



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, February 22, 2021

7:00 PM

Council Chamber

NOTICE: The Duluth City Council will be holding the February 18, 2021 Agenda Session and February 22, 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. [21-010](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [February 8, 2021 - City Council Meeting](#)

These Minutes were approved.

PUBLIC HEARING - Duluth Transit Authority Rate Changes - 21-0069R

This Public Hearing was held.

PUBLIC HEARING - Proposed Amendment to Duluth City Charter, Ordinance No. 20-001-O

Ten citizens spoke in opposition of Ordinance 20-001-O:
Daniel Morrison, Veronica Surges, Jamey Sharp, Zayla Asquith-Heinz, Angel Dobrow, Andrea Gelb, Pentti Hanlon, Kristine Osbakken, Claire Bransky and Robert Kosuth

This Public Hearing was held.

PUBLIC HEARING - Proposed Amendment to Duluth City Charter, Ordinance No. 20-002-O

This Public Hearing was held.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [21-011](#) Duluth Seaway Port Authority Meeting Minutes

Indexes:

Attachments: [October 2020 - Seaway Port Authority](#)
[November 2020 - Seaway Port Authority](#)
[December 2020 - Seaway Port Authority](#)

This Board or Commission Report was received.

3. [21-012](#) Alcohol, Gambling & Tobacco Commission Meeting Minutes

Indexes:

Attachments: [November 2020 - AGT](#)

This Board or Commission Report was adopted.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

CONSENT AGENDA**BY COUNCILOR RANDORF (PURCHASING & LICENSING)**

4. [21-0096R](#) RESOLUTION APPROVING THE TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE AND ON SALE SUNDAY LICENSE FROM MITCH'S INC. (MITCH'S BAR & GRILL) TO BOBBY ALLEN KUNZE (SPOON'S BAR & GRILL), 2113 WEST SUPERIOR STREET

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

5. [21-0098R](#) RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISE PERMIT TO DULUTH SOFTBALL PLAYER'S ASSOCIATION

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

6. [21-0099R](#) RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISE PERMIT TO IRVING COMMUNITY ASSOCIATION

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

BY COUNCILOR KENNEDY (PERSONNEL)

7. [21-0100R](#) RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DULUTH AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 101 FOR THE YEAR 2021.

Indexes:

Attachments: [Exhibit A.](#)

[20210108 Final Redline IAFF Local 101 2021 CBA](#)

This Resolution was adopted unanimously.

8. [21-0105R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF PATRICIA STOLEE AND GARY ECKENBERG TO THE DULUTH INTERNATIONAL AIRPORT JOINT ZONING BOARD.

This Resolution was adopted unanimously.

9. [21-0112R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF CONSTRUCTION SERVICES INFORMATION & COMMUNICATIONS SPECIALIST TO INFORMATION & COMMUNICATIONS SPECIALIST.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

10. [21-0113R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF SOLID WASTE COMPLIANCE OFFICER, INCLUDING A TITLE CHANGE TO PROPERTY & SOLID WASTE COMPLIANCE OFFICER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

11. [21-0114R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF FLEET SERVICES INVENTORY TECHNICIAN I, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

12. [21-0115R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF FLEET SERVICES INVENTORY TECHNICIAN II, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

13. [21-0116R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF FLEET SERVICES LEADWORKER.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

14. [21-0117R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF ASSET & SUPPLY SPECIALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

15. [21-0118R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF OPIOID PROGRAM SPECIALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

16. [21-0104R](#) RESOLUTION VACATING A PORTION OF SWENSON AVENUE IN THE PLAT OF IRONTON FOURTH DIVISION, RETAINING A UTILITY AND PEDESTRIAN EASEMENT OVER A PORTION OF THE VACATED AREA.

Indexes:Attachments: [Attachment 1 - Exhibit A](#)
[Attachment 2](#)

This Resolution was adopted unanimously.

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

17. [21-0090R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF TRANSPORTATION LOCAL ROAD IMPROVEMENT PROGRAM (LRIP) ROUTES OF REGIONAL SIGNIFICANCE PROGRAM FOR 21ST AVENUE EAST FROM LONDON ROAD TO WOODLAND AVENUE IN THE AMOUNT OF \$1,250,000, AND ACCEPTANCE THEREOF AND COMMITTING UP TO \$1,405,800 AS LOCAL SHARE IF NEEDED.

Indexes:

Attachments: [20-0090R Map](#)

This Resolution was adopted unanimously.

18. [21-0095R](#) RESOLUTION AUTHORIZING THE APPLICATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY FOR A LOAN FROM THE DRINKING WATER REVOLVING FUND FOR IMPROVEMENTS TO THE MIDDLE BOOSTER STATION AS DESCRIBED IN THE LOAN APPLICATION.

Indexes:

Attachments: [21-0095R Application](#)

[21-0095R Map](#)

This Resolution was adopted unanimously.

19. [21-0097R](#) RESOLUTION AUTHORIZING COOPERATIVE CONSTRUCTION AGREEMENT NO. 1045951 WITH MNDOT FOR THE STATE'S SHARE OF THE CROSS CITY TRAIL DETOUR.

Indexes:

Attachments: [21-0097 Map](#)

[21-0097R Exhibit A](#)

This Resolution was adopted unanimously.

20. [21-0102R](#) RESOLUTION CONCURRING WITH COUNTY AWARD OF THE SWAN LAKE ROAD RECONSTRUCTION PROJECT.

Indexes:

Attachments: [21-0102R Map](#)

This Resolution was adopted unanimously.

21. [21-0108R](#) RESOLUTION REVISING THE LIST OF HIGH PRIORITY BRIDGES IN THE CITY OF DULUTH.

This Resolution was adopted unanimously.

22. [21-0110R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO CONTRACT L30393 WITH CORVAL CONSTRUCTORS, INC., FOR CONSTRUCTION OF THE DULUTH ENERGY SYSTEMS HOT WATER CONVERSION SYSTEM BALANCE OF PLANT INFRASTRUCTURE, INCREASING THE CONTRACT AMOUNT BY \$1,062,741.50 FOR A NEW TOTAL OF \$4,367,781.50.

This Resolution was adopted unanimously.

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

23. [21-0069R](#) RESOLUTION APPROVING VARIOUS DULUTH TRANSIT AUTHORITY RATE CHANGES EFFECTIVE MARCH 7, 2021

This Resolution was adopted unanimously.

24. [21-0101R](#) RESOLUTION AUTHORIZING THE PURCHASE OF 88 PORTABLE RADIOS FROM MOTOROLA SOLUTIONS IN THE AMOUNT OF \$406,393.

This Resolution was adopted unanimously.

BY VICE PRESIDENT FORSMAN (RECREATION, LIBRARIES & AUTHORITIES)

25. [21-0066R](#) RESOLUTION AUTHORIZING REOPENING OF CLOSED PORTION OF LINCOLN PARK DRIVE TO VEHICULAR TRAFFIC AS PART OF PARK RESTORATION EFFORTS.

Indexes:

Attachments: [Exhibit 1 - Lincoln Park Drive](#)

This Resolution was adopted unanimously.

26. [21-0093R](#) RESOLUTION AUTHORIZING APPLICATION OF A GRANT UP TO \$5,000 WITH THE ORDEAN FOUNDATION SUPPORTING THE IMPLEMENTATION OF THE KEEP DULUTH CLEAN INITIATIVE.

This Resolution was adopted unanimously.

27. [21-0103R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH AMI CONSULTING ENGINEERS FOR LAKEWALK AND SHORELINE REHABILITATION PHASE IV ENGINEERING SERVICES FOR AN AMOUNT NOT TO EXCEED \$428,402.95.

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR SIPRESS (PUBLIC WORKS & UTILITIES)

28. [21-0111R](#) RESOLUTION ORDERING IN THE CONSTRUCTION OF RIVERWEST DRIVE (FORMERLY KNOWN AS KAYAK BAY ROAD) INCLUDING UTILITIES AND SIGNAL SYSTEM AT GRAND AVENUE, BEGINNING AT GRAND AVENUE AND EXTENDING SOUTHERLY APPROXIMATELY 1,000 FEET AT AN ESTIMATED COST OF \$2,957,000 AND THE LOWERING OF AN ADJACENT GAS MAIN AT A COST OF \$182,565.09.

Indexes:

Attachments: [21-0111R Map](#)
[21-0111R Memo to Council](#)
[21-0111 Public Hearing Minutes](#)

This Resolution was withdrawn and returned to Administration

ORDINANCES TABLED

BY COUNCILOR FILIPOVICH (PLANNING & ECONOMIC DEVELOPMENT)

29. [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.

A motion was made to remove this Ordinance from the table: The motion passed unanimously.

This Ordinance was adopted unanimously.

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

30. [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.

A motion was made to remove this Ordinance from the table: The motion passed unanimously.

This Ordinance was adopted unanimously.

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

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

31. [21-003-O](#) AN ORDINANCE AMENDING SECTION 29A-32.1 TO INCLUDE ITEM C
TO AMEND THE CONVERSION FEE REQUIREMENTS FOR BUILDINGS
THAT ARE CONDEMNED FOR HUMAN HABITATION

This Ordinance was adopted unanimously.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

ATTEST:

CHELSEA J. HELMER, City Clerk

Passed: February 22, 2021

Approved: February 22, 2021

EMILY LARSON, Mayor