



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, March 25, 2024

7:00 PM

Council Chamber

ROLL CALL

Present: 9 - Councilor Azrin Awal, 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

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [24-016](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2024-03-11, Minutes](#)

These Minutes were approved.

REPORTS FROM THE ADMINISTRATION

2. [24-017](#) 2023 General Fund Reconciled Budget Report

Indexes:

Attachments: [2023 - BA General Fund Reconciled Budget Memo](#)
[2023 General Fund Budget Adjustments](#)

This Informational Report was received.

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)

- 3. [24-0221R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH J & M DISPLAYS INC. FOR THE CREATION AND EXECUTION OF A FIREWORKS DISPLAY FOR JULY 4, 2024 FOR A TOTAL NOT TO EXCEED \$60,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR DURRWACHTER (PURCHASING & LICENSING)

- 4. [24-0172R](#) RESOLUTION AUTHORIZING A ONE-YEAR RENEWAL OF AN AGREEMENT WITH SFM RISK SOLUTIONS, INC., FOR PROFESSIONAL SERVICES FOR THE THIRD-PARTY ADMINISTRATION OF WORKERS' COMPENSATION INSURANCE FOR A TOTAL AMOUNT OF \$68,868.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

- 5. [24-0204R](#) RESOLUTION APPROVING ISSUANCE OF TEMPORARY ON SALE LIQUOR LICENSES TO VARIOUS LICENSEES.

Indexes:

- Attachments:** [Attachment A](#)
[Attachment B](#)
[Attachment C](#)
[Attachment D](#)
[Attachment E](#)
[Attachment G](#)
[Attachment H](#)
[Attachment F](#)

This Resolution was adopted unanimously.

6. [24-0205R](#) RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF VARIOUS LICENSEES.

Indexes:

- Attachments:** [Attachment A](#)
[Attachment B](#)

This Resolution was adopted unanimously.

7. [24-0206R](#) RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISES PERMIT TO THE DULUTH CURLING CLUB.

Indexes:

- Attachments:** [Attachment B](#)
[Attachment A](#)

This Resolution was adopted unanimously.

8. [24-0207R](#) RESOLUTION APPROVING THE ISSUANCE OF AN ON SALE INTOXICATING LIQUOR LICENSE TO TWO A, LLC (CHILLY BILLY'S)

Indexes:

- Attachments:** [Attachment A](#)

This Resolution was adopted unanimously.

BY VICE PRESIDENT TOMANEK (PERSONNEL)

9. [24-0218R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF MANAGER, LIBRARY SERVICES.

Indexes:

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

This Resolution was adopted unanimously.

10. [24-0236R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF PAUL PEDERSEN TO THE HEADING HOME ADVISORY COUNCIL.

This Resolution was adopted unanimously.

11. [24-0238R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF CHRIS ADATTE TO THE DULUTH PLANNING COMMISSION

This Resolution was adopted unanimously.

12. [24-0239R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF DAVID SARVELA TO THE DULUTH PLANNING COMMISSION

This Resolution was adopted unanimously.

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

13. [24-0213R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AMENDMENT TO AN AGREEMENT WITH ST. LOUIS COUNTY ACCEPTING \$47,380.80 IN ADDITIONAL FUNDS TO PROVIDE MINNESOTA FAMILY INVESTMENT PROGRAM AND DIVERSIONARY WORK PROGRAM EMPLOYMENT AND TRAINING SERVICES.

Indexes:

Attachments: [City of Duluth MFIP DWP 2024 Addendum 17647A](#)

This Resolution was adopted unanimously.

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

14. [24-0208R](#) RESOLUTION AWARDDING A CONTRACT TO HANCO UTILITIES, INC. FOR THE 2024 EXCESS FLOW VALVE (EFV), RISER REPLACEMENT, METER RELOCATION, AND BOLLARD INSTALLATION PROJECT IN THE AMOUNT OF \$647,825.00.

This Resolution was adopted unanimously.

15. [24-0210R](#) RESOLUTION AUTHORIZING THE APPLICATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY FOR A LOAN FROM THE DRINKING WATER REVOLVING FUND FOR IMPROVEMENTS TO THE GARY NEIGHBORHOOD-WIDE LEAD SERVICE LINE REPLACEMENT PROJECT (PFA PROJECT 1690011-12) AS DESCRIBED IN THE LOAN

APPLICATION.

Indexes:

Attachments: [Exhibit A](#)

[Map](#)

This Resolution was adopted unanimously.

16. [24-0211R](#) RESOLUTION AUTHORIZING THE APPLICATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY FOR A LOAN FROM THE DRINKING WATER REVOLVING FUND FOR IMPROVEMENTS TO THE LINCOLN PARK NEIGHBORHOOD-WIDE LEAD SERVICE LINE REPLACEMENT PROJECT (PFA PROJECT 1690011-15) AS DESCRIBED IN THE LOAN APPLICATION.

Indexes:

Attachments: [Exhibit A](#)

[Map](#)

This Resolution was adopted unanimously.

17. [24-0212R](#) RESOLUTION AMENDING A CONTRACT WITH LHB, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE 1ST AVENUE EAST RECONSTRUCTION PROJECT, TO INCREASE THE AMOUNT BY \$67,310.00 FOR A NEW TOTAL OF \$786,340.00.

Indexes:

Attachments: [Exhibit A](#)

[Map](#)

This Resolution was adopted unanimously.

18. [24-0216R](#) RESOLUTION AWARDED CONTRACTS TO ULLAND BROTHERS, INC. AND NORTHLAND CONSTRUCTORS OF DULUTH, A DIVISION OF MATHY CONSTRUCTION COMPANY FOR BITUMINOUS (HOT MIX BLACKTOP) FOR STREET MAINTENANCE ACTIVITIES IN 2024 FOR A TOTAL AMOUNT NOT TO EXCEED \$442,470.00.

This Resolution was adopted unanimously.

19. [24-0217R](#) RESOLUTION AWARDED A CONTRACT TO HANCO UTILITIES, INC. FOR CONSTRUCTION OF THE 2024 GAS BLANKET PROJECT FOR MAINS AND SERVICES AT VARIOUS LOCATIONS IN THE AMOUNT OF \$1,130,715.00.

This Resolution was adopted unanimously.

20. [24-0219R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH SHORT ELLIOTT HENDRICKSON INC. FOR CONSTRUCTION ENGINEERING SUPPORT AND INSPECTION SERVICES FOR THE 2023 LEAD WATER SERVICE REPLACEMENT PROJECT - LOWER LINCOLN PARK (WEST) NEIGHBORHOOD FOR AN AMOUNT NOT TO EXCEED \$466,590.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

21. [24-0220R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH MSA PROFESSIONAL SERVICES, INC. FOR CONSTRUCTION ENGINEERING SUPPORT AND INSPECTION SERVICES FOR THE 2023 LEAD WATER SERVICE REPLACEMENT PROJECT - GARY NEIGHBORHOOD FOR AN AMOUNT NOT TO EXCEED \$491,630.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR AWAL (RECREATION, LIBRARIES & AUTHORITIES)

22. [24-0180R](#) RESOLUTION AUTHORIZING A CONTRACT WITH GRINDLINE SKATEPARKS, INC. FOR THE GARY NEW DULUTH COMMUNITY CENTER & RECREATION AREA - PHASE IV PROJECT FOR AN AMOUNT NOT TO EXCEED \$945,416.00.

This Resolution was adopted unanimously.

23. [24-0225R](#) RESOLUTION AUTHORIZING THE FIRST AMENDMENT TO AGREEMENT 24090 WITH THE CYCLISTS OF GITCHEE GUMEE SHORES, INCORPORATED. TO EXTEND THE TERM OF THE LICENSE AGREEMENT FOR THE DULUTH TRAVERSE TRAIL.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

24. [24-0226R](#) RESOLUTION AUTHORIZING APPLICATION TO THE LEGISLATIVE CITIZENS COMMISSION ON MINNESOTA RESOURCES FOR FUNDS FROM THE ENVIRONMENTAL AND NATURAL RESOURCES TRUST FUND FOR UP TO \$155,000 TO SUPPORT ACCESSIBILITY

IMPROVEMENTS AT HAWK RIDGE NATURE RESERVE.

This Resolution was adopted unanimously.

25. [24-0227R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A SUBGRANT FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN THE AMOUNT OF \$156,600 TO SUPPORT ACCESS IMPROVEMENTS AT PERCH LAKE LANDING.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

26. [24-0228R](#) RESOLUTION AUTHORIZING AN EXCLUSIVE USE PERMIT AGREEMENT WITH BENTLEYVILLE TOUR OF LIGHTS, INC., FOR THE PRODUCTION, PROMOTION, AND MANAGEMENT OF THE BENTLEYVILLE TOUR OF LIGHTS IN BAYFRONT FESTIVAL PARK FOR THE 2024 HOLIDAY SEASON.

Indexes:

Attachments: [Exhibit 1-Resolution](#)

This Resolution was adopted unanimously.

27. [24-0229R](#) RESOLUTION AUTHORIZING APPLICATION TO THE LEGISLATIVE CITIZENS COMMISSION ON MINNESOTA RESOURCES FOR FUNDS FROM THE ENVIRONMENTAL AND NATURAL RESOURCES TRUST FUND FOR UP TO \$2,850,000 TO COMPLETE A RENOVATION OF THE THOM STORM CHALET AND OUTDOOR RECREATION CENTER AT CHESTER PARK.

This Resolution was adopted unanimously.

28. [24-0231R](#) RESOLUTION AUTHORIZING A CONTRACT WITH LAKEHEAD CONSTRUCTORS FOR THE LOWER SPIRIT MOUNTAIN NORDIC CENTER PROJECT FOR AN AMOUNT NOT TO EXCEED \$737,995.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

Abstained: Councilor Swenson, stating spousal employer conflict.

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR AWAL (RECREATION, LIBRARIES & AUTHORITIES)

29. [24-0230R](#) RESOLUTION SUPPORTING A PERMANENT CEASEFIRE TO PREVENT LOSS OF HUMAN LIFE IN THE MIDDLE EAST. (AMENDED)

This Resolution was failed by the following vote:

- Yea:** 4 - Councilor Awal, Councilor Durrwachter, Councilor Mayou and President Randorf
Nay: 5 - Councilor Forsman, Councilor Kennedy, Councilor Nephew, Councilor Swenson and Vice President Tomanek

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

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

30. [24-001-O](#) ORDINANCE TO RENAME PLATTED JAMES STREET TO KATHERINE LANE.

Indexes:

Attachments: [PL 23-162 Final Plat](#)

This Ordinance was read for the first time.

- a31. [24-006-O](#) AN ORDINANCE GRANTING ARMORY ARTS AND MUSIC CENTER A CONCURRENT USE PERMIT FOR A STOOP ALONG 13TH AVE E.

Indexes:

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

This Ordinance was read for the first time.

BY COUNCILOR SWENSON (PUBLIC SAFETY)

32. [24-005-O](#) ORDINANCE AMENDING CHAPTER 49, ARTICLE I, SEC. 49-4, OF THE DULUTH CITY CODE TO INCLUDE THE USE OF CROSSBOW AS AUTHORIZED BY THE CITY'S AGENT.

This Ordinance was read for the first time.

33. [24-004-O](#) ORDINANCE AMENDING CHAPTER 6, ARTICLE VII, SEC. 6-77, OF THE DULUTH CITY CODE TO CLARIFY WHEN HUNTING WITH A CROSSBOW IS ALLOWED.

This Ordinance was read for the first time.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

Attest: Ian B. Johnson, City Clerk

Passed: March 25, 2024

Approved: March 26, 2024

Roger Reiner, Mayor