



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, September 26, 2022

7:00 PM

Council Chamber

ROLL CALL

Present: 9 - Councilor Hannah Alstead, Councilor Gary Anderson, Councilor Azrin Awal, Councilor Noah Hobbs, Councilor Mike Mayou, Councilor Roz Randorf, Councilor Terese Tomanek, Vice President Janet Kennedy and President Arik Forsman

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [22-066](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2022-09-12, Minutes](#)

These Minutes were approved

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [22-063](#) Business Subsidy Agreement Pre - Approval Report: The Residence Housing Project.

Indexes:**Attachments:** [Business Subsidy Pre-approval report](#)

This Board or Commission Report was received.

3. [22-064](#) Planning Commission Meeting Minutes

Indexes:**Attachments:** [August 2022 Minutes](#)

This Board or Commission Report was received.

4. [22-065](#) Heritage Preservation Commission Meeting Minutes

Indexes:**Attachments:** [August 2022 Minutes](#)

This Board or Commission Report was received.

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

5. [22-0754R](#) RESOLUTION PROPOSING THE SUM TO BE RAISED BY TAXATION FOR GENERAL PURPOSES FOR THE YEAR 2023.

A motion was made to remove this resolution from the table. The motion passed unanimously.

A motion was made to adopt this resolution. The motion passed unanimously.

This Resolution was adopted unanimously.

CONSENT AGENDA**BY VICE PRESIDENT KENNEDY (FINANCE)**

6. [22-0756R](#) RESOLUTION PROPOSING THE SUM TO BE RAISED BY TAXATION FOR THE SPECIAL TAXING DISTRICT, DULUTH TRANSIT AUTHORITY, FOR THE YEAR 2023.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

7. [22-0783R](#) RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DULUTH AND THE CITY OF DULUTH SUPERVISORY ASSOCIATION FOR THE YEARS 2022-2024.

Indexes:

Attachments: [Exhibit A](#)

[Final CDSA 2022-2024 CBA - Redline version.pdf](#)

This Resolution was adopted unanimously.

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

9. [22-0762R](#) RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO VARIOUS LICENSEES.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

10. [22-0763R](#) RESOLUTION APPROVING ISSUANCE OF AN ON SALE WINE LICENSE AND ON SALE 3.2 PERCENT MALT LIQUOR LICENSE TO VITTA PIZZA, INC.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

11. [22-0764R](#) RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE OF VARIOUS LICENSEES.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

12. [22-0769R](#) RESOLUTION AUTHORIZING THE SOLE SOURCE PURCHASE OF FIVE 2023 CHEVY EXPRESS VANS FROM NORTH COUNTRY GM IN THE AMOUNT OF \$165,219.15.

This Resolution was adopted unanimously.

BY COUNCILOR ALSTEAD (PERSONNEL)

13. [22-0788R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF SENIOR PROPERTY SERVICES SPECIALIST, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

14. [22-0789R](#) 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.

15. [22-0790R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF CONSTRUCTION INSPECTOR.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

16. [22-0791R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF ELECTRICAL INSPECTOR.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

17. [22-0792R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF HVAC&R INSPECTOR.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

18. [22-0793R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF PLUMBING INSPECTOR.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

19. [22-0794R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF PARK MAINTENANCE LEADWORKER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

20. [22-0795R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF LEXY REDENBAUGH TO THE HEADING HOME ST LOUIS COUNTY ADVISORY BOARD.

This Resolution was adopted unanimously.

21. [22-0796R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF LORI DANDO TO THE NATURAL RESOURCES COMMISSION.

This Resolution was adopted unanimously.

22. [22-0797R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF BROOK WRIGHT TO THE COMMISSION ON DISABILITIES.

This Resolution was adopted unanimously.

23. [22-0807R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF TECHNICAL SERVICES COORDINATOR, INCLUDING A TITLE CHANGE TO ASSISTANT CHIEF OF SPECIAL OPERATIONS, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

24. [22-0808R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION POLICE RECORDS & TECHNOLOGY MANAGER, INCLUDING A TITLE CHANGE TO POLICE, INTELLIGENCE & RECORDS MANAGER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

25. [22-0779R](#) RESOLUTION AMENDING THE 2021 ANNUAL ACTION PLAN TO INCLUDE \$1,986,658 OF NEW HOME-ARP FUNDS FROM THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND ADOPTING THE HOME-ARP ALLOCATION PLAN AS A SUBSTANTIAL AMENDMENT TO THE 2021 ANNUAL ACTION PLAN.

Indexes:

Attachments: [Attachment 1](#)

This Resolution was adopted unanimously.
Councilor Hobbs abstains due to employer conflict

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

26. [22-0767R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH ST. LOUIS COUNTY FOR THE 2023 CHIP SEAL PROJECT AT VARIOUS LOCATIONS IN THE CITY OF DULUTH.

Indexes:

Attachments: [22-0767R Exhibit A](#)

This Resolution was adopted unanimously.

27. [22-0771R](#) RESOLUTION AUTHORIZING AN INCREASE TO A MASTER SERVICES AGREEMENT WITH EPC ENGINEERING & TESTING IN THE AMOUNT OF \$45,000 FOR GEOTECHNICAL AND MATERIALS TESTING SERVICES, FOR A NEW TOTAL AMOUNT NOT TO EXCEED \$545,000.

This Resolution was adopted unanimously.

28. [22-0773R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH TKDA FOR ENGINEERING SERVICES FOR THE DEVONSHIRE STREET RECONSTRUCTION, FROM ATLANTIC AVE WESTERLY, AND LINCOLN PARK SAFE ROUTES TO SCHOOL IMPROVEMENTS PROJECT FOR AN AMOUNT NOT TO EXCEED \$55,700.

Indexes:

Attachments: [22-0773R Map](#)

This Resolution was adopted unanimously.

29. [22-0774R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC. FOR ENGINEERING SERVICES FOR THE FIRST AVENUE EAST RECONSTRUCTION PROJECT, FROM SUPERIOR STREET TO THIRD STREET, FOR AN AMOUNT NOT TO EXCEED \$719,030.

Indexes:

Attachments: [22-0774R Map](#)

This Resolution was adopted unanimously.

30. [22-0775R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH NORTHLAND CONSULTING ENGINEERS, LLP FOR ENGINEERING SERVICES FOR THE CHESTER PARK DRIVE ALLEY RECONSTRUCTION PROJECT, FROM 17TH AVENUE EAST TO 18TH AVENUE EAST, FOR AN AMOUNT NOT TO EXCEED \$65,740.

Indexes:

Attachments: [22-0775R Map](#)

This Resolution was adopted unanimously.

31. [22-0780R](#) RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR UTILITY PURPOSES FROM THE DALE MAYNARD JOHNSON TRUST UNDER AGREEMENT DATED SEPTEMBER 18, 2003 OVER, UNDER, AND ACROSS REAL PROPERTY IN THE NORTON PARK NEIGHBORHOOD FOR NOMINAL CONSIDERATION.

Indexes:

Attachments: [Exhibit 1-Resolution re Utility Easement.pdf](#)

This Resolution was adopted unanimously.

32. [22-0781R](#) RESOLUTION ACCEPTING A PERMANENT EASEMENT FOR UTILITY PURPOSES FROM THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY OVER, UNDER, AND ACROSS REAL PROPERTY IN THE LINCOLN PARK NEIGHBORHOOD FOR NOMINAL CONSIDERATION.

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

This Resolution was adopted unanimously.

33. [22-0785R](#) RESOLUTION AUTHORIZING EXECUTION OF GREAT LAKES COMMISSION GRANT AGREEMENT IN THE AMOUNT OF \$121,000 FOR THE IRVING PARK BIOFILTER BASIN PROJECT.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

34. [22-0787R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30472 WITH SHORT ELLIOTT HENDRICKSON, INC. FOR ADDITIONAL PROFESSIONAL SERVICES FOR A STORMWATER EQUIVALENT RESIDENTIAL UNIT VALUE DETERMINATION STUDY FOR AN INCREASE OF \$10,000 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$45,200.

This Resolution was adopted unanimously.

35. [22-0805R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH LHB, INC. FOR ENGINEERING DESIGN SERVICES FOR THE BRIGHTON BEACH ROAD RECONSTRUCTION PROJECT, FOR AN AMOUNT NOT TO EXCEED \$75,600.

Indexes:Attachments: [22-0805R Map](#)[22-0805R Proposal](#)

This Resolution was adopted unanimously.

BY COUNCILOR TOMANEK (RECREATION, LIBRARIES & AUTHORITIES)

36. [22-0770R](#) RESOLUTION AUTHORIZING APPROVAL AND IMPLEMENTATION OF THE GOOSE MANAGEMENT PLAN FOR THE CITY OF DULUTH

This Resolution was adopted unanimously.

37. [22-0772R](#) RESOLUTION AUTHORIZING A COOPERATIVE AGREEMENT WITH THE US DEPARTMENT OF THE INTERIOR NATIONAL PARKS SERVICE TO INCLUDE AN INITIAL FINANCIAL CONTRIBUTION OF

\$35,000 FOR THE CONTINUED DESIGN AND DEVELOPMENT OF
WAABIZHESHKANA: THE MARTEN TRAIL AND THE ST. LOUIS RIVER
ESTUARY NATIONAL WATER TRAIL

Indexes:

Attachments: [P22AC02076 GLRI-Implem of Munger Landing Project-Cooperative
Agreement-FINAL-9.14.2022](#)

This Resolution was adopted unanimously.

38. [22-0778R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A MINNESOTA
DEPARTMENT OF NATURAL RESOURCES LAKE SUPERIOR
COASTAL PROGRAM GRANT IN AN AMOUNT NOT TO EXCEED
\$100,000 FOR FUNDS TO REPLACE BEACH DUNE-CROSSING
BOARDWALKS ON MINNESOTA POINT.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

39. [22-0782R](#) RESOLUTION AUTHORIZING APPLICATION FOR AND ACCEPTANCE
OF A GENERAL BOND OBLIGATION GRANT FOR EXPENSES
DIRECTLY RELATED TO PREDESIGN AND DESIGN SERVICES FOR
THE RENOVATION OR REPLACEMENT OF THE MAIN BUILDING AT
THE LAKE SUPERIOR ZOO IN THE AMOUNT OF \$204,000.

Indexes:

Attachments: [LSZ General Bond application](#)

This Resolution was adopted unanimously.

The following entitled resolutions are also to be considered:

END OF CONSENT AGENDA

BY VICE PRESIDENT KENNEDY (FINANCE)

40. [22-0786R](#) RESOLUTION DISTRIBUTING THE ESTIMATED 2023 HOTEL-MOTEL
AND FOOD AND BEVERAGE TOURISM TAXES.

Indexes:

Attachments: [Exhibit A](#)
[Motion to Amend: Alstead - Tabled on 9.26.22](#)

This Resolution was tabled.
Councilor Hobbs and Councilor Mayou abstain due to employer conflict.

8. [22-0802R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF MICHAEL CEYNOWA AS POLICE CHIEF FOR THE CITY OF DULUTH AND AUTHORIZING AN EMPLOYMENT CONTRACT FOR THE YEARS 2022-2025.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

41. [22-0801R](#) RESOLUTION RESCINDING AND REPLACING RESOLUTION 22-0713R AUTHORIZING PROPER CITY OFFICIALS TO EXECUTE A ONE-YEAR AGREEMENT WITH THE INDEPENDENT SCHOOL DISTRICT NO. 709 FOR THE DULUTH POLICE DEPARTMENT TO PROVIDE FOUR SCHOOL RESOURCE OFFICERS IN THE PUBLIC SCHOOLS FOR A TOTAL OF \$296,390 FOR THE 2022-2023 SCHOOL YEAR.

Indexes:

Attachments: [Document A](#)

A motion was made to table this Resolution. The motion failed.

A motion was made to adopt this Resolution. The motion was approved.

This Resolution was adopted unanimously.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS