



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, April 10, 2023

7:00 PM

Council Chamber

ROLL CALL

Present: 8 - Councilor Hannah Alstead, Councilor Gary Anderson, Councilor Azrin Awal, Councilor Noah Hobbs, Councilor Mike Mayou, Councilor Terese Tomanek, Vice President Roz Randorf and President Janet Kennedy

Absent: 1 - Councilor Arik Forsman

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [23-025](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2023-03-27, Minutes](#)

These Minutes were adopted.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [23-026](#) Duluth Seaway Port Authority Meeting Minutes

Indexes:

Attachments: [August 2022 Minutes](#)
[September 2022 Minutes](#)
[October 2022 Minutes](#)
[November 2022 Minutes](#)
[December 2022 Minutes](#)

This Board or Commission Report was received.

3. [23-027](#) Library Board Meeting Minutes

Indexes:

Attachments: [February 2023 Minutes](#)

This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES**REPORTS OF COUNCIL OPEN ISSUES****OPPORTUNITY FOR CITIZENS TO BE HEARD****RESOLUTIONS TABLED****BY VICE PRESIDENT RANDORF (FINANCE)**

4. [23-0198R](#) RESOLUTION CONFIRMING ASSESSMENT ROLL FOR SANITARY SEWER CONNECTION AT 3607 PIEDMONT AVE

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

CONSENT AGENDA**BY VICE PRESIDENT RANDORF (FINANCE)**

5. [23-0207R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DULUTH AIRPORT AUTHORITY TO INSURE CERTAIN DULUTH AIRPORT AUTHORITY PROPERTY AND EQUIPMENT UNDER THE CITY'S PROPERTY AND BOILER INSURANCE POLICIES.

Indexes:Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

6. [23-0257R](#) RESOLUTION APPROVING THE AMENDED MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF MINNESOTA AND LOCAL GOVERNMENTS AND AUTHORIZING PARTICIPATION IN NATIONAL OPIOID SETTLEMENTS.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

7. [23-0260R](#) RESOLUTION APPROVING THE BUDGET FOR THE FISCAL YEAR MAY 1, 2023 TO APRIL 30, 2024 IN THE AMOUNT OF \$7,647,935 FOR THE SPIRIT MOUNTAIN RECREATION AREA AUTHORITY.

Indexes:Attachments: [Exhibit A](#)[Exhibit B](#)

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

8. [23-0262R](#) RESOLUTION AUTHORIZING A FIRST AMENDMENT TO CONTRACT 24353 WITH HEACOX, HARTMAN, KOSHMRL, COSGRIFF, JOHNSON, LANE & FEENSTRA, P.A., FOR ADDITIONAL LEGAL PROFESSIONAL SERVICES IN THE AMOUNT OF \$43,000 FOR AN AMENDED CONTRACT TOTAL NOT TO EXCEED \$82,000 AND EXTENDING THE TERM OF THE AGREEMENT TO DECEMBER 31, 2023.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

BY COUNCILOR AWAL (PERSONNEL)

9. [23-0259R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF CHRIS ADATTE AND CARRIE RYAN TO THE DULUTH PUBLIC UTILITIES COMMISSION.

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

10. [23-0276R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF MEMBERS TO THE DULUTH BOARDS AND COMMISSIONS.

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

11. [23-0277R](#) RESOLUTION CONFIRMING APPOINTMENT OF MEMBERS TO DULUTH BOARDS AND COMMISSIONS.

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

BY COUNCILOR ANDERSON (PLANNING & ECONOMIC DEVELOPMENT)

12. [23-0258R](#) RESOLUTION AUTHORIZING DEVELOPMENT AGREEMENT IN THE AMOUNT OF \$14,000,000 AND GROUND LEASE WITH ST. LUKE'S HOSPITAL OF DULUTH FOR DESIGN AND CONSTRUCTION OF A NEW PARKING RAMP AS PART OF THE DULUTH REGIONAL EXCHANGE DISTRICT.

Indexes:

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

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

13. [23-0261R](#) RESOLUTION AUTHORIZING THE BUILDING OFFICIAL TO ABATE NUISANCES BY REMOVAL OF TWO STRUCTURALLY UNSOUND BUILDINGS IN THE CITY OF DULUTH AT A TOTAL COST NOT TO EXCEED \$70,000.

Indexes:

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

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

14. [23-0267R](#) RESOLUTION APPROVING A TWENTY YEAR DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DULUTH AND CENTER CITY HOUSING CORP. FOR THE WADENA WEST RESIDENTIAL PROJECT

AT A TOTAL COST NOT TO EXCEED \$1,750,000.

Indexes:

Attachments: [Exhibit A Development Agreement](#)

[Exhibit B Location Map](#)

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

15. [23-0283R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A \$3,875 GRANT AWARD FROM THE OFFICE OF BROADBAND DEVELOPMENT, ASSESSING DIGITAL INCLUSION MINI GRANT PROGRAM, TO BE USED FOR EXPENSES INCURRED DURING COMMUNITY ENGAGEMENT.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

16. [23-0254R](#) RESOLUTION AUTHORIZING A ONE-YEAR SERVICE AGREEMENT WITH PEC SOLUTIONS, LLC DBA PARSONS ELECTRIC AND HUNT ELECTRIC CORPORATION FOR MISCELLANEOUS ELECTRICAL PROJECT AND REPAIR SERVICES FOR THE TRAFFIC OPERATIONS DIVISION FOR AN ESTIMATED TOTAL OF \$150,000 EACH AND A TOTAL AMOUNT NOT TO EXCEED \$300,000.

Indexes:

Attachments: [Exhibit A](#)

[Exhibit B](#)

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

17. [23-0270R](#) RESOLUTION AUTHORIZING A PURCHASE FROM ENERGETX SYSTEMS, LLC OF A HEATING ENERGY TRANSFER STATION (ETS) FOR THE OLD CENTRAL HIGH SCHOOL BUILDING (ZENITH DCHS) STEAM TO HOT WATER CONVERSION PROJECT FOR AN AMOUNT NOT TO EXCEED \$97,300.00.

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

18. [23-0271R](#) RESOLUTION AUTHORIZING THE PURCHASE OF AN ENERGY TRANSFER STATION FOR THE HARBOR CENTER BUILDING STEAM

TO HOT WATER CONVERSION PROJECT FROM ENERGETX SYSTEMS, LLC FOR AN AMOUNT NOT TO EXCEED \$95,978.00.

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

19. [23-0272R](#) RESOLUTION AUTHORIZING THE PURCHASE OF AN ENERGY TRANSFER STATION FOR THE ST. LUKE'S BUILDING A STEAM TO HOT WATER CONVERSION PROJECT FROM ENERGETX SYSTEMS, LLC IN THE AMOUNT NOT TO EXCEED \$150,731.30.

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

20. [23-0281R](#) RESOLUTION TO ESTABLISH A "NO PARKING" ZONE ON THE LOWER SIDE OF 3RD STREET FROM MESABA AVENUE TO 12TH AVENUE EAST.

Indexes:

Attachments: [MAP](#)

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

BY COUNCILOR TOMANEK (PUBLIC SAFETY)

21. [23-0269R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A \$20,000 GRANT FROM THE STATE OF MINNESOTA, DEPARTMENT OF NATURAL RESOURCES TO FUND THE DULUTH POLICE DEPARTMENT'S GET HOOKED ON FISHING PROGRAM.

Indexes:

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

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

BY COUNCILOR HOBBS (RECREATION, LIBRARIES & AUTHORITIES)

22. [23-0191R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30338 WITH GARDNER BUILDERS DULUTH FOR PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES FOR THE HARTLEY NATURE CENTER BUILDING EXPANSION AND HARTLEY PARK IMPROVEMENTS TO INCREASE THE AMOUNT BY \$214,655.51 FOR A NEW TOTAL OF \$2,754,965.51.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

23. [23-0263R](#) RESOLUTION APPROVING CITY OF DULUTH LIBRARY SECURITY ASSESSMENT FOR MAIN DULUTH PUBLIC LIBRARY AND AUTHORIZES IMPLEMENTATION OF RECOMMENDATIONS AS RESOURCES PERMIT.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

24. [23-0264R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR A REGIONAL TRAIL PROGRAM GRANT OF UP TO \$300,000 TO CONSTRUCT A PORTION OF SEGMENT 6 OF THE CROSS CITY TRAIL

Indexes:

Attachments: [Exhibit A - Grant Map 03 23 23](#)

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

25. [23-0265R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH AMI CONSULTING ENGINEERS FOR COASTAL ENGINEERING SERVICES AT MULTIPLE LOCATIONS DAMAGED DURING THE NOVEMBER 2022 STORM FOR A TOTAL AMOUNT NOT TO EXCEED \$162,075.00

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

26. [23-0268R](#) RESOLUTION AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF A GENERAL OBLIGATION BOND GRANT FOR EXPENSES DIRECTLY RELATED TO PREDESIGN, DESIGN, CONSTRUCTION, FURNISHING, AND EQUIPPING OF SEAWALL AND LAKEWALK INFRASTRUCTURE WITH RELATED SURFACE IMPROVEMENTS, INCLUDING A BOARDWALK AND BIKE TRAILS, PUBLIC GATHERING SPACES, AND LOADING AREAS, ALONG THE SHORE OF LAKE SUPERIOR IN THE CITY OF DULUTH, IN THE AMOUNT OF \$13,500,000.

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

27. [23-0273R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30568 WITH KFI ENGINEERS FOR ADDITIONAL ENGINEERING SERVICES FOR THE CITY HALL MECHANICAL, ELECTRICAL AND PLUMBING RENEWAL PROJECT, FOR AN INCREASE OF \$578,600.00 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$1,526,900.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY PRESIDENT KENNEDY (COMMITTEE OF THE WHOLE)

28. [23-0286R](#) RESOLUTION AFFIRMING COMMITMENT TO DEVELOPMENT OF RESIDENTIAL HOUSING IN DULUTH AND CLARIFYING RESIDENTIAL REQUIREMENTS IN HOUSING DEVELOPMENT AGREEMENTS.

This Resolution was adopted unanimously.

Absent: Councilor Forsman.

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

BY VICE PRESIDENT RANDORF (FINANCE)

29. [23-009-O](#) AN ORDINANCE AMENDING DULUTH CITY CODE SECTION 41-24 MODIFYING COUNCIL APPROVAL REQUIREMENTS FOR DEPARTMENT HEAD PURCHASES AND AWARDED CONTRACTS.

This Ordinance was adopted unanimously.

Absent: Councilor Forsman.

BY COUNCILOR ANDERSON (PLANNING & ECONOMIC DEVELOPMENT)

30. [23-011-O](#) AN ORDINANCE AMENDING THE R-P DISTRICT REGULATING PLAN FOR RAMSEY VILLAGE TO DESIGNATE LAND NEAR 52ND AVENUE

WEST AND ELINOR STREET TO BE TYPE VIII (MIXED USE COMMERCIAL AND RESIDENTIAL BUILDING), TO DESIGNATE PARTS OF LOTS 12-18, BLOCK 168, WEST DULUTH SEVENTH DIVISION, TO BE TYPE VIII BUILDING, AND TO ADD TYPE VIII BUILDING TO EXISTING TYPE VI BUILDING ON LOTS 24-28, BLOCK 169, WEST DULUTH SEVENTH DIVISION.

Indexes:

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

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

31. [23-012-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY 660 ACRES FROM MU-N TO AP (AIRPORT DISTRICT) AND TO RECLASSIFY 110 ACRES FROM MU-B TO AP ON LAND CURRENTLY USED FOR AIRPORT OPERATIONS AT DULUTH INTERNATIONAL AIRPORT.

Indexes:

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

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

32. [23-013-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY ONE HALF BLOCK SOUTH OF W 1ST STREET, BETWEEN 19TH AVENUE W AND 20TH AVENUE W, FROM MIXED USE-BUSINESS (MU-B) TO FORM DISTRICT 5 (F-5).

Indexes:

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

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

BY PRESIDENT KENNEDY (COMMITTEE OF THE WHOLE)

33. [23-010-O](#) AN ORDINANCE AMENDING SECTION 2-42 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO ASSIGNMENT OF ELECTION PRECINCTS.

This Resolution was adopted unanimously.
Absent: Councilor Forsman.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS