



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 21, 2021

7:00 PM

Council Chamber

NOTICE: The Duluth City Council will be holding the June 17, 2021 Agenda Session and June 21, 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 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 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. [21-049](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2021-06-07, Minutes](#)

A motion was made by Councilor Tomanek to approve the Minutes. The motion

was seconded by Councilor Kennedy. The Minutes were approved unanimously.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

2. [21-046](#) Office of the State Auditor Reports

Indexes:

Attachments: [Duluth Entertainment Convention Center](#)
[Duluth Transit Authority](#)

This Other Officers Report was received.

3. [21-047](#) Zenith Business Subsidy Agreement Pre Approval

Indexes:

Attachments: [Zenith Business Subsidy Agreement Pre Approval](#)

This Informational Report was received.

4. [21-051](#) Burnham Business Subsidy Agreement Pre Approval

Indexes:

Attachments: [Burnham Business Subsidy Agreement Pre](#)

This Informational Report was received.

REPORTS OF BOARDS AND COMMISSIONS

5. [21-045](#) Duluth Seaway Port Authority Meeting Minutes

Indexes:

Attachments: [February 2021 - Port Authority Minutes](#)
[March 2021 - Port Authority Minutes](#)

This Minutes was received.

6. [21-048](#) Alcohol, Gambling and Tobacco Commission Meeting Minutes

Indexes:

Attachments: [May 2021 - AGT Minutes](#)

This Board or Commission Report was received.

7. [21-050](#) Duluth African Heritage Commission Meeting Minutes

Indexes:

Attachments: [November 2020 - African Heritage Commission Minutes](#)
[December 2020 - African Heritage Commission Minutes](#)
[January 2021 - African Heritage Commission Minutes](#)
[February 2021 - African Heritage Commission Minutes](#)
[March 2021 - African Heritage Commission Minutes](#)
[April 2021 - African Heritage Commission Minutes](#)
[May 2021 - African Heritage Commission Minutes](#)

This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

No citizens wished to speak.

CONSENT AGENDA

A motion was made by Councilor Kennedy to approve the Consent Agenda. The motion was seconded by Councilor Filipovich. The Consent Agenda passed unanimously.

BY COUNCILOR MEDVED (FINANCE)

8. [21-0418R](#) RESOLUTION CONFIRMING THE ASSESSMENT ROLL OF DELINQUENT SOLID WASTE COLLECTION FEES DURING PERIOD OF MARCH 1, 2020, TO JUNE 1, 2021.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

9. [21-0419R](#) RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR DELINQUENT ASSESSMENTS LEVIED AGAINST PROPERTY WITH REGARD TO PROPERTY VIOLATIONS DURING PERIOD OF APRIL 1, 2020, TO APRIL 1, 2021.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

10. [21-0420R](#) RESOLUTION CONFIRMING THE ASSESSMENT ROLL OF

DELINQUENT UTILITY FEES DURING THE PERIOD OF JANUARY 1, 2020, TO DECEMBER 31, 2020.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR RANDORF (PURCHASING & LICENSING)

11. [21-0425R](#) RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE DESIGNATED SERVING AREA ASSOCIATED WITH THE ON-SALE CLUB LIQUOR LICENSE OF RIDGEVIEW COUNTRY CLUB, 700 WEST REDWING STREET.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

12. [21-0426R](#) RESOLUTION APPROVING ISSUANCE OF AN OFF-SALE 3.2% PERCENT MALT LIQUOR LICENSE TO MK PETROLEUM (EXPRESS STOP), 4701 EAST SUPERIOR STREET

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

13. [21-0436R](#) RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO THE MINNESOTA CRAFT BREWER'S GUILD

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

14. [21-0444R](#) RESOLUTION AUTHORIZING A CONTRACT WITH KRAMER WELL DRILLING LLC DBA KRAMER SERVICE GROUP FOR THE DOWNTOWN DULUTH FIBER EXPANSION PROJECT FOR AN AMOUNT NOT TO EXCEED \$264,250.

This Resolution was adopted unanimously.

BY COUNCILOR KENNEDY (PERSONNEL)

15. [21-0431R](#) RESOLUTION CONFIRMING APPOINTMENTS TO THE SPIRIT

MOUNTAIN RECREATION AREA AUTHORITY.

This Resolution was adopted unanimously.

16. [21-0432R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF ANDREA HANEK TO THE HOUSING AND REDEVELOPMENT AUTHORITY.

This Resolution was adopted unanimously.

17. [21-0439R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE PAY RANGE FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF PARKS PERMIT COORDINATOR.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

18. [21-0457R](#) RESOLUTION APPOINTING ELECTION JUDGES FOR THE AUGUST 10, 2021 PRIMARY ELECTION AND NOVEMBER 2, 2021 GENERAL ELECTION.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

BY PRESIDENT VAN NETT (COMMITTEE OF THE WHOLE)

19. [21-0464R](#) 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 FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

20. [21-0429R](#) RESOLUTION AUTHORIZING AGREEMENT WITH THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH FOR PAYMENT IN LIEU OF TAXES.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

21. [21-0445R](#) RESOLUTION APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DULUTH AND BEN & ADELINE GRAMS, FOR THE DEMOLITION AND DEVELOPMENT OF 2309 WEST 4TH STREET.

Indexes:

Attachments: [Exhibit A Development Agreement](#)

This Resolution was adopted unanimously.

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

22. [21-0434R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT AN AMENDED VIOLENT CRIMES ENFORCEMENT TEAMS GRANT (VCET) AWARD FROM THE STATE OF MINNESOTA, COMMISSIONER OF PUBLIC SAFETY, OFFICE OF JUSTICE PROGRAMS, INCREASING THE 2020 VCET GRANT BY THE AMOUNT OF \$10,000 FOR A TOTAL GRANT OF \$810,000.

Indexes:

Attachments: [Document A](#)

This Resolution was adopted unanimously.

BY VICE PRESIDENT FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

23. [21-0430R](#) RESOLUTION AUTHORIZING CITY OFFICIALS TO DONATE THE 42 FOOT REPLICA VIKING SHIP TO SAVE OUR SHIP, INC.

Indexes:

Attachments: [Exhibit A](#)

[Exhibit B](#)

This Resolution was adopted unanimously.

24. [21-0435R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30339 WITH LHB ENGINEERS & ARCHITECTS FOR ADDITIONAL PROFESSIONAL DESIGN SERVICES FOR HARTLEY NATURE CENTER BUILDING EXPANSION AND HARTLEY PARK IMPROVEMENTS FOR AN INCREASE OF \$66,186 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$219,344.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

25. [21-0438R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30338 WITH GARDNER BUILDERS DULUTH FOR CONSTRUCTION

MANAGER AT RISK SERVICES, INCLUDING COST OF CONSTRUCTION, FOR HARTLEY NATURE CENTER BUILDING EXPANSION AND HARTLEY PARK IMPROVEMENTS FOR AN INCREASE OF \$2,510,310 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$2,540,310.

Indexes:

Attachments: [Exhibit A.pdf](#)

This Resolution was adopted unanimously.

26. [21-0440R](#) RESOLUTION AUTHORIZING A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH HARTLEY NATURE CENTER CORPORATION FOR EXPANSION OF THE BUILDING LEASED BY THE CORPORATION AND IMPROVEMENT OF PARK AMENITIES.

Indexes:

Attachments: [Exhibit 1 First Amendment to Development Agreement.pdf](#)

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

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

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

27. [21-020-O](#) AN ORDINANCE GRANTING RAY E. RUOHO, BEATRICE D. RUOHO, CLINTON RUOHO, AND MATS HANSEN A CONCURRENT USE PERMIT FOR A PAVEMENT SNOWMELT SYSTEM AND RETAINING WALL IN THE STREET EASEMENT OF WALLACE AVENUE AT 2727 EAST FIFTH STREET.

Indexes:

Attachments: [Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

This Ordinance was read for the first time.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

ATTEST:

CHELSEA J. HELMER, City Clerk

Passed: June 21, 2021

Approved: June 22, 2021

EMILY LARSON, Mayor