

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

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]

MN Statutes, 13D.02. Members may participate by interactive technology

Tuesday, October 14, 2025

6:00 PM

Council Chambers

ROLL CALL

Present: 9 - Councilor Azrin Awal, Councilor Wendy Durrwachter, Councilor Arik Forsman, Councilor Janet Kennedy, Councilor Deborah DeLuca, Councilor Roz Randorf, Councilor Tara Swenson, Vice President Lynn Nephew and President Terese Tomanek

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. 25-031 Meeting Minutes of the Duluth City Council

Indexes:

<u>Attachments:</u> 2025-09-08

A motion was made by Councilor Forsman to approve the Minutes. The motion was seconded by Councilor Awal. The motion passed unanimously.

The Minutes were approved.

REPORTS FROM THE ADMINISTRATION

OPPORTUNITY FOR CITIZENS TO BE HEARD

City of Duluth Page 1 Rene Ann Goodrich - Boards and Commissions Ordinances

Sam Weston - Parking

Barb Montee - Right to Repair Opposition

Mark Edgette - HRC & Committees

Jay Walker - Tourism Tax

Josie LaPorte - Lester

Brandon Parker - DPD Drones

Loren Martell - Tax Burden

CONSENT AGENDA

A motion was made by Councilor Kennedy to adopt the Consent Agenda. The motion was seconded by Councilor DeLuca. The motion passed unanimously.

The Consent Agenda was adopted.

BY COUNCILOR DURRWACHTER (PURCHASING & LICENSING)

2. 25-0758R RESOLUTION AUTHORIZING THE CHANGE ORDER TO CONTRACT

NO. L31206 WITH STACK BROS. MECHANICAL CONTRACTORS, INC. FOR THE DULUTH ENTERTAINMENT CONVENTION CENTER (DECC) HOT WATER PIPE REPLACEMENT, PHASE 1 FOR \$94,425.00 FOR A

NEW TOTAL NOT TO EXCEED \$319,665.00

Indexes:

Attachments: Exhibit A - Cover Memo

Exhibit B - Change Order No. 1 to L31206

This Resolution was adopted unanimously.

3. 25-0797R RESOLUTION APPROVING THE ISSUANCE OF LIQUOR LICENSE

APPLICATIONS

Indexes:

Attachments: Transfer Application - CPGM to Greenmill

<u>Transfer Application - Rosscoe's</u> Transfer Application - Blacklist Beer

This Resolution was adopted unanimously.

BY COUNCILOR AWAL (PERSONNEL)

4. <u>25-0776R</u> RESOLUTION CONFIRMING APPOINTMENTS TO CITY OF DULUTH

BOARDS AND COMMISSIONS.

Indexes:

Attachments: Cover Memo

This Resolution was adopted unanimously.

BY VICE PRESIDENT NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

5. <u>25-0742R</u> RESOLUTION VACATING A PORTION OF RIGHT-OF-WAY ALONG

HAZEL STREET BETWEEN 79TH AVENUE WEST AND 81ST AVENUE

WEST, IN THE PLAT OF NORTON'S GARDEN TRACTS, LYING BETWEEN THE SOUTHERLY EXTENSION OF THE WEST LINE OF

BLOCK 2 IN SAID NORTON'S GARDEN TRACTS AND THE

SOUTHERLY EXTENSION OF THE EAST LINE OF SAID BLOCK 2.

Indexes:

Attachments: Cover Memo - PLVAC-2507-0007

Exhibit A - Hazel St

Exhibit B - PLVAC-2507-0007 Staff Reports with Attachments

This Resolution was adopted unanimously.

6. 25-0808R RESOLUTION ADOPTING INTERIM CONTROLS PENDING FINAL

DECISION REGARDING ENACTMENT OF A MORATORIUM ON

CERTAIN SHORT-TERM RENTAL PERMITS

Indexes:

Attachments: Cover Memo

This Resolution was removed from the Consent Agenda. A motion was made to

table this Resolution. The motion passed unanimously.

This Resolution was tabled.

BY COUNCILOR DELUCA (PUBLIC WORKS & UTILITIES)

7. <u>25-0722R</u> RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO

REQUEST AND ACCEPT FROM ST. LOUIS COUNTY, ON BEHALF OF THE STATE OF MINNESOTA, CERTAIN TAX FORFEITED LAND TO BE

USED FOR ROAD PURPOSES.

Indexes:

Attachments: Exhibit A

Cover Memo 25-0722R

This Resolution was adopted unanimously.

8. 25-0763R RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR STREET

AND UTILITY PURPOSES FROM MINNESOTA POWER, AN OPERATING DIVISION OF ALLETE, INC., OVER, UNDER, AND ACROSS CERTAIN REAL PROPERTY IN THE LINCOLN PARK

NEIGHBORHOOD, AT NO COST TO THE CITY.

Indexes:

Attachments: Exhibit 1

Cover Memo

This Resolution was adopted unanimously.

Councilor Forsman abstained due to employer conflict

9. 25-0764R RESOLUTION AUTHORIZING AND ACCEPTING A TEMPORARY

CONSTRUCTION EASEMENT FROM MINNESOTA POWER, AN OPERATING DIVISION OF ALLETE, INC., OVER, UNDER, AND ACROSS CERTAIN REAL PROPERTY IN THE LINCOLN PARK

NEIGHBORHOOD, AT NO COST TO THE CITY.

Indexes:

Attachments: Exhibit 1

Cover Memo

This Resolution was adopted unanimously.

Councilor Forsman abstained due to employer conflict

10. 25-0765R RESOLUTION AUTHORIZING AND ACCEPTING A TEMPORARY

CONSTRUCTION EASEMENT FROM DURBIN HOLDINGS LLC, OVER, UNDER, AND ACROSS CERTAIN REAL PROPERTY IN THE LINCOLN

PARK NEIGHBORHOOD, AT NO COST TO THE CITY.

Indexes:

Attachments: Exhibit 1

Cover Memo

This Resolution was adopted unanimously.

11. 25-0766R RESOLUTION AUTHORIZING AND ACCEPTING A TEMPORARY

CONSTRUCTION EASEMENT FROM LOUISE A. FARRELL AND JOHN V. FARRELL, JR., AND FARRELL BROTHERS PROPERTIES, LLC, OVER, UNDER, AND ACROSS CERTAIN REAL PROPERTY IN THE

LINCOLN PARK NEIGHBORHOOD, AT NO COST TO THE CITY.

Indexes:

Attachments: Exhibit 1

Cover Memo

This Resolution was adopted unanimously.

12. 25-0767R RESOLUTION AUTHORIZING AND ACCEPTING A TEMPORARY

CONSTRUCTION EASEMENT FROM KORNERSTORE #800 LLC OVER, UNDER, AND ACROSS CERTAIN REAL PROPERTY IN THE LINCOLN PARK NEIGHBORHOOD, AT NO COST TO THE CITY.

Indexes:

Attachments: Exhibit 1

Cover Memo

This Resolution was adopted unanimously.

13. 25-0774R RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR STREET

AND UTILITY PURPOSES FROM LAMAR OCI NORTH CORPORATION, F/K/A OCI (N) CORP., OVER, UNDER, AND ACROSS CERTAIN REAL PROPERTY IN THE LINCOLN PARK NEIGHBORHOOD, AT NO COST

TO THE CITY.

Indexes:

Attachments: Exhibit 1

Cover Memo

This Resolution was adopted unanimously.

14. 25-0775R RESOLUTION AUTHORIZING AND ACCEPTING A TEMPORARY

CONSTRUCTION EASEMENT FROM LAMAR OCI NORTH

CORPORATION, A DELAWARE CORPORATION, F/K/A OCI (N) Corp., OVER, UNDER, AND ACROSS CERTAIN REAL PROPERTY IN THE LINCOLN PARK NEIGHBORHOOD, AT NO COST TO THE CITY.

Indexes:

Attachments: Exhibit 1

Cover Memo

This Resolution was adopted unanimously.

15. 25-0780R RESOLUTION AUTHORIZING AND ACCEPTING A TEMPORARY

CONSTRUCTION EASEMENT FROM ROHLFING OF DULUTH, INC., OVER, UNDER, AND ACROSS CERTAIN REAL PROPERTY IN THE LINCOLN PARK NEIGHBORHOOD, AT NO COST TO THE CITY.

Indexes:

Attachments: Exhibit 1

Cover Memo

This Resolution was adopted unanimously.

16. 25-0782R RESOLUTION AUTHORIZING AND ACCEPTING A TEMPORARY

CONSTRUCTION EASEMENT FROM WB IBIZA, LLC, OVER, UNDER, AND ACROSS CERTAIN REAL PROPERTY IN THE LINCOLN PARK

NEIGHBORHOOD, AT NO COST TO THE CITY.

Indexes:

Attachments: Cover Memo

Exhibit 1

This Resolution was adopted unanimously.

17. 25-0783R RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO

REQUEST AND ACCEPT FROM ST. LOUIS COUNTY, ON BEHALF OF THE STATE OF MINNESOTA, CERTAIN TAX FORFEITED LAND TO BE

USED FOR ROAD PURPOSES.

Indexes:

Attachments: Exhibit A

Cover Memo

This Resolution was adopted unanimously.

18. 25-0793R RESOLUTION AUTHORIZING AN AGREEMENT WITH NORTHLAND

CONSULTING ENGINEERS, LLP, FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE PRELIMINARY DESIGN SERVICES FOR THE IDEAL STREET RECONSTRUCTION PROJECT IN THE AMOUNT OF

\$59,560.00

Indexes:

Attachments: Cover Memo

2340 Professional Engineering Agreement

Resolution Map

This Resolution was adopted unanimously.

19. 25-0794R RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY

OF DULUTH AND THE MINNESOTA DEPARTMENT OF

TRANSPORTATION FOR OWNERSHIP AND MAINTENANCE

RESPONSIBILITY OF ROADWAY AND STORM SEWER ADJACENT TO, UPON, AND ALONG TRUNK HIGHWAY 535 FROM GARFIELD AVENUE

TO US 53 IN SUPERIOR, WISCONSIN STATE PROJECT NO. 6981-26, MNDOT CONTRACT NO. 1060489.

Indexes:

Attachments: Cover Memo

1060489 AGR Duluth-v3

This Resolution was adopted unanimously.

20. 25-0795R RESOLUTION AWARDING A CONTRACT TO ULLAND BROTHERS,

INC, FOR THE EAST SUPERIOR STREET MILL AND OVERLAY PROJECT FROM 45TH AVENUE EAST TO 33RD AVENUE EAST IN

THE AMOUNT OF \$646,375.00.

Indexes:

Attachments: 1995 Cover Sheet

Bid Tabulations
Cover Memo

This Resolution was adopted unanimously.

21. 25-0796R RESOLUTION AUTHORIZING AN AGREEMENT WITH SHORT ELLIOTT

HENDRICKSON INC. FOR PROFESSIONAL ENGINEERING SERVICES

TO PROVIDE DESIGN SERVICES FOR THE 4TH STREET

RECONSTRUCTION PROJECT IN THE AMOUNT OF \$1,349,940.00.

Indexes:

Attachments: Cover Memo

Professional Service Agreement.

Resolution Map

This Resolution was adopted unanimously.

BY COUNCILOR KENNEDY (PUBLIC SAFETY)

22. 25-0779R RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT FROM

THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$117,600 FOR THE 2026 TOWARDS ZERO DEATHS PROJECT AND FURTHER AUTHORIZING AN AGREEMENT WITH THE LAKE SUPERIOR TRAFFIC ENFORCEMENT TEAM PARTNER AGENCIES

FOR SERVICES UNDER THE GRANT.

Indexes:

Attachments: Document A - 2026 TZD Grant Agreement

Document B - Partner Agreement

Exhibit B - Enforcement Calendar

Resolution Cover Memo 2026 TZD

This Resolution was adopted unanimously.

23. 25-0784R RESOLUTION AUTHORIZING THE PURCHASE OF A DRONE AS FIRST

RESPONDER PROGRAM, DRAFT ONE DICTATION REPORT WRITING SOFTWARE, STORAGE, MAINTENANCE AND SUPPORT FROM AXON ENTERPRISES FOR A SIX-YEAR PERIOD BEGINNING IN 2026 FOR AN

AMOUNT NOT TO EXCEED \$1,919,995.09

Indexes:

Attachments: Document A - Axon DFR-Draft One Quote

Resolution Cover Memo Axon DFR-Draft One

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

Yea: 8 - Councilor Durrwachter, Councilor Forsman, Councilor Kennedy, Councilor DeLuca,

Councilor Randorf, Councilor Swenson, Vice President Nephew and President

Tomanek

Nay: 1 - Councilor Awal

24. 25-0785R RESOLUTION AUTHORIZING THE EXECUTION OF A SOFTWARE

LICENSE AGREEMENT WITH N. HARRIS COMPUTER CORPORATION FOR THE PURCHASE OF THE i2 DATA PROCESSING SOFTWARE

FOR ONE YEAR AT A TOTAL COST OF \$2,427.60.

Indexes:

Attachments: Document A - Software Agreement

Resolution Cover Memo i2 Analyst Notebook

This Resolution was adopted unanimously.

25. 25-0800R RESOLUTION AUTHORIZING A TEN YEAR MULTI-JURISDICTIONAL

AGREEMENT BETWEEN THE CITY OF HERMANTOWN AND THE CITY OF DULUTH TO CREATE A MULTI-JURISDICTIONAL DULUTH POLICE

DEPARTMENT REGIONAL TACTICAL RESPONSE TEAM.

Indexes:

Attachments: Exhibit 1 - Agreement DPD Tactical Response Team final

Cover Memo

This Resolution was adopted unanimously.

BY COUNCILOR SWENSON (RECREATION, LIBRARIES & AUTHORITIES)

26. <u>25-0789R</u> RESOLUTION AUTHORIZING A DEVELOPMENT AGREEMENT WITH

THE CHESTER BOWL IMPROVEMENT CLUB FOR RECONSTRUCTION

OF THE THOM STORM CHALET AND OUTDOOR RECREATION

CENTER AT CHESTER PARK.

Indexes:

Attachments: Cover Memo

Exhibit A

This Resolution was adopted unanimously.

27. <u>25-0790R</u> RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT IN THE

AMOUNT OF \$2,312,000 FROM THE ENVIRONMENTAL AND NATURAL RESOURCES TRUST FUND FOR RECONSTRUCTION OF THE THOM

STORM CHALET AND OUTDOOR RECREATION CENTER AT

CHESTER PARK.

Indexes:

Attachments: Exhibit A

Cover Memo

This Resolution was adopted unanimously.

28. 25-0791R RESOLUTION AUTHORIZING ASSUMPTION OF AND AMENDMENT TO

AN AGREEMENT BETWEEN THE CHESTER BOWL IMPROVEMENT CLUB AND LHB, INC., TO TRANSFER AGREEMENT OWNERSHIP TO THE CITY OF DULUTH FOR AN AGREEMENT TOTAL NOT TO EXCEED

\$197,625.00.

Indexes:

Attachments: Cover Memo 25-0791

Exhibit B
Exhibit A

This Resolution was adopted unanimously.

29. 25-0792R RESOLUTION AUTHORIZING ACCEPTANCE OF A U.S.

ENVIRONMENTAL PROTECTION AGENCY GRANT IN THE AMOUNT

OF \$560,000 FOR DESIGN AND IMPLEMENTATION OF WAABIZHESHIKANA: THE MARTEN TRAIL SEGMENT 7.

Indexes:

Attachments: Cover Memo

Exhibit A
Exhibit B

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR FORSMAN (FINANCE)

30. 25-0805R RESOLUTION DISTRIBUTING THE ESTIMATED 2026 HOTEL-MOTEL

AND FOOD AND BEVERAGE TOURISM TAXES.

Indexes:

Attachments: Cover Memo

Exhibit A

This Resolution was adopted unanimously.

BY VICE PRESIDENT NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

31. 25-0781R RESOLUTION ADOPTING A MODIFICATION TO THE DEVELOPMENT

PROJECT \ MUNICIPAL DEVELOPMENT DISTRICT PROGRAM PLAN

FOR DEVELOPMENT DISTRICT 17.

Indexes:

Attachments: Council Memo Development District 17 Modification

Exhibit A
Exhibit B

This Resolution was adopted unanimously.

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

BY COUNCILOR AWAL (PERSONNEL)

32. <u>25-027-0</u> AN ORDINANCE TO INCORPORATE THE DULUTH PROTECTED

CLASS COMMISSIONS AS COMMITTEES WITHIN THE HUMAN

RIGHTS COMMISSION AND FURTHER ALLOWING THE ADDITION OF OTHER COMMITTEES WITHIN THE HUMAN RIGHTS COMMISSION.

This Ordinance was read for the first time.

BY VICE PRESIDENT NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

33. 25-028-O AN INTERIM ORDINANCE PURSUANT TO MINN. STAT. § 462.355,

SUBD. 4, IMPOSING A MORATORIUM ON CERTAIN SHORT-TERM RENTAL PERMITS AND RELATED CITY ACTIVITIES AND APPROVALS PENDING COMPLETION OF A CITY STUDY WEIGHING THE NEED FOR

ANY AMENDMENT TO OFFICIAL CONTROLS.

Indexes:

Attachments: Cover Memo

This Ordinance was read for the first time.

BY COUNCILOR KENNEDY (PUBLIC SAFETY)

34. <u>25-026-0</u> AN ORDINANCE INTEGRATING THE DULUTH NONBINARY, QUEER,

TRANS, TWO SPIRIT, LESBIAN, GAY, BISEXUAL, INTERSEX, AND ASEXUAL COMMISSION INTO THE DULUTH HUMAN RIGHTS COMMISSION AND REPEALING ARTICLE XXXVII (37) OF CHAPTER TWO OF THE DULUTH CITY CODE AND AMENDING ARTICLE I OF CHAPTER 29C TO ADD A NQT2SLGBIA COMMITTEE WITHIN THE

HUMAN RIGHTS COMMISSION.

This Ordinance was read for the first time.

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

BY COUNCILOR FORSMAN (FINANCE)

35. 25-023-O AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY

OF GENERAL OBLIGATION LAKEWALK RESTORATION BONDS OF THE CITY OF DULUTH IN AN AMOUNT NOT TO EXCEED \$1,245,000 UPON TERMS AND CONDITIONS TO BE PROVIDED BY RESOLUTION

OF THE CITY COUNCIL AND PROVIDING FOR THE PAYMENT

THEREOF.

Indexes:

Attachments: Cover Memo

A motion was made to adopt this Ordinance. The motion was passed

unanimously.

This Ordinance was adopted unanimously.

36. 25-024-O

AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION LAKE FRONT RESTORATION BONDS OF THE CITY OF DULUTH IN AN AMOUNT NOT TO EXCEED \$1,840,000 UPON TERMS AND CONDITIONS TO BE PROVIDED BY RESOLUTION OF THE CITY COUNCIL AND PROVIDING FOR THE PAYMENT THEREOF.

Indexes:

Attachments: Cover Memo

A motion was made to adopt this Ordinance. The motion was passed

unanimously.

This Ordinance was adopted unanimously.

BY COUNCILOR KENNEDY (PUBLIC SAFETY)

37. <u>25-025-0</u> AN ORDINANCE AMENDING SECTION 8A-4 TO EXCLUDE

COMBINATION BUSINESSES OPERATING A RETAIL LOCATION FROM THE MAXIMUM NUMBER OF REGISTRATIONS REQUIREMENTS FOR

CANNABIS RETAIL BUSINESSES.

Indexes:

Attachments: Cover Memo

A motion was made to adopt this Ordinance. The motion was passed

unanimously.

This Ordinance was adopted unanimously.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS