



City of Duluth

411 West First Street
Duluth, Minnesota 55802

Meeting Agenda - 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, August 12, 2024

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [24-036](#) Meeting Minutes of the Duluth City Council

Attachments: [2024-07-29, Minutes](#)

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [24-037](#) Board, Commission and Authority Meeting Minutes

Attachments: [July 2024 DPC Minutes](#)
[June 2024 - DPUC Minutes](#)
[May 2024 - HRA Meeting Minutes](#)
[June 2024 - HRA Meeting Minutes](#)

3. [24-038](#) Audit Reports

Attachments: [AUDIT - FINAL FY23](#)
 [cityofduluthwithedaml_23_report](#)

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

CONSENT AGENDA

BY COUNCILOR FORSMAN (FINANCE)

4. [24-0602R](#) RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DULUTH AND LAW ENFORCEMENT LABOR SERVICES LOCAL 503 FOR THE YEARS 2024-2026.

Attachments: [Exhibit A](#)
 [20240724 Final 2024-2026 LELS 503 Agreement -Red Line\(004\)](#)

BY COUNCILOR DURRWACHTER (PURCHASING & LICENSING)

5. [24-0590R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH BOLTON & MENK, INC. FOR DESIGN AND CONSTRUCTION SUPPORT OF THE DULUTH FIBER EXPANSION - PHASE 2, FOR AN AMOUNT OF \$57,800.00

Attachments: [Exhibit A](#)

6. [24-0632R](#) RESOLUTION APPROVING ISSUANCE OF TEMPORARY ON SALE LIQUOR LICENSES TO VARIOUS LICENSEES.

Attachments: [Attachment A](#)

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

7. [24-0594R](#) RESOLUTION AUTHORIZING FUNDING ALLOCATION CHANGES AND FINALIZING THE 2024 ANNUAL ACTION PLAN AND AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME PROGRAM (HOME), AND EMERGENCY SOLUTIONS GRANT PROGRAM (ESG) PROGRAM FUNDS.

8. [24-0595R](#) RESOLUTION AUTHORIZING AN INCREASE OF \$2,496 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE 2024 PROGRAM YEAR.
9. [24-0596R](#) RESOLUTION AUTHORIZING AN DECREASE OF \$80,268.13 FY 2024 HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM.
10. [24-0597R](#) RESOLUTION AUTHORIZING AN INCREASE OF \$2696 FY 2024 EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM.
11. [24-0598R](#) RESOLUTION AUTHORIZING AMENDMENT TO THE 2020 ACTION PLAN BY REMOVING THE SUPERIOR VIEW & PINE GROVE PROJECT AND REPROGRAMMING THE ALLOCATED \$60,000 IN COMMUNITY DEVELOPMENT GRANT FUNDS (CDBG) TO THE 2024 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE ONE ROOF COMMUNITY LAND TRUST- NEW CONSTRUCTION PROGRAM
12. [24-0599R](#) RESOLUTION AUTHORIZING REPROGRAMMING OF \$10,432.59 OF FUNDS FROM 2022 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE 2024 COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE ONE ROOF COMMUNITY LAND TRUST-NEW CONSTRUCTION PROGRAM
13. [24-0616R](#) RESOLUTION AUTHORIZING A FIFTH AMENDMENT TO GENERAL FUND APPROPRIATION BOND MASTER GRANT AGREEMENT WITH THE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT (DEED) FOR THE DULUTH REGIONAL EXCHANGE DISTRICT PROJECT.

Attachments: [Exhibit 1-Res re 5th Amend](#)

14. [24-0618R](#) RESOLUTION AUTHORIZING THE EXECUTION AND RECORDATION OF A DECLARATION AFFECTING THE MEDICAL ENTITY WEST (ESSENTIA) PARKING RAMP BEING CONSTRUCTED AS PART OF THE REGIONAL EXCHANGE DISTRICT.

Attachments: [Exhibit 1-Resolution re Declaration](#)
[Exhibit 2-Resolution](#)

15. [24-0622R](#) RESOLUTION AUTHORIZING A FIRST AMENDMENT TO DEVELOPMENT AGREEMENT WITH ST. MARY'S DULUTH CLINIC HEALTH SYSTEM FOR THE DESIGN AND CONSTRUCTION OF PUBLIC REALM PRIVATE INFRASTRUCTURE RETAINING WALLS AS PART OF THE DULUTH REGIONAL EXCHANGE DISTRICT TO INCREASE THE AMOUNT FROM \$3,473,578.00 TO \$3,576,625.46.

Attachments: [Exhibit 1](#)

16. [24-0623R](#) RESOLUTION AUTHORIZING A FIRST AMENDMENT TO DEVELOPMENT AGREEMENT WITH ST. MARY'S DULUTH CLINIC HEALTH SYSTEM FOR THE DESIGN AND CONSTRUCTION OF NEW BUS SHELTERS AS PART OF THE DULUTH REGIONAL EXCHANGE DISTRICT TO INCREASE THE AMOUNT FROM \$627,444.51 TO \$723,374.54.

Attachments: [Exhibit 1](#)

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

17. [24-0586R](#) RESOLUTION APPROVING THE MODIFICATION OF THE CONDENSATE SEWER CHARGE IN RATE CALCULATION FOR DULUTH ENERGY SYSTEMS.
18. [24-0589R](#) RESOLUTION OF SUPPORT FOR THE CSAH 13 (MIDWAY ROAD) RAILROAD CROSSINGS PLANNING AND PRELIMINARY ENGINEERING PROJECT.
- Attachments: [CSAH 13 Map](#)
19. [24-0591R](#) RESOLUTION AUTHORIZING THE APPLICATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY FOR A LOAN FROM THE DRINKING WATER REVOLVING FUND FOR IMPROVEMENTS RELATED TO THE CITY'S HIGH PRIORITY LEAD SERVICE LINE REPLACEMENT PROGRAM (PFA PROJECT 1690011-17) AS DESCRIBED IN THE LOAN APPLICATION.
20. [24-0617R](#) RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR STREET AND UTILITY PURPOSES FROM THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY OVER, UNDER, AND ACROSS REAL PROPERTY IN THE LESTER PARK NEIGHBORHOOD FOR NOMINAL CONSIDERATION.
- Attachments: [Exhibit 1-Resolution](#)
21. [24-0619R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC. FOR ENGINEERING SERVICES FOR THE LEAD SERVICE REPLACEMENT PROJECT ON LONDON ROAD FOR AN AMOUNT NOT TO EXCEED \$126,834.00.
- Attachments: [LHB Cost Proposal DuluthLeadWaterServiceReplacement LondonRd 24-9956](#)
[LHB Technical Proposal DuluthLeadWaterServiceReplacement LondonRd 24](#)
22. [24-0621R](#) RESOLUTION AMENDING A CONTRACT WITH LHB, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE EKLUND AVENUE RECONSTRUCTION PROJECT, TO INCREASE THE AMOUNT BY \$236,907.00 FOR A NEW TOTAL OF \$376,997.00.

Attachments: [230610 20240725 Proposal -Eklund Final Design](#)

23. [24-0628R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT L30965 WITH KLM ENGINEERING, INC. FOR REMOTE OPERATED VEHICLE EVALUATIONS OF 14 RESERVOIRS THROUGHOUT THE CITY, INCREASING THE AGREEMENT BY \$4,500.00 FOR A NEW AMOUNT NOT TO EXCEED \$60,000.00.

Attachments: [Exhibit A](#)

BY COUNCILOR AWAL (RECREATION, LIBRARIES & AUTHORITIES)

24. [24-0592R](#) RESOLUTION APPROVING APPLICATION FOR UP TO \$665,000 TO THE GREATER MINNESOTA REGIONAL PARKS AND TRAILS COMMISSION AND MINNESOTA DEPARTMENT OF NATURAL RESOURCES TO SUPPLEMENT A PREVIOUSLY AWARDED MINNESOTA LEGACY PARKS AND TRAILS GRANT FOR the SPIRIT MOUNTAIN RECREATION AREA RENEWAL PROJECT.

25. [24-0600R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH SAS+ASSOCIATES FOR PROFESSIONAL DESIGN AND CONSTRUCTION SERVICES FOR HILLSIDE SPORT COURT PARK IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$57,660.00.

Attachments: [Exhibit A](#)

26. [24-0603R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT OF \$50,000 FROM THE MINNESOTA POLLUTION CONTROL AGENCY, LOCAL CLIMATE ACTION GRANT PROGRAM TO SUPPORT INSTALLATION OF ENERGY EFFICIENT EQUIPMENT AT CITY FACILITIES.

27. [24-0615R](#) RESOLUTION AUTHORIZING A CONTRACT WITH GEOGRAPH INDUSTRIES, INC. TO FABRICATE AND INSTALL PARK SIGNS FOR THE AMOUNT OF \$180,565.00.

END OF CONSENT AGENDA

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

BY COUNCILOR SWENSON (PUBLIC SAFETY)

28. [24-039-O](#) AN ORDINANCE REPEALING SECTION 34-14 OF CHAPTER 34 OF THE DULUTH CITY CODE RELATING TO FALSE SOLICITING.

Sponsors: Mayou and Tomanek

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS