



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, December 18, 2023

7:00 PM

Council Chamber

ROLL CALL

Vice President Randorf attended remotely.

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. [23-071](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2023-12-11, Minutes](#)

This Minutes was approved.

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 VICE PRESIDENT RANDORF (FINANCE)

2. [23-0912R](#) RESOLUTION ADOPTING THE 2024 FEE SCHEDULE FOR LICENSE, PERMIT, FINE, PENALTY AND OTHER CHARGES.

Indexes:

Attachments: [2024 Fee Schedule Memorandum](#)
[Proposed 2024 Fee Schedule](#)

This Resolution was adopted unanimously.

3. [23-0914R](#) RESOLUTION CREATING A POLICE DEPARTMENT FUND WITHIN THE CITY'S SPECIAL PROJECTS SPECIAL REVENUE FUND AND COMMITTING CERTAIN RESOURCES FOR THE POLICE DEPARTMENT.

This Resolution was adopted unanimously.

4. [23-0915R](#) RESOLUTION CREATING A FIRE DEPARTMENT FUND WITHIN THE CITY'S SPECIAL PROJECTS SPECIAL REVENUE FUND AND COMMITTING CERTAIN RESOURCES FOR THE FIRE DEPARTMENT.

This Resolution was adopted unanimously.

5. [23-1007R](#) RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING AMENDING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DULUTH AND INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 101 FOR THE YEARS 2022-2024 BY PROVIDING AN EIGHT PERCENT MARKET ADJUSTMENT TO WAGES IN 2024.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

6. [23-1009R](#) RESOLUTION AUTHORIZING THE CITY TO EXPEND UP TO \$3,564,600 OF OPIOID SETTLEMENT FUNDS OVER TEN YEARS IN ACCORDANCE WITH THE AMENDED MINNESOTA OPIOIDS STATE-SUBDIVISION MEMORANDUM OF AGREEMENT

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR ALSTEAD (PURCHASING & LICENSING)

7. [23-0989R](#) RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE AND SUPPORT FOR THE MULTI-JURISDICTIONAL LAW ENFORCEMENT RECORDS MANAGEMENT SYSTEM FROM TYLER TECHNOLOGIES, INC. THROUGH 2024 FOR AN AMOUNT NOT TO EXCEED \$161,693.24.

This Resolution was adopted unanimously.

8. [23-0992R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH 1898 & CO., PART OF BURNS & MCDONNELL ENGINEERING COMPANY, INC. FOR ENGINEERING SERVICES FOR A SITE ASSESSMENT AND EVALUATION FOR SOLAR PV & STORAGE PROJECT FOR AN AMOUNT NOT TO EXCEED \$180,474.00.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

9. [23-1000R](#) RESOLUTION APPROVING ISSUANCE OF AN OFF SALE 3.2% MALT LIQUOR LICENSE TO FAMILY DOLLAR STORES, INC

Indexes:Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

10. [23-1002R](#) RESOLUTION AWARDDING A CONTRACT TO DE LAGE LANDEN PUBLIC FINANCE LLC FOR THE ONE-YEAR SEASONAL LEASE OF 87 GOLF CARTS FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$59,487.12.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

11. [23-1012R](#) RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISES PERMIT TO VARIOUS PERMITTEES

Indexes:

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

This Resolution was adopted unanimously.

BY COUNCILOR AWAL (PERSONNEL)

12. [23-1001R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF HUMAN RESOURCES LEAVE SPECIALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

13. [23-1003R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF HUMAN RESOURCES TECHNICIAN.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

14. [23-1004R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF SENIOR HUMAN RESOURCES GENERALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

15. [23-1005R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF EMPLOYEE BENEFITS REPRESENTATIVE, INCLUDING A TITLE CHANGE TO SENIOR BENEFITS SPECIALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

16. [23-1006R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF UTILITY OPERATIONS LEADWORKER.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR ANDERSON (PLANNING & ECONOMIC DEVELOPMENT)

17. [23-0967R](#) RESOLUTION AUTHORIZING THE CITY OF DULUTH TO ACCEPT \$63,500 FROM THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR ENVIRONMENTAL SERVICES FOR THE CENTRAL HIGH SCHOOL SITE REDEVELOPMENT; AND TO AMEND AGREEMENT L30869 WITH STANTEC CONSULTING SERVICES, INC., FOR ADDITIONAL ENVIRONMENTAL ASSESSMENT SERVICES FOR THE CENTRAL HIGH SCHOOL SITE REDEVELOPMENT, FOR AN INCREASE OF \$77,500, AND A TOTAL AMOUNT NOT TO EXCEED \$122,500.

Indexes:

Attachments: [Exhibit A](#)

[Exhibit B](#)

This Resolution was adopted unanimously.

18. [23-0973R](#) RESOLUTION AUTHORIZING REPROGRAMMING OF \$104,136 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM DIVINE KONNECTIONS TO ANNIE'S HOUSE LLC.

This Resolution was adopted unanimously.

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

19. [23-0983R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC. FOR ENGINEERING SERVICES FOR A PORTION OF THE 2025 LEAD SERVICE REPLACEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$196,110.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

20. [23-0984R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH MSA PROFESSIONAL SERVICES, INC. FOR ENGINEERING SERVICES FOR A PORTION OF THE 2025 LEAD SERVICE REPLACEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$166,810.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

21. [23-0990R](#) RESOLUTION AWARDED A CONTRACT TO HAWKINS, INC FOR THE PURCHASE AND DELIVERY OF WATER TREATMENT CHEMICALS IN YEAR 2024 FOR A TOTAL COST OF \$536,718.72.

This Resolution was adopted unanimously.

22. [23-0991R](#) RESOLUTION AWARDED A CONTRACT TO THUNDER BAY CHEMICALS LTD FOR THE PURCHASE AND DELIVERY OF 160,000 GALLONS OF LIQUID ALUMINUM SULFATE IN YEAR 2024 FOR A TOTAL COST OF \$214,880.00.

This Resolution was adopted unanimously.

BY COUNCILOR TOMANEK (PUBLIC SAFETY)

23. [23-0974R](#) RESOLUTION AUTHORIZING THE EXECUTION OF A HOSTED DICTATION SOFTWARE SUBSCRIPTION AGREEMENT WITH NORTHLAND BUSINESS SYSTEMS, INC. AT AN ANNUAL COST of \$4,352.05 FOR THE FIRST YEAR AND A 3% ESCALATOR FOR EACH YEAR THEREAFTER.

Indexes:

Attachments: [Document A](#)

This Resolution was adopted unanimously.

24. [23-0978R](#) RESOLUTION AUTHORIZING THE EXECUTION OF A SOFTWARE SERVICE AGREEMENT WITH POWERDMS, INC. FOR TWO YEARS AT A TOTAL COST OF \$13,655.

Indexes:

Attachments: [Document A - Agreement](#)

This Resolution was adopted unanimously.

BY COUNCILOR HOBBS (RECREATION, LIBRARIES & AUTHORITIES)

25. [23-0977R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES LAKE SUPERIOR COASTAL PROGRAM GRANT IN AN AMOUNT NOT TO EXCEED \$75,000 FOR FUNDS TO SUPPORT DEVELOPMENT OF A PARK POINT RECREATION AREA PLAN.

This Resolution was adopted unanimously.

26. [23-0979R](#) RESOLUTION AUTHORIZING THE FIRST AMENDMENT TO AGREEMENT 22013 WITH THE DULUTH FRIENDS OF TENNIS, INC. TO EXTEND THE TERM OF THE LEASE AND OPERATION AGREEMENT FOR THE LONGVIEW TENNIS COURTS.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

27. [23-0980R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES OUTDOOR RECREATION LEGACY PARTNERSHIP PROGRAM FOR A GRANT OF UP TO \$1 MILLION FOR FUNDS TO SUPPORT IMPLEMENTATION OF THE HILLSIDE SPORT COURT PARK PLAN.

This Resolution was adopted unanimously.

28. [23-0981R](#) RESOLUTION AUTHORIZING A THIRTEEN-YEAR LEASE AGREEMENT WITH LAMAR OCI NORTH, L.L.C. FOR THE CONTINUED OPERATION OF A BILLBOARD AT THE PROPERTY AND FACILITIES MANAGEMENT AND SIGNAL OPERATION BUILDING IN THE LINCOLN PARK NEIGHBORHOOD.

Indexes:

Attachments: [Exhibit 1-Resolution](#)

This Resolution was adopted unanimously.

29. [23-0982R](#) RESOLUTION AUTHORIZING THE FIRST AMENDMENT TO AGREEMENT 24617 WITH MINNESOTA DEPARTMENT OF NATURAL RESOURCES ENVIRONMENT AND NATURAL RESOURCES TRUST FUND GRANT TO EXPAND RECREATIONAL ACCESS ALONG THE ST. LOUIS RIVER ESTUARY.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

30. [23-0985R](#) RESOLUTION AUTHORIZING THE SECOND AMENDMENT TO THE US EPA GREAT LAKES RESTORATION INITIATIVE GRANT AGREEMENT C23954 FOR ACQUISITION AND RESTORATION OF ECOLOGICALLY VALUABLE TAX FORFEIT PROPERTY ALONG THE ST. LOUIS RIVER.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

31. [23-0986R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT IN AN AMOUNT NOT TO EXCEED \$1,254,471 FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES TO SUPPORT CAPITAL IMPROVEMENTS AT THE SPIRIT MOUNTAIN RECREATION AREA.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

32. [23-0988R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH TKDA FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE WADE STADIUM BUILDING IMPROVEMENTS PROJECT FOR A TOTAL AMOUNT NOT TO EXCEED \$97,100.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

33. [23-0999R](#) RESOLUTION AUTHORIZING A CONTRACT WITH ZENITH TRAIL CONTRACTING LLC FOR THE SPIRIT MOUNTAIN DOWNHILL BIKE TRAIL PROJECT FOR AN AMOUNT NOT TO EXCEED \$192,759.00.

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY VICE PRESIDENT RANDORF (FINANCE)

34. [23-1008R](#) RESOLUTION APPROVING A ONE-TIME 2024 EMPLOYEE RETENTION

BONUS TO BE PAID TO ALL REGULAR FULL-TIME AND PART-TIME EMPLOYEES EMPLOYED BY THE CITY OF DULUTH ON JANUARY 1, 2024.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Councilor Hobbs abstained due to personal conflict.

BY COUNCILOR ANDERSON (PLANNING & ECONOMIC DEVELOPMENT)

35. [23-1015R](#) RESOLUTION REQUESTING PLANNING COMMISSION CONDUCT A PUBLIC HEARING AND PROVIDE RECOMMENDATION TO CITY COUNCIL RELATED TO VACATION DWELLING UNITS IN THE RR-1 AND RR-2 DISTRICTS

Indexes:

Attachments: [Exhibit A \(VDU resolutions\)](#)
[Exhibit B \(PL23-178 Study - Final\)](#)
[Exhibit C \(Minutes\)](#)

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

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

Nay: 1 - Councilor Mayou

BY PRESIDENT KENNEDY (COMMITTEE OF THE WHOLE)

36. [23-1011R](#) RESOLUTION IN SUPPORT OF PLANNING FOR THE RE-IMAGINED WESTERN DULUTH BUSINESS CORRIDOR AND SPIRIT VALLEY CENTER FOR YOUTH AND COMMUNITY WELLNESS PROJECT.

Indexes:

Attachments: [Motion to Amend \(Awal/Hobbs\)](#)

This Resolution was adopted unanimously.

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

BY VICE PRESIDENT RANDORF (FINANCE)

37. [23-050-O](#) AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL TAXING DISTRICT, DULUTH TRANSIT

AUTHORITY, FOR THE YEAR 2024

Indexes:Attachments: [Ordinance #23-050-O Exhibit A](#)

This Ordinance was adopted unanimously.

38. [23-052-O](#) AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL PARKS FUND LEVY FOR THE YEAR 2024.

This Ordinance was adopted unanimously.

39. [23-055-O](#) AN ORDINANCE DETERMINING THE SUM TO BE RAISED BY TAXATION FOR GENERAL PURPOSES FOR THE YEAR 2024.

This Ordinance was adopted unanimously.

40. [23-060-O](#) AN ORDINANCE SETTING THE BUDGET FOR THE FISCAL YEAR 2024 APPROPRIATING MONIES FOR THE SUPPORT OF THE CITY GOVERNMENT, PUBLIC UTILITIES, AND PUBLIC ENTERPRISE FUNDS AND FOR OTHER PURPOSES.

This Ordinance was adopted unanimously.

BY COUNCILOR ALSTEAD (PURCHASING & LICENSING)

41. [23-061-O](#) AN ORDINANCE REPEALING CHAPTER 45. ARTICLE V, USE OF STREETS AND SIDEWALKS FOR COMMUNITY EVENTS; PARADES AND RACES, OF THE DULUTH CITY CODE, AND ADOPTING A NEW ARTICLE V OF CHAPTER 45 ENTITLED SPECIAL EVENTS.

This Ordinance was adopted unanimously.

BY COUNCILOR ANDERSON (PLANNING & ECONOMIC DEVELOPMENT)

42. [23-058-O](#) AN ORDINANCE AMENDING SECTIONS 50-20, Use Specific Standards, TO ADD ACCESSORY DAY CARE FACILITY AND ACCESSORY RETAIL OR SHOWROOM; and 50-41, Definitions, TO AMEND ACCESSORY DAY CARE FACILITY, AND TO ADD ACCESSORY RETAIL OR SHOWROOM.

Indexes:Attachments: [Attachment 1](#)

This Ordinance was adopted unanimously.

43. [23-059-O](#) AN ORDINANCE AMENDING SECTION 50-37, REVIEW AND APPROVAL PROCEDURES, TO ADD AN EXTERIOR LIGHTING PROCEDURE.

Indexes:

Attachments: [Attachment 1](#)

This Ordinance was adopted unanimously.

BY COUNCILOR FORSMAN (INTERGOVERNMENTAL RELATIONS)

44. [23-062-O](#) ORDINANCE REPEALING CHAPTER 29E OF THE DULUTH CITY CODE REGULATING EARNED SICK AND SAFE TIME.

This Ordinance was adopted unanimously.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS