



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Meeting Agenda - 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, August 23, 2021

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [21-071](#) Meeting Minutes of the Duluth City Council

Attachments: [2021-08-12, Minutes](#)

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [21-072](#) Housing and Redevelopment Authority Meeting Minutes

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

[June 2021 - HRA Minutes](#)

3. [21-073](#) Indigenous Commission Meeting Minutes

Attachments: [May 2021 - Indigenous Commission Minutes](#)

4. [21-074](#) Library Board Meeting Minutes
Attachments: [May 2021 - Library Board Minutes](#)
5. [21-075](#) Parks and Recreation Commission Meeting Minutes
Attachments: [June 2021 - Parks and Rec Minutes](#)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

RESOLUTIONS TABLED

BY COUNCILOR MEDVED (FINANCE)

6. [21-0616R \(B\)](#) RESOLUTION AUTHORIZING CITY OFFICIALS TO NEGOTIATE A CONTRACT FOR TOURISM AND PROMOTION FOR 2022, WITH OPTIONS FOR 2023 & 2024

CONSENT AGENDA

BY COUNCILOR KENNEDY (PERSONNEL)

7. [21-0631R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF MEMBERS TO THE SPIRIT MOUNTAIN RECREATION AREA AUTHORITY.
8. [21-0643R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF NICK FADZIEWICZ TO THE DULUTH LEGACY ENDOWMENT FUND ADVISORY BOARD.

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

9. [21-0622R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE DULUTH LEGACY ENDOWMENT FUND IN THE AMOUNT OF \$12,832. (REPLACEMENT)
Attachments: [Exhibit A](#)
[Exhibit A-2](#)

10. [21-0623R](#) RESOLUTION AUTHORIZING THE MODIFICATION OF A 2020 COUNCIL RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF A PORTION OF 108TH AVENUE WEST.

Attachments: [Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)

11. [21-0625R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 5723 GRAND AVENUE, LOCATED IN THE F-3 MID-RISE COMMUNITY SHOPPING FORM DISTRICT, UNIT 1 (STEVE BECKS).

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

12. [21-0626R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 5723 GRAND AVENUE, LOCATED IN THE F-3 MID-RISE COMMUNITY SHOPPING FORM DISTRICT, UNIT 2 (STEVE BECKS).

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

13. [21-0628R](#) RESOLUTION OF INTENT TO SELL OR CONVEY CERTAIN REAL PROPERTY IN THE SPIRIT VALLEY NEIGHBORHOOD.

Attachments: [Exhibit B-Letter of Conformity.pdf](#)
[Exhibit A-Map for Resolution of Intent to Sell.pdf](#)

14. [21-0634R](#) RESOLUTION AUTHORIZING A CONTRACT WITH VEIT & COMPANY, INC. FOR DPD IMPOUND LOT CONSTRUCTION AT 125 NORTH 40TH AVENUE WEST FOR AN AMOUNT NOT TO EXCEED \$238,734.20.

15. [21-0636R](#) RESOLUTION RESCINDING RESOLUTION #20-080R AUTHORIZING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT, SUBJECT TO CONDITIONS.

Attachments: [Attachment 1](#)

16. [21-0641R](#) RESOLUTION AUTHORIZING ASSIGNMENT OF TWO AGREEMENTS WITH THE HILLS YOUTH AND FAMILY SERVICES TO LIFE HOUSE IN THE TOTAL AMOUNT OF \$91,517 TO PROVIDE YOUTH SERVICES.

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

17. [21-0642R](#) RESOLUTION AUTHORIZING CITY OFFICIALS TO ALLOCATE FUNDS FROM THE VACANT BUILDING REGISTRATION FUND IN AN AMOUNT NOT TO EXCEED \$75,000 TO ASSIST THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH TO PROVIDE FOR REMOVAL OF A STRUCTURALLY UNSOUND BUILDING IN THE CITY OF DULUTH. (REPLACEMENT)

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

18. [21-0619R](#) RESOLUTION AUTHORIZING A FIVE-YEAR MASTER SERVICES AGREEMENT WITH THE FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA FOR PROFESSIONAL ARCHAEOLOGICAL FIELD MONITORING SERVICES FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$250,000.

Attachments: [21-0619R Exhibit A](#)

19. [21-0629R](#) RESOLUTION AUTHORIZING A FIVE-YEAR MASTER SERVICES AGREEMENT WITH DULUTH ARCHAEOLOGY CENTER, L.L.C., FOR PROFESSIONAL ARCHAEOLOGICAL AND HISTORICAL SERVICES FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$250,000.

Attachments: [Exhibit A](#)

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

20. [21-0620R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF AN AWARD FROM THE MINNESOTA BOARD OF FIREFIGHTER TRAINING AND EDUCATION TOTALING \$33,069.30 FOR THE PURPOSE OF REIMBURSING FIRE DEPARTMENT TRAINING EXPENSES.

BY VICE PRESIDENT FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

21. [21-0630R](#) RESOLUTION AUTHORIZING A CONTRACT WITH VEIT & COMPANY, INC. FOR WHEELER SPORTS COMPLEX PHASE II IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$371,660.
22. [21-0632R](#) RESOLUTION AUTHORIZING A CONTRACT WITH RACHEL CONTRACTING, LLC FOR LAKEWALK SHORELINE REHABILITATION PHASE IV FOR AN AMOUNT NOT TO EXCEED \$3,631,917.20
23. [21-0635R](#) RESOLUTION AUTHORIZING AN EXCLUSIVE USE PERMIT AGREEMENT WITH BENTLEYVILLE TOUR OF LIGHTS, INC., FOR THE PRODUCTION, PROMOTION, AND MANAGEMENT OF THE BENTLEYVILLE TOUR OF LIGHTS IN BAYFRONT FESTIVAL PARK FOR THE 2021 HOLIDAY SEASON.

Attachments: [Exhibit 1.pdf](#)

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR MEDVED (FINANCE)

24. [21-0627R](#) RESOLUTION AUTHORIZING A SERVICES AGREEMENT WITH THE GREATER DOWNTOWN COUNCIL TO PROVIDE A SOCIAL SERVICE OUTREACH PROFESSIONAL AT A COST NOT TO EXCEED \$100,000 PER YEAR FOR A TERM OF THREE YEARS.

Attachments: [Document A](#)

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

25. [21-0433R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH ST. LOUIS COUNTY FOR CONSTRUCTION OF A ROUNDABOUT AT THE INTERSECTION OF CSAH 37 (SNIVELY ROAD) AND GLENWOOD STREET, AND MILL AND OVERLAY OF CSAH 9 (WOODLAND AVENUE), ARROWHEAD ROAD AND SNIVELY ROAD IN AN AMOUNT NOT TO EXCEED \$2,373,806.

Attachments: [21-0433R Map](#)
[21-0433R Exhibit A](#)

ORDINANCES TABLED**BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)**

26. [21-025-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY LOCATED AT THE EAST END OF VASSAR STREET AND AN ADJACENT PARCEL TO THE NORTH FROM RURAL RESIDENTIAL 1 (RR-1) TO RESIDENTIAL - TRADITIONAL (R-1)

Attachments: [Attachment 1](#)
[Attachment 2](#)
[Motion to Amend: \(7/19/2021\) Passed 7 - 2 \(Nays: Councilors Kennedy and Me 20210823 MTA \(2\) 21-025-O Filipovich and Sipress](#)

27. [21-026-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY AT 6920 GRAND AVENUE FROM RESIDENTIAL-TRADITIONAL (R-1) TO MIXED USE-NEIGHBORHOOD (MU-N).

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

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

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

28. [21-031-O](#) AN ORDINANCE AMENDING THE CONCEPT PLAN FOR THE RAMSEY VILLAGE NEIGHBORHOOD AFFECTING SEVEN LOTS NORTH OF RAMSEY STREET AND EAST OF NORTH 51ST AVENUE WEST TO ALLOW BUILDING TYPE IV, TOWNHOMES, AND BUILDING TYPE VIII, MIXED USE COMMERCIAL AND RESIDENTIAL.

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

29. [21-032-O](#) AN ORDINANCE GRANTING SAC WIRELESS A CONCURRENT USE PERMIT FOR A SMALL CELL WIRELESS FACILITY ON MINNESOTA POWER POLES IN THE PLATTED STREET RIGHT OF WAY NEAR 1801 EAST SECOND STREET.

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

30. [21-033-O](#) AN ORDINANCE GRANTING SAC WIRELESS A CONCURRENT USE PERMIT FOR A SMALL CELL WIRELESS FACILITY ON MINNESOTA POWER POLES IN THE PLATTED STREET RIGHT OF WAY NEAR 651 EAST FIFTH STREET.

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

BY VICE PRESIDENT FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

31. [21-034-O](#) ORDINANCE AMENDING DULUTH CITY CODE SECTIONS 35-12 THROUGH 35-25 REGARDING PUBLIC GOLF COURSES.

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

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

32. [21-027-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY LOCATED AT 4731 GLADSTONE STREET FROM RESIDENTIAL-TRADITIONAL (R-1) TO LOW-RISE NEIGHBORHOOD MIX (F-2).

Attachments: [Attachment 1](#)

33. [21-029-O](#) AN ORDINANCE GRANTING MARK KURILLA AT 2102 MINNESOTA AVENUE A CONCURRENT USE PERMIT FOR CONSTRUCTING A RETAINING WALL WITHIN THE PLATTED RIGHT OF WAY FOR 21ST STREET AND LAKE AVENUE.

Attachments: [Exhibit A](#)

[Exhibit B](#)

34. [21-030-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE LINCOLN PARK NEIGHBORHOOD TO NORTHERN AQ LLC FOR \$1.00.

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

35. [21-028-O](#) AN ORDINANCE AMENDING SECTION 43-10 OF THE DULUTH CITY CODE, 1959, AS AMENDED AUTHORIZING THE DIRECTOR OF PUBLIC WORKS AND UTILITIES TO EXECUTE CERTAIN DOCUMENTS PERTAINING TO THE WLSSD.

Attachments: [Attachment](#)

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS