



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Meeting Agenda - Final-revised

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, September 14, 2020

7:00 PM

Council Chamber

The Duluth City Council will be holding the September 10, 2020 Agenda Session and September 14, 2020 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

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [20-054](#) Meeting Minutes of the Duluth City Council

Attachments: [August 24, 2020 - Council Meeting](#)

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

2. [20-058](#) Business Subsidy Pre-Approval - LP Flats

Attachments: [Business Subsidy pre-approval- LP Flats](#)

REPORTS OF BOARDS AND COMMISSIONS

3. [20-055](#) Library Board Meeting Minutes

Attachments: [07-28-2020](#)

4. [20-056](#) Duluth Public Utilities Commission Meeting Minutes

Attachments: [07-21-2020](#)

5. [20-057](#) Duluth Public Utilities Commission Resolutions

Attachments: [20PUC-002](#)
 [20PUC-004](#)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

RESOLUTIONS TABLED

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

6. [20-0655R](#) RESOLUTION AUTHORIZING A CONTRACT WITH HOVLAND, INC. FOR CONSTRUCTION OF A SALT SHED AT RILEY ROAD FOR AN AMOUNT NOT TO EXCEED \$537,365.00.

CONSENT AGENDA

BY COUNCILOR MEDVED (FINANCE)

7. [20-0692R](#) A RESOLUTION ACCEPTING \$6,576,500 FROM THE CORONAVIRUS RELIEF FUND AND IDENTIFYING ELIGIBLE COSTS INCURRED BY THE CITY OF DULUTH IN RESPONSE TO THE PUBLIC HEALTH EMERGENCY.

Attachments: [Exhibit A](#)

BY COUNCILOR RANDORF (PURCHASING & LICENSING)

8. [20-0700R](#) RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISE PERMIT TO IRVING COMMUNITY ASSOCIATION

Attachments: [2020-08-25, Irving, Duluth Tap Exchange Pull-Tabs App](#)

BY COUNCILOR KENNEDY (PERSONNEL)

9. [20-0684R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF MIKE MAYOU TO THE COMMUNITY DEVELOPMENT COMMITTEE.
10. [20-0695R](#) RESOLUTION CONFIRMING THE APPOINTMENT BLAIR POWLESS TO THE DULUTH CITIZEN REVIEW BOARD

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

11. [20-0656R](#) RESOLUTION AUTHORIZING AN AGREEMENT DESIGNATING CONSORTIUM MINNESOTA CONSULTING GROUP LLC AS THE DEVELOPER TO CREATE A DEVELOPMENT PROPOSAL FOR A PORTION OF ENGER PARK GOLF COURSE.
- Attachments: [Exhibit A - Agreement](#)
12. [20-0671R](#) RESOLUTION VACATING A PORTION OF CALVARY ROAD ADJACENT TO 5 CALVARY ROAD RETAINING A UTILITY EASEMENT OVER THE SAME.
- Attachments: [Attachment 1](#)
 [Attachment 2](#)
13. [20-0672R](#) RESOLUTION VACATING A PORTION OF CALVARY ROAD AND WOODLAND AVENUE RETAINING A UTILITY EASEMENT OVER THE SAME.
- Attachments: [Attachment 1](#)
 [Attachment 2](#)

BY PRESIDENT ANDERSON (COMMITTEE OF THE WHOLE)

14. [20-0689R](#) 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)

15. [20-0673R](#) RESOLUTION AUTHORIZING THE PURCHASE OF A 2021 WESTERN STAR CAB AND CHASSIS FROM BOYER TRUCKS IN THE AMOUNT OF \$106,040.56, AND THE PURCHASE AND INSTALLATION OF PLOWING AND SANDING EQUIPMENT TO OUTFIT THE TRUCK FROM CRYSTEEL TRUCK EQUIPMENT IN THE AMOUNT OF \$124,263.95 FOR A TOTAL AMOUNT OF \$230,304.51.
16. [20-0687R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH KRAUS-ANDERSON CONSTRUCTION COMPANY TO DEMOLISH AND REMOVE A RAILROAD BRIDGE LOCATED ON KRAUS-ANDERSON'S PROPERTY OVER 37TH AVENUE WEST NEAR ONEOTA STREET IN WEST DULUTH, AT NO COST TO THE CITY.

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

BY COUNCILOR VAN NETT (PUBLIC SAFETY)

17. [20-0690R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO EXECUTE A POLICE ENTERPRISE RECORDS MANAGEMENT SYSTEM (RMS) SUBSCRIBER AGREEMENT WITH THE CITY OF VIRGINIA TO PROVIDE THE VIRGINIA POLICE DEPARTMENT ACCESS TO THE CITY OF DULUTH'S RMS FOR AN ANNUAL ESTIMATED FEE OF \$31,472.

Attachments: [Document A](#)

BY COUNCILOR FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

18. [20-0623R](#) A RESOLUTION AUTHORIZING AN APPLICATION TO THE UNITED STATES ECONOMIC DEVELOPMENT ADMINISTRATION FOR \$3,500,000 FOR THE CITY OF DULUTH COASTAL INFRASTRUCTURE REHABILITATION PROJECT AND TO PROVIDE MATCHING FUNDS UP TO \$875,000.
19. [20-0682R](#) RESOLUTION TO APPLY FOR A STATE OF MINNESOTA CONSERVATION PARTNERS LEGACY METRO GRANT IN AN AMOUNT NOT TO EXCEED \$350,000 TO ACQUIRE AND RESTORE RIVERFRONT PROPERTY OPPOSITE TALLAS ISLAND TO BE PROTECTED AS PART OF THE ST. LOUIS RIVER NATURAL AREA AND WAABIZHESHKANA - THE MARTEN TRAIL. (REPLACEMENT)

Attachments: [Exhibit A for CPL Metro Application](#)
[Exhibit B](#)

20. [20-0683R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH SE GROUP TO UNDERTAKE FINANCIAL ANALYSIS, A STRATEGIC BUSINESS PLAN, AND AN ECONOMIC IMPACT ANALYSIS FOR SPIRIT MOUNTAIN RECREATION AREA IN SUPPORT OF THE SPIRIT MOUNTAIN TASK FORCE.
- Attachments: [Exhibit A - SE Group Proposal](#)
21. [20-0685R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE MINNESOTA LAND TRUST FOR PROFESSIONAL SERVICES TO SUPPORT THE DEVELOPMENT OF A DULUTH NATURAL RESOURCE MANAGEMENT PLAN FOR AN AMOUNT NOT TO EXCEED \$50,000.
- Attachments: [Exhibit A](#)
22. [20-0686R](#) RESOLUTION AUTHORIZING A TWO-MONTH WAIVER OF RENT TO ARROWHEAD YOUTH SOCCER ASSOCIATION FOR THE WHEELER FIELDHOUSE LEASE AGREEMENT.
23. [20-0688R](#) RESOLUTION AUTHORIZING AN EXCLUSIVE USE PERMIT AGREEMENT WITH BENTLEYVILLE TOUR OF LIGHTS, INC., FOR THE PRODUCTION, PROMOTION, AND MANAGEMENT OF THE BENTLEYVILLE TOUR OF LIGHTS IN BAYFRONT FESTIVAL PARK FOR THE 2020 HOLIDAY SEASON.
- Attachments: [Exhibit 1](#)
24. [20-0693R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH DULUTH ECONOMIC DEVELOPMENT AUTHORITY TO USE DEDA-OWNED PROPERTY COMMONLY KNOWN AS BAYFRONT FESTIVAL PARK AND PARKING LOT B, AT NO COST TO THE CITY.
- Attachments: [Exhibit 1.pdf](#)

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR RANDORF (PURCHASING & LICENSING)

25. [20-0701R](#) RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO THE DULUTH CHILDREN'S MUSEUM.
- Attachments: [2020-08-26, Duluth Children's Museum, Temp Liquor App](#)

BY COUNCILOR KENNEDY (PERSONNEL)

26. [20-0702R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF JENNIFER CARLSON AS FINANCE DIRECTOR FOR THE CITY OF DULUTH.

BY COUNCILOR FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

27. [20-0653R](#) RESOLUTION TO APPROVE CITY'S RECOMMENDED TRAIL USE AT CHESTER PARK DURING WINTER GROOMING SEASON.

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

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

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

28. [20-048-O](#) AN ORDINANCE GRANTING THE ST. LOUIS AND LAKE COUNTIES REGIONAL RAILROAD AUTHORITY A CONCURRENT USE PERMIT FOR LOW CLEARANCE WARNING SIGNS IN THE PLATTED STREET RIGHT-OF-WAY OF 36 AVENUE EAST BETWEEN GREYSOLON ROAD AND LONDON ROAD.

Attachments: [Attachment 1](#)

29. [20-049-O](#) AN ORDINANCE GRANTING THE ST. LOUIS AND LAKE COUNTIES REGIONAL RAILROAD AUTHORITY A CONCURRENT USE PERMIT FOR LOW CLEARANCE WARNING SIGNS IN THE PLATTED STREET RIGHT-OF-WAY OF 32 AVENUE EAST BETWEEN GREYSOLON ROAD AND LONDON ROAD.

Attachments: [Attachment 1](#)

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

BY COUNCILOR RANDORF (PURCHASING & LICENSING)

30. [20-047-O](#) AN ORDINANCE AMENDING CHAPTER 29A-32 OF THE DULUTH CITY CODE BY ADDING A REQUIREMENT THAT LANDLORDS PURCHASE PROPERTY INSURANCE.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS