



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 13, 2022

7:00 PM

Council Chamber

ROLL CALL

Present: 7 - Councilor Gary Anderson, Councilor Azrin Awal, Noah Hobbs, Councilor Mike Mayou, Councilor Roz Randorf, Councilor Terese Tomanek and Vice President Janet Kennedy

Absent: 1 - President Arik Forsman

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [22-044](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2022-05-23, Minutes](#)

These Minutes were approved.

PUBLIC HEARING

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [22-045](#) Housing and Redevelopment Authority of Duluth Meeting Minutes

Indexes:

Attachments: [March 2022 - HRA Minutes](#)

[April 2022 - HRA Minutes](#)

This Board or Commission Report was received.

3. [22-046](#) Library Board Meeting Minutes

Indexes:

Attachments: [April 2022 - Library Board Minutes](#)

This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

CONSENT AGENDA

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

4. [22-0475R](#) RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSES OF VARIOUS LICENSEES.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

Absent: President Forsman

5. [22-0476R](#) RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO VARIOUS LICENSEES.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

Absent: President Forsman

6. [22-0477R](#) RESOLUTION APPROVING THE ISSUANCE OF AN ON SALE INTOXICATING LIQUOR LICENSE AND ON SALE SUNDAY LICENSE

TO MARGARITAS, LLC (MARGARITAS) - 4602 GRAND AVENUE

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

Absent: President Forsman

7. [22-0478R](#) RESOLUTION APPROVING ISSUANCE OF AN ON SALE WINE LICENSE AND ON SALE 3.2 PERCENT MALT LIQUOR LICENSE TO VARIOUS LICENSEES.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

Absent: President Forsman

8. [22-0479R](#) RESOLUTION APPROVING THE TRANSFER OF THE OFF SALE INTOXICATING LIQUOR LICENSE FROM LOISELLE'S LIQUOR STORE TO LAKE SUPERIOR LIQUOR CABINET COMPANY (LAKE SUPERIOR LIQUOR CABINET), 413 EAST 4TH STREET

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

Absent: President Forsman

BY COUNCILOR FORSMAN (PERSONNEL)

9. [22-0466R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF SHAUNA MAUER AND SARAH BEEHLER TO THE PARKS AND RECREATION COMMISSION

This Resolution was adopted unanimously.

Absent: President Forsman

10. [22-0467R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF JEFF ANDERSON TO THE DULUTH AIRPORT AUTHORITY.

This Resolution was adopted unanimously.

Absent: President Forsman

11. [22-0488R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF POLICE PROJECT COORDINATOR, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

Absent: President Forsman

12. [22-0510R](#) RESOLUTION ESTABLISHING A PROCEDURE FOR SELECTING A CANDIDATE TO FILL THE VACANCY OF THE FOURTH DISTRICT SEAT.

This Resolution was adopted unanimously.

Absent: President Forsman

13. [22-0511R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF COUNCILOR TERESE TOMANEK TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY REPLACING COUNCILOR RENEE VAN NETT.

This Resolution was adopted unanimously.

Absent: President Forsman

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

14. [22-0485R](#) RESOLUTION APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DULUTH AND FATHERS RISE TOGETHER FOR THE DEMOLITION AND DEVELOPMENT OF 319 NORTH 28TH AVENUE WEST.

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

This Resolution was adopted unanimously.

Absent: President Forsman

15. [22-0489R](#) RESOLUTION OF INTENT TO SELL OR CONVEY CERTAIN REAL PROPERTY IN THE FAIRMOUNT NEIGHBORHOOD.

Indexes:Attachments: [Exhibit A-Resolution of Intent.pdf](#)[Exhibit B-Resolution of Intent.pdf](#)

This Resolution was adopted unanimously.

Absent: President Forsman

16. [22-0499R](#) RESOLUTION OF INTENT TO SELL OR CONVEY CERTAIN REAL PROPERTY IN THE FAIRMOUNT NEIGHBORHOOD.

Indexes:

Attachments: [Exhibit A-Resolution of Intent.pdf](#)
[Exhibit B-Resolution of Intent.pdf](#)

This Resolution was adopted unanimously.
Absent: President Forsman

17. [22-0506R](#) RESOLUTION VACATING UNIMPROVED PLATTED STREETS AND EASEMENTS IN CONJUNCTION WITH THE REPLATTING OF THE LAND INTO THE KARA-MIA ADDITION PLAT NEAR PALM STREET AND BLACKMAN AVENUE.

Indexes:

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

This Resolution was adopted unanimously.
Absent: President Forsman

18. [22-0507R](#) RESOLUTION RESCINDING RESOLUTION NO. 22-0421 AND VACATING A 16-FOOT WIDE ALLEY LYING BETWEEN BLOCKS 6 AND 11 IN THE PLAT OF DODGE'S ADDITION TO DULUTH.

Indexes:

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

This Resolution was adopted unanimously.
Absent: President Forsman

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

19. [22-0451R](#) RESOLUTION AUTHORIZING A MASTER PARTNERSHIP AGREEMENT WITH MNDOT TO COOPERATIVELY PROVIDE ROADWORK SERVICES.

Indexes:

Attachments: [22-0451R Exhibit A](#)

This Resolution was adopted unanimously.
Absent: President Forsman

20. [22-0455R](#) RESOLUTION AMENDING A CONTRACT WITH LHB, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE BRIDGE L6127 (TWIN PONDS BRIDGE) AND STONE WALL REHABILITATION SERVICES PROJECT, TO INCREASE THE AMOUNT BY \$37,740.50 FOR A NEW TOTAL OF \$69,654.50.

Indexes:

Attachments: [22-0455R Fee Estimate](#)
[22-0455R Map](#)

This Resolution was adopted unanimously.
Absent: President Forsman

21. [22-0462R](#) RESOLUTION APPROVING A COUNTY PROJECT WITHIN MUNICIPAL CORPORATE LIMITS FOR IMPROVEMENTS TO COUNTY STATE AID HIGHWAY 56 (MORRIS THOMAS ROAD).

Indexes:

Attachments: [22-0462R Map](#)

This Resolution was adopted unanimously.
Absent: President Forsman

22. [22-0464R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CITY OF RICE LAKE FOR SEALING A PORTION OF AUSTIN STREET IN THE AMOUNT OF UP TO \$7,000.

Indexes:

Attachments: [22-0464R Exhibit A](#)
[21-0464R Map](#)

This Resolution was adopted unanimously.
Absent: President Forsman

23. [22-0481R](#) RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF DULUTH AND THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR SANITARY SEWER AND WATER MAIN IMPROVEMENTS TO PORTIONS OF 19th AVENUE WEST, 20th AVENUE WEST, AND GARFIELD AVENUE ADJACENT TO I-535 AND US 53 WITHIN THE CORPORATE CITY LIMITS UNDER STATE PROJECT 6980-62 AND STATE PROJECT 6915-138.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Absent: President Forsman

24. [22-0486R](#) RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR STREET AND UTILITY PURPOSES FROM JAMES C. UTICK and CINDY L. UTICK OVER, UNDER, AND ACROSS REAL PROPERTY IN THE HUNTERS PARK NEIGHBORHOOD FOR NOMINAL CONSIDERATION.

Indexes:

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

This Resolution was adopted unanimously.
Absent: President Forsman

BY COUNCILOR TOMANEK (RECREATION, LIBRARIES & AUTHORITIES)

25. [22-0251R](#) RESOLUTION OF INTENT FOR FUTURE PROTECTIVE DESIGNATIONS OF TAX-FORFEITED LANDS TO BE ACQUIRED BY THE CITY.

Indexes:

Attachments: [Exhibit A Park Designation Map](#)
[Exhibit B Natural Area Designation Map](#)
[Exhibit C Protective Designation Table](#)

This Resolution was adopted unanimously.
Absent: President Forsman

26. [22-0468R](#) RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH THE DULUTH TRANSIT AUTHORITY TO PROVIDE LEGAL SERVICES.

Indexes:

Attachments: [Exhibit A - DTA Legal Services Agreement](#)

This Resolution was adopted unanimously.
Absent: President Forsman

27. [22-0471R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH ALLIANCE FOR ARCHITECTURAL DESIGN SERVICES FOR SPIRIT MOUNTAIN UPPER CHALET FOR AN AMOUNT NOT TO EXCEED \$157,690.

This Resolution was adopted unanimously.
Absent: President Forsman

28. [22-0487R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DULUTH ENTERTAINMENT CONVENTION CENTER AUTHORITY TO PRODUCE, PROMOTE, COORDINATE, AND MANAGE EVENTS AT BAYFRONT FESTIVAL PARK IN 2022 FOR \$71,292.

Indexes:

Attachments: [Exhibit 1.pdf](#)

This Resolution was adopted unanimously.
Absent: President Forsman

29. [22-0490R](#) RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A

MEMORANDUM OF AGREEMENT WITH THE NATIONAL PARKS SERVICE, THE MINNESOTA STATE HISTORIC PRESERVATION OFFICE, AND THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES REGARDING THE LINCOLN PARK IMPROVEMENT PROJECT

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

Absent: President Forsman

30. [22-0503R](#) RESOLUTION AUTHORIZING A TWENTY-FIVE YEAR AGREEMENT WITH THE STATE OF MINNESOTA, DEPARTMENT OF NATURAL RESOURCES FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF A FISHING PIER AT INDIAN POINT CAMPGROUND, AT NO COST TO THE CITY.

Indexes:

Attachments: [Exhibit 1.pdf](#)

This Resolution was adopted unanimously.

Absent: President Forsman

31. [22-0508R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH TKDA FOR ENGINEERING DESIGN AND PERMITTING SERVICES FOR WAABIZHESHIKANA - THE MARTEN TRAIL SEGMENTS I AND II FOR AN AMOUNT NOT TO EXCEED \$75,800.

Indexes:

Attachments: [Exhibit 1.pdf](#)

This Resolution was adopted unanimously.

Absent: President Forsman

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

32. [22-0470R](#) RESOLUTION REVERSING THE PLANNING COMMISSION'S DECISION TO DENY A SPECIAL USE PERMIT FOR A RESTAURANT AT 1303 WEST ARROWHEAD ROAD.

Indexes:

Attachments: [Attachment A](#)
[Attachment B](#)
[Attachment C](#)
[Attachment D](#)
[Attachment E](#)
[Attachment F](#)

A motion was made that this Resolution be adopted. The motion carried by the following vote:

Yea: 5 - Councilor Anderson, Hobbs, Councilor Randorf, Councilor Tomanek and Vice President Kennedy

Nay: 2 - Councilor Awal and Councilor Mayou

Absent: 1 - President Forsman

- 33.** [22-0469R](#) RESOLUTION AFFIRMING THE PLANNING COMMISSION'S DECISION TO DENY A SPECIAL USE PERMIT FOR A RESTAURANT AT 1303 WEST ARROWHEAD ROAD.

Indexes:

Attachments: [Attachment A](#)
[Attachment B](#)
[Attachment C](#)
[Attachment D](#)
[Attachment E](#)
[Attachment F](#)

This Resolution was failed.

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

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

- 34.** [22-023-O](#) AN ORDINANCE AMENDING SECTIONS 8-13, 8-17, 8-18, 8-20, 8-31, 8-41 AND 8-44 OF THE DULUTH CITY CODE REGARDING SALE OF ALCOHOLIC BEVERAGES.

This Ordinance was read for the first time.

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

- 35.** [22-024-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY IN THE FAIRMOUNT NEIGHBORHOOD TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR NOMINAL CONSIDERATION.

Indexes:Attachments: [Exhibit A-Ordinance.pdf](#)

This Ordinance was read for the first time.

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

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

36. [22-022-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY 1.1 ACRES FROM RESIDENTIAL-TRADITIONAL (R-1) TO RESIDENTIAL-URBAN (R-2) AND TO RECLASSIFY 0.7 ACRES FROM R-2 TO R-1 SEVERAL AREAS NEAR THE SOUTHWEST CORNER OF PALM STREET AND BLACKMAN AVENUE.

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

This Ordinance was adopted unanimously.

Absent: President Forsman

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

37. [22-021-O](#) AN ORDINANCE AMENDING SECTION 43-67.1 OF THE DULUTH CITY CODE, 1959, AS AMENDED, MODIFYING CREDITS AVAILABLE UNDER THE STORMWATER UTILITY.

This Ordinance was adopted unanimously.

Absent: President Forsman

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS