0565R AND 14-0566R](#)

**COMMITTEE 3**

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

[14-0567R](#) - RESOLUTION GRANTING APPROVAL AND IMPLEMENTATION OF THE CHESTER PARK MINI-MASTER PLAN. - **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 JULSRUD (FINANCE)

[14-051-O](#) - AN ORDINANCE AMENDING SECTION 48-28 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING EXCESS PILOT FUNDS. -- **1<sup>st</sup> READING**

[14-074-O](#) - AN ORDINANCE ESTABLISHING A FUNDING FRAMEWORK THAT USES BOTH ANNUAL APPROPRIATIONS AND THE OPEB TRUST FUND TO PAY THE COST OF OTHER POST-EMPLOYMENT BENEFITS. -- **1<sup>st</sup> READING**

### COMMITTEE 2

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

[14-066-O](#) - AN ORDINANCE AMENDING CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING CHANGES RELATED TO R-1 ZONE DISTRICT AND IMPROVEMENT OF STREET FRONTAGE. -- **1<sup>st</sup> READING**

[14-067-O](#) - AN ORDINANCE AMENDING SECTIONS 50-27.1, 50-27.4, 50-27.7, 50-41.4, 50-41.16, 50-41.18, AND 50-41.19 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING CHANGES MADE TO SIGNS AND DEFINITIONS. -- **1<sup>st</sup> READING**

[14-068-O](#) - AN ORDINANCE AMENDING SECTION 50-37.7 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING CHANGES RELATED TO CONCURRENT USE PERMITS. -- **1<sup>st</sup> READING**

[14-069-O](#) - AN ORDINANCE AMENDING SECTIONS 50-24.2, 50-24.7, AND 50-37.9 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING CHANGES MADE TO REQUIRED OFF STREET PARKING SPACES AND VARIANCES. -- **1<sup>st</sup> READING**

[14-070-O](#) - AN ORDINANCE AMENDING SECTIONS 50-18.1 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING CHANGES MADE TO STORMWATER MANAGEMENT AND EROSION CONTROL. -- **1<sup>st</sup> READING**

[14-073-O](#) - AN ORDINANCE GRANTING TO UNIVERSITY OF MINNESOTA DULUTH A CONCURRENT USE PERMIT FOR THE INSTALLATION OF SIX UNDERGROUND CONDUITS AND ONE SANITARY SEWER UNDER WEST SAINT MARIE STREET. -- **1<sup>st</sup> READING**

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

**COMMITTEE 1**

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

[14-064-O](#) - AN ORDINANCE AMENDING CHAPTER 29A-27(G) OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO RENTAL LICENSING CORRECTING INCORRECT CODE REFERENCE. -- **PASSED UNANIMOUSLY**

**COMMITTEE 2**

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

[14-071-O](#) - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO PROVIDE FOR THE RECLASSIFICATION FROM THE INDUSTRIAL-WATERFRONT (I-W) TO RESIDENTIAL-TRADITIONAL (R-1) THE PROPERTY LOCATED BETWEEN MINNESOTA AVENUE AND ST. LOUIS AVENUE FROM 13TH STREET TO 15TH STREET SOUTH. -- **PASSED UNANIMOUSLY**

[14-072-O](#) - AN INTERIM ORDINANCE PURSUANT TO MINN. STAT. § 462.355, SUBD. 4, IMPOSING A MORATORIUM ON MEDICAL CANNABIS MANUFACTURING AND DISTRIBUTION FACILITIES PENDING COMPLETION OF A PLANNING STUDY WEIGHING THE NEED FOR ANY AMENDMENT TO OFFICIAL CONTROLS. -- **PASSED 6-3 (Fosle, Gardner, Sipress)**

**COMMITTEE 3**

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

[14-065-O](#) - AN ORDINANCE DEDICATING EASEMENTS FOR STREET RIGHT-OF-WAY PURPOSES ON CITY-OWNED PROPERTIES ADJACENT TO GRAND AVENUE IN WEST DULUTH. -- **PASSED UNANIMOUSLY**

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**The meeting was adjourned at 9:54 p.m.**