



# 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]*

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Monday, February 13, 2023

7:00 PM

Council Chamber

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### ROLL CALL

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

### PLEDGE OF ALLEGIANCE

### APPROVAL OF MINUTES

1. [23-014](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2023-01-23, Minutes](#)

These Minutes were approved.

### PUBLIC HEARING - 23-0002R Confirming Assessment Roll for Decker Rd Construction

### REPORTS FROM THE ADMINISTRATION

### REPORTS FROM OTHER OFFICERS

### REPORTS OF BOARDS AND COMMISSIONS

2. [23-015](#) Duluth Public Utilities Commission Meeting Minutes

Indexes:

Attachments: [November 2022 - DPUC Minutes](#)

This Board or Commission Report was received.

3. [23-016](#) Library Board Meeting Minutes

Indexes:

Attachments: [December 2022 - Library Board Minutes](#)

This Board or Commission Report was received.

4. [23-017](#) Housing and Redevelopment Authority of Duluth Meeting Minutes

Indexes:

Attachments: [November 2022 - HRA Minutes](#)

This Board or Commission Report was received.

## REPORTS OF COUNCIL COMMITTEES

## REPORTS OF COUNCIL OPEN ISSUES

## OPPORTUNITY FOR CITIZENS TO BE HEARD

## CONSENT AGENDA

### BY VICE PRESIDENT RANDORF (FINANCE)

5. [23-0002R](#) RESOLUTION CONFIRMING ASSESSMENT ROLL FOR DECKER RD RECONSTRUCTION

Indexes:

Attachments: [23-0002R Exhibit A](#)

This Resolution was adopted unanimously.

### BY COUNCILOR ALSTEAD (PURCHASING & LICENSING)

6. [23-0129R](#) RESOLUTION AUTHORIZING THE PURCHASE OF CONTINUED ANNUAL SOFTWARE MAINTENANCE, SUPPORT SERVICES AND USER LICENSING FOR THE ENTERPRISE LEVEL LASERFICHE DOCUMENT MANAGEMENT SYSTEM FROM CITIES DIGITAL INC. FOR

AN ESTIMATED ANNUAL AMOUNT OF \$55,000.

This Resolution was adopted unanimously.

7. [23-0132R](#) RESOLUTION APPROVING ISSUANCE OF A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE TO VARIOUS LICENSEES.

Indexes:

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

This Resolution was adopted unanimously.

**BY COUNCILOR AWAL (PERSONNEL)**

8. [23-0123R](#) RESOLUTION CONFIRMING APPOINTMENTS TO CITY OF DULUTH BOARDS AND COMMISSIONS.

This Resolution was adopted unanimously.

9. [23-0127R](#) RESOLUTION AUTHORIZING THE CITY COUNCIL TO APPROVE A PAY EQUITY IMPLEMENTATION REPORT.

Indexes:

Attachments: [Exhibit A.pdf](#)

This Resolution was adopted unanimously.

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

10. [23-0103R](#) RESOLUTION APPROVING DEDA RESOLUTION 23D-06 AUTHORIZING AN AGREEMENT WITH EHLERS AND ASSOCIATES, INC. FOR 2023-2025 FINANCIAL CONSULTING IN A YEARLY AMOUNT OF \$75,000.

Indexes:

Attachments: [23D-06-EXHIBIT A - DEDA Agreement for ED Services with Exhibit](#)

This Resolution was adopted unanimously.

11. [23-0104R](#) RESOLUTION APPROVING A TEN-YEAR DEVELOPMENT AGREEMENT BETWEEN THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY AND PLOVER PLACE, LLC FOR CONSTRUCTION OF THE NEW MODEL OF HOUSING FOR HOMELESS AT A TOTAL COST NOT

TO EXCEED \$1,600,000.

**Indexes:**

**Attachments:** [EXHIBIT A - Final DA Plover Place One Roof](#)  
[Exhibit B Location Map](#)

This Resolution was adopted unanimously.  
Abstains: Councilor Hobbs, stating employer conflict

12. [23-0105R](#) RESOLUTION AUTHORIZING DEVELOPMENT AGREEMENT WITH HARBORVIEW PHASE V, LLC AND TRANSFER OF UP TO \$300,000 TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR ASSISTANCE TO THE AFFORDABLE SKYRIDGE FLATS PROJECT.

**Indexes:**

**Attachments:** [EXHIBIT A - Skyridge Flats ARPA DA Final](#)  
[EXHIBIT B - Location Map](#)

This Resolution was adopted unanimously.

13. [23-0115R](#) RESOLUTION APPROVING THE DULUTH PRODUCTION INCENTIVE PROGRAM TO INCENTIVIZE VISUAL MEDIA PRODUCTION IN DULUTH, ESTABLISHING PROGRAM GUIDELINES FOR THE PROGRAM AND AUTHORIZING AGREEMENT WITH UPPER MIDWEST FILM OFFICE FOR PROGRAM ADMINISTRATIVE SERVICES.

**Indexes:**

**Attachments:** [23D-04-Duluth Production Incentive Program Guidelines](#)  
[22 860 103 PSA with UMFO](#)

This Resolution was adopted unanimously.

14. [23-0126R](#) RESOLUTION VACATING ALL OF PLATTED 5TH AVENUE WEST (KNOWN AS 60TH AVENUE WEST) EXCEPT THE NORTH 30 FEET.

**Indexes:**

**Attachments:** [Exhibit 1](#)  
[Exhibit 2](#)

This Resolution was adopted unanimously.

15. [23-0131R](#) RESOLUTION APPROVING AGREEMENT WITH THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY FOR SUBGRANT TO ALHAMBRA THEATRE IN THE AMOUNT OF \$150,000

**Indexes:**

**Attachments:** [23D-11-1200 Fund Agreement with DEDA](#)

This Resolution was adopted unanimously.

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

16. [23-0101R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO CONTRACT L 30048 WITH BUSINESS COMMUNICATION SOLUTIONS FOR MAILING SERVICES AND POSTAGE FOR AN ADDITIONAL YEAR OF SERVICE IN THE AMOUNT OF \$198,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

17. [23-0113R](#) RESOLUTION AUTHORIZING A SNOW REMOVAL AGREEMENT WITH BIRCHWOOD APARTMENTS OF DULUTH DEVELOPER LLC, AND CCHC MENTAL HEALTH LLC.

Indexes:

Attachments: [Attachment 1](#)

This Resolution was adopted unanimously.

18. [23-0114R](#) RESOLUTION ACCEPTING AND EXERCISING STREET EASEMENTS FROM THE BIRCHWOOD APARTMENTS OF DULUTH DEVELOPER, LLC, and CCHC MENTAL HEALTH, LLC.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

19. [23-0116R](#) RESOLUTION AUTHORIZING A FIVE-YEAR MASTER SERVICES AGREEMENT WITH SRF CONSULTING GROUP, INC., FOR PROFESSIONAL TRAFFIC ENGINEERING SERVICES FOR AN ESTIMATED ANNUAL AMOUNT OF \$50,000 AND A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$250,000.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

20. [23-0117R](#) RESOLUTION AUTHORIZING A FIVE-YEAR MASTER SERVICES AGREEMENT WITH TKDA FOR PROFESSIONAL SURVEY AND FIELD DATA COLLECTION SERVICES FOR AN ESTIMATED ANNUAL AMOUNT OF \$50,000 AND A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$250,000.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

21. [23-0122R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH BARR ENGINEERING CO. FOR ENGINEERING SERVICES FOR THE IRVING PARK BIO-FILTRATION BASIN PROJECT IN IRVING PARK, DULUTH IN THE AMOUNT OF \$94,335.

Indexes:Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

22. [23-0125R](#) RESOLUTION AUTHORIZING APPLICATION FOR AND, IF OFFERED, ACCEPTANCE OF A GRANT FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION'S REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) FOR IMPROVEMENTS TO THE AERIAL LIFT BRIDGE.

This Resolution was adopted unanimously.

**BY COUNCILOR TOMANEK (PUBLIC SAFETY)**

23. [23-0049R](#) RESOLUTION AUTHORIZING THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS FROM CLAREY'S SAFETY EQUIPMENT IN THE AMOUNT OF \$321,043.04

Indexes:

Attachments: [23-0049R Attachment - 20-0875R Certified Res - JPA](#)  
[23-0049R Attachment - 20-0875R Execution Page from COD JPA](#)  
[23-0049R Attachment - 20-0875R Exhibit A](#)

This Resolution was adopted unanimously.

24. [23-0099R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A GRANT FROM AND EXECUTE A GRANT AGREEMENT WITH THE STATE OF MINNESOTA IN THE AMOUNT OF \$380,488 FOR THREE FLIR GRIFFIN GAS CHROMATOGRAPH MASS SPECTROMETERS, AND TO PURCHASE SAME EQUIPMENT FROM ULTIMATE SAFETY CONCEPTS IN THE AMOUNT OF \$380,448, TO BE REIMBURSED BY THE STATE.

Indexes:

Attachments: [23-0099R Attachment - Exhibit A](#)  
[23-0099R Attachment - Exhibit B](#)

This Resolution was adopted unanimously.

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

25. [23-0100R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE LIBRARY FOUNDATION TO UTILIZE OFFICE SPACE AND TELECOMMUNICATION SERVICES AT THE CITY'S MAIN LIBRARY.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

26. [23-0124R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DULUTH ENTERTAINMENT CONVENTION CENTER AUTHORITY TO PRODUCE, PROMOTE, COORDINATE, AND MANAGE EVENTS AT BAYFRONT FESTIVAL PARK IN 2023 FOR \$71,292.

Indexes:

Attachments: [Exhibit 1](#)

This Resolution was adopted unanimously.

**END OF CONSENT AGENDA**

*The following entitled resolutions are also to be considered:*

**BY COUNCILOR TOMANEK (PUBLIC SAFETY)**

28. [23-0106R](#) RESOLUTION AUTHORIZING THE SOLE SOURCE PURCHASE OF AN ACCESS CONTROL SYSTEM FOR THE TECHNOLOGY VILLAGE RAMP FROM INTERSTATE DEVELOPMENT PARTNERS LLC IN THE AMOUNT OF \$165,000.00.

This Resolution was adopted unanimously.

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

27. [23-0130R](#) RESOLUTION AUTHORIZING APPROVAL AND IMPLEMENTATION OF REVISIONS TO THE EMERALD ASH BORER MANAGEMENT PLAN

Indexes:

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

This Resolution was adopted unanimously.

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

**BY VICE PRESIDENT RANDORF (FINANCE)**

29.     [23-005-O](#)     AN ORDINANCE AMENDING DULUTH CITY CODE SECTION 41-32 MODIFYING COUNCIL APPROVAL REQUIREMENTS FOR NON-COMPETITIVELY BID CONTRACTS.

This Ordinance was read for the first time.

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

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

30.     [23-001-O](#)     AN ORDINANCE AMENDING SECTIONS 50-20 USE SPECIFIC STANDARDS; 50-21 DIMENSIONAL STANDARDS; 50-36 REVIEWERS AND DECISION MAKERS; 50-37 REVIEW AND APPROVAL PROCEDURES; 50-38 NON-CONFORMITIES; AND 50-41 DEFINITIONS RELATED TO DWELLING FRONT ENTRANCES, PARKING FOR VACATION DWELLING UNITS, ACCESSORY HOME SHARES, ACCESSORY SOLAR PANELS, ACCESSORY STRUCTURES/DECKS, AND APPEALS.

**Indexes:**

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

This Ordinance was adopted unanimously.

31.     [23-002-O](#)     AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY 0.7 ACRES FROM RESIDENTIAL-TRADITIONAL (R-1) TO RESIDENTIAL-URBAN (R-2) ADJACENT TO PLATTED ELIZABETH STREET.

**Indexes:**

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

[Attachment 2](#)

This Ordinance was adopted unanimously

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



32.     [23-003-O](#)     ORDINANCE AUTHORIZING THE DULUTH AIRPORT AUTHORITY TO ACCEPT FEDERAL AND STATE OF MINNESOTA GRANTS FOR IMPROVEMENTS TO THE DULUTH INTERNATIONAL AIRPORT AND SKY HARBOR AIRPORT AND TO EXECUTE GRANT DOCUMENTS ON BEHALF OF THE CITY FOR YEAR 2023.

This Ordinance was adopted unanimously.

## **COUNCILOR QUESTIONS AND COMMENTS**

## **COUNCILOR PREVIEW OF UPCOMING BUSINESS**