

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

NOVEMBER 7, 1997

(Published November 15, 1997,
in Finance and Commerce)

Council Chamber
Minneapolis, Minnesota
November 7, 1997 – 8:30 a.m.

Vice President of Council and President pro tem Biernat in the Chair.

Present – Council Members Campbell, Niland, Mead, Scott, Schulstad, Herron, Rainville, Dziedzic, Thurber, Vice President of Council and President pro tem Biernat.

Absent – McDonald, Minn, President Cherryhomes.

Campbell moved approval of the minutes of the regular meeting of October 24, 1997.
Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and communications and reports of the City officers to proper Council committees and departments.
Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

CLAIMS:

CITY CLERK (263224)

Armel, Michael; Armstrong, Alfield C; Barnett, Rebecca; Brumm, Thomas T; Burton, Arnold Lewis & Atty Bradley S Herman; Carlson, Ryan Christopher; Champion, William Earl; Cook, Frances; Craig, Michael; Crossman, Andrea; Feldman, Daniel; Flanagan, Marcia & Atty George G Seltz; Focht, Jason; Fulp, George A; Hageman, Jennifer L; Holecek, Amy Marie; Hudson, Angela; Hummel, Theo; James, Diane; Kisely, Denise; Kramer, Chris D; Kropp, Donald Eric; Lewandowski, Norbert; Marz, Elizabeth J;

McCarten, Christopher & Atty Philip Leavenworth; Morris, Kevin P; Morton, Tia; Osacho, Susan J; Pahl, James; Pap, Mary Carlson; Rorwick, Jo A; Roubik, Theresa Lynn; Schirmer, Lawrence; Stennes, Kathryn E; Stevens, LuVerne B; Sullivan, Molly A; Tietz, Carl E; Thomes, Tamara; Tupy, Larry; Wade, Ruth Rochelle; Will, Paulette C; Zhingre, Carlos.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263225)

Lot Division (1415 Penn Av N): Recommend lot not be divided, w/plot plan & map.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263226)

Cord Sets, Inc (1001-1027 & 1026 5th St N):
MCDA: Approve issue bonds for manufacturing facility & parking lot; notice of public hearing.
Planning: Comments.

ELECTIONS (See Rep):

ELECTIONS DEPARTMENT (263227)

General Election: Certification of results from 11/4/97 election.

INTERGOVERNMENTAL RELATIONS:

LIAISON/FEDERAL, LOCAL AND STATE
(263228)

Legis Issues: Update.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT
SERVICES (263229)

Pediatric Dental Servs: Amend #1 to Agrmt #11183 w/Children's Dental Servs.

INSPECTIONS DEPARTMENT (263230)
1997 Special Assmt Levies: Levy list.
INSPECTIONS DEPARTMENT (263231)
Rental Dwlg Lic: Reinstate for property at
729 E 16th St.
Raze Bldgs: Apprv demo of 3237 2nd Av S.
LICENSES AND CONSUMER SERVICES
(263232)
Lic: Appls.

**PUBLIC SAFETY AND REGULATORY
SERVICES and WAYS & MEANS/
BUDGET (See Rep):**
LICENSES AND CONSUMER SERVICES
(263233)
Educational & Outreach Activities for HUD
Lead Hazard Reduction Proj: Agrmt w/Metro-
politan Visiting Nurses Assn.

TRANSPORTATION AND PUBLIC WORKS:
MCDONALD, ROSEMARIE (263234)
Nicollet Mall Advisory Board: Request to
amend Resolution 94R-357 defining procedures to
add to the Board a homeowner representative for
condominiums.
SOLID WASTE AND RECYCLING
DIVISION (263235)
Hennepin County: 1998 Presentation re
Environmental Services Division Activities and
Budget.

TRANSPORTATION AND PUBLIC WORKS
(See Rep):

PUBLIC WORKS AND ENGINEERING
(263236)
Horse and Carriage Route: Establish Route #6
on Nicollet Mall/Marquette Av, to test for 90 days.
Computerized Traffic Signal Control System:
Issue purchase order to FORTRAN Traffic Systems
Ltd to supply 350 units of Type 24 I/O boards and
100 units of detector boards.
Areaway Abandonment and Removal
(Jefferson East Residential Paving Area): Grant
petition of Harvey B Katzovitz and Hennepin
Quarters to abandon and remove areaway at 2107
Hennepin Av S and specially assess costs to
property.
Special Service Districts: Apprv proposed
1998 services, cost estimates, and methods to
determine services for Central Avenue; Hennepin-
Lake; Dinkytown and Stadium Village Districts.

**TRANSPORTATION AND PUBLIC WORKS
and WAYS & MEANS/BUDGET
(See Rep):**
PUBLIC WORKS AND ENGINEERING
(263237)
1998 Municipal Parking System: Establish
transient and monthly parking rates, effective
November 1 and December 1, 1997.
PUBLIC WORKS AND ENGINEERING
(263238)
Area Underneath I-394 (vicinity Linden Av):
Execute lease agreement with Minnesota
Department of Transportation to allow storage of
garbage carts and overflow area in winter by
Impound Lot.
Bryant Square Area (W 32nd St & Bryant Av
S): Appropriate capital funds for City crews to
install four pedestrian scale ornamental street lights
on boulevard around Bryant Square Park, to be
reimbursed by Park and Recreation Board.
PURCHASING (263239)
Bid: Accept Official Publication #4708, low
bid meeting specifications of Braun Pump and
Control for environmental monitoring systems to
Public Works/Sewer Maintenance.
WATER DEPARTMENT (263240)
Master Plan for Supervisory Control and Data
Acquisition (SCADA) System: Increase contract
with EMA Services for additional consultant
services to design communication system.
WAYS AND MEANS BUDGET:
ATTORNEY (263241)
West River Road Project: Update on land
negotiations.
COORDINATOR (263242)
Telecommunications Plan: Report and
recommendations of work team regarding
Telecommunications Redesign.
EMPLOYMENT AND TRAINING
PROGRAM, MPLS (METP) (263243)
Employment & Training Program: First
Quarter Status Report, PY 1997.
WAYS AND MEANS BUDGET (See Rep):
ATTORNEY (263244)
Indemnification Strategy: Police & Procedure
for Defense and Indemnification of Employees.
Settlement: Claim of Todd Belland.
Hold Harmless Agreement: Authorize the City
Attorney to negotiate and enter into a hold harmless
agreement with TA Associates Realty regarding
incinerator ash at Kasota Industrial Park
properties.

CONVENTION CENTER (263245)

Bank Machine: Extend agreement with First Bank regarding cash machine at Mpls Convention Center.

COORDINATOR (263246)

Convention Center Completion Project: Re-establishment of Convention Center Implementation Committee, completion project organizational structure, project short-term schedule and budget (Comments - Planning Commission, Convention Center Implementation & Development Committee).

GRANTS AND SPECIAL PROJECTS (263247)

Contribution to Arts Commission: Accept donations from General Mills and Medtronic Foundation to support Neighborhood Arts New Presenters Prog.

HEALTH AND FAMILY SUPPORT SERVICES (263248)

Nokomis East Neighborhood Youth Program: Issue fund availability notice to YMCA Hiawatha Branch, providing Neighborhood Revitalization Program funds.

INFORMATION & TECHNOLOGY SERVICES (263249)

Computer Services Contract: Contract increase with Digital Equipment Corp for additional support and implementation services.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (263250)
40th St E, 3611 (Justin M Woessner) rebuild porch; Como Av SE, 1625 (Gary's University Service) footings & foundation for addition; Franklin E, 2111 (Seward Co-op Grocery & Deli) site prep & construction.

HERITAGE PRESERVATION COMMISSION (263251)

Use Variance: DeafBlind Services Minnesota: Appl to permit self-sufficiency program & their headquarters at 726-2nd St NE.

INSPECTIONS/BOARD OF ADJUSTMENT (263252)

Exception Filed: Alan Saltzman: Parking spaces at 2724 W 43rd St & 4250 Upton Av S.

INSPECTIONS/ZONING ADMINISTRATOR (263253)

Transportation Management Plan: SRF Consulting Group, Inc: Proposed parking lot on former Taco Bell site at 1323 W Lake St.

PLANNING COMMISSION/DEPARTMENT (263254)

Vacations: Steve Edel: Alley in block of W 48th & 49th Sts and Grand & Harriet Avs S; Catholic Charities: Alley in block bounded by 14th, Dupont, Plymouth & Emerson Avs N.

COMMITTEE OF THE WHOLE (See Rep):
PUBLIC WORKS AND ENGINEERING (263255)

Nicollet Mall: Adopt and levy assessments for Mall improvements, maintenance and operation, payable in 1998.

FILED:

CITY CLERK/SPECIAL PERMITS (263256)
1st Av S, 2515-17 (Southside Neighborhood Housing) move house; 2nd Av S, 1301 (General Sports Shows) exhibit animals; Broadway W, 626 (Suburban Lighting Inc) sign; Cedar Av S, 309 (Midwest Mountaineering Inc) tents; Dupont Av S, 3400 (The Youth Initiative) pony rides; Elliot Av S, 2401-3 (Project for Pride in Living) waive full basement requirement; Fremont Av N, 1514 (Northside Residents Redevelopment Council) move house; Lyndale Av S, 5800 (Crosstown Sign) sign; Washington Av, 3456 (Tucker Properties) conduct retail sales.

MAYOR (263257)

Capital Long Range Improvement Committee: Reason for not signing Zoning & Planning Committee report of 10/24/97.

**REPORTS OF
STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT** Committee submitted the following report:

Comm Dev - Your Committee, having under consideration the division of the lot at 1415 Penn Av N, and having conducted a public hearing thereon, now recommends that said lot not be divided nor sold for sideyard use. (Petn No 263225)

Niland moved that the report be referred back to the Community Development Committee. Seconded.

Adopted upon a voice vote.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

Comm Dev & W&M/Budget – Your Committee, having under consideration the proposed project of Cord Sets, Inc to acquire a site and construct and equip a new manufacturing facility and parking lot at 1001-1027 Fifth St N and 1026 Fifth St N, and the financing of said project by the issuance of up to \$1.5 million of tax-exempt, Minneapolis Community Development Agency, Limited Tax-supported Development Revenue Bonds, Common Bond Fund Series 1998, on behalf of Cord Sets, Inc., through the Minneapolis Common Bond Fund, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution giving preliminary approval to the project and to the issuance of said bonds. (Petn No 263226)

Your Committee further recommends, pursuant to MCDA Resolution No 87-171M adopted by the Board of Commissioners of the MCDA on July 16, 1987, that these Common Fund Bonds be designated, if and when issued, as bonds entitled to the Security provided by Ordinance No 87-Or-084, Tax Reserve and Pledge Ordinance.

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-338, entitled “Giving preliminary approval to and authorizing a project on behalf of Cord Sets, Inc., and authorizing the issuance of revenue bonds or notes of the Minneapolis Community Development Agency therefor, payable primarily from revenues derived pursuant to a revenue agreement,” was passed November 7, 1997 by the City Council and approved November 13, 1997 by the Mayor. It gives preliminary approval to the project and issuance of up to \$1,500,000 of bonds. The full text of the resolution is available for public inspection in the Office of the City Clerk.

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

RESOLUTION 97R-338
By Niland and Campbell

Giving preliminary approval to and authorizing a project on behalf of Cord Sets, Inc., and authorizing the issuance of revenue bonds or notes of the Minneapolis Community Development Agency therefor, payable primarily from revenues derived pursuant to a revenue agreement.

Whereas, the City Council, by Ordinance No. 81-Or-017, as amended by Ordinance No. 82-Or-076, reorganized and renamed the Housing and Redevelopment Authority in and for the City of Minneapolis as the Minneapolis Community Development Agency (the “Former Agency”), and granted additional powers and duties pursuant to Minnesota Laws of 1980, Chapter 595; and

Whereas, the City Council, by Ordinance No. 86-Or-035, renamed the Former Agency as the Minneapolis Public Housing Authority in and for the City of Minneapolis and created a new public corporation named the Minneapolis Community Development Agency (the “Agency”) to which it granted the development powers of the Former Agency and to which it extended the development obligations of the Former Agency; and

Whereas, pursuant to Minnesota Laws of 1980, Chapter 595, Ordinance No. 81-Or-017, as amended, and Ordinance No. 86-Or-035, as amended, of the City Council and Minnesota Statutes, Sections 469.152 through 469.1651 (collectively, the “Act”), the Agency is authorized to issue revenue bonds or notes for the purpose of providing financing for the acquisition, construction, rehabilitation and installation of projects consisting of real and personal properties used or useful in connection with a revenue producing enterprise engaged in any business; and

Whereas, by Resolution No. 82-512, adopted by the Former Agency on December 15, 1982, as amended, the Former Agency established a certain common bond fund and provided for the issuance from time to time by the Agency of economic development revenue bonds to be secured thereby (“Common Fund Bonds”); and

Whereas, pursuant to Ordinance No. 86-Or-035, as amended by the Minneapolis City Council on June 27, 1986, the Agency has authority to issue Common Fund Bonds and is the successor to the Former Agency for purposes of Common Fund Bonds; and

Whereas, Cord Sets, Inc., a Minnesota corporation (the "Company"), has proposed to acquire, construct and equip a building to be used for the Company's electrical cord manufacturing purposes and to be located at 1001-1027 Fifth Street North and 1026 Fifth Street North (the "Project"); and

Whereas, the Company has proposed that the Agency finance the Project by the issuance of its Common Fund Bonds under the Act, in the approximate amount of \$1,500,000 (the "Bonds"); and

Whereas, the City Council has been advised that in accordance with the Act, a public hearing on the proposal to finance the Project has been conducted by the Community Development Committee of the City Council on behalf of the Agency, preceded by notice thereof as required by the Act, and at such public hearing all parties were given an opportunity to express their views with respect to the proposed undertaking and financing of the Project;

Whereas, the City Council has been further advised that the proposed bond issue has been submitted to the Mayor and the Planning Commission of the City of Minneapolis at least fourteen (14) days prior to consideration hereof; and

Whereas, the Agency, by resolution adopted or to be adopted on the date hereof, has or will give preliminary approval to the Project in accordance with the Act;

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

That the City Council hereby gives preliminary approval to the Project and the issuance by the Agency of its Bonds pursuant to the Act for the purpose of financing the Project in the aggregate sum of \$1,500,000 or such other amount approved by the Agency not exceeding such sum by more than ten percent (10%);

Be It Further Resolved that this approval by Ordinance No. 86-Or-035, as amended, of the City Council is hereby given as required.

Adopted. Yeas, 9; Nays, none.

Absent - McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Campbell assumed the Chair.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS – Your Committee, having under consideration the application of O'Donovan's Irish Pub, LLC, dba O'Donovan's Irish Pub, 700 1st Av N, new business, for a Sidewalk Cafe Permit and an On-Sale Liquor Class C-1 with Sunday Sales License to expire October 1, 1998, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances and that said Sidewalk Cafe Permit be postponed, pending final approval from Licenses and Consumer Services, Traffic Engineering and Public Works.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of Capital Grille of Minneapolis, Inc, dba Capital Grille, 825 Hennepin Av, new business, for an On-Sale Liquor Class E with Sunday Sales license to expire July 1, 1998, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 9; Nays none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 7, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published November 11, 1997).

PS&RS – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1998

Michael Yacoub, dba Fowl Play, 1301 SE 4th St, temporary expansion of premises, 10/25/97, 2-7PM;

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1998

International Catering, Inc, dba Atrium Cafe/ Atrium Catering International, 275 Market St,

temporary expansion of premises for Edison NE Reunion, 10/11/97, 6PM-12:30AM;

International Catering, Inc, dba Atrium Cafe, 275 Market St, temporary expansion of premises for Annual Kwanzaa Celebration, 12/27/97, 7PM-1AM;

International Catering, Inc, dba Atrium Cafe, 275 Market St, temporary expansion of premises for Mia Antique Show, 10/17/97, 5-7PM;

International Catering, Inc, dba Atrium Cafe, 275 Market St, temporary expansion of premises for Mia Antique Show, 10/18/97, 5-7PM;

International Catering, Inc, dba Atrium Cafe, 275 Market St, temporary expansion of premises for Mia Antique Show, 10/19/97, 5-7PM;

International Catering, Inc, dba Atrium Catering International, 275 Market St, temporary expansion of premises for Edison NE Reunion, 10/9/97, 6PM-11:30PM;

International Catering, Inc, dba Atrium Cafe, 275 Market St, temporary expansion of premises for Mia Antique Show, 10/16/97, 5-10PM;

On-Sale Liquor Class C-1 with Sunday Sales, to expire October 1, 1998

O'Donovan's Irish Pub, LLC, dba O'Donovan's Irish Pub, 700 1st Av N, new business;

On-Sale Liquor Class C-2, with Sunday Sales, to expire April 1, 1998

Town Hall Brewery, Ltd Partnership, dba Minneapolis Town Hall Brewery, 1430 Washington Av S, temporary expansion of premises, 10/25/97, 10AM-7PM;

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 1998

Associated Food Services, Inc, dba Pronto Ristorante, 1300 Nicollet Mall, new manager;

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 1998

Ginko, Inc, dba Anthony's Wharf, 201 Main St SE, internal transfer of shares;

Capital Grille of Minneapolis, Inc, dba Capital Grille, 825 Hennepin Av, new business;

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 1998

Wu Family Corporation, dba Nankin Cafe, 2 S 7th St, internal transfer of shares;

TMMS, Inc, dba C-C Club, 2600 Lyndale Av S, new shareholder/partner, new corporate officer & Sidewalk Cafe Expansion;

Off-Sale Beer, to expire April 1, 1998

Lee's Market & Deli Corporation, dba Lee's Market & Deli, 620 W 58th St, new proprietor;

Eddy I Bakri, dba Twins Grocery, 3559 Lyndale Av N, new proprietor; and

Sania's, Inc, dba Handy Stop, 2600 W Broadway.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of November 7, 1997, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 263232):

Amusement Devices; Place of Amusement Class A; Place of Amusement Class B-2; Building Contractor Class A; Cement Finisher; Contractor/Masonry Class A; Check Cashing Facilities; Christmas Tree; Dry Cleaning Pickup Station; Fire Extinguisher Class A; Farm Produce Permit; Grocery; Food Manufacturer; Restaurant; Short-Term Food Permit; Seasonal Short-Term Food Establishment; Vending Machines; Fuel Dealer; Gasoline Filling Station; Heating, Air Conditioning, Vent Installer Class B; Musical Juke Box; Lodging House; Lodging with Boarding House; Motor Vehicle Dealer – Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Access Use; Motor Vehicle Servicing Class B (Towing); Motor Vehicle Servicing Class C (Towing); Motor Vehicle Servicing Class D (Towing); Commercial Parking Lot Class A; Commercial Parking Lot Class B-Con; Precious Metal Dealer; Recycling/Salvage Yard; Second-Hand Goods Dealer; Second-Hand Goods Dealer-Exhibition; Suntanning Facilities; Taxicab Limited; Taxicab Service Company; Taxicab Vehicle; Theater-Zone I; Tobacco Dealers; Tradesman-Combination; and Tree Servicing.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling-Lawful Class A

Wold-Chamberlain American Legion Post #99, 5600 34th Av S, site: American Legion Post #99, 5600 34th Av S;

Gambling-Lawful Class B

George Glover Neighborhood Gym, 921 Lowry Av NE, site: Spring St Bar & Grill, 355 Monroe St NE;

MLBA Children’s Fund, 800 42nd Av N, site: Minnesota Bar, 1501 S 6th St;

Catholic Eldercare, Inc, 817 Main St NE, site: Cardinal Restaurant & Bar, 2920 E 38th St;

Catholic Eldercare, Inc, 817 Main St NE, site: Elsie’s Liquor Lounge, 729 NE Marshall;

Gambling Lawful Exempt

Women’s Transportation Seminar Scholarship, 1 Walnut Street, Boston Massachusetts, for raffle at 110 Bank St, Minneapolis, 12/16/97;

WAMSO, The Minnesota Orchestra Volunteer Association, 1111 Nicollet Mall, for raffle at Metrodome, 900 S 5th St, 6/6/98;

Boys & Girls Club of Minneapolis, 2410 Irving Av N, for raffle at Blaisdell Manor, 2322 Blaisdell Av, 11/1/97; and

Church of Christ the King, 5029 Zenith Av S, for raffle, 11/22/97.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the Lodging with Boarding House License held by Minnesota Kappa Sigma Corporation, dba Kappa Sigma Fraternity, 1125 5th St SE, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing thereon, now recommends adoption of the TAC recommendations, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City officers be authorized to execute Amendment #1 to Agreement #11183 with Children’s Dental Services to increase said agreement by \$30,000 for pediatric dental services, for the period from July 1, 1997 through December 31, 1997, for a new contract total of \$140,000, payable from Federal Grants Fund – Health Department Agency – Contracts Management (030-440-4413).

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the Rental Dwelling License held by Gregory B. Snyder for the property located at 729 E 16th St, and having received verification that said property is now in compliance with rental licensing standards, now recommends approval for reinstatement of said license.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the following levies be approved and that the Director of the Hennepin County Property Taxation Department be directed to place assessments against the specified properties to defray costs of work performed under the authorization of the Inspections Division to correct nuisance or hazardous conditions on these properties (Petn No 263230):

Levy 1080 – Removal of Offensive Matter (rubbish), payable in 1 year, \$362,703.06;

Levy 1081 – Removal of Offensive Matter (weeds), payable in 1 year, \$188,664.88;

Levy 1084 – Removal of Offensive Matter (hazardous trees), payable in 5 years, \$77,058.56;

Levy 1085 – Removal of Offensive Matter (brush & plant growth), payable in 1 year, \$14,549.97;

Levy 1092 – Removal of Hazardous/Nuisance Condition Buildings, lump sum, payable in 1 year, \$414,566.68;

Levy 1093 – Removal of Hazardous/Nuisance Condition Buildings (authorized by owner), payable in 5 years, \$59,703.56;

Levy 1099 – Securing Abandoned Buildings, payable in 1 year, \$65,343.84.

Your Committee further recommends passage of the accompanying resolutions, all in accordance with Chapter 227 of the Minneapolis Code of Ordinances:

a) Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of abating nuisance conditions (Levies 1080, 1081, 1084 and 1085);

b) Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of razing buildings determined to constitute a nuisance condition, in accordance with Chapter 249 of the Minneapolis Code of Ordinances (Levy 1092);

c) Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of razing dangerous buildings determined to constitute a nuisance condition, in accordance with Chapter 87 of the Minneapolis Code of Ordinances (Levy 1092);

d) Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of razing certain buildings, as authorized in Minnesota Statutes, Chapter 463 (Levy 1093); and

e) Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of securing abandoned buildings, as authorized in Minnesota Statutes, Chapter 463 (Levy 1099).

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-339

By Biernat

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of abating nuisance conditions.

Whereas, The Director of Inspections is authorized under Chapter 227 of the Minneapolis Code of Ordinances to abate nuisances relating to offensive matter on private premises including rubbish, long grass and weeds, brush and plant growth and dead trees; and

Whereas, the City Charter of the City of Minneapolis provides that costs incurred in the removal of nuisance conditions shall be levied and collected as a special assessment against the properties;

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

That the costs incurred in the removal of offensive matter are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Numbers 1080 (Rubbish Removal), 1081 (Weed Removal), 1084 (Offensive Tree Removal) and 1085 (Shrub, Brush Removal) be approved and transmitted to the Hennepin County Property Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to defray the costs of work performed under authorization of the Inspections Division to abate nuisances on private properties.

Be It Further Resolved that Levy Numbers 1080, 1081, and 1085 be payable in a single installment with interest thereon at eight percent (8%) and that Levy No 1084 be paid in five (5) equal annual installments with interest thereon at eight percent (8%) per annum, as set forth in Petn No 263230 on file at the Office of the City Clerk.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-340

By Biernat

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of razing buildings determined to constitute a nuisance condition, in accordance with Chapter 249 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain buildings constituted a nuisance condition in accordance with Chapter 249 of the Minneapolis Code of Ordinances and the Director of Inspections was empowered to abate the nuisance by having the buildings razed; and

Whereas, Chapter 249 provides that the cost of such razing shall be levied and collected as a special assessment against the property as provided for in Chapter 227 of the Minneapolis Code of Ordinances;

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

That the costs incurred in razing buildings determined to constitute a nuisance condition are hereby approved and that said costs be assessed against the properties.

Be It Further Resolved that the items contained in part of Levy 1092 be approved and transmitted to the Hennepin County Property Taxation Department and that the Director of the Hennepin County Property Taxation Department be directed to place assessments against the specified properties with interest at the rate of eight percent (8%) per annum on the unpaid balance thereof to defray costs of work performed under the authorization of the Inspections Division to raze said buildings, as set forth in Petn No 263230 on file at the Office of the City Clerk.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-341

By Biernat

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of razing dangerous buildings determined to constitute a nuisance condition, in accordance with Chapter 87 of the Minneapolis Code of Ordinances.

Whereas, the Director of Inspections is authorized under Chapter 87 of the Minneapolis Code of Ordinances to abate hazardous conditions by razing dangerous buildings after determination by the Director of Inspections and Chief of the Fire Department that a dangerous condition exists; and

Whereas, the City Charter of the City of Minneapolis provides that the costs incurred in the razing of dangerous buildings shall be levied and collected as a special assessment against the properties;

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

That the costs incurred in razing dangerous buildings are hereby approved and that said costs be assessed against the properties.

Be It Further Resolved that the items contained in part of Levy 1092 be approved and transmitted to the Hennepin County Property Taxation Department and that the Director of the Hennepin County Property Taxation Department be directed to place assessments against the specified properties to defray costs of work performed under the authorization of the Inspections Division to raze dangerous buildings on properties, payable in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 263230 on file at the office of the City Clerk.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-342
By Biernat

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of razing certain buildings, as authorized in Minnesota Statutes, Chapter 463.

Whereas, the City Council of the City of Minneapolis is empowered to raze any hazardous buildings or remove or correct any hazardous condition of real estate upon obtaining the consent in writing of all owners of record, occupying tenants and all lien holders of record, in accordance with Minnesota Statutes Section 463.151; and

Whereas, the Director of Inspections did raze said buildings under the authority of the City Council of the City of Minneapolis; and

Whereas, this law provides that the cost of razing such buildings shall be charged against the real estate as provided in Minnesota Statutes, Section 463.21;

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

That the costs of razing such buildings under this provision are hereby approved and that said costs be assessed against the properties.

Be It Further Resolved that Levy 1093 be approved and transmitted to the Hennepin County Property Taxation Department and that the Director of the Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in five (5) equal annual installments with interest thereon at eight percent (8%) per annum, as set forth in Petn No 263230 on file at the office of the City Clerk.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-343
By Biernat

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of securing abandoned buildings, as authorized in Minnesota Statutes, Chapter 463.

Whereas, the City Council of the City of Minneapolis is empowered to secure vacant buildings in accordance with Minnesota Statutes, Section 463.251; and

Whereas, the Director of Inspections did secure vacant buildings under the authority of the City Council of the City of Minneapolis; and

Whereas, this law provides that the cost of securing such buildings shall be charged against the real estate as provided in Minnesota Statutes, Section 463.21;

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

That the costs of securing abandoned buildings under the authority of the Director of Inspections are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy 1099 be approved and transmitted to the Hennepin County Property Taxation Department and that the Director of the Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment, with interest thereon at eight percent (8%), as set forth in Petn No 263230 on file at the office of the City Clerk.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the property located at 3237 2nd Av S, creating nuisance conditions within the meaning

of Chapter 249 of the Minneapolis Code of Ordinances, and having determined that rehab of said property is not feasible, now recommends that the proper City officers be authorized to raze said property, as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having conducted an Evidentiary Hearing on September 30, 1997 to consider evidence relating to the Taxicab Driver’s License held by David L. Kraft, 1923 Park Av S, and having received Findings of Fact, Conclusions and Recommendations arising from said Evidentiary Hearing held thereon, now recommends adoption of the Hearing Panel recommendation that the Taxicab Driver’s License of David L. Kraft be revoked as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the application of Project Foundation Home Away Center, Inc, dba Project Foundation – North, 1708 Oak Park Av, new business, for a Lodging with Board House License, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 9; Nays none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 7, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published November 11, 1997).

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with the Metropolitan Visiting Nurses Association (MVNA) to provide lead education and related services in dwellings occupied by children from 0-6 years of age, in accordance with the workplan of the Lead Hazard Reduction Project funded by the United States Department of Housing & Urban Development (HUD), for the period from September 8, 1997 through February 28, 2000, in an amount not to exceed \$187,698, payable from the Federal Grants Fund – Licenses and Consumer Services Agency (030-835-8392).

Adopted. Yeas, 9; Nays, none.

Absent – McDonald, Minn, Rainville, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Biernat resumed the Chair.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW – Your Committee recommends establishment of the following Horse and Carriage Route, in accordance with Chapter 303 of the Minneapolis Code of Ordinances relating to **Licenses & Business Regulations: Horse and Carriage Livery Services:**

Horse and Carriage Route #6 – Test for 90 days

Beginning at Nicollet Av and 13th St S then taking a right to go NEly along Nicollet Av to 4th St S then taking a right to go SEly on 4th St S to Marquette Av (buslane) then taking a right to go SWly on Marquette Av to 13th St S then taking a right to travel NWly on 13th St S to the beginning point.

Further, said route is being established and tested subject to an agreement made between The Hitching Co and Metro Transit which states that carriage drivers will pull to the side of the Nicollet Mall and come to a complete stop allowing buses to pass.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997.
Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the purchase of components for communication units for the City’s Computerized Traffic Signal Control System, now recommends that the proper City Officers be authorized to issue a Purchase Order to FORTRAN Traffic Systems, Ltd, based on the proposal from FORTRAN to supply 850 units of Type 24 I/O boards and 100 units of detector boards, as shown in Petn No 263236 on file in the Office of the City Clerk. Funding for the purchase of said electronic components is included in the Traffic Stores budget of the Transportation Division of Public Works.

Adopted. Yeas, 10; Nays, none.
Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997.
Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a petition for areaway abandonment and removal in conjunction with the Jefferson East Residential Paving Area, now recommends granting the request of Harvey B Katzovitz and Hennepin Quarters Inc to abandon and remove certain areaways located in the public street right-of-way of Colfax Av S and adjoining the property at 2107 Hennepin Av S. The costs of such work shall be reimbursed to the City of Minneapolis by a special assessment to be collected over 10 years against the property described in PID #33-029-24-11-0085, and a waiver of the right to appeal the special assessment, all as contained in Petn No 263236 on file in the Office of the City Clerk.

Adopted. Yeas, 10; Nays, none.
Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997.
Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution designating the services, locations and costs for the Central Avenue Special Service District for 1998.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 10; Nays, none.
Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997.
Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Resolution 97R-344, designating the services, locations and costs for the Central Avenue Special Service District for 1998, was passed November 7, 1997 by the City Council and approved November 13, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 97R-344
By Dziedzic

Central Avenue Special Service District

Designating the services, locations and costs for the Central Avenue Special Service District for 1998.

Whereas, Laws of Minnesota, 1985, Chapter 302, Laws of Minnesota, 1993, Chapter 375, Article 5, Sections 35 through 38, Laws of Minnesota, 1995, Chapter 264, Article 3, Section 28 and Chapter 446 of the Minneapolis Code of Ordinances allow that special maintenance related and promotional services may be provided in the Central Avenue area; and

Whereas, the Central Avenue Special Service District Advisory Board, established in accordance with said Chapter 446, has recommended the services to be provided during 1998; and

Whereas, the total estimated cost of these services, which includes \$1,500 for City Administration costs, is \$36,500;

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

That the following street will receive additional Sidewalk Snow Shoveling, Sidewalk Ice Melt Application, Snow Removal, Sweeping and Cleaning (\$35,000):

Central Av (both sides) from 19th to 26th Avs NE.

Be It Further Resolved that the total cost estimate of \$36,500 for 1998 services be approved and that it be funded by \$36,500 through service charges and \$0 as City portion.

Be It Further Resolved that the actual adjusted amount of proposed service charges for 1998 be \$45,610 (amount remaining after adjusting the 1998 cost estimate of \$36,500 for previous years' unexpended balances and additional costs as provided for in Section 446.70 of the Minneapolis Code of Ordinances).

Adopted. Yeas, 10; Nays none.

Absent - McDonald, Minn, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution designating the services, locations and costs for the Hennepin-Lake Special Service District for 1998.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-345, designating the services, locations and costs for the Hennepin-Lake Special Service District for 1998, was passed November 7, 1997 by the City Council and approved November 13, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 97R-345

By Dziedzic

Hennepin-Lake Special Service District

Designating the services, locations and costs for the Hennepin-Lake Special Service District for 1998.

Whereas, Laws of Minnesota, 1985, Chapter 302, Laws of Minnesota, 1993, Chapter 375, Article 5, Sections 35 through 38, Laws of Minnesota, 1995, Chapter 264, Article 3, Section 28 and Chapter 438 of the Minneapolis Code of Ordinances allow that special maintenance related and promotional services may be provided in the Hennepin-Lake area; and

Whereas, the Hennepin and Lake Special Service District Advisory Board, established in accordance with said Chapter 438, has recommended the services to be provided during 1998; and

Whereas, the total estimated cost of these services, which includes \$2,500 for City Administration costs, is \$67,500;

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

That the following streets will receive additional Sidewalk Snow Shoveling, Sidewalk Ice Melt Application and Snow Removal (\$65,000):

Emerson Av S (W side) from Lagoon Av to Lake St W;

Fremont Av S (both sides) from Lagoon Av to Lake St W;

Girard Av S (both sides) from Lagoon Av to Lake St W;

Hennepin Av S (E side) from 28th to 31st Sts W;

Hennepin Av S (W side) from N Line of HCRRA r/w to 31st St W;

Humboldt Av S (E side) from Lagoon Av to Lake St W;

Lagoon Av (both sides) from Emerson to Hennepin Avs S;

Lake St W (N side) from Emerson to James Avs S;

Lake St W (S side) from Dupont to Knox Avs S (segment from N-S alley W of Irving Av S to Knox Av S is a new service location being added for the remainder of 1997 and all of 1998); and

31st St W (N side) from centerline of vac N-S alley E of Hennepin Av S to N-S alley W of Hennepin Av S.

Be It Further Resolved that the total cost estimate of \$67,500 for the new location for the remainder of 1997 and all locations for 1998 services be approved and that it be funded by \$67,500 through service charges and \$0 as City portion.

Be It Further Resolved that the actual adjusted amount of proposed service charges for 1998 be \$72,523 (amount remaining after adjusting the 1998 cost estimate of \$67,500 for previous years'

unexpended balances and additional costs as provided for in Section 438.70 of the Minneapolis Code of Ordinances).

Adopted. Yeas, 10; Nays none.

Absent - McDonald, Minn, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution designating the services, locations and costs for the Dinkytown Special Service District for 1998.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-346, designating the services, locations and costs for the Dinkytown Special Service District for 1998, was passed November 7, 1997 by the City Council and approved November 13, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 97R-346

By Dziedzic

Dinkytown Special Service District

Designating the services, locations and costs for the Dinkytown Special Service District for 1998.

Whereas, Laws of Minnesota, 1985, Chapter 302, Laws of Minnesota, 1993, Chapter 375, Article 5, Sections 35 through 38, Laws of Minnesota, 1995, Chapter 264, Article 3, Section 28 and Chapter 444 of the Minneapolis Code of Ordinances allow that special maintenance related and promotional services may be provided in the Dinkytown area; and

Whereas, the Dinkytown Special Service District Advisory Board, established in accordance with said Chapter 444, has recommended the services to be provided during 1998; and

Whereas, the total estimated cost of these services, which includes \$5,000 for Dinkytown Area Promotional Services, \$5,225 for Maintenance and Operation related to lights on the trees (\$3,325 for maintaining the tree mounted electrical receptacles and associated electrical items and \$1,900 for electrical service), \$2,000 for Banner Installation and \$1,500 for City Administration costs, is \$48,725;

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

That the following streets will receive additional Cleaning and Snow Removal Services (\$35,000):

University Av SE (NEly side) from 13th to 14th Avs SE and from 15th Av SE to approx 135 ft SEly of 15th Av SE;

4th St SE (both sides) from 13th to 15th Avs SE;

4th St SE (SWly side) from 15th Av SE to approx 70 ft SEly of 15th Av SE;

5th St SE (SWly side) from 13th to 15th Avs SE;

13th Av SE (SEly side) from University Av SE to 5th St SE;

14th Av SE (both sides) from University Av SE to 5th St SE;

15th Av SE (SEly side) from University Av SE to 4th St SE; and

15th Av SE (NWly side) from SEly r/w line of Burlington Northern RR to 5th St SE.

Be It Further Resolved that the total cost estimate of \$48,725 for 1998 services be approved and that it be funded by \$48,725 through service charges and \$0 as City portion.

Be It Further Resolved that the actual adjusted amount of proposed service charges for 1998 be \$48,997 (amount remaining after adjusting the 1998 cost estimate of \$48,725 for previous years' unexpended balances and additional costs as provided for in Section 444.70 of the Minneapolis Code of Ordinances).

Adopted. Yeas, 10; Nays none.

Absent - McDonald, Minn, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution designating the services, locations and costs for the Stadium Village Special Service District for the remainder of 1997 and all of 1998.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-347, designating the services, locations and costs for the Stadium Village Special Service District for the remainder of 1997 and all of 1998, was passed November 7, 1997 by the City Council and approved November 13, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 97R-347

By Dziedzic

Stadium Village Special Service District

Designating the services, locations and costs for the Stadium Village Special Service District for the remainder of 1997 and all of 1998.

Whereas, Laws of Minnesota, 1985, Chapter 302, Laws of Minnesota, 1993, Chapter 375, Article 5, Sections 35 through 38, Laws of Minnesota, 1995, Chapter 264, Article 3, Section 28, Laws of Minnesota, 1996, Chapter 471, Article 8, Section 44 and Chapter 450 of the Minneapolis Code of Ordinances allow that special maintenance related and promotional services may be provided in the Stadium Village area; and

Whereas, the Stadium Village Special Service District Advisory Board, established in accordance with said Chapter 450, has recommended the services to be provided during the remainder of 1997 and all of 1998; and

Whereas, the total estimated cost of these services, which includes \$2,500 for City Administration costs, is \$52,500;

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

That the following streets will receive additional Sidewalk Snow Shoveling, Sidewalk Ice Melt Application and Snow Removal (\$50,000):

Washington Av SE (N side) from approx vac Harvard St SE to approx vac Walnut St SE and from Oak St SE to Huron Blvd SE;

Washington Av SE (S side) from Harvard St SE to approx 130 ft Ely of Huron Blvd SE;

Walnut St SE (E side) from Washington Av SE to approx 165 ft Sly;

Oak St SE (W side) from Washington Av SE to approx 165 ft Sly;

Oak St SE (E side) from vac Beacon St SE to approx 200 ft Sly of Washington Av SE;

Ontario St SE (W side) from vac Beacon St SE to Washington Av SE; and

Ontario St SE (E side) from approx 135 ft Nly of Washington Av SE to Washington Av SE.

Be It Further Resolved that the total cost estimate of \$52,500 for the remainder of 1997 and all of 1998 services be approved and that it be funded by \$52,500 through service charges and \$0 as City portion with any adjustments based on actual expenditures to be made in accordance with the provisions of Section 450.70 of the Minneapolis Code of Ordinances.

Adopted. Yeas, 10; Nays none.

Absent - McDonald, Minn, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

T&PW & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to execute Lease Agreement No H-05808 with the Minnesota Department of Transportation (MnDOT) to allow the City of Minneapolis to use the land under I-394 in the area of Lyndale Avenue for storage of garbage carts, as well as being used as an overflow area during the winter for additional Impound Lot space. Said lease shall be effective from November 1, 1996 through October 31, 1998, in the amount of \$12,000 per year payable from the Solid Waste (770) and Towing and Impound Lot (750) budgets.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997.
Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends passage of the accompanying Resolution appropriating \$15,000 to the PW – Transportation – Capital Agency to provide funds for City crews to install four pedestrian scale ornamental street lights on the boulevard around Bryant Square Park, to be reimbursed by the Park and Recreation Board.

RESOLUTION 97R-348
By Dziejczak and Campbell

Amending The 1997 Capital Improvement 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 PW – Transportation – Capital Agency in Permanent Improvement Projects Fund (410-943-9432) by \$15,000 and increasing the Revenue Source (410-943-9432 – Source 3455) by \$15,000 for the installation of four pedestrian scale ornamental street lights around Bryant Square Park, to be reimbursed by the Park and Recreation Board.

Adopted. Yeas, 10; Nays, none.
Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997. J. Biernat, Vice
President of Council and President pro tem.
Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends acceptance of the low bid meeting specifications received on OP #4708 (Petn No 263239) submitted by Braun Pump and Control, Inc., for an estimated expenditure of \$43,500, for furnishing and delivering environmental monitoring systems as needed to Public Works Sewer Maintenance, all in accordance with City specifications.

Adopted. Yeas, 10; Nays, none.
Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997.

Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the development of a Master Plan for the implementation of a Supervisory Control and Data Acquisition (SCADA) System for the Water Works Treatment, Pumping and Distribution System, now recommends that the proper City Officers be authorized to increase Contract No 11227 with EMA Services, Inc. by \$30,300, for a new total contract amount not to exceed \$100,243, to provide additional consultant services to design the communication system, payable from PW – Water – Capital (740-950-9515).

Adopted. Yeas, 10; Nays, none.
Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997.
Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration parking rates for the Municipal Parking System, now recommends:

T&PW – that the rates, as shown on the attachment included in Petn No 263237, be established. Transient rates shall be effective November 1, 1997, and monthly rates shall be effective December 1, 1997, except where noted.

W&M/Budget – that the rates, as shown on the attachment included in Petn No 263237, be established, with the exception that the current resident and guest parking rates at the Centre Village Parking Ramp be maintained. Further, staff be directed to prepare an analysis of the Centre Village resident parking rates with rates charged at other condominium parking facilities. Transient rates shall be effective November 1, 1997, and monthly rates shall be effective December 1, 1997, except where noted.

Dziejczak moved to amend the report to approve the Ways & Means/Budget recommendation and to delete the recommendation of the Transportation & Public Works Committee. Seconded.

Adopted by unanimous consent.
The report, as amended, was adopted.
Yeas, 10; Nays, none.
Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997.

Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget – Your Committee recommends adoption of the City Policy and Procedure for Defense and Indemnification of Employees (Petn No 263244) as recommended by the City Attorney and in accordance with the requirements of Minnesota Statutes, Chapter 466.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the request of TA Associates Realty for indemnification in regard to possible environmental liability for ash and ash residue in the Kasota Industrial Park area, now recommends that the proper City officers be authorized to negotiate and enter into a hold harmless agreement with TA Associates Realty (or their proper related parties) as follows:

As to Comprehensive and Liability Act of 1980 (CERLA) and Minnesota Environmental Response and Liability Act (MERLA) liability resulting from municipal incinerator ash and ash residue for their locations in Minneapolis at 500-530, 770-790 and 800 Kasota Avenue, but excluding liability for any cleanup resulting from excavation undertaken without written consent of the City.

Your Committee further recommends that the proper City officers be authorized to decline, at this time, the request of TA Associates Realty for a hold harmless agreement for their property in St. Paul at 2530-2570 Kasota Avenue, pending the receipt of additional information demonstrating that the City is a responsible party on that site.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the lawsuit filed against the City by the following individual be settled as follows:

690-150 Todd Belland and Carl D. Schway, his attorney, \$12,500.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration a report outlining the proposed Convention Center Completion Project (Petn No 263246), now recommends:

a) That the Convention Center Implementation Committee be re-established with the role and responsibility of conducting review and forming recommendations for the Mayor and City Council in regard to the Convention Center Completion Project, including recommendations on the selection of the architectural team and construction manager, review and oversight of the project schedule, ongoing activities and budget. Membership shall consist of the current members of the Convention Center Long-Range Oversight and Development Committee, as follows:

Mayor

City Council President

City Coordinator

Executive Director of the Minneapolis

Community Development Agency (MCDA)

Alice W. Rainville

Roland Jensen, NRG Energy, Inc.

Tom Parish, Norwest Bank

Cornell Moore, Dorsey and Whitney

Chuck Neerland, Neerland & Oyaas;

b) Approval of the proposed project organization structure which establishes responsibility for completion of the project within the City Coordinator's Office and ultimate authority and decision making with the City Council and Mayor; and

c) Approval of the proposed project schedule, activities and budget for the period up to June 1, 1998 (approximately \$6.7 million) and authorization for staff to proceed with the project, with the understanding that action on State bond funding is pending.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends passage of the accompanying resolution increasing the Convention Center site appropriation by \$25,150,000, providing previously authorized bond funds for the Convention Center Completion Project.

RESOLUTION 97R-349

By Campbell

Amending The 1997 Capital Improvement 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 Convention Center Site Agency in the Permanent Improvement Projects Fund (410-975-9750) by \$25,150,000, and increasing the revenue for the Convention Center Site Agency in the Permanent Improvement Projects Fund (410-975-9750 – Source 3880) by \$25,150,000.

Adopted. Yeas, 8; Nays, 2 as follows:

Yeas – Campbell, Niland, Scott, Herron, Rainville, Dziedzic, Thurber, Biernat.

Nays – Mead, Schulstad.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of the Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute an amendment to Agreement #7838 with First Bank National Association d/b/a Fast Bank Service for providing a cash machine at the Minneapolis Convention Center. The amendment extends the agreement for three years, beginning October 24, 1997 with a provision for one-year period renewals. The amendment also provides that there is no charge to the City but that the City will receive a varying percentage of collected surcharges based upon the number of transactions per month.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to accept \$5,000 from the General Mills Foundation and \$5,000 from the Medtronic Foundation as contributions to the Minneapolis Arts Commission's Neighborhood Arts New Presenters Program.

Your Committee further recommends passage of the accompanying resolution increasing the Arts Commission appropriation by \$10,000 reflecting the receipt of said donations.

Adopted. Yeas, 10; Nays, none.

Absent - McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished January 17, 1998).

RESOLUTION 97R-350

By Campbell

Amending The 1997 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 City Coordinator Agency in the Grants-Other Fund (060-840-8405 AC) by \$10,000.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of the Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue the following Fund Availability Notice (FAN) to the YMCA of Metropolitan Minneapolis (Hiawatha Branch) providing Nokomis East Neighborhood Revitalization Program (NRP) funds for youth programs:

Funds	Agency	Master Contr#	Period	Amount	FAN#
060-860-8605	YMCA of Metro Mpls - Hiawatha	10679	9/1/97-11/30/98	\$45,000	08-4

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M Budget – Your Committee recommends that the proper City officers be authorized to increase Contract #C97-11055 with Digital Equipment Corporation by \$196,700 to provide assistance to the Information & Technology Services (ITS) Department with management of the Action Center and implementation services for Action Center software, Utility Billing server/client migration, and the police network and Automated Pawn System support. The contract increase is payable from the existing operating budget for the ITS Department.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P – Your Committee, having under consideration the appeal filed by Alan Saltzman (A-318) from the decision of the Board of Adjustment denying his application to appeal the decision of the Zoning Administrator that a) the Zoning Administrator should not have approved a revised remote parking lot site plan for D’Amico Restaurant; b) the City should not allow three new parking spaces to be created on the Framestyle parking lot to be allocated for off-site use by another business, as is the case in the D’Amico Restaurant plan; c) the Board should direct the City to enforce the 11/24/93 Board action that granted a total of eight nonconforming parking spaces inclusive of the two previously established, not in addition to the two previously established nonconforming parking spaces at 2724 W 43rd St & 4250 Upton Av S now recommends that said appeal be denied and the decision of the Board of Adjustment be upheld.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997.
Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the Transportation Management Plan submitted by SRF Consulting Group, Inc for the proposed expansion of surface parking at the former Taco Bell restaurant site, 1323 W Lake St, adjacent to the existing Calhoun Square parking ramp, along with modifications to the parking ramp, now recommends approval of said Plan, as contained in Petn No 263253, for a period of one year.

Adopted. Yeas, 10; Nays, none.
Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997.
Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the petition of Steve Edel (#1206) to vacate the alley in the block of W 48th & 49th Sts and Grand & Harriet Avs S to enable construction of a new garage at 4845 Harriet Av S, now finds that said alley is no longer needed for public travel and recommends concurrence in the recommendation of the Planning Commission that said petition be granted, subject to retention of easement rights by Northern States Power Company and US West Communications, by passage of the accompanying resolution.

Adopted. Yeas, 10; Nays, none.
Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997.
Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 97R-351
By Scott

Vacating the alley in the block of West 48th Street, Grand Avenue South, West 49th Street and Harriet Avenue South.

Resolved by The City Council of The City of Minneapolis:

That all that part of the alley as dedicated in Block 2, Garvey's Rustic Lodge Addition to Minneapolis, according to the recorded plat

thereof, lying southerly of the South line of Lots 2 and 13 in said Block 2 is hereby vacated except that such vacation shall not affect the existing easement right and authority of US West Communications and Northern States Power (NSP), their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporations as follows, to wit:

As to NSP and US West Communications, the east 5' of the to be vacated alley,
to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said alley upon or within the above-described areas without first obtaining the written approval of the corporations having utility facilities located within the area involved authorizing them to do so.

Adopted. Yeas, 10; Nays, none.
Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.
Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the petition of Catholic Charities (#1208) to vacate the alley in the block bounded by 14th, Dupont, Plymouth and Emerson Avs N to enable expansion of the property at 1011 - 14th Av N to include a 3,675 square foot addition to the southeast corner of the building including new rear pedestrian and handicap access, a fenced playground and a 45 stall parking lot, now finds that said alley is no longer needed for public travel and recommends concurrence in the recommendation of the Planning Commission that said petition be granted, subject to retention of easement rights by the City of Minneapolis, Northern States Power Company and U.S. West Communications, by passage of the accompanying resolution.

Adopted. Yeas, 10; Nays, none.
Absent – McDonald, Minn, Cherryhomes.
Passed November 7, 1997.
Approved November 13, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 97R-352

By Scott

Vacating the alley in the block bounded by 14th Avenue North, Dupont Avenue North, Plymouth Avenue and Emerson Avenue North.

Resolved by The City Council of The City of Minneapolis:

That all that part of the alley in the block bounded by 14th Avenue North, Dupont Avenue North, Plymouth Avenue and Emerson Avenue North lying easterly of the southerly extension of the west property line of Lot 4, Block 23, Gales subdivision in Sherburne and Bebee's Addition to Minneapolis is hereby vacated except that such vacation shall not affect the existing easement right and authority of the City of Minneapolis, Northern States Power (NSP) and US West Communications, their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporations as follows, to wit:

As to the City of Minneapolis: Drainage easement over, under, across and through all that part of the alley to be vacated;

As to NSP: East 10' of the alley to be vacated;
As to US West: East 1' of the alley to be vacated;

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations and the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said alley upon or within the above-described areas without first obtaining the written approval of the corporations and the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so. Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this alley had not been vacated.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, to whom was referred back on 10/10/97 the petitions of Don Rosacker (#1192 and #1991) to a) vacate part of a "T" alley in the block bounded by 18th & 19th Aves NE and McKinley & Benjamin Sts NE to allow construction of six townhomes as part of a 32 unit townhouse development; and b) to vacate part of McKinley St NE between 18th & 19th Aves NE for a cluster development with 32 townhouses and a commercial building adjacent to the vacated portion of McKinley St NE, and having received revisions thereto, now finds that said alley and street are no longer needed for public travel and recommends concurrence in the recommendation of the Planning Commission that said petitions be granted, subject to retention of easement rights by the City of Minneapolis, by passage of the accompanying resolutions.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-353

By Scott

Vacating part of the alley in the block bounded by 18th Avenue Northeast, Benjamin Street Northeast, 19th Avenue Northeast and McKinley Street Northeast.

Resolved by The City Council of The City of Minneapolis:

That all that part of the Southerly 14.00 feet of Lot 10, together with that portion of said Lot 10, described as follows: Commencing at a point on the West line of said Lot 10, 16.00 feet South from the Northwest corner of said lot, thence South along the Westerly line of said lot 10, 10.00 feet, thence East at right angles, 10.00 feet, thence Northwesterly to the point of beginning, being all in Lot 10, Pleasant Heights Addition to Minneapolis, and that part of the 14 foot alley platted in said Pleasant Heights Addition to Minneapolis lying southerly of the westerly extension of the north line of the South 14 feet of

said Lot 10, according to the recorded plat thereof on file and of record in the office of the Register of Deeds in and for the County of Hennepin and State of Minnesota, is hereby vacated.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished November 26, 1997).

RESOLUTION 97R-354

By Scott

Vacating part of McKinley Street Northeast between 18th Avenue Northeast and 19th Avenue Northeast.

Resolved by The City Council of The City of Minneapolis:

That all that part of McKinley Street Northeast, lying North of 18th Avenue Northeast and South of the Westerly extension of the south line of Lot 20, Block 2, Roland Park, Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota is hereby vacated except that such vacation shall not affect the existing easement right and authority of the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to the City of Minneapolis, all of the to be vacated street,

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished November 26, 1997).

Z&P – Your Committee recommends concurrence in the recommendation of the Heritage Preservation Commission approving the application of DeafBlind Services Minnesota for a use variance from the zoning code which does not allow office use in the R5 zoning district, to permit the applicant to house their self-sufficiency program and headquarters at 726 Second St NE, which is located within the St. Anthony Falls Historic District.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends granting the following applications for special permits, notwithstanding the Zoning Code –

a) Seward Co-op Grocery & Deli: Appl to permit site preparation and construction of a new facility for Seward Co-op prior to site plan review approval by the Planning Commission (#1997-228);

b) Justin Woessner: Appl to permit reconstruction of a 21'x7' open front porch on existing footings at 3611 E 40th St prior to variance approval by the Zoning Board of Adjustment (#1997-230);

c) Gary's University Service: Appl to permit footing and foundation work to commence for construction of an addition to the service station at 1625 Como Av SE prior to site plan review and variance approvals by the Planning Commission (#1997-227).

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTIONS

RESOLUTION 97R-355

By Dziedzic, Campbell,

Biernat, Rainville, Cherryhomes,

Niland, Scott, Herron, Thurber,

McDonald, Mead, Schulstad and Minn

Honoring Captain LeRoy Swenson for his life and service to Minneapolis.

Whereas, LeRoy Swenson was appointed to the Minneapolis Fire Department on November 14, 1966; and

Whereas, LeRoy Swenson was promoted to the rank of Fire Captain on May 15, 1979; and

Whereas, Captain Swenson consistently received outstanding performance approvals from his supervisors and always performed his duties professionally and competently; and

Whereas, in December of 1989, Captain Swenson received a commendation for saving the life of an adult male fire victim; and

Whereas, Captain Swenson was tragically killed on November 2, 1997, while on active duty responding to a report of an automobile accident with injuries on Highway 35W; and

Whereas, Captain Swenson is survived by his wife Betsy and daughters Jenni and Tina;

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

That the City Council expresses sympathy and condolences to the Swenson family.

Be It Further Resolved that the City Council recognizes and honors the 31 years of service to Minneapolis by Captain LeRoy Swenson.

Adopted. Yeas, 10; Nays, none.

Absent – McDonald, Minn, Cherryhomes.

Passed November 7, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved November 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

UNFINISHED BUSINESS

Licensed Establishments & Trades: Passage of Ordinance amending Title 4 of the Code of Ordinances by adding Chapter 78 entitled “**Enacting Moratoria on Licensed Establishments and Trades**”, amending Titles 4, 10, 11, 13 & 14 to allow the City to enact moratoria, etc; Authorize summary publication.

Biernat moved to continue postponement. Seconded.

Adopted upon a voice vote.

Civilian Police Review Authority. Appointment sent forward without recommendation.

Biernat moved to continue postponement. Seconded.

Adopted upon a voice vote.

NEW BUSINESS

Scott offered an Ordinance amending Title 20, Chapter 540 of the Minneapolis Code of Ordinances relating to **Zoning Code: Business Districts**, which was given its first reading and referred to the Zoning & Planning Committee (Amending conditional uses to facilitate development of the new Hennepin County public safety facility).

Campbell moved that the Council recess for the purpose of conducting a Committee of the Whole meeting and an Elections Committee meeting. Seconded.

Adopted upon a voice vote.

The Council recessed at 8:50 a.m.

The Council reconvened at 9:26 a.m.

Vice President of Council and President pro tem Biernat in the Chair.

Present – Council Members Campbell, Niland, Mead, Scott, Schulstad, Herron, Rainville, Dziedzic, Thurber, Vice President of Council and President pro tem Biernat.

Absent – McDonald, Minn, President Cherryhomes.

REPORT OF STANDING COMMITTEE

The **ELECTIONS** Committee submitted the following report:

Elections – Your Committee reports that, pursuant to instructions, we met as a Canvassing Board, and we have canvassed the official election returns made and submitted to the City Clerk by the Judges of Election of all election districts in the City of Minneapolis of the votes cast for City Officers and Charter Amendments at the City General Election held in the City of Minneapolis on Tuesday, November 4, 1997, and we herewith submit the results of said returns as shown on the following tables and in Petn No. 263227 on file in the Office of the City Clerk. The total number of voters registered was 208,150 including 7,839 registered at the polls.

The total number of votes cast at said General Election was 96,772 or 46.5% of the total number of registered voters in the City of Minneapolis:

SUMMARY REPORT

Mayor	
*Sharon Sayles Belton	52,222
Barbara Carlson	42,530
Write-In Votes	794

Council Member – Ward 1

Carl E. Holmgren 2,841
 *Paul Ostrow 4,577
 Write-In Votes 14

Council Member – Ward 2

*Joan Campbell 3,367
 Sam Huston 813
 Write-In Votes 79

Council Member – Ward 3

Fred H. Askew 1,029
 *Joe Biernat 3,467
 Write-In Votes 30

Council Member – Ward 4

George Belmore 1,905
 *Barbara Johnson 4,461
 Write-In Votes 163

Council Member – Ward 5

*Jackie Cherryhomes 2,882
 Thomas H. Johnson, III 1,762
 Write-In Votes 22

Council Member – Ward 6

Jim Graham 1,316
 *Jim Niland 2,565
 Write-In Votes 34

Council Member – Ward 7

*Lisa R. Goodman 4,779
 Robert Landis 4,067
 Write-In Votes 20

Council Member – Ward 8

*Brian Herron 4,438
 Melanie Wade 1,575
 Write-In Votes 26

Council Member – Ward 9

Bob Odden 2,442
 *Kathy Thurber 5,028
 Write-In Votes 29

Council Member – Ward 10

*Lisa McDonald 4,492
 Niel Ritchie 3,285
 Write-In Votes 38

Council Member – Ward 11

Peter Koelz 4,054
 *Dore' Mead 5,625
 Write-In Votes 21

Council Member – Ward 12

*Sandy Colvin Roy 5,620
 Jeff Paulson 3,899
 Write-In Votes 25

Council Member – Ward 13

*Steve Minn 7,397
 Karen Wilson 5,081
 Write-In Votes 15

Board of Estimate and Taxation

Ted Cabana 25,882
 *Gordon L. Nelson 41,098
 *Wally Swan 36,546
 Write-In Votes 791

Park and Recreation – Commissioners at Large

*Rochelle Berry Graves 36,243
 Thomas Dicks 13,457
 *Bob Fine 34,394
 George Puzak 34,275
 Bruce Whelan 18,252
 *Annie Young 37,866
 Write-In Votes 909

Park and Recreation – Commissioner District 1

*Walt Dziedzic 7,812
 Patty (Bridgeman) Hillmeyer 4,902
 Write-In Votes 70

Park and Recreation – Commissioner District 2

*Ernie L. Belton 5,481
 David Luce 4,589
 Write-In Votes 52

Park and Recreation – Commissioner District 3

Glen James Hausfeld 2,996
 *Dean Zimmermann 6,216
 Write-In Votes 68

Park and Recreation – Commissioner District 4

Cris L. Jaspersen 2,682
 *Vivian M. Mason 7,109
 Write-In Votes 84

Park and Recreation – Commissioner District 5

*Edward C. Solomon 9,703
 Stephen Stolarek 4,376
 Write-In Votes 88

Park and Recreation – Commissioner District 6

Scott L. Neiman 15,020
 Write-In Votes 240

Library Board Members

*Charlotte F. Anderson	33,386
*Marilyn Borea	37,258
*Mary Doty	37,412
*Diane Hofstede	41,756
Debra Keefer	25,177
*Rod Krueger	29,356
Anton Markwart	12,165
Greg Olson	22,893
Pat Parker	28,821
*Laurie Savran	33,304
Write-In Votes	1,238

Charter Amendment No. 145

Yes	62,042
No	26,986

Charter Amendment No. 146

Yes	55,207
No	29,468

Special School District No. 1 School Director

*Bill Breen	37,645
*Sandra Miller	38,228
Diana G. Price	27,177
Robert W. "Bob" Rose	22,494
*Ross Taylor	31,414
Dennis Van Avery	27,603
Write-In Votes	1,054

*Elected Official

Adopted. Yes, 10; Nays, none.
 Absent – McDonald, Minn, Cherryhomes.
 Passed November 7, 1997.
 Approved November 13, 1997. S. Sayles
 Belton, Mayor.
 Attest: M. Keefe, City Clerk.

assessment roll filed by the City Engineer with the City Clerk (Petn No 263255) be adopted and that the City Clerk be directed to transmit a certified copy of said assessment roll to the Hennepin County Auditor.

Adopted. Yeas, 10; Nays, none.
 Absent – McDonald, Minn, Cherryhomes.
 Passed November 7, 1997.
 Approved November 13, 1997. S. Sayles
 Belton, Mayor.
 Attest: M. Keefe, City Clerk.

Campbell moved that when this Council adjourns, it adjourns to Wednesday, November 19, 1997, at 2:00 p.m. in the Council Chamber, 317 City Hall, for the Mayor's Budget Address, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of November 7, 1997. Seconded.

Adopted: Yeas, 10; Nays, none.
 Absent – McDonald, Minn, Cherryhomes.
 Adjourned.

MERRY KEEFE,
 City Clerk.
 97-10686

**REPORT OF
 SPECIAL COMMITTEE**

The **COMMITTEE OF THE WHOLE** submitted the following report:

Comm of Whole – Your Committee rises and reports that it has had under consideration the Nicollet Mall improvement, maintenance and operation assessments payable in 1998 and all written and oral objections and statements regarding the assessments and having held a public hearing on November 7, 1997 in accordance with the provisions of Minnesota Statutes, Section 430.102, now recommends that the proposed assessments be adopted and levied, that the