

AGENDA FOR THE DULUTH CITY COUNCIL MEETING

REPLACEMENT

Monday, June 25, 2012, 7:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

- PUBLIC HEARINGS:** 7:00 p.m. - TIF District 25 Plan; Amendments to TIF Plans for TIF Districts 14, 15, 19, 20, 21, 22 and 24; and Amendment to Development District 17.
- 7:00 p.m. - AAR Aircraft Services, Inc., Business Subsidy Tax Abatement Agreements.
- 7:00 p.m. - AAR Aircraft Services, Inc., Minnesota Investment Fund and Rural Rehabilitation Account Business Subsidies Loan Agreements; and Guarantees Under the MIF Loan.
- 7:00 p.m. - AAR Aircraft Services, Inc., Job Opportunity Building Zone (JOBZ) Business Subsidy.

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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.

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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 will provide increased opportunities for civil discourse in order to find positive resolutions to the issues that face the city. These tools include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility. [Approved by the council on August 25, 2003]

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REPORTS FROM THE ADMINISTRATION

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REPORTS OF BOARDS AND COMMISSIONS

- *12-0625-01 Duluth economic development authority minutes of May 23, 2012, meeting. -- Received
- *12-0625-02 Duluth parking commission resolutions: (a) Establishing event parking rates for city-owned parking facilities for 6/16/12 (2012-10); (b) Increasing parking options on East First Street and East Second Street and to prohibit parking on the entirety of Tenth Avenue East between First Street and Second Street (2012-11); (c) Increasing parking options on West Third Street from the western edge of Mesaba Avenue to the eastern edge of Seventh Avenue West (2012-12); (d) Recommending that the city council enact an ordinance creating a parking violation with a \$21 fine for failing to pay upon exiting a city-owned gated parking facility (2012-13). -- Received
- *12-0625-03 Duluth public utilities commission: (a) Minutes of: (1) May 15; (2) May 23, 2012, meetings; (b) Resolutions regarding water rates effective with meter readings after: (1) July 1, 2012 (12 PUC-007); (2) December 31, 2012 (12PUC-008). -- Received

* Listed only, not copied.

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REPORTS OF COUNCIL COMMITTEES

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REPORTS OF COUNCIL OPEN ISSUES

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OPPORTUNITY FOR CITIZENS TO BE HEARD

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MOTIONS AND RESOLUTIONS

CONSENT AGENDA

All matters listed under the consent agenda are considered routine and/or noncontroversial and will be enacted by one unanimous motion. If a councilor requests, or a citizen wishes to speak on an item on the consent agenda, it will be removed and handled separately.

COMMITTEE 1

BY COUNCILOR KRUG

(FINANCE)

12-0220R - RESOLUTION AMENDING THE 2012 FEE SCHEDULE; ADDING FEE, FINE AND PENALTY CHARGES REMOVED FROM THE DULUTH CITY CODE.

BY COUNCILOR BOYLE

(PERSONNEL)

12-0297R - RESOLUTION CONFIRMING THE REAPPOINTMENT OF MICHAEL LUNDSTROM TO THE DULUTH AIRPORT AUTHORITY.

12-0299R - RESOLUTION CONFIRMING THE REAPPOINTMENT OF NICK PATRONAS TO THE ENTERTAINMENT AND CONVENTION CENTER AUTHORITY.

12-0300R - RESOLUTION CONFIRMING THE REAPPOINTMENTS OF JANE GILBERT-HOWARD AND NEALE ROTH TO THE SPIRIT MOUNTAIN RECREATION AREA AUTHORITY.

12-0301R - RESOLUTION CONFIRMING THE APPOINTMENT OF PAUL THOMSEN TO THE SANITARY SEWER BOARD OF THE WLSSD, REPLACING PAUL HELLER.

12-0316R - RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE SPECIFICATIONS FOR THE CIVIL SERVICE CLASSIFICATION OF WATER LAB CHEMIST.

COMMITTEE 2

BY COUNCILOR STAUBER

(PLANNING & ECONOMIC DEVELOPMENT)

12-0289R - RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT BETWEEN THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY AND BLUESTONE COMMONS, LLC, RELATING TO THE DEVELOPMENT OF THE BLUESTONE COMMONS PROJECT IN THE AREA OF THE FORMER WOODLAND MIDDLE SCHOOL.

12-0303R - RESOLUTION APPROVING A BUILDING IN DULUTH 2012 CONDITIONAL GRANT AGREEMENT BETWEEN THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY AND TAJ PROPERTIES OF DULUTH, LLC (A. W. KUETTEL & SONS) RELATING TO THE CONSTRUCTION OF A NEW BUILDING IN THE DULUTH AIRPARK.

12-0307R - RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY AND AAR AIRCRAFT SERVICES, INC.

12-0304R - RESOLUTION APPROVING A BUILDING IN DULUTH 2012 CONDITIONAL GRANT AGREEMENT BETWEEN THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY AND AAR AIRCRAFT SERVICES, INC., RELATING TO THE SUBSTANTIAL REHABILITATION OF THE MRO FACILITY AT THE DULUTH INTERNATIONAL AIRPORT.

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

NEW 12-0310R - RESOLUTION AUTHORIZING AN AGREEMENT FOR LOAN A WITH AAR AIRCRAFT SERVICES, INC., IN AN AMOUNT NOT TO EXCEED \$500,000, CONTINGENT UPON RECEIPT OF A MINNESOTA INVESTMENT FUND GRANT FROM THE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT.

NEW 12-0311R - RESOLUTION AUTHORIZING AN AGREEMENT FOR LOAN B WITH AAR AIRCRAFT SERVICES, INC., IN AN AMOUNT NOT TO EXCEED \$500,000, CONTINGENT UPON RECEIPT OF MINNESOTA INVESTMENT FUND AND RURAL REHABILITATION GRANTS FROM THE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT.

12-0308R - RESOLUTION AUTHORIZING A JOB OPPORTUNITY BUILDING ZONE (JOBZ) BUSINESS SUBSIDY AGREEMENT WITH AAR AIRCRAFT SERVICES, INC. **(REPLACEMENT 2)**

12-0309R - RESOLUTION APPROVING PROPERTY TAX ABATEMENT FOR CERTAIN PROPERTY IN THE CITY AND APPROVING A TAX ABATEMENT AGREEMENT WITH AAR AIRCRAFT SERVICES, INC. **(REPLACEMENT)**

12-0314R - RESOLUTION ESTABLISHING TAX INCREMENT FINANCING DISTRICT NO. 25 (BLUESTONE COMMONS) APPROVING THE TAX INCREMENT FINANCING PLAN FOR TAX INCREMENT FINANCING DISTRICT NO. 25, AND AMENDING THE TAX INCREMENT FINANCING PLANS FOR TAX INCREMENT FINANCING DISTRICT NOS. 14, 15, 19, 20, 21, 22 AND 24 AS PROPOSED AND APPROVED BY THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY.

12-0315R - RESOLUTION AUTHORIZING A SUBLEASE AGREEMENT WITH MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT FOR SUBLEASE OF SPACE IN THE DULUTH ATHLETIC CLUB BUILDING FOR THE JOINT WORKFORCE CENTER.

12-0318R - RESOLUTION AUTHORIZING A FIRST AMENDMENT TO THE HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME PROGRAM) HOMEOWNER REHAB PROJECT AGREEMENT WITH THE HOUSING AND REDEVELOPMENT AUTHORITY OF DULUTH (HRA), CONTRACT NO. 21417, RESOLUTION NO. 100628 AND RESOLUTION NO. 11-0216, INCREASING THE AMOUNT PAYABLE UNDER THE AGREEMENT TO \$290,000.

COMMITTEE 3

BY COUNCILOR JULSRUD (PUBLIC WORKS & UTILITIES)

12-0296R - RESOLUTION REVISING THE LIST OF HIGH PRIORITY BRIDGES IN THE CITY OF DULUTH.

12-0305R - RESOLUTION OF INTENT TO IMPROVE A PERMANENT STREET ON PLUM STREET FROM EIGHTH AVENUE EAST TO SKYWOOD LANE.

BY COUNCILOR FOSLE (PUBLIC SAFETY)

12-0302R - RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM MINNESOTA DEPARTMENT OF PUBLIC SAFETY HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION IN THE AMOUNT OF \$4,760 FOR EQUIPMENT AND TRAINING AND COMMITTING LOCAL SHARE.

COMMITTEE 3

BY COUNCILOR FOSLE (PUBLIC SAFETY)

12-0306R - RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH ST. LOUIS COUNTY TO SHARE THE COSTS OF A PUBLIC SAFETY GRANT COORDINATOR AND ACCEPTING REIMBURSEMENT FROM THE COUNTY.

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

12-0320R - RESOLUTION AUTHORIZING THREE YEAR AGREEMENT WITH DULUTH AMATEUR YOUTH BASKETBALL ASSOCIATION FOR USE OF SPACE IN THE WASHINGTON RECREATION CENTER.

END OF CONSENT AGENDA

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The following entitled resolutions are also for consideration at this meeting:

COMMITTEE 1

BY COUNCILOR BOYLE (PERSONNEL)

12-0298R - RESOLUTION CONFIRMING THE REAPPOINTMENTS OF WALTER KRAMER AND LESLIE EVANS AND THE APPOINTMENTS OF JOHN BOSTROM, WAYNE D. NELSON AND ANTHONY R. ORMAN, REPLACING RICHARD TOWEY, JOHN BOSTROM AND MELANIE HENDRICKSON, TO THE DULUTH TRANSIT AUTHORITY.

COMMITTEE 2

BY COUNCILORS STAUBER AND KRAUSE

12-0293R - RESOLUTION VETOING DULUTH PUBLIC UTILITIES COMMISSION RESOLUTION 12PUC-007 ESTABLISHING WATER RATES EFFECTIVE AFTER JULY 1, 2012.

12-0294R - RESOLUTION VETOING DULUTH PUBLIC UTILITIES COMMISSION RESOLUTION 12PUC-008 ESTABLISHING WATER RATES EFFECTIVE AFTER DECEMBER 31, 2012.

BY COUNCILOR LARSON (RECREATION, LIBRARIES & AUTHORITIES)

12-0319R - RESOLUTION AUTHORIZING DISBURSEMENT OF GRANT FUNDS IN THE AMOUNT OF \$40,000 FROM PARKS FUND NEIGHBORHOOD GRANTS PROGRAM.

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INTRODUCTION AND CONSIDERATION OF ORDINANCES

ORDINANCE TABLED

COMMITTEE 2

BY COUNCILORS GARDNER & LARSON

12-030-O - AN ORDINANCE CREATING ARTICLE XII OF CHAPTER 2 OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE ESTABLISHMENT OF A CITIZEN REVIEW BOARD.

(REPLACEMENT)

(BOYLE AMENDMENT - REPLACEMENT)

(KRAUSE AMENDMENT)

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

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

12-040-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED TO PROVIDE FOR THE RECLASSIFICATION FROM RESIDENTIAL-TRADITIONAL (R-1), TO RESIDENTIAL-URBAN (R-2) AND MIXED -USE NEIGHBORHOOD (MU-N) AT THE PROPERTIES LOCATED BETWEEN ST. MARIE STREET, WOODLAND AVENUE AND THE UMD CAMPUS (CITY OF DULUTH).

12-042-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION FROM RESIDENTIAL-TRADITIONAL (R-1), TO MIXED USE-NEIGHBORHOOD (MU-N), THE PROPERTIES LOCATED ALONG CENTRAL ENTRANCE WEST OF BASSWOOD AVENUE TO WEST OF ANDERSON ROAD (CITY OF DULUTH).

12-044-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION FROM MIXED USE-NEIGHBORHOOD (MUN), TO FORM DISTRICT SIX, MID-RISE NEIGHBORHOOD SHOPPING (F-6) FOURTH STREET FROM MESABA TO FOURTH AVENUE EAST, FROM THE ALLEY ABOVE AND BELOW FOURTH STREET (CITY OF DULUTH).

12-045-O - AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH AS REFERENCED IN CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, TO PROVIDE FOR THE RECLASSIFICATION FROM RESIDENTIAL-URBAN (R-2), TO MIXED-USE NEIGHBORHOOD (MU-N), THE PROPERTY LOCATED AT 2424 WEST FIFTH STREET (SHERMAN AND ASSOCIATES, INC.).

BY COUNCILOR GARDNER (INTERGOVERNMENTAL RELATIONS)

12-041-O - AN ORDINANCE AUTHORIZING AN AGREEMENT AUTHORIZING SALE OF SKYWALK EASEMENTS IN THE HOLIDAY MALL TO JMM LIMITED PARTNERSHIP.

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

COMMITTEE 1

BY COUNCILOR BOYLE (PERSONNEL)

12-032-O - AN ORDINANCE AMENDING CHAPTER 29A-32 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO THE CITY HOUSING, PROPERTY MAINTENANCE AND RENTAL CODE.
(REPLACEMENT 3)
(AS AMENDED)

COMMITTEE 2

BY COUNCILOR STAUBER (PLANNING & ECONOMIC DEVELOPMENT)

12-037-O - AN ORDINANCE AMENDING SECTION 50-25.1 OF CHAPTER 50 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO LANDSCAPING AND TREE PRESERVATION.

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COUNCILOR QUESTIONS AND COMMENTS

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COUNCILOR PREVIEW OF UPCOMING BUSINESS

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