



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 8, 2020

7:00 PM

Council Chamber

NOTICE: The Duluth City Council will be holding its June 4, 2020 Agenda Session and June 8, 2020 City 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: 8 - Councilor Zack Filipovich, Councilor Arik Forsman, Councilor Janet Kennedy, Councilor Derek Medved, Councilor Roz Randorf, Councilor Joel Sipress, Vice President Renee Van Nett and President Gary Anderson

PLEDGE OF ALLEGIANCE

PUBLIC HEARING - AN ORDINANCE AMENDING THE CITY OF DULUTH HOME RULE CHARTER, 1912, AS AMENDED, CHANGING THE JOB TITLE OF CHIEF ADMINISTRATIVE OFFICER TO CITY ADMINISTRATOR.

Held - No public comment received.

APPROVAL OF MINUTES

1. [20-039](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [May 26, 2020 Council Meeting](#)

These Minutes were approved.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [20-038](#) Charter Commission Submitting for Public Hearing: An Ordinance Amending the City of Duluth Home Rule Charter, 1912, As Amended, Changing the Job Title of Chief Administrative Officer to City Administrator, approved unanimously by the Charter Commission on May 6, 2020.

This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

No public comment received.

RESOLUTIONS TABLED

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

3. [20-0390R](#) RESOLUTION OF INTENT TO SUPPORT THE REQUEST BY AMERICAN INDIAN COMMUNITY HOUSING ORGANIZATION AND DOMINIUM TO THE STATE OF MINNESOTA FOR LOW INCOME HOUSING TAX CREDITS FOR THE INDIGENOUS RESILIENCY AFFORDABLE HOUSING PROJECT.

Indexes:

Attachments: [Exhibit A_project location map](#)

A motion was made that this resolution be removed from the table. Motion to remove from the table passed unanimously.

Resolution removed from the table and returned to Administration. Motion to

return to Administration passed unanimously

CONSENT AGENDA

BY COUNCILOR RANDORF (PURCHASING & LICENSING)

4. [20-0468R](#) RESOLUTION AUTHORIZING AN INCREASE TO THE ANNUAL CONTRACT FOR ORIGINAL EQUIPMENT MANUFACTURER (OEM) PARTS, SUPPLIES AND LABOR FOR 2020 FROM ZIEGLER, INC. IN THE AMOUNT OF \$100,000 FOR A NEW TOTAL AMOUNT NOT TO EXCEED \$350,000.

This Resolution was adopted unanimously.

5. [20-0479R](#) RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSES OF VARIOUS LICENSEES.

Indexes:

Attachments: [Attachment A - Permanent Expansion Applications](#)

This Resolution was adopted unanimously.

BY COUNCILOR KENNEDY (PERSONNEL)

6. [20-0440R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF LAURA NESS AND MARCIA PODRATZ TO THE SANITARY SEWER BOARD OF THE WESTERN LAKE SUPERIOR SANITARY DISTRICT.

Indexes:

Attachments: [Laura Ness Reappointment Letter](#)
[Marcia Podratz Reappointment Letter](#)

This Resolution was adopted unanimously.

BY PRESIDENT ANDERSON (COMMITTEE OF THE WHOLE)

7. [20-0478R](#) RESOLUTION RENEWING DECLARATION OF LOCAL HEALTH EMERGENCY FOR PURPOSES OF DULUTH CITY CODE SECTION 17-7 AND MINNESOTA STATUTES SECTIONS 12.29, 365.27 AND 13D.021.

This Resolution was adopted unanimously.

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

8. [20-0469R](#) RESOLUTION AMENDING RESOLUTION NO. 20-0396R CLARIFYING THE AMOUNT OF TAX INCREMENT FINANCING TO BE PROVIDED IN CONNECTION WITH THE CONSTRUCTION OF THE BREWERY CREEK HOUSING DEVELOPMENT.

This Resolution was adopted unanimously.

9. [20-0470R](#) RESOLUTION VACATING A UTILITY EASEMENT IN THIRTY-EIGHTH AVENUE EAST LYING NORTH OF LONDON ROAD IN THE PLAT OF REARRANGEMENT OF PART OF EAST DULUTH AND OF FIRST ADDITION TO EAST DULUTH.

Indexes:

Attachments: [Exhibit A](#)
[Staff Report](#)

This Resolution was adopted unanimously.

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

10. [20-0465R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A REIMBURSEMENT SAFETY GRANT FROM THE STATE OF MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY, OCCUPATIONAL SAFETY AND HEALTH CONSULTATION UNIT FOR THE STREET MAINTENANCE DIVISION.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

11. [20-0471R](#) RESOLUTION AUTHORIZING A CONTRACT WITH JMF CONSTRUCTION, INC., FOR THE REPAIR OF MANHOLES FOR DULUTH ENERGY SYSTEMS IN 2020 FOR AN AMOUNT NOT TO EXCEED \$391,000.

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR KENNEDY (PERSONNEL)

12. [20-0473R](#) RESOLUTION APPOINTING TERESE TOMANEK TO FILL THE VACANCY OF THE AT LARGE CITY COUNCIL SEAT.

This Resolution was adopted as amended.

BY COUNCILOR FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

13. [20-0472R](#) RESOLUTION AUTHORIZING A DEVELOPMENT AND OPERATION AGREEMENT WITH THE DULUTH CLIMBERS COALITION FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF ICE FARMING INFRASTRUCTURE AT QUARRY PARK.

Indexes:

Attachments: [Exhibit 1](#)

This Resolution was tabled.

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

BY PRESIDENT ANDERSON (COMMITTEE OF THE WHOLE)

14. [20-041-O](#) AN ORDINANCE AMENDING THE CITY OF DULUTH HOME RULE CHARTER, 1912, AS AMENDED, CHANGING THE JOB TITLE OF CHIEF ADMINISTRATIVE OFFICER TO CITY ADMINISTRATOR

This Ordinance was read for the first time.

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

15. [20-040-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY NEAR HIGHLAND STREET BETWEEN NORTH 57TH AVENUE WEST AND NORTH 61ST AVENUE WEST FROM INDUSTRIAL-GENERAL (I-G) TO MIXED USE BUSINESS PARK (MU-B) AND RESIDENTIAL-TRADITIONAL (R-1).

Indexes:

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

This Ordinance was read for the first time.

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

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

16. [20-035-O](#) AN ORDINANCE GRANTING ST. LUKE'S HOSPITAL A CONCURRENT USE PERMIT FOR A PAVEMENT SNOWMELT SYSTEM IN THE PLATTED STREET RIGHT OF WAY OF EAST SECOND STREET NEAR 1012 EAST SECOND STREET.

Indexes:

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

This Ordinance was adopted unanimously.

17. [20-036-O](#) AN ORDINANCE GRANTING MARY DUBOIS AT 3322 MINNESOTA AVENUE A CONCURRENT USE PERMIT FOR A SHELTER IN THE PLATTED STREET RIGHT OF WAY OF SOUTH LAKE AVENUE.

Indexes:

Attachments: [Attachment 1](#)

This Ordinance was adopted unanimously.

18. [20-037-O](#) AN ORDINANCE GRANTING MINNESOTA POWER, A DIVISION OF ALLETE, INC., A CONCURRENT USE PERMIT FOR A PARKING STRUCTURE IN THE PLATTED STREET RIGHT OF WAY OF SUPERIOR STREET.

Indexes:

Attachments: [CUP-Exhibit A.pdf](#)
[CUP-Exhibit B.pdf](#)
[CUP-Exhibit C.pdf](#)
[CUP-Exhibit D.pdf](#)

This Ordinance was adopted.

Abstain: Councilor Forsman, due to employer conflict

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

