



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, September 25, 2023

7:00 PM

Council Chamber

ROLL CALL

Present: 9 - Councilor Hannah Alstead, Councilor Gary Anderson, Councilor Azrin Awal, Councilor Arik Forsman, Councilor Noah Hobbs, Councilor Mike Mayou, Councilor Terese Tomanek, Vice President Roz Randorf and President Janet Kennedy

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [23-057](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2023-09-11, Minutes](#)

These Minutes were approved.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [23-058](#) Duluth Public Utilities Commission: Meeting Minutes & Resolutions

Indexes:

- Attachments:** [23PUC-002](#)
- [23PUC-003](#)
- [June 2023 DPUC Minutes](#)
- [July 2023 DPUC Minutes](#)

This Board or Commission Report was received.

- 3. [23-059](#) Parks and Recreation Commission Meeting Minutes

Indexes:

- Attachments:** [June 2023 - Parks and Rec Minutes](#)
- [August 2023 - Parks and Rec 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. [23-0677R](#) RESOLUTION PROPOSING THE SUM TO BE RAISED BY TAXATION FOR GENERAL PURPOSES FOR THE YEAR 2024.

Indexes:

- Attachments:** [Motion to Amend \(Awal\) - Failed 3-5-1 \(Hobbs abstains\) \(Anderson, Awal and Mayou in support\)](#)
- [Motion to Amend \(Awal 2\) - Failed 3-5-1 \(Hobbs abstains\) \(Anderson, Awal and Mayou in support\)](#)
- [Motion to Amend \(Forsman, Mayou, Tomanek, Alstead\) - Passed 8-0-1 \(Hobbs abstains\)](#)

This Resolution was adopted by the following vote:

Yea: 8 - Councilor Alstead, Councilor Anderson, Councilor Awal, Councilor Forsman, Councilor Mayou, Councilor Tomanek, Vice President Randorf and President Kennedy

Abstain: 1 - Councilor Hobbs

- 5. [23-0691R](#) RESOLUTION DISTRIBUTING THE ESTIMATED 2024 HOTEL-MOTEL AND FOOD AND BEVERAGE TOURISM TAXES.

Indexes:

Attachments: [Exhibit A](#)

[Motion to Amend \(Kennedy\) - Passed 8-0-2 \(Hobbs and Mayou abstain\)](#)

This Resolution was adopted by the following vote:

Yea: 7 - Councilor Alstead, Councilor Anderson, Councilor Awal, Councilor Forsman, Councilor Tomanek, Vice President Randorf and President Kennedy

Abstain: 2 - Councilor Hobbs and Councilor Mayou

CONSENT AGENDA

BY VICE PRESIDENT RANDORF (FINANCE)

- 6. [23-0722R](#) RESOLUTION AUTHORIZING A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH MADDEN GALANTER HANSEN, LLP, INCREASING THE CONTRACT AMOUNT BY \$50,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$90,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR ALSTEAD (PURCHASING & LICENSING)

- 7. [23-0730R](#) RESOLUTION AUTHORIZING A THREE-YEAR ENTERPRISE AGREEMENT WITH MICROSOFT VIA ITS RESELLER, SHI, Inc, FOR THE PURCHASE AND MAINTENANCE OF SOFTWARE LICENSING IN THE AMOUNT OF \$1,396,152.81 PAID ANNUALLY IN AN ESTIMATED AMOUNT OF \$465,384.27.

This Resolution was adopted unanimously.

BY COUNCILOR AWAL (PERSONNEL)

- 8. [23-0713R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF HEAVY EQUIPMENT MECHANIC.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

- 9. [23-0736R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF PURCHASING AGENT.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

- 10. [23-0741R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF REGULATOR MECHANIC.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

- 11. [23-0753R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF TODD OLSON TO THE DULUTH TRANSIT AUTHORITY.

This Resolution was adopted unanimously.

BY COUNCILOR ANDERSON (PLANNING & ECONOMIC DEVELOPMENT)

- 12. [23-0719R](#) RESOLUTION AUTHORIZING APPLICATION FOR AND, UPON APPROVAL, ACCEPTANCE OF A GRANT FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION'S RECONNECTING COMMUNITIES AND NEIGHBORHOODS PROGRAM FOR A COMMUNITY PLANNING GRANT TO STUDY I-35 TO RESTORE COMMUNITY CONNECTIVITY.

This Resolution was adopted unanimously.

- 13. [23-0733R](#) RESOLUTION VACATING A PLATTED ALLEY ADJACENT TO LOTS 17 THROUGH 19, BLOCK 5, AND LOTS 17 THROUGH 19, BLOCK 6, RIVER SIDE PARK SECOND ADDITION.

Indexes:

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

This Resolution was adopted unanimously.

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

14. [23-0735R](#) RESOLUTION ACCEPTING A PERMANENT EASEMENT FROM CONRAD B. BEAULIEU AND LORI A. BEAULIEU FOR STREET AND UTILITY PURPOSES OVER, UNDER AND ACROSS REAL PROPERTY IN THE WOODLAND NEIGHBORHOOD FOR NOMINAL CONSIDERATION.

Indexes:

Attachments: [Exhibit 1-Resolution](#)

[Exhibit 2-Resolution](#)

This Resolution was adopted unanimously.

15. [23-0739R](#) RESOLUTION AUTHORIZING A FOURTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH GREENE ESPEL, PLLP, INCREASING THE CONTRACT AMOUNT BY \$200,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$460,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR TOMANEK (PUBLIC SAFETY)

16. [23-0728R](#) 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 \$17,221.39 FOR THE REIMBURSEMENT OF THE PURCHASE OF BALLISTIC VESTS.

Indexes:

Attachments: [Document A - Payment Regeust](#)

This Resolution was adopted unanimously.

17. [23-0729R](#) RESOLUTION AUTHORIZING THE ACCEPTANCE OF REIMBURSEMENT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$28,128.34 FOR THE PURCHASE OF BALLISTIC VESTS.

Indexes:

Attachments: [Document A - Payment Request](#)

This Resolution was adopted unanimously.

18. [23-0732R](#) RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN AWARD FROM THE MINNESOTA BOARD OF FIREFIGHTER TRAINING AND EDUCATION TOTALING \$77,415.96 FOR THE PURPOSE OF SUPPORTING FIRE DEPARTMENT TRAINING

Indexes:

Attachments: [Duluth Revised Redistribution Award Letter](#)
[City of Duluth Overpayment \(002\)](#)

This Resolution was adopted unanimously.

BY COUNCILOR HOBBS (RECREATION, LIBRARIES & AUTHORITIES)

19. [23-0726R](#) RESOLUTION AUTHORIZING A FUNDING AGREEMENT WITH DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY GRANTING \$200,000 FOR THE PURPOSE OF FUNDING A TEMPORARY ICE CHILLER TO MAINTAIN AN ICE SHEET AT THE DECC ARENA.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

20. [23-0737R](#) RESOLUTION AUTHORIZING THE SECOND AMENDMENT TO AGREEMENT 24401 WITH THE US DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE TO INCREASE THE FUNDING AWARD BY \$140,500 FOR THE CONTINUED DESIGN AND DEVELOPMENT OF WAABIZHESHKANA: THE MARTEN TRAIL.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

21. [23-0738R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR UP TO \$500,000 FROM THE SHADE TREE PROGRAM BONDING GRANT TO SUPPORT REPLACEMENT OF DISEASED ASH TREES AND ESTABLISH A MORE DIVERSE AND RESILIENT TREE POPULATION.

This Resolution was adopted unanimously.

22. [23-0742R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30780 WITH NEOO PARTNERS FOR COMMUNITY ENGAGEMENT SERVICES FOR THE DULUTH MULTIPURPOSE COMMUNITY SERVICES CENTER PROJECT, FOR AN INCREASE OF \$7,760.00

AND A NEW TOTAL AMOUNT NOT TO EXCEED \$53,095.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

23. [23-0745R](#) RESOLUTION ACCEPTING SPECIAL LAWS EXTENDING THE EXISTING ONE-HALF OF ONE PERCENT INCREMENT IN THE CITY OF DULUTH FOOD AND BEVERAGE TAX AND THE CITY OF DULUTH LODGING TAX AND AUTHORIZING THE REVENUES TO BE SPENT ON CAPITAL IMPROVEMENTS TO PARKS-BASED PUBLIC ATHLETIC FACILITIES.

This Resolution was adopted unanimously.

24. [23-0746R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30713 WITH MAVO SYSTEMS, INC. FOR THE CITY HALL MECHANICAL, ELECTRICAL AND PLUMBING (MEP) RENEWAL PROJECT, TO INCREASE THE AMOUNT BY \$67,650.00 FOR A NEW TOTAL OF \$207,650.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY VICE PRESIDENT RANDORF (FINANCE)

25. [23-0734R](#) RESOLUTION AUTHORIZING A REVOLVING LINE OF CREDIT IN THE AMOUNT OF \$1,000,000 FOR THE DULUTH ENTERTAINMENT CONVENTION CENTER AUTHORITY.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR ANDERSON (PLANNING & ECONOMIC DEVELOPMENT)

26. [23-0682R](#) RESOLUTION OF INTENT TO SELL OR CONVEY CERTAIN REAL

PROPERTY IN THE DOWNTOWN NEIGHBORHOOD.

Indexes:

Attachments: [Exhibit A-Resolution of Intent to Sell](#)
[Exhibit B](#)

This Resolution was adopted unanimously.

27. [23-0740R](#) RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT WITH THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR THE SALE OF PROPERTY IN THE DOWNTOWN NEIGHBORHOOD FOR \$27,500.00 AND OTHER GOOD AND VALUABLE CONSIDERATION.

Indexes:

Attachments: [Exhibit 1-Resolution re PA](#)
[Exhibit 2-Resolution re PA](#)
[Exhibit 3-Resolution re PA](#)

This Resolution was adopted unanimously.

BY COUNCILOR FORSMAN (INTERGOVERNMENTAL RELATIONS)

28. [23-0758R](#) RESOLUTION RECOMMENDING THAT THE \$3.45 MILLION IN PROCEEDS FROM THE SALE OF THE CIRRUS INCUBATOR BUILDING BE ALLOCATED TO VARIOUS CITY PROJECTS AND FUNDS.

This Resolution was adopted unanimously.

BY COUNCILOR HOBBS (RECREATION, LIBRARIES & AUTHORITIES)

29. [23-0748R](#) RESOLUTION OF SUPPORT TO CONTINUE PLANNING AND DESIGN OF PARKS-BASED ATHLETIC VENUE IMPROVEMENTS THAT SUPPORT SPORTS TOURISM AND QUALITY OF LIFE

Indexes:

Attachments: [23-0748 Exhibit A](#)
[23-0748 Exhibit B](#)

This Resolution was adopted unanimously.

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

BY COUNCILOR ANDERSON (PLANNING & ECONOMIC DEVELOPMENT)

30. [23-033-O](#) AN ORDINANCE GRANTING F.I. SALTER/THE BREAKERS A CONCURRENT USE PERMIT FOR SIX PARKING SPACES IN THE PLATTED STREET RIGHT OF WAY OF EAST WATER STREET.

Indexes:

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

This Ordinance was read for the first time.

31. [23-034-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY IN THE DOWNTOWN NEIGHBORHOOD TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR \$27,500.00 AND OTHER GOOD AND VALUABLE CONSIDERATION.

Indexes:

Attachments: [Exhibit 1-Ordinance](#)
[Exhibit 2-Ordinance](#)
[Exhibit 3-Ordinance](#)

This Ordinance was read for the first time.

BY COUNCILOR HOBBS (RECREATION, LIBRARIES & AUTHORITIES)

32. [23-035-O](#) AN ORDINANCE AMENDING SECTIONS 42A-44 AND 42A-50 OF THE DULUTH CITY CODE TO ALLOCATE UP TO \$36 MILLION FROM THE ONE-HALF OF ONE PERCENT INCREMENT IN CITY OF DULUTH FOOD AND BEVERAGE TAX AND CITY OF DULUTH LODGING TAX FOR THE PURPOSE OF FUNDING CAPITAL IMPROVEMENTS TO PARKS-BASED PUBLIC ATHLETIC FACILITIES IN SUPPORT OF SPORTS TOURISM AND QUALITY OF LIFE IN NORTHEAST MINNESOTA.

This Ordinance was read for the first time.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS