



# 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]*

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Monday, September 12, 2022

7:00 PM

Council Chamber

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### ROLL CALL

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

**Absent:** 1 - Councilor Roz Randorf

### PLEDGE OF ALLEGIANCE

### APPROVAL OF MINUTES

1. [22-057](#) Meeting Minutes of the Duluth City Council

**Indexes:**

**Attachments:** [2022-08-22, Minutes](#)

These Minutes were approved.

### PUBLIC HEARING

### REPORTS FROM THE ADMINISTRATION

### REPORTS FROM OTHER OFFICERS

### REPORTS OF BOARDS AND COMMISSIONS

2. [22-058](#) Duluth Human Rights Commission Meeting Minutes

Indexes:

Attachments: [April 2022 - HRC Minutes](#)  
[June 2022 - HRC Minutes](#)

This Board or Commission Report was received.

3. [22-059](#) Duluth Public Utilities Commission Meeting Minutes

Indexes:

Attachments: [July 2022 - DPUC Minutes](#)

This Board or Commission Report was received.

4. [22-060](#) Duluth Citizen Review Board Meeting Minutes

Indexes:

Attachments: [March 2022 - CRB Minutes](#)  
[May 2022 CRB Minutes](#)

This Board or Commission Report was received.

5. [22-061](#) Business Subsidy Pre-Approval Report: Plover Place

Indexes:

Attachments: [Pre-business Subsidy Report New Model ARPA](#)

This Board or Commission Report was received.

6. [22-062](#) Housing and Redevelopment Authority of Duluth Meeting Minutes

Indexes:

Attachments: [July 2022 - HRA Minutes](#)

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 VICE PRESIDENT KENNEDY (FINANCE)**

35.     [22-0753R](#)     RESOLUTION PROPOSING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL PARKS FUND LEVY FOR THE YEAR 2023.

This Resolution was adopted unanimously.  
Absent: Councilor Randorf

**BY COUNCILOR HOBBS (PURCHASING & LICENSING)**

8.     [22-0735R](#)     RESOLUTION REQUESTING THAT THE CITY ADMINISTRATION CONDUCT A TRAFFIC ANALYSIS AND ENGINEERING STUDY AND SUBMIT RECOMMENDATIONS ON SPEED LIMIT SAFETY TO THE COUNCIL.

This Resolution was adopted unanimously.  
Absent: Councilor Randorf

9.     [22-0750R](#)     RESOLUTION REQUESTING CITY ADMINISTRATION TO CARRY OUT A FEASIBILITY STUDY OF A TIERED RENTAL LICENSING SYSTEM.

This Resolution was adopted unanimously.  
Absent: Councilor Randorf

10.    [22-0759R](#)     RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO VARIOUS LICENSEES.

Indexes:

Attachments:   [Attachment A](#)

This Resolution was adopted unanimously.  
Absent: Councilor Randorf

11.    [22-0761R](#)     RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF VARIOUS LICENSEES.

Indexes:

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

This Resolution was adopted unanimously.  
Absent: Councilor Randorf

**BY COUNCILOR ALSTEAD (PERSONNEL)**

12.    [22-0726R](#)     RESOLUTION CONFIRMING THE REAPPOINTMENT OF MARTHA

BREMER TO THE DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY.

This Resolution was adopted unanimously.

Absent: Councilor Randorf

**BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)**

13.     [22-0737R](#)     RESOLUTION APPROVING A DEDA PURCHASE AGREEMENT WITH CIRRUS DESIGN CORPORATION D/B/A CIRRUS AIRCRAFT CONVEYING THE MRO BUILDING.

Indexes:

Attachments:   [Exhibit A](#)

This Resolution was adopted unanimously.

Absent: Councilor Randorf

14.     [22-0739R](#)     RESOLUTION AUTHORIZING THE INCREASE AND FINALIZING THE 2022 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 unanimously.

Absent: Councilor Randorf

15.     [22-0740R](#)     RESOLUTION AUTHORIZING A DECREASE OF \$160,584 FY 2022 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

This Resolution was adopted unanimously.

Absent: Councilor Randorf

16.     [22-0743R](#)     RESOLUTION AUTHORIZING AN INCREASE OF \$5,461 FY 2022 HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM.

This Resolution was adopted unanimously.

Absent: Councilor Randorf

Abstain: Councilor Alstead stating employer conflict

17.     [22-0744R](#)     RESOLUTION AUTHORIZING A DECREASE OF \$3,002 FY 2022 EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM.

This Resolution was adopted unanimously.

Absent: Councilor Randorf

**Abstain: Councilor Alstead stating employer conflict**

18. [22-0745R](#) RESOLUTION AUTHORIZING REPROGRAMMING OF \$20,000 OF COMMUNITY DEVELOPMENT BLOCK (CDBG-CV-3) GRANT FUNDS.

**This Resolution was adopted unanimously.**

**Absent: Councilor Randorf**

**Abstain: Councilor Alstead stating employer conflict**

19. [22-0747R](#) RESOLUTION AUTHORIZING REPROGRAMMING OF \$103,541.07 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM 2015 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR FOR THE 2022 DULUTH PROPERTY REHAB PROGRAM AND AMENDING THE 2015 AND 2022 ACTION PLANS.

**This Resolution was adopted unanimously.**

**Absent: Councilor Randorf**

**Abstain: Councilor Alstead stating employer conflict**

20. [22-0758R](#) RESOLUTION AUTHORIZING LICENSING AGREEMENT WITH VISIT DULUTH FOR USE OF THE CITY TOURISM LOGO.

**Indexes:**

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

**This Resolution was adopted unanimously.**

**Absent: Councilor Randorf**

**Abstain: Councilor Alstead stating employer conflict**

**BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)**

21. [22-0702R](#) RESOLUTION AMENDING A CONTRACT WITH NORTHLAND CONSTRUCTORS OF DULUTH, INC. FOR BITUMINOUS (HOT MIX BLACKTOP) FOR STREET MAINTENANCE ACTIVITIES IN 2022 TO INCREASE THE CONTRACT BY \$194,600 FOR A NEW TOTAL AMOUNT OF \$356,590.

**This Resolution was adopted unanimously.**

**Absent: Councilor Randorf**

**Abstain: Councilor Alstead stating employer conflict**

22. [22-0714R](#) RESOLUTION AUTHORIZING A COOPERATIVE CONSTRUCTION AGREEMENT WITH ST. LOUIS COUNTY MINNESOTA FOR THE CITY'S SHARE OF TRAFFIC SIGNAL POLE REPAINTING COSTS FOR THE TRAFFIC SIGNAL POLES LOCATED ON HAINES ROAD AT THE ANDERSON ROAD AND MALL DRIVE INTERSECTIONS.

**Indexes:****Attachments:** [22-0714R Exhibit A](#)[22-0714R Map 1](#)[22-0714R Map 2](#)**This Resolution was adopted unanimously.****Absent: Councilor Randorf**

23. [22-0724R](#) RESOLUTION AUTHORIZING THE CITY OF DULUTH TO APPLY FOR, AND ACCEPT IF AWARDED, A GRANT OPPORTUNITY THROUGH THE UNITED STATES ARMY CORPS OF ENGINEERS 569 PROGRAM FOR TWO STORMWATER OUTFALLS AND BIOFILTRATION BASINS FOR STORMWATER TREATMENT IN THE VICINTY OF LINCOLN PARK.

**Indexes:****Attachments:** [22-0724R Map 1](#)[22-0724R Map 2](#)[22-0724R Map 3](#)**This Resolution was adopted unanimously.****Absent: Councilor Randorf**

24. [22-0733R](#) RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION TO PROVIDE STATE COMPENSATION FOR MAINTENANCE AND ROAD LIFE CONSUMED BY THE T.H. 23 DETOUR.

**Indexes:****Attachments:** [22-0733R Exhibit A](#)[22-0733R Map](#)**This Resolution was adopted unanimously.****Absent: Councilor Randorf**

25. [22-0738R](#) RESOLUTION AUTHORIZING AN AGREEMENT LHB, INC. FOR ENGINEERING SERVICES FOR A PORTION OF THE 2023 LEAD SERVICE REPLACEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$138,508.00.

**Indexes:****Attachments:** [22-0738R Map](#)**This Resolution was adopted unanimously.****Absent: Councilor Randorf**

26. [22-0741R](#) RESOLUTION AUTHORIZING AN AGREEMENT MSA PROFESSIONAL SERVICES, INC. FOR ENGINEERING SERVICES FOR A PORTION OF

THE 2023 LEAD SERVICE REPLACEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$138,508.00.

Indexes:

Attachments: [22-0741R Map](#)

This Resolution was adopted unanimously.

Absent: Councilor Randorf

27. [22-0742R](#) RESOLUTION AUTHORIZING AN AGREEMENT NORTHLAND CONSULTING ENGINEERING LLP FOR ENGINEERING SERVICES FOR A PORTION OF THE 2023 LEAD SERVICE REPLACEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$138,508.00.

Indexes:

Attachments: [22-0742R Map](#)

This Resolution was adopted unanimously.

Absent: Councilor Randorf

28. [22-0746R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH SHORT ELLIOTT HENDRICKSON, INC. FOR ENGINEERING SERVICES FOR A PORTION OF THE 2023 LEAD SERVICE REPLACEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$138,508.00.

Indexes:

Attachments: [22-0742R Map](#)

This Resolution was adopted unanimously.

Absent: Councilor Randorf

#### **BY COUNCILOR ANDERSON (PUBLIC SAFETY)**

29. [22-0713R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO EXECUTE A ONE-YEAR AGREEMENT WITH TWO AUTOMATIC ONE-YEAR RENEWALS WITH THE INDEPENDENT SCHOOL DISTRICT NO. 709 FOR THE DULUTH POLICE DEPARTMENT TO PROVIDE FOUR SCHOOL RESOURCE OFFICERS IN THE PUBLIC SCHOOLS FOR A TOTAL OF \$296,390 FOR THE 2022-2023 SCHOOL YEAR.

Indexes:

Attachments: [Exhibit A - Job Description](#)  
[Document A - Agreement](#)

This Resolution was adopted unanimously.

Absent: Councilor Randorf

#### **BY COUNCILOR TOMANEK (RECREATION, LIBRARIES & AUTHORITIES)**

30. [22-0720R](#) RESOLUTION AUTHORIZING FIVE MONTH AGREEMENT WITH FAMILY FREEDOM CENTER TO PROVIDE OUT OF SCHOOL TIME PROGRAMMING IN THE CENTRAL HILLSIDE NEIGHBORHOOD FOR A TOTAL AMOUNT NOT TO EXCEED \$8,883.08

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.  
Absent: Councilor Randorf

31. [22-0721R](#) RESOLUTION AUTHORIZING A FIRST AMENDMENT TO A REAL ESTATE LICENSE AGREEMENT WITH UNITED STATES STEEL CORPORATION ALLOWING ACCESS TO CERTAIN CITY-OWNED PROPERTY NEAR AND ADJACENT TO THE FORMER U.S. STEEL SITE.

Indexes:

Attachments: [Amendment to License Agreement 8-22-22.pdf](#)

This Resolution was adopted unanimously.  
Absent: Councilor Randorf

32. [22-0736R](#) RESOLUTION AUTHORIZING THE SOLE SOURCE PURCHASE OF PICNIC TABLES AND BENCHES FROM BRIGHT IDEA SHOPS, LLC IN THE AMOUNT OF \$48,273.41.

This Resolution was adopted unanimously.  
Absent: Councilor Randorf

33. [22-0751R](#) RESOLUTION AUTHORIZING A CONTRACT WITH RACHEL CONTRACTING LLC FOR THE BRIGHTON BEACH LAKESHORE STABILIZATION FOR AN AMOUNT NOT TO EXCEED \$710,266.00.

This Resolution was adopted unanimously.  
Absent: Councilor Randorf

34. [22-0752R](#) RESOLUTION AUTHORIZING A CONTRACT WITH PARSONS ELECTRIC FOR THE CITY HALL GROUNDS IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$765,725.00.

This Resolution was adopted unanimously.  
Absent: Councilor Randorf

**END OF CONSENT AGENDA**

*The following entitled resolutions are also to be considered:*

**BY VICE PRESIDENT KENNEDY (FINANCE)**

7.        [22-0754R](#)        RESOLUTION PROPOSING THE SUM TO BE RAISED BY TAXATION FOR GENERAL PURPOSES FOR THE YEAR 2023.

This Resolution was tabled.

36.       [22-0755R](#)       RESOLUTION PROPOSING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL TAXING DISTRICT, HOUSING AND REDEVELOPMENT AUTHORITY, FOR THE YEAR 2023.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

Absent: Councilor Randorf

**BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)**

A motion was made to suspend the rules (8-0-1) so the appellant could speak on these two resolutions.

37.       [22-0748R](#)       RESOLUTION AFFIRMING THE HERITAGE PRESERVATION COMMISSION'S DECISION TO DENY A CERTIFICATE OF APPROPRIATENESS FOR THE DEMOLITION OF THE STRUCTURE AT 102-108 EAST SUPERIOR STREET.

Indexes:

Attachments: [Attachment 1.pdf](#)

[Attachment 2.pdf](#)

[Attachment 3.pdf](#)

[Attachment 4.pdf](#)

[Attachment 5.pdf](#)

[Attachment 6.pdf](#)

[Attachment 7.pdf](#)

[Attachment 8.pdf](#)

A motion was made that this Resolution be failed. The motion failed by the following vote:

Yea: 3 - Councilor Awal, Councilor Mayou and Vice President Kennedy

**Nay:** 5 - Councilor Alstead, Councilor Anderson, Councilor Hobbs, Councilor Tomanek and President Forsman

**Absent:** 1 - Councilor Randorf

38. [22-0749R](#) RESOLUTION REVERSING THE HERITAGE PRESERVATION COMMISSION'S DECISION TO DENY A CERTIFICATE OF APPROPRIATENESS FOR THE DEMOLITION OF THE STRUCTURE AT 102-108 EAST SUPERIOR STREET.

**Indexes:**

**Attachments:** [Attachment 1.pdf](#)  
[Attachment 2.pdf](#)  
[Attachment 3.pdf](#)  
[Attachment 4.pdf](#)  
[Attachment 5.pdf](#)  
[Attachment 6.pdf](#)  
[Attachment 7.pdf](#)  
[Attachment 8.pdf](#)

**A motion was made that this Resolution be adopted. The motion carried by the following vote:**

**Yea:** 5 - Councilor Alstead, Councilor Anderson, Councilor Hobbs, Councilor Tomanek and President Forsman

**Nay:** 3 - Councilor Awal, Councilor Mayou and Vice President Kennedy

**Absent:** 1 - Councilor Randorf

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

**BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)**

39. [22-029-O](#) AN ORDINANCE AMENDING THE RESIDENTIAL PLANNED (R-P) REGULATING PLAN FOR HARBOR VIEW/CENTRAL HILLSIDE TRADITIONAL NEIGHBORHOOD DEVELOPMENT CODE AFFECTING THREE LOTS ON THE WEST SIDE OF CENTRAL ENTRANCE SOUTH OF EAST 13TH STREET TO REPLACE THE CURRENTLY ALLOWED BUILDING TYPES, LOT CONFIGURATION AND DESIGN STANDARDS.

**Indexes:**

**Attachments:** [Exhibit A Map](#)  
[Exhibit B Staff Report](#)

**This Ordinance was adopted.**

40. [22-030-O](#) AN ORDINANCE AMENDING SECTIONS 50-20-5.E, 50-25.1, 50-27.3, AND 50-30.1.B RELATED TO BUILDING AND LIGHTING/LANDSCAPING DESIGN STANDARDS.

Indexes:

Attachments: [PL 22-108 Cover Memo and Attachments](#)

This Ordinance was adopted.

41. [22-031-O](#) AN ORDINANCE AMENDING SECTION 50-37.1.O.5 OF THE DULUTH CITY CODE, 1959, AS AMENDED CLARIFYING TIME REQUIREMENTS FOR CERTAIN APPEALS OF PLANNING COMMISSION AND CITY COUNCIL DECISIONS UNDER CHAPTER 50 OF THE CODE.

Indexes:

Attachments: [PL 22-108 Cover Memo and Attachments](#)

This Ordinance was adopted.

## COUNCILOR QUESTIONS AND COMMENTS

## COUNCILOR PREVIEW OF UPCOMING BUSINESS