



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]*

Monday, July 15, 2024

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [24-033](#) Meeting Minutes of the Duluth City Council

Attachments: [2024-06-24](#)

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

2. [24-032](#) State of MN: Audit Reports

Attachments: [DAA](#)

[DTA](#)

REPORTS OF BOARDS AND COMMISSIONS

3. [24-034](#) Board and Commission Meeting Minutes
- Attachments:** [April 2024 - Planning Commission Minutes](#)
[May 2024 - Planning Commission Minutes](#)
[April 2024 - Duluth Public Utilities Commission Meeting Minutes](#)
[April 2024 - Library Board Meeting Minutes](#)
[May 2024 - Library Board Minutes](#)
[May 2024 - Duluth Parking Commission Minutes](#)
[HRA Minutes - January 2024 Annual Meeting](#)
[HRA Minutes - January 2024 Regular Meeting](#)
[HRA Minutes - February 2024 Regular Meeting](#)
[HRA Minutes - March 2024 Regular Meeting](#)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

RESOLUTIONS TABLED

BY VICE PRESIDENT TOMANEK (PERSONNEL)

4. [24-0495R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF GRANT PRENTICE TO THE SEAWAY PORT AUTHORITY.

CONSENT AGENDA

BY COUNCILOR DURRWACHTER (PURCHASING & LICENSING)

5. [24-0536R](#) RESOLUTION APPROVING ISSUANCE OF TEMPORARY ON SALE LIQUOR LICENSES TO VARIOUS LICENSEES.
- Attachments:** [Attachment A](#)
[Attachment B](#)
[Attachment C](#)
6. [24-0537R](#) RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISES PERMIT TO THE IRVING COMMUNITY ASSOCIATION
- Attachments:** [Attachment A](#)

7. [24-0538R](#) RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE DESIGNATED SERVING AREAS ASSOCIATED WITH THE ON-SALE INTOXICATING LIQUOR LICENSES OF VARIOUS LICENSEES

Attachments: [Attachment A](#)

BY VICE PRESIDENT TOMANEK (PERSONNEL)

8. [24-0530R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF BROOKE WRIGHT TO THE PARKS AND RECREATION COMMISSION.

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

9. [24-0519R](#) RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE STATE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT - VETERAN SERVICES PROVIDING STAFFING SERVICES AT THE DULUTH CAREERFORCE CENTER FOR THE PERIOD OF MARCH 1, 2024 - JUNE 30, 2026.

Attachments: [DEED Vets Shared Reception & CareerLab Agreement](#)

BY PRESIDENT RANDORF (COMMITTEE OF THE WHOLE)

10. [24-0529R](#) RESOLUTION APPOINTING ELECTION JUDGES FOR THE AUGUST 13, 2024 PRIMARY ELECTION AND FOR THE NOVEMBER 5, 2024 GENERAL ELECTION

Attachments: [2024 Election Judge Schedule](#)
[AB Board](#)

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

11. [24-0497R](#) RESOLUTION AUTHORIZING EXECUTION OF UNITED STATES ARMY CORPS OF ENGINEERS SECTION 569 PROJECT PARTNERSHIP AGREEMENT IN THE AMOUNT OF \$288,000 FOR THE IRVING PARK BIOFILTER BASIN PROJECT.

Attachments: [Exhibit A](#)

12. [24-0526R](#) RESOLUTION ORDERING THE TEMPORARY CLOSURE OF W. 5TH STREET AND W. 6TH STREET AT W. SKYLINE PARKWAY

Attachments: [closure of 5th and 6th street off skyline](#)

13. [24-0528R](#) RESOLUTION TO DESIGNATE AND ESTABLISH A ONE-WAY STREET FOR WEST SKYLINE PARKWAY BETWEEN THE WESTERLY INTERSECTION WITH HANK JENSEN DRIVE AND THE "TEE" INTERSECTION AT TWIN PONDS.

Attachments: [One Way and Overlook Concept resolution map](#)

14. [24-0531R](#) RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR STREET AND UTILITY PURPOSES FROM THE DULUTH CLINIC, LTD. OVER, UNDER, AND ACROSS REAL PROPERTY IN THE EAST HILLSIDE NEIGHBORHOOD FOR NOMINAL CONSIDERATION.

Attachments: [Exhibit 1-Resolution](#)

[Exhibit 2-Resolution](#)

BY COUNCILOR SWENSON (PUBLIC SAFETY)

15. [24-0520R](#) RESOLUTION APPROVING AGREEMENT WITH THE DULUTH TRANSIT AUTHORITY FOR SERVICES AND FUNDING OF ONE COMMUNITY BASED K-9 POLICE OFFICER FOR FIVE YEARS.

Attachments: [Document A](#)

16. [24-0523R](#) RESOLUTION AUTHORIZING THE DULUTH FIRE DEPARTMENT TO ACCEPT A DONATION FOR FITNESS EQUIPMENT FROM THE DULUTH FIRE FOUNDATION VALUED AT \$33,000.

17. [24-0525R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO THE PARKING MANAGEMENT AGREEMENT BETWEEN THE CITY OF DULUTH, THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY AND INTERSTATE PARKING COMPANY OF MINNESOTA LLC TO ADD TWO NEW PARKING FACILITIES TO INTERSTATE'S DULUTH FACILITY INVENTORY.

Attachments: [Exhibit A](#)

18. [24-0550R](#) RESOLUTION AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO THE AGREEMENT FOR SERVICES BETWEEN ST. LOUIS COUNTY AND THE CITY OF DULUTH FOR FY 2021 OPERATION STONEGARDEN PROVIDING FOR AN ADDITIONAL ALLOCATION OF FUNDS TO THE CITY IN THE AMOUNT OF \$6,634 FOR LAW ENFORCEMENT SERVICES UNDER THE GRANT FROM THE U.S. DEPARTMENT OF PUBLIC SAFETY.

Attachments: [Document A](#)

BY COUNCILOR AWAL (RECREATION, LIBRARIES & AUTHORITIES)

19. [24-0524R](#) RESOLUTION ACCEPTING THE FIRST AMENDMENT TO AGREEMENT 24275 WITH THE MINNESOTA HISTORICAL SOCIETY TO EXTEND THE TERM TO APRIL 30, 2025 FOR IMPLEMENTATION OF THE WAABIZHESHKANA: THE MARTEN TRAIL INTERPRETIVE PLAN.

Attachments: [Exhibit A](#)

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

20. [24-0533R](#) RESOLUTION REVERSING THE PLANNING COMMISSION'S DECISION TO DENY A VARIANCE FROM A SIDE YARD SETBACK FOR GARAGE AT 1231 W 4TH STREET.

Attachments: [Attachment A](#)
[Attachment B](#)
[Attachment C](#)
[Attachment D](#)
[Attachment E- Application materials provided 3.1.24](#)
[Attachment F- Supplementary application materials](#)
[Attachment G](#)

21. [24-0534R](#) RESOLUTION AFFIRMING THE PLANNING COMMISSION'S DECISION TO DENY A VARIANCE FROM A SIDE YARD SETBACK FOR A GARAGE AT 1231 W 4TH STREET.

Attachments: [Attachment A](#)
[Attachment B](#)
[Attachment C](#)
[Attachment D](#)
[Attachment E- Application materials provided 3.1.24](#)
[Attachment F- Supplementary application materials](#)
[Attachment G](#)

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

22. [24-0532R](#) RESOLUTION AWARDED A CONTRACT TO LAKEHEAD CONSTRUCTORS, INC. FOR THE WOODLAND BOOSTER STATION IMPROVEMENT PROJECT IN THE AMOUNT OF \$6,380,940.00.

Attachments: [Woodland Booster Station Resolution Map](#)

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

BY COUNCILOR KENNEDY (INTERGOVERNMENTAL RELATIONS)

23. [24-026-O](#) AN ORDINANCE AUTHORIZING AN ACCESS EASEMENT TO THE DULUTH SEAWAY PORT AUTHORITY OVER, UNDER AND ACROSS REAL PROPERTY IN THE ONEOTA NEIGHBORHOOD FOR NOMINAL CONSIDERATION.

Attachments: [Exhibit 1-Ordinance](#)
[Exhibit 2-Ordinance](#)

BY COUNCILOR SWENSON (PUBLIC SAFETY)

24. [24-027-O](#) AN ORDINANCE AMENDING ARTICLE I, SECTION 30-1 OF CHAPTER 30 OF THE DULUTH CITY CODE TO REDEFINE ABANDONED PROPERTY.

25. [24-028-O](#) AN ORDINANCE AMENDING SECTIONS 34-5 AND 34-14 OF CHAPTER 34 OF THE DULUTH CITY CODE TO MODERNIZE LANGUAGE AND ESTABLISH DISTURBING THE NEIGHBORHOOD AS A MISDEMEANOR OFFENSE AND MODIFYING LANGUAGE FOR FALSE SOLICITING.

Attachments: [MOTION TO SPLIT ORDINANCE 24-028-O Mayou](#)

26. [24-029-O](#) AN ORDINANCE AMENDING SECTIONS 34-41(b) and 34-41(c) OF CHAPTER 34 OF THE DULUTH CITY CODE TO AMEND THE DEFINITION OF GRAFFITI STICK AND ESTABLISH DEFACEMENT AND/OR POSSESSION OF GRAFFITI IMPLEMENTS AS A MISDEMEANOR OFFENSE.

27. [24-030-O](#) AN ORDINANCE AMENDING CHAPTER 34 OF THE DULUTH CITY CODE TO ADD SECTION 34-46 PROHIBITING CAMPING ON CITY PROPERTY.

28. [24-031-O](#) AN ORDINANCE AMENDING CHAPTER 35 OF THE DULUTH CITY CODE TO MAKE VIOLATIONS APPLICABLE ON PUBLICLY OWNED PROPERTY AND MAKE CERTAIN VIOLATIONS MISDEMEANORS.

29. [24-032-O](#) AN ORDINANCE AMENDING ARTICLE I, SECTIONS 44A-2 AND 44A-3, OF CHAPTER 44A OF THE DULUTH CITY CODE TO MAKE DEFACING THE SKYWALK A MISDEMEANOR OFFENSE AND PROHIBITING SMOKING OR VAPING IN THE SKYWALK SYSTEM.

30. [24-033-O](#) AN ORDINANCE AMENDING ARTICLE I, SECTIONS 45-1 AND 45-6.3, OF CHAPTER 45 OF THE DULUTH CITY CODE TO PROVIDE FOR MISDEMEANOR OFFENSES FOR BLOCKING PASSAGE ON STREETS AND SIDEWALKS AS WELL AS OPERATING AN ATV UNLAWFULLY ON PUBLIC LAND.
- Attachments:* [MOTION TO SPLIT ORDINANCE 24-033-O AWAL](#)
31. [24-034-O](#) AN ORDINANCE AMENDING ARTICLE I, SECTION 49-8.2 OF CHAPTER 49 OF THE DULUTH CITY CODE TO PROVIDE FOR A MISDEMEANOR PENALTY FOR UNLAWFULLY POSSESSION OR FIRING OF AN AIRGUN OR GEL SOFT GUN.
32. [24-035-O](#) AN ORDINANCE AMENDING ARTICLE I, SECTION 21-5 AND SECTION 21-8, OF CHAPTER 21 OF THE DULUTH CITY CODE TO UPDATE THE CITY'S OPEN BURNING AND TENT AND MEMBRANE STRUCTURES ORDINANCES.
33. [24-036-O](#) AN ORDINANCE AMENDING SECTION 34-38 OF CHAPTER 34 OF THE DULUTH CITY CODE TO PROHIBIT MARKING OR PLACING SIGNS ON PRILEY FOUNTAIN.

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

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

34. [24-025-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY 6 ACRES FROM MIXED USE BUSINESS PARK (MU-B) TO AP (AIRPORT) ON LAND CURRENTLY USED FOR AIRPORT OPERATIONS AT DULUTH INTERNATIONAL AIRPORT.
- Attachments:* [PL 24-029 Attachment 1](#)
35. [24-023-O](#) AN ORDINANCE AMENDING CHAPTER 10 OF THE DULUTH CITY CODE TO MAKE LANGUAGE GENDER NEUTRAL, UPDATE BUILDING CODE REFERENCES, AND CORRECT TERMINOLOGY.
36. [24-024-O](#) AN ORDINANCE AMENDING SECTION 10-5, OF CHAPTER 10 OF THE DULUTH CITY CODE TO REDUCE THE MEMBERSHIP OF THE BUILDING APPEAL BOARD TO NINE MEMBERS.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS