



# 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]*

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Monday, November 25, 2024

7:00 PM

Council Chamber

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#### ROLL CALL

**Present:** 8 - Councilor Wendy Durrwachter, Councilor Arik Forsman, Councilor Janet Kennedy, Councilor Mike Mayou, Councilor Lynn Nephew, Councilor Tara Swenson, Vice President Terese Tomanek and President Roz Randorf

**Absent:** 1 - Councilor Azrin Awal

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF MINUTES

1. [24-053](#) Meeting Minutes of the Duluth City Council

**Indexes:**

**Attachments:** [2024-11-12 Minutes](#)

These Minutes were 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 COUNCILOR FORSMAN (FINANCE)

2. [24-0911R](#) RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF A \$2,561,481 TAXABLE GRANT ANTICIPATION REVENUE NOTE, SERIES 2024C, AND PROVIDING FOR ITS PAYMENT.

Indexes:

Attachments: [Exhibit B](#)

[Exhibit A](#)

[Exhibit C](#)

**This Resolution was adopted unanimously.**

**Absent: Councilor Awal**

3. [24-0912R](#) RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF A \$1,597,285 TAXABLE GRANT ANTICIPATION REVENUE NOTE SERIES 2024D, AND PROVIDING FOR ITS PAYMENT.

Indexes:

Attachments: [Exhibit C](#)

[Exhibit A](#)

[Exhibit B](#)

**This Resolution was adopted unanimously.**

**Absent: Councilor Awal**

4. [24-0913R](#) RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF A \$1,639,354 TAXABLE GRANT ANTICIPATION REVENUE NOTE SERIES 2024E, AND PROVIDING FOR ITS PAYMENT.

Indexes:

Attachments: [Exhibit C](#)

[Exhibit A](#)

[Exhibit B](#)

**This Resolution was adopted unanimously.**

**Absent: Councilor Awal**

5. [24-0914R](#) RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF A \$1,938,000 TAXABLE GRANT ANTICIPATION REVENUE NOTE SERIES 2024F, AND PROVIDING FOR ITS PAYMENT.

Indexes:

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

This Resolution was adopted unanimously.  
Absent: Councilor Awal

**BY COUNCILOR DURRWACHTER (PURCHASING & LICENSING)**

6. [24-0884R](#) RESOLUTION APPROVING THE ISSUANCE OF A 2025 MINNESOTA CURRENCY EXCHANGE LICENSE TO THE TITLE LOAN COMPANY, INC.

Indexes:

- Attachments: [Attachment A](#)

This Resolution was adopted unanimously.  
Absent: Councilor Awal

7. [24-0896R](#) RESOLUTION AUTHORIZING THE PURCHASE OF DESKTOP AND LAPTOP COMPUTER REPLACEMENTS FROM INSIGHT PUBLIC SECTOR IN THE AMOUNT OF \$175,203.65.

This Resolution was adopted unanimously.  
Absent: Councilor Awal

8. [24-0917R](#) RESOLUTION AUTHORIZING THE PURCHASE OF FIVE YEARS OF CISCO CLOUD CALLING FROM CDW GOVERNMENT, INC. FOR THE TOTAL AMOUNT OF \$380,257.20 WITH AN ESTIMATED ANNUAL AMOUNT OF \$76,051.44.

This Resolution was adopted unanimously.  
Absent: Councilor Awal

**BY VICE PRESIDENT TOMANEK (PERSONNEL)**

9. [24-0907R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF LIBRARY SAFETY COORDINATOR, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

- Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

**Absent: Councilor Awal**

- 10. [24-0908R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF CONSTRUCTION SERVICES COMBINATION INSPECTOR.

**Indexes:**

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

**This Resolution was adopted unanimously.  
Absent: Councilor Awal**

- 11. [24-0939R](#) RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DULUTH SUPERVISORY ASSOCIATION AND THE CITY OF DULUTH FOR THE YEARS 2025-2027.

**Indexes:**

**Attachments:** [Exhibit A](#)  
[CDSA CBA 2025-2027 - Red line](#)

**This Resolution was adopted unanimously.  
Absent: Councilor Awal**

- 12. [24-0926R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF BEN VAN TASSEL AS DIRECTOR, PLANNING & ECONOMIC DEVELOPMENT FOR THE CITY OF DULUTH.

**This Resolution was adopted unanimously.  
Absent: Councilor Awal**

**BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)**

- 13. [24-0891R](#) RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE STATE OF MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT - STATE SERVICES FOR THE BLIND AT THE DULUTH CAREERFORCE CENTER FOR THE PERIOD OF MARCH 1, 2024 TO JUNE 30, 2026.

**Indexes:**

**Attachments:** [DEED-SSB Shared Reception & CareerLab Agreement - Duluth](#)

**This Resolution was adopted unanimously.  
Absent: Councilor Awal**

- 14. [24-0895R](#) RESOLUTION AUTHORIZING A /DEVELOPMENT AGREEMENT WITH STUDIO CAFÉ LLC FOR THE REDEVELOPMENT OF 22 W 1ST

STREET IN DOWNTOWN DULUTH IN THE AMOUNT OF \$140,000.

Indexes:

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

This Resolution was adopted unanimously.  
Absent: Councilor Awal

15. [24-0904R](#) RESOLUTION APPROVING DEDA RESOLUTION 24D-48 AUTHORIZING FUNDING FOR THE DULUTH PRODUCTION INCENTIVE PROGRAM TO INCENTIVIZE VISUAL MEDIA PRODUCTION IN DULUTH AND AUTHORIZING AN AGREEMENT WITH UPPER MIDWEST FILM OFFICE FOR PROGRAM ADMINISTRATIVE SERVICES

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.  
Absent: Councilor Awal

16. [24-0909R](#) RESOLUTION APPROVING DEDA RESOLUTION 24D-52 AUTHORIZING A CONTRACT WITH WREN WORKS LLC TO PERFORM MAINTENANCE DREDGING ALONG THE SEAWALL AT THE HARBOR PLAZA IN FRONT OF THE DULUTH ENTERTAINMENT CONVENTION CENTER (DECC) IN THE AMOUNT OF \$860,612.75

This Resolution was adopted unanimously.  
Absent: Councilor Awal

17. [24-0920R](#) RESOLUTION AUTHORIZING A SECOND AMENDMENT TO A FUNDING AGREEMENT WITH CHURCHES UNITED IN MINISTRY.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.  
Absent: Councilor Awal

18. [24-0905R](#) RESOLUTION AUTHORIZING A CLEANUP GRANT APPLICATION TO THE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT FOR THE DULUTH PAPER MILL EXPANSION

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.  
Absent: Councilor Awal

**BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)**

- 19. [24-0888R](#) RESOLUTION AUTHORIZING A THREE-YEAR AGREEMENT WITH FRONTIER ENERGY, INC. FOR PROFESSIONAL SERVICES RELATING TO PUBLIC WORKS AND UTILITIES COMMERCIAL AND INDUSTRIAL CONSERVATION IMPROVEMENT PROGRAM FOR A TOTAL NOT TO EXCEED \$240,000.

**Indexes:**

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

**This Resolution was adopted unanimously.**

**Absent: Councilor Awal**

- 20. [24-0903R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF \$428,366 FROM THE MINNESOTA DEPARTMENT OF COMMERCE BENCHMARKING GRANT PROGRAM TO SUPPORT UPGRADES TO COMFORT SYSTEMS AND DULUTH ENERGY SYSTEMS TO MEET REQUIRED STATE OF MINNESOTA ENERGY USE DATA REPORTING.

**This Resolution was adopted unanimously.**

**Absent: Councilor Awal**

- 21. [24-0910R](#) RESOLUTION AWARDING A CONTRACT TO JMF CONSTRUCTION INC. FOR THE HILLSIDE CULVERT REPAIRS - BUCKINGHAM CREEK PROJECT IN THE AMOUNT OF \$495,971.32.

**This Resolution was adopted unanimously.**

**Absent: Councilor Awal**

**BY COUNCILOR SWENSON (PUBLIC SAFETY)**

- 22. [24-0866R](#) RESOLUTION AUTHORIZING THE ACCEPTANCE OF REIMBURSEMENT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$27,913.40 FOR THE PURCHASE OF BALLISTIC VESTS.

