



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Meeting Agenda - 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, February 14, 2022

7:00 PM

Council Chamber

NOTICE: The Duluth City Council will be holding the February 10, 2022 Agenda Session and February 14, 2022 Council Meeting by other electronic means pursuant to Minnesota Statutes Section 13D.021 in response to the COVID-19 pandemic. Some members of the City Council will be participating through video conference. Due to the COVID-19 pandemic, public comment will not be taken in person. However, members of the public can monitor the meeting and provide public comment on agenda items through WebEx Events. Visit <https://duluthmn.gov/live-meeting> to access the meeting. The public is also encouraged to submit written comment to council@duluthmn.gov prior to the meeting. Please include "Council Agenda" in the subject line, and include your name and address and the agenda item you are speaking to. Please note that all public comment is considered Public Data. The public is also encouraged to watch both meetings online at <https://duluthmn.gov/city-council/> (Select "Council Meeting Media") or by tuning into Public Access Television, Channel 180.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [22-012](#) Meeting Minutes of the Duluth City Council

Attachments: [2022-01-24, Minutes](#)

PUBLIC HEARING

2. [22-009](#) Public Hearing: Ordinance 22-002-O: CHANGING THE MAXIMUM NUMBER OF APPOINTED DEPUTY FIRE CHIEFS FROM TWO TO THREE.

Attachments: [2022-01-14-notice-of-public-hearing](#)

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

3. [22-016](#) Acceptance of Road and Utility Improvements by Private Parties City Project #1898

Attachments: [Acceptance to Council 2 14 22](#)

REPORTS OF BOARDS AND COMMISSIONS

4. [22-013](#) Duluth Public Utilities Commission Meeting Minutes

Attachments: [November 2021 - DPUC Minutes](#)

5. [22-014](#) Library Board Meeting Minutes

Attachments: [November 2021 - Library Board Minutes](#)

6. [22-015](#) Energy Plan Commission Meeting Minutes

Attachments: [November 2021 - Energy Plan Commission Minutes](#)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

CONSENT AGENDA

BY VICE PRESIDENT KENNEDY (FINANCE)

7. [22-0169R](#) RESOLUTION AMENDING RESOLUTION 22-0103R, ADOPTED JANUARY 24,2022,TO ADD STATE FUNDING FOR THE NORTHERN LIGHTS EXPRESS PROJECT AS A LEGISLATIVE PRIORITY FOR THE CITY OF DULUTH IN 2022.

Sponsors: Kennedy

BY COUNCILOR AWAL (PURCHASING & LICENSING)

8. [22-0143R](#) RESOLUTION APPROVING THE TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE FROM RANGE RESTAURANTS LLC (310 PUB) TO UP NORTH TAPS LLC (310 PUB), 310 LAKE AVENUE SOUTH

Attachments: [Attachment A](#)

BY COUNCILOR VAN NETT (PERSONNEL)

9. [22-0136R](#) RESOLUTION APPOINTING COUNCILOR FORSMAN TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY.
10. [22-0137R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF LA SHEENLARUBA TYACKE, DESIRE SINGER AND FRANCES WITTENBERG TO THE DULUTH HUMAN RIGHTS COMMISSION.
11. [22-0138R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF CHRISTOPHER KOHEL TO THE CIVIL SERVICE BOARD.
12. [22-0156R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF BENJAMIN VANTASSEL AS DIRECTOR, ADMINISTRATIVE SERVICES FOR THE CITY OF DULUTH.
13. [22-0162R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF MEASUREMENT SERVICES SUPERVISOR, INCLUDING A TITLE CHANGE TO UTILITY SERVICES SUPERVISOR, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Exhibit A](#)

14. [22-0163R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF RECREATION SPECIALIST.

Attachments: [Exhibit A](#)

15. [22-0164R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF BLIGHT MITIGATION SPECIALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Exhibit A](#)

16. [22-0165R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF CITY AUDITOR.

Attachments: [Exhibit A](#)

17. [22-0166R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF RISK MANAGER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Exhibit A](#)

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

18. [22-0141R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO SUB-RECIPIENT FUNDING AGREEMENTS WITH SOAR CAREER SOLUTIONS, ISD 709 DULUTH ADULT EDUCATION, COMMUNITY ACTION DULUTH, AND THE BOARD OF TRUSTEES OF

THE MINNESOTA STATE COLLEGES AND UNIVERSITIES ON BEHALF OF LAKE SUPERIOR COLLEGE FOR EMPLOYMENT AND TRAINING SERVICES FUNDED THROUGH THE STATE OF MINNESOTA'S PATHWAYS TO PROSPERITY GRANT PROGRAM.

