



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, June 12, 2023

7:00 PM

Council Chamber

ROLL CALL

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

Absent: 1 - Councilor Gary Anderson

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [23-034](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2023-05-22, Minutes](#)

These Minutes were approved.

PUBLIC HEARING

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [23-035](#) Library Board Meeting Minutes

Indexes:

Attachments: [March 2023 - Library Board Minutes](#)

This Board or Commission Report was received.

3. [23-036](#) Duluth Public Utilities Commission Meeting Minutes

Indexes:

Attachments: [January 2023 - DPUC Minutes](#)

[March 2023 - DPUC Minutes](#)

This Board or Commission Report was received.

4. [23-037](#) Housing and Redevelopment Authority of Duluth

Indexes:

Attachments: [Minutes - February 2023](#)

[Minutes - March 2023](#)

[Minutes - April 2023](#)

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 COUNCILOR HOBBS (RECREATION, LIBRARIES & AUTHORITIES)

5. [23-0413R](#) RESOLUTION AUTHORIZING A CONTRACT WITH RACHEL CONTRACTING LLC FOR THE ENGER GOLF COURSE EARTHWORK IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$411,609.37.

This Resolution was adopted unanimously.

Absent: Councilor Anderson

6. [23-0414R](#) RESOLUTION AUTHORIZING A CONTRACT WITH COMMERCIAL IRRIGATION FOR THE ENGER GOLF COURSE IRRIGATION IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$4,646,619.00.

This Resolution was adopted unanimously.
Absent: Councilor Anderson

7. [23-0415R](#) RESOLUTION AUTHORIZING A CONTRACT WITH MCI FLOWTRONEX LLC FOR THE ENGER GOLF COURSE PUMP STATION FOR AN AMOUNT NOT TO EXCEED \$283,561.53.

This Resolution was adopted unanimously.
Absent: Councilor Anderson

CONSENT AGENDA

BY COUNCILOR ALSTEAD (PURCHASING & LICENSING)

8. [23-0425R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH URBAN POLICY DEVELOPMENT, LLC DBA UPD CONSULTING, FOR PROFESSIONAL SERVICES RELATED TO DIVERSITY, EQUITY AND INCLUSION STRATEGIC PLANNING FOR AN AMOUNT NOT TO EXCEED \$149,405.

Indexes:

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

This Resolution was adopted unanimously.
Absent: Councilor Anderson

BY COUNCILOR AWAL (PERSONNEL)

9. [23-0426R](#) RESOLUTION CONFIRMING THE REAPPOINTMENTS OF MEMBERS TO BOARDS AND COMMISSIONS.

This Resolution was adopted unanimously.
Absent: Councilor Anderson

10. [23-0427R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF CHRISTINA JOHNSON TO THE COMMISSION ON DISABILITIES.

This Resolution was adopted unanimously.
Absent: Councilor Anderson

11. [23-0428R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF BRIAN HAMMOND TO THE PLANNING COMMISSION.

This Resolution was adopted unanimously.
Absent: Councilor Anderson

12. [23-0430R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF BRANDON VAN TASSEL AND ANTONIO DAVIS TO THE DULUTH PARKING COMMISSION.

This Resolution was adopted unanimously.
Absent: Councilor Anderson

13. [23-0431R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF STEVE WICK TO THE COMMUNITY DEVELOPMENT COMMITTEE.

This Resolution was adopted unanimously.
Absent: Councilor Anderson

14. [23-0440R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF JOSE GONZALEZ AND ELLEN HATFIELD TO THE LIBRARY BOARD.

This Resolution was adopted unanimously.
Absent: Councilor Anderson

BY COUNCILOR ANDERSON (PLANNING & ECONOMIC DEVELOPMENT)

15. [23-0458R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO DISCHARGE \$108,500 IN HOME PROGRAM LOAN DEBT PLUS ACCRUED INTEREST OWED BY MPA LIMITED PARTNERS II LIMITED PARTNERSHIP.

This Resolution was adopted unanimously.
Absent: Councilor Anderson

16. [23-0461R](#) RESOLUTION APPROVING A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DULUTH AND MERGE, LLC FOR THE RESIDENCE RESIDENTIAL PROJECT.

Indexes:

Attachments: [Exhibit A first amendment](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

17. [23-0429R](#) RESOLUTION AUTHORIZING AN AMENDED AND RESTATED

PROFESSIONAL ASSET MANAGEMENT AGREEMENT BETWEEN
TENASKA MARKETING VENTURES, TENASKA GAS STORAGE, LLC,
AND THE CITY OF DULUTH STANDARDIZING THE CONTRACT
LANGUAGE WITHOUT CHANGING THE TERMS OF THE AGREEMENT.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

18. [23-0444R](#) RESOLUTION AWARDED A CONTRACT TO ULLAND BROTHERS,
INC. FOR THE 3rd st RECONDITIONING PROJECT IN THE AMOUNT OF
\$4,942,216.00.

Indexes:

Attachments: [MAP](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

19. [23-0446R](#) RESOLUTION AWARDED A CONTRACT TO VEIT & COMPANY, INC.
FOR THE 2023 CIPP STORM LINING PROJECT - CITY WIDE, PROJECT
NO. 2114 IN THE AMOUNT OF \$1,157,162.00

Indexes:

Attachments: [MAP](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

20. [23-0447R](#) RESOLUTION AUTHORIZING ACCEPTANCE A SAFE ROUTE TO
SCHOOL (SRTS) GRANT FROM THE MINNESOTA STATE
TRANSPORTATION FUND FOR THE DEVONSHIRE STREET
RECONSTRUCTION AND LINCOLN PARK MIDDLE SCHOOL SAFE
ROUTES TO SCHOOL IMPROVEMENTS IN THE AMOUNT OF
\$293,046.00.

Indexes:

Attachments: [Exhibit A- Grant Application](#)
[Exhibit B-Map](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

21. [23-0448R](#) RESOLUTION AWARDED A CONTRACT TO NORTHLAND
CONSTRUCTORS OF DULUTH FOR THE DEVONSHIRE STREET
RECONSTRUCTION AND LINCOLN PARK MIDDLE SCHOOL SAFE
ROUTES TO SCHOOL IMPROVEMENTS, CITY PROJECT NO. 2101, IN

THE AMOUNT OF \$1,077,500.00

Indexes:

Attachments: [Plan Title for Resolution](#)

This Resolution was adopted unanimously.

Absent: Councilor Anderson

22. [23-0462R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH MSA PROFESSIONAL SERVICES, INC. FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN AND BIDDING SERVICES FOR THE LAKEWOOD WATER TREATMENT PLANT - STANDBY POWER PROJECT IN THE AMOUNT OF \$312,617.

Indexes:

Attachments: [MAP](#)

This Resolution was adopted unanimously.

Absent: Councilor Anderson

23. [23-0464R](#) RESOLUTION AUTHORIZING AGREEMENT WITH ME GLOBAL, INC., FOR GAS TRANSPORTATION SERVICES.

Indexes:

Attachments: [Document A](#)

This Resolution was adopted unanimously.

Absent: Councilor Anderson

BY COUNCILOR TOMANEK (PUBLIC SAFETY)

24. [23-0434R](#) RESOLUTION AUTHORIZING THE CITY TO ACCEPT REIMBURSEMENT MONIES ON BEHALF OF THE DULUTH POLICE DEPARTMENT, SAID REIMBURSEMENT MONIES TO BE PAID UNDER THE MINNESOTA ANTI-HEROIN TASK FORCE PROGRAM FOR THE PURPOSE OF SUPPORTING THE OPERATIONS OF THE DULUTH POLICE DEPARTMENT.

Indexes:

Attachments: [Document A - JPA](#)

This Resolution was adopted unanimously.

Absent: Councilor Anderson

25. [23-0435R](#) RESOLUTION AUTHORIZING MUTUAL AID AGREEMENT WITH ST. LOUIS COUNTY, MINNESOTA.

Indexes:

Attachments: [Document A](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

26. [23-0445R](#) RESOLUTION AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO THE AGREEMENT FOR SERVICES BETWEEN ST. LOUIS COUNTY AND THE CITY OF DULUTH FOR FY 2020 OPERATION STONEGARDEN PROVIDING FOR AN ADDITIONAL ALLOCATION OF FUNDS TO THE CITY IN THE AMOUNT OF \$10,217.54 FOR LAW ENFORCEMENT SERVICES UNDER THE GRANT FROM THE U.S. DEPARTMENT OF PUBLIC SAFETY.

Indexes:

Attachments: [Document A - Amendment](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

BY COUNCILOR HOBBS (RECREATION, LIBRARIES & AUTHORITIES)

27. [23-0433R](#) RESOLUTION AUTHORIZING THE SOLE SOURCE PURCHASE OF LINCOLN PARK SIGNAGE FROM GEOGRAPH INDUSTRIES, INC. IN THE AMOUNT OF \$70,814.

This Resolution was adopted unanimously.
Absent: Councilor Anderson

28. [23-0439R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM AND EXECUTE A GRANT AGREEMENT WITH TWIN CITIES PUBLIC TELEVISION, INC., IN THE AMOUNT OF \$2,500 FOR YOUTH STEM OUTREACH PROGRAM.

Indexes:

Attachments: [Document A](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

29. [23-0451R](#) RESOLUTION AUTHORIZING APPLICATION TO THE US FOREST SERVICE URBAN AND COMMUNITY FORESTRY PROGRAM FOR A GRANT OF UP TO \$3,500,000 TO ENHANCE DULUTH'S URBAN FOREST AND PROVIDE PATHWAYS TO ENVIRONMENTAL CAREERS

This Resolution was adopted unanimously.
Absent: Councilor Anderson

30. [23-0452R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30511 WITH AMI CONSULTING ENGINEERS FOR COASTAL, MARINE

STRUCTURAL, AND ELECTRICAL ENGINEERING SERVICES RELATED TO THE DULUTH SEAWALL, BAYWALK AND HARBOR PLAZA PROJECT, FOR AN INCREASE OF \$758,700.00 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$1,090,440.25.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

31. [23-0453R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30505 WITH CONFLUENCE INC. FOR LANDSCAPE ARCHITECTURE DESIGN AND CIVIL ENGINEERING SERVICES RELATED TO THE DULUTH SEAWALL, BAYWALK AND HARBOR PLAZA PROJECT, FOR AN INCREASE OF \$198,400.00 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$599,510.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

32. [23-0454R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30827 WITH TKDA FOR ENGINEERING SERVICES RELATED TO THE SPIRIT MOUNTAIN SNOWMOBILE TRAIL PROJECT, FOR AN INCREASE OF \$9,927.00 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$64,400.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

33. [23-0455R](#) RESOLUTION AUTHORIZING A PURCHASE FROM JD FIELDS & COMPANY, INC. FOR STEEL MATERIALS FOR SEAWALL RECONSTRUCTION FOR A TOTAL AMOUNT NOT TO EXCEED \$1,949,467.32.

This Resolution was adopted unanimously.
Absent: Councilor Anderson

34. [23-0457R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30697 WITH RACHEL CONTRACTING, LLC FOR THE BRIGHTON BEACH LAKESHORE STABILIZATION PROJECT, TO INCREASE THE AMOUNT BY \$785,590.50 FOR A NEW TOTAL OF \$1,495,856.50.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

Absent: Councilor Anderson

35. [23-0459R](#) RESOLUTION AUTHORIZING A CONTRACT WITH VEIT & COMPANY, INC. FOR THE BRIGHTON BEACH LANDSCAPE AND SHORELINE RESTORATION PROJECT FOR AN AMOUNT NOT TO EXCEED \$1,469,000.00.

This Resolution was adopted unanimously.

Absent: Councilor Anderson

36. [23-0460R](#) RESOLUTION AUTHORIZING A THREE-YEAR NON-EXCLUSIVE USE AGREEMENT WITH WESTERN DULUTH LITTLE LEAGUE INCORPORATED FOR THE USE AND MAINTENANCE OF THE FIELDS BEHIND WADE STADIUM.

Indexes:Attachments: [Exhibit 1](#)

This Resolution was adopted unanimously.

Absent: Councilor Anderson

37. [23-0463R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT FROM ST. LOUIS COUNTY, ON BEHALF OF THE STATE OF MINNESOTA, CERTAIN TAX FORFEITED LANDS FOR CITY OWNERSHIP AND OPEN SPACE PROTECTION.

Indexes:Attachments: [Exhibit 1](#)[Exhibit 2](#)[Exhibit 3](#)[Exhibit 4](#)[Exhibit 5](#)[Exhibit 6](#)[Exhibit 7](#)[Exhibit 8](#)[Exhibit 9](#)[Exhibit 10](#)[Exhibit 11](#)[Memo](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

38. [23-0465R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH CYCLISTS OF GITCHEE GUMEE SHORES FOR CONSTRUCTION OF DULUTH TRAVERSE TRAIL INFRASTRUCTURE IN 2023 AND 2024 AT NO COST TO THE CITY.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

39. [23-0467R](#) RESOLUTION AUTHORIZING A TWENTY-YEAR AGREEMENT WITH MINNESOTA POWER, A DIVISION OF ALLETE, INC., TO ACCEPT A LICENSE FOR A NON-MOTORIZED PUBLIC TRAIL TO BE USED IN CONNECTION WITH THE CROSS CITY TRAIL, AT NO COST TO THE CITY.

Indexes:

Attachments: [Exhibit 1](#)

This Resolution was adopted unanimously.
Absent: Councilor Anderson

40. [23-0468R](#) RESOLUTION AUTHORIZING A TWENTY-YEAR TRAIL AUTHORIZATION WITH ST. LOUIS COUNTY, MINNESOTA FOR USE OF CERTAIN TAX-FORFEITED PARCELS FOR A NON-MOTORIZED BICYCLE AND PEDESTRIAN TRANSPORTATION CORRIDOR TO BE USED IN CONNECTION WITH THE CROSS CITY TRAIL, AT NO COST TO THE CITY.

This Resolution was adopted unanimously.
Absent: Councilor Anderson

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

41. [23-0469R](#) RESOLUTION OF INTENT TO ESTABLISH LESTER PARK GOLF COURSE AS THE TEMPORARY LOCATION OF CITY OF DULUTH GOLF OPERATIONS FOR THE 2024 SEASON.

This Resolution was failed.

42. [23-0485R](#) RESOLUTION OF INTENT TO MAINTAIN ENGER PARK GOLF COURSE AS THE LOCATION OF CITY OF DULUTH GOLF OPERATIONS FOR THE 2024 SEASON.

This Resolution was adopted unanimously.
Absent: Councilor Anderson

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

BY COUNCILOR ANDERSON (PLANNING & ECONOMIC DEVELOPMENT)

43. [23-015-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY AT THE FORMER DWP SITE IN THE FAIRMOUNT NEIGHBORHOOD FROM RESIDENTIAL-TRADITIONAL (R-1) AND RESIDENTIAL-URBAN (R-2) TO RESIDENTIAL-PLANNED (R-P).

Indexes:

Attachments: [Attachment 1](#)
 [Attachment 2](#)
 [Attachment 3](#)
 [Attachment 4](#)

This Ordinance was read for the first time.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS