



# 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]*

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Monday, March 27, 2023

7:00 PM

Council Chamber

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#### ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF MINUTES

1. [23-022](#) Meeting Minutes of the Duluth City Council

Attachments: [2023-03-13, Minutes](#)

#### PUBLIC HEARING - Assessment Roll for RiverWest and Sanitary Sewer Connection (3607 Piedmont Ave)

#### REPORTS FROM THE ADMINISTRATION

#### REPORTS FROM OTHER OFFICERS

2. [23-023](#) Pre-business Subsidy Report\_Wadena West

Attachments: [Pre-business Subsidy Report\\_Wadena West](#)

#### REPORTS OF BOARDS AND COMMISSIONS

3.     [23-024](#)             Duluth Parking Commission Meeting Minutes

Attachments:       [March 2023 DPC Minutes](#)

## REPORTS OF COUNCIL COMMITTEES

## REPORTS OF COUNCIL OPEN ISSUES

## OPPORTUNITY FOR CITIZENS TO BE HEARD

## CONSENT AGENDA

### BY VICE PRESIDENT RANDORF (FINANCE)

4.     [23-0195R](#)             RESOLUTION CONFIRMING ASSESSMENT ROLL FOR RIVERWEST DEVELOPMENT

Attachments:       [Exhibit A](#)

5.     [23-0198R](#)             RESOLUTION CONFIRMING ASSESSMENT ROLL FOR SANITARY SEWER CONNECTION AT 3607 PIEDMONT AVE

6.     [23-0216R](#)             RESOLUTION AUTHORIZING THE CITY TO EXPEND UP TO \$31,500 OF OPIOID SETTLEMENT FUNDS OVER SIX YEARS ON THE SAFE STORAGE PROGRAM HOUSED AT THE DAMIANO CENTER

Attachments:       [Exhibit A](#)

### BY COUNCILOR ALSTEAD (PURCHASING & LICENSING)

7.     [23-0232R](#)             RESOLUTION AUTHORIZING A RENEWAL OF CONTRACT 21565 WITH NORTHEAST SERVICE COOPERATIVE DOING BUSINESS AS MN TELECOMM FOR THE INSTALLATION, USE AND MAINTENANCE OF FIBER OPTIC CABLE CONNECTIONS BETWEEN CITY FACILITIES FOR UP TO TEN YEARS FOR AN ESTIMATED ANNUAL AMOUNT OF \$119,016.

Attachments:       [Exhibit A](#)

### BY COUNCILOR AWAL (PERSONNEL)

8.     [23-0231R](#)             RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF HEAVY EQUIPMENT MECHANIC.

Attachments:       [Exhibit A](#)

9.     [23-0233R](#)     RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF INDUSTRIAL EQUIPMENT TECHNICIAN.

Attachments:     [Exhibit A](#)

10.    [23-0234R](#)     RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF WELDER.

Attachments:     [Exhibit A](#)

11.    [23-0235R](#)     RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF SEASONAL STREETS LABORER.

Attachments:     [Exhibit A](#)

12.    [23-0236R](#)     RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF UTILITY MAINTENANCE WORKER.

Attachments:     [Exhibit A](#)

13.    [23-0237R](#)     RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF BRIDGE OPERATOR.

Attachments:     [Exhibit A](#)

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

14.    [23-0226R](#)     RESOLUTION VACATING AN EASEMENT FROM THE UNITED STATES OF AMERICA OVER A PORTION OF THE CIVIC CENTER IN DOWNTOWN DULUTH AND ACCEPTING A REPLACEMENT EASEMENT OVER THE SAME.

Attachments:     [Exhibit 1-Resolution](#)

[Exhibit 2-Resolution](#)

[Exhibit 3-Resolution](#)

[Exhibit 4-Resolution](#)

**BY PRESIDENT KENNEDY (COMMITTEE OF THE WHOLE)**

15.    [23-0214R](#)     RESOLUTION ESTABLISHING CITY OF DULUTH ELECTION PRECINCTS

Attachments:     [Attachment A](#)

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

16. [23-0194R](#) RESOLUTION AUTHORIZING A FIVE-YEAR MASTER SERVICES AGREEMENT WITH AMERICAN ENGINEERING TESTING, INC., FOR PROFESSIONAL GEOTECHNICAL AND MATERIAL TESTING SERVICES FOR AN ANNUAL ESTIMATED AMOUNT OF \$150,000 AND A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$750,000.

Attachments: [Exhibit A](#)

17. [23-0209R](#) RESOLUTION AUTHORIZING A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH GREENE ESPEL, PLLP, EXTENDING THE TERM OF THE AGREEMENT TO DECEMBER 31, 2024.

Attachments: [Exhibit A](#)

18. [23-0218R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH FRONTIER ENERGY, INC. FOR PROFESSIONAL SERVICES RELATING TO PUBLIC WORKS AND UTILITIES COMMERCIAL AND INDUSTRIAL CONSERVATION IMPROVEMENT PROGRAM FOR AN INCREASE OF \$70,000 AND A TOTAL AMOUNT NOT TO EXCEED \$145,000.

Attachments: [Exhibit A](#)

19. [23-0220R](#) RESOLUTION RESCINDING RESOLUTION 22-1004 AND WITHDRAWING THE COUNCIL'S NOTICE OF INTENT FOR RECONSTRUCTION OF FIFTH STREET ALLEY BEGINNING AT 21ST AVENUE EAST AND EXTENDING TO 22ND AVENUE EAST AND TO ASSESS THE COST THEREOF.

Attachments: [MAP](#)  
[Exhibit A](#)  
[Exhibit A \(2\)](#)

20. [23-0224R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH MSA PROFESSIONAL SERVICES, INC. FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN SERVICES FOR THE WOODLAND BOOSTER STATION IMPROVEMENTS PROJECT IN THE AMOUNT OF \$340,192.

Attachments: [MAP](#)  
[MSA Proposal](#)

21. [23-0228R](#) RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR STREET AND UTILITY PURPOSES FROM SMDC MEDICAL CENTER OVER, UNDER, AND ACROSS PORTIONS OF VACATED SIXTH AVENUE EASEMENT IN THE EAST HILLSIDE NEIGHBORHOOD FOR NOMINAL CONSIDERATION.

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

22. [23-0230R](#) RESOLUTION VACATING A PORTION OF PLATTED EVERGREEN ROAD AND THE STREET EASEMENT THAT WAS CREATED OR IMPLIED IN CITY COUNCIL RESOLUTION NO. 78-393, RECORDED AS DOCUMENT NO. 412998 IN THE OFFICE OF THE ST. LOUIS COUNTY REGISTRAR OF TITLES, BOTH AFFECTING PROPERTY IN THE PLAT OF REARRANGMENT OF OUTLOTS E AND F, GREYSOLON FARMS, FIRST DIVISION.

Attachments: [Exhibit 1-Resolution](#)  
[Exhibit 2-Staff Report](#)

23. [23-0238R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO REQUEST AND ACCEPT FROM ST. LOUIS COUNTY, ON BEHALF OF THE STATE OF MINNESOTA, CERTAIN TAX FORFEITED LANDS FOR ROAD AND UTILITY PURPOSES.

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

24. [23-0239R](#) RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF SANDING BODY EQUIPMENT FROM BERT'S TRUCK EQUIPMENT OF MOORHEAD, INC IN THE AMOUNT OF \$161,361.00.

#### **BY COUNCILOR TOMANEK (PUBLIC SAFETY)**

25. [23-0212R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A \$71,754 GRANT AWARD FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY, HIGH INTENSITY DRUG TRAFFICKING AREAS (HIDTA) PROGRAM, TO BE USED FOR EXPENSES INCURRED DURING PARTICIPATION IN THE LAKE SUPERIOR DRUG CORRIDOR INITIATIVE.

Attachments: [Document A - Award Agreement](#)

26. [23-0217R](#) RESOLUTION AUTHORIZING AGREEMENT WITH ST. LOUIS COUNTY TO PERFORM POLICE SERVICES PURSUANT TO 2021 OPERATION STONEGARDEN GRANT OPERATIONS ORDER AND ACCEPTING REIMBURSEMENT THROUGH ST. LOUIS COUNTY IN THE AMOUNT OF \$52,093.

Attachments: [Exhibit A - Cover Sheet \(nonpublic data\)](#)  
[Exhibit B - Partner Agreement](#)

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

27. [23-0215R](#) RESOLUTION AUTHORIZING THE FIRST AMENDMENT TO AGREEMENT C24400 WITH THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES LAKE SUPERIOR COASTAL PROGRAM GRANT FOR THE REPLACEMENT OF A BEACH DUNE-CROSSING BOARDWALK NEAR THE LAFAYETTE COMMUNITY CENTER

Attachments: [Exhibit A](#)

28. [23-0225R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH J & M DISPLAYS INC. FOR THE CREATION AND EXECUTION OF A FIREWORKS DISPLAY FOR JULY 4, 2023 FOR A TOTAL NOT TO EXCEED \$60,000.

Attachments: [Exhibit A](#)

29. [23-0227R](#) RESOLUTION AUTHORIZING APPLICATION TO THE U.S. FOREST SERVICE COMMUNITY FOREST AND OPEN SPACE CONSERVATION GRANT PROGRAM FOR UP TO \$250,000 TO ACQUIRE 15 ACRES FROM THE DULUTH CEMETERY ASSOCIATION FOR RECREATION AND PRESERVATION.

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

**END OF CONSENT AGENDA**

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

**BY VICE PRESIDENT RANDORF (FINANCE)**

30. [23-009-O](#) AN ORDINANCE AMENDING DULUTH CITY CODE SECTION 41-24 MODIFYING COUNCIL APPROVAL REQUIREMENTS FOR DEPARTMENT HEAD PURCHASES AND AWARDED CONTRACTS.

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

31. [23-011-O](#) AN ORDINANCE AMENDING THE R-P DISTRICT REGULATING PLAN FOR RAMSEY VILLAGE TO DESIGNATE LAND NEAR 52ND AVENUE WEST AND ELINOR STREET TO BE TYPE VIII (MIXED USE COMMERCIAL AND RESIDENTIAL BUILDING), TO DESIGNATE PARTS OF LOTS 12-18, BLOCK 168, WEST DULUTH SEVENTH DIVISION, TO BE TYPE VIII BUILDING, AND TO ADD TYPE VIII BUILDING TO EXISTING TYPE VI BUILDING ON LOTS 24-28, BLOCK 169, WEST DULUTH SEVENTH DIVISION.

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

32. [23-012-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY 660 ACRES FROM MU-N TO AP (AIRPORT DISTRICT) AND TO RECLASSIFY 110 ACRES FROM MU-B TO AP ON LAND CURRENTLY USED FOR AIRPORT OPERATIONS AT DULUTH INTERNATIONAL AIRPORT.

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

33. [23-013-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY ONE HALF BLOCK SOUTH OF W 1ST STREET, BETWEEN 19TH AVENUE W AND 20TH AVENUE W, FROM MIXED USE-BUSINESS (MU-B) TO FORM DISTRICT 5 (F-5).

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

#### **BY PRESIDENT KENNEDY (COMMITTEE OF THE WHOLE)**

34. [23-010-O](#) AN ORDINANCE AMENDING SECTION 2-42 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO ASSIGNMENT OF ELECTION PRECINCTS.

#### **COUNCILOR QUESTIONS AND COMMENTS**

#### **COUNCILOR PREVIEW OF UPCOMING BUSINESS**