



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]*

Tuesday, November 12, 2024

7:00 PM

Council Chamber

ROLL CALL

Present: 9 - Councilor Azrin Awal, Councilor Wendy Durrwachter, Councilor Arik Forsman, Councilor Janet Kennedy, Councilor Mike Mayou, Councilor Lynn Nephew, Councilor Tara Swenson, Vice President Terese Tomanek and President Roz Randorf

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [24-052](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2024-10-28, Minutes](#)

These Minutes were approved

PUBLIC HEARING: Brae View TIF District

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 DURRWACHTER (PURCHASING & LICENSING)

- 2. [24-0875R](#) RESOLUTION AUTHORIZING THE PURCHASE OF ONE TANDEM PLOW TRUCK CHASSIS FROM ASCENDANCE TRUCKS FOR THE AMOUNT OF \$166,166.34.

This Resolution was adopted unanimously.

- 3. [24-0876R](#) RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF SANDING BODY EQUIPMENT FROM BERT'S TRUCK EQUIPMENT OF MOORHEAD, INC. IN THE AMOUNT OF \$175,405.00.

This Resolution was adopted unanimously.

- 4. [24-0877R](#) RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF SANDING BODY EQUIPMENT FROM BERT'S TRUCK EQUIPMENT OF MOORHEAD, INC IN THE AMOUNT OF \$229,764.00.

This Resolution was adopted unanimously.

BY VICE PRESIDENT TOMANEK (PERSONNEL)

- 5. [24-0883R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF STEPHANIE LAFLEUR TO THE DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY.

This Resolution was adopted unanimously.

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

- 6. [24-0871R](#) RESOLUTION APPROVING A TAX INCREMENT FINANCING PLAN FOR THE BRAE VIEW TAX INCREMENT FINANCING DISTRICT AS PROPOSED BY THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH, MINNESOTA.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

7. [24-0873R](#) RESOLUTION AUTHORIZING A SIXTH 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 6th Amend](#)

This Resolution was adopted unanimously.

BY COUNCILOR SWENSON (PUBLIC SAFETY)

8. [24-0867R](#) RESOLUTION AUTHORIZING THE ACCEPTANCE OF REIMBURSEMENT FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, OFFICE OF JUSTICE PROGRAMS, IN AN AMOUNT NOT TO EXCEED \$32,760.31 FOR THE REIMBURSEMENT OF THE PURCHASE OF BALLISTIC VESTS.

Indexes:

Attachments: [Document A](#)

This Resolution was adopted unanimously.

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

9. [24-0863R](#) RESOLUTION AWARDDING A CONTRACT TO CONTOUR, INC. FOR THE HIGH PRIORITY LEAD WATER SERVICE REPLACEMENTS FOR SITES 40,53 and 54 FOR A TOTAL AMOUNT NOT TO EXCEED \$91,495.00.

This Resolution was adopted unanimously.

10. [24-0868R](#) RESOLUTION AWARDDING A CONTRACT TO CONTOUR, INC. FOR THE HIGH PRIORITY LEAD WATER SERVICE REPLACEMENTS FOR SITES 59,67 and 70 FOR A TOTAL AMOUNT NOT TO EXCEED \$87,897.00.

This Resolution was adopted unanimously.

11. [24-0874R](#) RESOLUTION AMENDING A CONTRACT WITH LHB, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES AND CONSTRUCTION

ADMINISTRATION SERVICES FOR THE 3RD STREET RECONDITIONING PROJECT, TO INCREASE THE AMOUNT BY \$94,789.00 FOR A NEW TOTAL OF \$547,410.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

12. [24-0881R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH ALLIANT ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN SERVICES FOR THE 6TH AVENUE EAST RECONDITIONING PROJECT IN THE AMOUNT OF \$64,900.00

Indexes:

Attachments: [Project2195ResolutionMap](#)

This Resolution was adopted unanimously.

BY COUNCILOR AWAL (RECREATION, LIBRARIES & AUTHORITIES)

13. [24-0864R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A CROSS-COUNTRY SKI GRANT-IN-AID PROGRAM GRANT FOR FY2025 WITH THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN AN AMOUNT NOT TO EXCEED \$12,650

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

14. [24-0869R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE HUNTINGTON NATIONAL BANK FOR THE FIVE-YEAR SEASONAL LEASE OF 90 GOLF CARTS AND 8 MAINTENANCE/UTILITY VEHICLES FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$484,360.00

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

15. [24-0865R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC. FOR CONSTRUCTION ADMINISTRATION, CONSTRUCTION ENGINEERING, AND ENGINEERING INSPECTION/ON-SITE OBSERVATION SERVICES FOR THE 2025 LEAD WATER SERVICE REPLACEMENT PROJECTS FOR AN AMOUNT NOT TO EXCEED \$2,053,690.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

16. [24-0879R](#) RESOLUTION AUTHORIZING A DEVELOPMENT AGREEMENT WITH NORTHLAND COUNTRY CLUB TO CONSTRUCT A PUBLIC WATER MAIN AND OBTAIN A UTILITY EASEMENT FOR WATER LINE PURPOSES.

Indexes:

Attachments: [NCC Development Agreement 2024-11-01 \(final\)](#)

This Resolution was adopted unanimously.

BY VICE PRESIDENT TOMANEK (PERSONNEL)

17. [24-0889R](#) RESOLUTION CONFIRMING THE CITY'S SUPPORT FOR THOSE EXPERIENCING HOMELESSNESS AND AMENDING THE ALLOCATION REQUEST OF \$500,000 IN FUNDING FROM THE SALE OF THE CIRRUS INCUBATOR BUILDING AND FURTHER REQUESTING UP TO \$500,000 IN FUNDING FROM DEDA FOR THE CONSTRUCTION OF A 120-BED TEMPORARY SHELTER AT THE DAMIANO CENTER.

This Resolution was adopted unanimously.

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

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

18. [24-057-O](#) AN ORDINANCE AMENDING SECTIONS 50-19.8, PERMITTED USE TABLE; 50-20.2 USE SPECIFIC STANDARDS FOR PUBLIC, INSTITUTIONAL, AND CIVIC USES; 50-20.4 USE SPECIFIC STANDARDS FOR INDUSTRIAL USES; 50-41.1 DEFINITIONS "A"; 50-41.2 DEFINITIONS "B"; 50-41.4 DEFINITIONS "D"; AND 50-41.9 DEFINITIONS "I"; ALL RELATED TO ADULT-USE CANNABIS ZONING REGULATIONS.

Indexes:

Attachments: [PLUTA-2410-0002 Staff Memo and Attachments](#)

This Ordinance was read for the first time.

BY COUNCILOR SWENSON (PUBLIC SAFETY)

- 19. [24-056-O](#) ORDINANCE ADDING A NEW CHAPTER 8A TO THE DULUTH CITY CODE REGULATING CANNABIS BUSINESSES AND AMENDING SECTION 12-2(k) OF CHAPTER 12 ADDING VIOLATIONS OF CHAPTER 8A.

This Ordinance was read for the first time.

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

BY COUNCILOR FORSMAN (FINANCE)

- 20. [24-048-O](#) AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF TAXABLE GRANT ANTICIPATION REVENUE NOTES IN AN AMOUNT NOT TO EXCEED \$8,218,142 OF THE CITY OF DULUTH FOR THE IMPROVEMENT OF THE MUNICIPAL WATER UTILITY UPON TERMS AND CONDITIONS TO BE PROVIDED BY RESOLUTION OF THE CITY COUNCIL AND PLEDGING REVENUES FOR THE PAYMENT THEREOF.

This Ordinance was adopted.

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

- 21. [24-050-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY THREE HALF BLOCKS ALONG E 4TH STREET FROM MIXED-USE NEIGHBORHOOD (MU-N) AND MIXED USE-INSTITUTIONAL (MU-I) TO FORM DISTRICT 6 (F-6)

Indexes:

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

This Ordinance was adopted.

- 22. [24-052-O](#) AN ORDINANCE GRANTING MINNESOTA POWER A CONCURRENT

USE PERMIT FOR A LOADING DOCK ALONG WEST MICHIGAN STREET.

Indexes:

Attachments: [Attachement 1 - CUP Exhibits](#)

[Attachment 2 - PLCUP-2409-0002 Staff Report and Attachments](#)

This Ordinance was adopted.

Councilor Forsman abstained citing employer conflict

23. [24-053-O](#) AN ORDINANCE GRANTING FESTIES INC A CONCURRENT USE PERMIT FOR A STOOP AND RETAINING WALL AT 711 MARTHA STREET.

Indexes:

Attachments: [Attachment 1 - Exhibit](#)

[Attachment 2 - PLCUP-2409-0001 Staff Report and Attachments](#)

This Ordinance was adopted.

Councilor Forsman abstained citing employer conflict

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

24. [24-054-O](#) AN ORDINANCE DEDICATING PERPETUAL EASEMENTS FOR UTILITY PURPOSES OVER CITY-OWNED PROPERTY.

Indexes:

Attachments: [Exhibit A-Ordinance](#)

[Exhibit B-Ordinance](#)

This Ordinance was adopted.

Councilor Forsman abstained citing employer conflict

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS