



# City of Duluth

411 West First Street  
Duluth, Minnesota 55802

## Meeting Agenda - Final-revised

### City Council

**MISSION STATEMENT:** *The mission of the Duluth City Council is to develop effective public policy rooted in citizen involvement that results in excellent municipal services and creates a thriving community prepared for the challenges of the future.*

**TOOLS OF CIVILITY:** *The Duluth City Council promotes the use and adherence of the tools of civility in conducting the business of the council. The tools of civility provide increased opportunities for civil discourse leading to positive resolutions for the issues that face our city. We know that when we have civility, we get civic engagement, and because we can't make each other civil and we can only work on ourselves, we state that today I will: pay attention, listen, be inclusive, not gossip, show respect, seek common ground, repair damaged relationships, use constructive language, and take responsibility. [Approved by the council on May 14, 2018]*

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Tuesday, May 26, 2020

7:00 PM

Council Chamber

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*NOTICE: The Duluth City Council will be holding its May 21, 2020 Agenda Session and May 26, 2020 City Council Meeting by other electronic means pursuant to Minnesota Statutes Section 13D.021 in response to the COVID-19 emergency. Some members of the City Council will be participating through video conference. Due to the COVID-19 emergency and the closure of City facilities, public comment will not be taken in person. However, members of the public can monitor the meeting and provide public comment on agenda items through WebEx Events. Visit <https://duluthmn.gov/live-meeting> to access the meeting. The public is also encouraged to submit written comment to [council@duluthmn.gov](mailto:council@duluthmn.gov) prior to the meeting. Please include "Council Agenda" in the subject line, and include your name and address and the agenda item you are speaking to. Please note that all public comment is considered Public Data. The public is also encouraged to watch both meetings online at <https://duluthmn.gov/city-council/> (Select "Council Meeting Media") or by tuning into Public Access Television, Channel 180.*

### ROLL CALL

### PLEDGE OF ALLEGIANCE

### APPROVAL OF MINUTES

1. [20-037](#) Meeting Minutes of the Duluth City Council

**Attachments:** [May 11, 2020 Council Meeting](#)

### REPORTS FROM THE ADMINISTRATION

### REPORTS FROM OTHER OFFICERS

**REPORTS OF COUNCIL COMMITTEES****REPORTS OF COUNCIL OPEN ISSUES****OPPORTUNITY FOR CITIZENS TO BE HEARD****RESOLUTIONS TABLED****BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)**

2. [20-0390R](#) RESOLUTION OF INTENT TO SUPPORT THE REQUEST BY AMERICAN INDIAN COMMUNITY HOUSING ORGANIZATION AND DOMINIUM TO THE STATE OF MINNESOTA FOR LOW INCOME HOUSING TAX CREDITS FOR THE INDIGENOUS RESILIENCY AFFORDABLE HOUSING PROJECT.

**Attachments:** [Exhibit A project location map](#)

**CONSENT AGENDA****BY COUNCILOR RANDORF (PURCHASING & LICENSING)**

3. [20-0448R](#) RESOLUTION AMENDING RESOLUTION 19-0793, ADOPTING LICENSE, PERMIT, FINE, PENALTY AND OTHER CHARGES FOR 2020, TO PROVIDE A ONE-TIME REDUCTION IN CERTAIN LIQUOR LICENSING FEES DUE TO COVID-19.

**Attachments:** [Exhibit A](#)

4. [20-0459R](#) RESOLUTION APPROVING THE TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE AND ON SALE SUNDAY LICENSE TO NEW OWNER DULUTH SALSA, LLC (MEXICO LINDO), 600 EAST SUPERIOR STREET

**Attachments:** [2020-05-19, Mexico Lindo Transfer App](#)

5. [20-0460R](#) RESOLUTION APPROVING THE TRANSFER OF THE OFF SALE INTOXICATING LIQUOR LICENSE OF SUPER ONE LIQUOR, LLC (SUPER ONE LIQUOR) TO THE NEW ADDRESS AT 208 NORTH CENTRAL AVENUE.

**Attachments:** [2020-05-01, Super One Transfer App](#)

**BY COUNCILOR KENNEDY (PERSONNEL)**

6. [20-0425R](#) RESOLUTION CONFIRMING THE REAPPOINTMENTS OF JULIE ZARUBA-FOUNTAIN, HENRY BANKS AND JOSH SMERDON TO THE DULUTH TRANSIT AUTHORITY.
7. [20-0455R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF THERESA O'HALLORAN-JOHNSON, ANTHONY REED-FUGLESTAD AND STEVEN WICK TO THE COMMUNITY DEVELOPMENT COMMITTEE.
8. [20-0461R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF COUNCILOR DEREK MEDVED TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY REPLACING COUNCILOR BARB RUSS.

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

9. [20-0430R](#) RESOLUTION APPROVING THE REVISED 2020 ANNUAL ACTION PLAN AND AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME PROGRAM (HOME), AND EMERGENCY SOLUTIONS GRANT PROGRAM (ESG) PROGRAM FUNDS.

**Attachments:** [Attachment 1](#)  
[Attachment 2](#)

10. [20-0431R](#) RESOLUTION AUTHORIZING AN INCREASE OF \$51,293 FY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

**Attachments:** [Attachment 1](#)  
[Attachment 2](#)

11. [20-0432R](#) RESOLUTION AUTHORIZING AN INCREASE OF \$8,633 FY 2020 COMMUNITY HOME INVESTMENT PARTNERSHIP PROGRAM.

**Attachments:** [Attachment 1](#)  
[Attachment 2](#)

12. [20-0433R](#) RESOLUTION AUTHORIZING AN INCREASE OF \$8,060 FY 2020 EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM.

**Attachments:** [Attachment 1](#)  
[Attachment 2](#)

13. [20-0441R](#) RESOLUTION VACATING A PORTION OF PLATTED LAKE AVENUE AND ADJACENT LAND BETWEEN SUPERIOR STREET AND MICHIGAN STREET IN DOWNTOWN DULUTH.

**Attachments:** [Lake Avenue Vacation-Exhibit A.pdf](#)  
[Lake Avenue Vacation-Exhibit B.pdf](#)  
[Lake Avenue Vacation-Exhibit C.pdf](#)  
[Lake Avenue Vacation-Exhibit D.pdf](#)

14. [20-0443R](#) RESOLUTION AUTHORIZING AMENDMENT TO THE 2015 ANNUAL ACTION PLAN BY REMOVING THE EMPLOYMENT SERVICES PROGRAM PROJECT AND REPROGRAMMING \$77,428 IN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS FOR THE DECKER DWELLINGS PROJECT.

15. [20-0445R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A \$15,768 GRANT FROM THE DULUTH LEGACY ENDOWMENT FUND.

**Attachments:** [Exhibit A](#)

**(INTERGOVERNMENTAL RELATIONS)**

16. [20-0444R](#) RESOLUTION AUTHORIZING AN ELECTRONIC RECORDING AGREEMENT ST. LOUIS COUNTY, MINNESOTA FOR THE ELECTRONIC TRANSMISSION OF REAL PROPERTY DOCUMENTS.

**Attachments:** [Exhibit 1-Resolution.pdf](#)

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

17. [20-0427R](#) RESOLUTION CONCURRING WITH COUNTY AWARD OF THE 2020 CHIP SEAL PROJECT.

18. [20-0428R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30220 WITH LHB, INC. FOR ADDITIONAL ENGINEERING SERVICES FOR THE EAST SUPERIOR STREET RECONDITIONING PROJECT FOR AN INCREASE OF \$115,392 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$184,854.

**Attachments:** [Exhibit A](#)

19. [20-0447R](#) RESOLUTION AUTHORIZING A CONTRACT WITH RRC CARLSON BROTHERS, INC. FOR THE INSTALLATION OF BUILDING ENERGY TRANSFER STATIONS FOR AN AMOUNT NOT TO EXCEED \$396,760.

20. [20-0452R](#) RESOLUTION AWARDED A CONTRACT TO ULLAND BROTHERS, INC. FOR THE EAST SUPERIOR STREET RECONDITIONING PROJECT IN THE AMOUNT OF \$1,137,592.

**Attachments:** [20-0452R Map](#)

21. [20-0454R](#) RESOLUTION AUTHORIZING A CONTRACT WITH PARSONS ELECTRIC LLC, FOR THE CONSTRUCTION OF THE DULUTH ENERGY SYSTEMS HOT WATER CONVERSION SYSTEM BALANCE OF PLANT ELECTRICAL UPGRADES IN AN AMOUNT NOT TO EXCEED \$572,966.

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

22. [20-0405R](#) RESOLUTION AUTHORIZING A CONTRACT WITH VEIT & COMPANY, INC. FOR SHORELINE REHABILITATION NEAR THE LAKEWOOD WATER TREATMENT PLANT FOR AN AMOUNT NOT TO EXCEED \$604,750.

23. [20-0423R](#) RESOLUTION AUTHORIZING ACCEPTANCE AND EXECUTION OF A HOST SITE AGREEMENT WITH THE MINNESOTA POLLUTION CONTROL AGENCY FOR THE 2020-2021 PROGRAM YEAR GREENCORPS MEMBER.

**Attachments:** [Revised\\_CityofDuluth\\_GreenCorps2020\\_FINAL](#)

24. [20-0442R](#) RESOLUTION AUTHORIZING THE EXECUTION AND FILING OF A NOTICE OF FUNDING RESTRICTIONS OVER REAL PROPERTY ADJACENT TO SKYLINE PARKWAY IN THE PIEDMONT HEIGHTS NEIGHBORHOOD.

**Attachments:** [Exhibit 1.pdf](#)  
[Exhibit 2-Resolution.pdf](#)

## END OF CONSENT AGENDA

***The following entitled resolutions are also to be considered:***

### BY COUNCILOR MEDVED (FINANCE)

25. [20-0453R](#) RESOLUTION APPROVING THE BUDGET FOR THE FISCAL YEAR MAY 1, 2020 TO APRIL 30, 2021 IN THE AMOUNT OF \$4,075,301 FOR THE SPIRIT MOUNTAIN RECREATION AREA AUTHORITY.

**Attachments:** [Exhibit A](#)

### BY COUNCILOR FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

26. [20-0446R](#) RESOLUTION AUTHORIZING A CONTRACT WITH VEIT & COMPANY, INC. FOR CANAL PARK LAKEWALK AND SHORELINE RESTORATION FOR AN AMOUNT NOT TO EXCEED \$10,147,732.

***The following entitled ordinances are to be read for the first time:***

### BY COUNCILOR RANDORF (PURCHASING & LICENSING)

27. [20-039-O](#) AN ORDINANCE AMENDING CHAPTER 8 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING ALCOHOLIC BEVERAGES. (REPLACEMENT)

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

28. [20-035-O](#) AN ORDINANCE GRANTING ST. LUKE'S HOSPITAL A CONCURRENT USE PERMIT FOR A PAVEMENT SNOWMELT SYSTEM IN THE PLATTED STREET RIGHT OF WAY OF EAST SECOND STREET NEAR 1012 EAST SECOND STREET.

Attachments: [Exhibit A](#)  
[Exhibit B](#)

29. [20-036-O](#) AN ORDINANCE GRANTING MARY DUBOIS AT 3322 MINNESOTA AVENUE A CONCURRENT USE PERMIT FOR A SHELTER IN THE PLATTED STREET RIGHT OF WAY OF SOUTH LAKE AVENUE.

Attachments: [Attachment 1](#)

30. [20-037-O](#) AN ORDINANCE GRANTING MINNESOTA POWER, A DIVISION OF ALLETE, INC., A CONCURRENT USE PERMIT FOR A PARKING STRUCTURE IN THE PLATTED STREET RIGHT OF WAY OF SUPERIOR STREET.

Attachments: [CUP-Exhibit A.pdf](#)  
[CUP-Exhibit B.pdf](#)  
[CUP-Exhibit C.pdf](#)  
[CUP-Exhibit D.pdf](#)

***The following entitled ordinances are to be read for the second time:***

**BY COUNCILOR KENNEDY (PERSONNEL)**

31. [20-033-O](#) ORDINANCE AMENDING CHAPTER 2 OF THE DULUTH CITY CODE BY ADDING ARTICLE XXXVI ESTABLISHING A DULUTH AFRICAN HERITAGE COMMISSION.

Sponsors: Kennedy, Anderson and Van Nett

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

32. [20-034-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A PERMANENT EASEMENT TO THE STATE OF MINNESOTA FOR HIGHWAY RIGHT OF WAY PURPOSES, TOGETHER WITH A TEMPORARY EASEMENT FOR HIGHWAY PURPOSES, OVER REAL PROPERTY IN LINCOLN PARK FOR \$163,550.00.

Attachments: [Exhibit A-Ordinance.pdf](#)  
[Exhibit B-Ordinance.pdf](#)  
[Exhibit C-Ordinance.pdf](#)

**BY COUNCILOR VAN NETT (PUBLIC SAFETY)**

33. [20-032-O](#) ORDINANCE AMENDING SECTION 21-1 OF THE DULUTH CITY CODE TO ADOPT AND INCORPORATE THE 2020 AMENDMENTS TO THE MINNESOTA STATE FIRE CODE.

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

34. [20-031-O](#) AN ORDINANCE DEDICATING REAL PROPERTY AS PARK PROPERTY.

**Attachments:** [Exhibit A-Hartley Park Ordinance.pdf](#)  
[Exhibit B-Hartley Park Ordinance.pdf](#)  
[Exhibit C-Hartley Park Ordinance.pdf](#)  
[Exhibit D-Hartley Park Ordinance.pdf](#)

**COUNCILOR QUESTIONS AND COMMENTS**

**COUNCILOR PREVIEW OF UPCOMING BUSINESS**