



# 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]*

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Monday, January 11, 2021

7:00 PM

Council Chamber

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*NOTICE: The Duluth City Council will be holding the January 7, 2021 Agenda Session and January 11, 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](mailto: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

**This was approved.**

**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

### ELECTION OF OFFICERS

President - standing nomination for Renee Van Nett: Passed Unanimously.  
Vice President - standing nomination for Arik Forsman: Passed Unanimously.

### APPROVAL OF MINUTES

1. [21-001](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [December 21, 2020 - City Council Meeting](#)

These Minutes were approved.

**PUBLIC HEARING - RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR  
SANITARY SEWER CONNECTION AT 1204 HILTON STREET.**

**REPORTS FROM THE ADMINISTRATION**

**REPORTS FROM OTHER OFFICERS**

**REPORTS OF COUNCIL COMMITTEES**

**REPORTS OF COUNCIL OPEN ISSUES**

**OPPORTUNITY FOR CITIZENS TO BE HEARD**

Bill Mittlefeldt spoke in regard to climate issues and future climate mobilization initiatives.

**CONSENT AGENDA**

**BY COUNCILOR MEDVED (FINANCE)**

2. [21-0002R](#) RESOLUTION CONFIRMING ASSESSMENT ROLL FOR SANITARY  
SEWER CONNECTION AT 1204 HILTON STREET.

This Resolution was adopted unanimously.

3. [21-0004R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DEPOT  
FOUNDATION IN THE AMOUNT OF \$165,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

4. [21-0005R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH GREAT LAKES  
AQUARIUM IN THE AMOUNT OF \$270,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

5.     [21-0006R](#)     RESOLUTION AUTHORIZING AN AGREEMENT WITH SPIRIT MOUNTAIN RECREATION AREA AUTHORITY FOR 2021 IN THE AMOUNT OF \$500,000 FOR OPERATING ASSISTANCE AND \$145,700 FOR ADVENTURE PARK LEASE PAYMENTS.

Indexes:

Attachments:   [Exhibit A](#)

This Resolution was adopted unanimously.

6.     [21-0007R](#)     RESOLUTION APPROVING BUDGET AND COST SHARING FORMULA OF MINNEAPOLIS-DULUTH/SUPERIOR AND PASSENGER RAIL ALLIANCE AND AUTHORIZING PAYMENT OF CITY'S COST SHARE OF \$13,500.

Indexes:

Attachments:   [Exhibit A](#)

This Resolution was adopted unanimously.

7.     [21-0009R](#)     RESOLUTION AUTHORIZING THE RENEWAL OF AGREEMENT 23359 WITH TYLER TECHNOLOGIES, INC. FOR NEW WORLD SYSTEMS SOFTWARE MAINTENANCE AND SUPPORT FOR YEAR 2021 FOR AN AMOUNT NOT TO EXCEED \$227,766.54

This Resolution was adopted unanimously.

8.     [21-0010R](#)     RESOLUTION APPROVING SETTLEMENT IN THE MATTER OF TERI LYNN EHLERS VS CITY OF DULUTH IN AMOUNT OF \$50,000 AND PURSUANT TO TERMS OF SETTLEMENT AGREEMENT.

Indexes:

Attachments:   [21-0010 Ex. A.pdf](#)

This Resolution was adopted unanimously.

**BY PRESIDENT ANDERSON (COMMITTEE OF THE WHOLE)**

9.     [21-0019R](#)     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)**

10. [21-0023R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH AND ACCEPT \$912,240 IN FUNDS FROM ST. LOUIS COUNTY TO PROVIDE MINNESOTA FAMILY INVESTMENT PROGRAM AND DIVERSIONARY WORK PROGRAM EMPLOYMENT AND TRAINING SERVICES.

Indexes:

Attachments: [City of Duluth DWD MFIP DWP Contract 17096](#)

This Resolution was adopted unanimously.

**BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)**

11. [21-0016R](#) RESOLUTION AUTHORIZING THE PURCHASE OF DELIVERED CLASS 5 GRAVEL, 3/4-INCH CRUSHED WASHED ROCK, RIP-RAP, AND SAND FROM DULUTH READY MIX, INC. FOR AN AMOUNT NOT TO EXCEED \$443,081.75

This Resolution was adopted unanimously.

**BY COUNCILOR VAN NETT (PUBLIC SAFETY)**

12. [21-0011R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE IN THE TOTAL AMOUNT OF \$678,502 AND FURTHER AUTHORIZING AN AGREEMENT WITH ST. LOUIS COUNTY AND PROGRAM FOR AID TO VICTIMS OF SEXUAL ASSAULT FOR THEIR PARTICIPATION IN THE 2020 SAKI PROJECT: CITY OF DULUTH COLD CASE CAPACITY PROJECT.

Indexes:

Attachments: [Exhibit A - Budget Summary - Cold Case](#)  
[Exhibit B - Award Package - Cold Case](#)  
[Exhibit C - Partner Agreement - Cold Case](#)

This Resolution was adopted unanimously.

13. [21-0012R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE IN THE TOTAL AMOUNT OF \$662,659 AND FURTHER AUTHORIZING AGREEMENTS WITH THE MINNESOTA BUREAU OF CRIMINAL APREHENSION, ST. LOUIS COUNTY AND PROGRAM FOR AID TO VICTIMS OF SEXUAL ASSAULT FOR THEIR

PARTICIPATION IN THE 2020 SAKI PROJECT: CITY OF DULUTH  
LAWFULLY OWED DNA INQUIRY.

Indexes:

Attachments: [Exhibit A - Budget Summary - Lawfully Owed](#)  
[Exhibit B - Award Package - Lawfully Owed DNA](#)  
[Exhibit C - Partner Agreement - Lawfully Owed](#)  
[Exhibit D - MN BCA Contract - Lawfully Owed](#)

This Resolution was adopted unanimously.

14. [21-0013R](#) RESOLUTION AUTHORIZING AGREEMENT WITH ST. LOUIS COUNTY TO PERFORM POLICE SERVICES PURSUANT TO 2019 OPERATION STONEGARDEN GRANT OPERATIONS ORDER AND ACCEPTING REIMBURSEMENT THROUGH ST. LOUIS COUNTY IN THE AMOUNT OF \$81,530.

Indexes:

Attachments: [Exhibit A - Cover Sheet](#)  
[Exhibit B - Partner Agreement](#)  
[Exhibit C - Grant Agreement](#)

This Resolution was adopted unanimously.

15. [21-0014R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE STATE OF MINNESOTA IN THE AMOUNT OF \$117,989 FOR HAZMAT CHEMICAL IDENTIFYING EQUIPMENT AND FURTHER AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH THE STATE OF MINNESOTA.

Indexes:

Attachments: [21-0014R Exhibit A](#)  
[21-0014R Exhibit B](#)

This Resolution was adopted unanimously.

**BY COUNCILOR FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)**

16. [21-0008R](#) RESOLUTION AUTHORIZING A THREE-YEAR LEASE AGREEMENT WITH THE DULUTH AREA FAMILY Y.M.C.A. FOR THE OPERATION AND MANAGEMENT OF THE UPPER LEVEL OF THE WOODLAND COMMUNITY CENTER.

Indexes:

Attachments: [Exhibit 1-Resolution](#)

This Resolution was adopted unanimously.

17. [21-0018R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A CROSS COUNTRY SKI TRAIL ASSISTANCE PROGRAM GRANT FOR YEAR 2020-2021 WITH THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN AN AMOUNT NOT TO EXCEED \$11,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

## END OF CONSENT AGENDA

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

### BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

18. [20-066-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY ON THE UPPER SIDE OF WEST FIRST STREET BETWEEN PIEDMONT AVENUE AND NORTH 19TH AVENUE WEST FROM MIXED USE BUSINESS PARK (MU-B) TO RESIDENTIAL-URBAN (R-2).

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

This Ordinance was adopted unanimously.

19. [20-067-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY KNOWN AS THE HISTORIC OLD CENTRAL HIGH SCHOOL AT 215 NORTH FIRST AVENUE EAST FROM MIXED USE-NEIGHBORHOOD (MU-N) TO FORM DISTRICT FIVE, MID RISE COMMUNITY SHOPPING AND OFFICE (F-5).

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

This Ordinance was adopted unanimously.

20. [20-068-O](#) AN ORDINANCE AMENDING SECTIONS 50-20.3.E, Q, AND R, 50-23, AND 50.33.6, TO AMEND STANDARDS RELATED TO CONNECTIVITY AND CIRCULATION WITHIN COMMERCIAL DEVELOPMENTS AND PLATS AND SUBDIVISIONS.

Indexes:Attachments: [Attachment 1](#)

This Ordinance was adopted unanimously.

21. [20-069-O](#) AN ORDINANCE GRANTING THREE D 1 LLC AT 301 WEST FIRST STREET A CONCURRENT USE PERMIT TO ATTACH HVAC DUCT EQUIPMENT TO THE REAR BUILDING WALL OF THE BOARD OF TRADE BUILDING AND WITHIN THE PLATTED RIGHT OF WAY FOR THE WEST 2ND STREET ALLEY.

Indexes:Attachments: [Exhibit A PL20-175 Staff Report](#)[Exhibit B Survey](#)

This Ordinance was adopted unanimously.

**COUNCILOR QUESTIONS AND COMMENTS****COUNCILOR PREVIEW OF UPCOMING BUSINESS**

ATTEST:

CHELSEA J. HELMER, City Clerk

Passed: January 11, 2021

Approved: January 11, 2021

EMILY LARSON, Mayor