**Indexes:**

**Attachments:** [Document A](#)

[Document B](#)

[Document A-2](#)

[Document B-2](#)

**This Resolution was adopted unanimously.**

**Absent: Councilor Awal**

**BY COUNCILOR AWAL (RECREATION, LIBRARIES & AUTHORITIES)**

23. [24-0902R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA POLLUTION CONTROL AGENCY (MPCA), COMMUNITY RESILIENCY GRANT PROGRAM FOR \$500,000 TO SUPPORT INSTALLATION OF ENERGY EFFICIENT EQUIPMENT AT MORGAN PARK COMMUNITY CENTER.

**This Resolution was adopted unanimously.**

**Absent: Councilor Awal**

24. [24-0906R](#) RESOLUTION AMENDING A CONTRACT WITH HESS, ROISE AND COMPANY LTD. TO PROVIDE CONSULTING SERVICES FOR ASSISTANCE WITH SECTION 106 COMPLIANCE FOR THE WAABIZHESHKANA PROJECT, TO INCREASE THE AMOUNT BY \$15,605.00 FOR A NEW TOTAL OF \$52,285.00

**Indexes:**

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

**This Resolution was adopted unanimously.**

**Absent: Councilor Awal**

25. [24-0916R](#) RESOLUTION AUTHORIZING A FIRST AMENDMENT TO THE USE AGREEMENT WITH NORTHWOODS LEAGUE, INC. AND RPK BASEBALL, LLC RELATING TO WADE STADIUM.

**Indexes:**

**Attachments:** [Exhibit 1](#)

**This Resolution was adopted unanimously.**

**Absent: Councilor Awal**

**END OF CONSENT AGENDA**

***The following entitled resolutions are also to be considered:***

**BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)**

26. [24-0921R](#) RESOLUTION APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY, THE CITY OF DULUTH, AND DAMIANO OF DULUTH, INC, FOR THE DEVELOPMENT OF AN EMERGENCY SHELTER FACILITY AWARDDING A GRANT IN THE AMOUNT UP TO \$500,000 AND APPROVING THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY'S GRANT IN THE

AMOUNT UP TO \$500,000 TO SUPPORT THE PROJECT

Indexes:

Attachments: [Exhibit A](#)

[Exhibit B](#)

This Resolution was adopted unanimously.

Absent: Councilor Awal

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

**BY COUNCILOR FORSMAN (FINANCE)**

27. [24-060-O](#) AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF A \$8,116,359 GENERAL OBLIGATION WATER UTILITY REVENUE NOTE OF THE CITY OF DULUTH FOR THE IMPROVEMENT OF THE MUNICIPAL WATER UTILITY UPON TERMS AND CONDITIONS TO BE PROVIDED BY RESOLUTION OF THE CITY COUNCIL AND PLEDGING REVENUES FOR THE PAYMENT THEREOF.

This Ordinance was read for the first time.

**BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)**

28. [24-055-O](#) AN ORDINANCE AMENDING SECTION 48-28 AND ADDING NEW SECTION 48-28.1 TO THE DULUTH CITY CODE [REPLACEMENT].

This Ordinance was read for the first time.

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

**BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)**

29. [24-057-O](#) AN ORDINANCE AMENDING SECTIONS 50-19.8, PERMITTED USE TABLE; 50-20.2 USE SPECIFIC STANDARDS FOR PUBLIC, INSTITUTIONAL, AND CIVIC USES; 50-20.4 USE SPECIFIC STANDARDS FOR INDUSTRIAL USES; 50-41.1 DEFINITIONS "A"; 50-41.2 DEFINITIONS "B"; 50-41.4 DEFINITIONS "D"; AND 50-41.9 DEFINITIONS "I"; ALL RELATED TO ADULT-USE CANNABIS ZONING REGULATIONS.

Indexes:



**Attachments:** [PLUTA-2410-0002 Staff Memo and Attachments](#)

This Ordinance was adopted.

**BY COUNCILOR SWENSON (PUBLIC SAFETY)**

30. [24-056-O](#) ORDINANCE ADDING A NEW CHAPTER 8A TO THE DULUTH CITY CODE REGULATING CANNABIS BUSINESSES AND AMENDING SECTION 12-2(k) OF CHAPTER 12 ADDING VIOLATIONS OF CHAPTER 8A.

This Ordinance was adopted.

**COUNCILOR QUESTIONS AND COMMENTS**

**COUNCILOR PREVIEW OF UPCOMING BUSINESS**