



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, May 13, 2024

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [24-027](#) Meeting Minutes of the Duluth City Council

Attachments: [2024-04-22, Minutes](#)

PUBLIC HEARING: TIF Plan - Welch Place/Area No. 1

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

CONSENT AGENDA**BY COUNCILOR FORSMAN (FINANCE)**

2. [24-0337R](#) RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DULUTH AND LAW ENFORCEMENT LABOR SERVICES 363 FOR THE YEARS 2024-2026.

Attachments: [Exhibit A](#)
[20240423 Duluth LELS 363 CBA -Red Line w. appendix .pdf](#)

3. [24-0370R](#) RESOLUTION AUTHORIZING A LETTER OF UNDERSTANDING WITH THE STATE BOARD OF INVESTMENT ESTABLISHING A SEPARATELY MANAGED OTHER POST-EMPLOYMENT BENEFITS (OPEB) ACCOUNT FOR THE CITY OF DULUTH

Attachments: [Exhibit A](#)

4. [24-0385R](#) RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DULUTH AND LAW ENFORCEMENT LABOR SERVICES LOCAL 538 FOR THE YEARS 2024-2026.

Attachments: [Exhibit A](#)
[20240422 2024-2026 CBA Duluth LELS 538 Police Redline.pdf](#)

BY COUNCILOR DURRWACHTER (PURCHASING & LICENSING)

5. [24-0334R](#) RESOLUTION AUTHORIZING A THREE-YEAR AGREEMENT WITH TOSHIBA BUSINESS SOLUTIONS SERVICES FOR THE RENTAL AND MAINTENANCE OF COPIERS FOR A MONTHLY PAYMENT OF \$10,648.81 AND A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$383,342.76.

6. [24-0356R](#) RESOLUTION APPROVING ISSUANCE OF TEMPORARY ON SALE LIQUOR LICENSES TO VARIOUS LICENSEES.

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

7. [24-0358R](#) RESOLUTION APPROVING THE TRANSFER OF AN ON SALE INTOXICATING LIQUOR LICENSE TO WINDWARD RESTAURANT CONCEPTS, LLC

Attachments: [Attachment A](#)

8. [24-0359R](#) RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE DESIGNATED SERVING AREA ASSOCIATED WITH THE ON-SALE INTOXICATING LIQUOR LICENSE OF MARGARITAS, LLC
- Attachments:** [Attachment A](#)
9. [24-0360R](#) RESOLUTION APPROVING THE TRANSFER OF AN ON SALE INTOXICATING LIQUOR LICENSE TO HANABI Z & J, LLC
- Attachments:** [Attachment A](#)
10. [24-0361R](#) RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE DESIGNATED SERVING AREAS ASSOCIATED WITH THE ON-SALE INTOXICATING LIQUOR LICENSES OF VARIOUS LICENSEES
- Attachments:** [Attachment A](#)
[Attachment B](#)
11. [24-0364R](#) RESOLUTION APPROVING THE ISSUANCE OF AN ON SALE INTOXICATING LIQUOR LICENSE TO EMILIANO'S, LLC
- Attachments:** [Attachment A](#)
12. [24-0365R](#) RESOLUTION APPROVING THE ISSUANCE OF AN ON SALE INTOXICATING LIQUOR LICENSE TO CLYDE INDUSTRIAL PARK, INC.
- Attachments:** [Attachment A](#)

BY VICE PRESIDENT TOMANEK (PERSONNEL)

13. [24-0317R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF VALERIE JOECKEL TO THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH.
14. [24-0390R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF MARIE ANDERSON AND MICHAELA MULLIN TO THE COMMISSION ON DISABILITIES.
15. [24-0391R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF DENNIS NELSON TO THE ALCOHOL, GAMBLING AND TOBACCO COMMISSION

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

16. [24-0373R](#) RESOLUTION APPROVING A TAX INCREMENT FINANCING PLAN FOR THE WELCH PLACE TAX INCREMENT FINANCING DISTRICT AS PROPOSED BY THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH, MINNESOTA.
- Attachments:** [Draft TIF Plan Duluth HRA Welch Place for Distribution 12APR2024](#)
[NSI Memo Duluth HRA Welch Place 20Feb2024](#)
[welch_notice](#)

17. [24-0388R](#) RESOLUTION OF SUPPORT FOR ONE ROOF COMMUNITY HOUSING'S REQUEST TO THE STATE OF MINNESOTA FOR LOW INCOME HOUSING TAX CREDITS AND THE CONDITIONAL PRE-COMMITMENT OF UP TO \$500,000 OF BROWNFIELD REVOLVING LOAN FUNDING FOR THE REHABILITATION OF THE 121 UNIT FAITH HAVEN APARTMENTS PROJECT.
18. [24-0389R](#) RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A JOINT POWERS AGREEMENT WITH THE MINNESOTA HOUSING FINANCE AGENCY RELATED TO THE LOW-INCOME HOUSING TAX CREDIT PROGRAM FOR THE YEAR 2025.

Attachments: [EXHIBIT A Joint Powers Agreement and Attachment Duluth 3.5.24 \(002\)](#)

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

19. [24-0328R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH CORNWELL ENGINEERING GROUP FOR ENGINEERING, DESIGN AND COMMISSIONING SERVICES FOR THE WATER SYSTEM CORROSION CONTROL PROJECT FOR A TOTAL AMOUNT NOT TO EXCEED \$169,015.00
20. [24-0329R](#) RESOLUTION AMENDING A CONTRACT WITH LHB, INC. TO PROVIDE PROFESSIONAL ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE 2024 HILLSIDE CULVERT REPAIRS PROJECT, TO INCREASE THE AMOUNT BY \$89,691.50 FOR A NEW TOTAL NOT TO EXCEED \$160,984.25.

Attachments: [Exhibit A](#)

21. [24-0331R](#) RESOLUTION AUTHORIZING A GRADE CROSSING AND MAINTENANCE AGREEMENT WITH BNSF RAILWAY TO REMOVE RAILROAD CROSSING ON RALEIGH STREET AS A PART OF THE RALEIGH STREET RECONSTRUCTION PROJECT, FOR APPROXIMATELY \$13,965.00.

Attachments: [RaleighResolution](#)
[Resolution Exhibit 1](#)

22. [24-0333R](#) RESOLUTION AWARDDING A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH, INC. FOR THE RECONSTRUCTION OF RALEIGH STREET BETWEEN GRAND AVE AND 59TH AVE W IN THE AMOUNT OF \$2,788,500.00.

Attachments: [Construction Award RaleighSt.](#)

23. [24-0340R](#) RESOLUTION AMENDING A CONTRACT WITH LHB, INC. TO PROVIDE PROFESSIONAL ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE BARDON'S PEAK SKYLINE PARKWAY IMPROVEMENTS PROJECT, TO INCREASE THE AMOUNT BY \$221,298.00 FOR A NEW TOTAL OF \$410,458.00, CITY PROJECT NO. 1608, SP 118-060-013.

Attachments: [Bardons Creek Add'l Design Fee Estimate. Rev 1](#)
[Bardons Creek CA Phase Fee Estimate](#)
[Project1608_4-30-2024](#)

24. [24-0342R](#) RESOLUTION AUTHORIZING A SERVICE AGREEMENT WITH RICK'S TREE AND STUMP REMOVAL TO CLEAR TREES AND BRUSH FROM THREE EASEMENT SITES IN THE CITY FOR AN AMOUNT NOT TO EXCEED \$68,987.17.

Attachments: [Exhibit A](#)

25. [24-0344R](#) RESOLUTION AUTHORIZING THE PURCHASE OF THREE PLOW TRUCKS FROM BOYER TRUCKS - SUPERIOR FOR THE AMOUNT OF \$374,553.99.

26. [24-0357R](#) RESOLUTION AWARDED A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH, INC FOR THE 6TH AVENUE EAST EXTENSION PROJECT IN THE AMOUNT OF \$3,822,500.00.

Attachments: [6thAveE](#)

27. [24-0367R](#) RESOLUTION AUTHORIZING THE PURCHASE OF GAS METERS FROM GROEBNER & ASSOCIATES, INC., IN THE AMOUNT OF \$240,020.00.

28. [24-0369R](#) RESOLUTION AMENDING AGREEMENT L30672 WITH TELUS COMMUNICATIONS (U.S.) INC. TO ADD THE PURCHASE OF TABLETS FOR WINTER MAINTENANCE VEHICLES AND THE ASSOCIATED MONTHLY SOFTWARE SERVICES FOR THE REMAINING CONTRACT TERM ENDING SEPTEMBER 27, 2027, FOR AN ADDITIONAL AMOUNT OF \$34,565.00, AND A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$213,017.50.

29. [24-0374R](#) RESOLUTION AWARDED A CONTRACT TO JMF CONSTRUCTION INC. FOR THE PARK POINT STORM SEWER IMPROVEMENTS IN THE AMOUNT OF \$211,954.85.

30. [24-0375R](#) RESOLUTION AWARDED A CONTRACT TO ULLAND BROTHERS INC. FOR THE BRIGHTON BEACH ROAD RECONSTRUCTION PROJECT IN THE AMOUNT OF \$2,063,200.00.

Attachments: [Brighton Beach Road Reconstruction Map](#)

BY COUNCILOR SWENSON (PUBLIC SAFETY)

31. [24-0313R](#) RESOLUTION AUTHORIZING THE DULUTH FIRE DEPARTMENT AND CARE RESOURCES CONNECTION TO START A LOCAL COMMUNITY HEALTH ALLIANCE WITH PAYMENT ESTIMATED AT \$180,000 OVER A THREE-YEAR TERM.

Attachments: [DFD Contract Final](#)

32. [24-0355R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A \$95,000 GRANT AWARD FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY, HIGH INTENSITY DRUG TRAFFICKING AREAS (HIDTA) PROGRAM, TO BE USED FOR EXPENSES INCURRED DURING PARTICIPATION IN THE LAKE SUPERIOR DRUG CORRIDOR INITIATIVE.

Attachments: [Document A - Grant Agreement](#)

33. [24-0362R](#) RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$63,500 FOR THE 2024 TRAFFIC SAFETY VEHICLE GRANT TO SUPPORT THE LAKE SUPERIOR TRAFFIC ENFORCEMENT TEAM PARTNER AGENCIES.

Attachments: [Document A - Grant Agreement](#)

34. [24-0394R](#) RESOLUTION AUTHORIZING A TRAINING AGREEMENT WITH ESSENTIA HEALTH TO ALLOW THE DULUTH FIRE AND POLICE DEPARTMENTS TO UTILIZE FOR TRAINING PURPOSES AT NO COST TO THE CITY BUILDINGS EARMARKED FOR DEMOLITION.

Attachments: [Document A](#)

BY COUNCILOR AWAL (RECREATION, LIBRARIES & AUTHORITIES)

35. [24-0307R](#) RESOLUTION AMENDING THE 2024 FEE SCHEDULE RELATED TO USE OF CITY-OWNED ELECTRIC VEHICLE CHARGING STATIONS.

36. [24-0310R](#) RESOLUTION AUTHORIZING AN INCREASE TO CONTRACT L30720 WITH CORVAL CONSTRUCTORS FOR THE CITY HALL MECHANICAL-ELECTRICAL-PLUMBING PROJECT IN THE AMOUNT OF \$829,144.00 FOR A NEW TOTAL NOT TO EXCEED \$3,689,144.00.

37. [24-0330R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH NORTHERN ECOLOGICAL SERVICES FOR TERRESTRIAL INVASIVE SPECIES REMOVAL AND TREATMENT IN HARTLEY NATURAL AREA AND THE ST. LOUIS RIVER NATURAL AREA FOR AN AMOUNT NOT TO EXCEED \$158,250.00.

Attachments: [Exhibit A](#)

38. [24-0332R](#) RESOLUTION AUTHORIZING ACCEPTANCE AND EXECUTION OF A HOST SITE AGREEMENT FOR THE SUMMER OF 2024 WITH TRUE NORTH AMERICORPS FOR PLACEMENT AT THE DULUTH PUBLIC LIBRARY AT NO COST TO THE CITY.
- Attachments:** [Exhibit A Duluth Library Partner Site Agreement.pdf](#)
39. [24-0372R](#) RESOLUTION AUTHORIZING THE THIRD AMENDMENT TO AGREEMENT 24401 WITH THE NATIONAL PARK SERVICE TO INCREASE THE FUNDING AWARD BY \$224,000 TO SUPPORT ADDITIONAL PROGRAMMING ALONG THE ST. LOUIS RIVER ESTUARY.
- Attachments:** [Exhibit A](#)
40. [24-0376R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC. FOR PROFESSIONAL DESIGN AND CONSTRUCTION SERVICES FOR THE DULUTH LAKEWALK PROJECT FOR A TOTAL AMOUNT NOT TO EXCEED \$1,119,149.00
- Attachments:** [Exhibit A](#)
41. [24-0377R](#) 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.
- Attachments:** [Exhibit 1-2024 Resolution](#)
42. [24-0379R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30521 WITH LHB, INC. FOR PROFESSIONAL LANDSCAPE ARCHITECTURAL AND COASTAL ENGINEERING SERVICES FOR THE BRIGHTON BEACH PROJECT, FOR AN INCREASE OF \$24,800.00 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$453,797.00.
- Attachments:** [Exhibit A](#)

END OF CONSENT AGENDA

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

BY COUNCILOR FORSMAN (FINANCE)

43. [24-017-O](#) AN ORDINANCE ESTABLISHING A FUNDING FRAMEWORK THAT USES BOTH ANNUAL APPROPRIATIONS AND THE OPEB TRUST FUND TO PAY THE COST OF OTHER POST-EMPLOYMENT BENEFITS.
- Attachments:** [Exhibit A](#)

BY COUNCILOR DURRWACHTER (PURCHASING & LICENSING)

44. [24-016-O](#) AN ORDINANCE AMENDING SECTION 41-29 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING SURPLUS PROPERTY DISPOSAL PROCEDURES AS IT RELATES TO CANINE PARTNERS.

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

45. [24-011-O](#) AN ORDINANCE AMENDING SECTIONS 50-14.5, RESIDENTIAL-TRADITIONAL; 50-14.6, RESIDENTIAL-URBAN; AND 50-15.2, MIXED USE-NEIGHBORHOOD; RELATED TO DIMENSIONAL STANDARDS IN THESE ZONE DISTRICTS OF THE UNIFIED DEVELOPMENT CHAPTER

Attachments: [Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Attachment 4](#)

46. [24-012-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PARCELS 010-0090-00480, 010-0090-00490, 010-0090-00500, AND 010-2119-00530 FROM RESIDENTIAL-TRADITIONAL (R-1) TO RESIDENTIAL-PLANNED (R-P) LOCATED ADJACENT TO AND NORTH OF BALD EAGLE CIRCLE, HAWKS RIDGE ESTATES SUBDIVISION.

Attachments: [MTA 24-012-O Nephew](#)
[Red Line - Planning Commission vs. Staff Report for Rezoning](#)
[Attachment 1 PL 24-011 Staff report and attachments 3.12.24](#)
[Attachment 2 - 3-12-24 PC Meeting](#)
[Attachment 3 March 12, 2024 PC Minutes](#)
[Attachment 4 - 4-9-2024 PC Meeting](#)
[Attachment 5 Public Comment](#)
[Attachment 6 PL 24-011 Staff Memo and Attachments 4.9.24](#)
[Attachment 7 April 9, PC Minutes \(not approved yet\)](#)

BY PRESIDENT RANDORF (COMMITTEE OF THE WHOLE)

47. [24-019-O](#) AN ORDINANCE AMENDING CHAPTER 2, ARTICLE II, SECTION 2-3 AND CHAPTER 2, ARTICLE V, SECTION 2-31 OF THE DULUTH CITY CODE TO EXPAND THE CITY ADMINISTRATOR'S AUTHORITY TO SIGN CITY CONTRACTS, COLLECTIVE BARGAINING AGREEMENTS AND LEASES.

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

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

48. [24-008-O](#) AN ORDINANCE DESIGNATING THE MULTIFAMILY
RESIDENTIAL/COMMERCIAL (BELANGER BLOCK - 1916) BUILDING
AS A DULUTH HERITAGE PRESERVATION LANDMARK

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS