



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, January 25, 2021

7:00 PM

Council Chamber

NOTICE: The Duluth City Council will be holding the January 21, 2021 Agenda Session and January 25, 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. [21-002](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [January 11, 2021 - City Council Meeting](#)

These Minutes were approved.

PUBLIC HEARING - RESOLUTION CONFIRMING ASSESSMENT ROLL FOR SIDEWALK REPAIRS AT EIGHT CITY LOCATIONS.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

2. [21-003](#) MN Department of Health, Quarterly Report

Indexes:

Attachments: [Duluth Results](#)
[Duluth Summary](#)

This Other Officers Report was received.

REPORTS OF BOARDS AND COMMISSIONS

3. [21-004](#) Parks and Recreation Commission Meeting Minutes

Indexes:

Attachments: [December 2020 - Parks and Rec.](#)

This Board or Commission Report was received.

4. [21-005](#) Charter Commission Meeting Minutes

Indexes:

Attachments: [October 2020 - Charter Commission](#)

This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

Kaytee Ross, Lisa Kappenman, David Ross and Chana Stocke spoke in regard to their opposition to the interim use permit for a vacation rental.
Ben Klismith spoke in favor of the interim use permit.
Cyndi Brown spoke in regard to support in declaring a climate emergency.

CONSENT AGENDA

BY COUNCILOR MEDVED (FINANCE)

5. [21-0003R](#) RESOLUTION CONFIRMING ASSESSMENT ROLL FOR SIDEWALK REPAIRS AT EIGHT CITY LOCATIONS IN 2020.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously

BY COUNCILOR RANDORF (PURCHASING & LICENSING)

6. [21-0030R](#) RESOLUTION APPROVING THE ISSUANCE OF AN ON SALE INTOXICATING LIQUOR LICENSE AND ON SALE SUNDAY LICENSE TO THE LESTER RIVER BREWING COMPANY, LLC (LAKE SUPERIOR BREWING COMPANY), 5324 EAST SUPERIOR STREET

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

7. [21-0024R](#) RESOLUTION AUTHORIZING THE BUILDING OFFICIAL TO ABATE NUISANCES BY REMOVAL OF A STRUCTURALLY UNSOUND BUILDING IN THE CITY OF DULUTH IN AN AMOUNT NOT TO EXCEED \$30,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously

8. [21-0027R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO A GRANT AGREEMENT WITH THE CENTER FOR WORKFORCE INCLUSION, INC., TO ACCEPT AN ADDITIONAL \$109,212 IN GRANT FUNDING AND TO EXTEND THE TIME OF PERFORMANCE TO JUNE 30, 2021.

Indexes:

Attachments: [MN116 - Amendment for the PY2020 Sponsor Agreement July-June](#)

This Resolution was adopted unanimously

9. [21-0032R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE DULUTH SUPERIOR AREA COMMUNITY FOUNDATION IN THE AMOUNT OF \$20,000 FOR THE DULUTH DIGITAL INCLUSION INITIATIVE.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously

10. [21-0033R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE DULUTH SUPERIOR AREA COMMUNITY FOUNDATION IN THE AMOUNT OF \$10,000 FOR THE EQUITY THROUGH TRAUMA INFORMED CARE PROGRAM.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously

11. [21-0042R](#) RESOLUTION REPLACING RESOLUTION NO. 19-0722 AND VACATING A DRAINAGE EASEMENT LOCATED WITHIN OUTLOT G OF THE PLAT OF COFFEE CREEK.

Indexes:Attachments: [Exhibit A-Coffee Creek Resolution.pdf](#)[Exhibit B-Coffee Creek Resolution.pdf](#)

This Resolution was adopted unanimously

12. [21-0043R](#) RESOLUTION AUTHORIZING A DECREASE OF \$337 TO THE FY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

This Resolution was adopted unanimously

13. [21-0044R](#) RESOLUTION AUTHORIZING A DECREASE OF \$105 TO THE FY 2020 COMMUNITY HOME INVESTMENT PARTNERSHIP PROGRAM.

This Resolution was adopted unanimously

BY PRESIDENT VAN NETT (COMMITTEE OF THE WHOLE)

14. [21-0045R](#) RESOLUTION DESIGNATING POLLING PLACES FOR THE AUGUST 10, 2021 MUNICIPAL AND SCHOOL BOARD PRIMARY ELECTION AND THE NOVEMBER 2, 2021 MUNICIPAL AND SCHOOL BOARD GENERAL ELECTION

This Resolution was adopted unanimously

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

15. [21-0026R](#) RESOLUTION AUTHORIZING THE RENEWAL OF CONTRACT L30048 WITH BUSINESS COMMUNICATION SOLUTIONS FOR MAILING SERVICES AND POSTAGE FOR YEAR 2021 IN THE AMOUNT OF \$183,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously

16. [21-0031R](#) RESOLUTION OF INTENT FOR CONSTRUCTION OF A SANITARY SEWER EXTENSION TO SERVE LOTS 9, 10, 11, 12, 13, 14, 15, 16 AND 17, BLOCK 1, AND LOTS 1, 2, 3, 4 AND 5, BLOCK 2, ALL IN WESTERN WOODS DIVISION, AND TO ASSESS THE COSTS THEREOF.

Indexes:

Attachments: [21-0031R Map](#)
 [21-0031R Petition](#)

This Resolution was adopted unanimously

17. [21-0039R](#) RESOLUTION OF INTENT FOR CONSTRUCTION OF A STORM SEWER EXTENSION TO SERVE LOTS 2010 THRU 2017, BLOCK 143, ALL IN CROSLY PARK ADDITION TO DULUTH, AND TO ASSESS A PORTION OF THE COSTS THEREOF.

Indexes:

Attachments: [21-0039R Map](#)
 [21-0039R Petition](#)

This Resolution was adopted unanimously

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

18. [21-0015R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A DONATION FROM HOME DEPOT IN THE AMOUNT OF \$2,500 FOR THE FIRE DEPARTMENT.

This Resolution was adopted unanimously

19. [21-0029R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A DONATION FROM HOME DEPOT FOR THE DULUTH POLICE DEPARTMENT IN THE AMOUNT OF \$2,500.

This Resolution was adopted unanimously

20. [21-0037R](#) RESOLUTION DESIGNATING GARY ANDERSON AS THE NORTHEAST MINNESOTA EMERGENCY COMMUNICATION BOARD (ECB) REPRESENTATIVE WITH SHAWN KRIZAJ, FIRE CHIEF AS ALTERNATE REPRESENTATIVE AND APPOINTING DAVE DROZDOWSKI, POLICE SERGEANT, AS THE REPRESENTATIVE TO THE REGIONAL ADVISORY COMMITTEE.

This Resolution was adopted unanimously

BY VICE PRESIDENT FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

21. [21-0041R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A \$2,000 GRANT FROM THE LLOYD K. JOHNSON FOUNDATION SUPPORTING THE IMPLEMENTATION OF THE KEEP DULUTH CLEAN INITIATIVE

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously

22. [21-0049R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30381 WITH RW FERN ASSOCIATES, INC. FOR ADDITIONAL MECHANICAL AND ELECTRICAL ENGINEERING SERVICES FOR REMAINING PHASES OF THE CITY HALL RENOVATION FOR AN INCREASE OF \$25,500 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$162,800.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously

23. [21-0051R](#) RESOLUTION AUTHORIZING A THREE-YEAR AGREEMENT WITH CR-BUILDING PERFORMANCE SPECIALIST INC. FOR FACILITY ASSET MANAGEMENT AND CAPITAL PLANNING FOR AN ANNUAL ESTIMATED AMOUNT OF \$75,000 AND TOTAL NOT TO EXCEED \$225,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR KENNEDY (PERSONNEL)

24. [21-0040R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF ELLIE JUST TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY.

This Resolution was adopted unanimously

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

25. [21-0028R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 621 WEST 5TH STREET (BENJAMIN KLISMITH).

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

[Attachment 4](#)

This Resolution was adopted unanimously

26. [21-0034R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 7 NORTH 19TH AVENUE WEST, UNIT 1, LOCATED IN THE F-5 MID-RISE COMMUNITY SHOPPING AND OFFICE FORM DISTRICT (NEWCASTLE 8, LLC).

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

This Resolution was adopted unanimously

27. [21-0035R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 7 NORTH 19TH AVENUE WEST, UNIT 2, LOCATED IN THE F-5 MID-RISE COMMUNITY SHOPPING AND OFFICE FORM DISTRICT (NEWCASTLE 8, LLC).

Indexes:

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

This Resolution was adopted unanimously

28. [21-0036R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 7 NORTH 19TH AVENUE WEST, UNIT 3, LOCATED IN THE F-5 MID-RISE COMMUNITY SHOPPING AND OFFICE FORM DISTRICT (NEWCASTLE 8, LLC).

Indexes:

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

This Resolution was adopted unanimously

29. [21-0038R](#) RESOLUTION GRANTING AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 7 NORTH 19TH AVENUE WEST, UNIT 4, LOCATED IN THE F-5 MID-RISE COMMUNITY SHOPPING AND OFFICE FORM DISTRICT (NEWCASTLE 8, LLC).

Indexes:

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

This Resolution was adopted unanimously

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

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

30. [21-002-O](#) AN ORDINANCE AMENDING SECTION 100 OF THE DULUTH CITY CHARTER, 1912, AS AMENDED TO AUTHORIZE VACATION OF PUBLIC WAYS ON MOTION OF THE CITY COUNCIL.

This Ordinance was read for the first time.

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

31. [21-001-O](#) ORDINANCE AMENDING CHAPTER V, SECTION 36, OF THE CITY OF DULUTH HOME RULE CHARTER, 1912, AS AMENDED, INCREASING THE NUMBER OF DEPUTY CHIEFS OF POLICE FROM TWO TO THREE.

This Ordinance was read for the first time.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

ATTEST:

CHELSEA J. HELMER, City Clerk

Passed: January 25, 2021

Approved: January 25, 2021

EMILY LARSON, Mayor