



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, August 12, 2024

7:00 PM

Council Chamber

ROLL CALL

- Present:** 8 - Councilor Azrin Awal, Councilor Wendy Durrwachter, Councilor Arik Forsman, Councilor Mike Mayou, Councilor Lynn Nephew, Councilor Tara Swenson, Vice President Terese Tomanek and President Roz Randorf
- Absent:** 1 - Councilor Janet Kennedy

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [24-036](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2024-07-29, Minutes](#)

This Minutes was approved.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [24-037](#) Board, Commission and Authority Meeting Minutes

Indexes:

- Attachments: [July 2024 DPC Minutes](#)
[June 2024 - DPUC Minutes](#)
[May 2024 - HRA Meeting Minutes](#)
[June 2024 - HRA Meeting Minutes](#)

This Board or Commission Report was received.

3. [24-038](#) Audit Reports

Indexes:

- Attachments: [AUDIT - FINAL FY23](#)
[cityofduluthwithedaml_23_report](#)

This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

CONSENT AGENDA

BY COUNCILOR FORSMAN (FINANCE)

4. [24-0602R](#) RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DULUTH AND LAW ENFORCEMENT LABOR SERVICES LOCAL 503 FOR THE YEARS 2024-2026.

Indexes:

- Attachments: [Exhibit A](#)
[20240724 Final 2024-2026 LELS 503 Agreement -Red Line\(004\)](#)

This Resolution was adopted.

BY COUNCILOR DURRWACHTER (PURCHASING & LICENSING)

5. [24-0590R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH BOLTON & MENK, INC. FOR DESIGN AND CONSTRUCTION SUPPORT OF THE DULUTH FIBER EXPANSION - PHASE 2, FOR AN AMOUNT OF \$57,800.00

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

- 6. [24-0632R](#) RESOLUTION APPROVING ISSUANCE OF TEMPORARY ON SALE LIQUOR LICENSES TO VARIOUS LICENSEES.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted.

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

- 7. [24-0594R](#) RESOLUTION AUTHORIZING FUNDING ALLOCATION CHANGES AND FINALIZING THE 2024 ANNUAL ACTION PLAN AND AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME PROGRAM (HOME), AND EMERGENCY SOLUTIONS GRANT PROGRAM (ESG) PROGRAM FUNDS.

This Resolution was adopted.

- 8. [24-0595R](#) RESOLUTION AUTHORIZING AN INCREASE OF \$2,496 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE 2024 PROGRAM YEAR.

This Resolution was adopted.

- 9. [24-0596R](#) RESOLUTION AUTHORIZING AN DECREASE OF \$80,268.13 FY 2024 HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM.

This Resolution was adopted.

- 10. [24-0597R](#) RESOLUTION AUTHORIZING AN INCREASE OF \$2696 FY 2024 EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM.

This Resolution was adopted.

- 11. [24-0598R](#) RESOLUTION AUTHORIZING AMENDMENT TO THE 2020 ACTION PLAN BY REMOVING THE SUPERIOR VIEW & PINE GROVE PROJECT AND REPROGRAMMING THE ALLOCATED \$60,000 IN COMMUNITY DEVELOPMENT GRANT FUNDS (CDBG) TO THE 2024 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE ONE ROOF COMMUNITY LAND TRUST- NEW CONSTRUCTION PROGRAM

This Resolution was adopted.

- 12. [24-0599R](#) RESOLUTION AUTHORIZING REPROGRAMMING OF \$10,432.59 OF FUNDS FROM 2022 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE 2024 COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE ONE ROOF COMMUNITY LAND TRUST-NEW CONSTRUCTION PROGRAM

This Resolution was adopted.

- 13. [24-0616R](#) RESOLUTION AUTHORIZING A FIFTH AMENDMENT TO GENERAL FUND APPROPRIATION BOND MASTER GRANT AGREEMENT WITH THE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT (DEED) FOR THE DULUTH REGIONAL EXCHANGE DISTRICT PROJECT.

Indexes:

Attachments: [Exhibit 1-Res re 5th Amend](#)

This Resolution was adopted.

- 14. [24-0618R](#) RESOLUTION AUTHORIZING THE EXECUTION AND RECORDATION OF A DECLARATION AFFECTING THE MEDICAL ENTITY WEST (ESSENTIA) PARKING RAMP BEING CONSTRUCTED AS PART OF THE REGIONAL EXCHANGE DISTRICT.

Indexes:

Attachments: [Exhibit 1-Resolution re Declaration](#)

[Exhibit 2-Resolution](#)

This Resolution was adopted.

- 15. [24-0622R](#) RESOLUTION AUTHORIZING A FIRST AMENDMENT TO DEVELOPMENT AGREEMENT WITH ST. MARY'S DULUTH CLINIC HEALTH SYSTEM FOR THE DESIGN AND CONSTRUCTION OF PUBLIC REALM PRIVATE INFRASTRUCTURE RETAINING WALLS AS PART OF THE DULUTH REGIONAL EXCHANGE DISTRICT TO INCREASE THE AMOUNT FROM \$3,473,578.00 TO \$3,576,625.46.

Indexes:

Attachments: [Exhibit 1](#)

This Resolution was adopted.

16. [24-0623R](#) RESOLUTION AUTHORIZING A FIRST AMENDMENT TO DEVELOPMENT AGREEMENT WITH ST. MARY'S DULUTH CLINIC HEALTH SYSTEM FOR THE DESIGN AND CONSTRUCTION OF NEW BUS SHELTERS AS PART OF THE DULUTH REGIONAL EXCHANGE DISTRICT TO INCREASE THE AMOUNT FROM \$627,444.51 TO \$723,374.54.

Indexes:

Attachments: [Exhibit 1](#)

This Resolution was adopted.

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

17. [24-0586R](#) RESOLUTION APPROVING THE MODIFICATION OF THE CONDENSATE SEWER CHARGE IN RATE CALCULATION FOR DULUTH ENERGY SYSTEMS.

This Resolution was adopted.

18. [24-0589R](#) RESOLUTION OF SUPPORT FOR THE CSAH 13 (MIDWAY ROAD) RAILROAD CROSSINGS PLANNING AND PRELIMINARY ENGINEERING PROJECT.

Indexes:

Attachments: [CSAH 13 Map](#)

This Resolution was adopted.

19. [24-0591R](#) RESOLUTION AUTHORIZING THE APPLICATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY FOR A LOAN FROM THE DRINKING WATER REVOLVING FUND FOR IMPROVEMENTS RELATED TO THE CITY'S HIGH PRIORITY LEAD SERVICE LINE REPLACEMENT PROGRAM (PFA PROJECT 1690011-17) AS DESCRIBED IN THE LOAN APPLICATION.

This Resolution was adopted.

20. [24-0617R](#) RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR STREET AND UTILITY PURPOSES FROM THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY OVER, UNDER, AND ACROSS REAL PROPERTY IN THE LESTER PARK NEIGHBORHOOD FOR NOMINAL CONSIDERATION.

Indexes:

Attachments: [Exhibit 1-Resolution](#)

This Resolution was adopted.

21. [24-0619R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC. FOR ENGINEERING SERVICES FOR THE LEAD SERVICE REPLACEMENT PROJECT ON LONDON ROAD FOR AN AMOUNT NOT TO EXCEED \$126,834.00.

Indexes:

Attachments: [LHB Cost Proposal_DuluthLeadWaterServiceReplacement_LondonRd_24-99590](#)
[LHB Technical Proposal_DuluthLeadWaterServiceReplacement_LondonRd_24-99590](#)

This Resolution was adopted.

22. [24-0621R](#) RESOLUTION AMENDING A CONTRACT WITH LHB, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE EKLUND AVENUE RECONSTRUCTION PROJECT, TO INCREASE THE AMOUNT BY \$236,907.00 FOR A NEW TOTAL OF \$376,997.00.

Indexes:

Attachments: [230610 20240725 Proposal -Eklund Final Design](#)

This Resolution was adopted.

23. [24-0628R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT L30965 WITH KLM ENGINEERING, INC. FOR REMOTE OPERATED VEHICLE EVALUATIONS OF 14 RESERVOIRS THROUGHOUT THE CITY, INCREASING THE AGREEMENT BY \$4,500.00 FOR A NEW AMOUNT NOT TO EXCEED \$60,000.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

BY COUNCILOR AWAL (RECREATION, LIBRARIES & AUTHORITIES)

24. [24-0592R](#) RESOLUTION APPROVING APPLICATION FOR UP TO \$665,000 TO THE GREATER MINNESOTA REGIONAL PARKS AND TRAILS COMMISSION AND MINNESOTA DEPARTMENT OF NATURAL RESOURCES TO SUPPLEMENT A PREVIOUSLY AWARDED MINNESOTA LEGACY PARKS AND TRAILS GRANT FOR the SPIRIT MOUNTAIN RECREATION AREA RENEWAL PROJECT.

This Resolution was adopted.

- 25. [24-0600R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH SAS+ASSOCIATES FOR PROFESSIONAL DESIGN AND CONSTRUCTION SERVICES FOR HILLSIDE SPORT COURT PARK IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$57,660.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

- 26. [24-0603R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT OF \$50,000 FROM THE MINNESOTA POLLUTION CONTROL AGENCY, LOCAL CLIMATE ACTION GRANT PROGRAM TO SUPPORT INSTALLATION OF ENERGY EFFICIENT EQUIPMENT AT CITY FACILITIES.

This Resolution was adopted.

- 27. [24-0615R](#) RESOLUTION AUTHORIZING A CONTRACT WITH GEOGRAPH INDUSTRIES, INC. TO FABRICATE AND INSTALL PARK SIGNS FOR THE AMOUNT OF \$180,565.00.

This Resolution was adopted.

END OF CONSENT AGENDA

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

BY COUNCILOR SWENSON (PUBLIC SAFETY)

- 28. [24-039-O](#) AN ORDINANCE REPEALING SECTION 34-14 OF CHAPTER 34 OF THE DULUTH CITY CODE RELATING TO FALSE SOLICITING.

This Ordinance was adopted.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS