

OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

REGULAR MEETING OF AUGUST 29, 2014

(Published September 6, 2014, in *Finance and Commerce*)

Council President Johnson called the meeting to order at 9:30 a.m. in the Council Chamber, a quorum being present.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey, Blong Yang, Abdi Warsame, Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

On motion by Glidden, seconded, the agenda was adopted.

On motion by Glidden, seconded, the minutes of the adjourned session held August 14, 2014, the regular meeting of August 15, 2014, and the adjourned session held August 15, 2014, were adopted.

On motion by Glidden, seconded, the petitions, communications, and reports of the City officers were referred to the proper Council committees and departments.

The following reports were signed by Mayor Betsy Hodges on September 4, 2014. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the office of the City Clerk.

REPORTS OF STANDING COMMITTEES

The COMMUNITY DEVELOPMENT & REGULATORY SERVICES Committee submitted the following reports:

CD&RS - Your Committee recommends that the proper City officers be authorized to submit the City of Minneapolis 2013 Consolidated Annual Performance and Evaluation Report to the U.S. Department of Housing and Urban Development.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

CD&RS - Your Committee recommends passage of Resolution 2014R-355 authorizing sale of the property at 5227 Girard Ave N to TimberCraft Enterprises, Inc. for \$5,000, subject to conditions. If

TimberCraft Enterprises, Inc. fails to close, your Committee recommends approval of the sale of said property to Kevis Estates, LLC for \$5,000, subject to conditions.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2014R-355
By Goodman

Authorizing sale of land Vacant Housing Disposition Parcel No VH-558 at 5227 Girard Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel VH-558, in the Lind-Bohanon neighborhood, from TimberCraft Enterprises, Inc., hereinafter known as the Redeveloper and another offer to purchase and develop Parcel VH-558, from Kevis Estates, LLC hereinafter known as the Alternate Redeveloper, the Parcel VH-558, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of VH-558; 5227 Girard Avenue North: Lot 9, Block 4, Kenmore Krest; and

Whereas, the Redeveloper has offered to pay the sum of \$5,000, for Parcel VH-558 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$5,000 for Parcel VH-558 to the City for the land, and the Alternate Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on August 8, 2014, a public hearing on the proposed sale was duly held on August 19, 2014, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Vacant Housing plan, as amended, is hereby estimated to be the sum of \$5,000 for Parcel VH-558.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper and 2) payment of holding costs of \$300.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning and Economic Development Director.

Be it Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper or Alternate Redeveloper, as appropriate; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby to execute and deliver a conveyance of the land to the Redeveloper or the Alternate Redeveloper, as appropriate; in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

CD&RS – Your Committee, to whom was referred ordinances amending Title 14 of the Minneapolis Code of Ordinances relating to Liquor and Beer, allowing micro distilleries to obtain on sale liquor licenses to sell and serve distilled spirits on the licensed premises, and having held a public hearing thereon, now recommends that the following ordinances be given their second reading for amendment and passage:

- a) Ordinance 2014-Or-050 amending Chapter 360 relating to In General.
- b) Ordinance 2014-Or-051 amending Chapter 362 relating to Liquor Licenses.

The following is the complete text of the unpublished summarized ordinances.

ORDINANCE 2014-Or-050
By Reich
Intro & 1st Reading: 6/27/2014
Ref to: CD&RS
2nd Reading: 8/29/2014

Amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to Liquor and Beer: In General.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 360.10 of the above-entitled ordinance be amended to read as follows:

360.10. Definitions. Whenever used in this title, unless some other meaning is clearly required by the context, the following words and phrases shall mean:

Banquet facility: An establishment which is under the control of a single proprietor or manager which has suitable facilities for serving meals on premises where the meal service consists of no less than one entree, complete with vegetable, salad, bread or rolls, and beverage, either catered or prepared on-site; which has facilities for seating not fewer than fifty (50) guests at one time at tables; which is not open to the general public but which is available for rental by individuals or groups for meetings, parties, weddings, or similar occasions; and in which the equipment and premises meet the provisions of all the food and health codes.

Beer: Malt liquor containing not more than three and two-tenths (3.2) percent of ethyl alcohol by weight.

Bona fide club: An organization for social or business purposes, or for intellectual improvement, or for the promotion of sports, where the serving of beer is incidental to and not the major purpose of the club, which organization has been an established incorporated club authorized to do business in the State of Minnesota for more than one year prior to the granting of any license to sell beer, and which, for said period, has maintained and operated a café, dining room or place for serving food or meals for its membership.

Bowling center: An establishment which is under the control of a single proprietor or manager which has no fewer than eight (8) fully functioning bowling lanes.

Brewer taproom: A brewer taproom is a facility on or adjacent to premises owned by a brewer licensed under Minn. Statute Section 340A.301, Subd. 6(c), (i) or (j) and produces less than two hundred fifty thousand (250,000) barrels of malt liquor annually, and where the on-sale and consumption of malt liquor produced by the brewer is permitted pursuant to Minn. Statute Section 340A.301, Subd. 6(b).

Central Commercial District: Commencing at a point on the southwesterly bank of the Mississippi River where said riverbank is intersected by the centerline of Third Avenue north, extended; thence southwesterly along the centerline of Third Avenue north to the centerline of Holden Street; thence westerly along the centerline of Holden Street to the centerline of Twelfth Street north; thence southerly and southeasterly along the centerline of Twelfth Street north to the centerline of Hennepin Avenue; thence southwesterly along the centerline of Hennepin Avenue to the centerline

of Thirteenth Street south; thence southeasterly along the centerline of Thirteenth Street south to the centerline of Lasalle Avenue; thence southwesterly along the centerline of Lasalle Avenue to the centerline of East Grant Street; thence easterly along the centerline of East Grant Street to the centerline of Portland Avenue; thence northeasterly along the centerline of Portland Avenue to the centerline of Seventh Street south; thence south and southeasterly along the centerline of Seventh Street south to the centerline of Seventh Street south to the centerline of Thirteenth Avenue; thence northeasterly along the centerline of Thirteenth Avenue extended to the southwesterly bank of the Mississippi River; thence northwesterly along said riverbank to the point of beginning; or the East Bank Commercial District described as follows: commencing at a point on the northeasterly bank of the Mississippi River where said riverbank is intersected by the centerline of the Burlington Northern Railway right-of-way where it crosses from Nicollet Island; thence northeasterly along the centerline of the railway right-of-way to the centerline of Fifth Street Northeast; thence southeasterly along Fifth Street Northeast to the centerline of Central Avenue; thence south along the centerline of Central Avenue to the centerline of Second Street southeast; thence easterly along the centerline of Second Street southeast to the centerline of Third Avenue Southeast to the northeasterly bank of the Mississippi River; thence northwesterly along said river bank to the point of beginning.

Club: A corporation organized under the laws of the State of Minnesota for civic, fraternal, social or business purposes, or for intellectual improvement or promotion of sports, which has more than fifty (50) members and for more than a year has owned, hired or leased a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable accommodation of its members, and whose affairs are conducted by a board of directors, executive committee or other similar body chosen by the members at a meeting held for that purpose, none of whose members, officers, agents or employees are paid directly or indirectly any compensation by way of profit from the distribution or sale of beverages to the members of the club or to its guests beyond the amount of such reasonable salary or wages as may be fixed and voted each year by the directors or other governing body.

Cocktail room: A cocktail room is a facility on or adjacent to premises owned by a micro distillery licensed under Minnesota Statutes, Section 340A.301, Subd. 6(c) which produces premium, distilled spirits in total quantity not to exceed forty thousand (40,000) proof gallons in a calendar year, and where the on-sale and consumption of distilled spirits produced by the microdistillery is permitted pursuant to Minnesota Statutes, Section 340A.301, Subd. 6(c).

Exclusive liquor store: An establishment used exclusively for the sale of liquor, beer, cigars, cigarettes, other forms of tobacco and soft drinks, at retail "off-sale."

General food store: Any place of business carrying a stock of food supplies and primarily engaged in selling food and grocery supplies to the public.

Hotel: An establishment with resident proprietor or manager, where, for payment, food and lodging are regularly furnished to transients, and which maintains for use of its guests not less than fifty (50) guest rooms, with bedding and other suitable and necessary furnishings in each room, and which has a main entrance with suitable lobby, desk and office for the registration of guests, on the ground floor, and which employs an adequate staff to provide suitable and usual service, and which maintains under the same management and control as the rest of the establishment and has, as an integral part thereof, a dining room with appropriate facilities for seating not less than thirty (30) guests at one time where the general public is, in consideration of payment, served with meals at tables.

Intoxicating liquor: See "liquor."

Liquor: Ethyl alcohol, and any distilled, fermented, spirituous, vinous or malt beverage containing in excess of three and two-tenths (3.2) per cent of ethyl alcohol by weight.

Nonintoxicating malt liquor: See "beer."

"Off sale": Sale of liquor or beer in original packages in drugstores, general food stores and exclusive liquor stores, for consumption off or away from the premises where sold. The package shall contain not less than seven (7) ounces for malt beverages; not less than eight (8) ounces for nonmalt beverages, except that wines with an alcoholic content of less than fourteen (14) percent by volume may also be sold in six and two-fifths (62/5) ounce packages; or the metric equivalent of any of the above.

"On sale": Sale of liquor or beer by the glass (or by the bottle or can in the case of malt beverages) or by the drink for consumption on the premises where sold, only pursuant to such regulations as the state liquor control commissioner may prescribe.

Original package: Any container or receptacle holding liquor or beer which receptacle is sealed shut and has not been opened since being first filled.

Resident: A person who maintains his or her principal place of abode in the State of Minnesota and who actually lives therein with the intent that it be permanent.

Restaurant: An establishment other than a hotel, under the control of a single proprietor or manager, having appropriate facilities for the serving of meals for not less than fifty (50) guests at one time, and where, in consideration of payment therefor, meals are regularly furnished at tables to the general public, and which employs an adequate staff to provide the usual and suitable service to its guests, and the principal part of which business is the serving of foods.

Sell: All barter and manners or means of furnishing liquor or beer, including the selling, exchange, barter, disposition of, or keeping for sale of such liquor or beer.

Section 2. That Section 360.65 of the above-entitled Ordinance be amended to read as follows:

360.65. Minimum food service requirement. All on-sale liquor and beer licenses issued for new premises shall meet a minimum food service requirement as follows:

(a) The establishment shall:

- (1) Be under the control of a single proprietor or manager.
- (2) Have suitable kitchen facilities including a stove or rethermalizing equipment, refrigerator, work table, dishwashing and utensil-washing sink. The equipment and premises shall meet the provisions of all food and health codes.
- (3) Provide food service consisting of no less than four (4) entrees or sandwiches or other principal food items as approved by the director, and a choice of non-alcoholic beverages. Prepackaged foods shall not be included in the enumerated required food items.
- (4) Provide food service during a substantial portion of the operating hours of the establishment.

The section does not apply to currently licensed on-sale liquor and beer establishments with a validly issued license, or renewals thereof, operating and in existence on the date of passage of this ordinance, nor to establishments operating as a banquet facility, ~~or~~ brewer taproom or cocktail room as defined in section 360.10, nor to temporary licenses issued under Chapters 362, 363 and 366 of the Minneapolis Code of Ordinances.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

ORDINANCE 2014-Or-051
By Reich
Intro & 1st Reading: 6/27/2014
Ref to: CD&RS
2nd Reading: 8/29/2014

Amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Licenses.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Chapter 362 of the above-entitled ordinance be amended by adding thereto a new Section 362.47 to read as follows:

362.47. Cocktail rooms. (a) A micro distillery licensed under Minnesota Statutes, Section 340A.301(6)(c) may be issued an on-sale liquor license for the “on sale” of distilled spirits produced on the licensed premises subject to the requirements and rules contained in Minnesota Statutes, Chapter 340A and Minnesota Rules, Chapter 7515 and the following conditions:

- (1) All other provisions of this chapter, and Chapters 259, 360 and 364 shall be applicable to such licenses and license holders unless inconsistent with the provisions of this section.
- (2) The annual license fee shall be as established in the license fee schedule for on- sale beer licenses.
- (3) Licensed cocktail rooms may operate a restaurant on the premises without additional licensure.
- (4) Soft drinks and water may be provided without an additional license requirement.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

CD&RS – Your Committee recommends approval of the Department of Licenses and Consumer Services Agenda recommendations granting Liquor, Business and Gambling licenses as set forth in Petition No 277453 on file in the office of the City Clerk, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 8/29/2014.

(Published 9/3/2014)

CD&RS - Your Committee recommends passage of Resolution 2014R-356 approving Business License Operating Conditions relating to the Mobile Food Vehicle Vendor License held by Naughty Neals Treats, 5661 156th Lane NW, Ramsey, MN 55303.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2014R-356
By Goodman

Approving Business License Operating Conditions relating to the Mobile Food Vehicle Vendor License held by Naughty Neals Treats, 5661 156th Lane NW, Ramsey, MN 55303.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to Mobile Food Vehicle Vendor License held by Naughty Neals Treats, 5661 156th Lane NW, Ramsey, MN 55303.

1. Trailer jacks must be placed on moving pads and planks as needed to protect the sidewalk surface.
2. Surface under the trailer must be protected by an impervious barrier (i.e. tarp) to protect the sidewalk surface from slippery or corrosive materials.
3. On Nicollet Mall, vendors may not set up or remove their vehicles between the hours of 7 a.m. to 9 a.m. and 4 p.m. to 5:30 p.m., Monday through Friday.
4. Vendors on Nicollet Mall are limited to vehicles or trailers no larger than 8' X 10'.
5. Farmer's Market has priority on location site. Vendors on Nicollet Mall must coordinate with Farmer's Market on site location or not operate.
6. There may be other sidewalk vendor licenses granted near your site. When setting up you are required to coordinate with other vendors to ensure proper clearances for pedestrian traffic.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

CD&RS - Your Committee, having under consideration the existing City financing agreements relating to the Marshall River Run affordable rental housing project at 1448 Marshall St NE, now recommends that the proper City officers be authorized to amend and re-subordinate its Affordable

Housing Trust Fund (AHTF) loan, extend the maturity date, amend the interest rate, and secure a 25% share of annual General Partner cash distributions to accommodate a HUD-insured 1st mortgage refinance and consent to assignment of the previously issued TIF Note to the new 1st mortgage lender, Oak Grove Commercial Mortgage, LLC.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

CD&RS – Your Committee, having under consideration the issuance of refunding revenue bonds for Children’s Health Care, d/b/a the Children’s Hospitals and Clinics of Minnesota Project, now recommends passage of Resolution 2014R-357 giving final approval to the issuance of up to \$56,000,000 in 501(c)(3) Tax-exempt Refunding Revenue Bonds for Children’s Hospitals and Clinics of Minnesota Series 2014 to refund a portion of the Series 2004A Bonds and all of the Series 2004B Bonds as a joint issue by the City of Minneapolis and the St. Paul Housing and Redevelopment Authority.

Your Committee further recommends that the proper City officers be authorized to execute a new Joint Powers Agreement with the St. Paul Housing and Redevelopment Authority.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2014R-357
By Goodman

Authorizing the issuance and sale of revenue bonds of The City and the Housing and Redevelopment Authority of The City of Saint Paul on behalf of Children’s Health Care and the execution of documents.

Whereas, this Council has received a proposal from Children’s Health Care, a Minnesota nonprofit corporation (the “Corporation”), that the City of Minneapolis (the “City”), acting jointly with the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (the “HRA,” and together with the City, the “Issuer”), issue its revenue bonds (the “Bonds”) under Minnesota Statutes, Sections 469.152 to 469.165 (the “Act”), in one or more series, for the purposes of financing or reimbursing to the Corporation (a) a portion of the costs of refunding all or a portion of the Issuer’s outstanding Variable Rate Revenue Bonds (Children’s Hospitals and Clinics), Series 2004A (the “Original Series 2004A Bonds”), excluding that portion of the Original Series 2004A Bonds which was remarketed as the Issuer’s Health Care Facilities Revenue Bonds, Series 2004A-1 (Children’s Hospitals and Clinics) on March 25, 2010 and Variable Rate Revenue Bonds (Children’s Hospitals and Clinics), Series 2004B and (b) certain costs of issuance of the Bonds (together, the “Refunding”); and

Whereas, this Council hereby finds that the issuance and sale of up to \$56,000,000 aggregate principal amount of the Bonds in one or more series under the authority contained in the Act to finance the Refunding would promote the purposes contemplated and described in Section 469.152 of the Act and further promote the public purposes and legislative objectives of the Act by providing the City and surrounding area with necessary healthcare facilities, is in the best interest of the City, and the City hereby determines to issue and sell such Bonds; and

Whereas, in connection with the issuance of the Bonds, the City and the HRA will enter into a Joint Powers Agreement (the "Joint Powers Agreement"), a draft of which has been made available to the Council prior to this meeting and which has been reviewed to the extent deemed necessary; and

Whereas, the proceeds of the Bonds will be lent (the "Loan") by the Issuer to the Corporation, in order to finance the Refunding; and

Whereas, pursuant to one or more Loan Agreements (whether one or more, the "Loan Agreement"), to be entered into between the City, the HRA and the Corporation with respect to the Bonds, a draft of which has been made available to the Council prior to this meeting and which has been reviewed to the extent deemed necessary, the Corporation will issue to the City and the HRA its Note or Notes (whether one or more, the "Notes"). The Notes will be issued under the Master Trust Indenture (the "Master Indenture"), dated as of September 1, 1995, between the Corporation and U.S. Bank National Association, formerly known as First Trust National Association, as trustee (the "Master Trustee"), as previously supplemented and amended and as supplemented and amended by one or more Supplemental Indentures (whether one or more, the "Supplemental Indenture") to be entered into between the Corporation and the Master Trustee. Under the Notes the Corporation, and other members of the Obligated Group under the Master Indenture, will unconditionally agree to repay the Loan made by the Issuer under the Loan Agreement in specified amounts and at specified times sufficient to make the necessary payments of principal of, premium, if any, and interest on the Bonds, when due. In addition, the Loan Agreement contains provisions relating to the payment by the Corporation of administrative costs of the Bond Trustee (as hereinafter defined), the administrative fees of the City and the HRA, indemnification, insurance and other agreements and covenants which are required by the Act or which are permitted by the Act and which the City and the HRA and the Corporation deem necessary or desirable for the sale of the Bonds; and

Whereas, pursuant to one or more Indentures of Trust (whether one or more, the "Bond Indenture") to be entered into between the City, the HRA and U.S. Bank National Association (the "Bond Trustee") with respect to the Bonds, a draft of which has been made available to the Council prior to this meeting and which has been reviewed to the extent deemed necessary, the Issuer assigns and pledges all of its right, title and interest in the Loan Agreement (other than the right of the Issuer for indemnification and administrative expenses), the Notes, the Master Indenture and the Supplemental Indenture to the Bond Trustee. In addition, the Bond Indenture, among other things, sets the interest rates, maturity dates and redemption provisions for the Bonds, establishes the various funds and accounts for the deposit and transfer of money and contains other provisions which are required by the Act or which are permitted by the Act and which the Issuer and the Corporation deem necessary or desirable in connection with the sale of the Bonds; and

Whereas, the Bonds will be special, limited obligations of the Issuer payable solely from amounts payable by the Corporation and other members of the Obligated Group under the Master Indenture under the Notes, other than to the extent payable from the proceeds of the Bonds. The Bonds shall not be payable from or charged upon any funds other than the revenue pledged to the payment thereof, nor shall the City or the HRA be subject to any liability thereon. No holder or holders of any Bond shall ever have the right to compel any exercise of the taxing power of the Issuer to pay any such Bond or the interest thereon, nor to enforce payment thereof against any property of the Issuer except the Notes. The Bonds shall not constitute a debt of the Issuer within the meaning of any charter, constitutional or statutory limitation; and

Whereas, the Bonds will be purchased from the Issuer by The Northern Trust Company (the "Purchaser") at a price equal to the principal amount thereof;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That in order to finance the Refunding, the City hereby authorizes the issuance of the Bonds as revenue bonds under the Act in one or more series, in the aggregate principal amount of up to \$56,000,000. The City Finance Officer is hereby authorized to approve the aggregate principal amount of the Bonds, provided that such principal amount is not in excess of \$56,000,000; the maturity schedule of the Bonds, provided that the Bonds mature at any time or times in such amount or amounts not exceeding 40 years from the date of issuance thereof; the provisions for prepayment and redemption of the Bonds prior to their stated maturity; and the interest rates for any series of Bonds, provided that no initial interest rate exceeds 7.00% per annum. Such approval shall be conclusively evidenced by the execution of the Bond Documents as provided herein.

Be It Further Resolved that each Bond, as initially issued, shall be executed on behalf of the City by the manual or facsimile signature of the City Finance Officer. The Bonds when executed and delivered shall contain a recital that they are issued pursuant to the Act. U.S. Bank National Association is hereby designated as authenticating agent pursuant to Minnesota Statutes, Section 475.55. If any officer who shall have signed any of the Bonds shall cease to be an officer of the City before the Bonds so signed shall have been actually authenticated by the Trustee or delivered by the City, such Bonds nevertheless may be authenticated, issued and delivered with the same force and effect as though the person who signed such Bonds had not ceased to be such officer of the City.

Be It Further Resolved that the Joint Powers Agreement, the Bond Indenture and the Loan Agreement (the "Bond Documents") are hereby made a part of this Resolution as fully as though set forth in full herein and are hereby approved in the form made available prior to this meeting, and the City Finance Officer is hereby authorized and directed to execute, acknowledge and deliver the Bond Documents on behalf of the City with such changes, insertions and omissions therein as do not change the substance of such documents and as may be approved by the City Finance Officer, such approval to be evidenced conclusively by his execution of the documents named herein.

Be It Further Resolved that the City Finance Officer is hereby authorized and directed to execute and deliver all other documents which may be required under the terms of the Bond Documents, and to take such other action as may be required or appropriate for the performance of the duties imposed thereby or to carry out the purposes thereof.

Be It Further Resolved that in the absence or disability of the City Finance Officer, the Assistant City Finance Officer or such other officer of the City as, in the opinion of the City Attorney, may act on his behalf, may execute such instrument. The execution of any instrument by an officer of the City shall be conclusive evidence of its approval.

Be It Further Resolved that the City Finance Officer is hereby designated for all purposes of the Bond Documents as the City official authorized to execute on behalf of the City certificates, requests or consents as provided in the Bond Documents.

Be It Further Resolved that the Bonds are hereby designated "Program Bonds" and are determined to be within the "Health Care Program" and the "Program", all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Be It Further Resolved that this resolution shall take effect upon publication.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

CD&RS – Your Committee, having under consideration a change to the fee rate for the Greater Metropolitan Housing Corporation (GMHC) lending contract for City of Minneapolis mortgage assistance and home improvement program lending services, now recommends approval of the modified compensation proposed by GMHC as set forth in the Department of Community Planning and Economic Development staff report.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

CD&RS – Your Committee, having under consideration 2014 Emergency Solutions Grant (ESG) funding recommendations, now recommends approval of up to \$408,377 of Fiscal Year 2014 ESG funds for the following capital projects:

a) Up to \$227,377 for Harbor Light Center located on Currie Ave N by Salvation Army or an affiliated entity; and

b) Up to \$181,000 for Our Saviour's Outreach Ministries located on Chicago Ave S by Our Saviour's Outreach Ministries or an affiliated entity.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

CD&RS – Your Committee, to whom was referred an ordinance amending Title 5, Chapter 87 of the Minneapolis Code of Ordinances relating to Building Code: Administration and Enforcement, codifying certain provisions of the Construction Management Agreement required for the wrecking, demolition, and new construction of single-family and two-family dwellings, now recommends that Ordinance 2014-Or-052 be given its second reading for amendment and passage.

Further, that Chapter 93 relating to Safety Precautions: Protection of Public Property; and Chapter 117 relating to Wrecking, be returned to author.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2014-Or-052
By Palmisano
Intro & 1st Reading: 6/27/2014
Ref to: CD&RS
2nd Reading: 8/29/2014

Amending Title 5, Chapter 87 of the Minneapolis Code of Ordinances relating to Building Code: Administration and Enforcement.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Chapter 87 of the Minneapolis Code of Ordinances be amended by adding thereto a new Article IV, including new Sections 87.340-87.350, to read as follows:

ARTICLE IV. RESIDENTIAL CONSTRUCTION, DEMOLITION, AND WRECKING OF SINGLE-FAMILY AND TWO-FAMILY DWELLINGS

87.340. Purpose. The wrecking, demolition, and new construction of single-family and two-family residential dwellings can disrupt the quietude of the neighborhood, damage adjacent public and private property, create stormwater and erosion problems, and result in littering and other nuisances. The purpose of this article is to prevent problems associated with the wrecking, demolition, and new construction of single-family and two-family dwellings.

87.350. Permit requirements and standards. In addition to all other applicable requirements of this Code, the state building code, and state statutes, the following are required for the wrecking, demolition, and new construction of single-family and two-family residential dwellings:

(a) *Construction contact information.* Prior to any work being done on the permit site, a sign must be posted identifying the nature of the construction activity, the permit holder, a contact name and phone number, the site address, and a contact phone number at the city to report problems. The sign shall be twenty-four (24) inches by thirty-six (36) inches in size with readable lettering as viewed from the street. All information must remain current and the sign must be posted without obstruction in the front yard until completion of the work.

(b) *Neighbor notification.* At least fifteen (15) calendar days before any work begins on the permit site, the permit holder shall provide mailed notice to all property owners within three hundred (300) feet of the permit site inviting them to a neighborhood informational meeting. The meeting shall be held at least five (5) days before any work commences. Topics discussed must include the construction plans, hours of operation, work schedule, estimated completion date, erosion and sediment control, dumpster location, noise mitigation, dust control, portable bathroom location, debris removal schedule, and site placement for building materials and equipment. The permit holder shall maintain a copy of the written meeting notice, the agenda, and a confirmed attendance list, which shall be available for review by the city.

(c) *Complaint log.* The permit holder shall maintain a log of all concerns and complaints that it receives during the duration of the permitted activity. The permit holder shall document the resolution to each complaint. The log shall be furnished for immediate review by the city upon request.

(d) *Site and surrounding maintenance.* The site must be maintained in a neat and orderly condition. Prior to leaving the construction site at the end of each day, the permit holder must remove empty cans, paper, plastic and other material that is not needed for construction from the site or deposit them in a dumpster. The permit holder must keep streets, sidewalks, boulevard areas and adjacent properties clean from waste, materials or refuse resulting from operations on the site. Inoperable equipment and equipment not being used on the site must be removed within twenty-four (24) hours after it becomes inoperable or is no longer in use. Where work on any project lies within areas of pedestrian traffic or vehicular traffic, the project area must be cleaned and swept and all materials

related to the project must be stockpiled in appropriate areas. Debris must be contained on the project site. No material may be deposited or stockpiled on the public streets, boulevards, sidewalks or adjacent property.

(e) *Dumpster placement.* Dumpsters shall be located entirely on the permit site and not on a sidewalk. If street placement is required, the permit holder must obtain a street use permit from the city that shall be attached to the exterior of the dumpster with a copy retained with the on-site construction plans. Dumpsters must be covered during all non-work hours.

(f) *Portable restroom placement.* Portable toilets shall be located to the rear of the project site and not within fifteen (15) feet of an adjacent property. No portable toilets shall be placed on a public street, sidewalk, or boulevard area without obtaining the proper permit from the city. The permit holder is responsible for the security and maintenance of the portable toilet.

(g) *Dust control.* Dust control is the responsibility of the permit holder. The permit holder must address dust problems immediately upon receiving notice from the building official.

(h) *Drive entrance.* A drive entrance pad or its equivalent shall consist of an all-weather, large aggregate material capable of minimizing the tracking of dirt from the permit site. The location of the construction drive entrance shall be approved by the building official and noted in the on-site construction plans.

(i) *Tree protection.* The building official may order the installation of protective fencing around boulevard trees and trees that will not be removed during construction. The building official may also require the submission of a tree preservation plan.

(j) *Damage to public property.* The permit holder must repair any damage to public property, streets, and sidewalks. The permit holder shall furnish photographs of the existing condition of the property, curbs, sidewalks, streets, boulevard, and trees adjacent to the permit site prior to commencing any work. If damage occurs to the foregoing, it must be repaired within three (3) working days after the damage occurs, unless the permit holder has received written permission from the building official to delay repairs to a later specified date. The building official may require the submission of a soils investigation report and/or shoring plan.

(k) *Protection of adjoining property.* Adjoining property shall be protected from damage during any construction work on the permit site. Excavations for any purpose shall not remove lateral support from any footing or foundation without first protecting the footing or foundation against settlement or lateral translation. The building official may require the submission of a soils investigation report and/or shoring plan.

(l) *Surface drainage.* The permit holder shall protect all storm drain inlets with sediment capture devices prior to soil disruption during the project when soil disturbing activities may result in sediment-laden stormwater runoff entering the inlet. The permit holder shall provide effective storm drain inlet protection during the duration of the project until all surfaces with the potential for discharging sediment to an inlet have been stabilized.

(m) *Survey requirement.* Prior to any construction activity, an as-built survey and topographic survey must be submitted as part of the site plan review and is required to note the front and side yard setbacks on directly contiguous properties on the sides of the home. For properties on corner lots, contiguous properties must be included in the survey. As-built surveys are required to be submitted during the course of construction as follows:

- (1) An as-built survey indicating the floor level of the existing home at the main entry must be submitted with an application for a demolition permit.
- (2) An as-built survey indicating the top of foundation and structure setbacks must be submitted prior to foundation inspection.
- (3) An as-built survey indicating actual site conditions, including all structures and contours must be submitted prior to issuance of a certificate of occupancy.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

CD&RS – Your Committee, having under consideration the 201 Lowry Ave NE site and redevelopment contract, now recommends approval of the following recommendations:

- a) The assignment of the redeveloper's interest in the Phase 1/commercial portion of the redevelopment contract for 201 Lowry Avenue Northeast from 201 Lowry Development, LLC to D&D Holdings, LLC for the redevelopment of Phase 1 of the 201 Lowry Avenue Northeast site as set forth in the Department of Community Planning and Economic Development staff report;
- b) That the proper City officers be authorized to release the Letter of Credit posted by 201 Lowry Development, LLC upon satisfaction of City conditions to and closing on conveyance of the real estate title to D&D Holdings, LLC;
- c) Approval of a one year extension on the 201 Lowry Avenue Northeast Phase 1 completion deadline from December 31, 2014 to December 31, 2015.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

CD&RS – Your Committee recommends extending the Exclusive Development Rights granted to Lupe Development Partners, LLC for 12 months on two City-owned parcels at 2413 and 2423 Penn Ave N as part of the Penn-Broadway Mixed Use Project.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS Committees submitted the following reports:

CD&RS & W&M – Your Committee recommends that the proper City officers be authorized to amend Contract C-35467 with Hennepin County for Sentence to Serve to provide nuisance property grass-cutting and related services for the remainder of 2014, in an amount up to \$75,000.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

CD&RS & W&M – Your Committee, having under consideration receipt of Metropolitan Council's Transit Oriented Development Site Investigation Grant Program (TBRA-TOD) grant awards for the 729 Washington Ave N (\$98,000) and Target Field Station-Pad A (\$26,625) projects, and a Livable Communities Demonstration Account Transit Oriented Development Pre-Development Grant Program grant award for the Downtown East Park-Schematic Design (\$60,000), now recommends that the proper City officers be authorized to accept and appropriate awards for said projects, and to execute grant, sub-recipient and/or disbursement and related agreements.

Your Committee further recommends passage of Resolution 2014R-358 increasing the Department of Community Planning & Economic Development appropriation to reflect the receipt of said grant funds.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2014R-358
By Goodman and Quincy**

Amending the 2014 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for Community Planning & Economic Development Agency Grants Other Fund (01600-8900220) by \$98,000; Fund (01600-8900320) by \$26,625; and Fund (01600-8900420) by \$60,000; and increasing the revenue source in Fund (01600-8900900-321513) by \$124,625; and Fund (01600-8900420-321513) by \$60,000.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS Committees submitted the following report:

HE&CE & W&M - Your Committee recommends that the proper City officers be authorized to amend Contract 26078-16 with the Minnesota Department of Health to extend the termination date by six months and to accept additional revenue in the amount of \$60,000, for a revised total of \$420,000, for home visiting services for women and young children.

Your Committee further recommends passage of Resolution 2014R-359 increasing the appropriation in the Grants-Federal Fund by \$60,000.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2014R-359
By Gordon and Quincy**

Amending The 2014 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants-Federal Fund (01300-8600151) by \$60,000 and increasing the revenue source (01300-8600151-321007) by \$60,000.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS Committees submitted the following reports:

PSCR&EM & W&M - Your Committee recommends that the proper City officers be authorized to accept redistribution funding under the Round 6 training reimbursement program from the Minnesota Board of Firefighter Training and Education in the amount of \$48,960, for training conducted between 7/1/2013-6/30/2014. Further, passage of Resolution 2014R-360 appropriating said funds to the Fire Department.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2014R-360
By Yang and Quincy**

Amending the 2014 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants-Other Fund (01600-2800700) by \$48,960, and increasing the revenue source (01600-2800700-321015) by \$48,960.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

PSCR&EM & W&M - Your Committee recommends that the proper City officers be authorized to accept the 2014 Emergency Management Performance Grant Award from the Department of Homeland Security in the amount of \$30,000. Further, passage of Resolution 2014R-361 appropriating said funds to the Office of Emergency Management.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2014R-361

By Yang and Quincy

Amending the 2014 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Emergency Management Agency in the Federal Grants Fund (01300-8440100) by \$30,000 and increasing the revenue source by \$30,000.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

PSCR&EM & W&M – Your Committee recommends that the proper City officers be authorized to issue a new Request For Proposals for health club memberships, fitness and wellness services and facility use for the City of Minneapolis Police and Fire Departments and the Minneapolis Park and Recreation Board Police Department.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

PSCR&EM & W&M – Your Committee recommends that the proper City officers be authorized to execute a contract agreement with the University of Minnesota for Minneapolis Police Department Bomb and K-9 Unit security for the 2014 Minnesota Gopher football games held at the TCF Bank Stadium, for an estimated cost of \$20,200, to be reimbursed.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

PSCR&EM & W&M - Your Committee recommends acceptance of the single bid submitted to the Departments of Police and Procurement on OP No. 7967 from Uniforms Unlimited for an estimated annual expenditure of \$130,000 to furnish and deliver Conducted Energy Device/Tasers to the Minneapolis Police Department.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, to whom was referred an ordinance amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Garbage and Refuse, expanding the authority of the Department of Public Works, Division of Solid Waste and Recycling to provide clean-up and charge for excessive solid waste at residential properties with more than four dwelling units and non-residential properties in the City of Minneapolis, and having held a public hearing thereon, now recommends that Ordinance 2014-Or-053 be given its second reading for amendment and passage.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2014-Or-053
By Reich
Intro & 1st Reading: 6/27/2014
Ref to: T&PW
2nd Reading: 8/29/2014

Amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Garbage and Refuse.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 225.740 of the above-entitled ordinance be amended to read as follows:

225.740. Enforcement. The director of ~~inspections~~ regulatory services and the director's authorized representatives shall enforce the provisions of this article. The director of regulatory services or the director's successor may delegate enforcement of this article to members of any department of the city. Such enforcement may include the abatement of overflowing dumpsters upon failure of the owner to respond to written orders with the resultant cost assessed against the property. This shall not be construed so as to prohibit the commissioner of health, the chief of police, or the chief of the fire prevention bureau, or their authorized representatives, from authority to provide for the enforcement thereof. The director of regulatory services or any authorized representative may alternatively use the procedures outlined in Section 225.690 of this Code to clean up and charge for the cleanup or other abatement of overflowing dumpsters, mobile refuse containers, or any other solid waste or recycling collection device or solid waste collection point throughout the city, whether or not the city provides solid waste and recycling services for the property involved.

Section 2. That Chapter 225 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 225.750 to read as follows:

225.750. Solid waste collection point (SWCP). (a) Every lot containing a building regularly used for human habitation shall provide a solid waste collection point (SWCP), to facilitate the temporary storage and collection of solid waste, recyclable materials and yard waste if there is a yard. Any solid waste, recyclables, yard waste and other materials being put out for collection shall be stored in appropriate containers as required by this Code and placed in the location established as the SWCP.

(b) The SWCP shall be established at or near the alley line, or at or near the rear entrance or rear wall of the building for commercial, industrial and institutional properties, or as otherwise determined by the director of public works.

(c) Persons who have a disability which would otherwise prevent compliance with this section may apply to the director of public works for location of a SWCP in a location that would otherwise not be in compliance with this Code.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

T&PW - Your Committee recommends that the proper City officers be authorized to accept and execute a conveyance document from the University of Minnesota for a permanent street easement, at no cost to the City, in order to extend the roadway and construct a cul de sac extension on 8th St SE in conjunction with the 8th St SE Street Reconstruction and Street Lighting Project, as more fully set forth in Petn No 277467.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

T&PW - Your Committee recommends that the proper City officers be authorized to execute an amendment to the terms of the Joint and Cooperative Agreement for the Bassett Creek Watershed Management Commission, extending the term of the agreement from January 1, 2015, to January 1, 2025.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

T&PW - Your Committee recommends that the proper City officers be authorized to execute a "Permission to Use Metro Transit Property" Letter Agreement with Metro Transit, including a hold harmless agreement, to allow the City to use property owned by Metro Transit at 834 N 7th St for snow storage for the 2014-2015 winter season.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

T&PW - Your Committee, having under consideration a Special Boulevard Permit application from the managers of the Riverfront Parking Ramp located at 212 9th Ave S requesting authorization to pave the boulevard on two sides of the building with pervious pavers, as set forth in Petn No 277472, now recommends that said application be approved.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS Committees submitted the following reports:

T&PW & W&M - Your Committee recommends that the proper City officers be authorized to expend \$12,500 from the Public Works Operating Budget (Fund 00100-6000200) to allow 2014 City of Minneapolis participation in the Minneapolis-Duluth/Superior Passenger Rail Alliance Board for the development of the Northern Lights Express (NLX).

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

T&PW & W&M - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7980 from Global Specialty Contractors, Inc., in the amount of \$972,026.00, to furnish and deliver all labor, materials, and incidentals necessary for Bridge 9 Rehabilitation - S.P. 141-090-038. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, having under consideration the Southwest Light Rail Transit Project (SWLRT), now recommends that the proper City officers be authorized to enter into and execute a Memorandum of Understanding between the City of Minneapolis and Metropolitan Council on the Proposed Redesign of a Portion of Southwest Light Rail Project, as set forth in Petition No 277471.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano (11)

Noes: Goodman, President Johnson (2)

The report was adopted.

T&PW - Your Committee, having under consideration the Southwest Light Rail Transit Project (SWLRT), now recommends passage of Resolution 2014R-362 approving the physical design component of the preliminary design plans for the Southwest Corridor Light Rail Project that were submitted to the City of Minneapolis by the Metropolitan Council on July 10, 2014, in order to fulfill the requirements of Minnesota Statutes, Section 473.3994, Subd. 3.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2014R-362

By Reich

Approving the Physical Design Component of the Preliminary Design Plans for the Southwest Corridor Light Rail Transit Project in the City of Minneapolis.

Whereas, the City of Minneapolis has been a strong advocate for increased investments in transit generally and for Southwest Light Rail Transit (LRT), in particular, and has been a reliable regional partner in advancing a multimodal transit system; and

Whereas, the City of Minneapolis has relied on other regional partners to work in a collaborative way to achieve a shared vision and is therefore extremely disappointed to be asked to approve a project which violates past commitments; and

Location of Freight

Whereas, when the Kenilworth Rail Corridor was acquired by the Hennepin County Regional Railroad Authority ("HCRRA") in the late 1980s, the corridor was empty and not regularly in use by any railroad; and

Whereas, the Minnesota Department of Transportation (MnDOT) needed to move freight rail out of the Midtown Corridor because the reconstruction of Highway 55 was going to sever the at-grade crossing of the highway. The government agencies involved had decided the solution was to relocate freight rail to the existing Minneapolis, Northfield and Southern Railway ("MN&S") rail corridor in St. Louis Park. But before the project began, project engineers learned that the land under the planned connection to the freight re-route – the Golden Auto site in St. Louis Park – was contaminated and unfit for construction; and

Whereas, HCRRA then allowed Twin Cities & Western ("TC&W") railroad to temporarily move its trains to the publicly-owned Kenilworth Corridor right-of-way in order to assist MnDOT to meet deadlines to save federal funding for the reconstruction of Highway 55 in South Minneapolis; and

Whereas, the Kenilworth Corridor was only to be in use for a maximum of six years, thus allowing time for environmental cleanup at the Golden Auto site. HCRRA entered into an agreement with TC&W for relocation to the MN&S corridor after the clean-up; and

Whereas, Hennepin County's promise to re-route freight before the corridor would be used for passenger transit service is summarized in its 2009 Freight Rail Study; and

Whereas, the State legislation providing substantial funding for soil remediation for the Golden Auto site required that MnDOT not disburse those funds until an agreement had been reached regarding the routing of freight. MnDOT failed to follow the law and gave the soil remediation funds to St Louis Park without a binding agreement from St. Louis Park regarding the rail routing. Laws of Minnesota, 1997, Chapter 231, Article 16, Section 23; and

Whereas, when planning for Southwest LRT began in earnest in the mid-2000s, TC&W trains continued to operate in the Kenilworth Corridor, as they were not moved to the MN&S pursuant to the earlier agreements and State law; and

Routing of LRT

Whereas, decisions about light rail projects like Central LRT and Southwest LRT are driven by a need to adhere to the Federal Government's transit criteria or "funding formula," as the federal government provided 50% of the funding for Central and is anticipated to do the same for Southwest; and

Whereas, the decision about where to route the Southwest LRT line was made when the Bush-era transit funding formula was still in effect. That formula said that only new transit riders should count. If you were already a transit rider, you didn't count towards projected ridership. That formula was inherently biased against urban neighborhoods where lots of people already ride transit. That formula was inherently favorable to suburban areas where it is easier to find potential riders not currently taking transit. The Bush-era formula created an incentive for transit planners and policy-makers to avoid, rather than serve, dense neighborhoods where many people already take transit; and

Limitations of Kenilworth Alignment

Whereas, the routing of Southwest LRT was not designed around serving disadvantaged populations or serving the greatest number of Minneapolis residents. It was designed to achieve the fastest route between suburban and downtown destinations; and

Whereas, when the City reluctantly agreed to proceed with Hennepin County's preferred alignment of Kenilworth, it did so with the express condition that the bicycle/pedestrian trail in the Kenilworth Corridor (the "Kenilworth Trail") would be preserved and with reassurance that long-standing promises to re-route freight would be kept; and

Serving the Communities Left Behind

Whereas, following the selection of the Kenilworth Corridor as the Locally Preferred Alternative (LPA), the City redoubled its existing efforts to advance plans to provide rail service to the Nicollet Avenue corridor in the form of a more appropriately-sized Modern Streetcar and to provide rail service to the Midtown Greenway. These two corridors had been considered for Southwest LRT, but not selected; and

Whereas, the City appreciates Hennepin County's leadership in advancing Modern Streetcar on Nicollet by helping the City secure passage of a value capture tool and Metropolitan Council's

leadership on advancing rail transit in the Midtown Greenway through its Alternatives Analysis; and

Whereas, the City also appreciates the support of both Hennepin County and the Metropolitan Council in their collaborative work with the City to jointly fund a study of the West Broadway corridor through North Minneapolis. This is a key step toward potentially expanding a Modern Streetcar to North Minneapolis, which would include an estimated 12-16 stops in North Minneapolis between Hennepin Avenue and the City border in a full build out scenario; and

Whereas, these neighborhoods along Midtown, Nicollet and Broadway are crying out for improved transit and for the opportunity to be connected to the regional spine of Southwest LRT and without continued shared efforts by our partner agencies, Southwest LRT will not meet its full potential; and

Freight Challenges Will Be Ongoing

Whereas, after the LPA decision the Metropolitan Council took over the project as lead agency and convened a Southwest Corridor Management Committee (CMC) to advise the Metropolitan Council on Southwest LRT; and

Whereas, coordination with and the cooperation of the railroads was identified at the CMC as a potential obstacle to progress of the project. The City's sole delegate at the CMC, Mayor Rybak, was reassured that the Metropolitan Council was going to be a tough negotiator with the railroads; and

Whereas, in late 2012, Hennepin County released the Draft Environmental Impact Statement (DEIS) for the Southwest LRT Project. The City's official comments on the DEIS made it absolutely clear that its continued support for the Kenilworth LRT route was contingent upon implementing the freight relocation plan; and

Whereas, at the direction of the Federal Transit Administration ("FTA"), the DEIS included analysis of a scenario in which both freight and LRT would coexist at-grade in the Kenilworth corridor, a concept that had not advanced through the Alternatives Analysis process, or for which the project sponsor developed conceptual engineering drawings. Using layouts developed by the City of St. Louis Park, not the Southwest LRT Project Office or Hennepin County, the DEIS found that co-locating freight and LRT at-grade in the Kenilworth corridor would be detrimental to the environment, and recommended the LPA with freight re-routed as the option "that will cause the least damage to the biological and physical environment and that best protects, preserves, and enhances historic, cultural, and natural resources." Southwest Transitway DEIS, October 2012, pages 11-15; and

Whereas, tasked with belatedly addressing the freight issue, last summer the Metropolitan Council put forward three options, only one of which re-routed the freight as promised. This option included construction of a new rail right-of-way located on top of a two-story berm. It imposed surprising and, as it turned out later, unnecessary impacts to neighbors along the MN&S in St. Louis Park, including the removal of over 30 homes; and

Whereas, at the CMC, Mayor Rybak's vote was cast in favor of removing the most expensive option, a deep tunnel, from further consideration. This was done after the Mayor was assured that an independent freight expert would be hired by the Metropolitan Council to look at all options for addressing the freight issue; and

Whereas, at Governor Dayton's direction, the Metropolitan Council developed a scope of work for the independent freight study. All the cities along the corridor including Minneapolis were able to provide input, and the scope of work was formally adopted by the CMC. As called for by Metropolitan Council staff, the scope of work explicitly identified the American Railway Engineering and Maintenance Right-of-Way (AREMA) standards as the design standard that the freight expert must meet for any proposed freight line; and

Whereas, TranSystems of Kansas City was hired to do the freight analysis and it developed the MN&S North solution which requires the taking of dramatically fewer homes and was significantly less expensive than the "two-story tall berm option" both in initial construction and from a long-term operating perspective. The TranSystems solution provided important benefits to St. Louis Park, and to the region described in the City of Minneapolis' May 7, 2014, Resolution; and

Whereas, unfortunately, Southwest Project staff reacted by undermining TranSystems design which met, and in some cases, exceeded the required AREMA standards according to the City's own consultant with substantial freight expertise. TranSystems was not invited to present their final report in person so they could answer questions about the report. When the City repeatedly asked Project staff to either confirm or deny that the TranSystems solution met the agreed-upon AREMA standard, Metropolitan Council staff repeatedly declined to answer the question. They simply indicated that the proposed solution was not acceptable to the railroads; and

Railroads and the Surface Transportation Board (STB)

Whereas, in 1998 when MnDOT was moving freight from the Midtown Corridor to its temporary location in the Kenilworth corridor, TC&W signed a trackage rights agreement with HCRRA which owns the Kenilworth Corridor. The trackage rights agreement says TC&W would move out of the Kenilworth corridor when provided with another connection. TC&W signed another similar agreement in 2012; and

Whereas, if after approval by the Surface Transportation Board (STB), the Metropolitan Council were to build the TranSystems MN&S North solution, the conditions of these agreements will have been met and TC&W would be required to move; and

Whereas, while TC&W clearly opposed the re-route, the STB exists to resolve these kinds of disputes between railroads and local governments. Given that the re-route meets AREMA standards, coupled with the fact that the re-route is comparable in length and geometry to the existing Kenilworth route, the City agrees with the TranSystems principal who said that he could not find any reason why the STB would not approve the re-route; and

Whereas, of the government agencies represented at the CMC, only the City of Minneapolis, was willing to re-route freight out of the corridor by going to the STB. Mayor Hodges was outvoted at the CMC by all the cities along the corridor as well as Hennepin County and Metropolitan Council representatives. Opponents of re-routing the freight expressed concern that opposition to the freight re-route by TC&W at the STB would result in unacceptable delays, even if it were ultimately approved; and

Whereas, since the TranSystems report is still unrefuted by any credible source, the City does not concede that Freight could not be re-routed safely from the corridor. Nonetheless, the City must react to the region's unwillingness to take a possible re-route to the STB; and

Whereas, there were serious mistakes made during the development of this Project: failing to secure a binding agreement with St Louis Park; failing to secure a binding agreement with the railroads; failing to follow up with MnDOT to ensure they were following the law requiring a binding agreement before disbursing funds for the Golden Auto site; failing to design a new version of a freight re-route to reflect changes in industry practice; failing to hire an independent engineering firm like TranSystems years earlier; and when a new viable re-route was finally identified, an unwillingness to bring that plan to the STB for approval; and

Whereas, these mistakes were not made by the City and cannot be corrected by the City, but the City can do everything in its power to avoid repeating these mistakes and therefore has secured written, binding agreements on critical issues with the responsible government agencies; and

Whereas, nonetheless the City has entered into a Memorandum of Understanding with the Metropolitan Council regarding property ownership in the Kenilworth Corridor; and

Whereas, the City has entered into a Memorandum of Understanding with Hennepin County regarding property ownership in the Kenilworth Corridor; and

Whereas, the City has entered into a Memorandum of Understanding with the Metropolitan Council regarding design of the Southwest LRT in Minneapolis and the stations in Minneapolis; and

Whereas, the Memoranda of Understanding for Southwest LRT reached by the City could not address, and are not expected to address, every possible issue which will affect residents quality of life or their experience of Southwest LRT and ongoing work will be required at each stage of project development; and

Whereas, the City of Minneapolis considers the pedestrian access and other project components from the resubmitted municipal consent package that are described in the Design Memorandum of Understanding to be necessary mitigations for both the alignment choice and the unexpected and unwelcome presence of freight rail in the Kenilworth Corridor; and

Whereas, the City of Minneapolis considers the Memoranda of Understanding with the Metropolitan Council and Hennepin County to be important, though limited, assurances regarding future property ownership in the Kenilworth Corridor; and

Whereas, without such agreements, the City of Minneapolis would not approve the physical design component of the Preliminary Design Plan for Southwest LRT; and

Benefits to the Region and Minneapolis

Whereas, while the routing-specific and station-specific benefits of Southwest LRT to advancing equity and to serving Minneapolis neighborhoods have been exaggerated, Southwest LRT will nonetheless benefit equity by significant overall improvement of the regional transit system; and

Whereas, while Southwest LRT was not designed around serving disadvantaged populations or serving dense urban neighborhoods, Central LRT was designed around those goals. Central LRT serves, rather than avoids, dense Minneapolis neighborhoods. Central LRT was built on a City street with accessible, easy-to-find stations and ample room for development and job growth. These qualities of Central LRT are critically important because Southwest and Central

will be one single “interlined” train. For example, riders will be able to get on in West Bank and get off in Hopkins without changing trains. This is referred to as a “one seat ride”; and

Whereas, both Hiawatha LRT (Blue Line) and Central LRT (Green Line) have exceeded ridership projections, and Southwest LRT, largely on the basis on its suburban ridership, still has the potential to be a successful project with ridership projected at 30,000 every weekday by 2030; and

Whereas, bringing people into downtown Minneapolis by transit, and not by automobile, will benefit Downtown Minneapolis, and is consistent with the City’s plans, including Access Minneapolis – the City’s Ten Year Transportation Action Plan; and

Whereas, residents of Minneapolis are disproportionately affected by regional air pollution and increasing overall regional transit ridership will help fight global climate change and improve regional air quality;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis approves the physical design component of the preliminary design plans for the Southwest Corridor Light Rail Transit Project that were submitted to the City by the Metropolitan Council in order to fulfill the requirements of Minnesota Statutes, Section 473.3994, Subdivision 3.

Be It Further Resolved that the City of Minneapolis requests that the Metropolitan Council communicate with TC&W and seek the cooperation of TC&W in developing a “Good Neighbor Agreement” that will include a promise to maintain the current speed limit for freight in the corridor and approximately the same freight mix as currently exists.

Be It Further Resolved that the City of Minneapolis requests that the Metropolitan Council respect the residential and/or park-like nature of the 21st Street and Penn Avenue Station Areas and agree to avoid unnecessary discretionary noise pollution, including not ringing bells as trains approach these stations.

On roll call, the result was:

Ayes: Reich, Frey, Yang, Warsame, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano (10)

Noes: Gordon, Goodman, President Johnson (3)

The resolution was adopted.

T&PW - Your Committee, having under consideration the Southwest Light Rail Transit Project (SWLRT), now recommends approval of the following staff direction:

The City Attorney and Director of Public Works are directed to monitor the progress of the Supplemental Draft Environmental Impact Statement (“SDEIS”) for the Southwest LRT line and to update the City Council with new information or in the event of further delays. The current date of release of the SDEIS estimated by the Metropolitan Council is January 2015.

If the SDEIS process or other reliable environmental studies reveal new information that predicts a reasonable possibility of previously unknown or previously undisclosed detrimental effects on the City’s waters (direct or indirect) caused by the Southwest LRT project, the City Attorney, in consultation with the City Engineer and City environmental staff, is directed to

promptly present to the City Council a report setting out the potential legal actions to protect the City's environmental assets, including initiating or joining ongoing litigation initiated by others, regardless of whether any of the potential actions might have the effect of halting the Southwest LRT project.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano (11)

Noes: Goodman, President Johnson (2)

The report was adopted.

T&PW - Your Committee, having under consideration the Southwest Light Rail Transit Project (SWLRT), now recommends approval of the following staff direction:

As part of the deliberations over Southwest LRT, residents of Minneapolis, including a broad range of community, neighborhood and advocacy organizations have put forward ideas to promote equity through and around improved transit service, and leaders from those organizations have met with City leaders to advance those ideas. Some of those equity concerns and ideas are outlined at www.peoplestransit.org and www.equityccforswlr.com.

The Intergovernmental Relations Department is directed to convene appropriate staff from Public Works, Community Planning and Economic Development (CPED), Civil Rights, City Coordinator, Mayor's Office and City Council Offices to complete development of a written response by the City to these equity concerns and ideas, and to report back to the Transportation and Public Works Committee by September 9, 2014.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano (11)

Noes: Goodman, President Johnson (2)

The report was adopted.

The WAYS & MEANS Committee submitted the following reports:

W&M - Your Committee recommends passage of Resolution 2014R-363 authorizing settlement of legal matters, as recommended by the City Attorney.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2014R-363
By Quincy

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with settlement of the following:

- a) Evelyn Jimenez, Imelda Jimenez, Maria Teresa Jeronimo by payment of \$28,000.00 to Evelyn Jimenez, Imelda Jimenez, Maria Teresa Jeronimo and their attorneys, MJR Law, from Fund/Org. 06900-1500100-145664.
- b) Rafael Antonio Sanchez by payment of \$18,000.00 to Mr. Sanchez and his attorneys, MJR Law, from Fund/Org 06900-1500100-145400.
- c) Travis M. Minke by payment of \$40,000 to Mr. Minke from Fund/Org 06900-1500100-145400.
- d) S.S., by and through her legal guardian and parent, Phaedra Singleton by payment of \$22,500 to Ms. Singleton and her attorney, Joshua Williams, from Fund/Org 06900-1500100-145400.

Further, authorize the City Attorney's Office to execute any documents necessary to effectuate the above settlements.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

W&M - Your Committee recommends that the proper City officers be authorized to consent and waive any conflict of interest between the City of Minneapolis and Dorsey and Whitney LLP (the "Firm") arising out of the Firm's representation of Children's Health Care, the Minnesota Sports Facilities Authority and Siena Systems.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends that the Minneapolis Communications Department be authorized to donate the following used audio and video equipment to the Minneapolis Television Network (MTN): One - Mackie audio mixing console, twelve - Shure desktop microphones, three - Marshall monitors, One - Telemetrics robotic camera control panel, Four - Telemetrics HP Pan/Tilt heads, Three - Sony cameras with Fujinon TV Zoom Lens, One - Sony camera with Fujinon TV Zoom Lens, Four - Sony camera control units, One - Scan Do Pro II, One - Key West Technologies Big VooDoo TBC, One - Bogen Tripod and head, 3021, One - Bogen Tripod and head, 3066, One - Tripod for small camcorder, Three - Hard shell camera cases, Four - Toshiba HD DVDs, Three - Panasonic 3" monitors, One - Port-a-brace, One - Sony 15" monitor.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends acceptance of low bid received on OP 7970 submitted by the Morcon Construction, in the amount of \$267,000, to furnish and deliver all labor, materials,

equipment and incidentals necessary to accomplish the Waste Recycling Project, all in accordance with City specifications. Your Committee further recommends that the proper City officers be authorized to execute a contract for said project.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends that the proper City officers be authorized to issue a request for proposal for the Minneapolis Police Department Records Management System (RMS) to replace their current outdated records management system which lacks the ability to share and provide information in a timely manner. The new RMS will streamline data entry, storage and retrieval that will replace disconnected systems.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends passage of Resolution 2014R-364 accepting reimbursement of conference related costs for the City of Minneapolis' Chief Financial Officer, Otto Doll, to attend the South Carolina Information Technology Directors Association (SCITDA) Conference, Metropolitan Information Exchange (MIX) Annual Conference and Center for Digital Government Leadership Retreat and CIO Leadership Group.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2014R-364

By Quincy

Accepting gift of conference, meal and/or travel costs for the City of Minneapolis' Chief Information Officer, Otto Doll, to attend three conferences in the Fall of 2014.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the city:

Name of Donor

South Carolina Information Technology Directors Association (SCITDA)

Gift

Conference expenses including travel, lodging, and meals for Minneapolis CIO; for participation in the SCITDA Annual Conference, September 8, 2014 in Columbia, South Carolina

Metropolitan Information Exchange (MIX)	Conference expenses including lodging, and meals for Minneapolis CIO; for participation in the MIX Annual Conference, September 29 – October 3, 2014 in Boise, Idaho
Center for Digital Government (re:public)	Conference expenses and meals for Minneapolis CIO; for participation in re:public Leadership Retreat and CIO Leadership Group, November 9 - 11, 2014 in Amelia Island, Florida.

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the city in: participating in out-of-town IT conferences; sharing ideas and challenges with public sector peers and industry experts; and keeping current with IT trends, opportunities and solutions for local government, as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donation offered;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the donations described above are accepted and shall be used for efficient and effective leadership and management of the City's Information Technology Department.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

W&M - Your Committee recommends passage of Resolution 2014R-365 authorizing acceptance of 2nd Quarter 2014 donations made to the City of Minneapolis valued under \$15,000.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2014R-365
By Quincy**

Authorizing acceptance of 2nd Quarter 2014 donations made to the City of Minneapolis valued under \$15,000.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the city:

AUGUST 29, 2014

Donations to Minneapolis Animal Care & Control

Date	Donation Amount	Location	Last Name	First Name
04/16/2014	\$20	DONATION	PLIHAL	JANE
04/30/2014	\$10	DONATION WL	GRIER	LATOYA
04/18/2014	\$5	DONATION WL	SAMES	EMILY
04/18/2014	\$1	DONATION WL	PRYZBY	JUSTIN
06/05/2014	\$10	DONATION	THURMAN	DIANE
05/02/2014	\$10	DONATION WL	HYNESCIERNIA	BETH
04/05/2014	\$20	DONATION	FRONK	ERIKA
04/13/2014	\$3	DONATION WL	MITCHELL	PAULINE
05/21/2014	\$5	DONATION WL	SELTZ	SUSAN
05/02/2014	\$5	DONATION WL	THOMAS	ANGELA
05/05/2014	\$5	DONATION WL	KING	JAINÉ
05/12/2014	\$5	DONATION WL	BRIGGS	STEVE
06/19/2014	\$10	DONATION WL	LUCERO	NOREEN
06/03/2014	\$1	DONATION WL	PAYNE	HANNAH
06/12/2014	\$25	DONATION WL	SHEEHAN	ANTHONY
06/05/2014	\$50	DONATION WL	DUST	ANDREW
04/08/2014	\$10	DONATION WL	WITKOP	AMY
05/12/2014	\$75	DONATION WL	KANYUSIK YOAKUM	ANNE
06/04/2014	\$15	DONATION WL	CLEVELAND	JOHN
06/03/2014	\$5	DONATION WL	MILLER	CYNTHIA
06/01/2014	\$2	DONATION WL	MARTIN	SARAH
04/09/2014	\$20	DONATION	ARAVE	JENNIFER
04/22/2014	\$15	DONATION WL	ROCKSWOLD	JESSICA
05/17/2014	\$10	DONATION WL	HAYS	DANA
06/06/2014	\$5	DONATION WL	PRYOR	TOM
04/10/2014	\$5	DONATION WL	HICKS	DAVID
05/16/2014	\$25	DONATION WL	HOLMES	ANNE

AUGUST 29, 2014

05/20/2014	\$5	DONATION WL	MOORE	MICHELE
06/01/2014	\$10	DONATION WL	SWORA	MARIA
05/05/2014	\$60	DONATION WL	BAKER	LANCE
05/03/2014	\$5	DONATION WL	STOLT	DEBORAH
04/05/2014	\$10	DONATION WL	ELLIOTT	MAUREEN
06/05/2014	\$10	DONATION WL	SANGUINET	CHRISTINE
06/20/2014	\$5	DONATION WL	MARTINEZ	VERONICA
04/06/2014	\$1	DONATION WL	GARCIA	JESUS
06/02/2014	\$20	DONATION WL	MCGOWAN	DIANE
05/24/2014	\$10	DONATION	JONES	BARBARA
04/17/2014	\$25	DONATION WL	KARACHUNSKI	ELIZAVETA
05/21/2014	\$4	DONATION	BROWN	RICK
04/14/2014	\$5	DONATION WL	IVERSON	PETRA
05/01/2014	\$10	DONATION WL	MAMMOSER	WILLIAM
05/16/2014	\$10	DONATION WL	ROLANDELLI	SUSAN
05/01/2014	\$20	DONATION	ADAMS-BLISS	RACHAEL
06/04/2014	\$20	DONATION WL	KIM	MARIA
05/20/2014	\$10	DONATION WL	BRENTESON	SUSAN
05/05/2014	\$25	DONATION WL	JAMISON	PATRICIA
05/07/2014	\$15	DONATION	NIBBE	MICHAEL
06/24/2014	\$10	DONATION WL	SMITH	STEVEN
06/27/2014	\$5	DONATION WL	MORGAN	PHIL
04/03/2014	\$25	DONATION WL	LOUGHRAN	LORCHID
06/30/2014	\$5	DONATION WL	ANDERSON	LORELEI
04/10/2014	\$10	DONATION	SILVERS	SUSAN
04/26/2014	\$150	DONATION	UPPGAARD	HEIDI
04/01/2014	\$0	DONATION WL	NELSON	MARILYN
06/08/2014	\$5	DONATION WL	HOLIDAY	AUSTIN
04/20/2014	\$5	DONATION WL	DAVIDGE	DONNA
05/03/2014	\$10	DONATION WL	BUEIDE	GRETCHEN

AUGUST 29, 2014

06/27/2014	\$25	DONATION WL	IGNAUT	BETH
04/04/2014	\$90	DONATION WL	JOOS	HEIDI
04/26/2014	\$5	DONATION	KORAB	MONICA
06/17/2014	\$25	DONATION WL	FOSTER	JOSEPH
05/23/2014	\$25	DONATION WL	RUMPUS	WILD
05/21/2014	\$10	DONATION	KRAGH	DIANE
06/05/2014	\$10	DONATION WL	BURGETT	MARC
06/08/2014	\$10	DONATION WL	HOLANDA-CAVALCANTE	
06/14/2014	\$0	DONATION WL	SCHAUER	LINDA
05/01/2014	\$50	DONATION WL	RASMUSSEN	JANET
05/01/2014	\$5	DONATION WL	MAGEE	SUE
05/21/2014	\$10	DONATION WL	ENDRES	JOAN
06/17/2014	\$25	DONATION	LOVEJOY	SAM
05/15/2014	\$25	DONATION	LOVEJOY	SAM
04/15/2014	\$25	DONATION	LOVEJOY	SAM
04/10/2014	\$5	DONATION WL	FLODEN	AMY
05/06/2014	\$5	DONATION WL	MCDONALD	DYLAN
06/06/2014	\$5	DONATION WL	JOHNSON	ROBIN
04/13/2014	\$25	DONATION WL	LACHAPPELLE	SHAWN
04/14/2014	\$20	DONATION	WALTERS	MARY
04/20/2014	\$10	DONATION WL	SAMELIAN	VICTOR
04/14/2014	\$20	DONATION	HUPP	JUDY
06/24/2014	\$25	DONATION WL	ROMANO	RUTH
04/03/2014	\$5	DONATION WL	BESONEN	MEGGAN
06/02/2014	\$5	DONATION WL	MONSON	ROB
04/10/2014	\$25	DONATION WL	MICHL	JOE
06/26/2014	\$5	DONATION WL	KOTKE	ELYSIA
04/14/2014	\$20	DONATION	DEBOER	AMANDA
05/30/2014	\$50	DONATION WL	FRAZIER	JESSICA
06/11/2014	\$20	DONATION WL	CARY	SANDI

AUGUST 29, 2014

06/17/2014	\$5	DONATION WL	REGISTER	MARIA
06/05/2014	\$50	DONATION	STOLAN	CATHERINE
06/05/2014	\$10	DONATION WL	MERRIMAN	BRYCE
05/11/2014	\$20	DONATION WL	SCAHILL	MARJIE
05/26/2014	\$2	DONATION WL	BARTELSON	ANDREW
05/06/2014	\$10	DONATION WL	MCKEEGAN	HOLLI
04/14/2014	\$20	DONATION	RUCE	PHILIP
05/02/2014	\$10	DONATION WL	CONLEY	JACLYNN
05/30/2014	\$5	DONATION WL	KEETON	ANGELA
04/16/2014	\$10	DONATION	WARNER	THOMAS
05/29/2014	\$1	DONATION WL	SYKES	MARILYN
06/14/2014	\$20	DONATION WL	SWANSON	GENE
04/14/2014	\$20	DONATION	OLSON	STEVE
05/07/2014	\$10	DONATION WL	SMITHCOPPES	BRIDGET
06/06/2014	\$10	DONATION WL	LAWTON	SARAH
04/26/2014	\$50	DONATION	LIASCHENKO	JOAN
05/16/2014	\$10	DONATION WL	BROOKSHIRE	VIJA
04/29/2014	\$5	DONATION	ALLEN	SALLY
04/25/2014	\$5	DONATION WL	SHAUNETTE	AMY
04/29/2014	\$0	DONATION WL	PETERSON	JOYCE
06/17/2014	\$5	DONATION WL	READ	PAUL
05/13/2014	\$2	DONATION WL	PEARSON	JEAN
06/24/2014	\$5	DONATION WL	VOLLMAR	KELLY
04/07/2014	\$10	DONATION WL	ZHANG	HUIXIAN
04/29/2014	\$10	DONATION WL	PETERSON	LAVERN
05/27/2014	\$2	DONATION WL	GUNDERSON	THOMAS
06/25/2014	\$30	DONATION	JOHNSON	ERIK
05/01/2014	\$10	DONATION WL	RINGLING	RONNA
04/24/2014	\$5	DONATION WL	HANSEN	MEREDITH
04/01/2014	\$5	DONATION	JACOBSON	ASHLEY

AUGUST 29, 2014

04/22/2014	\$100	DONATION WL	BURHARDT	KRIS
05/19/2014	\$5	DONATION WL	OLSON	DEBORAH
04/11/2014	\$15	DONATION WL	MILLER	ROBERT
04/20/2014	\$10	DONATION WL	MCCONNELL	MICHAEL
05/01/2014	\$50	DONATION WL	VAN VUGT	BRENDA
04/14/2014	\$20	DONATION	WILLIAMS	GRELON
06/27/2014	\$5	DONATION WL	SHUSTER	EVAN
04/27/2014	\$10	DONATION WL	GORDON	CAMERON
06/28/2014	\$10	DONATION	BRESKY	SETH
06/02/2014	\$5	DONATION WL	CECCHINI	ALEX
06/24/2014	\$5	DONATION	SELLERY	MICHAEL
05/09/2014	\$25	DONATION WL	FOGARTY	KEIR & KATE
04/23/2014	\$2	DONATION WL	BRATVOLD	JENN
04/16/2014	\$10	DONATION WL	LUHMANN	LANNY
04/17/2014	\$10	DONATION WL	FLUEGEL	KATHLEEN
06/14/2014	\$10	DONATION WL	MCKIERNAN	DAVID
04/02/2014	\$5	DONATION	CHASE	STEVE
04/14/2014	\$10	DONATION WL	RIBA	DEB
04/01/2014	\$15	DONATION	NISTLER	ELIZABETH
06/03/2014	\$10	DONATION WL	MORELL	LILA
05/01/2014	\$10	DONATION WL	MAGANA	SILVIA
06/13/2014	\$10	DONATION WL	SIMONS	ABBY
05/19/2014	\$25	DONATION	HUDSON	DAVID
05/21/2014	\$25	DONATION WL	RILEY	LORI
05/12/2014	\$15	DONATION WL	NORDAHL	JAMES
06/05/2014	\$15	DONATION WL	MOY GOTTFRIED	SAMANTHA
05/06/2014	\$10	DONATION WL	HOLMAN	THOMAS
06/01/2014	\$5	DONATION WL	SHABEL	SAM
04/12/2014	\$5	DONATION WL	GIFFEN-HUNTER	JOSEPH
05/17/2014	\$10	DONATION WL	WAHL	GIL

AUGUST 29, 2014

04/04/2014	\$5	DONATION WL	RUTA	NICOLE
04/03/2014	\$5	DONATION WL	BRAZIL	BONNIE
04/08/2014	\$10	DONATION WL	DIETL	DANIEL
05/19/2014	\$5	DONATION WL	JOHNSON	BRITTANY
05/21/2014	\$5	DONATION WL	OVERBY	KOLLEEN
05/06/2014	\$5	DONATION WL	BLODGETT	KRISTA
06/17/2014	\$15	DONATION WL	FROSIAN	JULIE
04/16/2014	\$5	DONATION	FOURNIER	CONNIE
05/06/2014	\$5	DONATION WL	SHEA	VIRGINIA
04/14/2014	\$20	DONATION	LITAKER	CATHERINE
05/03/2014	\$10	DONATION	ERHARD	ANGELIKA
06/16/2014	\$5	DONATION	CROSS	CARLA
04/10/2014	\$25	DONATION WL	WILLIAMS	SCOTT
04/14/2014	\$20	DONATION	BORISEVICH	ELIZABETH
05/22/2014	\$50	DONATION	JONES	SUSAN
05/23/2014	\$25	DONATION	WILSON	FRIEDA
04/12/2014	\$15	DONATION WL	ECKERLE	MARILYN
05/12/2014	\$10	DONATION WL	SCOTT	KAREN
05/28/2014	\$5	DONATION WL	LARSON	KRISTEN
05/27/2014	\$20	DONATION	UNKNOWN	UNKNOWN
06/04/2014	\$25	DONATION WL	GIBSON	KRISTEN
04/26/2014	\$10	DONATION WL	HUNT	ELISABETH
04/02/2014	\$25	DONATION	HARRIS	BARBARA
04/15/2014	\$25	DONATION	IMHOLTE	RACHEL
05/15/2014	\$25	DONATION	IMHOLTE	RACHEL
06/17/2014	\$25	DONATION	IMHOLTE	RACHEL
05/09/2014	\$25	DONATION	TERPENING	HEATHER
05/29/2014	\$50	DONATION WL	DERELI	NORA
04/07/2014	\$5	DONATION	BENTON	VERA
04/05/2014	\$25	DONATION WL	TURGEON	JOE

AUGUST 29, 2014

05/21/2014	\$15	DONATION	KIM	PATRICIA
04/23/2014	\$10	DONATION WL	PETERSEN	MARY
06/04/2014	\$2	DONATION WL	ONEILL	CATHERINE
06/13/2014	\$10	DONATION WL	DOUGHERTY	LIZ
04/16/2014	\$10	DONATION WL	FUNSETH	TARA
05/08/2014	\$5	DONATION WL	BERGDAHL	HEIDI
04/24/2014	\$10	DONATION WL	SANOSKI	JEAN
06/09/2014	\$5	DONATION WL	UDELL	GEORGIA
05/31/2014	\$5	DONATION WL	LEROUX SMITH	ALISSA
04/25/2014	\$10	DONATION WL	STENDAHL	DEREK
06/08/2014	\$5	DONATION WL	MAZZIE	SARAH
04/21/2014	\$20	DONATION	WINIECKI	JUDY
05/17/2014	\$5	DONATION WL	JENSEN	LYNN
04/05/2014	\$20	DONATION WL	SLATER	MARY
06/27/2014	\$25	DONATION WL	SHANNON	KATE
04/14/2014	\$20	DONATION	GALLEGOS	HARMONY
06/05/2014	\$10	DONATION	SPARROW	LOIS
06/26/2014	\$10	DONATION WL	SPARROW	LOIS
06/13/2014	\$200	DONATION	BECKER	CORINNE
04/24/2014	\$5	DONATION WL	THOMPSON	KRISTOPHER
04/26/2014	\$5	DONATION	DOTSTRY	ANN
04/09/2014	\$20	DONATION	JACOBSON	ELIZABETH
05/16/2014	\$10	DONATION WL	BURK	ANN
06/14/2014	\$5	DONATION WL	HAPGOOD	MOLLY
06/05/2014	\$10	DONATION WL	HOWE	MOLLY
04/07/2014	\$35	DONATION WL	LOCKHART	WALLACE
05/22/2014	\$25	DONATION WL	MILES	MICHELLE
06/30/2014	\$50	DONATION WL	NESSET	REBECCA
05/26/2014	\$10	DONATION WL	PTAK	JENNIFER
05/14/2014	\$5	DONATION WL	FLYNN	KAREN

AUGUST 29, 2014

04/29/2014	\$5	DONATION WL	PERSSON	DUSTIN
05/20/2014	\$25	DONATION WL	LANDSMAN	MAURY
06/16/2014	\$5	DONATION WL	JOHNSON	NEAL
06/13/2014	\$5	DONATION WL	ROSENFELD	WILLIAM
05/25/2014	\$5	DONATION WL	PAURUS	JEAN
05/29/2014	\$5	DONATION WL	URIBE	BRENDA
04/02/2014	\$10	DONATION	BUTLER	JOANN
06/23/2014	\$5	DONATION WL	MINTZ	KATHRYN
04/05/2014	\$20	DONATION	MILLER	MACKENZIE
04/05/2014	\$20	DONATION	MILLER	JASON

2014 2nd Quarter Donations Under \$15,000

Name of Recipient Department	Name of Entity Making Donation	Description of Donation	Total
Minneapolis Animal Care	Various individuals	Money for Animal Shelters	\$3,468.00
		TOTAL	\$3,468.00

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the city in the purposes stated, as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donations offered;

Now, Therefore, Be It Resolved By The City Council Of Minneapolis:

That the donations described above are hereby accepted and shall be used for public purposes.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

W&M - Your Committee recommends that the proper City officers be authorized to execute agreements with the following investment firms: Advantus Capital Management, Galliard Capital Management, Vaughan Nelson Investment Management, PFM Asset Management, RBC Global Asset Management. Said contracts shall be effective for a period of three years with two, one year renewal options at the City's discretion.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano (12)

Noes: President Johnson (1)

The report was adopted.

The ZONING & PLANNING Committee submitted the following reports:

Z&P – Your Committee, to whom was referred ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations for 1-4 unit residential development, now recommends that the following ordinances be given their second reading for amendment and passage:

- a) Ordinance 2014-Or-054 amending Chapter 520 relating to Introductory Provisions
- b) Ordinance 2014-Or-055 amending Chapter 525 relating to Administration and Enforcement
- c) Ordinance 2014-Or-056 amending Chapter 530 relating to Site Plan Review
- d) Ordinance 2014-Or-057 amending Chapter 531 relating to Nonconforming Uses and Structures
- e) Ordinance 2014-Or-058 amending Chapter 535 relating to Regulations of General Applicability
- f) Ordinance 2014-Or-059 amending Chapter 541 relating to Off-Street Parking and Loading
- g) Ordinance 2014-Or-060 amending Chapter 546 relating to Residence Districts
- h) Ordinance 2014-Or-061 amending Chapter 547 relating to Office Residence Districts
- i) Ordinance 2014-Or-062 amending Chapter 548 relating to Commercial Districts
- j) Ordinance 2014-Or-063 amending Chapter 551 relating to Overlay Districts.

Your Committee further recommends that the following ordinances be returned to author:

- a) Chapter 521 relating to Zoning Districts and Maps Generally
- b) Chapter 536 relating to Specific Development Standards
- c) Chapter 537 relating to Accessory Uses and Structures.

Your Committee further recommends approval of the following staff direction:

Staff of the Department of Community Planning & Economic Development, in collaboration with other City departments to include the City Attorney's Office, Regulatory Services, the City Coordinator's Office, and Public Works, conduct a study of methods and tools to establish incentives related to two aspects of sustainable construction and demolition affecting 1-4 unit residential development: "green" building and building deconstruction. The study should include research into best practices, likely stakeholders and departments of responsibility, and an analysis of projected costs and benefits. The study is designed to coincide with continued research into construction and demolition waste recycling under Mayor Hodges' Zero Waste initiative. Staff is directed to return to the Zoning & Planning Committee meeting no later than March 31, 2015, to report on this study.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and ordinances were adopted.

The following is the complete text of the unpublished summarized ordinances.

ORDINANCE 2014-Or-054
By Palmisano
Intro & 1st Reading: 6/27/2014
Ref to: Z&P
2nd Reading: 8/29/2014

Amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 520.160 of the above-entitled ordinance be amended by adding and amending the following definitions in alphabetical sequence to read as follows:

520.160. Definitions. Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

Demolition. The act of moving or razing a building, including the removal, substantial removal, or relocation of sixty (60) percent or more of the building's exterior. The building's roof shall constitute twenty (20) percent of the total exterior above the finished floor of the first story. The remainder shall be a calculation of the percent change to the perimeter of the building, measured per story, in linear feet. For the purpose of this definition, removal shall include any adjustment to fenestration or wall location from the finished floor to the surface of the floor above.

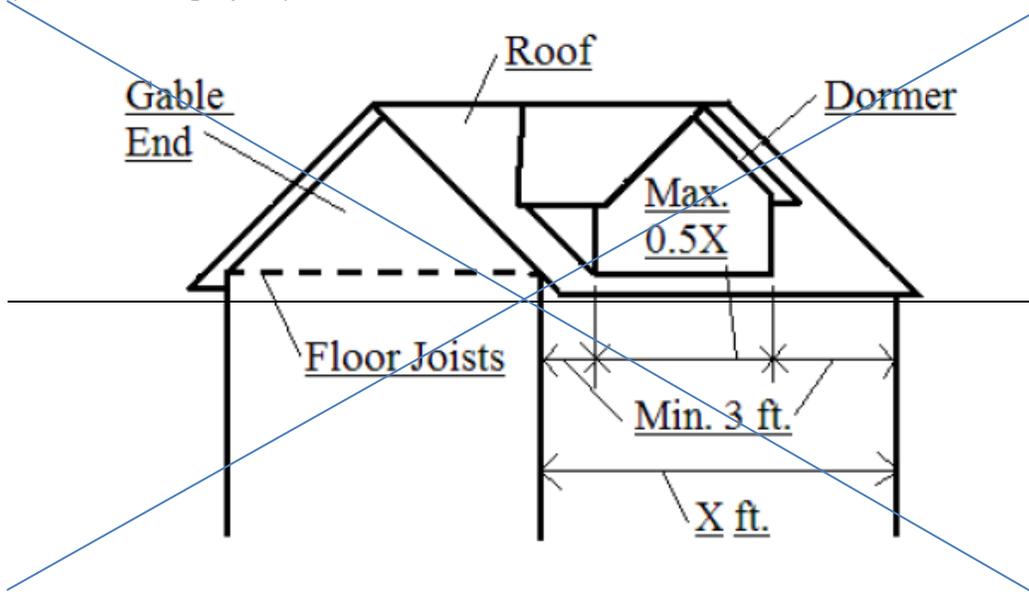
Floor area, gross (GFA). The gross floor area of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls, or from the centerline of walls separating two (2) buildings. The gross floor area of a building shall include basement floor area when one-half (½) or more of the basement height is above natural grade for more than fifty (50) percent of the total perimeter. The gross floor area shall also include elevator shafts and stairwells to each floor, penthouses, attic space having headroom clearances that meet building code minimum ceiling heights, interior balconies and mezzanines, enclosed porches, floor area devoted to accessory uses, and floor space used for mechanical equipment, except equipment located on the roof, unless otherwise specified in this chapter. The gross floor area of structures devoted to bulk storage of materials, including but not limited to grain elevators and petroleum storage tanks, shall be determined on the basis of height in feet, assuming one (1) floor for each fourteen (14) feet in height. In determining the gross floor area of an individual use within a multiple tenant building, the gross floor area is the sum of the gross horizontal areas measured from the interior faces of the interior walls of the space occupied by the use. Except for garages attached to single and two-family dwellings,

~~Gross gross~~ floor area shall not include space devoted to accessory off-street parking or loading facilities, including aisles, ramps and maneuvering space.

Story, half. A partial story that meets the following criteria:

- ~~(1) The half story will be located on a principal residential structure with a maximum district or use height of two and one-half (2.5) stories. A partial story located in any other district or on any other use shall be considered a full story.~~
- ~~(2) (1) Gross floor area of the half story will be Habitable space located under a gable or hip roof and all of the roof rafters shall ~~but~~ be located within two (2) feet of the floor joists, except at gable ends or where dormers are allowed.~~
- ~~(3) (2) Dormers on the half story will meet the following standards.~~
 - a. The total width of all dormers on any façade will not exceed fifty (50) percent of the width of the wall of the floor below the half story roof.
 - b. Dormers will be located no closer than three (3) feet from any end-of-house corner of the floor below and any gable end wall.
 - c. Dormers will not extend beyond the wall below and will not interrupt the eave edge of the hip or gable roof.

(Note: delete graphic)



This amendment is effective October 1, 2014.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

ORDINANCE 2014-Or-055
By Palmisano
Intro & 1st Reading: 6/27/2014
Ref to: Z&P
2nd Reading: 8/29/2014

Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 525.520 of the above-entitled ordinance be amended by adding a new Subdivision (31) to read as follows:

525.520. Authorized variances. Variances from the regulations of this zoning ordinance shall be granted by the board of adjustment, city planning commission, or city council only in accordance with the requirements of section 525.500, and may be granted only in the following instances, and in no others:

(31) To permit curb cut access to the street for properties with an alley that serves a single- and two-family dwelling or multiple-family dwelling having three (3) or four (4) units.

This amendment is effective October 1, 2014.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

ORDINANCE 2014-Or-056
By Palmisano
Intro & 1st Reading: 6/27/2014
Ref to: Z&P
2nd Reading: 8/29/2014

Amending Title 20, Chapter 530 of the Minneapolis Code of Ordinances relating to Zoning Code: Site Plan Review.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 530.280 of the above-entitled ordinance be amended to read as follows:

530.280. Design standards. New single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units shall comply with the applicable regulations of this zoning ordinance, including but not limited to the standards of Chapter 535, Regulations of General Applicability, related to front entrance, window area, and walkway requirements, and limitations on attached garages facing the front lot line. In addition, the zoning administrator shall ensure that such uses obtain a minimum of ~~fifteen (15)~~ seventeen (17) points from Table

530-2, Single and two-family dwellings and multiple-family dwellings having three or four dwelling units. Standards used to meet the minimum requirement must remain in place for a period of not less than fifteen (15) years from the date of approval.

This amendment is effective October 1, 2014.

Section 2. That Table 530-2 of the above-entitled ordinance be and is hereby repealed.

Table 530-2 Standards for single and two-family dwellings and multiple-family dwellings having three or four dwelling units

<i>Points</i>	<i>Design Standard</i>
5	Not less than one (1) off-street parking space per dwelling unit is provided in an enclosed structure that is detached from the principal structure
5	The structure includes a basement as defined by the building code
4	The primary exterior building materials are masonry, brick, stone, stucco, wood, cement-based siding, and/or glass
3	Not less than twenty (20) percent of the walls on each floor that face a public street, not including walls on half stories, are windows
3	Not less than ten (10) percent of the walls on each floor that face a rear or interior side lot line, not including walls on half stories, are windows
2	The pitch of the primary roof line is 6/12 or steeper. However, the points shall be awarded for a building with a flat roof where there is at least one existing building with a flat roof or a hip roof with a primary roof line of less than 6/12 where there is at least one existing building with a hip roof with a similar pitch within one hundred (100) feet of the site.
1	The structure includes an open, covered front porch of at least seventy (70) square feet that is not enclosed with windows, screens, or walls, provided there is at least one existing open front porch within one hundred (100) feet of the site. The porch may include handrails not more than three (3) feet in height and not more than fifty (50) percent opaque. The finish of the porch shall match the finish of the dwelling or the trim on the dwelling. For the purpose of this section, raw or unfinished lumber shall not be permitted on an open front porch.
1	The development includes at least one (1) deciduous tree in the front yard

This amendment is effective October 1, 2014.

Section 3. That Chapter 530 of the Minneapolis Code of Ordinance be amended by adding thereto a new Table 530-2 to read as follows:

Table 530-2 Standards for Single and Two-family Dwellings and Multiple-Family Dwellings Having Three or Four Dwelling Units

<i>Points</i>	<i>Design Standard</i>
6	The exterior building materials are masonry, brick, stone, stucco, wood, cement-based siding, and/or glass
4	The height of the structure is within one-half story of the predominant height of residential buildings within one hundred (100) feet of the site
4	The total diameter of trees retained or planted equals not less than three (3) inches per one thousand (1,000) square feet of total lot area, or fraction thereof. Tree diameter shall be measured at four and one-half (4.5) feet above grade.
3	Not less than twenty (20) percent of the walls on each floor that face a public street, not including walls on half stories, are windows
3	Not less than one (1) off-street parking space per dwelling unit is provided in an enclosed structure that is detached from the principal structure and is located entirely in the rear forty (40) feet or twenty (20) percent of the lot, whichever is greater, and the accessory structure is not less than twenty (20) feet from any habitable portion of the principal structure
3	The structure includes a basement as defined by the building code
2	Not less than ten (10) percent of the walls on each floor that face a rear or interior side lot line, not including walls on half stories, are windows
1	The development qualifies for and, following construction, provides proof of receipt of a City of Minneapolis Stormwater Quality Credit
1	The structure includes an open, covered front porch of at least seventy (70) square feet that is not enclosed with windows, screens, or walls, provided there is at least one (1) existing open front porch within one hundred (100) feet of the site. The porch may include guardrails not more than three (3) feet in height and not more than fifty (50) percent opaque. The finish of the porch shall match the finish of the dwelling or the trim on the dwelling. For the purpose of this section, raw or unfinished lumber shall not be permitted on an open front porch.

This amendment is effective October 1, 2014.

Section 4. That Section 530.310 of the above-entitled ordinance be amended to read as follows:

530.310. Alternative compliance. (a) In general. Notwithstanding any other provision to the contrary, the zoning administrator may grant alternatives to the standards of this article shall not be eligible for alternative compliance. by allowing a new structure to obtain fewer than the minimum number of points from Table 530-2, Single and Two-family Dwellings and Multiple-family Dwellings Having Three or Four Dwelling Units, upon finding each of the following:

- (1) The structure is consistent with the predominant scale of existing residential structures in the same zoning district in the immediate area. In comparing the scale of the proposed structure to existing structures, the zoning administrator shall consider floor area, building height, façade width, and consistency with an established pattern of front, side, and rear yards in the vicinity.
- (2) The structure achieves at least one (1) of the following:
- a. The design incorporates traditional features and proportions found in the immediate area, which may include but shall not be limited to an examination of features such as windows, doors, roof lines, trim, gables, dormers, porches, or entry canopies; or
- b. The design demonstrates exceptional creativity and incorporates high-quality, durable exterior materials.
- (3) On sloped sites, the design responds to the topography of the site by following existing patterns in the vicinity and minimizing the apparent mass of the structure when viewed from lower elevations.
- (4) The proposal is consistent with the applicable urban design policies of the comprehensive plan.

(b)Notification. In conducting the review of requests for alternative compliance from this article, the zoning administrator shall mail notice of the request to property owners within one hundred (100) feet of the property and shall allow a public comment period of not less than ten (10) calendar days between the date of notification and the final decision. The zoning administrator's decision may be appealed in accordance with the standards of Chapter 525, Administration and Enforcement.

This amendment is effective October 1, 2014.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

ORDINANCE 2014-Or-057
By Palmisano
Intro & 1st Reading: 6/27/2014
Ref to: Z&P
2nd Reading: 8/29/2014

Amending Title 20, Chapter 531 of the Minneapolis Code of Ordinances relating to Zoning Code: Nonconforming Uses and Structures.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 531.30 of the above-entitled ordinance be amended to read as follows:

531.30. Establishment of nonconforming rights; certificate of nonconforming use. Any person having a legal or equitable interest in a nonconforming property may apply for a certificate of nonconforming use by complying with the procedure set forth in this section. Upon issuance, a certificate of nonconforming use shall be evidence that the use or structure designated therein is a legal nonconforming use or structure at that time.

- (1) *Application.* Any person having a legal or equitable interest in land may file an application for a certificate of nonconforming use on a form approved by the zoning administrator. Application procedures for certificates of nonconforming use shall be as specified in Chapter 525, Administration and Enforcement.
- (2) *Nonconforming structures.* Where an application seeks a nonconforming use certificate to establish the legal nonconforming status of a structure only, or a use nonconforming as to parking only, and not to establish the legal nonconforming status of any use, the zoning administrator may issue or deny such certificate upon review of a certified survey, building permits, or other documentation deemed necessary or sufficient by the zoning administrator.
 - a. *Single and two-family dwellings nonconforming as to side and rear yards only.* A single or two-family dwelling nonconforming as to side and rear yards only shall have all the rights of a conforming structure, provided the structure is located not closer than three (3) feet from the side and rear lot line, and provided further that the structure shall not be enlarged, altered or relocated in such a way as to increase its nonconformity. For the purposes of this section, the extension of a single or two-family dwelling along the existing setback or the addition of a second story or half-story shall not be considered as increasing its nonconformity, provided the portion of the structure within the required side or rear yard comprises at least sixty (60) percent of the length of the entire structure, and provided further that the structure shall not be enlarged, altered or relocated within the required front yard and all other requirements of this zoning ordinance are met. If substantial alteration of a single or two-family dwelling results in demolition of the structure, the entire structure shall be subject to the yard requirements applicable to a new structure, except as authorized by section 531.40 related to buildings that are damaged or destroyed.
 - b. *All other residential buildings nonconforming as to yards only.* A residential building nonconforming as to yards only shall have all the rights of a conforming building, except that said building shall not be enlarged, altered, or relocated in such a way as to increase its nonconformity.
- (3) *Nonconforming uses; notice and hearing.* The board of adjustment shall hold a public hearing on each complete application for a certificate of nonconforming use as specified in Chapter 525, Administration and Enforcement. All findings and decisions of the board of adjustment concerning certificates of nonconforming use shall be final, subject to appeal to the city council as specified in Chapter 525, Administration and Enforcement.
- (4) *Determination by board of adjustment.* Following the public hearing, the board of adjustment shall determine whether the use or structure is a legal nonconforming use or structure. The burden of proof shall be on the applicant to establish the lawful nonconforming status of the use or structure and the lack of abandonment, change of use or loss under section 531.40. If the applicant does not establish the required facts, no certificate shall be issued. If the board of adjustment determines that the use or structure is a legal nonconforming use or structure, it shall direct the zoning administrator to issue a certificate of nonconforming use. The certificate shall state with particularity the type and intensity of specific use which is

found to be legal. The decision of the board of adjustment may be appealed by any affected person as specified in Chapter 525, Administration and Enforcement.

This amendment is effective October 1, 2014.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

ORDINANCE 2014-Or-058
By Palmisano
Intro & 1st Reading: 6/27/2014
Ref to: Z&P
2nd Reading: 8/29/2014

Amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to Zoning Code: Regulations of General Applicability.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 535.90 of the above-entitled ordinance be amended to read as follows:

535.90. ~~Minimum size and width, principal entrance and windows, and location of attached garage requirements~~ General standards for residential uses.

(a) *Size and width.* The minimum gross floor area of a dwelling unit, except efficiency units, shall be five hundred (500) square feet. The minimum gross floor area of efficiency units shall be three hundred fifty (350) square feet. Not less than eighty (80) percent of the habitable floor area of single or two-family dwellings and multiple-family dwellings of three (3) and four (4) units shall have a minimum width of ~~twenty-two (22)~~ twenty (20) feet.

(b) *Principal entrance.* Single and two-family dwellings and multiple-family dwellings of three (3) and four (4) units shall include a principal entrance facing the front lot line. Subject to Table 535-1, Permitted Obstructions in Required Yards, the principal entrance shall be connected to the public sidewalk by ~~an impervious~~ hard-surfaced walkway not less than three (3) feet wide and shall include stairs where needed. Where no public sidewalk exists, the walkway shall extend to the public street. The principal entrance may face a side lot line when part of a front vestibule or extended portion of the front façade, provided the entrance is located no further than eight (8) feet from the façade closest to the street.

(c) *Windows.* Not less than fifteen (15) percent of the walls on each floor of single and two-family dwellings and multiple-family dwellings of three (3) and four (4) units that face a public street shall be windows. Not less than five (5) percent of the walls on each floor of single and two-family dwellings and multiple-family dwellings of three (3) and four (4) units that face a rear or interior side lot line shall be windows. Half stories shall not be subject to the minimum window requirement.

(d) *Attached garage facing the front lot line.* Attached accessory uses designed or intended for the parking of vehicles accessory to single and two-family dwellings and multiple-family

dwellings of three (3) and four (4) units shall extend no more than five (5) feet closer to the front lot line than the façade of a habitable portion of the first story of the dwelling when the garage door or doors face the front lot line. In addition, the width of the garage wall facing the front lot line, including basement-level garages, shall not exceed sixty (60) percent of the width of the entire structure.

This amendment is effective October 1, 2014.

Section 2. That Section 535.280 of the above-entitled ordinance be amended to read as follows:

535.280. Obstructions in required yards. (a) *In general.* All required yards shall remain open and unobstructed from ground level to the sky, except as otherwise provided below.

(b) *Permitted obstructions.* Accessory uses and structures and projections of the principal structure may be located in a required yard only as indicated by a "P" for permitted in Table 535-1 Permitted Obstructions in Required Yards.

(c) *Additional limitations.* In no case shall any permitted obstruction be located closer than one (1) foot from the property line, except for driveways, walkways, fences, detached accessory buildings, the storage of firewood and containers for the removal of household refuse, subject to the provisions of this section. In addition, notwithstanding Table 535-1 Permitted Obstructions in Required Yards, required interior side yards for nonresidential uses shall remain unobstructed from the ground level to the sky, except that fencing and retaining walls shall be allowed.

(d) *Interior side yards for detached buildings accessory to dwellings.* The interior side yard requirement for a detached accessory building may be reduced to one (1) foot when the entire accessory building is located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, provided that the accessory building shall be located not less than ten (10) feet from any habitable portion of a principal structure on the adjoining lot ~~has its rear wall at least forty (40) feet from the rear lot line~~. Further, the required side yard for a detached accessory building may be eliminated where adjoining property owners construct detached garages sharing a common wall and which are located in the rear forty (40) feet. Where the interior side yard is reduced, eaves, including gutters, shall not be less than six (6) inches from the property line, except where a common wall is allowed.

(e) *Rear yards for detached buildings accessory to dwellings.* The rear yard requirement for a detached accessory building may be reduced to one (1) foot, except where vehicle access doors face the rear lot line, in which case no reduction of the required yard is permitted. Further, where a rear yard abuts a required side yard no reduction of the required yard is permitted unless the entire accessory building is located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, and is located behind the rear wall of the principal structure on the adjacent property to the rear. The required yard along such adjacent property may be eliminated where adjoining property owners construct detached garages sharing a common wall and which are located in the rear forty (40) feet of both properties. Where the rear yard is reduced, eaves, including gutters, shall not be less than six (6) inches from the property line, except where a common wall is allowed.

(f) *Accessory buildings on reverse corner lots.* An accessory building shall be no closer to the side lot line adjacent to the street than a distance equal to two-thirds of the depth of the required front yard specified in the yard requirements table of the district of the adjacent property to the

rear. Further, an accessory building shall not be located within five (5) feet of a rear lot line that coincides with the side lot line of a property in a residence or office residence district. However, where the entire accessory building is located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, and is located ~~behind the rear wall of the~~ not less than ten (10) feet from any habitable portion of a principal dwelling on the adjacent property, only one (1) foot shall be required along such adjacent property line, except as otherwise prohibited by this zoning ordinance. Further, the required yard along such adjacent property may be eliminated where adjoining property owners construct detached garages sharing a common wall and which are located in the rear forty (40) feet.

(g) *Interior side yards for driveways accessory to dwellings.* The yard requirement for a driveway may be eliminated where adjoining property owners share a common driveway.

(h) *Rear yards.* For purposes of Table 535-1 Permitted Obstructions in Required Yards, a rear yard abutting a required side yard shall be considered an interior side yard and shall be subject to the permitted obstructions regulations for such interior side yard.

This amendment is effective October 1, 2014.

Section 3. That Table 535-1 of the above-entitled ordinance be amended to read as follows:

Table 535-1 Permitted Obstructions in Required Yards

<i>Type of Obstruction</i>	<i>Front or Corner Side Yard</i>	<i>Interior Side Yard</i>	<i>Rear Yard</i>
Balconies, decks and ground level patios not exceeding fifty (50) square feet in area and projecting not more than four (4) feet into the required yard. Such balcony, deck or ground level patio may project into a required interior side yard of a multiple family dwelling of four (4) or more stories, provided such balcony, deck or ground level patio shall be located no closer than ten (10) feet from the interior side lot line. <u>Ground-level patios up to one hundred (100) square feet, constructed of decorative concrete, pavers or stone, may extend more than four (4) feet into the required front yard accessory to single- and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units provided the patio is located not less than ten (10) feet from a public sidewalk and shall be designed in a manner that would prevent the patio from being used for off-street parking.</u>	P		P

This amendment is effective October 1, 2014.

Section 4. That Chapter 535 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 535.315 to read as follows:

535.315. Groundwater management. All development shall comply with all applicable regulations governing groundwater. Single and two-family dwellings shall be designed and constructed in a manner that does not rely on permanent groundwater discharge. The building official may request evidence, including soil testing, demonstrating that development will not extend into groundwater resources and may deny any application for a permit where an applicant has failed to demonstrate that subsurface development would maintain a sufficient separation from groundwater.

This amendment is effective October 1, 2014.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

ORDINANCE 2014-Or-059
By Palmisano
Intro & 1st Reading: 6/27/2014
Ref to: Z&P
2nd Reading: 8/29/2014

Amending Title 20, Chapter 541 of the Minneapolis Code of Ordinances relating to Zoning Code: Off-Street Parking and Loading.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 541.230 of the above-entitled ordinance be amended to read as follows:

541.230. Required plan approval. Plans for any use requiring movement of vehicles across public walks or access through a public alley or street shall be referred to the city engineer for review before any permits are issued. The city engineer shall consider, but not be limited to, the following factors when determining whether to approve the proposed plan:

- (1) The consolidation of curb cuts shall be encouraged, and new curb cuts shall be discouraged whenever appropriate, considering safe traffic flow, the objectives of this ordinance, and access points needed for the proper functioning of the use.
- (2) Where a residential use is served by an alley, direct access to the street through a curb cut shall be discouraged, except where such curb cut extends into a corner side yard. Direct access to the street through a curb cut shall not be allowed where an alley serves a single and two-family dwelling or multiple-family dwelling having three (3) or four (4) dwelling units, except where such curb cut extends into a corner side yard or reverse corner side yard.
- (3) The use shall not substantially increase congestion of the public streets or impede pedestrian traffic.
- (4) The space allocated to the use shall be adequate to keep vehicles clear of sidewalks, alleys and similar areas.

- (5) The location of driveways relative to other existing uses is such that street traffic shall not be seriously disrupted and no unnecessary hazards shall be established for pedestrians. In no instance shall a driveway be allowed on a limited access roadway ramp or combined limited access roadway ramp frontage road.

This amendment is effective October 1, 2014.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

ORDINANCE 2014-Or-060
By Palmisano
Intro & 1st Reading: 6/27/2014
Ref to: Z&P
2nd Reading: 8/29/2014

Amending Title 20, Chapter 546 of the Minneapolis Code of Ordinances relating to Zoning Code: Residence Districts.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 546.140 of the above-entitled ordinance be amended to read as follows:

546.140. Maximum lot coverage. Principal and accessory structures shall not cover more than ~~fifty (50)~~ forty-five (45) percent of any zoning lot located in the R1—R3 Districts. Principal and accessory structures shall not cover more than seventy (70) percent of any zoning lot located in the R4—R6 Districts.

This amendment is effective October 1, 2014.

Section 2. That Section 546.150 of the above-entitled ordinance be amended to read as follows:

546.150. Impervious surface coverage. Impervious surfaces shall not cover more than ~~sixty-five (65)~~ sixty (60) percent of any zoning lot located in the R1—R3 Districts. Impervious surfaces shall not cover more than eighty-five (85) percent of any zoning lot located in the R4—R6 Districts. The remainder of the zoning lot shall be covered with turf grass, native grasses, perennial flowering plants, shrubs, trees or similar landscape material sufficient to prevent soil erosion, minimize off-site stormwater runoff, and encourage natural filtration function.

This amendment is effective October 1, 2014.

Section 3. That Section 546.160 of the above-entitled ordinance be amended to read as follows:

546.160. Yard requirements. (a) *In general.* The minimum yard requirements for uses located in the residence districts shall be as set forth in each residence district, and in Chapter 535, Regulations of General Applicability, except as provided below. Required yards shall be unobstructed from the ground level to the sky, except as provided as a permitted obstruction in Chapter 535, Regulations of General Applicability.

(b) *Front yard increased.* The required front yard shall be increased where the established front yard of the closest principal building originally designed for residential purposes located on the same block face on either side of the property exceeds the front yard required by the zoning district. In such case, the required front yard shall be not less than such established front yard, provided that where there are principal buildings originally designed for residential purposes on both sides of the property, the required front yard shall be not less than that established by a line joining those parts of both buildings nearest to the front lot line, not including any obstructions allowed by Table 535-1 Permitted Obstructions in Required Yards. In determining an increase in the required front yard, one of the nearest principal residential structures may be removed from consideration where such structure exceeds the established front yard of any other such building on the same block face by twenty-five (25) feet or more and there are no fewer than four (4) principal residential structures on the block face, including the proposed structure. In such instance, the next-nearest principal building originally designed for residential purposes shall be incorporated in determining the increased front yard. Nothing in this provision shall authorize a front yard less than that required by the zoning district.

(c) *Corner side yard.* Where a corner side yard is required, it shall not exceed the applicable front yard requirement.

This amendment is effective October 1, 2014.

Section 4. That Table 546-2 of the above-entitled ordinance be amended to read as follows:

Table 546-2 R1 Yard Requirements

<i>Yards</i>	<i>Required Yards for Single-family Dwellings and Permitted Community Residential Facilities (Feet)</i>	<i>Required Yards for All Other Uses (Feet)</i>
<u>Front, subject to section 546.160(b)</u>	25	25
<u>Rear</u>	<u>6</u>	<u>6+2X</u>
Rear and Interior Side	6 <u>Lot width less than 42 ft.: 5</u> <u>Lot width 42 ft. – 51.99 ft.: 6</u> <u>Lot width 52 ft. – 61.99 ft.: 7</u> <u>Lot width 62 ft. – 84.99 ft.: 8</u>	6+2X

	<u>Lot width 85 ft. – 99.99 ft.: 10</u> <u>Lot width 100 ft. or greater: 12</u> <u>Minimum interior side yards greater than eight (8) feet shall apply only to principal structures</u>	
Corner Side	40 <u>8</u>	40 <u>8</u> +2X

X = Number of stories above the first floor

This amendment is effective October 1, 2014.

Section 5. That Section 546.240 of the above-entitled ordinance be amended to read as follows:

546.240. Building bulk requirements. (a) *In general.* The maximum height for all principal structures, except for single and two-family dwellings, located in the R1 District shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less. The maximum height for all single or two-family dwellings located in the R1 District shall be two and one-half (2.5) stories or ~~thirty (30)~~ twenty-eight (28) feet, whichever is less. The highest point of the roof of a single or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-3, R1 Lot Dimension and Building Bulk Requirements.

(b) *Gross floor area computation for single or two-family dwellings.* The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single or two-family dwellings shall not include the following:

- (1) Detached accessory structures.
- ~~(2) Up to two hundred and fifty (250) square feet of any attached accessory use designed or intended to be used for the parking of vehicles.~~
- ~~(3)~~ (2) Open porches.
- ~~(4)~~ (3) The basement floor area if the finished floor of the first story is ~~four (4) feet~~ thirty (30) inches or less from natural grade for more than fifty (50) percent of the total perimeter. Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:
 - (a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;
 - (b) Based on evidence submitted by the applicant or on-record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.

~~(5)~~ (4) Half story floor area.

(c) *Floor area ratio increase.* Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single and two-family dwelling within the one hundred (100) foot radius.

(2) Single and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one time by no more than five hundred (500) square feet.

(d) *Height increase.* Notwithstanding the height limitations of this chapter, the maximum height of single and two-family dwellings may be increased to thirty five (35) feet when the established height of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

This amendment is effective October 1, 2014.

Section 6. That Table 546-4 of the above-entitled ordinance be amended to read as follows:

Table 546-4 R1A Yard Requirements

Yards	Required Yards for Single-family Dwellings and Permitted Community Residential Facilities (Feet)	Required Yards for All Other Uses (Feet)
Front, <u>subject to section 546.160(b)</u>	20	20
<u>Rear</u>	<u>5</u>	<u>5+2X</u>
Rear and Interior Side	5 <u>Lot width less than 42 ft.: 5</u> <u>Lot width 42 ft. – 51.99 ft.: 6</u> <u>Lot width 52 ft. – 61.99 ft.: 7</u> <u>Lot width 62 ft. – 84.99 ft.: 8</u> <u>Lot width 85 ft. – 99.99 ft.: 10</u> <u>Lot width 100 ft. or greater: 12</u> <u>Minimum interior side yards greater than eight (8) feet shall apply only to principal structures</u>	5+2X
Corner Side	8	8+2X

X = Number of stories above the first floor

This amendment is effective October 1, 2014.

Section 7. That Section 546.300 of the above-entitled ordinance be amended to read as follows:

546.300. Building bulk requirements. (a) *In general.* The maximum height for all principal structures, except for single and two-family dwellings, located in the R1A District shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less. The maximum height for all single or two-family dwellings located in the R1A District shall be two and one-half (2.5) stories or ~~thirty (30)~~ twenty-eight (28) feet, whichever is less. The highest point of the roof of a single or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-5, R1A Lot Dimension and Building Bulk Requirements.

(b) *Gross floor area computation for single or two-family dwellings.* The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single or two-family dwellings shall not include the following:

(1) Detached accessory structures.

~~(2) Up to two hundred and fifty (250) square feet of any attached accessory use designed or intended to be used for the parking of vehicles.~~

~~(3)~~ (2) Open porches.

~~(4)~~ (3) The basement floor area if the finished floor of the first story is ~~four (4) feet~~ thirty (30) inches or less from natural grade for more than fifty (50) percent of the total perimeter. Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:

(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;

(b) Based on evidence submitted by the applicant or on-record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.

~~(5)~~ (4) Half story floor area.

(c) *Floor area ratio increase.* Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single and two-family dwelling within the one hundred (100) foot radius.

(2) Single and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor

area ratio, may increase the gross floor area one time by no more than five hundred (500) square feet.

(d) *Height increase.* Notwithstanding the height limitations of this chapter, the maximum height of single and two-family dwellings may be increased to thirty five (35) feet when the established height of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

This amendment is effective October 1, 2014.

Section 8. That Table 546-6 of the above-entitled ordinance be amended to read as follows:

Table 546-6 R2 Yard Requirements

<i>Yards</i>	<i>Required Yards for Single and Two-family Dwellings and Permitted Community Residential Facilities (Feet)</i>	<i>Required Yards for All Other Uses (Feet)</i>
Front, <u>subject to section 546.160(b)</u>	20	20
<u>Rear</u>	<u>5</u>	<u>5+2X</u>
Rear and Interior Side	5 <u>Lot width less than 42 ft.: 5</u> <u>Lot width 42 ft. – 51.99 ft.: 6</u> <u>Lot width 52 ft. – 61.99 ft.: 7</u> <u>Lot width 62 ft. – 84.99 ft.: 8</u> <u>Lot width 85 ft. – 99.99 ft.: 10</u> <u>Lot width 100 ft. or greater: 12</u> <u>Minimum interior side yards greater than eight (8) feet shall apply only to principal structures</u>	5+2X
Corner Side	8	8+2X

X = Number of stories above the first floor

This amendment is effective October 1, 2014.

Section 9. That Section 546.360 of the above-entitled ordinance be amended to read as follows:

546.360. Building bulk requirements. (a) *In general.* The maximum height for all principal structures, except for single and two-family dwellings, located in the R2 District shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less. The maximum height for all single or two-family dwellings located in the R2 District shall be two and one-half (2.5) stories or ~~thirty (30)~~ twenty-eight (28) feet, whichever is less. The highest point of the roof of a single or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-7, R2 Lot Dimension and Building Bulk Requirements.

(b) *Gross floor area computation for single or two-family dwellings.* The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single or two-family dwellings shall not include the following:

(1) Detached accessory structures.

~~(2) Up to two hundred and fifty (250) square feet of any attached accessory use designed or intended to be used for the parking of vehicles.~~

~~(3) (2)~~ Open porches.

~~(4) (3)~~ The basement floor area if the finished floor of the first story is ~~four (4) feet~~ thirty (30) inches or less from natural grade for more than fifty (50) percent of the total perimeter. Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:

(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;

(b) Based on evidence submitted by the applicant or on-record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.

~~(5) (4)~~ Half story floor area.

(c) *Floor area ratio increase.* Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single and two-family dwelling within the one hundred (100) foot radius.

(2) Single and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one time by no more than five hundred (500) square feet.

(d) *Height increase.* Notwithstanding the height limitations of this chapter, the maximum height of single and two-family dwellings may be increased to thirty five (35) feet when the established height of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

This amendment is effective October 1, 2014.

Section 10. That Table 546-8 of the above-entitled ordinance be amended to read as follows:

Table 546-8 R2B Yard Requirements

Yards	Required Yards for Single and Two-family Dwellings and Permitted Community Residential Facilities (Feet)	Required Yards for All Other Uses (Feet)
Front, <u>subject to section 546.160(b)</u>	20	20
<u>Rear</u>	<u>5</u>	<u>5+2X</u>
Rear and Interior Side	5 <u>Lot width less than 42 ft.: 5</u> <u>Lot width 42 ft. – 51.99 ft.: 6</u> <u>Lot width 52 ft. – 61.99 ft.: 7</u> <u>Lot width 62 ft. – 84.99 ft.: 8</u> <u>Lot width 85 ft. – 99.99 ft.: 10</u> <u>Lot width 100 ft. or greater: 12</u> <u>Minimum interior side yards greater than eight (8) feet shall apply only to principal structures</u>	5+2X
Corner Side	8	8+2X

X = Number of stories above the first floor

This amendment is effective October 1, 2014.

Section 11. That Section 546.420 of the above-entitled ordinance be amended to read as follows:

546.420. Building bulk requirements. (a) *In general.* The maximum height of all principal structures, except for single and two-family dwellings, located in the R2B District shall be two and one-half (2.5) stories or thirty-five (35) feet in height, whichever is less. The maximum height for all single or two-family dwellings located in the R2B District shall be two and one-half (2.5) stories or ~~thirty (30)~~ twenty-eight (28) feet, whichever is less. The highest point of the roof of a single or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-9, R2B Lot Dimension and Building Bulk Requirements.

(b) *Gross floor area computation for single or two-family dwellings.* The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single or two-family dwellings shall not include the following:

- (1) Detached accessory structures.
- ~~(2) Up to two hundred and fifty (250) square feet of any attached accessory use designed or intended to be used for the parking of vehicles.~~
- ~~(3)~~ (2) Open porches.

~~(4)~~ (3) The basement floor area if the finished floor of the first story is ~~four (4) feet~~ thirty (30) inches or less from natural grade for more than fifty (50) percent of the total perimeter. Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:

(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;

(b) Based on evidence submitted by the applicant or on-record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.

~~(5)~~ (4) Half story floor area.

(c) *Floor area ratio increase.* Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single and two-family dwelling within the one hundred (100) foot radius.

(2) Single and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one time by no more than five hundred (500) square feet.

(d) *Height increase.* Notwithstanding the height limitations of this chapter, the maximum height of single and two-family dwellings may be increased to thirty five (35) feet when the established height of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

This amendment is effective October 1, 2014.

Section 12. That Table 546-10 of the above-entitled ordinance be amended to read as follows:

Table 546-10 R3 Yard Requirements

<i>Yards</i>	<i>Required Yards for Single and Two-family Dwellings and Permitted Community Residential Facilities (Feet)</i>	<i>Required Yards for All Other Uses (Feet)</i>
<u>Front, subject to section 546.160(b)</u>	20	20
<u>Rear</u>	<u>5</u>	<u>5+2X</u>

Rear and Interior Side	5 <u>Lot width less than 42 ft.: 5</u> <u>Lot width 42 ft. – 51.99 ft.: 6</u> <u>Lot width 52 ft. – 61.99 ft.: 7</u> <u>Lot width 62 ft. or greater: 8</u>	5+2X
Corner Side	8	8+2X

X = Number of stories above the first floor

This amendment is effective October 1, 2014.

Section 13. That Section 546.480 of the above-entitled ordinance be amended to read as follows:

546.480. Building bulk requirements. (a) *In general.* The maximum height of all principal structures, except for single and two-family dwellings, located in the R3 District shall be two and one-half (2.5) stories or thirty-five (35) feet in height, whichever is less. The maximum height for all single or two-family dwellings located in the R3 District shall be two and one-half (2.5) stories or ~~thirty (30)~~ twenty-eight (28) feet, whichever is less. The highest point of the roof of a single or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 546-11, R3 Lot Dimension and Building Bulk Requirements.

(b) *Gross floor area computation for single or two-family dwellings.* The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single or two-family dwellings shall not include the following:

- (1) Detached accessory structures.
- ~~(2) Up to two hundred and fifty (250) square feet of any attached accessory use designed or intended to be used for the parking of vehicles.~~
- ~~(3)~~ (2) Open porches.
- ~~(4)~~ (3) The basement floor area if the finished floor of the first story is ~~four (4) feet~~ thirty (30) inches or less from natural grade for more than fifty (50) percent of the total perimeter. Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:
 - (a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;
 - (b) Based on evidence submitted by the applicant or on-record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.
- ~~(5)~~ (4) Half story floor area.

(c) *Floor area ratio increase.* Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

- (1) The maximum floor area ratio of single and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single and two-family dwelling within the one hundred (100) foot radius.
- (2) Single and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one time by no more than five hundred (500) square feet.

(d) *Height increase.* Notwithstanding the height limitations of this chapter, the maximum height of single and two-family dwellings may be increased to thirty five (35) feet when the established height of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

This amendment is effective October 1, 2014.

Section 14. That Table 546-12 of the above-entitled ordinance be amended to read as follows:

Table 546-12 R4 Yard Requirements

<i>Yards</i>	<i>Required Yards for Single and Two-family Dwellings and Permitted Community Residential Facilities (Feet)</i>	<i>Required Yards for All Other Uses (Feet)</i>
Front, <u>subject to section 546.160(b)</u>	15	15
<u>Rear</u>	<u>5</u>	<u>5+2X</u>
Rear and Interior Side	5 <u>Lot width less than 42 ft.: 5</u> <u>Lot width 42 ft. – 51.99 ft.: 6</u> <u>Lot width 52 -61.99 ft.: 7</u> <u>Lot width 62 ft. or greater: 8</u>	5+2X
Corner Side	8	8+2X

X = Number of stories above the first floor

This amendment is effective October 1, 2014.

Section 15. That Section 546.530 of the above-entitled ordinance be amended to read as follows:

546.530. Building bulk requirements. (a) *In general.* The maximum height and the maximum floor area ratio of all principal structures located in the R4 District shall be as specified in Table 546-13, R4 Lot Dimension and Building Bulk Requirements.

(b) *Gross floor area computation for single or two-family dwellings.* The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single or two-family dwellings shall not include the following:

(1) Detached accessory structures.

~~(2) Up to two hundred and fifty (250) square feet of any attached accessory use designed or intended to be used for the parking of vehicles.~~

~~(3) (2) Open porches.~~

~~(4) (3) The basement floor area if the finished floor of the first story is four (4) feet thirty (30) inches or less from natural grade for more than fifty (50) percent of the total perimeter. Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on-record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

~~(5) (4) Half story floor area.~~

(c) *Floor area ratio increase.* Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single and two-family dwelling within the one hundred (100) foot radius.

(2) Single and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one time by no more than five hundred (500) square feet.

(d) *Height increase.* Notwithstanding the height limitations of this chapter, the maximum height of single and two-family dwellings may be increased to thirty five (35) feet when the established height of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

This amendment is effective October 1, 2014.

Section 16. That Table 546-13 of the above-entitled ordinance be amended to read as follows:

Table 546-13 R4 Lot Dimension and Building Bulk Requirements

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>	<i>Maximum Floor Area Ratio (Multiplier)</i>	<i>Maximum Height</i>
RESIDENTIAL USES				
Dwellings				
Single or two-family dwelling	5,000	40	0.5 or 2,500 sq. ft. of GFA per unit, whichever is greater	2.5 stories, not to exceed 30 <u>28</u> ft. <u>The highest point of the roof of a single or two-family dwelling with a gable, hip, or gambrel roof shall not exceed 33 feet.</u>

This amendment is effective October 1, 2014.

Section 17. That Table 546-14 of the above-entitled ordinance be amended to read as follows:

Table 546-14 R5 District Yard Requirements

<i>Yards</i>	<i>Required Yards for Single and Two-family Dwellings and Permitted Community Residential Facilities (Feet)</i>	<i>Required Yards for All Other Uses (Feet)</i>
Front, <u>subject to section 546.160(b)</u>	15	15
<u>Rear</u>	<u>5</u>	<u>5+2X</u>
Rear and Interior Side	5 <u>Lot width less than 42 ft.: 5</u> <u>Lot width 42 ft. – 51.99 ft.: 6</u> <u>Lot width 52 ft. – 61.99 ft.: 7</u> <u>Lot width 62 ft. or greater: 8</u>	5+2X
Corner Side	8	8+2X

X = Number of stories above the first floor

This amendment is effective October 1, 2014.

Section 18. That Section 546.580 of the above-entitled ordinance be amended to read as follows:

546.580. Building bulk requirements. (a) *In general.* The maximum height and the maximum floor area ratio of all principal structures located in the R5 District shall be as specified in Table 546-15, R5 Lot Dimension and Building Bulk Requirements.

(b) *Gross floor area computation for single or two-family dwellings.* The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single or two-family dwellings shall not include the following:

(1) Detached accessory structures.

~~(2) Up to two hundred and fifty (250) square feet of any attached accessory use designed or intended to be used for the parking of vehicles.~~

~~(3) (2) Open porches.~~

~~(4) (3) The basement floor area if the finished floor of the first story is four (4) feet thirty (30) inches or less from natural grade for more than fifty (50) percent of the total perimeter. Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on-record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

~~(5)(4) Half story floor area.~~

(c) *Floor area ratio increase.* Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single and two-family dwelling within the one hundred (100) foot radius.

(2) Single and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one time by no more than five hundred (500) square feet.

(d) *Height increase.* Notwithstanding the height limitations of this chapter, the maximum height of single and two-family dwellings may be increased to thirty five (35) feet when the established height of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

This amendment is effective October 1, 2014.

Section 19. That Table 546-15 of the above-entitled ordinance be amended to read as follows:

Table 546-15 R5 Lot Dimension and Building Bulk Requirements

Uses	Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Maximum Floor Area Ratio (Multiplier)	Maximum Height
RESIDENTIAL USES				
Dwellings				
Single or two-family dwelling existing on the effective date of this ordinance	5,000	40	0.5 or 2,500 sq. ft. of GFA per unit, whichever is greater	2.5 stories, not to exceed 30 <u>28</u> ft. <u>The highest point of the roof of a single or two-family dwelling with a gable, hip, or gambrel roof shall not exceed 33 feet.</u>

This amendment is effective October 1, 2014.

Section 20. That Table 546-16 of the above-entitled ordinance be amended to read as follows:

Table 546-16 R6 Yard Requirements

Yards	Required Yards for Single and Two-family Dwellings and Permitted Community Residential Facilities (Feet)	Required Yards for All Other Uses (Feet)
Front, <u>subject to section 546.160(b)</u>	15	15
<u>Rear</u>	<u>5</u>	<u>5+2X</u>
Rear and Interior Side	5 <u>Lot width less than 42 ft.: 5</u> <u>Lot width 42 ft. – 51.99 ft.: 6</u> <u>Lot width 52 – 61.99 ft.: 7</u> <u>Lot width 62 ft. or greater: 8</u>	5+2X
Corner Side	8	8+2X

X = Number of stories above the first floor

This amendment is effective October 1, 2014.

Section 21. That Section 546.630 of the above-entitled ordinance be amended to read as follows:

546.630. Building bulk requirements. (a) *In general.* The maximum height and the maximum floor area ratio of all principal structures located in the R6 District shall be as specified in Table 546-17, R6 Lot Dimension and Building Bulk Requirements.

(b) *Gross floor area computation for single or two-family dwellings.* The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single or two-family dwellings shall not include the following:

(1) Detached accessory structures.

~~(2) Up to two hundred and fifty (250) square feet of any attached accessory use designed or intended to be used for the parking of vehicles.~~

~~(3) (2) Open porches.~~

~~(4) (3) The basement floor area if the finished floor of the first story is four (4) feet thirty (30) inches or less from natural grade for more than fifty (50) percent of the total perimeter. Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~

~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~

~~(b) Based on evidence submitted by the applicant or on-record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~

~~(5) (4) Half story floor area.~~

(c) *Floor area ratio increase.* Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single and two-family dwelling within the one hundred (100) foot radius.

(2) Single and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one time by no more than five hundred (500) square feet.

(d) *Height increase.* Notwithstanding the height limitations of this chapter, the maximum height of single and two-family dwellings may be increased to thirty five (35) feet when the established

height of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

This amendment is effective October 1, 2014.

Section 22. That Table 546-17 of the above-entitled ordinance be amended to read as follows:

Table 546-17 R6 Lot Dimension and Building Bulk Requirements

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Minimum Lot Width (Feet)</i>	<i>Maximum Floor Area Ratio (Multiplier)</i>	<i>Maximum Height</i>
RESIDENTIAL USES				
Dwellings				
Single or two-family dwelling existing on the effective date of this ordinance	5,000	40	0.5 or 2,500 sq. ft. of GFA per unit, whichever is greater	2.5 stories, not to exceed 30 <u>28</u> ft. <u>The highest point of the roof of a single or two-family dwelling with a gable, hip, or gambrel roof shall not exceed 33 feet.</u>

This amendment is effective October 1, 2014.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

ORDINANCE 2014-Or-061
By Palmisano
Intro & 1st Reading: 6/27/2014
Ref to: Z&P
2nd Reading: 8/29/2014

Amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances relating to Zoning Code: Office Residence Districts.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 547.160 of the above-entitled ordinance be amended to read as follows:

547.160. Yard requirements. (a) *In general.* The minimum yard requirements for uses located in the office residence districts shall be as specified in Table 547-2, Office Residence District Yard Requirements, and in Chapter 535, Regulations of General Applicability, except as

provided below. Required yards shall be unobstructed from the ground level to the sky, except as provided as a permitted obstruction in Chapter 535, Regulations of General Applicability.

(b) *Front yard increased.* The required front yard shall be increased where the established front yard of the closest principal building originally designed for residential purposes located on the same block face on either side of the property exceeds the front yard required by the zoning district. In such case, the required front yard shall be not less than such established front yard, provided that where there are principal buildings originally designed for residential purposes on both sides of the property, the required front yard shall be not less than that established by a line joining those parts of both buildings nearest to the front lot line, not including any obstructions allowed by Table 535-1 Permitted Obstructions in Required Yards. In determining an increase in the required front yard, one of the nearest principal residential structures may be removed from consideration where such structure exceeds the established front yard of all other such building on the same block face by twenty-five (25) feet or more and there are no fewer than four (4) principal residential structures on the block face, including the proposed structure. In such instance, the next-nearest principal building originally designed for residential purposes shall be incorporated in determining the increased front yard. Nothing in this provision shall authorize a front yard less than that required by the zoning district.

(c) *Corner side yard.* Where a corner side yard is required, it shall not exceed the applicable front yard requirement.

This amendment is effective October 1, 2014.

Section 2. That Table 547-2 of the above-entitled ordinance be amended to read as follows:

Table 547-2 Office Residence District Yard Requirements

Yards	Required Yards for Single- and Two-Family Dwellings and Permitted Community Residential Facilities (Feet)	Required Yards for All Other Uses (Feet)
Front, <u>subject to section 547.160(b)</u>	15	15
<u>Rear</u>	<u>5</u>	<u>5+2X</u>
Rear and Interior Side	5 <u>Lot width less than 42 ft.: 5</u> <u>Lot width 42 ft. – 51.99 ft.: 6</u> <u>Lot width 52 ft. – 61.99 ft.: 7</u> <u>Lot width 62 ft. or greater: 8</u>	5+2X
Corner Side	8	8+2X

X = Number of stories above the first floor

This amendment is effective October 1, 2014.

Section 3. That Section 547.240 of the above-entitled ordinance be amended to read as follows:

547.240. Building bulk requirements. (a) *In general.* The maximum height of all principal buildings, except for single and two-family dwellings, located in the OR1 District shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less. The maximum height for all single or two-family dwellings located in the OR1 District shall be two and one-half (2.5) stories or ~~thirty (30)~~ twenty-eight (28) feet, whichever is less. The highest point of the roof of a single or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The maximum floor area ratio shall be as specified in Table 547-3, Lot Dimension and Building Bulk Requirements in the OR1 District.

(b) *Gross floor area computation for single or two-family dwellings.* The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single or two-family dwellings shall not include the following:

(1) Detached accessory structures.

~~(2) Up to two hundred and fifty (250) square feet of any attached accessory use designed or intended to be used for the parking of vehicles.~~

~~(3)~~ (2) Open porches.

~~(4)~~ (3) The basement floor area if the finished floor of the first story is ~~four (4) feet~~ thirty (30) inches or less from natural grade for more than fifty (50) percent of the total perimeter. Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:

(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;

(b) Based on evidence submitted by the applicant or on-record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.

~~(5)~~ (4) Half story floor area.

(c) *Floor area ratio increase.* Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

(1) The maximum floor area ratio of single and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single and two-family dwelling within the one hundred (100) foot radius.

(2) Single and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor

area ratio, may increase the gross floor area one time by no more than five hundred (500) square feet.

(d) *Height increase.* Notwithstanding the height limitations of this chapter, the maximum height of single and two-family dwellings may be increased to thirty five (35) feet when the established height of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

This amendment is effective October 1, 2014.

Section 4. That Section 547.310 of the above-entitled ordinance be amended to read as follows:

547.310. Building bulk requirements. (a) *In general.* The maximum height and floor area ratio of buildings located in the OR2 District shall be as specified in Table 547-4, Lot Dimension and Building Bulk Requirements in the OR2 District.

(b) *Gross floor area computation for single or two-family dwellings.* The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single or two-family dwellings shall not include the following:

- (1) Detached accessory structures.
- ~~(2) Up to two hundred and fifty (250) square feet of any attached accessory use designed or intended to be used for the parking of vehicles.~~
- ~~(3) (2) Open porches.~~
- ~~(4) (3) The basement floor area if the finished floor of the first story is four (4) feet thirty (30) inches or less from natural grade for more than fifty (50) percent of the total perimeter. Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:~~
 - ~~(a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;~~
 - ~~(b) Based on evidence submitted by the applicant or on-record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.~~
- ~~(5) (4) Half story floor area.~~

(c) *Floor area ratio increase.* Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:

- (1) The maximum floor area ratio of single and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single and two-family

dwelling within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single and two-family dwelling within the one hundred (100) foot radius.

(2) Single and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one time by no more than five hundred (500) square feet.

(d) *Height increase.* Notwithstanding the height limitations of this chapter, the maximum height of single and two-family dwellings may be increased to thirty-five (35) feet when the established height of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

This amendment is effective October 1, 2014.

Section 5. That Table 547-4 of the above-entitled ordinance be amended to read as follows:

Table 547-4 Lot Dimension and Building Bulk Requirements in the OR2 District

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Maximum Height</i>	<i>Maximum Floor Area Ratio (Multiplier)</i>
RESIDENTIAL USES			
Dwellings			
Single or two-family dwelling	5,000	2.5 stories, not to exceed 30 28 ft. <u>The highest point of the roof of a single or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet.</u>	0.5 or 2,500 sq. ft. of GFA per unit, whichever is greater

This amendment is effective October 1, 2014.

Section 6. That Section 547.350 of the above-entitled ordinance be amended to read as follows:

547.350. Building bulk requirements. (a) *In general.* The maximum height and floor area ratio of buildings located in the OR3 District shall be as specified in Table 547-5, Lot Dimension and Building Bulk Requirements in the OR3 District.

(b) *Gross floor area computation for single or two-family dwellings.* The floor area will be counted twice for each story with a ceiling height greater than fourteen (14) feet. Gross floor area for single or two-family dwellings shall not include the following:

- (1) Detached accessory structures.
- ~~(2) Up to two hundred and fifty (250) square feet of any attached accessory use designed or intended to be used for the parking of vehicles.~~
- ~~(3) (2) Open porches.~~
- (4) (3) The basement floor area if the finished floor of the first story is ~~four (4) feet~~ thirty (30) inches or less from natural grade for more than fifty (50) percent of the total perimeter. Basement floor area shall not be included if the finished first floor of the first story is four (4) feet or less from natural grade for more than fifty (50) percent of the perimeter in either of the following circumstances:
 - (a) The lot includes a change in natural grade of four (4) feet or more on that part of the property located outside of the required front yard;
 - (b) Based on evidence submitted by the applicant or on-record with the city, the zoning administrator determines that elevating the basement will prevent the structure from unreasonably conflicting with groundwater resources and the finished floor of the first story is not located more than ten (10) feet above the basement floor.
- ~~(5) (4) Half story floor area.~~
- (c) *Floor area ratio increase.* Notwithstanding the floor area ratio limitations of this chapter, the maximum floor area ratio may be increased as follows:
 - (1) The maximum floor area ratio of single and two-family dwellings may be increased when the established floor area ratio of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum floor area ratio. When floor area ratio is increased through this method, the floor area ratio shall not exceed the maximum floor area ratio of the largest single and two-family dwelling within the one hundred (100) foot radius.
 - (2) Single and two-family dwellings existing on January 1, 2008, that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one time by no more than five hundred (500) square feet.
- (d) *Height increase.* Notwithstanding the height limitations of this chapter, the maximum height of single and two-family dwellings may be increased to thirty five (35) feet when the established height of a minimum of fifty (50) percent of the single and two-family dwellings within one hundred (100) feet of the subject site exceed the maximum height. The highest point of a gable, hip, or gambrel roof shall not exceed forty (40) feet.

This amendment is effective October 1, 2014.

Section 7. That Table 547-5 of the above-entitled ordinance be amended to read as follows:

Table 547-5 Lot Dimension and Building Bulk Requirements in the OR3 District

<i>Uses</i>	<i>Minimum Lot Area (Square Feet)</i>	<i>Maximum Height</i>	<i>Maximum Floor Area Ratio (Multiplier)</i>
RESIDENTIAL USES			
Dwellings			
Single or two-family dwelling	5,000	2.5 stories, not to exceed 30 <u>28</u> ft. <u>The highest point of the roof of a single or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet.</u>	0.5 or 2,500 sq. ft. of GFA per unit, whichever is greater

This amendment is effective October 1, 2014.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

ORDINANCE 2014-Or-062
By Palmisano
Intro & 1st Reading: 6/27/2014
Ref to: Z&P
2nd Reading: 8/29/2014

Amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to Zoning Code: Commercial Districts.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Table 548-3 of the above-entitled ordinance be amended to read as follows:

Table 548-3 Residential and Hotel Yard Requirements

<i>Yards</i>	<i>Required Yards for Single and Two-family Dwellings and Permitted Community Residential Facilities (Feet)</i>	<i>Required Yards for All Other Residential Uses and Hotels Where the Use Contains Windows Facing an Interior Side Yard or Rear Yard (Feet)</i>
Front	15	0

Rear	5	5+2X provided that this section (c) shall not require a minimum rear yard greater than fifteen (15) feet.
Interior Side	5 <u>Lot width less than 42 ft.: 5</u> <u>Lot width 42 ft. – 51.99 ft.: 6</u> <u>Lot width 52 ft. -61.99 ft.: 7</u> <u>Lot width 62 ft. or greater: 8</u>	5+2X provided that this section (c) shall not require a minimum interior side yard greater than fifteen (15) feet.
Corner Side	8	0

X = Number of stories above the first floor

This amendment is effective October 1, 2014.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

ORDINANCE 2014-Or-063
By Palmisano
Intro & 1st Reading: 6/27/2014
Ref to: Z&P
2nd Reading: 8/29/2014

Amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Overlay Districts.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 551.480 of the above-entitled ordinance be amended to read as follows:

551.480. Height of structures. Except for structures subject to a more restrictive maximum height limitation in the primary zoning district, the maximum height of all structures within the SH Overlay District, except for single and two-family dwellings, shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less. The maximum height of single and two-family dwellings shall be two and one-half stories or ~~thirty (30)~~ twenty-eight (28) feet, whichever is less. The highest point of the roof of a single or two-family dwelling with a gable, hip, or gambrel roof shall not exceed thirty-three (33) feet. The height limitation of accessory structures and single and two-family dwellings may be increased by variance, as provided in Chapter 525, Administration and Enforcement. The height limitation of all other principal structures may be increased by conditional use permit, as provided in Chapter 525, Administration and Enforcement. In addition to the conditional use standards contained in Chapter 525, the city planning commission shall consider, but not be limited to, the following factors when determining maximum height:

- (1) Access to light and air of surrounding properties.
- (2) Shadowing of residential properties or significant public spaces.
- (3) The scale and character of surrounding uses.
- (4) Preservation of views of landmark buildings, significant open spaces or water bodies.

This amendment is effective October 1, 2014.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition filed by Greg Clemente to rezone the property located at 1121 Fillmore St NE from R1A Single-family District to R3 Multiple-family District, to allow an office to be converted to a third dwelling unit.

Your Committee further recommends passage of Ordinance 2014-Or-064 amending the Zoning Code.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2014-Or-064
By Bender
Intro & 1st Reading: 1/6/2014
Ref to: Z&P
2nd Reading: 8/29/2014

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of Lot 7, Block 1, Cummings 2nd Addition to Minneapolis (1121 Fillmore St NE - Plate #10) to the R3 Multiple-Family District.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and ordinance were adopted.

RESOLUTIONS

Resolution 2014R-366 declaring September 20, 2014, to be Faith's Lodge Day was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2014R-366
By B. Johnson, Reich, Gordon, Frey, Yang, Warsame,
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano

Declaring September 20th, 2014, to be Faith's Lodge Day.

Whereas, Faith's Lodge is a non-profit organization that provides a place where parents and families facing the serious illness or loss of a child can retreat to reflect on the past, renew strength for the present and build hope for the future; and

Whereas, Faith's Lodge has nurtured over 1,800 families since the program began in 2007; and

Whereas, Faith's Lodge believes that by gathering families of similar circumstance together with resources and support, they can create transformative opportunities to grow hope; and

Whereas, Faith's Lodge combines parent-to-parent compassion together with professional grief counseling, holistic therapeutic experiences and group activities to help families heal;

Whereas, Faith's Lodge offers an array of programs serving parents and families who have recently lost a child (aged 21 or younger) or who have a child with a life-limiting illness;

Whereas, the goal of Faith's Lodge is to help families through their darkest hours by creating a nurturing setting together with other parents who are coping with the same struggles; and

Whereas, set apart from daily life and surrounded by the calming North woods of Wisconsin, families at Faith's Lodge are supported in an emotionally safe environment to reflect, renew and return home with newfound strength; and

Whereas, Hope Rocks is a fundraiser music event held Saturday, September 20th at The Depot in Minneapolis, benefiting Faith's Lodge;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council declares September 20th, 2014, to be Faith's Lodge Day.

Resolution 2014R-367 recognizing the week of September 8, 2014, as Cooperatives Week was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2014R-367

**By Reich, Gordon, Frey, B. Johnson, Yang, Warsame,
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson and Palmisano**

Recognizing the Week of September 8, 2014, as Cooperatives Week.

Whereas, Minnesota has been home to cooperative businesses since the 1860s, including agricultural, electrical, newspaper and retail co-ops, and today leads the nation with over 1,000 cooperatives employing nearly 42,000 people; and

Whereas, Minnesota has a long history of legislation supporting cooperatives, beginning with Governor Floyd B. Olson in 1933 and continuing through laws sponsored by Gary DeCramer in 1989, and the adoption in 2003 of the Minnesota Cooperative Associations Act, Minn. Chapter 308B; and

Whereas, cooperative businesses first played a role in the City of Minneapolis's economy in the 1870s, when coopers formed the first barrel making cooperatives to serve the City's flour milling industry; and

Whereas, local cooperatives established in the 1930s, including Group Health Mutual, now known as Health Partners, and Chateau Co-op Dining Club, later known as the Chateau Student Housing Cooperative, helped people in Minneapolis to endure and recover from the Great Depression; and

Whereas, a new wave of cooperative businesses emerged in the City of Minneapolis in the 1970s, with the establishment of co-ops such as the North Country Co-op, Seward Community Café and Park Cooperative Apartments; and

Whereas, Minneapolis is home to dozens of cooperative businesses in the sectors of food, childcare, credit unions, financial services, healthcare, housing, real estate development, recreation and more; and

Whereas, the United Nations supports International Cooperative Day and designated 2012 as the International Year of the Cooperatives, under the unifying theme that "cooperative enterprises build a better world"; and

Whereas, the cooperative business model has demonstrated its unique utility as a tool for the economic empowerment of individuals and communities through creating access to capital and resources, employing collaborative decision-making processes, and incorporating the principle of concern for community; and

Whereas, the National Cooperative Business Association's 2014 Purchasing Cooperatives Conference and Annual Cooperative Conference are being hosted in the City of Minneapolis September 8-11;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we proclaim the Week of September 8, 2014, to be "Cooperatives Week".

Resolution 2014R-368 honoring Community Gardening Day was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2014R-368
By A. Johnson, Reich, Gordon, Frey, B. Johnson, Yang,
Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano

Honoring Community Gardening Day in Minneapolis.

Whereas, there are more than 243 community gardens in Minneapolis, in all 13 wards, providing opportunities to more than 5,500 youth and adult gardeners; and

Whereas, there are 194 food production gardens in Minneapolis; and

Whereas, there are over 38 acres of community garden space in Minneapolis; and

Whereas, community gardens build community by crossing cultural and socio-economic divides by providing cross-cultural and intergenerational opportunities for neighbors to meet and work together; and

Whereas, community gardens add beauty to urban neighborhoods and provide much needed green space in high density areas; and

Whereas, Minneapolis' community gardens reflect the cultural and ethnic diversity of the city, including gardeners who speak Dakota, Ojibwe, English, Spanish, Hmong, Somali, French, Vietnamese, Ukranian, Arabic, Russian, and Korean; and

Whereas, community gardens reduce the urban heat island effect and filter rainwater, helping to keep our rivers, lakes, and groundwater clean; and

Whereas, community gardens provide horticultural therapy and exercise, helping to draw people out of their homes and get active; and

Whereas, community gardens combat inactivity and provide access to healthy food, thereby reducing risk of diabetes and obesity; and

Whereas, community gardens educate neighbors about land stewardship, providing an informal classroom for children and adults to learn skills caring for the natural environment; and

Whereas, community gardens provide an asset that enable our City's children to grow physically, socially, and emotionally through important food and educational programs such as Youth Farm; and

Whereas, community gardens enhance crime prevention efforts and improve property values; and

Whereas, community gardens provide a more livable environment in Minneapolis and present a positive local image to a community's residents and visitors; and

Whereas, the City of Minneapolis is proud to support community gardening by providing compost via Public Works Solid Waste and Recycling Department and by providing access to water through the Public Works Water Treatment and Distribution Services Division; and

Whereas, the Minneapolis Department of Health continues to support the Local Food Resource Hubs Network to link residents, gardeners and entrepreneurs with the seeds, seedlings, tools, education and connections needed to build food growing, preservation, distribution and composting skills; and

Whereas, community gardens and urban farms help promote local abundance of healthy fresh food and generate opportunities for employment and new enterprise development; and

Whereas, community gardens and urban farms provide rich opportunities for our adults and young people to learn to grow their own food and become active stewards of environmental health and ecosystems restoration while co-creating local food systems; and

Whereas, community gardens and urban farms actively involve many Step-Up summer youth interns throughout the City of Minneapolis each year, providing work experience, engaging youth in making a difference in their communities and preparing our next generation of environmentally responsible urban leaders; and

Whereas, Community Garden Day will take place in the Twin Cities Metro area on September 13th, giving residents an opportunity to learn about community gardening and visit gardens in their area;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis recognizes the role community gardens play in making our City more livable, attractive, resilient and healthy.

Be It Further Resolved that the City Council hereby declares September 13, 2014, as Community Garden Day in the City of Minneapolis.

MOTIONS

On motion by Palmisano, seconded, the Committee of the Whole report, adopted August 1, 2014, relating to the Council appointment of Scott Neal to the City's Audit Committee was amended to correct the term of Mr. Neal's appointment to be a three-year term beginning January 1, 2014, and ending December 31, 2016, to read as follows:

COW – Your Committee recommends approval of the Council appointment of Scott Neal to the City's Audit Committee, for a three-year term beginning January 1, 2014 and ending January 2, 2018 December 31, 2016. Seconded.

On motion by Palmisano, seconded, the following ordinance was introduced and given its first and second readings for amendment and passage:

Amending Title 2, Chapter 17 of the Minneapolis Code of Ordinances relating to Administration: Finance Department; correcting the term of the converted mayoral appointment to expire December 31, 2015, and the term of the Council appointment to expire December 31, 2016.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2014-Or-065
By Palmisano
Intro & 1st Reading: 8/29/2014
2nd Reading: 8/29/2014

Amending Title 2, Chapter 17 of the Minneapolis Code of Ordinances relating to Administration: Finance Department.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 17.90 of the above-entitled ordinance be amended to read as follows:

17.90. Audit committee. (a) To ensure independence of the audit function, there shall be an audit committee. The audit committee shall be made up of six (6) members, which shall include the chair of the ways and means/budget committee, two (2) members of the city council to be appointed by the city council president, one (1) Minneapolis Park and Recreation Board commissioner and two (2) citizen members.

- (1) The two (2) council president appointments shall be for a two (2) year term and shall be made in January of each even-numbered year. The council president shall appoint the chairperson of the audit committee.
- (2) The two (2) citizen members shall be residents of the city who are not current city employees, are not past or current elected officials of the city council or any of its boards or commissions, and who have expertise in auditing, preferably public sector internal or management auditing, or financial management. The two (2) citizen members shall be appointed as follows: one (1) by the mayor and one (1) by the city council through the open appointments process. The term of the citizen member appointed by ~~a the~~ Minneapolis Park and Recreation Board and expiring ~~January 2, 2017~~ December 31, 2015 shall be converted to a mayoral appointment to expire ~~January 2, 2017~~ December 31, 2015. A council appointment will be appointed for an initial term to expire on ~~January 2, 2018~~ December 31, 2016. All subsequent citizen member appointments will be made for three-year terms and no citizen member shall be appointed for more than two (2) terms.

The audit committee shall meet a minimum of four (4) times per year.

(b) The audit committee shall:

- (1) be responsible for the oversight of the city's internal audit function.
- (2) appoint and remove the internal auditor.
- (3) on at least a yearly basis, conduct a performance review of the internal auditor's performance.
- (4) review and approve the internal auditor's annual audit plan.
- (5) review the audit reports directed to it and may make recommendations on any such audit reports to:

- a. The city council on the appropriate course of action.
 - b. The mayor for consideration in the annual budget process on audit related budgetary recommendations.
- (6) monitor the internal auditor's results and effectiveness of proposed corrective actions.
- (7) review reports of the state auditor prepared for any of the city's departments, boards and commissions.
- (c) The audit committee may make recommendations to the city council relating to financial reporting practices, internal controls, compliance with applicable law and regulation relating to financial controls and other related matters contained within an audit.

The ordinance was adopted.

NEW BUSINESS

A. Johnson and Frey gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13, Chapter 283 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Courtesy Benches (amending regulations on the number and implementation of courtesy benches).

Bender gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 17, Chapter 455 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: Block Events (reforming and streamlining block event conditions and restrictions to increase permit attainability and compliance).

On motion by Glidden, seconded, the meeting was adjourned.

Casey Joe Carl,
City Clerk

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AUDIT:

CITY CLERK (277442)

Proposed Audit Process PowerPoint presentation.

COMMUNITY DEVELOPMENT & REGULATORY SERVICES (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277443)

201 Lowry Ave NE Site and Redevelopment Contract: Approve the assignment of the redeveloper's interest in the Phase 1/commercial portion of the redevelopment contract for 201 Lowry Ave NE from 201 Lowry Development, LLC to D&D Holdings, LLC for the redevelopment of Phase 1 of the site; related actions.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277444)
2014 Emergency Solutions Grant (ESG) Funding.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277445)
Children's Health Care, d/b/a Children's Hospitals and Clinics of Minnesota: Resolution giving final approval to the issuance of up to \$56,000,000 in 501(c)(3) Tax-exempt Refunding Revenue Bonds to refund a portion of the Series 2004A Bonds and all of the Series 2004B Bonds as a joint issue by the City of Minneapolis and the St. Paul Housing and Redevelopment Authority; Authorize execution of a new Joint Powers Agreement with the St. Paul Housing and Redevelopment Authority.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277446)
Construction Management Agreement Ordinance: Ordinance amending Title 5, Chapter 87, adding a new Article IV related to the codification of certain provisions of the Construction Management Agreement required for the wrecking, demolition, and new construction of single-family and two-family dwellings; Return to author ordinances amending Chapter 93 and Chapter 117.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277447)
Greater Metropolitan Housing Corporation Lending Contract: Approve the modified compensation proposed by Greater Metropolitan Housing Corporation for City of Minneapolis mortgage assistance and home improvement program lending services.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277448)
Land Sale (5227 Girard Ave N): To TimberCraft Enterprises, Inc.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277449)
Marshall River Run (1448 Marshall St NE): Authorize amendment and re-subordination of its Affordable Housing Trust Fund loan, extending maturity date, amending interest rate, and securing a 25% share of annual General Partner cash distributions to accommodate a HUD-insured 1st mortgage refinance and consent to assignment of the previously issued TIF Note.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277450)
Penn-Broadway Mixed Use Project (2413 and 2423 Penn Ave N): Extension of Exclusive Development Rights for Lupe Development Partners, LLC for 12 months on two City-owned parcels.

GRANTS AND SPECIAL PROJECTS (277451)
City's 2013 Consolidated Annual Performance and Evaluation Report (CAPER).

LICENSES AND CONSUMER SERVICES (277452)
Cocktail Rooms Licensing Ordinance: Ordinances amending Title 14, Chapters 360 & 362, allowing micro distilleries to obtain on sale liquor licenses to sell and serve distilled spirits on the licensed premises.

LICENSES AND CONSUMER SERVICES (277453)
Liquor, Business & Gambling License Applications.

LICENSES AND CONSUMER SERVICES (277454)
Naughty Neals Treats: Business License Operating Conditions relating to Mobile Food Vehicle Vendor License.

COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277455)

Metropolitan Council's Transit Oriented Development Site Investigation Grant Program and Livable Communities Demonstration Account Transit Oriented Development Pre-Development Grant Program: Accept and appropriate environmental grant awards for 729 Washington Ave N, Target field Station-Pad A and Downtown East Park-Schematic Design projects.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277456)

Nuisance Property Grass Cutting & Related Services: Authorize amendment to contract C-35467 with Hennepin County for Sentence to Serve to provide nuisance property grass-cutting and related services for the rest of 2014.

HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT:

HEALTH DEPARTMENT (277457)

Youth Development/Youth Violence: PowerPoint Presentation.

HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS (See Rep):

HEALTH DEPARTMENT (277458)

Maternal, Infant and Early Child Home Visiting Program: Amend contract with Minnesota Department of Health; and increase appropriation.

PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS (See Rep):

EMERGENCY MANAGEMENT (277459)

2014 Emergency Management Performance Grant: Authorize acceptance of the 2014 Emergency Management Performance Grant Award.

FIRE DEPARTMENT (277460)

Health Club Memberships: Authorize issuance of a new Request For Proposals for health club memberships, fitness and wellness services and facility use for the City of Minneapolis Police and Fire Departments and the Minneapolis Park & Recreation Board Police Department.

FIRE DEPARTMENT (277461)

Minnesota Board of Firefighter Training and Education (MBFTE) training reimbursement redistribution: Authorize acceptance of MBFTE redistribution funding .

POLICE DEPARTMENT (277462)

Security Services at Gopher Football Games: Authorize contract with the University of Minnesota for Mpls Police Department to provide Bomb Unit and K-9 Unit security at football games held at the TCF Bank Stadium.

PURCHASING (277463)

Conducted Energy Device/Taser Bid: Accept single bid of Uniforms Unlimited, for an estimated annual expenditure of \$130,000, for Conducted Energy Device/Tasers for the Minneapolis Police Department.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (277464)

Sidewalk Repair and Construction: Set assessment public hearing.

PUBLIC WORKS AND ENGINEERING (277465)

Snow and Ice Removal from Public Sidewalks: Set assessment public hearing.

PUBLIC WORKS AND ENGINEERING (277466)

Water and Sewer Service Line Repairs: Set assessment public hearing.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (277467)

8th St SE Street Reconstruction and Street Lighting Project No 2283: Permanent street easement from University of Minnesota.

PUBLIC WORKS AND ENGINEERING (277468)

Amendments to Health and Sanitation Code: Expanding authority of Solid Waste and Recycling Division relating to excessive solid waste at properties with more than 4 dwelling units and non-residential properties.

PUBLIC WORKS AND ENGINEERING (277469)

Bassett Creek Watershed Management Commission: Amendment to term of Joint and Cooperative Agreement.

PUBLIC WORKS AND ENGINEERING (277470)

Snow Storage: Permission to Use Metro Transit Property Letter Agreement.

PUBLIC WORKS AND ENGINEERING (277471)

Southwest Light Rail Transit (SWLRT) Project:

- a) Memorandum of Understanding with Metropolitan Council re proposed redesign of a portion of project;
- b) Project map;
- c) City staff technical comments submitted to SWLRT Project Office;
- d) City staff analysis of plan drawings by station;
- e) PowerPoint;
- f) Transcript from Metropolitan Council/Hennepin County Public Hearing of 5/29/2014;
- g) Transcript from Metropolitan Council/ Hennepin County Public Hearing of 8/13/2014; and
- h) Comments.

PUBLIC WORKS AND ENGINEERING (277472)

Special Boulevard Permit: Riverfront Parking Ramp at 212 9th Ave S.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS (See Rep):

PUBLIC WORKS AND ENGINEERING (277473)

Northern Lights Express (NLX): 2014 fees for Minneapolis-Duluth/Superior Passenger Rail Alliance Board.

PUBLIC WORKS AND ENGINEERING (277474)

OP 7980, Low Bid of Global Specialty Contractors, Inc. for Bridge 9 Rehabilitation.

WAYS AND MEANS:

FINANCE DEPARTMENT (277475)

Receive & File Financial Report - Second Quarter 2014 Presentation.

WAYS AND MEANS (See Rep):

ATTORNEY (277476)

Conflict of Interest Waiver for Legal Services: Approve consent and waive any conflict of interest between the City of Minneapolis and Dorsey and Whitney LLP (the Firm) arising out of the Firm's representation of Children's Health Care, the Minnesota Sports Facilities Authority and Siena Systems.

ATTORNEY (277477)

Legal settlements:

a) Evelyn Jimenez, Imelda Jimenez, Maria Teresa Jeronimo v. John Doe, City of Minneapolis, \$28,000.

b) Rafael Antonia Sanchez v. Anthony B. Olsen, City of Minneapolis, \$18,000.

c) Travis M. Minke v. The City of Minneapolis and Janice Callaway, \$40,000.

COMMUNICATIONS (277478)

Audio and Video Equipment Donation: Authorize City to donate used equipment to the Minneapolis Television Network (MTN).

CONVENTION CENTER (277479)

Waste Recycling Project Bid: Authorize accept low bid from Morcon Construction, \$267,000, for project at the Minneapolis Convention Center.

FINANCE DEPARTMENT (277480)

2014 2nd Quarter Gift Acceptance: Authorize accept gifts to the City of Minneapolis valued under \$15,000.

FINANCE DEPARTMENT (277481)

Investment Management Services Agreements with the following firms: Advantus Capital Management, Galliard Capital Management, Vaughan Nelson Investment Management, PFM Asset Management and RBC Global Global Asset Management.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277482)

Minneapolis Police Department (MPD) Records Management System (RMS) Request for Proposal: Authorize issue RFP for MPD RMS to replace outdated current records management system.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277483)

Technology Conference Donations: Acceptance of gifts from the following organizations for Otto Doll, Chief Information Officer, to attend conferences:

a) South Carolina Information Technology Directors Association (SCITDA) Fall Conference.

b) Metropolitan Information Exchange (MIX), Boise, Idaho.

c) Center for Digital Government, Amelia Island, Florida.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (277484)

Rezoning application for 1121 Fillmore St NE submitted by Greg Clemente.

AUGUST 29, 2014

PLANNING COMMISSION/DEPARTMENT (277485)
Zoning Code Text Amendments revising regulations for 1-4 unit residential development.

Official Posting: 9/5/2014