



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Minutes - 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, March 28, 2022

7:00 PM

Council Chamber

NOTICE: The Duluth City Council will be holding the March 24, 2022 Agenda Session and Special Council Meeting and March 28, 2022 Council Meeting by other electronic means pursuant to Minnesota Statutes Section 13D.021 in response to the COVID-19 pandemic. Some members of the City Council will be participating through video conference. Due to the COVID-19 pandemic, 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 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

Present: 9 - Councilor Gary Anderson, Councilor Azrin Awal, Noah Hobbs, Councilor Mike Mayou, Councilor Roz Randorf, Councilor Terese Tomanek, Councilor Renee Van Nett, Vice President Janet Kennedy and President Arik Forsman

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [22-026](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2022-03-10, Minutes Special Council Meeting](#)
[2022-03-14, Minutes](#)

A motion was made by Councilor Tomanek to approve the Minutes. The motion was seconded by Vice President Kennedy. The motion passed unanimously.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [22-028](#) Housing and Redevelopment Authority Meeting Minutes

Indexes:

Attachments: [HRA Minutes - November 2021](#)
[HRA Minutes - January 2022 Annual](#)
[HRA Minutes - January 2022](#)

This Board or Commission Report was received.

3. [22-029](#) Duluth Public Utilities Commission Meeting Minutes

Indexes:

Attachments: [February 2022 - DPUC Minutes](#)

This Board or Commission Report was received.

4. [22-030](#) Citizen Review Board Meeting Minutes

Indexes:

Attachments: [November 2021 - CRB Minutes](#)
[December 2021 - CRB Minutes](#)

This Board or Commission Report was received.

5. [22-031](#) Human Rights Commission Meeting Minutes

Indexes:

Attachments: [November 2021 - HRC Minutes](#)
[December 2022 - HRC Minutes](#)

This Board or Commission Report was received.

6. [22-032](#) Commission on Disabilities Meeting Minutes

Indexes:

Attachments: [December 2021 - Commission on Disabilities Minutes](#)

This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES**REPORTS OF COUNCIL OPEN ISSUES****OPPORTUNITY FOR CITIZENS TO BE HEARD****CONSENT AGENDA**

A motion was made by Councilor Hobbs to pass the Consent Agenda. The motion was seconded by Councilor Mayou. The motion passed unanimously.

BY VICE PRESIDENT KENNEDY (FINANCE)

8. [22-0217R](#) RESOLUTION AUTHORIZING A CONTRACT WITH HANOVER INSURANCE COMPANY FOR PROPERTY INSURANCE AT THE COST NOT TO EXCEED \$316,196.70 TO BE PAID TO MARSH & MCLENNAN AGENCY LLC, AGENT FOR HANOVER INSURANCE COMPANY.

This Resolution was adopted unanimously.

9. [22-0280R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DULUTH AIRPORT AUTHORITY TO INSURE CERTAIN DULUTH AIRPORT AUTHORITY PROPERTY AND EQUIPMENT UNDER THE CITY'S PROPERTY AND BOILER INSURANCE POLICIES.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

10. [22-0282R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY TO INSURE THE MRO BUILDING UNDER THE CITY'S PROPERTY AND BOILER INSURANCE POLICIES.

Indexes:

Attachments: [Exhibit A 20220323 City Property Boiler Ins Agreement 2022](#)

This Resolution was adopted unanimously.

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

11. [22-0260R](#) RESOLUTION AMENDING RESOLUTION 21-0981R TO ALLOW A TRANSITION FROM HOLIDAY STATIONSTORES TO CIRCLE K AND WEX FOR SERVICE STATION FUELS FOR 2022 DUE TO SALE AND REBRANDING OF THE HOLIDAY STATIONSTORES.

This Resolution was adopted unanimously.

12. [22-0271R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH EMPLOYEE STRATEGIES, INC. TO CREATE A LEADERSHIP DEVELOPMENT PROGRAM FOR AN AMOUNT NOT TO EXCEED \$109,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR VAN NETT (PERSONNEL)

13. [22-0247R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF ALISON HOXIE TO THE ENERGY PLAN COMMISSION.

This Resolution was adopted unanimously.

14. [22-0248R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF JOHN LINDGREN TO THE NATURAL RESOURCES COMMISSION.

This Resolution was adopted unanimously.

15. [22-0281R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF WILLIAM AREZZO TO THE LIBRARY BOARD.

This Resolution was adopted unanimously.

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

17. [22-0250R](#) RESOLUTION AUTHORIZING AGREEMENT WITH HRA FOR PAYMENT IN LIEU OF TAXES.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

18. [22-0261R](#) RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A JOINT

POWERS AGREEMENT WITH THE MINNESOTA HOUSING FINANCE AGENCY RELATED TO THE LOW INCOME HOUSING TAX CREDIT PROGRAM FOR THE YEAR 2023.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

19. [22-0264R](#) RESOLUTION VACATING UNIMPROVED PLATTED RIGHT OF WAY IN CONJUNCTION WITH THE REPLATTING OF THE LAND IN THE CENTRAL OVERLOOK PLAT, AT 800 EAST CENTRAL ENTRANCE.

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

[Attachment 4](#)

This Resolution was adopted unanimously.

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

20. [22-0240R](#) RESOLUTION AUTHORIZING APPLICATION FOR A HOST SITE WITH THE MINNESOTA POLLUTION CONTROL AGENCY GREENCORPS PROGRAM FOR THE 2022-2023 SERVICE YEAR.

Indexes:

Attachments: [22-0240R Final Draft Host Site Agreement](#)

This Resolution was adopted unanimously.

21. [22-0249R](#) RESOLUTION AUTHORIZING THE PURCHASE OF SEVEN TRAFFIC SIGNAL POLES FROM PEC SOLUTIONS DBA PARSONS ELECTRIC IN THE AMOUNT OF \$162,286.00.

This Resolution was adopted unanimously.

22. [22-0259R](#) RESOLUTION AUTHORIZING APPLICATION FOR AND, UPON APPROVAL, ACCEPTANCE OF A GRANT FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION'S REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) PROGRAM FOR THE RECONSTRUCTION OF WEST SUPERIOR STREET IN THE LINCOLN PARK NEIGHBORHOOD BETWEEN WEST MICHIGAN AND CARLTON STREETS.

Indexes:

Attachments: [22-0259R Map](#)

This Resolution was adopted unanimously.

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

23. [22-0239R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH COMMUNITY ACTION DULUTH FOR PROFESSIONAL SERVICES IN SUPPORT OF THE LOVE YOUR BLOCK PROGRAM IN AN AMOUNT NOT TO EXCEED \$60,000.

Indexes:

Attachments: [22-0239 R Exhibit A](#)

This Resolution was adopted unanimously.

Abstains: Councilor Mayou, stating conflict due to serving on the board

24. [22-0253R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION IN THE AMOUNT OF \$20,000 FOR THE PURPOSE OF MAINTAINING A LOCAL EMERGENCY MANAGEMENT PROGRAM.

Indexes:

Attachments: [22-0253R Exhibit A 2021 EMPG Grant Contract Agreement](#)

This Resolution was adopted unanimously.

BY COUNCILOR TOMANEK (RECREATION, LIBRARIES & AUTHORITIES)

25. [22-0228R](#) RESOLUTION AUTHORIZING THREE-YEAR AGREEMENT WITH THE NAACP DULUTH BRANCH FOR THE LEASE OF SPACE IN THE WASHINGTON RECREATION CENTER.

Indexes:

Attachments: [Exhibit 1](#)

This Resolution was adopted unanimously.

Abstains: Councilor Awal, stating conflict due to serving on the board.

26. [22-0252R](#) RESOLUTION APPROVING THE DULUTH NATURAL RESOURCES MANAGEMENT PROGRAM PLAN AND AUTHORIZING IMPLEMENTATION AS FUNDS PERMIT

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

27. [22-0254R](#) RESOLUTION AUTHORIZING AN APPLICATION TO THE GREAT LAKES COMMISSION GREAT LAKES SEDIMENT AND NUTRIENT REDUCTION PROGRAM FOR \$200,000 TO REDUCE RUN-OFF AND STABILIZE STREAM BANKS AT LINCOLN PARK, CHESTER PARK, AND HARTLEY PARK.

This Resolution was adopted unanimously.

28. [22-0257R](#) RESOLUTION ACCEPTING UNCONDITIONAL GIFTS FROM THE DULUTH LIBRARY FOUNDATION FOR THE BENEFIT OF THE LIBRARY FOR 2022.

This Resolution was adopted unanimously.

29. [22-0258R](#) RESOLUTION ACCEPTING UNCONDITIONAL GIFTS FROM THE FRIENDS OF THE DULUTH PUBLIC LIBRARY FOR THE BENEFIT OF THE LIBRARY IN 2022.

This Resolution was adopted unanimously.

30. [22-0265R](#) RESOLUTION AUTHORIZING THREE-YEAR AGREEMENT WITH ARROWHEAD YOUTH SOCCER ASSOCIATION FOR THE USE AND OPERATION OF THE CITY'S JEAN DULUTH, ARLINGTON AND GARY-NEW DULUTH SOCCER FIELDS.

Indexes:

Attachments: [Exhibit 1.pdf](#)

This Resolution was adopted unanimously.

31. [22-0267R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE ECONOMIC DEVELOPMENT ADMINISTRATION FOR \$4,938,067 FOR ENHANCED RECONSTRUCTION OF THE DECC SEAWALL.

This Resolution was adopted unanimously.

32. [22-0268R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH URBAN ECOSYSTEMS LANDSCAPE ARCHITECTS FOR PROFESSIONAL SERVICES FOR THE LAKEWALK INTERPRETIVE PLAN, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$82,536

Indexes:

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

This Resolution was adopted unanimously.

33. [22-0279R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR AN OUTDOOR RECREATION PROGRAM GRANT OF UP TO \$300,000 FOR CONSTRUCTION OF A SKATE PARK AT THE GARY NEW DULUTH RECREATION CENTER.

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

RESOLUTIONS TABLED

BY PRESIDENT FORSMAN (COMMITTEE OF THE WHOLE)

7. [22-0238R](#) RESOLUTION ESTABLISHING CITY OF DULUTH ELECTION PRECINCTS

Indexes:

Attachments: [Attachment A](#)

A motion was made by Councilor Randorf to remove this resolution from the table. The motion was seconded by Councilor Forsman
This Resolution was adopted unanimously.

16. [22-0285R](#) RESOLUTION REQUESTING THAT THE ADMINISTRATION REDUCE THE 2022 FEE FOR THE MEMORIAL DAY PARADE TO \$187.10.

This Resolution was adopted unanimously.

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

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

35. [22-011-O](#) AN ORDINANCE AMENDING CHAPTER 6 OF THE DULUTH CITY CODE UPDATING ANIMAL LICENSING REQUIREMENTS, CONSOLIDATING CHAPTER DEFINITIONS, AND ADDING REGULATIONS FOR ANIMAL RESCUE GROUPS AND

ORGANIZATIONS.

This Ordinance was read for the first time.

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

36. [22-016-O](#) AN ORDINANCE AMENDING SECTIONS 50-14.7, 50-15.7, AND 50-33.6, RELATED TO PLANNED DEVELOPMENTS.

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

[Attachment 4](#)

This Ordinance was read for the first time.

37. [22-017-O](#) AN ORDINANCE AMENDING SECTION 50-20.1.G AND 50-41.4 RELATED TO COTTAGE HOME PARK DEVELOPMENTS.

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

This Ordinance was read for the first time.

38. [22-018-O](#) AN ORDINANCE GRANTING SUPERIOR STREET PROPERTY, LLC A CONCURRENT USE PERMIT FOR A WALL WITHIN A SKYWALK AT 309 W SUPERIOR STREET.

Indexes:

Attachments: [Exhibit A](#)

[Exhibit B](#)

This Ordinance was read for the first time.

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

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

39. [22-013-O](#) AN ORDINANCE REPEALING AND REPLACING SECTION 50-18.2, AND AMENDING SECTIONS 50-36, 50-37.9, 50-37.13 AND 50-41, RELATED TO AIRPORT OVERLAY ZONE DISTRICT.

Indexes:

Attachments: [Attachment 1 50-18.2](#)
[Attachment 2 50-36](#)
[Attachment 3 50-37.9](#)
[Attachment 4 50-37.13](#)
[Attachment 5 41 Definitions](#)
[Attachment 6 PL 21-210 Staff Report and Attachments](#)
[Attachment 7 JAZB Document](#)

This Ordinance was adopted.

BY PRESIDENT FORSMAN (COMMITTEE OF THE WHOLE)

40. [22-015-O](#) AN ORDINANCE AMENDING SECTION 2-42 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO ASSIGNMENT OF ELECTION PRECINCTS.

This Ordinance was adopted.

ORDINANCES TABLED

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

34. [22-012-O](#) AN ORDINANCE AMENDING SECTIONS 50-19.8, 50-20.3, AND 50-41, RELATED TO THREE NEW LAND USES: AUTOMOBILE AND LIGHT VEHICLE IMPOUND LOT, CAR WASH, AND COMMERCIAL SUPPORT SERVICES

Indexes:

Attachments: [Attachment 1 50-19.8 Use Table](#)
[Attachment 2 PL 22-010 Feb 8 2022 PC Memo](#)

A motion was made by Councilor Anderson to remove this Ordinance from the table. The motion was seconded by Vice President Kennedy. The motion passed unanimously.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

ATTEST:

Ian B. Johnson, City Clerk

Passed on March 28, 2022

Approved on March 29, 2022

EMILY LARSON, Mayor