



# City of Duluth

411 West First Street  
Duluth, Minnesota 55802

## Meeting Agenda - Final

### 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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Monday, April 12, 2021

7:00 PM

Council Chamber

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*NOTICE: The Duluth City Council will be holding the April 8, 2021 Agenda Session and April 12, 2021 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. [21-025](#) Meeting Minutes of the Duluth City Council

**Attachments:** [March 22, 2021 - City Council Meeting](#)

### REPORTS FROM THE ADMINISTRATION

### REPORTS FROM OTHER OFFICERS

2. [21-026](#) Earned Sick and Safe Time Report

Attachments: [ESST Report to City Council](#)

## REPORTS OF BOARDS AND COMMISSIONS

3. [21-022](#) Duluth Public Utilities Commission Resolution 21PUC-002.

Attachments: [21PUC-002](#)  
[Memo to Council](#)

4. [21-023](#) Duluth Public Utilities Commission Meeting Minutes

Attachments: [February 2021 - DPUC Minutes](#)

5. [21-024](#) Library Board Meeting Minutes

Attachments: [February 2021 - Library Board Minutes](#)

## REPORTS OF COUNCIL COMMITTEES

## REPORTS OF COUNCIL OPEN ISSUES

## OPPORTUNITY FOR CITIZENS TO BE HEARD

## CONSENT AGENDA

### BY COUNCILOR MEDVED (FINANCE)

6. [21-0233R](#) RESOLUTION AMENDING RESOLUTION NOS. 86-0142, 01-0601, 06-0498, AND 17-0099 MODIFYING THE MEMBERSHIP OF THE CITY SPECIAL BOARD OF REVIEW.
7. [21-0258R](#) RESOLUTION AUTHORIZING A CONTRACT WITH HANOVER INSURANCE COMPANY FOR PROPERTY INSURANCE AT THE COST NOT TO EXCEED \$291,954.16 TO BE PAID TO MARSH & MCLENNAN AGENCY LLC, AGENT FOR HANOVER INSURANCE COMPANY.
8. [21-0259R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY TO INSURE THE MRO BUILDING UNDER THE CITY'S PROPERTY AND BOILER INSURANCE POLICIES.

Attachments: [Exhibit A](#)

### BY COUNCILOR RANDORF (PURCHASING & LICENSING)

9. [21-0217R](#) RESOLUTION APPROVING THE ISSUANCE OF A 3.2% LIQUOR LICENSE TO THE MERRYWEATHER INN, 2316 EAST FIRST STREET

Attachments: [Attachment A](#)

10. [21-0218R](#) RESOLUTION APPROVING RENEWAL AND ISSUANCE OF 3.2% LIQUOR LICENSES FOR THE PERIOD BEGINNING MAY 1, 2021, AND ENDING AUGUST 31, 2021.

Attachments: [2021 Beer Renewal List](#)

#### BY COUNCILOR KENNEDY (PERSONNEL)

11. [21-0219R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CLASSIFICATION OF DEPUTY CITY ATTORNEY, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Exhibit A](#)

12. [21-0238R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF MARK HAKES AND LAMARQUITA LEACH TO THE DULUTH NONBINARY, QUEER, TRANS, TWO SPIRIT, LESBIAN, GAY, BISEXUAL, INTERSEX & ASEXUAL (NQT2SLGBIA) COMMISSION.

13. [21-0252R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF BUDGET & GRANT SUPERVISOR, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Exhibit A](#)

14. [21-0254R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF PARKS & GROUNDS MAINTENANCE SUPERVISOR.

Attachments: [Exhibit A](#)

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

15. [21-0223R](#) RESOLUTION OF INTENT TO SELL OR CONVEY CERTAIN REAL PROPERTY IN THE GARY-NEW DULUTH NEIGHBORHOOD.

Attachments: [Exhibit A-Resolution of Intent to Sell.pdf](#)  
[Exhibit B - Letter of Conf.pdf](#)

16. [21-0224R](#) RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT WITH VEIT COMPANIES, LLC FOR THE SALE OF PROPERTY IN THE GARY-NEW DULUTH NEIGHBORHOOD FOR \$35,623.

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

17. [21-0227R](#) RESOLUTION DECLARING A NEED FOR ST. LOUIS COUNTY HOUSING AND REDEVELOPMENT AUTHORITY TO EXERCISE POWERS WITHIN THE BOUNDARIES OF THE CITY OF DULUTH BY PROVIDING FUNDING TO CHURCHES UNITED IN MINISTRY/ST. FRANCIS APARTMENTS, LLC TO PURCHASE THE DULUTH INN MOTEL FOR SHORT-TERM HOUSING FOR INDIVIDUAL EXPERIENCING HOMELESSNESS.
18. [21-0244R](#) RESOLUTION APPROVING REALLOCATION OF 2020 CARES ACT FUNDING, MODIFYING \$50,000 IN FUNDING FOR THE FAMILY COACH POSITION AT THE STEVE O'NEIL APARTMENTS PROJECT BY CHUM FROM THE EMERGENCY SOLUTIONS GRANTS PROGRAM (ESG-CV-1) TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG-CV-1) PROGRAM.
19. [21-0245R](#) RESOLUTION APPROVING THE REVISED 2021 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.
20. [21-0246R](#) RESOLUTION AUTHORIZING AN INCREASE OF \$735 FY 2021 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.
21. [21-0247R](#) RESOLUTION AUTHORIZING A DECREASE OF \$851 FY 2021 HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM.
22. [21-0248R](#) RESOLUTION AUTHORIZING A DECREASE OF \$1,059 FY 2021 EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM.

**BY COUNCILOR TOMANEK (INTERGOVERNMENTAL RELATIONS)**

23. [21-0240R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A COOPERATIVE AGREEMENT ACCEPTING \$47,662.88 FROM ST. LOUIS COUNTY TO REIMBURSE CITY FOR LOCAL MATCH COSTS IN COMPLETING HAZARD MITIGATION PROJECTS PURSUANT TO A UNITED STATES DEPARTMENT OF HOMELAND SECURITY ADVANCE ASSISTANCE HAZARD MITIGATION PROGRAM GRANT.

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

**BY PRESIDENT VAN NETT (COMMITTEE OF THE WHOLE)**

24. [21-0225R](#) RESOLUTION RENEWING DECLARATION OF LOCAL HEALTH EMERGENCY FOR PURPOSES OF DULUTH CITY CODE SECTION 17-7 AND MINNESOTA STATUTES SECTION 13D.021.

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

25. [21-0203R](#) RESOLUTION AWARDING A CONTRACT TO HOVLAND, INC. FOR THE CROSS CITY TRAIL RELOCATION PROJECT IN THE AMOUNT OF \$256,846.36.
- Attachments:* [21-0203R Map](#)
26. [21-0221R](#) RESOLUTION AUTHORIZING THE PURCHASE OF A 2022 WESTERN STAR CAB AND CHASSIS FROM BOYER TRUCKS IN THE AMOUNT OF \$99,344.85, AND THE PURCHASE AND INSTALLATION OF A DUMP BODY & SANDER TO OUTFIT THE TRUCK FROM CRYSTEEL TRUCK EQUIPMENT IN THE AMOUNT OF \$122,895.59 FOR A TOTAL AMOUNT OF \$222,240.44.
27. [21-0222R](#) RESOLUTION AUTHORIZING A CONTRACT WITH A.W. KUETTEL & SONS FOR THE INSTALLATION OF BUILDING ENERGY TRANSFER STATIONS AT THE HOLIDAY INN COMPLEX FOR AN AMOUNT NOT TO EXCEED \$542,800.
28. [21-0234R](#) RESOLUTION AWARDING A CONTRACT TO VEIT & CO., INC. FOR THE 2021 CITYWIDE CIPP SEWER LINING PROJECT IN THE AMOUNT OF \$886,062.75.
- Attachments:* [21-0234R Map](#)

**BY COUNCILOR ANDERSON (PUBLIC SAFETY)**

29. [21-0198R](#) RESOLUTION AUTHORIZING THE ACCEPTANCE OF REIMBURSEMENT FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, OFFICE OF JUSTICE PROGRAMS, IN AN AMOUNT NOT TO EXCEED \$16,418.45 AND REIMBURSEMENT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$16,418.45 FOR THE PURCHASE OF BALLISTIC VESTS.
- Attachments:* [Document A](#)
30. [21-0199R](#) RESOLUTION AUTHORIZING THE ACCEPTANCE OF REIMBURSEMENT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$17,221.39 FOR THE PURCHASE OF BALLISTIC VESTS.
- Attachments:* [Document A](#)

31. [21-0204R](#) RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$8,000.00 AND A LOCAL MATCH OF \$1,600.00 FOR THE 2021 SPEED AND AGGRESSIVE DRIVING ENFORCEMENT PROGRAM AND FURTHER AUTHORIZING AN AGREEMENT WITH THE CITY OF HERMANTOWN POLICE DEPARTMENT FOR SERVICES UNDER THE GRANT.

**Attachments:** [Document A](#)  
[Document B](#)

**BY VICE PRESIDENT FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)**

32. [21-0220R](#) RESOLUTION AUTHORIZING A CONTRACT WITH GARDNER BUILDERS, LLC FOR PHASE II OF MULTI-YEAR CITY HALL RENOVATIONS TO INCLUDE GROUND, THIRD, AND FOURTH FLOORS FOR AN AMOUNT NOT TO EXCEED \$1,496,800.07.
33. [21-0228R](#) RESOLUTION AUTHORIZING A THREE-YEAR AGREEMENT WITH NORTHWOODS LEAGUE, INC. AND RPK BASEBALL, LLC FOR THE USE OF WADE STADIUM.

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

34. [21-0229R](#) RESOLUTION AUTHORIZING THE EXECUTION AND FILING OF A DECLARATION OF RESTRICTIVE COVENANT OVER WHEELER ATHLETIC COMPLEX AND WADE STADIUM.

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

35. [21-0231R](#) RESOLUTION AUTHORIZING ACCEPTANCE FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY FOR AN ADVANCE ASSISTANCE HAZARD MITIGATION GRANT OF \$285,977.25 FOR COASTAL INFRASTRUCTURE ASSESSMENT.

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

36. [21-0232R](#) RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT WITH JOSEPH H. KLEIMAN AND ROSE A. KLEIMAN FOR THE PURCHASE OF PROPERTY IN THE ONEOTA NEIGHBORHOOD IN EXCHANGE FOR \$225,000.00 AND CONVEYANCE OF PROPERTY IN THE DULUTH HEIGHTS NEIGHBORHOOD.
- Attachments:** [Exhibit 1-Resolution Authorizing PA.pdf](#)  
[Exhibit 2-Resolution Authorizing PA.pdf](#)  
[Exhibit 3-Resolution Authorizing PA.pdf](#)  
[Exhibit 4-Resolution Authorizing PA.pdf](#)  
[Exhibit 5-Resolution Authorizing PA.pdf](#)
37. [21-0237R](#) RESOLUTION SUPPORTING REGIONAL PARK OR TRAIL DESIGNATION APPLICATION FOR WAABIZHESHKANA: THE MARTEN TRAIL THROUGH THE GREATER MINNESOTA REGIONAL PARKS AND TRAILS COMMISSION
- Attachments:** [Marten designation application final](#)
38. [21-0241R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30159 WITH TKDA FOR ADDITIONAL ENGINEERING SERVICES FOR THE FAIRMOUNT SNOWMOBILE TRAIL PROJECT FOR AN INCREASE OF \$45,800 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$129,990.
- Attachments:** [Exhibit A](#)
39. [21-0242R](#) RESOLUTION AUTHORIZING A CONTRACT WITH A PLUS CONTRACTORS FOR RECONSTRUCTION OF THE FAIRMOUNT SNOWMOBILE TRAIL FOR AN AMOUNT NOT TO EXCEED \$181,570.00.
40. [21-0243R](#) RESOLUTION AUTHORIZING A CONTRACT WITH KTM PAVING FOR MULTIUSE TRAIL BRIDGES FOR AN AMOUNT NOT TO EXCEED \$557,270.80.

## END OF CONSENT AGENDA

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

### BY COUNCILOR KENNEDY (PERSONNEL)

41. [21-0257R](#) RESOLUTION APPOINTING \_\_\_\_\_ TO THE DULUTH PUBLIC UTILITIES COMMISSION.

**Attachments:** [MOTION TO AMEND](#)

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

42. [21-0256R](#) RESOLUTION DECLARING A CLIMATE EMERGENCY IN DULUTH, MINNESOTA.

**Sponsors:** Sipress, Randorf, Anderson and Forsman

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

[Exhibit B](#)

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

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

43. [21-004-O](#) AN ORDINANCE GRANTING DULUTH LINCOLN PARK 1 LLC AT 2360 WEST SUPERIOR STREET A CONCURRENT USE PERMIT TO ATTACH BALCONIES, ROOFTOP PARAPET WALLS AND CANOPIES ABOVE GROUND AND ATTACHED TO A PROPOSED 74 UNIT APARTMENT STRUCTURE AND WITHIN THE PLATTED RIGHT OF WAY FOR WEST SUPERIOR STREET AND SOUTH 21ST AVENUE WEST.

**Attachments:** [Exhibit I legal description of balcony](#)

[Exhibit J legal description parapet](#)

[Exhibit K legal description of canopy](#)

[PL 21-006 Staff Report and Attachments](#)

44. [21-005-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE GARY-NEW DULUTH NEIGHBORHOOD TO VEIT COMPANIES, LLC FOR \$35,623.

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

[Exhibit B-Ordinance.pdf](#)

45. [21-006-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY IN THE LAKESIDE NEIGHBORHOOD TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR NOMINAL CONSIDERATION.

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

46. [21-007-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE CENTRAL ENTRANCE NEIGHBORHOOD TO JOSEPH H. KLEIMAN AND ROSE A. KLEIMAN.

**Attachments:** [Exhibit 1-Ordinance Authorizing Conveyance to Kleiman.pdf](#)



47. [21-008-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY IN THE CENTRAL HILLSIDE NEIGHBORHOOD TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR NOMINAL CONSIDERATION.
- Attachments:** [Exhibit A-Ordinance.pdf](#)
48. [21-009-O](#) AN ORDINANCE CREATING SECTION 50-27.12; AND AMENDING SECTIONS 50-37.7 AND 50-37.12, RELATED TO MASS TRANSIT SHELTER SIGNAGE.
- Attachments:** [Attachment 1](#)  
[Attachment 2](#)
49. [21-010-O](#) AN ORDINANCE AMENDING SECTIONS 50-20.1, 50-20.4, 50-24.2, AND 50-41 RELATED TO SOBER HOUSES AND RESIDENTIAL CARE FACILITIES.
- Attachments:** [Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)
50. [21-011-O](#) AN ORDINANCE AMENDING SECTIONS 50-20.3 AND 50-41 RELATED TO MINI STORAGE AND SELF-SERVICE STORAGE FACILITIES.
- Attachments:** [Attachment 1](#)  
[Attachment 2](#)

## COUNCILOR QUESTIONS AND COMMENTS

## COUNCILOR PREVIEW OF UPCOMING BUSINESS