



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, May 9, 2022

7:00 PM

Council Chamber

ROLL CALL

Present: 7 - Councilor Gary Anderson, Councilor Azrin Awal, Noah Hobbs, Councilor Mike Mayou, Councilor Roz Randorf, Vice President Janet Kennedy and President Arik Forsman

Absent: 2 - Councilor Terese Tomanek and Councilor Renee Van Nett

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [22-036](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2022-04-25, Minutes](#)

A motion was made by Councilor Hobbs to approve the Minutes. The motion was seconded by Vice President Kennedy. The motion passed unanimously. The Minutes were approved unanimously.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [22-035](#) Commission on Disabilities Meeting Minutes

Indexes:

Attachments: [January 2022 - Commission on Disabilities Minutes](#)
[February 2022 - Commission on Disabilities Minutes](#)

This Board or Commission Report was received.

3. [22-037](#) Housing and Redevelopment Authority of Duluth Meeting Minutes

Indexes:

Attachments: [February 2022 - HRA Minutes](#)

This Board or Commission Report was received.

4. [22-038](#) Library Board Meeting Minutes

Indexes:

Attachments: [February 2022 - Library Board Minutes](#)
[March 2022 - Library Board Minutes](#)

This Board or Commission Report was received.

5. [22-039](#) Human Rights Commission Meeting Minutes

Indexes:

Attachments: [January 2022 - HRC Minutes](#)
[March 2022 - HRC Minutes](#)

This Board or Commission Report was received.

6. [22-040](#) Duluth Seaway Port Authority Meeting Minutes

Indexes:

Attachments: [January 2022 - Duluth Seaway Port Authority Minutes](#)
[March 2022 - Duluth Seaway Port Authority Minutes](#)

This Board or Commission Report was received.

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

CONSENT AGENDA**BY VICE PRESIDENT KENNEDY (FINANCE)**

7. [22-0376R](#) RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH THE DULUTH ENTERTAINMENT AND CONVENTION CENTER (DECC) AUTHORIZING CITY LEGAL STAFF TO PROVIDE LIMITED PROFESSIONAL LEGAL SERVICES TO THE DECC AND FOR THE CITY TO BE PAID FOR SUCH SERVICES AS AUTHORIZED BY MINNESOTA LAW.

Indexes:

Attachments: [Document A](#)

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

BY COUNCILOR VAN NETT (PERSONNEL)

8. [22-0378R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF CARLY JANDL AND WES DRUMMOND TO THE DULUTH PUBLIC ARTS COMMISSION.

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

9. [22-0394R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF IAN B. JOHNSON AS CITY CLERK.

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

10. [22-0368R](#) RESOLUTION OF SUPPORT FOR ONE ROOF COMMUNITY HOUSING ORGANIZATION'S REQUEST FOR LOW INCOME HOUSING TAX CREDITS, CONDITIONAL COMMITMENT OF UP TO \$4,500,000 OF AMERICAN RESCUE PLAN ACT FUNDING AND INTENT TO APPROVE A TAX INCREMENT FINANCE PLAN BY THE DULUTH HRA TO PROVIDE UP TO \$975,000 FOR CONSTRUCTION OF THE 70 - 84 UNIT BRAE VIEW SENIOR HOUSING DEVELOPMENT.

Indexes:

Attachments: [Location Map_Brae View](#)

This Resolution was adopted unanimously.

Absent: Councilors Tomanek and Van Nett

Abstain: Councilor Hobbs due to employer conflict

11. [22-0369R](#) RESOLUTION OF SUPPORT FOR CENTER CITY HOUSING CORPORATION'S REQUEST FOR LOW INCOME HOUSING TAX CREDITS, CONDITIONAL COMMITMENT OF UP TO \$1,750,000 OF AMERICAN RESCUE PLAN ACT FUNDING AND A CONDITIONAL PRE-COMMITMENT OF \$300,000 FISCAL YEAR 2023 COMMUNITY DEVELOPMENT FUNDING FOR THE CONSTRUCTION OF THE 60 UNIT WADENA WEST PROJECT.

Indexes:

Attachments: [2023 Precommitment Resolution-Wadena West](#)
[Location Map_Wadena West](#)

This Resolution was adopted unanimously.

Absent: Councilors Tomanek and Van Nett

12. [22-0370R](#) RESOLUTION OF SUPPORT FOR AMERICAN INDIAN COMMUNITY HOUSING ORGANIZATION AND BLUELINE DEVELOPMENT, INC'S REQUEST FOR LOW INCOME HOUSING TAX CREDITS AND A CONDITIONAL PRE-COMMITMENT OF \$300,000 FISCAL YEAR 2023 COMMUNITY DEVELOPMENT FUNDING FOR THE CONSTRUCTION OF A 60 UNIT AFFORDABLE MULTIFAMILY APARTMENT BUILDING.

Indexes:

Attachments: [2023 Precommitment Resolution-AICHO](#)
[Location Map_AICHO project](#)

This Resolution was adopted unanimously.

Absent: Councilors Tomanek and Van Nett

13. [22-0371R](#) RESOLUTION OF SUPPORT FOR ARTSPACE PROJECTS INC.'S REQUEST FOR LOW INCOME HOUSING TAX CREDITS AND THE CONDITIONAL COMMITMENT OF UP TO \$1,800,000 OF AMERICAN RESCUE PLAN ACT FUNDING FOR THE REHABILITATION AND EXPANSION OF THE EXISTING WASHINGTON STUDIOS PROPERTY.

Indexes:

Attachments: [Location Map_Washington Studios](#)

This Resolution was adopted unanimously.

Absent: Councilors Tomanek and Van Nett

14. [22-0372R](#) RESOLUTION OF SUPPORT FOR FAITH HAVEN, INC'S REQUEST FOR LOW INCOME HOUSING TAX CREDITS AND A CONDITIONAL PRE-COMMITMENT OF \$200,000 FISCAL YEAR 2023 COMMUNITY DEVELOPMENT FUNDING FOR THE REHABILITATION OF THE EXISTING 124 UNIT FAITH HAVEN SENIOR LIVING FACILITY.

Indexes:

Attachments: [2023 Precommitment Resolution-Faith Haven](#)
[Location Map Faith Haven](#)

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

15. [22-0373R](#) RESOLUTION OF SUPPORT FOR LASALLE DEVELOPMENT GROUP'S REQUEST FOR LOW INCOME HOUSING TAX CREDITS AND INTENT TO APPROVE A TAX INCREMENT FINANCE PLAN BY THE DULUTH HRA TO PROVIDE UP TO \$1,500,000 FOR CONSTRUCTION OF THE 112 UNIT TAPESTRY SENIOR HOUSING DEVELOPMENT.

Indexes:

Attachments: [Location Map Tapestry Sr](#)

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

16. [22-0374R](#) RESOLUTION OF SUPPORT FOR THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH, MINNESOTA'S REQUEST FOR LOW INCOME HOUSING TAX CREDITS FOR THE CONSTRUCTION OF A 40 UNIT AFFORDABLE MULTIFAMILY HOUSING PROJECT.

Indexes:

Attachments: [Location Map HH PH VI](#)

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

17. [22-0391R](#) RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR RECREATIONAL, WALKWAY, AND TRAIL PURPOSES FROM ULLAND BROTHERS, INC. OVER, UNDER, AND ACROSS PROPERTY LOCATED IN THE DULUTH HEIGHTS NEIGHBORHOOD FOR NOMINAL CONSIDERATION.

Indexes:

Attachments: [Exhibit 1](#)

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

18. [22-0392R](#) RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR RECREATIONAL, WALKWAY, AND TRAIL PURPOSES FROM DULUTH GOSPEL TABERNACLE OVER, UNDER, AND ACROSS PROPERTY LOCATED IN THE DULUTH HEIGHTS NEIGHBORHOOD FOR NOMINAL CONSIDERATION.

Indexes:Attachments: [Exhibit 1](#)

This Resolution was adopted unanimously.

Absent: Councilors Tomanek and Van Nett

19. [22-0393R](#) RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR A RECREATIONAL TRAIL FROM INDEPENDENT SCHOOL DISTRICT NO. 709 OVER, UNDER, AND ACROSS PROPERTY LOCATED IN THE DULUTH HEIGHTS NEIGHBORHOOD FOR NOMINAL CONSIDERATION.

Indexes:Attachments: [Exhibit 1](#)

This Resolution was adopted unanimously.

Absent: Councilors Tomanek and Van Nett

20. [22-0407R](#) RESOLUTION RESCINDING RESOLUTION NO. 21-0307 AND AUTHORIZING FIRST AMENDMENT TO CITY CONTRACT NO. 23888 WITH SMDC FOR THE CONSTRUCTION OF THE NEW PARKING RAMP IN THE REGIONAL EXCHANGE DISTRICT.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

Absent: Councilors Tomanek and Van Nett

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

21. [22-0359R](#) RESOLUTION RENEWING JOINT POWERS AGREEMENT C20604 WITH DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY FOR THE OPERATION OF MINNESOTA SLIP PEDESTRIAN DRAW BRIDGE DURING YEAR 2022 FOR AN AMOUNT NOT TO EXCEED \$43,490.62.

This Resolution was adopted unanimously.

Absent: Councilors Tomanek and Van Nett

22. [22-0360R](#) RESOLUTION AUTHORIZING A CONTRACT WITH HANCO UTILITIES, INC., FOR THE REPAIR OF MANHOLES FOR DULUTH ENERGY SYSTEMS IN 2022 FOR AN AMOUNT NOT TO EXCEED \$224,275.

This Resolution was adopted unanimously.

Absent: Councilors Tomanek and Van Nett

23. [22-0384R](#) RESOLUTION AUTHORIZING THE CITY OF DULUTH TO APPLY FOR,

AND ACCEPT IF AWARDED, A GRANT WITH THE GREAT LAKES COMMISSION: GREAT LAKES SEDIMENT AND NUTRIENT REDUCTION PROGRAM, TO CONSTRUCT A BIOFILTRATION BASIN IN IRVING PARK.

Indexes:

Attachments: [22-0384R Proposal](#)

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

24. [22-0386R](#) RESOLUTION AWARDED A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH, INC. FOR CONSTRUCTION OF THE HIDDEN VALLEY PHASE 2 WATER MAIN REPLACEMENT AND STREET PRESERVATION PROJECT IN THE AMOUNT OF \$2,347,400.00.

Indexes:

Attachments: [22-0386R Map](#)

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

25. [22-0387R](#) RESOLUTION AWARDED A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH, INC FOR THE EAST FIRST STREET AND EAST FIRST STREET ALLEY RECONSTRUCTION PROJECT IN THE AMOUNT OF \$3,119,500.00.

Indexes:

Attachments: [22-0387R Map](#)

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

26. [22-0388R](#) RESOLUTION AWARDED A CONTRACT TO KGM CONTRACTORS, INC. FOR THE 2022 STREET PRESERVATION PROJECT IN THE AMOUNT OF \$3,094,427.77.

Indexes:

Attachments: [22-0388R Maps](#)

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

27. [22-0389R](#) RESOLUTION AGREEING TO SPONSOR A MARITIME ADMINISTRATION, DOT MA-PID-22-001 2022 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM GRANT FOR HALLETT DOCK 7 AT A PROJECT COSTING UP TO \$12.85 MILLION.

Indexes:

Attachments: [22-0389R Map](#)
[22-0389R MOU](#)

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

28. [22-0390R](#) RESOLUTION ORDERING THE CONSTRUCTION OF A SANITARY SEWER EXTENSION WITHIN THE EXISTING UTILITY EASEMENT TO SERVE THE OWNERS AT 3112 AND 3118 EAST FIRST STREET AND TO ASSESS THE COSTS THEREOF.

Indexes:

Attachments: [22-0390R Map](#)
[22-0390R Memo to Council](#)

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

29. [22-0385R](#) RESOLUTION AUTHORIZING THE EXECUTION OF A TASK FORCE AGREEMENT BETWEEN THE DULUTH POLICE DEPARTMENT AND THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION (DEA) AND FURTHER AUTHORIZING THE ACCEPTANCE OF REIMBURSEMENT MONIES FROM THE DEA FOR OVERTIME EXPENSES INCURRED IN SUPPORT OF THE TASK FORCE.

Indexes:

Attachments: [Document A - TFA](#)

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

BY COUNCILOR TOMANEK (RECREATION, LIBRARIES & AUTHORITIES)

30. [22-0375R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30627 WITH MINNESOTA LAND TRUST FOR PROFESSIONAL SERVICES FOR THE GRASSY POINT RESTORATION PROJECT TO INCREASE THE AGREEMENT AMOUNT FROM \$35,000 TO THE CORRECT AMOUNT OF \$45,000

Indexes:

Attachments: [EXHIBIT A](#)

This Resolution was adopted unanimously.
Absent: Councilors Tomanek and Van Nett

31. [22-0377R](#) RESOLUTION ACCEPTING REIMBURSEMENT MONEY IN THE AMOUNT OF \$42,000 FROM THE ARROWHEAD LIBRARY SYSTEM

FOR THE PURCHASE OF LIBRARY MATERIALS.

This Resolution was adopted unanimously.

Absent: Councilors Tomanek and Van Nett

END OF CONSENT AGENDA

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

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

32. [22-020-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A
PERMANENT EASEMENT TO THE COUNTY OF SAINT LOUIS,
MINNESOTA FOR HIGHWAY PURPOSES OVER REAL PROPERTY ON
THE NORTH SHORE FOR NOMINAL CONSIDERATION.

Indexes:

Attachments: [Exhibit 1.pdf](#)

This Resolution was adopted unanimously.

Absent: Councilors Tomanek and Van Nett

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

ATTEST:

Ian B. Johnson, City Clerk

Passed on May 9, 2022

Approved on May 10, 2022

Emily Larson, Mayor