



# City of Duluth

411 West First Street  
Duluth, Minnesota 55802

## Meeting Agenda - 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, May 10, 2021

7:00 PM

Council Chamber

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*NOTICE: The Duluth City Council will be holding the May 6, 2021 Agenda Session and May 10, 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](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

### PLEDGE OF ALLEGIANCE

### PUBLIC HEARING

1. [21-035](#) NOTICE OF PUBLIC HEARING – RESOLUTION 21-0348R, RELATING TO A TAX ABATEMENT; GRANTING THE ABATEMENT FOR THE ST PAPER 1 LLC PROJECT.

**Attachments:** [NOTICE OF PUBLIC HEARING\\_TA](#)

2. [21-036](#) NOTICE OF PUBLIC HEARING – RESOLUTION 21-0341R, SUPPORTING THE APPLICATION OF ST PAPER 1 LLC TO DEED FOR A MINNESOTA INVESTMENT FUND GRANT/REBATE OF UP TO \$3 MILLION.

**Attachments:** [NOTICE OF PUBLIC HEARING\\_MIF\\_Application](#)

## APPROVAL OF MINUTES

3. [21-034](#) Meeting Minutes of the Duluth City Council

**Attachments:** [2021-04-26, Minutes](#)

## REPORTS FROM THE ADMINISTRATION

## REPORTS FROM OTHER OFFICERS

## REPORTS OF BOARDS AND COMMISSIONS

4. [21-031](#) Duluth Public Utilities Commission Meeting Minutes

**Attachments:** [March 2021 - DPUC Minutes](#)

5. [21-032](#) Indigenous Commission Meeting Minutes

**Attachments:** [March 2021 - Indigenous Meeting Minutes](#)

6. [21-033](#) Library Board Meeting Minutes

**Attachments:** [March 2021 - Library Board Meeting Minutes](#)

## REPORTS OF COUNCIL COMMITTEES

## REPORTS OF COUNCIL OPEN ISSUES

## OPPORTUNITY FOR CITIZENS TO BE HEARD

## CONSENT AGENDA

## BY COUNCILOR MEDVED (FINANCE)

7. [21-0315R](#) 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.

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

**BY COUNCILOR KENNEDY (PERSONNEL)**

8. [21-0342R](#) RESOLUTION CONFIRMING THE APPOINTMENTS OF TAMMY CLORE, AMY DEMMER, SCOTTIE GARDONIO AND ERIKA PAZIAN TO THE DULUTH PUBLIC ARTS COMMISSION.

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

9. [21-0311R](#) RESOLUTION VACATING A PORTION OF 32ND AVENUE WEST IN THE PLAT OF OHARA'S DIVISION OF DULUTH, RETAINING A DRAINAGE AND UTILITY EASEMENT OVER THE ENTIRE PORTION OF THE VACATED AREA.

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

10. [21-0320R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 120 EAST SUPERIOR STREET, LOCATED IN THE F-7 DOWNTOWN SHOPPING FORM DISTRICT, UNIT 3 (LILLECORPS ONE LLC).

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

11. [21-0323R](#) RESOLUTION OF INTENT TO SUPPORT THE REQUEST BY THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH MINNESOTA TO THE STATE OF MINNESOTA FOR LOW INCOME HOUSING TAX CREDITS AND INFRASTRUCTURE BONDS FOR THE CONSTRUCTION OF THE 70 UNIT SKYRIDGE FLATS SENIOR APARTMENTS.

**Attachments:** [AHC Support Letter LIHTC Projects](#)

12. [21-0324R](#) RESOLUTION OF INTENT TO SUPPORT THE REQUEST BY ONE ROOF COMMUNITY HOUSING TO THE STATE OF MINNESOTA FOR LOW INCOME HOUSING TAX CREDITS FOR THE CONSTRUCTION OF THE 42 UNIT DECKER DWELLINGS PHASE II PROJECT.

**Attachments:** [AHC Support Letter LIHTC Projects](#)

13. [21-0325R](#) RESOLUTION OF INTENT TO SUPPORT THE REQUEST BY ACCESSIBLE SPACE, INC TO THE STATE OF MINNESOTA FOR LOW INCOME HOUSING TAX CREDITS AND INFRASTRUCTURE BONDS FOR THE CONSTRUCTION OF THE 55 UNIT MORGAN PARK SENIOR APARTMENTS.

**Attachments:** [AHC Support Letter LIHTC Projects](#)

14. [21-0326R](#) RESOLUTION OF INTENT TO SUPPORT THE REQUEST BY ARTSPACE PROJECTS INC TO THE STATE OF MINNESOTA FOR LOW INCOME HOUSING TAX CREDITS FOR THE REDEVELOPMENT OF THE EXISTING WASHINGTON STUDIOS.
- Attachments:** [AHC Support Letter LIHTC Projects](#)
15. [21-0327R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 3027 MINNESOTA AVENUE ZONED R-1 FOR STEVEN SOLA.
- Attachments:** [Attachment 1](#)
16. [21-0328R](#) RESOLUTION VACATING A PORTION OF A 16 FOOT WIDE ALLEY LYING WITHIN BLOCK 2 OF THE DULUTH HEIGHTS SIXTH DIVISION.
- Attachments:** [Attachment 1](#)
17. [21-0329R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 942 89TH AVENUE WEST, APARTMENT 101, ZONED R-2 FOR ANN VANRYSWYK.
- Attachments:** [Attachment 1](#)
18. [21-0330R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT IN THE R-1 ZONE DISTRICT AT 1407 MORNINGSIDE AVENUE FOR REBECCA ORN.
- Attachments:** [Attachment 1](#)
19. [21-0332R](#) RESOLUTION APPROVING A PRE-COMMITMENT OF \$400,000 FISCAL YEAR 2022 FUNDING ALLOCATION TO THE CITY OF DULUTH FROM THE HOUSING AND URBAN DEVELOPMENT (HUD) DEPARTMENT TO ONE ROOF COMMUNITY HOUSING FOR THE CONSTRUCTION OF THE DECKER DWELLINGS PHASE II APARTMENTS.
20. [21-0334R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO REQUEST AND ACCEPT FROM ST. LOUIS COUNTY, ON BEHALF OF THE STATE OF MINNESOTA, CERTAIN TAX FORFEIT LAND IN THE AMOUNT OF \$34,100.00 FOR ECONOMIC DEVELOPMENT PURPOSES.
- Attachments:** [Exhibit A-Resolution re Acquisition.pdf](#)

21. [21-0338R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 4931 EAST SUPERIOR STREET LOCATED IN THE F-2 LOW-RISE NEIGHBORHOOD MIX FORM DISTRICT (ENDION LAND COMPANY, LLC).

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

22. [21-0341R](#) RESOLUTION SUPPORTING THE APPLICATION OF ST PAPER 1 LLC TO DEED FOR A MINNESOTA INVESTMENT FUND GRANT/REBATE OF UP TO \$3 MILLION.

23. [21-0347R](#) RESOLUTION AUTHORIZING TAX ABATEMENT AND LOAN AGREEMENT WITH ST PAPER 1, LLC FOR REDEVELOPMENT OF THE WEST DULUTH PAPER MILL.

**Attachments:** [ST Paper Agreement Relacement 5 7 21 Final](#)  
[PLA](#)  
[Community Benefits Program Specifications Rev 02.18.20](#)  
[Community Benefits Best Efforts Planning Form Fillable Rev 01-29-21](#)  
[Community Benefits Monthly Reporting Form Rev 1-29-21](#)

24. [21-0348R](#) RESOLUTION RELATING TO A TAX ABATEMENT; GRANTING THE ABATEMENT FOR THE ST PAPER 1 LLC PROJECT.

**Attachments:** [ST Paper Business Subsidy Agreement Pre-approval Final final](#)

#### **BY PRESIDENT VAN NETT (COMMITTEE OF THE WHOLE)**

25. [21-0316R](#) 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)**

26. [21-0314R](#) RESOLUTION AWARDDING A CONTRACT TO ULLAND BROTHERS, INC. FOR THE 2021 STREET PRESERVATION PROJECT IN THE AMOUNT OF \$2,694,874.

**Attachments:** [21-0314 Maps](#)

27. [21-0321R](#) RESOLUTION AWARDDING A CONTRACT TO ELLINGSON TRENCHLESS, LLC FOR THE WOODLAND AVENUE GAS MAIN REPLACEMENT PROJECT PHASE 3 IN THE AMOUNT OF \$585,809.70.

**Attachments:** [21-0321R Map](#)

28. [21-0331R](#) RESOLUTION AUTHORIZING AGREEMENT WITH ME GLOBAL, INC. FOR GAS TRANSPORTATION SERVICES.

**Attachments:** [Exhibit A Transport Contract 2021.pdf](#)

**BY COUNCILOR ANDERSON (PUBLIC SAFETY)**

29. [21-0310R](#) RESOLUTION AUTHORIZING THE PURCHASE OF SEVEN (7) 2021 FORD INTERCEPTORS FROM TENVOORDE MOTOR CO. IN THE AMOUNT OF \$259,505.68.

**BY VICE PRESIDENT FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)**

30. [21-0249R](#) RESOLUTION AUTHORIZING A CONTRACT WITH PEC SOLUTIONS DBA ARCHKEY TECHNOLOGIES FOR THE MAIN LIBRARY DATA RECABLING FOR AN AMOUNT NOT TO EXCEED \$149,694.
31. [21-0317R](#) RESOLUTION ACCEPTING A \$10,000 CONTRIBUTION FROM THE INDIGENOUS WOMEN'S WATER SISTERHOOD FOR THE IMPLEMENTATION OF THE WAABIZHESHKANA: THE MARTEN TRAIL INTERPRETIVE PLAN
32. [21-0335R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30511 WITH AMI CONSULTING ENGINEERS FOR DULUTH SEAWALL, BAYWALK, AND HARBOR DRIVE PERMITTING FOR AN INCREASE OF \$10,395 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$54,665.25.
- Attachments:** [Exhibit A](#)
33. [21-0336R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH RAMBOLL US CONSULTING INC., FOR COASTAL INFRASTRUCTURE RESILIENCE RESEARCH AND DEVELOPMENT FOR AN AMOUNT NOT TO EXCEED \$294,500.
- Attachments:** [Exhibit A Research and Assessment.pdf](#)
34. [21-0337R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH MSA PROFESSIONAL SERVICES, INC. FOR COASTAL INFRASTRUCTURE RESILIENCE OUTREACH FOR AN AMOUNT NOT TO EXCEED \$49,664.
- Attachments:** [Exhibit A Outreach.pdf](#)
35. [21-0349R](#) RESOLUTION AUTHORIZING APPLICATION FOR, AND ACCEPTANCE OF, A GRANT FROM THE MINNESOTA AMATEUR SPORTS COMMISSION ON BEHALF OF THE GARY NEW DULUTH DEVELOPMENT ALLIANCE IN AN AMOUNT NOT TO EXCEED \$125,000 FOR CONSTRUCTION OF THE GARY-NEW DULUTH COMMUNITY RECREATION AREA SKATE PARK.

**END OF CONSENT AGENDA**

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

**BY COUNCILOR MEDVED (FINANCE)**

36. [21-0277R](#) RESOLUTION APPROVING A DEBT FORGIVENESS PLAN FOR SPIRIT MOUNTAIN RECREATION AREA AUTHORITY IN AN AMOUNT UP TO \$900,000.

**BY VICE PRESIDENT FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)**

37. [21-0339R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH TKDA TO BE PAID FOR BY SPIRIT MOUNTAIN RECREATION AUTHORITY FOR SPIRIT MOUNTAIN CHALET AND CAMPGROUND PREDESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED \$102,500.

Attachments: [Exhibit A](#)

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

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

38. [21-015-O](#) AN ORDINANCE GRANTING NEWCASTLE 8 LLC AT 7 NORTH 19TH AVENUE WEST A CONCURRENT USE PERMIT FOR AN EXISTING BUILDING WALL WITHIN THE PLATTED RIGHT OF WAY FOR WEST 1ST STREET ALLEY.

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

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

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

39. [21-012-O](#) AN ORDINANCE GRANTING ESSENTIA HEALTH A CONCURRENT USE PERMIT FOR A PRIVATE UTILITY CONDUIT IN THE PLATTED STREET RIGHT OF WAY OF NORTH FOURTH AVENUE EAST AND EAST SECOND STREET.

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

40. [21-013-O](#) AN ORDINANCE AMENDING SECTIONS 50-20.1, 50-20.4, 50-24.2, AND 50-41 RELATED TO SOBER HOUSES AND RESIDENTIAL CARE FACILITIES.

**Attachments:** [Attachment A](#)  
[Attachment B](#)  
[Attachment C](#)

**COUNCILOR QUESTIONS AND COMMENTS**

**COUNCILOR PREVIEW OF UPCOMING BUSINESS**