



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, February 10, 2020

7:00 PM

Council Chamber

ROLL CALL

Present: 8 - Councilor Zack Filipovich, Councilor Arik Forsman, Councilor Janet Kennedy, Councilor Derek Medved, Councilor Roz Randorf, Councilor Joel Sipress, Councilor Renee Van Nett and President Gary Anderson

Absent: 1 - Councilor Barb Russ

PLEDGE OF ALLEGIANCE

PUBLIC HEARING - Duluth Transit Authority Bus Fares 20-0118R

APPROVAL OF MINUTES

1. [20-010](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [January 27, 2020 - City Council Meeting](#)

These Minutes were approved.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [20-006](#) Library Board Meeting Minutes
Indexes:
Attachments: [November 2019 - Library Board Minutes](#)
This Board or Commission Report was received.
3. [20-007](#) Duluth Transit Authority Meeting Minutes
Indexes:
Attachments: [November 2019 - DTA Minutes](#)
This Board or Commission Report was received.
4. [20-008](#) Duluth Public Utilities Commission Meeting Minutes
Indexes:
Attachments: [December 2019 - DPUC Minutes](#)
This Board or Commission Report was received.
5. [20-009](#) Spirit Mountain Recreation Authority Meeting Minutes
Indexes:
Attachments: [December 2019 - Spirit Mountain Minutes](#)
This Board or Commission Report was received.
6. [20-011](#) Housing and Redevelopment Authority Meeting Minutes
Indexes:
Attachments: [November 2019 - HRA Minutes](#)
[December 2019 - HRA Minutes](#)
This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

Dennis Lamkin spoke in regards to Pastorette.
John Krumm spoke in regards to housing/Essentia.
Betty Greene spoke in regards to media and crowd control policies.
Guy Heidi spoke in regards to the Campus Connector Trail.
Kyrsten Olson and Levi Gregg spoke in regards to the climate crisis.

CONSENT AGENDA

BY COUNCILOR RANDORF (PURCHASING & LICENSING)

- 7. [20-0148R](#) RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO DULUTH BALLET, INC.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.
Absent: Councilor Russ

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

- 8. [20-0126R](#) RESOLUTION AUTHORIZING AN INTERAGENCY AGREEMENT FOR PUBLIC TRANSIT OVERSIGHT BETWEEN THE CITY OF DULUTH, THE CITY OF SUPERIOR AND THE DULUTH TRANSIT AUTHORITY.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Absent: Councilor Russ

- 9. [20-0137R](#) RESOLUTION APPROVING DEDA RESOLUTION 19D-48 AUTHORIZING AN AGREEMENT WITH RACHEL CONTRACTING, LLC FOR DEMOLITION OF THE PASTORET TERRACE BUILDING IN THE AMOUNT OF \$148,683.

Indexes:

Attachments: [19D-48 DEDA Resolution](#)
[19D-48 Construction Agreement](#)
[Pastoret Draft Suitable Course of Action Plan](#)
[Final approval of Sec. 138 by SHPO](#)

This Resolution was adopted unanimously.
Absent: Councilor Russ

BY PRESIDENT ANDERSON (COMMITTEE OF THE WHOLE)

- 10. [20-0130R](#) RESOLUTION ESTABLISHING A 2020 DULUTH DISTINGUISHED ARTIST AWARD TO BE BESTOWED ON DULUTH ARTISTS BY MEMBERS OF THE CITY COUNCIL.

This Resolution was adopted unanimously.
Absent: Councilor Russ

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

11. [20-0119R](#) RESOLUTION AUTHORIZING A MASTER SERVICES AGREEMENT WITH LAKE SUPERIOR CONSULTING LLC, FOR PROFESSIONAL CONSULTING SERVICES FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$50,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Absent: Councilor Russ

12. [20-0121R](#) RESOLUTION AUTHORIZING THE PURCHASE OF A NEW 2020 ELGIN PELICAN STREET SWEEPER FROM MACQUEEN EQUIPMENT IN THE AMOUNT OF \$230,092.

This Resolution was adopted unanimously.
Absent: Councilor Russ

13. [20-0128R](#) RESOLUTION ACCEPTING PERMANENT EASEMENT FOR STREET, UTILITY AND RECREATIONAL TRAIL PURPOSES FROM THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY OVER, UNDER, AND ACROSS PROPERTY LOCATED IN LINCOLN PARK NEIGHBORHOOD, AT NO COST TO THE CITY.

Indexes:

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

This Resolution was adopted unanimously.
Absent: Councilor Russ

BY COUNCILOR VAN NETT (PUBLIC SAFETY)

14. [20-0102R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A \$206,793 GRANT AWARD FROM THE STATE OF MINNESOTA DEPARTMENT OF PUBLIC SAFETY OFFICE OF JUSTICE PROGRAMS FOR THE PROJECT ENTITLED "2020 COMMUNITY JUSTICE REINVESTMENT PROJECT".

Indexes:

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

This Resolution was adopted unanimously.
Absent: Councilor Russ

BY COUNCILOR FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

15. [20-0117R](#) RESOLUTION APPROVING THE CONVEYANCE BY THE DULUTH TRANSIT AUTHORITY TO WESTERN LAKE SUPERIOR SANITARY DISTRICT OF A PERMANENT WATER LINE EASEMENT.

This Resolution was adopted unanimously.
Absent: Councilor Russ

16. [20-0118R](#) RESOLUTION APPROVING THE ELIMINATION OF THE DOWNTOWN AREA SHORT HOP AND THE MILLER HILL MALL AREA SHORT HOP OFF-PEAK AND WEEKEND PROMOTIONAL FARE PROGRAMS AND SETTING A NO COST FARE FOR THE NEW ROUTE 25, THE "DULOOPER."

This Resolution was adopted unanimously.
Absent: Councilor Russ

17. [20-0120R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH PYROTECHNIC DISPLAY INC. FOR THE CREATION AND EXECUTION OF A FIREWORKS DISPLAY FOR JULY 4, 2020 FOR A TOTAL NOT TO EXCEED \$50,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Absent: Councilor Russ

18. [20-0127R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30208 WITH HGA FOR PROFESSIONAL ARCHITECTURAL DESIGN SERVICES FOR THE LAKE SUPERIOR ZOO POLAR SHORES/BEAR COUNTRY PROJECT FOR AN INCREASE OF \$14,700 AND A NEW TOTAL CONTRACT NOT TO EXCEED \$402,440.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Absent: Councilor Russ

19. [20-0140R](#) RESOLUTION AWARDDING A CONTRACT TO DE LAGE LANDEN PUBLIC FINANCE LLC FOR THE FOUR-YEAR SEASONAL LEASE OF 110 GOLF CARTS AND 12 MAINTENANCE/UTILITY VEHICLES FOR A

TOTAL CONTRACT AMOUNT NOT TO EXCEED \$327,955.

This Resolution was adopted unanimously.

Absent: Councilor Russ

- 20. [20-0142R](#) RESOLUTION ESTABLISHING THE 2020 DULUTH BUSINESS AND ENTREPRENEURSHIP APPRECIATION AWARD.

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

Yea: 5 - Councilor Filipovich, Councilor Forsman, Councilor Medved, Councilor Van Nett and President Anderson

Nay: 3 - Councilor Kennedy, Councilor Randorf and Councilor Sipress

Absent: 1 - Councilor Russ

END OF CONSENT AGENDA

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

- 21. [20-010-O](#) AN ORDINANCE GRANTING A CONCURRENT USE PERMIT FOR A DECK AND ACCESSIBLE RAMP IN THE PLATTED STREET RIGHT OF WAY OF WEST MICHIGAN STREET.

Indexes:

Attachments: [Attachment 1](#)

This Ordinance was read for the first time.

- 22. [20-011-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE LESTER PARK NEIGHBORHOOD TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR NOMINAL CONSIDERATION.

Indexes:

Attachments: [Exhibit A.pdf](#)

[Exhibit B.pdf](#)

This Ordinance was read for the first time.

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

23. [20-012-O](#) AN ORDINANCE DEDICATING A PERPETUAL EASEMENT FOR STREET AND UTILITY PURPOSES OVER CITY-OWNED PROPERTY.

Indexes:

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

This Ordinance was read for the first time.

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

BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

24. [20-005-O](#) AN ORDINANCE AMENDING ORDINANCE 9417 DESIGNATING THE FORMER LESTER PARK BRANCH LIBRARY AS A DULUTH HERITAGE PRESERVATION LANDMARK.

Indexes:

Attachments: [Exhibit A-Ordinance re Historical Designation.pdf](#)
[Exhibit B-Site Plan \(Ordinance\).pdf](#)

This Ordinance was adopted unanimously.
Absent: Councilor Russ

25. [20-007-O](#) AN ORDINANCE AUTHORIZING THE RELEASE OF A RESTRICTIVE COVENANT REGARDING A REVERSION CLAUSE OF PROPERTY ALREADY CONVEYED TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY.

Indexes:

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

This Ordinance was adopted unanimously.
Absent: Councilor Russ

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

26. [20-006-O](#) AN ORDINANCE DEDICATING A PERPETUAL EASEMENT FOR UTILITY PURPOSES OVER CITY-OWNED PROPERTY.

Indexes:

Attachments: [Tioga 54th Easement Exhibit 20200121.pdf](#)

This Ordinance was adopted unanimously.
Absent: Councilor Russ

BY COUNCILOR FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

27. [20-004-O](#) AN ORDINANCE AMENDING CHAPTER 2, ARTICLE XVII, SECTIONS 2-95 AND 2-96, OF THE DULUTH CITY CODE TO REDUCE THE MEMBERSHIP OF THE COMMISSION ON DISABILITIES FROM 17 TO NINE, MAKE THE QUALIFYING CRITERIA TO BE A MEMBER OF THE COMMISSION LESS RESTRICTIVE, AND UPDATE THE DUTIES OF THE COMMISSION.

Indexes:

Attachments: [Motion to Amend: Sipress \(8-0-1\)](#)

This Ordinance was amended, stays on second read.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS