



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, January 22, 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. [24-004](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2024-01-08, Minutes](#)

These Minutes were approved.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [24-003](#) Duluth Parking Commission Meeting Minutes

Indexes:

Attachments: [January 2024 DPC Minutes](#)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

CONSENT AGENDA

BY COUNCILOR DURRWACHTER (PURCHASING & LICENSING)

3. [24-0021R](#) RESOLUTION AUTHORIZING AN ANNUAL CONTRACT FOR ORIGINAL EQUIPMENT MANUFACTURER (OEM) PARTS, SUPPLIES AND LABOR FOR 2024 FROM MID-STATE TRUCK SERVICE, INC. FOR AN AMOUNT NOT TO EXCEED \$180,000.

This Resolution was adopted unanimously.

4. [24-0028R](#) RESOLUTION APPROVING ISSUANCE OF AN ON SALE INTOXICATING LIQUOR LICENSE TO THE MERRYWEATHER INN.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

BY VICE PRESIDENT TOMANEK (PERSONNEL)

5. [24-0031R](#) RESOLUTION CONFIRMING CITY COUNCILOR APPOINTMENTS TO CITY OF DULUTH BOARDS AND COMMISSIONS.

This Resolution was adopted unanimously.

6. [24-0064R](#) RESOLUTION CONFIRMING CITY COUNCILOR MAYORAL APPOINTMENTS TO CITY OF DULUTH BOARDS AND COMMISSIONS.

This Resolution was adopted unanimously.

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

7. [24-0041R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$6,000 FROM THE URBAN SUSTAINABILITY DIRECTORS NETWORK FOR THE SUSTAINABLE DULUTH WORKSHOP SERIES.

This Resolution was adopted unanimously.

8. [24-0051R](#) RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH THE CENTER FOR OCCUPATIONAL RESEARCH AND DEVELOPMENT TO PROVIDE WORKFORCE ASSESSMENT AND PLANNING SERVICES FOR AN AMOUNT NOT TO EXCEED \$65,000.

Indexes:

Attachments: [Document A](#)

This Resolution was adopted unanimously.

9. [24-0052R](#) RESOLUTION AUTHORIZING THE AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH ST PAPER 1, LLC TO SUPPORT THE SALE OF THE PAPER MILL LOCATED AT 110 NORTH CENTRAL AVENUE TO SOFIDEL AMERICA, CORP.

Indexes:

Attachments: [Exhibit A 2022 10 5 Fully Executed-Dev Agreement between City and ST Paper 1 LLC.pdf](#)
[Exhibit B First Amendment City ST Paper Dev Agreement.pdf](#)
[Exhibit C Estoppel Certificate.pdf](#)

This Resolution was adopted unanimously.

10. [24-0053R](#) RESOLUTION AUTHORIZING THE AMENDMENT OF THE FORGIVABLE MINNESOTA INVESTMENT FUND LOAN AGREEMENT AND ASSOCIATED PROMISSORY NOTE HELD BY ST PAPER 1, LLC TO SUPPORT THE SALE OF THE PAPER MILL LOCATED AT 110 NORTH CENTRAL AVENUE TO SOFIDEL AMERICA, CORP.

Indexes:

Attachments: [Exhibit A Amendment City ST Paper MIF Loan Agreement.pdf](#)

This Resolution was adopted unanimously.

11. [24-0054R](#) RESOLUTION AUTHORIZING THE AMENDMENT TO THE CITY LOAN AGREEMENT WITH ST PAPER 1, LLC TO SUPPORT THE SALE OF THE PAPER MILL LOCATED AT 110 NORTH CENTRAL AVENUE TO SOFIDEL AMERICA, CORP.

Indexes:

Attachments: [Exhibit A Amendment City ST Paper Conditional Loan Agreement.pdf](#)

This Resolution was adopted unanimously.

12. [24-0055R](#) RESOLUTION AUTHORIZING THE AMENDMENT TO TAX ABATEMENT AGREEMENT WITH ST PAPER 1, LLC TO SUPPORT THE SALE OF THE PAPER MILL LOCATED AT 110 NORTH CENTRAL AVENUE TO SOFIDEL AMERICA, CORP.

This Resolution was adopted unanimously.

13. [24-0056R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT BETWEEN THE CITY, COMFORT SYSTEMS AND SOFIDEL AMERICA, CORP. TO EXTEND THE TERM OF A WATER SERVICE AGREEMENT.

This Resolution was adopted unanimously.

14. [24-0062R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO EXECUTE A PARKING LICENSE AGREEMENT WITH THE REGENTS OF THE UNIVERSITY OF MINNESOTA TO ALLOW THE CITY OF DULUTH TO USE A PARKING LOT LOCATED ON WEST ELIZABETH STREET FOR THE CITY'S SNOW EMERGENCY COMMUNITY PARKING LOT PILOT PROGRAM AT NO COST TO THE CITY OF DULUTH.

Indexes:

Attachments: [Document A](#)

This Resolution was adopted unanimously.

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

15. [24-0024R](#) RESOLUTION OF SUPPORT FOR ST. LOUIS COUNTY'S RAISE GRANT APPLICATION FOR THE RICE LAKE RD (CSAH 4) CORRIDOR PROJECT.

Indexes:

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

This Resolution was adopted unanimously.

16. [24-0025R](#) RESOLUTION AUTHORIZING A COOPERATIVE AGREEMENT WITH ST. LOUIS COUNTY FOR THE 2024 TOWNSHIPS AND CITIES MAINTENANCE STRIPING PROGRAM FOR ROAD LINE STRIPING AT VARIOUS LOCATIONS IN THE CITY OF DULUTH AT AN ESTIMATED

COST OF \$73,313.

This Resolution was adopted unanimously.

17. [24-0032R](#) RESOLUTION REVISING THE LIST OF HIGH PRIORITY BRIDGES IN THE CITY OF DULUTH.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

18. [24-0033R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR UP TO \$1,000,000 FOR AN ACTIVE TRANSPORTATION GRANT TO PROVIDE PEDESTRIAN LIGHTING AND SHARED USE PATH IMPROVEMENTS FROM THE DEPOT PARKING LOT TO THE WEST END OF THE I-35 PEDESTRIAN BRIDGE.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

19. [24-0048R](#) RESOLUTION AWARDED A CONTRACT TO KTM PAVING, INC. FOR THE CROSS CITY TRAIL PHASE 3 PROJECT, IN THE AMOUNT OF \$680,700.00, SP 118-090-026, TA 6923(261), CITY PROJECT NO. 1510.

Indexes:

Attachments: [MAP](#)

This Resolution was adopted unanimously.

BY COUNCILOR SWENSON (PUBLIC SAFETY)

20. [24-0042R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE STATE OF MINNESOTA, COMMISSIONER OF PUBLIC SAFETY, OFFICE OF JUSTICE PROGRAMS, IN THE TOTAL AMOUNT OF \$810,000 FOR THE PURPOSE OF SUPPORTING THE OPERATIONS OF THE LAKE SUPERIOR VIOLENT OFFENDER TASK FORCE THROUGH DECEMBER 31, 2025.

Indexes:

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

This Resolution was adopted unanimously.

BY COUNCILOR AWAL (RECREATION, LIBRARIES & AUTHORITIES)

21. [24-0039R](#) RESOLUTION ACCEPTING UNCONDITIONAL GIFTS FROM THE DULUTH LIBRARY FOUNDATION FOR THE BENEFIT OF THE LIBRARY FOR 2023 AND 2024.

This Resolution was adopted unanimously.

22. [24-0040R](#) RESOLUTION ACCEPTING UNCONDITIONAL GIFTS FROM FRIENDS OF THE DULUTH PUBLIC LIBRARY FOR THE BENEFIT OF THE LIBRARY FOR 2023 AND 2024.

This Resolution was adopted unanimously.

23. [24-0043R](#) RESOLUTION AUTHORIZING THE SINGLE SOURCE PURCHASE OF RETAINING WALL REPAIRS AT CITY HALL FROM BEDROCK-FLINT, INC. FOR A TOTAL AMOUNT NOT TO EXCEED \$65,804.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

24. [24-0045R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30697 WITH RACHEL CONTRACTING, LLC FOR THE BRIGHTON BEACH LAKESHORE STABILIZATION PROJECT, TO INCREASE THE AMOUNT BY \$235,408.00 FOR A NEW TOTAL OF \$1,754,638.68.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

25. [24-0046R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30688 WITH FLAGSHIP RECREATION FOR PLAYGROUND EQUIPMENT INSTALLATION AT LINCOLN PARK, TO INCREASE THE AMOUNT BY \$4,199.02 FOR A NEW TOTAL OF \$151,700.96.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

26. [24-0047R](#) RESOLUTION AUTHORIZING THE SOLE SOURCE PURCHASE OF POLARIS LIBRARY SYSTEMS LICENSE RENEWALS AND MAINTENANCE FOR 2024 FROM INNOVATIVE INTERFACES, INC. FOR THE AMOUNT OF \$50,744.12.

This Resolution was adopted unanimously.

- 27. [24-0049R](#) RESOLUTION TO ACCEPT A \$102,000 DONATION FROM THE DULUTH CROSS-COUNTRY SKI CLUB TO SUPPORT IMPROVEMENTS TO THE SPIRIT MOUNTAIN NORDIC CENTER.

This Resolution was adopted unanimously.

- 28. [24-0050R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A MINNESOTA RECREATION AND PARKS FOUNDATION NEW INITIATIVE GRANT OF \$4,000 FOR PROGRAMMING EQUIPMENT.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

- 29. [24-0034R](#) RESOLUTION APPROVING 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.

Indexes:

Attachments: [Draft 2024 Action Plan](#)

This Resolution was adopted unanimously.

- 30. [24-0036R](#) RESOLUTION AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE 2024 PROGRAM YEAR, AUTHORIZING AGREEMENTS WITH APPROPRIATE AGENCIES.

This Resolution was adopted unanimously.

- 31. [24-0037R](#) RESOLUTION AUTHORIZING A REQUEST FOR HUD HOME

INVESTMENT PARTNERSHIP FUNDS FOR THE 2024 PROGRAM YEAR, AUTHORIZING AGREEMENTS WITH APPROPRIATE AGENCIES.

This Resolution was adopted unanimously.

32. [24-0038R](#) RESOLUTION AUTHORIZING A REQUEST FOR HUD EMERGENCY SOLUTIONS GRANTS PROGRAM (ESG) FUNDING FOR THE 2024 PROGRAM YEAR, AUTHORIZING CONTRACTS, AUTHORIZING AGREEMENTS WITH APPROPRIATE AGENCIES.

This Resolution was adopted unanimously.

BY PRESIDENT RANDORF (COMMITTEE OF THE WHOLE)

33. [24-0063R](#) RESOLUTION ESTABLISHING THE CITY OF DULUTH 2024 TOP LEGISLATIVE BONDING PRIORITIES

Indexes:

Attachments: [Motion to Amend \(Passed 9-0\)](#)

This Resolution was adopted unanimously.

34. [24-0065R](#) RESOLUTION APPROVING AGREEMENT WITH TAFT STETTINIUS & HOLLISTER LLP FOR LEGISLATIVE SERVICES NOT TO EXCEED \$140,004.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR AWAL (RECREATION, LIBRARIES & AUTHORITIES)

35. [24-0060R](#) RESOLUTION AUTHORIZING A ONE-YEAR AGREEMENT WITH WINTERFELL MANAGEMENT LLC FOR THE PRODUCTION, PROMOTION AND MANAGEMENT OF EVENTS AT BAYFRONT FESTIVAL PARK AT A COST OF \$63,425.

Indexes:

Attachments: [Document A](#)

This Resolution was adopted unanimously.

36. [24-0061R](#) RESOLUTION AUTHORIZING A FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND THE DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY TO

PRODUCE, PROMOTE, COORDINATE AND MANAGE EVENTS AT BAYFRONT FESTIVAL PARK TO EXTEND THE TERM OF THE AGREEMENT AND TO PROVIDE FOR TRANSITIONAL SUPPORT TO A NEW MANAGEMENT FIRM AT A COST NOT TO EXCEED \$19,475.

Indexes:

Attachments: [Document A](#)

This Resolution was adopted unanimously.

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

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

37. [24-000-O](#) AN ORDINANCE GRANTING ST LUKE’S HOSPITAL A CONCURRENT USE PERMIT FOR A SECOND LEVEL ON THE EXISTING SKYWALK OVER 10TH AVENUE EAST.

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

This Ordinance was adopted.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

Attest: Ian B. Johnson, City Clerk

*Passed: January 22, 2024
Approved: January 24, 2024
Roger Reiner, Mayor*