



# 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]*

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Monday, February 14, 2022

7:00 PM

Council Chamber

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**NOTICE:** *The Duluth City Council will be holding the February 10, 2022 Agenda Session and February 14, 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](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

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

### PLEDGE OF ALLEGIANCE

### APPROVAL OF MINUTES

1. [22-012](#) Meeting Minutes of the Duluth City Council

**Indexes:**

**Attachments:** [2022-01-24, Minutes](#)

A motion was made by Councilor Medved to approve the Minutes. The motion

was seconded by Vice President Kennedy. The motion passed unanimously.

## PUBLIC HEARING

2. [22-009](#) Public Hearing: Ordinance 22-002-O: CHANGING THE MAXIMUM NUMBER OF APPOINTED DEPUTY FIRE CHIEFS FROM TWO TO THREE.

Indexes:

Attachments: [2022-01-14-notice-of-public-hearing](#)

This Public Hearing was held. There were no speakers.

## REPORTS FROM THE ADMINISTRATION

### REPORTS FROM OTHER OFFICERS

3. [22-016](#) Acceptance of Road and Utility Improvements by Private Parties City Project #1898

Indexes:

Attachments: [Acceptance to Council 2 14 22](#)

This Other Officers Report was received.

## REPORTS OF BOARDS AND COMMISSIONS

4. [22-013](#) Duluth Public Utilities Commission Meeting Minutes

Indexes:

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

This Board or Commission Report was received.

5. [22-014](#) Library Board Meeting Minutes

Indexes:

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

This Board or Commission Report was received.

6. [22-015](#) Energy Plan Commission Meeting Minutes

Indexes:

Attachments: [November 2021 - Energy Plan Commission Minutes](#)

This Board or Commission Report was received.

## REPORTS OF COUNCIL COMMITTEES

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

Adam Casillas spoke in regard to the Deputy Fire Chief job requirements.  
Brian Bongey and Linda Herron spoke in regard to the Climate Action Plan  
Matt Baumgartner and Todd Mell spoke in regard to the Tax Abatement for Cirrus.

**CONSENT AGENDA**

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

**BY VICE PRESIDENT KENNEDY (FINANCE)**

7.        [22-0169R](#)        RESOLUTION AMENDING RESOLUTION 22-0103R, ADOPTED JANUARY 24, 2022, TO ADD STATE FUNDING FOR THE NORTHERN LIGHTS EXPRESS PROJECT AS A LEGISLATIVE PRIORITY FOR THE CITY OF DULUTH IN 2022.

This Resolution was adopted unanimously.

**BY COUNCILOR AWAL (PURCHASING & LICENSING)**

8.        [22-0143R](#)        RESOLUTION APPROVING THE TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE FROM RANGE RESTAURANTS LLC (310 PUB) TO UP NORTH TAPS LLC (310 PUB), 310 LAKE AVENUE SOUTH

Indexes:

Attachments:   [Attachment A](#)

This Resolution was adopted unanimously.

**BY COUNCILOR VAN NETT (PERSONNEL)**

9.        [22-0136R](#)        RESOLUTION APPOINTING COUNCILOR FORSMAN TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY.

This Resolution was adopted unanimously.

10.       [22-0137R](#)       RESOLUTION CONFIRMING THE APPOINTMENT OF LA SHEENLARUBA TYACKE, DESIRE SINGER AND FRANCES

WITTENBERG TO THE DULUTH HUMAN RIGHTS COMMISSION.

**This Resolution was adopted unanimously.**

11.     [22-0138R](#)     RESOLUTION CONFIRMING THE APPOINTMENT OF CHRISTOPHER KOHEL TO THE CIVIL SERVICE BOARD.

**This Resolution was adopted unanimously.**

12.     [22-0156R](#)     RESOLUTION CONFIRMING THE APPOINTMENT OF BENJAMIN VANTASSEL AS DIRECTOR, ADMINISTRATIVE SERVICES FOR THE CITY OF DULUTH.

**This Resolution was adopted unanimously.**

13.     [22-0162R](#)     RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF MEASUREMENT SERVICES SUPERVISOR, INCLUDING A TITLE CHANGE TO UTILITY SERVICES SUPERVISOR, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

**Indexes:**

**Attachments:**   [Exhibit A](#)

**This Resolution was adopted unanimously.**

14.     [22-0163R](#)     RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF RECREATION SPECIALIST.

**Indexes:**

**Attachments:**   [Exhibit A](#)

**This Resolution was adopted unanimously.**

15.     [22-0164R](#)     RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF BLIGHT MITIGATION SPECIALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

**Indexes:**

**Attachments:**   [Exhibit A](#)

**This Resolution was adopted unanimously.**

16.     [22-0165R](#)     RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE

## EXISTING CIVIL SERVICE CLASSIFICATION OF CITY AUDITOR.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

17. [22-0166R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF RISK MANAGER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

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

18. [22-0141R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO SUB-RECIPIENT FUNDING AGREEMENTS WITH SOAR CAREER SOLUTIONS, ISD 709 DULUTH ADULT EDUCATION, COMMUNITY ACTION DULUTH, AND THE BOARD OF TRUSTEES OF THE MINNESOTA STATE COLLEGES AND UNIVERSITIES ON BEHALF OF LAKE SUPERIOR COLLEGE FOR EMPLOYMENT AND TRAINING SERVICES FUNDED THROUGH THE STATE OF MINNESOTA'S PATHWAYS TO PROSPERITY GRANT PROGRAM.

Indexes:

Attachments: [Attachment A - P2P SFY22 & SFY23 Sub-recipient Agreement - SOAR](#)  
[Attachment B - P2P SFY22 & SFY23 Sub-recipient Agreement - ISD #709 DAE](#)  
[Attachment C - P2P SFY22 & SFY23 Sub-recipient Agreement - CAD](#)  
[Attachment D - P2P SFY22 & SFY23 Sub-recipient Agreement - LSC](#)

This Resolution was adopted.

Councilor Tomanek abstains due to employer conflict

19. [22-0147R](#) RESOLUTION AUTHORIZING A SUB-RECIPIENT AGREEMENT WITH NEW BURNHAM, LLC TO FUND HISTORIC WINDOW REPLACEMENT IN THE HISTORIC SAINT LOUIS COUNTY JAIL FOR AN AMOUNT NOT TO EXCEED \$240,000.

Indexes:Attachments: [Exhibit A Subrecipient Agreement](#)

This Resolution was adopted unanimously.

20. [22-0149R](#) RESOLUTION AUTHORIZING A DEVELOPMENT AGREEMENT

BETWEEN THE CITY OF DULUTH AND CRAWFORD EXCAVATING, LLC, FOR THE DEVELOPMENT OF PROPERTY ON WEST SKYLINE PARKWAY EAST OF U.S. HIGHWAY 2.

Indexes:

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

This Resolution was adopted unanimously.

21. [22-0151R](#) RESOLUTION AUTHORIZING THE CITY OF DULUTH TO SUBMIT AN APPLICATION TO THE DEED MINNESOTA INVESTMENT FUND IN CONNECTION WITH CIRBUS DESIGN CORP.

This Resolution was adopted unanimously.

22. [22-0153R](#) RESOLUTION REGARDING THE SUPPORT OF A JOB CREATION FUND APPLICATION IN CONNECTION WITH CIRBUS DESIGN CORP.

This Resolution was adopted unanimously.

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

23. [22-0132R](#) RESOLUTION OF INTENT FOR CONSTRUCTION OF A SANITARY SEWER EXTENSION TO SERVE LOTS 13 AND 14, BLOCK 11, ALL IN First REARRANGEMENT IN CONGDON PARK DIVISION OF DULUTH, AND TO ASSESS THE COSTS THEREOF.

Indexes:

Attachments: [22-0132R Map](#)  
[22-0132R Petitions](#)

This Resolution was adopted unanimously.

24. [22-0134R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH MSA PROFESSIONAL SERVICES, INC. FOR ENGINEERING SERVICES TO PROVIDE AN OPERATION AND NEEDS REVIEW STUDY FOR THE WOODLAND BOOSTER STATION IMPROVEMENT PROJECT IN THE AMOUNT OF \$72,964.

Indexes:

Attachments: [22-0134R Map](#)

This Resolution was adopted unanimously.

**BY COUNCILOR ANDERSON (PUBLIC SAFETY)**

25. [22-0118R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO EXECUTE A POLICE ENTERPRISE RECORDS MANAGEMENT SYSTEM (RMS) SUBSCRIBER AGREEMENT WITH THE CITY OF HERMANTOWN TO PROVIDE THE HERMANTOWN POLICE DEPARTMENT ACCESS TO THE CITY OF DULUTH'S RMS FOR AN ANNUAL ESTIMATED FEE OF \$21,356.

Indexes:

Attachments: [Document A](#)

This Resolution was adopted unanimously.

26. [22-0133R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE STATE OF MINNESOTA IN THE AMOUNT OF \$12,365.60 FOR HAZMAT TRAINING AND FURTHER AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH THE STATE OF MINNESOTA.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

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

27. [22-0130R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR A FEDERAL RECREATIONAL TRAIL PROGRAM GRANT OF UP TO \$150,000 FOR REHABILITATION OF SNOWMOBILE INFRASTRUCTURE IN THE SPIRIT MOUNTAIN AREA

This Resolution was adopted unanimously.

28. [22-0131R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR A FEDERAL RECREATIONAL TRAIL PROGRAM GRANT OF UP TO \$150,000 FOR CONSTRUCTION OF SEGMENT 6 OF THE CROSS CITY TRAIL.

Indexes:

Attachments: [Exhibit 1 CCT Maps](#)

This Resolution was adopted unanimously.

29. [22-0135R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30210 WITH TRC ENVIRONMENTAL CORPORATION FOR ADDITIONAL ENGINEERING SERVICES FOR THE STORMWATER

OUTFALL LOCATED NEAR 7428 CONGDON BOULEVARD AS PART OF SHORELINE REPAIRS FROM THE OCTOBER 2018 STORM FOR AN INCREASE OF \$17,339.00 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$677,609.45.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

30. [22-0139R](#) RESOLUTION AUTHORIZING A MNLINK SERVER SITE AGREEMENT EXTENSION EXTENDING THE TERM OF AN AGREEMENT WITH THE REGENTS OF THE UNIVERSITY OF MINNESOTA, THROUGH THE UNIVERSITY LIBRARIES, RELATED TO THE MINNESOTA LIBRARY INFORMATION NETWORK FROM JUNE 30, 2022, TO JUNE 30, 2024.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

31. [22-0144R](#) RESOLUTION AUTHORIZING APPLICATION TO THE CONSERVATION PARTNERS LEGACY METRO PROGRAM FOR FUNDS TO ACQUIRE 83.2 ACRES FROM THE FOREST HILL CEMETERY FOR RECREATION AND PRESERVATION.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

32. [22-0146R](#) RESOLUTION AUTHORIZING APPLICATION TO AND ACCEPTANCE OF A MINNESOTA RECREATION AND PARKS FOUNDATION GRANT FY2022 IN AN AMOUNT NOT TO EXCEED \$3,981 FOR PROGRAMMING EQUIPMENT

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

33. [22-0148R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30568 WITH KFI ENGINEERS FOR BUILDING CONTROL DESIGN FOR THE CITY HALL MECHANICAL ELECTRICAL AND PLUMBING (MEP) RENEWAL PROJECT FOR AN INCREASE OF \$198,000.00 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$948,300.00.

Indexes:



**Attachments:** [KFI CH MEP amendment Proposal](#)

This Resolution was adopted unanimously.

34. [22-0150R](#) RESOLUTION AUTHORIZING A FIVE-YEAR AGREEMENT WITH THE GREATER DOWNTOWN COUNCIL FOR OPERATION OF ADVERTISING AND SIGNAGE IN THE DOWNTOWN SKYWALK SYSTEM.

**Indexes:**

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

This Resolution was adopted unanimously.

35. [22-0152R](#) RESOLUTION AUTHORIZING ACCEPTANCE AND EXECUTION OF A ONE-YEAR HOST SITE AGREEMENT WITH TRUE NORTH AMERICORPS FOR PLACEMENT AT THE DULUTH PUBLIC LIBRARY AT A COST OF \$6,950.

**Indexes:**

**Attachments:** [Exhibit A - True North AmeriCorps Partner Site Agreement 2021-2022](#)

This Resolution was adopted unanimously.

36. [22-0155R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30521 WITH LHB ENGINEERS & ARCHITECTS FOR LANDSCAPE ARCHITECTURAL AND COASTAL ENGINEERING DESIGN SERVICES FOR DULUTH LAKEWALK AND BRIGHTON BEACH FOR AN INCREASE OF \$299,864.00 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$347,887.00.

**Indexes:**

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

This Resolution was adopted unanimously.

## END OF CONSENT AGENDA

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

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

37. [22-0154R](#) RESOLUTION AUTHORIZING A TAX ABATEMENT WITH CIRRUSS DESIGN CORP. FOR THE REDEVELOPMENT OF THE FORMER MRO FACILITY AT 4600 STEBNER ROAD

Indexes:

Attachments: [Cirrus Pre-Business Subsidy Report 2.4.22](#)  
[Abatement Agreement Cirrus and City of Duluth-2\\_4\\_22](#)

This resolution requires a Public Hearing and will remain on the Agenda until 2/28

A motion was made by Councilor Tomanek to pass this Resolution. The motion was seconded by Councilor Randorf. The motion passed unanimously.

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

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

38. [22-009-O](#) AN ORDINANCE GRANTING SAINT LOUIS COUNTY PROPERTY MANAGEMENT (THE DEPOT) A CONCURRENT USE PERMIT FOR CANOPY IMPROVEMENTS IN THE PLATTED STREET RIGHT OF WAY OF WEST MICHIGAN STREET ADJACENT TO 506 WEST MICHIGAN 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 VAN NETT (PERSONNEL)**

39. [22-008-O](#) ORDINANCE AMENDING SECTION 2-2.3 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING MINIMUM JOB QUALIFICATIONS FOR DEPUTY FIRE CHIEFS.

A motion was made by Councilor Anderson to table this Ordinance for further discussion. The motion was seconded by Councilor Mayou. The motion passed unanimously.

40. [22-002-O](#) AN ORDINANCE AMENDING CHAPTER V, SECTION 36 OF THE DULUTH HOME RULE CHARTER, 1912, AS AMENDED, CHANGING THE MAXIMUM NUMBER OF APPOINTED DEPUTY FIRE CHIEFS FROM TWO TO THREE.

A motion was made by Councilor Anderson to pass this Ordinance. The motion

was seconded by Councilor Tomanek. The motion passed unanimously.

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

41. [22-006-O](#) AN ORDINANCE AMENDING THE R-P ZONE REGULATING PLAN FOR RAMSEY VILLAGE AFFECTING FIVE LOTS ON THE WEST SIDE OF NORTH 53RD AVENUE WEST NORTH OF RAMSEY STREET AND FIVE LOTS ON THE EAST SIDE OF 54TH AVENUE WEST NORTH OF RAMSEY STREET TO REPLACE THE CURRENTLY ALLOWED BUILDING TYPES WITH BUILDING TYPES I, VI, AND VII THAT ALLOW ONE-FAMILY DETACHED RESIDENTIAL STRUCTURES, FOUR-UNIT MULTI-FAMILY RESIDENTIAL STRUCTURES, AND EIGHT-UNIT MULTI-FAMILY RESIDENTIAL STRUCTURES.

Indexes:

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

**This Ordinance was adopted by the following vote:**

**Yea:** 8 - Councilor Awal, Councilor Anderson, Councilor Mayou, Councilor Medved, Councilor Tomanek, Councilor Van Nett, President Forsman and Vice President Kennedy

**Absent:** 1 - Councilor Randorf

42. [22-007-O](#) AN ORDINANCE GRANTING WB IBIZA, LLC, A CONCURRENT USE PERMIT FOR AN EXISTING STAIRWELL WITHIN THE PLATTED RIGHT OF WAY OF NORTH 28TH AVENUE WEST ADJACENT TO 2801 WEST SUPERIOR STREET.

Indexes:

Attachments: [Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)

**This Ordinance was adopted by the following vote:**

**Yea:** 8 - Councilor Awal, Councilor Anderson, Councilor Mayou, Councilor Medved, Councilor Tomanek, Councilor Van Nett, President Forsman and Vice President Kennedy

**Absent:** 1 - Councilor Randorf

**COUNCILOR QUESTIONS AND COMMENTS**

**COUNCILOR PREVIEW OF UPCOMING BUSINESS**

ATTEST:

Ian B. Johnson, CITY CLERK

*Passed on February 14, 2022*

*Approved on February 15, 2022*

*EMILY LARSON, Mayor*