



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, July 20, 2020

7:00 PM

Council Chamber

NOTICE: The Duluth City Council will be holding the July 16, 2020 Agenda Session and July 20, 2020 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: 9 - Councilor Zack Filipovich, Councilor Arik Forsman, Councilor Janet Kennedy, Councilor Derek Medved, Councilor Roz Randorf, Councilor Joel Sipress, Councilor Terese Tomanek, Vice President Renee Van Nett and President Gary Anderson

PLEDGE OF ALLEGIANCE

PUBLIC HEARING - TO CONSIDER TAX ABATEMENT BY THE CITY OF DULUTH - COSTCO WHOLESALE CORPORATION

[20-047](#)

Notice of Public Hearing to Consider Tax Abatement by the City of Duluth – Costco Wholesale Corporation

Indexes:

Attachments: [Costco Abatement - Public Hearing Notice \(072020\) FINAL](#)

APPROVAL OF MINUTES

1. [20-046](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [July 13, 2020 - City Council Meeting](#)

These Minutes were approved.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

Babette Sandman, Moira Villiard and Kassie Helgerson spoke as representatives from the Indigenous Commission in regard to 20-041-0

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

2020 Business and Entrepreneurship Award - Tappa Keg Inn

OPPORTUNITY FOR CITIZENS TO BE HEARD

Mike Casey and Bill Burns spoke in regard to 20-0584R. Mark Baker spoke in regard to 20-0588R

CONSENT AGENDA

BY COUNCILOR RANDORF (PURCHASING & LICENSING)

2. [20-0547R](#) RESOLUTION AUTHORIZING A CONTRACT WITH WREN WORKS, LLC. FOR OUTFALL REPAIRS ON CONGDON BOULEVARD FOR AN AMOUNT NOT TO EXCEED \$166,389.65.

This Resolution was adopted unanimously.

3. [20-0570R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L 30210 WITH TRC ENVIRONMENTAL CORPORATION FOR ADDITIONAL ENGINEERING SERVICES FOR THE CONGDON BOULEVARD STORMWATER OUTFALLS AS PART OF THE LAKEWALK AND SHORELINE REPAIRS FROM THE OCTOBER 2018 STORM FOR AN INCREASE OF \$21,640 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$597,211.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

4. [20-0576R](#) RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSES OF VARIOUS LICENSEES.

Indexes:

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

This Resolution was adopted unanimously.

5. [20-0581R](#) RESOLUTION AUTHORIZING A CONTRACT WITH INSIGHT PUBLIC SECTOR, INC. FOR THE PURCHASE OF PERSONAL COMPUTERS AND ACCESSORIES, IN ACCORDANCE WITH THE CITY'S FOUR-YEAR REPLACEMENT PLAN, IN THE AMOUNT OF \$184,755.55.

This Resolution was adopted unanimously.

BY COUNCILOR KENNEDY (PERSONNEL)

6. [20-0533R](#) RESOLUTION APPOINTING ELECTION JUDGES FOR THE AUGUST 11, 2020 PRIMARY ELECTION AND NOVEMBER 3, 2020 GENERAL ELECTION (REPLACEMENT).

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

7. [20-0572R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF TERESE TOMANEK TO THE DULUTH PARKING COMMISSION.

This Resolution was adopted unanimously.

8. [20-0574R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF EDDIE RATNAM TO THE PLANNING COMMISSION.

This Resolution was adopted unanimously.

9. [20-0575R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF KEVIN WU TO THE CITIZEN REVIEW BOARD.

This Resolution was adopted unanimously.

10. [20-0585R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF STREET MAINTENANCE LABORER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

11. [20-0587R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF VICTIM SERVICES SPECIALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

12. [20-0591R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A FIFTY-PERCENT REIMBURSEMENT SAFETY GRANT FROM THE STATE OF MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY MNOSHA WORKPLACE SAFETY CONSULTATION UNIT FOR THE POLICE DEPARTMENT.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

13. [20-0571R](#) RESOLUTION AUTHORIZING A DEVELOPMENT AGREEMENT WITH LONDON EAST LLC RELATED TO THE LONDON EAST DEVELOPMENT LOCATED ON THE NORTH SIDE OF THE 3700 AND 3800 BLOCKS OF LONDON ROAD.

Indexes:

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

This Resolution was adopted unanimously.

14. [20-0577R](#) RESOLUTION AUTHORIZING A REQUEST FOR THE US DEPARTMENT OF HOUSING AND URBAN AND DEVELOPMENT (HUD) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG-CV-1) AUTHORIZED BY THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT), AUTHORIZING AGREEMENTS WITH APPROPRIATE AGENCIES.

This Resolution was adopted unanimously.

15. [20-0578R](#) RESOLUTION AUTHORIZING A REQUEST FOR THE US DEPARTMENT OF HOUSING AND URBAN AND DEVELOPMENT (HUD) EMERGENCY GRANT SOLUTIONS (ESG-CV-1) AUTHORIZED BY CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT), AUTHORIZING AGREEMENTS WITH APPROPRIATE AGENCIES.

This Resolution was adopted unanimously.

BY PRESIDENT ANDERSON (COMMITTEE OF THE WHOLE)

16. [20-0590R](#) RESOLUTION RENEWING DECLARATION OF LOCAL HEALTH EMERGENCY FOR PURPOSES OF DULUTH CITY CODE SECTION 17-7 AND MINNESOTA STATUTES SECTION 13D.021.

This Resolution was adopted unanimously.

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

17. [20-0565R](#) RESOLUTION REVOKING AND ESTABLISHING VARIOUS MUNICIPAL STATE AID STREETS.

Indexes:

Attachments: [20-0565R MnDOT Letter](#)
[20-0565R Maps](#)

This Resolution was adopted unanimously.

18. [20-0568R](#) RESOLUTION AMENDING MNDOT AGREEMENT NO. 1036438 FOR SANITARY SEWER LIFT STATION 15 RELOCATION IN MICHIGAN

STREET NEAR INTERSTATE HIGHWAY 35 IN THE CITY OF DULUTH TO INCREASE THE AMOUNT BY \$460,226 FOR A NEW TOTAL OF \$5,545,317.

Indexes:

Attachments: [20-0568R Map](#)
[20-0568R Exhibit A](#)

This Resolution was adopted unanimously.

19. [20-0569R](#) RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF DULUTH AND THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF ROADWAY, SIDEWALK, STORM SEWER AND LIGHTING ADJACENT TO TRUNK HIGHWAY 35 FROM 13TH AVENUE WEST TO 26TH AVENUE WEST WITHIN THE CORPORATE CITY LIMITS UNDER STATE PROJECT 6982-322.

Indexes:

Attachments: [20-0569R Map](#)
[20-0569R Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

20. [20-0579R](#) RESOLUTION AUTHORIZING A FIVE-YEAR AGREEMENT WITH THE GND DEVELOPMENT ALLIANCE FOR THE USE AND MAINTENANCE OF THE GARY NEW DULUTH RECREATION CENTER.

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 KENNEDY (PERSONNEL)

21. [20-0580R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF PETER SINGLER TO THE ENTERTAINMENT AND CONVENTION CENTER AUTHORITY

This Resolution was adopted unanimously.

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

22. [20-0584R](#) RESOLUTION AUTHORIZING AGREEMENT WITH SPIRIT VALLEY LAND COMPANY TO CONSTRUCT RIVERWEST DRIVE AND UTILITIES AND PROVIDE FOR ASSESSMENT OF PORTIONS OF THE ROAD COST AND THE UTILITY COST.

Indexes:

Attachments: [Riverwest Road Project-Exhibit A - Development Agreement](#)
[Exhibit B - Kayak Bay Drive MU Plan 16-12-28 #3](#)

This Resolution was adopted unanimously.

23. [20-0588R](#) RESOLUTION GRANTING A TAX ABATEMENT FOR THE COSTCO DEVELOPMENT PROJECT, AUTHORIZING A TAX ABATEMENT AGREEMENT WITH ST. LOUIS COUNTY AND FURTHER AUTHORIZING A TAX ABATEMENT DEVELOPMENT AGREEMENT WITH COSTCO WHOLESALE CORPORATION.

Indexes:

Attachments: [20-0588R Exhibit 1 - Tax Abatement Agreement with St. Louis County](#)
[20-0588R Exhibit 2 City - Costco Development Agreement](#)
[Exhibit - Business Subsidy Pre-Approval Report](#)

This Resolution was adopted unanimously.

ORDINANCES TABLED

BY PRESIDENT ANDERSON (COMMITTEE OF THE WHOLE)

24. [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

A motion was made to remove the Ordinance from the table. The motion passed by the following vote 8-0-1 (Councilor Medved abstains)

A motion was made to vote on the Ordinance failed by the following vote: 8-0-1 (Councilor Medved abstains)

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