Attachments: [Attachment A - P2P SFY22 & SFY23 Sub-recipient Agreement - SOAR](#)
[Attachment B - P2P SFY22 & SFY23 Sub-recipient Agreement - ISD #709 DAE](#)
[Attachment C - P2P SFY22 & SFY23 Sub-recipient Agreement - CAD](#)
[Attachment D - P2P SFY22 & SFY23 Sub-recipient Agreement - LSC](#)

19. [22-0147R](#) RESOLUTION AUTHORIZING A SUB-RECIPIENT AGREEMENT WITH NEW BURNHAM, LLC TO FUND HISTORIC WINDOW REPLACEMENT IN THE HISTORIC SAINT LOUIS COUNTY JAIL FOR AN AMOUNT NOT TO EXCEED \$240,000.

Attachments: [Exhibit A Subrecipient Agreement](#)

20. [22-0149R](#) RESOLUTION AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DULUTH AND CRAWFORD EXCAVATING, LLC, FOR THE DEVELOPMENT OF PROPERTY ON WEST SKYLINE PARKWAY EAST OF U.S. HIGHWAY 2.

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

21. [22-0151R](#) RESOLUTION AUTHORIZING THE CITY OF DULUTH TO SUBMIT AN APPLICATION TO THE DEED MINNESOTA INVESTMENT FUND IN CONNECTION WITH CIRRUS

22. [22-0153R](#) RESOLUTION REGARDING THE SUPPORT OF A JOB CREATION FUND APPLICATION IN CONNECTION WITH CIRRUS

BY COUNCILOR MEDVED (PUBLIC WORKS & UTILITIES)

23. [22-0132R](#) RESOLUTION OF INTENT FOR CONSTRUCTION OF A SANITARY SEWER EXTENSION TO SERVE LOTS 13 AND 14, BLOCK 11, ALL IN First REARRANGEMENT IN CONGDON PARK DIVISION OF DULUTH, AND TO ASSESS THE COSTS THEREOF.

Attachments: [22-0132R Map](#)
[22-0132R Petitions](#)

24. [22-0134R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH MSA PROFESSIONAL SERVICES, INC. FOR ENGINEERING SERVICES TO PROVIDE AN OPERATION AND NEEDS REVIEW STUDY FOR THE WOODLAND BOOSTER STATION IMPROVEMENT PROJECT IN THE AMOUNT OF \$72,964.

Attachments: [22-0134R Map](#)

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

25. [22-0118R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO EXECUTE A POLICE ENTERPRISE RECORDS MANAGEMENT SYSTEM (RMS) SUBSCRIBER AGREEMENT WITH THE CITY OF HERMANTOWN TO PROVIDE THE HERMANTOWN POLICE DEPARTMENT ACCESS TO THE CITY OF DULUTH'S RMS FOR AN ANNUAL ESTIMATED FEE OF \$21,356.

Attachments: [Document A](#)

26. [22-0133R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM THE STATE OF MINNESOTA IN THE AMOUNT OF \$12,365.60 FOR HAZMAT TRAINING AND FURTHER AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH THE STATE OF MINNESOTA.

Attachments: [Exhibit A](#)

BY COUNCILOR TOMANEK (RECREATION, LIBRARIES & AUTHORITIES)

27. [22-0130R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR A FEDERAL RECREATIONAL TRAIL PROGRAM GRANT OF UP TO \$150,000 FOR REHABILITATION OF SNOWMOBILE INFRASTRUCTURE IN THE SPIRIT MOUNTAIN AREA

28. [22-0131R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR A FEDERAL RECREATIONAL TRAIL PROGRAM GRANT OF UP TO \$150,000 FOR CONSTRUCTION OF SEGMENT 6 OF THE CROSS CITY TRAIL.

Attachments: [Exhibit 1 CCT Maps](#)

29. [22-0135R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30210 WITH TRC ENVIRONMENTAL CORPORATION FOR ADDITIONAL ENGINEERING SERVICES FOR THE STORMWATER OUTFALL LOCATED NEAR 7428 CONGDON BOULEVARD AS PART OF SHORELINE REPAIRS FROM THE OCTOBER 2018 STORM FOR AN INCREASE OF \$17,339.00 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$677,609.45.

Attachments: [Exhibit A](#)

30. [22-0139R](#) RESOLUTION AUTHORIZING A MNLINK SERVER SITE AGREEMENT EXTENSION EXTENDING THE TERM OF AN AGREEMENT WITH THE REGENTS OF THE UNIVERSITY OF MINNESOTA, THROUGH THE UNIVERSITY LIBRARIES, RELATED TO THE MINNESOTA LIBRARY INFORMATION NETWORK FROM JUNE 30, 2022, TO JUNE 30, 2024.

Attachments: [Exhibit A](#)

31. [22-0144R](#) RESOLUTION AUTHORIZING APPLICATION TO THE CONSERVATION PARTNERS LEGACY METRO PROGRAM FOR FUNDS TO ACQUIRE 83.2 ACRES FROM THE FOREST HILL CEMETERY FOR RECREATION AND PRESERVATION.

Attachments: [Exhibit A](#)

32. [22-0146R](#) RESOLUTION AUTHORIZING APPLICATION TO AND ACCEPTANCE OF A MINNESOTA RECREATION AND PARKS FOUNDATION GRANT FY2022 IN AN AMOUNT NOT TO EXCEED \$3,981 FOR PROGRAMMING EQUIPMENT

Attachments: [Exhibit A](#)

33. [22-0148R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30568 WITH KFI ENGINEERS FOR BUILDING CONTROL DESIGN FOR THE CITY HALL MECHANICAL ELECTRICAL AND PLUMBING (MEP) RENEWAL PROJECT FOR AN INCREASE OF \$198,000.00 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$948,300.00.

Attachments: [KFI CH MEP amendment Proposal](#)

34. [22-0150R](#) RESOLUTION AUTHORIZING A FIVE-YEAR AGREEMENT WITH THE GREATER DOWNTOWN COUNCIL FOR OPERATION OF ADVERTISING AND SIGNAGE IN THE DOWNTOWN SKYWALK SYSTEM.

Attachments: [Exhibit 1.pdf](#)

35. [22-0152R](#) RESOLUTION AUTHORIZING ACCEPTANCE AND EXECUTION OF A ONE-YEAR HOST SITE AGREEMENT WITH TRUE NORTH AMERICORPS FOR PLACEMENT AT THE DULUTH PUBLIC LIBRARY AT A COST OF \$6,950.

Attachments: [Exhibit A - True North AmeriCorps Partner Site Agreement 2021-2022](#)

36. [22-0155R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30521 WITH LHB ENGINEERS & ARCHITECTS FOR LANDSCAPE ARCHITECTURAL AND COASTAL ENGINEERING DESIGN SERVICES FOR DULUTH LAKEWALK AND BRIGHTON BEACH FOR AN INCREASE OF \$299,864.00 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$347,887.00.

Attachments: [Exhibit A](#)

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

37. [22-0154R](#) RESOLUTION AUTHORIZING A TAX ABATEMENT WITH CIRRUS DESIGN CORP. FOR THE REDEVELOPMENT OF THE FORMER MRO FACILITY AT 4600 STEBNER ROAD

Attachments: [Cirrus Pre-Business Subsidy Report 2.4.22](#)
 [Abatement Agreement Cirrus and City of Duluth-2_4_22](#)

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

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

38. [22-009-O](#) AN ORDINANCE GRANTING SAINT LOUIS COUNTY PROPERTY MANAGEMENT (THE DEPOT) A CONCURRENT USE PERMIT FOR CANOPY IMPROVEMENTS IN THE PLATTED STREET RIGHT OF WAY OF WEST MICHIGAN STREET ADJACENT TO 506 WEST MICHIGAN STREET.

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

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

BY COUNCILOR VAN NETT (PERSONNEL)

39. [22-008-O](#) ORDINANCE AMENDING SECTION 2-2.3 OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING MINIMUM JOB QUALIFICATIONS FOR DEPUTY FIRE CHIEFS.
40. [22-002-O](#) AN ORDINANCE AMENDING CHAPTER V, SECTION 36 OF THE DULUTH HOME RULE CHARTER, 1912, AS AMENDED, CHANGING THE MAXIMUM NUMBER OF APPOINTED DEPUTY FIRE CHIEFS FROM TWO TO THREE.

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

41. [22-006-O](#) AN ORDINANCE AMENDING THE R-P ZONE REGULATING PLAN FOR RAMSEY VILLAGE AFFECTING FIVE LOTS ON THE WEST SIDE OF NORTH 53RD AVENUE WEST NORTH OF RAMSEY STREET AND FIVE LOTS ON THE EAST SIDE OF 54TH AVENUE WEST NORTH OF RAMSEY STREET TO REPLACE THE CURRENTLY ALLOWED BUILDING TYPES WITH BUILDING TYPES I, VI, AND VII THAT ALLOW ONE-FAMILY DETACHED RESIDENTIAL STRUCTURES, FOUR-UNIT MULTI-FAMILY RESIDENTIAL STRUCTURES, AND EIGHT-UNIT MULTI-FAMILY RESIDENTIAL STRUCTURES.

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

42. [22-007-O](#) AN ORDINANCE GRANTING WB IBIZA, LLC, A CONCURRENT USE PERMIT FOR AN EXISTING STAIRWELL WITHIN THE PLATTED RIGHT OF WAY OF NORTH 28TH AVENUE WEST ADJACENT TO 2801 WEST SUPERIOR STREET.

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

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS