



City of Duluth  
Planning Division

411 West First Street • Room 208 • Duluth, Minnesota 55802-1197  
218-730-5580 • Fax: 218-730-5904 • www.duluthmn.gov

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Minutes of the Annual Planning Commission Meeting  
Thursday, February 24, 2011  
Mayors Reception Room, 4th Floor, City Hall

- I. President Rand called the annual meeting of the City Planning Commission for 5:06 p.m., Thursday, February 24, 2011.
- II. Dinner
- III. Call to Order

Members Present: Mike Akervik (5;08), Henry Banks, Rebecca Covington, Drew Digby, Terry Guggenbuehl, and Heather Rand.

Rand introduced Council President Gardner who represents the 3<sup>rd</sup> District, which includes Park Point. Gardner stated that she was not aware until too late that the CAO, Mr. Montgomery, would be attending the March 8<sup>th</sup> Planning Commission meeting and asking the Commission to table FN 11-015 (Rezone from MU-B to R-1 the area between Minnesota Ave and the back of lots on Lake Ave, from 8<sup>th</sup> St to 11<sup>th</sup> St). Gardner stated that she would have been at that meeting had she known Mr. Montgomery was going to be there. She would have asked the Planning Commission to not table the matter, but to make a recommendation to the City Council. Since the Commission had tabled the matter, she asked that they take it off the table and forward it to the Council. She stated that the MU-B rezoning is related to the request by Lakehead Boat Basin (1000 Minnesota Ave) to rezone their property from I-W to MU-W (FN 11-012). That matter is now before the City Council. She concluded by stating that the two rezoning requests were tied together because of their proximity to one another and that it was critical that the Council vote on them together. (left at 5:09)

- IV. Annual Meeting
  - A. Nomination and election of officers:

Mike Akervik nominated Drew Digby for President. Banks Second the Motion.

Any other nominations were requested three times according to standard procedure.

Motion/Second: Akervik/Banks to appoint Drew Digby as President.      Vote: Unanimous
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Akervik nominated Banks for Vice President; Banks declined. Akervik nominated Guggenbuehl for Vice President. Banks Second.

Motion/Second: Akervik/Banks to appoint Terry Guggenbuehl as Vice President.      Vote: Unanimous
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Akervik nominated Cindy Petkac for Secretary Treasurer. Rand Second.

MOTION/Second: Akervik/Rand to appoint Cindy Petkac as Secretary Treasurer.  
Vote: Unanimous

B. Discussion of bylaw changes

Bylaw 6.2 relating to the Nominating Committee be amended to read as follows: Nominating Committee. The President shall create a nominating committee to report to the Commission prior to elections, but nomination of officers may also be made from the floor.

MOTION/Second: Digby/Akervik to amend Bylaw 6.2 relating to the Nominating Committee.  
Vote: Unanimous

Bylaw 4.1 relating to the number of Commission members be amended as follows: Establishment. The membership of the Commission, manner of selection, qualifications for membership, removal and payment of Commission expenses are provided for in Ordinance 1809 as amended by Ordinance 9985, Section 50-36.2 of the Duluth Legislative Code and Sec. 27 of the city charter.

MOTION/Second: Digby/Akervik to amend Bylaw 4.1 relating to the number of Commission members be amended.  
Vote: Unanimous

Bylaw 4.2 relating to the terms of commission members and By-law 4.3 related to removal of commission members and By-law 4.5 related to expenses be eliminated and that By-law 4.4 relating to absenteeism be renumbered By-law 4.2.

MOTION/Second: Digby/Akervik to amend Bylaw 4.2, 4.3 and 4.5 be eliminated and 4.4 be renumbered By-law 4.2.  
Vote: Unanimous

Bylaw 9.2 relating to the quorum of the commission be amended to read as follows: Quorum. A majority of the currently serving membership of the Commission shall constitute a quorum for meeting purposes. A majority vote of the members present shall be required to transact business or make binding decisions in behalf of the Commission.

MOTION/Second: Digby/Akervik to amend Bylaw 9.2 relating to the quorum.  
Vote: Unanimous

Bylaw 9.7 relating to non-agenda matters be amended to read as follows: No binding or final action may be taken on any matter not on the written agenda distributed to the Commission prior to the date of the meeting except by unanimous vote of a quorum of the membership.

MOTION/Second: Diby/Akervik to amend Bylaw 9.7 relating to Non-Agenda Matters.  
Vote: Unanimous

Bylaw 12.1 relating to amendment procedures be amended to read as follows:

12.1 Amendment Procedure. (a) Amendments considered at the annual meeting. These bylaws may be amended at the annual meeting by a majority vote of the membership in attendance. A copy of the proposed amendment shall be distributed to the commission member with the meeting notice (b) Interim amendment procedure. Amendments to these bylaws which are considered at a meeting other than the annual meeting shall be known as interim amendments. No interim amendment shall be considered unless each commissioner received at least thirty (30) days written notice of the motion to amend, including the date, time and place of the meeting at which such motion shall be considered, and a written copy of the proposed amendment. Interim amendments require two-thirds vote of the entire membership of the Commission currently serving for passage; and in such instance only, Commission members will be allowed to vote by written proxy.

MOTION/Second: Guggenbuehl/Banks to amend Bylaw 12.1 on Amendment Procedure. Vote: Unanimous
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- VI. Old Business
- VII. Reports of Officers and Committees
- VIII. New Business

President Rand encouraged the Commissioners to participate in discussions and feel free to ask questions.

Rand and Digby moved to discuss FN 11-015. Action would not be binding except by a Unanimous vote. They would like to have the Council tie the two rezoning matters on Park Point together and act on them together.

Commissioners then discussed the matter.

MOTION/Second: Rand/Digby to remove FN 11-015 from the table and make a recommendation to City Council so that Council can act on both Park Point rezoning matters together (FN 11-012 and FN 11-015). Vote: 5-1 <b>Failed</b> (Akervik)
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- IX. Adjournment of the Annual Planning Commission Meeting. Guggenbuehl/Covington to adjourn the meeting at 6:38
- X. Presentation on Plans for Bayfront Development by Sandy Hoff and Alex Giuliani.

Respectfully,



Cindy Petkac, AICP  
Planning Manager