



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, November 13, 2023

7:00 PM

Council Chamber

ROLL CALL

- Present:** 8 - 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
- Absent:** 1 - Councilor Hannah Alstead

PLEDGE OF ALLEGIANCE

PUBLIC HEARING - Proposed Charter Changes

PUBLIC HEARING - London Road Project - Municipal Consent

APPROVAL OF MINUTES

1. [23-065](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2023-10-30, Minutes](#)

This Minutes was approved.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF COUNCIL COMMITTEES

REPORTS OF COUNCIL OPEN ISSUES

OPPORTUNITY FOR CITIZENS TO BE HEARD

CONSENT AGENDA

BY COUNCILOR ALSTEAD (PURCHASING & LICENSING)

2. [23-0847R](#) RESOLUTION APPROVING THE ISSUANCE OF AN OFF SALE INTOXICATING LIQUOR LICENSE TO BURNETT DAIRY COOPERATIVE

Indexes:

Attachments: [Attachment A](#)

This resolution was adopted unanimously.

Absent: Alstead

3. [23-0849R](#) RESOLUTION AUTHORIZING THE PURCHASE OF A LONG-LINE PAINT TRUCK FROM VOGEL TRAFFIC SERVICES, INC. DBA EZ LINER IN THE AMOUNT OF \$388,287.00.

This resolution was adopted unanimously.

Absent: Alstead

BY COUNCILOR AWAL (PERSONNEL)

4. [23-0838R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF PARKING SERVICES LEADWORKER, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This resolution was adopted unanimously.

Absent: Alstead

5. [23-0842R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF MEMBERS TO CITY OF DULUTH BOARDS AND COMMISSIONS.

This resolution was adopted unanimously.

Absent: Alstead

BY COUNCILOR ANDERSON (PLANNING & ECONOMIC DEVELOPMENT)

6. [23-0841R](#) RESOLUTION AUTHORIZING CITY OFFICIALS TO RENEW AN AGREEMENT WITH THE DULUTH HOUSING AND REDEVELOPMENT AUTHORITY WHEREBY CITY OFFICIALS ACCEPT \$17,500 TO PROVIDE ADDITIONAL SUPPORT TO THE TENANT LANDLORD CONNECTION PROGRAM OPERATED BY ONE ROOF COMMUNITY HOUSING AND TO ENTER INTO AN AGREEMENT WITH ONE ROOF COMMUNITY HOUSING TO OPERATE THE TENANT LANDLORD CONNECTION IN THE AMOUNT OF \$57,500.

Indexes:

Attachments: [Exhibit A](#)

[Exhibit B](#)

This resolution was adopted unanimously.

Absent: Alstead

Abstain: Hobbs

7. [23-0854R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH AND ACCEPT \$843,742.77 IN FUNDS FROM ST. LOUIS COUNTY TO PROVIDE MINNESOTA FAMILY INVESTMENT PROGRAM AND DIVERSIONARY WORK PROGRAM EMPLOYMENT AND TRAINING SERVICES.

Indexes:

Attachments: [City of Duluth 2024 MFIP DWP Contract 17647](#)

This resolution was adopted unanimously.

Absent: Alstead

8. [23-0855R](#) RESOLUTION APPROVING THE REALLOCATION OF 2020 CARES ACT FUNDING IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG-CV3) IN THE AMOUNT OF \$263.72 AND RENEWING THE ALLOCATION OF 2020 CARES FUNDING IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG-CV1) IN THE AMOUNT OF \$22,211.12 FOR THE COMMUNITY ACTION DULUTH COMMUNITY HEALTH WORKER.

This resolution was adopted unanimously.

Absent: Alstead

- 9. [23-0881R](#) RESOLUTION AUTHORIZING A SEVENTH AMENDMENT TO AGREEMENT WITH LAKEWALK PROPERTIES LLC MODIFYING THE INTEREST RATE PAYABLE, ESTABLISHING UPDATED PROJECT MILESTONE DATE REQUIREMENTS, AND ADJUSTING TIF NOTE DATES.

Indexes:

Attachments: [23D-43- Lakeview 7th Amend](#)
[23D-43-Development Agreement-Seventh Amendment 2023.10.25](#)

The resolution was adopted unanimously.

Absent: Alstead

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

- 10. [23-0754R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH MINNESOTA POWER FOR JOINT CONSTRUCTION OF UTILITIES IN 6TH AVENUE EAST.

Indexes:

Attachments: [MP Agreement Draft 10 26 23](#)

This resolution was adopted unanimously.

Absent: Alstead

Abstain: Forsman

- 11. [23-0834R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO EXTEND CONTRACT C22091 WITH VENTURE FUELS FOR THE PURCHASE AND DELIVERY OF COAL TO DULUTH ENERGY SYSTEMS FOR AN ESTIMATED INCREASE OF \$1,782.10.

This resolution was adopted unanimously.

Absent: Alstead

- 12. [23-0835R](#) RESOLUTION AMENDING A CONTRACT WITH LHB, INC. TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR THE REPLACEMENT OF BRIDGE NO. L8514 ST. ANDREWS STREET OVER TISCHER CREEK, TO INCREASE THE AMOUNT BY \$74,875.00 FOR A NEW TOTAL OF \$121,465.00.

Indexes:

Attachments: [Fee Estimate Worksheet](#)
[Resolution Map](#)

This resolution was adopted unanimously.

Absent: Alstead

13. [23-0836R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE UNITED STATES DEPARTMENT OF ENERGY'S COMMUNITY GEOTHERMAL HEATING AND COOLING DESIGN AND DEPLOYMENT PROGRAM FOR THE LNPk 156 GEOTHERMAL COALITION IN THE AMOUNT OF \$700,414.

This resolution was adopted unanimously.

Absent: Alstead

14. [23-0837R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH EVER-GREEN ENERGY TO FUND THE ANALYSIS AND DESIGN OF A GEOTHERMAL HEATING SYSTEM IN ASSOCIATION WITH THE DEPARTMENT OF ENERGY COMMUNITY GEOTHERMAL HEATING AND COOLING DESIGN AND DEPLOYMENT PROGRAM GRANT FOR AN AMOUNT NOT TO EXCEED \$435,084.

Indexes:

Attachments: [Exhibit A - Subrecipient Agreement](#)

This resolution was adopted unanimously.

Absent: Alstead

15. [23-0843R](#) RESOLUTION AUTHORIZING AN ANNUAL TRANSFER OF \$100,000 FROM THE HOME ENERGY LOAN FUND (555) TO THE ENERGY MANAGEMENT FUND (257) FOR 2024 & 2025.

This resolution was adopted unanimously.

Absent: Alstead

16. [23-0852R](#) RESOLUTION AMENDING A CONTRACT WITH LHB, INC. TO PROVIDE PROFESSIONAL ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE RALEIGH STREET RECONSTRUCTION PROJECT, TO INCREASE THE AMOUNT BY \$9,105.00 FOR A NEW TOTAL OF \$219,402.00.

Indexes:

Attachments: [MAP](#)
[PROPOSAL](#)

This resolution was adopted unanimously.

Absent: Alstead

BY COUNCILOR TOMANEK (PUBLIC SAFETY)

17. [23-0848R](#) RESOLUTION AUTHORIZING THE PURCHASE OF A FIRE ENGINE FROM CUSTOM FIRE APPARATUS, INC. IN THE AMOUNT OF \$988,634.68

This resolution was adopted unanimously.

Absent: Alstead

18. [23-0850R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT A GRANT OF UP TO \$15,000 FROM THE STANTON FOUNDATION FALLEN K9 GRANT PROGRAM TO REIMBURSE THE DULUTH POLICE DEPARTMENT FOR THE PURCHASE OF A K9 TO REPLACE THE FALLEN K9 LUNA.

Indexes:

Attachments: [Document A - Award Confirmation Letter](#)

This resolution was adopted unanimously.

Absent: Alstead

BY COUNCILOR HOBBS (RECREATION, LIBRARIES & AUTHORITIES)

19. [23-0844R](#) RESOLUTION AUTHORIZING A THREE-YEAR LEASE AGREEMENT WITH THE DULUTH COMMUNITY GARDEN PROGRAM FOR USE OF MULTIPLE, VACANT REAL PROPERTIES TO OPERATE ITS COMMUNITY GARDEN PROGRAM.

Indexes:

Attachments: [Exhibit 1](#)

This resolution was adopted unanimously.

Absent: Alstead

20. [23-0845R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A SNOWMOBILE GRANT-IN-AID PROGRAM GRANT FOR FY2024 WITH THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN AN AMOUNT NOT TO EXCEED \$18,255.53.

Indexes:

Attachments: [Exhibit A](#)

This resolution was adopted unanimously.

Absent: Alstead

21. [23-0846R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A CROSS-COUNTRY SKI GRANT-IN-AID PROGRAM GRANT FOR FY2024 WITH THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN AN AMOUNT NOT TO EXCEED \$12,650.

Indexes:

Attachments: [Exhibit A](#)

This resolution was adopted unanimously.

Absent: Alstead

22. [23-0851R](#) RESOLUTION AUTHORIZING A THREE-YEAR AGREEMENT WITH NORTHWOODS LEAGUE, INC. AND RPK BASEBALL, LLC FOR THE USE OF WADE STADIUM.

Indexes:

Attachments: [Exhibit 1](#)

This resolution was adopted unanimously.

Absent: Alstead

23. [23-0853R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT L30489 WITH SAS+ASSOCIATES, INC. TO PROVIDE PROFESSIONAL LANDSCAPE ARCHITECTURAL SERVICES FOR THE CITY HALL GROUNDS IMPROVEMENT PROJECT, FOR AN INCREASE OF \$12,338.75 AND A NEW TOTAL AMOUNT NOT TO EXCEED \$54,258.75.

Indexes:

Attachments: [Exhibit A](#)

This resolution was adopted unanimously.

Absent: Alstead

24. [23-0856R](#) RESOLUTION AUTHORIZING A SUBRECIPIENT AGREEMENT WITH THE ST. LOUIS RIVER ALLIANCE IN AN AMOUNT NOT TO EXCEED \$285,227 TO SUPPORT IMPLEMENTATION OF THE NATIONAL WATER TRAIL IN ASSOCIATION WITH A GRANT FROM THE ENVIRONMENT AND NATURAL RESOURCES TRUST FUND.

Indexes:

Attachments: [Unsigned Final SLRA Subrecipient Agreement](#)

This resolution was adopted unanimously.

Absent: Alstead

25. [23-0857R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA RECREATION AND PARKS FOUNDATION FOR UP TO \$4,000 FROM THE NEW INITIATIVE GRANT PROGRAM FOR PROGRAM EQUIPMENT.

This resolution was adopted unanimously.

Absent: Alstead

26. [23-0858R](#) RESOLUTION AUTHORIZING A FUNDING AGREEMENT WITH THE GND DEVELOPMENT ALLIANCE FOR CONSTRUCTION OF THE SKATE PARK AT THE GARY NEW DULUTH RECREATION AREA.

Indexes:

Attachments: [Exhibit A](#)

This resolution was adopted unanimously.

Absent: Alstead

END OF CONSENT AGENDA

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

27. [23-0833R](#) RESOLUTION APPROVING A STATE PROJECT WITHIN THE MUNICIPAL CORPORATE LIMITS TO REHABILITATE TRUNK HIGHWAY 61 (LONDON ROAD).

Indexes:

Attachments: [Proj 1995 Location Map 8.5x11](#)
[SP 6925-145 Final Preliminary Design Layout_01](#)
[SP 6925-145 Final Preliminary Design Layout_02](#)

This resolution was adopted unanimously.

Absent: Alstead

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

BY COUNCILOR ANDERSON (PLANNING & ECONOMIC DEVELOPMENT)

28. [23-043-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY AN AREA SOUTH OF REDRUTH STREET AND NORTH OF SHERBURNE STREET, BETWEEN S 63RD AVENUE W AND S 64TH AVENUE W, FROM MIXED USE-BUSINESS (MU-B) TO MIXED USE-NEIGHBORHOOD (MU-N).

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

This Ordinance was read for the first time.

29. [23-044-O](#) AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY THREE PARCELS ADJACENT TO 4831 GRAND AVENUE FROM RESIDENTIAL-TRADITIONAL (R-1) TO MIXED USE-NEIGHBORHOOD (MU-N) TO ELIMINATE SPLIT ZONING FOR AN EXISTING USE AND TO CONFORM TO THE COMPREHENSIVE PLAN.

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

This Ordinance was read for the first time.

BY PRESIDENT KENNEDY (COMMITTEE OF THE WHOLE)

30. [23-040-O](#) ORDINANCE AMENDING CHAPTER 4, ARTICLE II OF THE DULUTH CITY CODE TO MODERNIZE LANGUAGE, UPDATE SMOKING RESTRICTIONS, AND TO INCLUDE THE DULUTH AIRPORT AUTHORITY IN THE INDEMNITY SECTION.

This Ordinance was read for the first time.

31. [23-041-O](#) ORDINANCE AMENDING CHAPTER 4, ARTICLE IV, OF THE DULUTH CITY CODE TO MODERNIZE LANGUAGE AND UPDATE PARKING REGULATIONS.

This Ordinance was read for the first time.

32. [23-045-O](#) AN ORDINANCE REPEALING SECTION 39 OF THE DULUTH CITY CHARTER PERTAINING TO MUNICIPAL ELECTIONS - FINANCIAL DISCLOSURES BY POLITICAL COMMITTEES.

This Ordinance was read for the first time.

BY COUNCILOR HOBBS (RECREATION, LIBRARIES & AUTHORITIES)

- 33. [23-042-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 2024.

This Ordinance was read for the first time.

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

BY PRESIDENT KENNEDY (COMMITTEE OF THE WHOLE)

- 34. [23-037-O](#) ORDINANCE AMENDING CHAPTER 1, SEC. 1-2, OF THE DULUTH CITY CODE BY UPDATING DEFINITIONS FOR CLARITY.

This ordinance was adopted unanimously.

Absent: Alstead

- 35. [23-038-O](#) ORDINANCE AMENDING CHAPTER 6 TO MAKE LANGUAGE GENDER NEUTRAL, UPDATE TERMINOLOGY, AND UPDATE THE DUTIES OF THE ANIMAL CONTROL AUTHORITY BASED ON RECOMMENDATIONS OF THE ORDINANCE REVIEW AND MODERNIZATION TASK FORCE.

This ordinance was adopted unanimously.

Absent: Alstead

- 36. [23-039-O](#) ORDINANCE REPEALING CHAPTER 15 OF THE DULUTH CITY CODE REGULATING DANCES AND DANCE HALLS.

This ordinance was adopted unanimously.

Absent: Alstead

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

- 37. [23-036-O](#) AN ORDINANCE DEDICATING A PERPETUAL EASEMENT FOR

UTILITY PURPOSES OVER CITY-OWNED PROPERTY.

Indexes:

Attachments: [Exhibit A-Ordinance](#)

This ordinance was adopted unanimously.

Absent: Alstead

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS