



# 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, August 22, 2022

7:00 PM

Council Chamber

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### 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. [22-056](#) Meeting Minutes of the Duluth City Council

**Indexes:**

**Attachments:** [2022-08-15, Minutes](#)

This Minutes was approved.

### REPORTS FROM THE ADMINISTRATION

### REPORTS FROM OTHER OFFICERS

### REPORTS OF BOARDS AND COMMISSIONS

### REPORTS OF COUNCIL COMMITTEES

### REPORTS OF COUNCIL OPEN ISSUES

**OPPORTUNITY FOR CITIZENS TO BE HEARD****CONSENT AGENDA****BY VICE PRESIDENT KENNEDY (FINANCE)**

2. [22-0583R](#) RESOLUTION CONFIRMING ASSESSMENT ROLL FOR SIDEWALK REPAIRS AT NINE CITY LOCATIONS IN 2021.

Indexes:

Attachments: [Resolution #22-0583R Exhibit A](#)

This Resolution was adopted.

3. [22-0688R](#) RESOLUTION ACCEPTING \$1,000 IN FUNDING FROM THE LEAGUE OF MINNESOTA CITIES FOR WINNING THE 2022 SUSTAINABLE CITY AWARD.

Indexes:

Attachments: [2022 Sustainable City Award - League of Minnesota Cities](#)

This Resolution was adopted.

**BY COUNCILOR ALSTEAD (PERSONNEL)**

4. [22-0690R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF SIGNAL TECHNICIAN, INCLUDING A TITLE CHANGE TO TRAFFIC OPERATIONS ELECTRICIAN, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

5. [22-0691R](#) RESOLUTION APPROVING PROPOSED SPECIFICATIONS FOR THE NEW CIVIL SERVICE CLASSIFICATION OF EXECUTIVE ADMINISTRATOR - POLICE, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

6. [22-0700R](#) RESOLUTION CONFIRMING THE REAPPOINTMENT OF MIKE SCHRAGE AND NANCY SCHULTZ TO THE NATURAL RESOURCES

COMMISSION.

This Resolution was adopted.

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

7. [22-0683R](#) RESOLUTION APPROVING A TWENTY YEAR DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DULUTH AND THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH, MINNESOTA FOR THE FAIRMOUNT COTTAGE HOME VILLAGE AT A TOTAL COST NOT TO EXCEED \$1,150,000.

**Indexes:**

**Attachments:** [Exhibit A Development Agreement](#)  
[Exhibit B Location Map](#)

This Resolution was adopted.

8. [22-0696R](#) RESOLUTION AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DULUTH AND KAMI HOLDINGS, LLC, FOR THE DEVELOPMENT OF PROPERTY SOUTH OF PALM STREET AND WEST OF BLACKMAN AVENUE.

**Indexes:**

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

This Resolution was adopted.

9. [22-0698R](#) RESOLUTION AUTHORIZING LEASE AGREEMENT WITH DAC, LLC FOR LEASE OF WORKFORCE CENTER SPACE IN THE DULUTH ATHLETIC CLUB BUILDING.

**Indexes:**

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

This Resolution was adopted.

10. [22-0699R](#) RESOLUTION AUTHORIZING SUBLEASE AGREEMENTS WITH DEED, NEMOJT AND AEOA FOR SUBLEASE OF SPACE IN THE DULUTH ATHLETIC CLUB BUILDING FOR THE JOINT WORKFORCE CENTER.

**Indexes:**

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

This Resolution was adopted.

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

11. [22-0652R](#) RESOLUTION AMENDING CONTRACT L30475 WITH SHORT ELLIOTT HENDRICKSON, INC., FOR THE CROSS CITY TRAIL PHASE 3, IN THE AMOUNT OF \$86,200, FOR A NEW TOTAL OF \$116,200.

Indexes:

Attachments: [22-0652R Map](#)  
[22-0652R Proposal](#)

This Resolution was adopted.

12. [22-0685R](#) RESOLUTION AUTHORIZING APPLICATION FOR AND, IF OFFERED, ACCEPTANCE OF A GRANT FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION'S BRIDGE INVESTMENT PROGRAM (BIP) FOR IMPROVEMENTS TO THE AERIAL LIFT BRIDGE.

Indexes:

Attachments: [22-0685R Map](#)

This Resolution was adopted.

13. [22-0697R](#) RESOLUTION AWARDED A CONTRACT TO VEIT & CO., INC. FOR THE 2022 CITYWIDE CIPP SEWER LINING PROJECT IN THE AMOUNT OF \$1,519,442.50.

Indexes:

Attachments: [22-0697R Map](#)

This Resolution was adopted.

**BY COUNCILOR ANDERSON (PUBLIC SAFETY)**

14. [22-0612R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CRIME AND JUSTICE INSTITUTE FOR PROFESSIONAL SERVICES TO PERFORM A RACIAL BIAS AUDIT FOR AN AMOUNT NOT TO EXCEED \$273,465.00.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

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

15. [22-0686R](#) RESOLUTION AMENDING RESOLUTION 22-0471 FOR ALLIANCE TO

PROVIDE ARCHITECTURAL DESIGN SERVICES FOR SPIRIT MOUNTAIN UPPER CHALET, TO INCREASE THE AMOUNT BY \$3,000 TO INCLUDE THIRD PARTY CONSULTANT SERVICES, FOR A NEW TOTAL OF \$160,690.

Indexes:

Attachments: [Alliance - Spirit Mtn Chalet Supplemental Fee Info REVISED 8.1.22](#)

This Resolution was adopted.

16. [22-0689R](#) RESOLUTION AUTHORIZING CITY OFFICIALS TO EXECUTE A MEMORANDUM OF UNDERSTANDING AND ACCEPTING A \$7,500 GRANT FROM THE NORTHLAND FOUNDATION.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted.

## END OF CONSENT AGENDA

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

### BY PRESIDENT FORSMAN (COMMITTEE OF THE WHOLE)

17. [22-0703R](#) RESOLUTION STATING COUNCIL INTENT THAT PARKS FUND LEVY AND TOURISM TAX PROCEEDS SHOULD BE UTILIZED AS APPROPRIATE FOR SPORTS FACILITIES IN THE CITY.

This Resolution was withdrawn.

### BY COUNCILOR TOMANEK (RECREATION, LIBRARIES & AUTHORITIES)

18. [22-0687R](#) RESOLUTION AUTHORIZING A CONTRACT WITH RACHEL CONTRACTING INC. FOR LINCOLN PARK SITE IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$2,695,841.00.

This Resolution was adopted.

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

### BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

19. [22-029-O](#) AN ORDINANCE AMENDING THE RESIDENTIAL PLANNED (R-P) REGULATING PLAN FOR HARBOR VIEW/CENTRAL HILLSIDE TRADITIONAL NEIGHBORHOOD DEVELOPMENT CODE AFFECTING

THREE LOTS ON THE WEST SIDE OF CENTRAL ENTRANCE SOUTH OF EAST 13TH STREET TO REPLACE THE CURRENTLY ALLOWED BUILDING TYPES, LOT CONFIGURATION AND DESIGN STANDARDS.

Indexes:

Attachments: [Exhibit A Map](#)  
[Exhibit B Staff Report](#)

This Ordinance was read for the first time.

20. [22-030-O](#) AN ORDINANCE AMENDING SECTIONS 50-20-5.E, 50-25.1, 50-27.3, AND 50-30.1.B RELATED TO BUILDING AND LIGHTING/LANDSCAPING DESIGN STANDARDS.

Indexes:

Attachments: [PL 22-108 Cover Memo and Attachments](#)

This Ordinance was read for the first time.

21. [22-031-O](#) AN ORDINANCE AMENDING SECTION 50-37.1.O.5 OF THE DULUTH CITY CODE, 1959, AS AMENDED CLARIFYING TIME REQUIREMENTS FOR CERTAIN APPEALS OF PLANNING COMMISSION AND CITY COUNCIL DECISIONS UNDER CHAPTER 50 OF THE CODE.

Indexes:

Attachments: [PL 22-108 Cover Memo and Attachments](#)

This Ordinance was read for the first time.

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

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

22. [22-027-O](#) AN ORDINANCE AMENDING SECTIONS 50-19.8, 50-20.1, AND 50-41.9 RELATED TO UDC UPDATES FOR INTERIM OUTDOOR LIVING SITES, ESTABLISHING STANDARDS FOR THE USE AND A ONE-YEAR LIMIT FOR SUCH TEMPORARY OUTDOOR LIVING SITES LOCATED ON PRIVATELY OWNED PROPERTY

Indexes:

Attachments: [Attachment 1](#)

A motion was made that this Ordinance be approved The motion carried by the following vote:

Yea: 9 - Councilor Alstead, Councilor Anderson, Councilor Awal, Councilor Hobbs, Councilor Mayou, Councilor Randorf, Councilor Tomanek, Vice President Kennedy and President Forsman

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

23.     [22-028-O](#)     ORDINANCE AMENDING SECTION 9-2 AND SECTION 9-3 OF THE DULUTH CITY CODE TO CLARIFY DEFINITIONS AND PROHIBIT RIDING BICYCLES, ELECTRIC-ASSIST BICYCLES, WHEELED RECREATIONAL DEVICES, AND MOTORIZED FOOT SCOOTERS ON PORTIONS OF THE LAKEWALK AND BAYWALK AT MORE THAN 10 MPH.

**A motion was made that this Ordinance be approved The motion carried by the following vote:**

**Yea:**   9 -   Councilor Alstead, Councilor Anderson, Councilor Awal, Councilor Hobbs, Councilor Mayou, Councilor Randorf, Councilor Tomanek, Vice President Kennedy and President Forsman

**COUNCILOR QUESTIONS AND COMMENTS****COUNCILOR PREVIEW OF UPCOMING BUSINESS**