



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, November 8, 2021

7:00 PM

Council Chamber

ROLL CALL

Present: 9 - Councilor Gary Anderson, Councilor Zack Filipovich, Councilor Janet Kennedy, Councilor Derek Medved, Councilor Roz Randorf, Councilor Joel Sipress, Councilor Terese Tomanek, Vice President Arik Forsman and President Renee Van Nett

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [21-099](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2021-10-25, Minutes](#)

A motion was made by Councilor Medved to approve the Minutes. The motion was seconded by Councilor Randorf. The motion to approve the Minutes passed unanimously.

The Minutes were approved unanimously.

REPORTS FROM THE ADMINISTRATION

REPORTS OF BOARDS AND COMMISSIONS

2. [21-100](#) Library Board Meeting Minutes

Indexes:**Attachments:** [September 2021 - Library Board Minutes](#)

This Board or Commission Report was received.

3. [21-101](#) Duluth Public Utilities Commission Meeting Minutes & Resolution

Indexes:**Attachments:** [September 2021 - DPUC Minutes](#)
[21PUC-007 2022 Utility Fees](#)

This Board or Commission Report was received.

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

Mark Boben spoke in support of funding a skateboard park in Gary New Duluth.
David Siebert spoke in regard to the transient population in downtown Duluth.

RESOLUTIONS TABLED**BY COUNCILOR MEDVED (FINANCE)**

4. [21-0832R](#) RESOLUTION DISTRIBUTING THE ESTIMATED 2022 HOTEL-MOTEL AND FOOD AND BEVERAGE TOURISM TAXES. (REPLACEMENT)

Indexes:**Attachments:** [Exhibit A](#)
[Economic Developer](#)
[Motion to Amend: Sipress/Filipovich \(1\) - Passed Unanimously.](#)
[Motion to Amend: Kennedy/Medved - Passed 5 Yea 4 Nay\(Councilors Filipovich, Randorf, Sipress and President Van Nett\)](#)
[Motion to Amend: Sipress/Filipovich \(2\) - Passed unanimously.](#)

A motion was made by Councilor Kennedy to propose a change to their amendment in the amount of \$30,000 decrease to the Gary New Duluth Skateboard Park. The motion was seconded by Councilor Medved. The amendment passed with a vote of 5-4

Yea: Councilors Anderson, Kennedy, Medved, Tomanek and Vice President Forsman

Nay: Councilors Filipovich, Randorf, Sipress and President Van Nett.

A motion was made by Councilor Sipress to propose a change to their

amendment in the amount of a \$20,000 decrease to the Tourism General Fund. The motion was seconded by Councilor Filipovich. The amendment passed unanimously.

A motion was made by Councilor Filipovich to pass the resolution as amended. The motion was seconded by Councilor Kennedy. The motion passed unanimously.

This Resolution was adopted as amended unanimously.

CONSENT AGENDA

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

The Consent Agenda passed unanimously.

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

5. [21-0848R](#) RESOLUTION APPROVING A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY AND SATURDAY ZENITH, LLC, FOR THE DEVELOPMENT OF THE ZENITH HISTORIC OLD CENTRAL HIGH SCHOOL PROJECT.

Indexes:

Attachments: [Exhibit A Amendment 1](#)

This Resolution was adopted unanimously.

6. [21-0849R](#) RESOLUTION OF INTENT TO SELL OR CONVEY CERTAIN REAL PROPERTY IN THE DENFELD NEIGHBORHOOD.

Indexes:

Attachments: [Exhibit A - Map](#)
[Exhibit B - Conformance to Comp plan](#)

This Resolution was adopted unanimously.

7. [21-0850R](#) RESOLUTION AUTHORIZING AGREEMENTS WITH FIRST PRESBYTERIAN CHURCH OF DULUTH, MINNESOTA FOR PROVIDING TEMPORARY AND PERMANENT PARKING RELATED TO THE MEDICAL DISTRICT WEST PARKING RAMP PROJECT.

Indexes:

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

This Resolution was adopted unanimously.

8. [21-0860R](#) RESOLUTION AUTHORIZING AN INCREASE OF \$225,670 FROM THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT EMERGENCY SOLUTIONS GRANT (ESG-CV) AUTHORIZED BY THE 2020 CORONAVIRUS AID RELIEF AND ECONOMIC SECURITY ACT (CARES ACT).

This Resolution was adopted unanimously.

9. [21-0867R](#) RESOLUTION VACATING THAT PORTION OF 19TH AVENUE W LYING BETWEEN MICHIGAN STREET AND LOWER MICHIGAN STREET, RESERVING A UTILITY EASEMENT OVER THE SAME.

Indexes:

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

This Resolution was adopted unanimously.

10. [21-0869R](#) RESOLUTION AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DULUTH AND DIRT INC. FOR THE DEVELOPMENT OF PROPERTY ON THE WEST SIDE OF DECKER ROAD BETWEEN ANDERSON ROAD AND MALL DRIVE.

Indexes:

Attachments: [Exhibit A Development Agreement](#)
[Exhibit B Location Map](#)

This Resolution was adopted unanimously.

BY COUNCILOR TOMANEK (INTERGOVERNMENTAL RELATIONS)

11. [21-0863R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A QUIT CLAIM DEED FROM THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH, MINNESOTA, FOR REAL PROPERTY IN THE DENFELD NEIGHBORHOOD, AT NO COST TO THE CITY.

Indexes:

Attachments: [Map.pdf](#)

This Resolution was adopted unanimously.

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

12. [21-0845R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF \$189,206 IN CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT FUNDS FROM THE STATE OF MINNESOTA AND COMMITTING TO USE SAID FUNDS FOR PERMITTED EQUIPMENT PURCHASES.

This Resolution was adopted unanimously.

BY VICE PRESIDENT FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

13. [21-0862R](#) RESOLUTION AUTHORIZING A TEN-YEAR LICENSE AGREEMENT WITH BLACKLIST BEER LLC FOR THE NON-EXCLUSIVE USE OF CITY PROPERTY IN DOWNTOWN DULUTH AT \$1,500 PER YEAR.

Indexes:

Attachments: [Exhibit 1.pdf](#)

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

14. [21-0851R](#) RESOLUTION REQUESTING THAT THE CITY ADMINISTRATION APPLY AN INFLATIONARY ADJUSTMENT TO THE PORTION OF THE TOURISM TAX ALLOCATED TO THE CITY'S GENERAL FUND IN YEARS OF PROJECTED GROWTH IN TOURISM TAX REVENUE.

A motion was made by Councilor Filipovich to adopt this resolution. The motion was seconded by Councilor Sipress. The motion to adopt this resolution passed unanimously.

This Resolution was adopted unanimously.

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

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

15. [21-050-O](#) AN ORDINANCE GRANTING SCOTT HOLM, A CONCURRENT USE

PERMIT FOR A DECK WITHIN THE PLATTED RIGHT OF WAY OF EAST 8TH STREET AT 107 EAST 9TH STREET.

Indexes:

Attachments: [PL 21-151 Staff Report and Attachments](#)

[Scott Holm right of way Encroachment Drawing-Layout1 Ron Krueger](#)

This Ordinance was read for the first time.

16. [21-051-O](#) AN ORDINANCE GRANTING THOMAS AND BRIDGET REISTAD, A CONCURRENT USE PERMIT FOR AN EXISTING SHED AND FENCE WITHIN THE PLATTED RIGHT OF WAY OF 8TH STREET NEAR 802 SOUTH LAKE AVENUE.

Indexes:

Attachments: [PL 21-155 Staff Report and Attachments](#)

This Ordinance was read for the first time.

17. [21-052-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY IN THE DENFELD NEIGHBORHOOD TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR NOMINAL CONSIDERATION.

Indexes:

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

This Ordinance was read for the first time.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

ATTEST:

CHELSEA J. HELMER, City Clerk

Passed: November 8, 2021

Approved: November 9, 2021

EMILY LARSON, Mayor