



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 14, 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. [22-076](#) Meeting Minutes of the Duluth City Council

Indexes:

Attachments: [2022-10-24. Minutes](#)

These Minutes were approved.

REPORTS FROM THE ADMINISTRATION

REPORTS FROM OTHER OFFICERS

REPORTS OF BOARDS AND COMMISSIONS

2. [22-075](#) Duluth Parking Commission Meeting Minutes

Indexes:

Attachments: [Past Minutes - Parking Commission](#)
[September 2022 - DPC Minutes](#)

This Board or Commission Report was received.

3. [22-077](#) Library Board Meeting Minutes

Indexes:

Attachments: [Library Board Minutes Approved 2022.05](#)
[Library Board Minutes Approved 2022.08](#)
[Library Board Minutes Approved 2022.09](#)

This Board or Commission Report was received.

4. [22-078](#) Duluth Public Utilities Commission Resolutions
22PUC-003 & 22PUC-004

Indexes:

Attachments: [22PUC-003](#)
[22PUC-004](#)

This Board or Commission Report was received.

5. [22-079](#) Housing and Redevelopment Authority of Duluth Meeting Minutes

Indexes:

Attachments: [Minutes - August 2022](#)
[Minutes - September 2022](#)

This Board or Commission Report was received.

6. [22-080](#) Human Rights Commission Meeting Minutes

Indexes:

Attachments: [HRC Sept Minutes](#)

This Board or Commission Report was received.

7. [22-081](#) Business Subsidy Agreement Pre-Approval Report: TIF District #33 -
Esmond Demolition & New Construction Project

Indexes:

Attachments: [Urbane Duluth Business Subsidy Pre-approval Revised](#)

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 KENNEDY (FINANCE)

- 8. [22-0912R](#) RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DULUTH AND THE CONFIDENTIAL UNIT OF THE CITY OF DULUTH FOR THE YEARS 2022-2024.

Indexes:

Attachments: [Exhibit A](#)

[20221031 Confidential Unit 2022-2024 CBA Tentative Agreement - Changes Marked.pdf](#)

This Resolution was adopted unanimously.

BY COUNCILOR HOBBS (PURCHASING & LICENSING)

- 9. [22-0911R](#) RESOLUTION APPROVING THE ISSUANCE OF A 2023 MINNESOTA CURRENCY EXCHANGE LICENSE TO THE TITLE LOAN COMPANY, INC.

Indexes:

Attachments: [Duluth-The Title Loan Company](#)

This Resolution was adopted unanimously.

- 10. [22-0914R](#) RESOLUTION APPROVING THE TRANSFER OF THE OFF SALE INTOXICATING LIQUOR LICENSE FROM D.A. FITZPATRICK (LAKE AIRE BOTTLE SHOPPE) TO KEYPORT HOLDINGS (KEYPORT LIQUOR), 2530 LONDON ROAD

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

- 11. [22-0915R](#) RESOLUTION APPROVING ISSUANCE OF AN OFF-SALE 3.2% PERCENT MALT LIQUOR LICENSE TO KWIK TRIP, INC. (KWIK TRIP #1043), 2401 EVERGREEN CIRCLE

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

12. [22-0916R](#) RESOLUTION APPROVING ISSUANCE OF AN OFF SITE GAMBLING PERMIT TO THE NORTHERN PINE RIDERS.

Indexes:

Attachments: [Attachment A](#)

This Resolution was adopted unanimously.

BY COUNCILOR ALSTEAD (PERSONNEL)

13. [22-0872R](#) RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE EXISTING CIVIL SERVICE CLASSIFICATION OF MASTER ELECTRICIAN, INCLUDING A TITLE CHANGE TO MASTER ELECTRICIAN - PUBLIC WORKS & UTILITIES, AND SPECIFYING CONTRACT BENEFITS FOR SAME.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

14. [22-0936R](#) RESOLUTION CONFIRMING THE APPOINTMENT OF CONNOR RANDALL TO THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY.

This Resolution was adopted unanimously.

BY COUNCILOR RANDORF (PLANNING & ECONOMIC DEVELOPMENT)

15. [22-0884R](#) RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH AND ACCEPT \$979,433.63 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 2023 MFIP DWP Contract 17446](#)

This Resolution was adopted unanimously.

16. [22-0923R](#) 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: [Exhibit A](#)
[Exhibit B](#)

This Resolution was adopted unanimously.

17. [22-0924R](#) RESOLUTION VACATING CERTAIN RIGHTS-OF-WAY DEDICATED UNDER THAT CERTAIN DOCUMENT RECORDED IN THE OFFICE OF THE ST. LOUIS REGISTRAR OF TITLES ON APRIL 13, 2009 AS DOCUMENT NO. 867024, AFFECTING PROPERTY IN REGISTERED LAND SURVEY NO. 82 IN THE HARBOR HIGHLANDS NEIGHBORHOOD.

Indexes:

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

This Resolution was adopted unanimously.

18. [22-0926R](#) RESOLUTION RESCINDING RESOLUTION 21-0831R AND AUTHORIZING A FUNDING AGREEMENT WITH THE DULUTH 1200 FUND, INC., GRANTING \$1,500,000 FOR THE PURPOSE OF PROVIDING LOANS AND GRANTS IN ACCORDANCE WITH ITS BYLAWS FOCUSED ON CHILDCARE, DOWNTOWN RECOVERY, AND BIPOC BUSINESS AND JOB CREATION.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

BY COUNCILOR AWAL (INTERGOVERNMENTAL RELATIONS)

19. [22-0920R](#) RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT WITH THE DULUTH SEAWAY PORT AUTHORITY FOR THE SALE OF PROPERTY IN THE ONEOTA NEIGHBORHOOD FOR NOMINAL CONSIDERATION.

Indexes:

Attachments: [Exhibit 1-Resolution Authorizing PA](#)
[Exhibit 2-Resolution Authorizing PA](#)
[Exhibit 3-Resolution Authorizing PA](#)

This Resolution was adopted unanimously.

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

20. [22-0630R](#) RESOLUTION PRIORITIZING SHARED USE PATH CONSTRUCTION IN THE CITY OF DULUTH.

Indexes:

Attachments: [22-0630R Map](#)

This Resolution was adopted unanimously.

21. [22-0880R](#) RESOLUTION AMENDING A CONTRACT WITH HANCO UTILITIES, INC. FOR CONSTRUCTION OF THE 2021 EFV AND BOLLARD INSTALLATION PROJECT, TO INCREASE THE AMOUNT BY \$145,375.00 FOR A NEW TOTAL OF \$435,000.00.

Indexes:

Attachments: [22-0880R Map](#)

This Resolution was adopted unanimously.

22. [22-0881R](#) RESOLUTION AUTHORIZING AN INCREASE TO THE PURCHASE ORDER FOR DELIVERED CLASS 5 GRAVEL, 3/4-INCH CRUSHED WASHED ROCK AND WASHED SAND FROM DULUTH READY MIX, INC. IN THE AMOUNT OF \$102,016.96 FOR A NEW TOTAL AMOUNT NOT TO EXCEED \$416,386.96.

This Resolution was adopted unanimously.

23. [22-0882R](#) RESOLUTION APPROVING A COUNTY PROJECT WITHIN MUNICIPAL CORPORATE LIMITS FOR IMPROVEMENTS TO COUNTY STATE AID HIGHWAY 10 (MARTIN ROAD).

Indexes:

Attachments: [22-0882R Map](#)

This Resolution was adopted unanimously.

24. [22-0887R](#) RESOLUTION AUTHORIZING EXECUTION OF DECLARATION OF OFFICIAL INTENT TO REIMBURSE CITY FOR COSTS OF LEAD SERVICE REPLACEMENT PROJECT FROM BOND PROCEEDS.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

25. [22-0921R](#) RESOLUTION AUTHORIZING THE ADDITIONAL PURCHASE OF ROAD

SALT FROM MORTON SALT, INC. IN THE AMOUNT OF \$186,286.00 FOR A NEW TOTAL AMOUNT NOT TO EXCEED \$439,771.00.

This Resolution was adopted unanimously.

BY COUNCILOR ANDERSON (PUBLIC SAFETY)

- 26. [22-0890R](#) RESOLUTION APPROVING SETTLEMENT IN THE MATTER OF DONALD PETERSON VS OFFICER TODD SHERMER IN AMOUNT OF \$25,000 AND PURSUANT TO TERMS OF OFFER OF JUDGMENT.

Indexes:

Attachments: [Exhibit A - Offer of Judgment](#)

This Resolution was adopted unanimously.

BY COUNCILOR TOMANEK (RECREATION, LIBRARIES & AUTHORITIES)

- 27. [22-0883R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF A SNOWMOBILE GRANT-IN-AID PROGRAM GRANT FOR FY2023 WITH THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN AN AMOUNT NOT TO EXCEED \$18,711.40

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

- 28. [22-0888R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES LAKE SUPERIOR COASTAL GRANT PROGRAM IN AN AMOUNT NOT TO EXCEED \$100,000 FOR FUNDS TO ACQUIRE APPROXIMATELY 83 ACRES FROM THE DULUTH CEMETERY ASSOCIATION FOR RECREATION AND PRESERVATION.

This Resolution was adopted unanimously.

- 29. [22-0889R](#) RESOLUTION AUTHORIZING A CONTRACT WITH JOHNSON WILSON CONSTRUCTORS FOR THE LINCOLN PARK PAVILION RESTORATION FOR AN AMOUNT NOT TO EXCEED \$329,000.

This Resolution was adopted unanimously.

- 30. [22-0910R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF AN AMERICAN RESCUE PLAN ACT CORONAVIRUS LOCAL FISCAL RECOVERY

FUND GRANT FROM ST. LOUIS COUNTY IN AN AMOUNT NOT TO EXCEED \$250,000 FOR CONSTRUCTION OF A SKATEPARK WITHIN THE GARY-NEW DULUTH RECREATION AREA.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

31. [22-0918R](#) RESOLUTION AUTHORIZING APPLICATION TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES LAKE SUPERIOR COASTAL PROGRAM GRANT IN AN AMOUNT NOT TO EXCEED \$100,000 FOR FUNDS TO REPLACE A BEACH DUNE-CROSSING BOARDWALK ON MINNESOTA POINT.

This Resolution was adopted unanimously.

32. [22-0927R](#) RESOLUTION AUTHORIZING ACCEPTANCE OF AN AMERICAN RESCUE PLAN ACT CORONAVIRUS LOCAL FISCAL RECOVERY FUND GRANT FROM ST. LOUIS COUNTY IN AN AMOUNT NOT TO EXCEED \$125,000 FOR CONSTRUCTION OF A BRIDGE AND CHALET IMPROVEMENTS WITHIN THE CHESTER BOWL PARK AREA.

Indexes:

Attachments: [Exhibit A](#)

This Resolution was adopted unanimously.

END OF CONSENT AGENDA

The following entitled resolutions are also to be considered:

BY VICE PRESIDENT KENNEDY (FINANCE)

33. [22-0937R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO CREATE AN OPIOID REMEDIATION SPECIAL REVENUE FUND DEDICATED FOR THE RECEIPT AND EXPENDITURE OF OPIOID SETTLEMENT FUNDS.

This Resolution was adopted unanimously.

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

BY COUNCILOR AWAL (INTERGOVERNMENTAL RELATIONS)

34. [22-035-O](#) AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY IN THE ONEOTA NEIGHBORHOOD TO THE DULUTH SEAWAY PORT AUTHORITY FOR NOMINAL CONSIDERATION.

Indexes:

Attachments: [Exhibit 1-Ordinance](#)

[Exhibit 2-Ordinance](#)

This Ordinance was read for the first time.

BY COUNCILOR MAYOU (PUBLIC WORKS & UTILITIES)

35. [22-033-O](#) AN ORDINANCE DEDICATING A PERPETUAL EASEMENT FOR STREET AND UTILITY PURPOSES OVER CITY-OWNED PROPERTY.

Indexes:

Attachments: [Exhibit A](#)

This Ordinance was read for the first time.

COUNCILOR QUESTIONS AND COMMENTS

COUNCILOR PREVIEW OF UPCOMING BUSINESS