



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, April 8, 2024

7:00 PM

Council Chamber

ROLL CALL

Present: 9 - Councilor Azrin Awal, Councilor Wendy Durrwachter, Councilor Arik Forsman, Councilor Janet Kennedy, Councilor Mike Mayou, Councilor Lynn Nephew, Councilor Tara Swenson, Vice President Terese Tomanek and President Roz Randorf

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. [24-019](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2024-03-25, Minutes](#)

These Minutes were approved.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [24-020](#) Duluth Public Utilities Commission Meeting Minutes

Indexes:Attachments: [February 2024 - DPUC Minutes](#)

This Board or Commission Report was received.

3. [24-021](#) Duluth Public Utilities Commission Resolution: 24PUC-001

Indexes:Attachments: [24PUC-001](#)

This Board or Commission Report was received.

4. [24-022](#) Duluth Parking Commission Meeting Minutes

Indexes:Attachments: [March 2024 - DPC 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**

Consent Agenda passed unanimously.

BY COUNCILOR FORSMAN (FINANCE)

5. [24-0266R](#) RESOLUTION APPROVING THE BUDGET FOR THE FISCAL YEAR MAY 1, 2024 TO APRIL 30, 2025 IN THE AMOUNT OF \$8,089,724 FOR THE SPIRIT MOUNTAIN RECREATION AREA AUTHORITY.

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

This Resolution was adopted.

BY VICE PRESIDENT TOMANEK (PERSONNEL)

6. [24-0240R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF SANDY HOFF TO THE DULUTH AIRPORT AUTHORITY.

This Resolution was adopted.

7. [24-0255R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF SENIOR APPLICATIONS ADMINISTRATOR, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

8. [24-0256R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF WATER PLANT MAINTENANCE COORDINATOR, INCLUDING A TITLE CHANGE TO WATER SYSTEM MAINTENANCE FOREPERSON, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

9. [24-0257R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF INSTRUMENT SPECIALIST.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

10. [24-0258R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF INSTRUMENT TECHNICIAN.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

11. [24-0261R](#) RESOLUTION CONFIRMING REAPPOINTMENTS TO DULUTH BOARDS AND COMMISSIONS.

This Resolution was adopted.

12. [24-0275R](#) RESOLUTION CONFIRMING NEW APPOINTMENTS TO CITY OF DULUTH BOARDS AND COMMISSIONS.

This Resolution was adopted.

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

13. [24-0259R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AMENDMENT TO A JOINT POWERS AGREEMENT WITH AND ACCEPT A TOTAL AMOUNT NOT TO EXCEED \$49,376.08 FROM THE STATE OF MINNESOTA, ACTING THROUGH ITS DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT, TO PROVIDE WEEKLY REQUIRED RECEPTION AND CAREERLAB DUTIES FOR VOCATIONAL REHABILITATION FOR THE PERIOD OF JANUARY 1, 2024 - DECEMBER 31, 2024.

Indexes:

Attachments: [84036_Contract-Amendment_DULUTH AMENDMENT JOINT POWERS 1-1 - PE](#)

This Resolution was adopted.

14. [24-0268R](#) RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY FROM JAMES D. MCCAULEY IN THE LINCOLN PARK NEIGHBORHOOD FOR \$5,000.

Indexes:

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

This Resolution was adopted.

BY COUNCILOR SWENSON (PUBLIC SAFETY)

15. [24-0274R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A \$42,543 GRANT AWARD FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY, OFFICE OF JUSTICE PROGRAMS, TO BE USED TO REIMBURSE THE DULUTH POLICE DEPARTMENT FOR FIFTY PERCENT OF THE WAGES PAID TO COMMUNITY SERVICE OFFICERS PARTICIPATING IN THE PATHWAY TO POLICING PROGRAM.

Indexes:

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

This Resolution was adopted.

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

16. [24-0263R](#) RESOLUTION AWARDING A CONTRACT TO ULLAND BROTHERS, INC. FOR THE 2024 STREET PRESERVATION PROJECT, CITY PROJECT NO. 2090, IN THE AMOUNT OF \$8,181,240.00

Indexes:

Attachments: [2090 STREET MAPS](#)

This Resolution was adopted.

17. [24-0269R](#) RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT L30885 WITH MSA PROFESSIONAL SERVICES, INC. FOR ADDITIONAL ENGINEERING SERVICES, INCLUDING SURVEY, LAYOUT, CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR THE 2024 STREET PRESERVATION PROJECT, TO INCREASE THE AMOUNT BY \$619,880.53 FOR A NEW TOTAL OF \$989,622.23.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

18. [24-0271R](#) RESOLUTION AWARDING A CONTRACT TO JMF CONSTRUCTION, INC. FOR THE 2024 CITYWIDE PATCH AND SIDEWALK PROJECT IN THE AMOUNT OF \$230,635.14

This Resolution was adopted.

19. [24-0273R](#) A RESOLUTION TO TEMPORARILY ESTABLISH PERMIT APPLICATION FEES RELATED TO LEAD SERVICE LINE REPLACEMENTS.

This Resolution was adopted.

BY COUNCILOR AWAL (RECREATION, LIBRARIES & AUTHORITIES)

20. [24-0215R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH ASTROTURF CORPORATION FOR BROWN TURF REPLACEMENT AT WADE STADIUM FOR A TOTAL NOT TO EXCEED \$261,836.00.

Indexes:

Attachments: [AstroTurf Wade Infield Turf Proposal](#)

This Resolution was adopted.

21. [24-0265R](#) RESOLUTION AUTHORIZING A CONTRACT FOR SERVICES WITH THE DULUTH AREA FAMILY YMCA FOR AN AMOUNT NOT TO EXCEED \$51,474.93 FOR LIFEGUARDING SERVICES PROVIDED AT THE CITY'S PARK POINT BEACH HOUSE AND RECREATION AREA DURING THE 2024 OPERATING SEASON.

Indexes:

Attachments: [2024 Lifeguard Agreement](#)

This Resolution was adopted.

22. [24-0267R](#) RESOLUTION AUTHORIZING A SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH HARTLEY NATURE CENTER CORPORATION FOR EXPANSION OF THE BUILDING LEASED BY THE CORPORATION AND IMPROVEMENTS OF PARK AMENITIES.

Indexes:

Attachments: [Exhibit 1-Resolution re 2nd Amendment to DA](#)

This Resolution was adopted.

23. [24-0270R](#) RESOLUTION AUTHORIZING A THREE-YEAR LEASE AGREEMENT WITH PLANT-A-LOT COMMUNITY GARDEN PROGRAM (D/B/A DULUTH COMMUNITY GARDEN PROGRAM) FOR USE OF MULTIPLE, VACANT REAL PROPERTIES TO OPERATE ITS COMMUNITY GARDEN PROGRAM.

Indexes:

Attachments: [Exhibit 1-Resolution](#)

This Resolution was adopted.

END OF CONSENT AGENDA

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

BY COUNCILOR NEPHEW (PLANNING & ECONOMIC DEVELOPMENT)

24. [24-001-O](#) ORDINANCE TO RENAME PLATTED JAMES STREET TO KATHERINE LANE.

Indexes:

Attachments: [PL 23-162 Final Plat](#)

This Ordinance was adopted.

25. [24-006-O](#) AN ORDINANCE GRANTING ARMORY ARTS AND MUSIC CENTER A CONCURRENT USE PERMIT FOR A STOOP ALONG 13TH AVE E.

Indexes:

Attachments: [Attachment 1](#)

[Attachment 2](#)

This Ordinance was adopted.

BY COUNCILOR SWENSON (PUBLIC SAFETY)

26. [24-005-O](#) ORDINANCE AMENDING CHAPTER 49, ARTICLE I, SEC. 49-4, OF THE DULUTH CITY CODE TO INCLUDE THE USE OF CROSSBOW AS AUTHORIZED BY THE CITY'S AGENT.

This Ordinance was adopted.

27. [24-004-O](#) ORDINANCE AMENDING CHAPTER 6, ARTICLE VII, SEC. 6-77, OF THE DULUTH CITY CODE TO CLARIFY WHEN HUNTING WITH A CROSSBOW IS ALLOWED.

This Ordinance was adopted.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS

Attest: Ian B. Johnson, City Clerk

Passed: April 8, 2024

Approved: April 9, 2024

Roger Reiner, Mayor