



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, May 23, 2022

7:00 PM

Council Chamber

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [22-041](#) Meeting Minutes of the Duluth City Council

Attachments: [2022-05-09, Minutes](#)

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [22-042](#) Commission on Disabilities Meeting Minutes

Attachments: [April 2022 - COD Minutes](#)

3. [22-043](#) Planning Commission Meeting Minutes

Attachments: [February 2022 - Planning Commission Minutes](#)
[March 2022 - Planning Commission Minutes](#)
[April 2022 - Planning Commission Minutes](#)

REPORTS OF COUNCIL COMMITTEES**REPORTS OF COUNCIL OPEN ISSUES****OPPORTUNITY FOR CITIZENS TO BE HEARD****CONSENT AGENDA****BY VICE PRESIDENT KENNEDY (FINANCE)**

4. [22-0416R](#) RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT 24227 WITH GDC FOR A SOCIAL SERVICES OUTREACH PROFESSIONAL.

Attachments: [Exhibit A](#)

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

5. [22-0412R](#) RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO VARIOUS LICENSEES.

Attachments: [Attachment A](#)

6. [22-0413R](#) RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF VARIOUS LICENSEES.

Attachments: [Attachment A](#)

7. [22-0414R](#) RESOLUTION APPROVING THE PERMANENT EXPANSION OF THE ON SALE LIQUOR LICENSE OF VARIOUS LICENSEES.

Attachments: [Attachment A](#)

8. [22-0415R](#) RESOLUTION APPROVING THE ISSUANCE OF AN ON SALE INTOXICATING LIQUOR LICENSE AND ON SALE SUNDAY LICENSE TO UP NORTH TAPS, LLC. (7 WEST TAPHOUSE), 7 WEST SUPERIOR STREET

Attachments: [Attachment A](#)

9. [22-0435R](#) RESOLUTION AUTHORIZING THE PURCHASE OF AIR HANDLING UNITS, FLUID COOLER & AIR-COOLED HEAT PUMP EQUIPMENT AS PART OF THE CITY HALL MECHANICAL ELECTRICAL PLUMBING RENEWAL PROJECT FROM SVL, INC. IN THE AMOUNT OF \$312,075.

10. [22-0436R](#) RESOLUTION AUTHORIZING THE PURCHASE OF VARIABLE REFRIGERANT FLOW EQUIPMENT AS PART OF THE CITY HALL MECHANICAL, ELECTRICAL, AND PLUMBING RENEWAL PROJECT FROM TRANE TECHNOLOGIES COMPANY, LLC IN THE AMOUNT OF \$424,950.00.

BY COUNCILOR VAN NETT (PERSONNEL)

11. [22-0417R](#) RESOLUTION CLARIFYING DULUTH RESIDENCY REQUIREMENTS FOR CITY COUNCIL CONFIRMATIONS OF MAYORAL APPOINTMENTS TO THE DULUTH AIRPORT AUTHORITY BOARD OF DIRECTORS.

Attachments: [April 12, 2022 DAA Resolution Seeking Exception to Duluth City Council Resolu](#)
[01-0324R Resolution Declaring Council's Policy on Residency of Members of th](#)

12. [22-0437R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF DATA RELEASE COORDINATOR.

Attachments: [Exhibit A](#)

13. [22-0444R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF STREET MAINTENANCE LEADWORKER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Exhibit A](#)

14. [22-0445R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF MASTER ELECTRICIAN - PROPERTY & FACILITIES, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Exhibit A](#)

15. [22-0446R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF PARK MAINTENANCE WORKER.

Attachments: [Exhibit A](#)

16. [22-0447R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF LIBRARY SAFETY SPECIALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Attachments: [Exhibit A](#)

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

17. [22-0410R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH J & M DISPLAYS INC. FOR THE CREATION AND EXECUTION OF A FIREWORKS DISPLAY FOR JULY 4, 2022 FOR A TOTAL NOT TO EXCEED \$60,000.

Attachments: [Exhibit A](#)

18. [22-0419R](#) RESOLUTION AUTHORIZING TERMINATION AGREEMENT WITH NEW BURNHAM, LLC AND TRANSFER OF UP TO \$1,164,240 TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR ASSISTANCE

TO AFFORDABLE HOUSING PROJECTS.

Attachments: [Exhibit A Termination Agreement](#)
 [Exhibit B New Burnham DA](#)
 [Exhibit C Merge Urbane Duluth DA](#)

19. [22-0421R](#) RESOLUTION VACATING A 16 FOOT WIDE ALLEY BETWEEN BLOCK 11 AND BLOCK 6 OF THE RECORDED PLAT OF DODGES ADDITION TO DULUTH.

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

20. [22-0426R](#) RESOLUTION AUTHORIZING REPROGRAMMING OF \$47,541.91 OF HOME FUNDS (\$44,717.83 FROM 2017 HOME PROGRAM YEAR AND \$2,824.08 FROM 2018 HOME PROGRAM) FOR THE 2021 COMMUNITY LAND TRUST ACQUISITION AND REHAB PROGRAM OPERATED BY ONE ROOF COMMUNITY HOUSING.

21. [22-0427R](#) RESOLUTION AUTHORIZING REPROGRAMMING OF \$122,854.19 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (\$83,118.19 FROM 2019 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR AND \$39,736 FROM 2018 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM) FOR THE 2021 ACQUISITION DEMOLITION PROGRAM AND AMENDING THE 2019, 2020, and 2021 ACTION PLANS.

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

22. [22-0420R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE DESIGN SERVICES FOR THE RALEIGH STREET RECONSTRUCTION PROJECT IN THE AMOUNT OF \$110,759.00.

Attachments: [22-0420R Map](#)

23. [22-0424R](#) 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 TRUNK HIGHWAY 535 FROM 0.7 MILES SOUTH OF TRUNK HIGHWAY 35 TO 0.5 MILES NORTH OF MINNESOTA STATE LINE WITHIN THE CORPORATE CITY LIMITS UNDER STATE PROJECT NO. 6980-62, MNDOT CONTRACT NO. 1049671.

Attachments: [22-0424R Exhibit A & Map](#)

24. [22-0425R](#) RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF DULUTH AND THE MINNESOTA DEPARTMENT OF TRANSPORTATION FOR OWNERSHIP AND MAINTENANCE

RESPONSIBILITY OF ROADWAY, SIDEWALK, STORM SEWER AND LIGHTING ADJACENT TO TRUNK HIGHWAY 53 FROM WEST MICHIGAN STREET TO 100 FEET SOUTH OF WEST FOURTH STREET WITHIN THE CORPORATE CITY LIMITS UNDER STATE PROJECT NO. 6915-138, MNDOT CONTRACT NO. 1049670.

Attachments: [22-0425R Exhibit A & Map](#)

25. [22-0431R](#) RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR STREET AND UTILITY PURPOSES FROM VONCO V DULUTH, LLC OVER, UNDER, AND ACROSS REAL PROPERTY IN THE GARY-NEW DULUTH NEIGHBORHOOD FOR NOMINAL CONSIDERATION.

Attachments: [Exhibit 1.pdf](#)
[Exhibit 2.pdf](#)

26. [22-0441R](#) RESOLUTION AWARDED A CONTRACT TO PEC SOLUTIONS LLC DBA PARSONS ELECTRIC FOR THE LIFT STATION 17 IMPROVEMENTS PROJECT IN THE AMOUNT OF \$183,450.00.

Attachments: [22-0441R Map](#)

27. [22-0442R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH MINNESOTA POWER FOR JOINT CONSTRUCTION OF UTILITIES IN MICHIGAN STREET.

Attachments: [22-0442 Map](#)

28. [22-0443R](#) RESOLUTION AWARDED A CONTRACT TO NORTHLAND CONSTRUCTORS OF DULUTH INC., FOR THE CONSTRUCTION OF THE MICHIGAN STREET UTILITY RECONSTRUCTION PROJECT FOR WATER, GAS, AND ELECTRICAL DUCT UTILITIES IN THE AMOUNT OF \$2,489,700.00.

Attachments: [22-0443 Map](#)

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

29. [22-0409R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A \$100,000 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 - Grant Agreement](#)

BY COUNCILOR TOMANEK (RECREATION, LIBRARIES & AUTHORITIES)

30. [22-0408R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A CONSERVATION PARTNERS LEGACY METRO PROGRAM GRANT FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN AN

AMOUNT NOT TO EXCEED \$400,000 FOR THE ACQUISITION OF 83 ACRES OF LAND FROM THE DULUTH CEMETERY ASSOCIATION FOR RECREATION AND PRESERVATION.

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

31. [22-0428R](#) RESOLUTION AUTHORIZING APPLICATION TO THE LESSARD-SAMS OUTDOOR HERITAGE COUNCIL OUTDOOR HERITAGE FUND FOR A GRANT OF UP TO \$800,000 TO RESTORE THE STREAM CHANNEL AND AQUATIC AND RIPARIAN HABITAT OF BUCKINGHAM CREEK.

32. [22-0429R](#) RESOLUTION AUTHORIZING APPLICATION TO THE LEGISLATIVE CITIZENS COMMISSION ON MINNESOTA RESOURCES (LCCMR) FOR UP TO \$2,750,000 FROM THE ENVIRONMENTAL AND NATURAL RESOURCES TRUST FUND TO PROVIDE IMPROVED RECREATIONAL ACCESS TO THE RESTORED ST LOUIS RIVER ESTUARY

33. [22-0430R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30530 WITH DESIGN WORKSHOP, INC. FOR DULUTH PARKS, RECREATION, OPEN SPACE, AND TRAILS MASTER PLANNING SERVICES FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$10,000, FOR A NEW TOTAL AMOUNT NOT TO EXCEED \$213,275, AND EXTENDING THE COMPLETION DATE TO OCTOBER 30, 2022

Attachments: [Exhibit A](#)

34. [22-0432R](#) RESOLUTION AUTHORIZING A TWENTY-YEAR AGREEMENT WITH ST. LOUIS AND LAKE COUNTIES REGIONAL RAILROAD AUTHORITY FOR THE CONSTRUCTION, MAINTENANCE, INSPECTION, REPAIR, REPLACEMENT, AND USE OF THE PORTION OF THE LAKEWALK LOCATED APPROXIMATELY BETWEEN 2ND AND 20TH AVENUES EAST, AT NO COST TO THE CITY.

Attachments: [Exhibit A.pdf](#)

35. [22-0440R](#) RESOLUTION AUTHORIZING A CONTRACT FOR SERVICES WITH THE DULUTH AREA FAMILY YMCA FOR AN AMOUNT NOT TO EXCEED \$52,500 FOR LIFEGUARDING SERVICES PROVIDED AT THE CITY'S PARK POINT BEACH HOUSE AND RECREATION AREA DURING THE 2022 OPERATING SEASON.

Attachments: [Exhibit A](#)

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

36. [22-0423R](#) RESOLUTION ESTABLISHING AN ORDINANCE REVIEW AND MODERNIZATION TASK FORCE.

Sponsors: Hobbs

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

37. [22-0433R](#) RESOLUTION AFFIRMING THE PLANNING COMMISSION'S DECISION TO APPROVE AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 120 ASPEN LANE.

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

38. [22-0434R](#) RESOLUTION REVERSING THE PLANNING COMMISSION'S DECISION TO APPROVE AN INTERIM USE PERMIT FOR A VACATION DWELLING UNIT AT 120 ASPEN LANE.

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

BY COUNCILOR TOMANEK (RECREATION, LIBRARIES & AUTHORITIES)

39. [22-0439R](#) RESOLUTION APPROVING THE ARROWHEAD ZOOLOGICAL SOCIETY'S LAKE SUPERIOR ZOO MASTER PLAN

Attachments: [Exhibit A](#)

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

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

40. [22-022-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY 1.1 ACRES FROM RESIDENTIAL-TRADITIONAL (R-1) TO RESIDENTIAL-URBAN (R-2) AND TO RECLASSIFY 0.7 ACRES FROM R-2 TO R-1 SEVERAL AREAS NEAR THE SOUTHWEST CORNER OF PALM STREET AND BLACKMAN AVENUE.

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

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

41. [22-021-O](#) AN ORDINANCE AMENDING SECTION 43-67.1 OF THE DULUTH CITY CODE, 1959, AS AMENDED, MODIFYING CREDITS AVAILABLE UNDER THE STORMWATER UTILITY.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS