



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, June 7, 2021

7:00 PM

Council Chamber

NOTICE: The Duluth City Council will be holding the June 4, 2021 Agenda Session and June 7, 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 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 Zack Filipovich, Councilor Janet Kennedy, Councilor Derek Medved, Councilor Roz Randorf, Councilor Joel Sipress, Councilor Terese Tomanek, Vice President Arik Forsman and President Renee Van Nett

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [21-040](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2021-05-20, Minutes](#)
[2021-05-24, Minutes](#)

A motion was made by Councilor Tomanek to approve the Minutes. The motion was seconded by Councilor Filipovich. The Minutes were approved unanimously.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

2. [21-044](#) Office of State Auditor: Duluth Airport Authority

Indexes:

Attachments: [MN OSA - DAA](#)

This Other Officers Report was received.

REPORTS OF BOARDS AND COMMISSIONS

3. [21-041](#) Library Board Meeting Minutes

Indexes:

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

This Board or Commission Report was received.

4. [21-042](#) Duluth Public Utilities Commission Resolutions & Meeting Minutes

Indexes:

Attachments: [21PUC-003](#)

[21PUC-004](#)

[April 2021 - DPUC](#)

[Memo to Council](#)

This Board or Commission Report was received.

5. [21-043](#) Indigenous Commission Meeting Minutes

Indexes:

Attachments: [April 2021 - Indigenous Commission Minutes](#)

This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

Bruce Fehringer and Richard Haney spoke in support of completing the Cross City Trail.

CONSENT AGENDA

A motion was made by Councilor Randorf to approve the Consent Agenda. The motion was seconded by Councilor Forsman. The Consent Agenda passes unanimously.

BY COUNCILOR RANDORF (PURCHASING & LICENSING)

6. [21-0393R](#) RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR THE FRIENDS OF THE BOUNDARY WATERS CANOE AREA.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

7. [21-0422R](#) RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO VARIOUS LICENSEE(S).

Indexes:

Attachments: [Exhibit A](#)

[Exhibit B](#)

This Resolution was adopted unanimously.

8. [21-0424R](#) RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE ON SALE LIQUOR LICENSES OF VARIOUS LICENSEES.

Indexes:

Attachments: [Exhibit A](#)

[Exhibit B](#)

This Resolution was adopted unanimously.

9. [21-0428R](#) RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE DESIGNATED SERVING AREA ASSOCIATED WITH THE ON SALE INTOXICATING LIQUOR LICENSE OF PDL OF DULUTH, INC (CLUB SARATOGA), 331 CANAL PARK DRIVE

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

BY COUNCILOR KENNEDY (PERSONNEL)

10. [21-0395R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT PAUL THOMSEN TO THE SANITARY SEWER BOARD OF THE WESTERN LAKE SUPERIOR SANITARY DISTRICT.

This Resolution was adopted unanimously.
Councilor Filipovich abstains stating employer conflict.

11. [21-0396R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF KIM MAKI AND DON MCISAAC TO THE DULUTH AIRPORT AUTHORITY.

This Resolution was adopted unanimously.

12. [21-0397R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF TOM SZUKIS AND RONDI WATSON TO THE DULUTH TRANSIT AUTHORITY.

This Resolution was adopted unanimously.

13. [21-0398R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF ERIC FRANKLIN TO THE DULUTH CITIZEN REVIEW BOARD.

This Resolution was adopted unanimously.

14. [21-0400R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF WILLIAM NELSON TO THE DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY

This Resolution was adopted unanimously.

15. [21-0401R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF KEVIN O'BRIEN TO THE DULUTH AIRPORT AUTHORITY

This Resolution was adopted unanimously.

16. [21-0411R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF LENELLE HRABIK TO THE INDIGENOUS COMMISSION.

This Resolution was adopted unanimously.

17. [21-0421R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF JASON VINCENT TO THE ENTERTAINMENT AND CONVENTION CENTER AUTHORITY.

This Resolution was adopted unanimously.

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

18. [21-0333R](#) RESOLUTION OF SUPPORT THE REQUEST BY ORBACH AFFORDABLE HOUSING SOLUTIONS FOR TAX INCREMENT FINANCING FOR THE 150-UNIT GREYSOLON PLAZA HOUSING REDEVELOPMENT PROJECT.

This Resolution was adopted unanimously.

19. [21-0409R](#) RESOLUTION ACCEPTING THE ACQUISITION OF REAL PROPERTY IN THE DULUTH HEIGHTS NEIGHBORHOOD FROM THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR \$1.00 AND OTHER VALUABLE CONSIDERATION.

Indexes:

Attachments: [Exhibit A-Resolution Accepting Property from DEDA.pdf](#)

This Resolution was adopted unanimously.

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

20. [21-0410R](#) RESOLUTION AWARDING A CONTRACT TO MAGNEY CONSTRUCTION, INC. FOR THE MIDDLE BOOSTER STATION IMPROVEMENTS PROJECT IN THE AMOUNT OF \$3,038,800.00.

Indexes:

Attachments: [Map](#)

This Resolution was adopted unanimously.

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

21. [21-0399R](#) 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 \$17,221.39 FOR THE PURCHASE OF BALLISTIC VESTS.

Indexes:

Attachments: [Document A - Federal](#)

This Resolution was adopted unanimously.

BY VICE PRESIDENT FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

22. [21-0403R](#) RESOLUTION ACCEPTING REIMBURSEMENT MONEY IN THE AMOUNT OF \$37,002 FROM THE ARROWHEAD LIBRARY SYSTEM FOR THE PURCHASE OF LIBRARY MATERIALS.

This Resolution was adopted unanimously.

23. [21-0404R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30482 WITH MSA PROFESSIONAL SERVICES INC. FOR PERMITTING SERVICES FOR THE BRIGHTON BEACH TRAIL REALIGNMENT FOR AN INCREASE OF \$1,490 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$41,490.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

24. [21-0405R](#) A RESOLUTION DISTINGUISHING THE DWP TRAIL FROM THE CROSS CITY TRAIL

This Resolution was adopted unanimously.

25. [21-0406R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH DESIGN WORKSHOP, INC. FOR DULUTH PARKS, RECREATION AND OPEN SPACE MASTER PLANNING SERVICES FOR AN AMOUNT NOT TO EXCEED \$203,275.00

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

26. [21-0407R](#) RESOLUTION AUTHORIZING A THREE-YEAR NON-EXCLUSIVE USE AGREEMENT WITH EASTERN LITTLE LEAGUE OF DULUTH, INC. FOR THE USE OF COMO PARK BASEBALL FIELDS, JOHN BAGGS MEMORIAL BASEBALL FIELD, AND TONY EMANUEL BASEBALL FIELD.

Indexes:

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

This Resolution was adopted unanimously.

27. [21-0408R](#) RESOLUTION AUTHORIZING A FUNDING AGREEMENT WITH THE GND DEVELOPMENT ALLIANCE FOR CONSTRUCTION OF THE SKATE PARK AT THE GARY NEW DULUTH RECREATION CENTER.

Indexes:

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

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

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

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

28. [21-017-O](#) AN ORDINANCE GRANTING THE REGENTS OF THE UNIVERSITY OF MINNESOTA A CONCURRENT USE PERMIT FOR PRIVATE UTILITY IMPROVEMENTS WITHIN THE PLATTED RIGHT OF WAY OF GOLD STREET AND GOLD STREET ALLEY.

Indexes:

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

A motion was made by Councilor Filipovich to pass this Ordinance. The motion was seconded by Councilor Anderson. This Ordinance passed unanimously.

BY VICE PRESIDENT FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

29. [21-018-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT TO THE LEDGES ON LAKE SUPERIOR HOMEOWNERS' ASSOCIATION, INC. FOR THE SOLE PURPOSE OF INSTALLING, INSPECTING AND MAINTAINING EROSION CONTROL MEASURES UNDER, OVER, UPON, ACROSS AND ALONG CERTAIN CITY-OWNED PROPERTY FOR \$1.00 AND OTHER VALUABLE CONSIDERATION.

Indexes:

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

A motion was made by Councilor Forsman to pass this Ordinance. The motion was seconded by Councilor Tomanek. This Ordinance passes unanimously.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

ATTEST:

CHELSEA J. HELMER, City Clerk

Passed: June 7, 2021

Approved: June 8, 2021

EMILY LARSON, Mayor