

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

DECEMBER 12, 1997

(Published December 20, 1997,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

December 12, 1997 - 9:30 a.m.

President Cherryhomes in the Chair.

Present - Council Members Mead, Scott, Schulstad,
Rainville, Dziedzic, Thurber, Campbell, Biernat,
Niland, McDonald, Minn, President Cherryhomes.

Absent - Herron.

Campbell moved approval of the minutes of the
regular meeting of November 21, 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 (263310)

Alowonle, Olayiwola; Benson, Barbara R;
Besser, William H and Lawrence M Besser;
Blomquist, Glenna and Jefferson Partners, sub The
Hartford; Bocke, Jill; Bokovoy, Glenn; Bradfold,
Roderick; Buckley, Renata L; Carter, Alvon;
Colten, Peggy; Colwell, Amy; Conner, Kathryn;
Duke, Andre; Fosberg, Jason; Frazell, Jason;
Fulcher, Brian; Garrett, Lillie Mae; Gauld, Jamie
Colleen; Getman, Timothy; Halkyn, Lyuba;
Hammond, John; Harding, Bruce C; Huss, Gary
M; Job, Lilly; Kaufman, Jeff; Kennen, Melinda;
Leubuscher, Luke F; Lindstrom, Rebecca Ann;
Marshall, Leslee and James Edwin Jackson & Atty

Sherman Bergstein; Martin, Justin W; Marty, James
J; Mason, Bruce Edward; Metcalfe, Tonia M;
Messiah, Connie & Atty James A Heuer Jr;
Metzgen-Ohlswager, Ian; Miles Jr, Lawrence
Giovani; Miles Sr, Lawrence; Miamen, Augustus;
Murray, Karen; Murry, Cynthia; Peterson, Susan,
sub State Farm Ins; Phillips, Michael C; Pickering,
Camilla; Press, J B; Preston, Margaret Ann; S & R
Property Management; Seamon, Leonard; Shapiro,
Jessica; Smith, Quinesha & Atty Bruce A Gershman;
Tiemann, John A; Whitney, Christopher; Whitson,
Terry (2 appls); Yentsch, Thomas; Zieska, Donna E.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263311)

Northern States Power Area Development Rate
Zones: Approve changes to designated zones, w/
maps.

Administration Fees for Revenue Bond
Financings: Amend Resolution 88R-021 to clarify
which bond issues qualify under "Governmental
Program", to include bonds issued to finance
nonprofit organizations, whether or not health care
related.

CDBG: Reallocate Year 23 Nonprofit
administration funds to Jordan NRP Action Plan &
HOMS Initiative, w/attachment.

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263311.1)

NorthStar Woolen Mill/Utility Building
Housing Project: Authorize submit application of
Section 108 Loan Guarantee Program to Dept of
Housing & Urban Development, direct staff to
target buildable lots under CDBG funded Vacant &
Boarded Program to directly benefit low &
moderate income citizens & document same, &
negotiate loan; Request to set public hearing.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (263311.2)

Hazardous/Boarded Buildings Program: Update on Memorandum of Understanding between City & Neighborhoods.

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (263311.3)

CDBG: Reallocate Year 23 NEDF/CEDF funds to Nonprofit Administration for economic development projects.

Riverside Homes Limited Partnership: Pass resolution giving preliminary approval to a program to rehabilitate 192 housing units & to issuance of bonds for same, restructure debt, cancel Assessment Agreement & make new subordinated pledge; List of project addresses; Program for financing a multifamily rental housing development; Public hearing notice.

Community Rehabilitation Program: Appropriate grant funds for flood relief.

Upper Harbor River Terminal: Approve Amendment No 3 to 1997 Operating Budget, appropriate funds for Amendments 2 and 3 to 1997 budget; Approve 1998 Operating Budget, w/attached budget and revised projections.

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (263311.4)

South Nicollet Mall District (Block 34): Appropriate funds for legal costs of condemnation action & relocation costs, Waive payment of related City administration fee under Redevelopment Agreement w/Ryan properties for parking ramp, office tower & Target store.

Sears Property (Chicago Av & Lake St): Authorize loan from Leveraged Investment Fund (LFI) to STA Associates (The Ray Harris Group), w/ attached LIF guidelines, Summary of Sears Lake Redevelopment, Chicago Lake Project Review Committee comments w/attached architectural drawings, resumes of Ray Harris, David Jasper & Barry Bosold.

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

COORDINATOR-MCDA (263311.5)

Tax-forfeited Properties: Amend resolution No 96R-089 relating to policy on special

assessments for properties sold to public & MCDA, deleting sunset date.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (263311.6)

Victory Neighborhood: Appropriate funds for Early Access Request for matching funds for demolition/Hazardous Boarded Buildings Program; Summary of funding to date; Victory Neighborhood comments.

Bryn Mawr Neighborhood: Appropriate funds for Early Access Request for Bryn Mawr Elementary School & Anwatin Junior High School & request for Mpls Schools "second 7.5%" NRP funds for same; Summary of funding to date; Background info from Mpls Schools & Bryn Mawr Neighborhood, Proposal for computer facility at Anwatin Middle School.

COMMUNITY DEVELOPMENT and ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (263311.7)

Heritage Landing Stage Two: Development Objectives for approximately 2.5 acre property bounded by 1st St N, 4th Av N, 2nd St N & phase four of River Station.

PLANNING COMMISSION/DEPARTMENT-MCDA (263311.8)

Heritage Landing, Stage Two: Approve development objectives w/attached drawing, map.

INTERGOVERNMENTAL RELATIONS and WAYS & MEANS/BUDGET:

LIAISON/FEDERAL, LOCAL AND STATE (263312)

Property Tax Study Project: Re Legislative Agenda.

INTERGOVERNMENTAL RELATIONS and WAYS & MEANS/BUDGET (See Rep):

FINANCE DEPARTMENT (263313)

Convention Center Completion Project: Approve Alternative Finance Plan proposed by State & submit revised application for State Bonding Bill.

Local Approval: Approve Laws of MN 1997, Chapter 231, Article 2, Section 62 relating to delinquent utility charges.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (263314)

Physician & Health Educator Servs at School-Based Clinics: Agrmt w/Hennepin Cty.

School Health Servs: Amend #1 to Agrmt #12047 w/Mpls Public Schools.

Health Care Servs: Contr w/Neighborhood Health Care Network for residents.

Public Health Nursing Servs: Agrmt w/Metropolitan Visiting Nurse Association.

LICENSES AND CONSUMER SERVICES
(263315)

HUD Lead-Based Paint Hazard Reduction Project: Agreement w/Greater Minneapolis Day Care Association.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/ BUDGET (See Rep):

POLICE DEPARTMENT (263316)

Automated Pawn System: Acquire vendor services from Unisys under supplemental schedule to supplemental agreement to State Contract M-4066.

POLICE DEPARTMENT (263317)

Backlog of Fingerprint Cards: Pay 8 FTE Forensic Scientists for overtime to be worked on a straight-time, cash basis.

POLICE DEPARTMENT (263318)

Motor Vehicle Theft Prog: Accept State grant award & Resl approp funds.

State Drugfire Prog: Accept State grant award & Resl approp funds.

POLICE DEPARTMENT (263319)

Smoking Cessation Prog: Accept grant award from Allina Foundation & Resl approp funds.

TRANSPORTATION AND PUBLIC WORKS:

PLANNING COMMISSION/DEPARTMENT
(263320)

Greyhound/Jefferson Parking Facility: Location and design review.

TRANSPORTATION AND PUBLIC WORKS

(See Rep):

PUBLIC WORKS AND ENGINEERING
(263321)

Lowry Hill Street Lighting Project: Designate location, streets and improvements; and Direct staff to prepare proposed assessment against benefited properties by applying street influence zone area method.

Traffic Calming Measures in East Isles: Install No Left Turn; No Right Turn; and Reverse two-way stop signs.

Minneapolis Coordinated Transportation System Management Project: Execute Amendment to Agency Agreement with Minnesota Department of Transportation to extend completion date to May 30, 2000.

Downtown Transportation Management Organization (TMO) Executive Committee: Appoint James Jachymowski of Reliastar Corporate Properties to replace Winifred Smith.

PUBLIC WORKS AND ENGINEERING
(263322)

Metropolitan Council Twin Cities Water Quality Initiative Grant: Execute grant agreement with Metropolitan Council for Grass Lake Stormwater Treatment Test Project; and with Metropolitan Council and City of St Paul for Catch Basin Stencil Sticker Project.

Nicollet Mall: Apprv bicycle restrictions for using Mall; Add new one-way bicycle lanes to Marquette and 2nd Avenues S; and Create bicycle courier identification and enforcement system to allow bicycle courier use of Mall at all times.

Street Named "Rainville Avenue": Amend location to Xerxes Av N - Victory Memorial Parkway to York Av N.

PUBLIC WORKS AND ENGINEERING
(263322.1)

The Quarry Project: Designate Quarry Center Drive as a section of vacated Arthur St NE.

SOLID WASTE AND RECYCLING DIVISION
(263323)

Payments to Minneapolis Refuse Inc (MRI) Outside Contract Parameters: Authorize payments for Dirty Collection Point Cleanup services performed in 1997; and Request payment for costs relating to July 1997 storms, pending receipt of requested documentation and verification of activities.

Automated Mobile Solid Waste Cart Washer: Apprv purchase.

Clearing of Brush in Alley Right-of-Way: Direct staff to conduct Workforce Utilization Pilot Program to trim branches and brush that encroach into alley right-of-way.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET

(See Rep):

PUBLIC WORKS AND ENGINEERING
(263324)

Central (Healy Block Area Expansion) Street Lighting Project: Order City Engineer to proceed and do work and adopt special assessments;

Establish street lighting project area as Street Lighting District No 1235; Approve appropriation of capital funds; and Request Board of Estimate & Taxation to issue and sell bonds; w/objections.

Downtown Transportation Management Organization: Execute amendment to Agreement with Minnesota Department of Transportation for continued operation of TMO; and Approve appropriation to be reimbursed from Federal ISTEA funds.

Landscape Program for TH 94 in Dowling Avenue Interchange Area: Execute Agreement with Minnesota Department of Transportation for reimbursement of landscaping materials being planted by Webber-Camden Neighborhood Organization Green Space Committee.

Traffic Circle Test in St Anthony East Neighborhood: Install temporary traffic circle at intersection of Adams & Summer Streets NE; and Approve capital appropriation.

PUBLIC WORKS AND ENGINEERING
(263325)

Public Works Facilities (Phase I): Approve Change Order Nos 1 and 2 to contract with Arkay Construction for construction of police garage, radio shop and lands & buildings shops.

1997 Flood: Final Flood Mitigation Program; w/ attachments.

SOLID WASTE AND RECYCLING
DIVISION (263326)

Settlement for Alleged Occupational Safety and Health Violations: Execute Expedited Informal Settlement Agreement with Minnesota OSH Division to pay reduced penalty regarding Right to Know training for hazardous substances, harmful physical agents and infectious diseases; and Continue abatement of violations.

WATER DEPARTMENT (263327)

New Hilltop Reservoir: Increase contract with STS Consultants Ltd for additional geotechnical services.

TRANSPORTATION AND PUBLIC WORKS
and WAYS & MEANS/BUDGET and
ZONING & PLANNING (See Rep):

PUBLIC WORKS AND ENGINEERING
(263328)

Lyn/Lake Municipal/Commercial Parking Lot Project: Approve designation of parking lots in two blocks north of Lake St between Garfield and Aldrich Aves S; and direct staff to prepare budgets, designs, land acquisition agreements, zoning changes, operational agreements and initiate assessment process.

WAYS AND MEANS BUDGET:

ATTORNEY (263329)

O'Leary & Grant Lease Termination/Conservatory Property: Notification that Ryan Companies has negotiated a lease termination agrmt and condemnation action will not be necessary.

HUMAN RESOURCES (263330)

Police Hiring Practices: Rep entitled Hiring Sworn Police Personnel: An Analysis of the Process Report.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (263331)

Settlements: Claims of Cynthia Wegener et al, Thomas Krampitz, Yolanda Plunkett, Sandra Dee Jones, Dennis Williams, Michael Friestleben and Arthur Kirsch.

Convention Center Catering Services: Memorandum regarding previous Council action granting extension of contract with Kelber Catering requesting further direction.

CITY CLERK (263332)

Records Management Services: Authorize continuation of contract with Marsha Haagenson (The Records Link) for remainder of 1997.

FINANCE DEPARTMENT (263333)

Compensatory Time: Authorize straight time pay for certain Finance staff for hours comp time worked over 100 hours.

Managed Care: Authorize Finance Dept to issue RFP for managed care/occupational health services for workers' comp.

Bid: OP #4751, accept low bid of Parsons Electric Comp for light & energy improvements at Mpls Convention Center.

GRANTS AND SPECIAL PROJECTS
(263334)

Minnesota Amateur Sports Commission Youth Grants: Authorize submission of grant application seeking "Mighty Kids" grant funds for several youth athletic projects.

Fundraising for International Activities: Authorize staff to accept funds for the Twin Cities International Citizen Awards and terms of sponsoring event; Authorize staff to accept funds raised for City hospitality gifts to international guests.

Technical Appropriation Amendments for International Affairs Office. Approve amendments providing funds.

HUMAN RESOURCES (263335)

Reclassifications: Establish salary for the positions of Crime Prevention Specialist; Crime

Prevention Supervisor; Manager, Crime Prevention; Residential Meter Service Works; Commercial Meter Service Worker; and Drafter/Construction Inspector.

Salary Step Adjustment: Adjust salary rates for the position of Inspector, Housing II.

NEIGHBORHOOD SERVICES DEPARTMENT (263336)

Community Resource Program: Receive state funds and approve 1998-99 allocation plan as recommended by Year of the City Advisory Council.

YouthWorks/Americorps Program: Amend fund availability notice with Loring Nicollet Bethlehem Center correcting amount of Minnesota Youth Program funds needed.

YouthWorks/Americorps Program: Receive State funds.

YouthWorks/Americorps Program: Rescind previously issued fund availability notice with Loring Nicollet Bethlehem Center to allow for issuance of correct notice.

YOUTH COORDINATING BOARD (263337)

Little Earth Neighborhood Early Learning Center (NELC): Release of Sales Tax Fund to pay for center construction and related fees.

ZONING AND PLANNING:

PLANNING COMMISSION/DEPARTMENT (263338)

The Minneapolis Plan.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (263339)

55th St E, 3420 (Ida W Miller) extend existing bedroom; LaSalle, 1900 (Robert Poehling) continue construction; Xerxes Av S, 5601 (Suburban Lighting Inc) sign.

PLANNING COMMISSION/DEPARTMENT (263340)

Vacations: Boyer Ford Trucks, Inc: Broadway Rd NE between Broadway St & Taft St;

Steve Goldetsky & Pamela Herder: Part of alley in block bounded by W 43rd & 44th Sts, Abbott & Beard Avs S, w/Attachments; Debra Cottone William Brooks III, Roberta & Cinda Collins, Lynn Vaughan: Alley between Cedar Lake Pkwy & Kenilworth Lagoon.

Rezoning: Allina Health System: 2805 & 2813 Chicago Av S for Sears site.

Zoning Code Text Amendment: Ordinance amending Title 20, Chapters 552 & 571 to allow stadiums, museums, auditoriums, museums & interpretive centers in the RC & T zoning districts.

Environmental Review: Sears Lake Center

Project: "Findings of Fact & Record of Decision" document for redevelopment of former Sears building & surrounding property generally bounded by Lake St S, Chicago Av S, 28th St S & 11th Av S.

COMMITTEE OF THE WHOLE (See Rep):

PUBLIC HOUSING AUTHORITY, MINNEAPOLIS (263341)

Hollman vs. Cisneros Consent Decree: Lawsuit chronology, anticipated sources and uses of funds, action plan timetable and review, Draft 4 Action Plan for redevelopment of the Summer Field, Glenwood, Lyndale and Olson Public Housing Developments and adjacent land in Minneapolis - Volume 1 and 2.

PLANNING COMMISSION:

JOHN A DAL SIN & SON INC (263342)

Permsn to vacate alleys & streets vic 20th St E, 19th & 20th Avs S.

SPECIAL SCHOOL DISTRICT #1 (263343)

Permsn to vacate intersection of Irving Av N & 5th Av N.

MOTIONS (See Rep):

ATTORNEY (263344)

Workers' Compensation: Payment authorized to City employees injured on the job.

CITY CLERK/SPECIAL PERMITS (263344.1)

Aldrich Av N, 1601 (Arkay Construction) construct footings & foundations.

FILED:

CITY CLERK/SPECIAL PERMITS (263345)

2nd St N, 3000 (Nordquist Sign Co) sign; 15th St W, 300 (Mpls Park & Rec Bd) move small bldg; Broadway W, 1120 (Suburban Lighting Inc) sign; Cedar Av S, 3451 (Universal Signs Inc) sign; Clinton Av S, 1922 (Attracta Sign) sign; Garfield Av S, 3105 (Rivertown Bldg) move house; Lake St E, 600 (Crosstown) sign; E Lake St, 4103 (Deanna Neumann) sign; Loring Park area (Destinations Marketing Group) horse & carriage; Nicollet Av S, 4325 (Arrow Sign Co) sign; Stinson Blvd, 1500 (Leroy Signs Inc) sign; U of M river flats area (Americana Fireworks Display Co) fireworks.

FINANCE DEPARTMENT (263346)

Investment Management System & Reconciliation Report thru September 30, 1997 & October 31, 1997.

FINANCE DEPARTMENT (263347)
Schedule of Self-supporting Revenue Bonds &
Schedule of General Obligation Bonded Debt for
10/31/97 & 11/30/97.

Passed December 12, 1997.
Approved December 18, 1997. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

**REPORTS OF
STANDING COMMITTEES**

The COMMUNITY DEVELOPMENT

Committee submitted the following reports:

Comm Dev- Your Committee, having under consideration the NorthStar Woolen Mill/Utility Building Housing Project (the Project), now recommends that staff be authorized to submit an application to the Department of Housing and Urban Development (HUD) for a Section 108 Loan Guarantee Program for \$5,000,000 on behalf of the Project. (Petn No 263311.1)

Your Committee further recommends:

- a. That the loan be utilized only as a last resort after all possible alternatives have been exhausted;
- b. That the proceeds be drawn down in approximate \$1,000,000 annual amounts over a five year period, commencing with HUD's approval of the initial drawdown;
- c. That the City pledge its future entitlement as well as any available tax increments as security for the loan if required by HUD; and
- d. That the Project developer pledge the assets of the Project as further security for the loan and provide such security instruments as may be required by the City and the Minneapolis Community Development Agency (MCDA). Your Committee further recommends that MCDA staff be directed:
 - e. To target at least 70% of the buildable lots resulting from the Community Development Block Grant (CDBG) funded Vacant and Boarded Program to directly benefit the low and moderate income citizens of Minneapolis, and to provide documentation of the results of said targeting to the City Coordinator's Office as part of the annual Consolidated Plan Performance Report process;
 - f. To negotiate the specific terms of the Section 108 loan with HUD; and
 - g. To report back to the Council on the final terms to be included in the Section 108 Loan Agreement between the City and HUD and such other agreements as may be necessary to assure that the developer complies with all federal and local requirements.

Adopted. Yeas, 12; Nays, none.
Absent - Herron.

Comm Dev - Your Committee, having under consideration the Northern States Power Area Redevelopment Rate Zone program, which provides a reduction in electric rates as an incentive to job and growth oriented businesses to locate or expand in designated zones, now recommends that various sites be added or deleted from the designated zones as listed in Petn No 263311 and shown on the North and South Zone maps in said Petn.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration Resolution No 88R-021 which established a governmental program allowing the City to collect administrative fees greater than 1/8 of 1% above the yield on revenue bonds it issues in furtherance of health care, housing, and industrial and commercial economic development purposes, and wishing to clarify which bonds qualify under said governmental program, now recommends passage of the accompanying resolution amending and supplementing Resolution No 88R-021 to include refunding bonds and revenue bonds issued to finance the activities of nonprofit organizations, whether or not such organizations are health care related. (Petn No 263311)

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

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-402, entitled "Amending and supplementing Resolution No. 88R-021 entitled Authorizing the reorganization of the participation of the city of Minneapolis in certain Revenue Bond Financings as Governmental Programs within the meaning of Treasury Regulation Section 1.102-13(h)," passed January 29, 1988," was passed

December 12, 1997 by the City Council and approved December 18, 1997 by the Mayor. Resolution 97R-402 clarifies Resolution No 88R-021 by including as a part of each governmental program, revenue bonds issued to refund prior Program Bonds, whether issued prior to, or after, the effective date of the Program Resolution, and further clarifies that revenue bonds issued by the City or the Minneapolis Community Development Agency to assist nonprofit organizations shall be issued and included as a part of the City's economic development program. 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-402

By Niland

Amending and supplementing Resolution No. 88R-021 entitled "Authorizing the reorganization of the participation of the city of Minneapolis in certain Revenue Bond Financings as 'Governmental Programs' within the meaning of Treasury Regulation Section 1.103-13(h)," passed January 29, 1988.

Whereas, by Resolution No. 88R-021, adopted January 29, 1988 (the "Program Regulation") the City Council of the City, among other things, reorganized and established a "Governmental Program" within the meaning of former Treasury Regulation Section 1.103-13(h) (now Treasury Regulation Section 1.148-1(b)) under which the City issues tax-exempt revenue bonds from time to time, or approves the issuance by the Minneapolis Community Development Agency of such revenue bonds (in either case, "Program Bonds") for the purpose of furthering the City's health care program, housing program and economic development program; and

Whereas, the City and the Agency from time to time have issued, and will continue to issue, tax-exempt revenue bonds to refund prior Program Bonds (whether issued prior to, or after, the effective date of the Program Resolution) issued by the City or the Agency; and

Whereas, as a component of its economic development program, the City, with the assistance of the personnel of the Agency, issues revenue bonds of various kinds to assist various nonprofit

organizations in their social, educational, artistic or other nonprofit business endeavors, thereby furthering the economic development policies of the City; and

Whereas, the City desires to clarify its original intentions by amending the Program Resolution to specifically include, as a part of its "Governmental Program": (i) refunding bonds issued by the City or Agency to refund prior Program Bonds (whether issued prior to, or after, the effective date of the Program Resolution);

(ii) revenue bonds issued to finance the activities of nonprofit organizations, whether or not such organization participates in health care related activities, as a part of the City's economic development program; and

Whereas, consistent with the intentions of the Program Resolution, the City may, in connection with qualifying bond issues, collect administrative fees greater than one-eighth of one percent above the yield on Program Bonds (including, without limitation, the types of bonds described in this Resolution), without violating federal law, enabling the City to accomplish its economic development, health care and housing policies and programs;

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

That the Program Resolution is hereby amended, supplemented and clarified to include as a part of each governmental program, revenue bonds issued to refund prior Program Bonds (whether issued prior to, or after, the effective date of the Program Resolution).

Be It Further Resolved that revenue bonds issued by the City or the Agency to assist nonprofit organizations shall be issued and included as a part of the City's economic development program.

Be It Further Resolved that, except as clarified hereby, the Program Resolution, and the provisions therein contained, remains in full force and effect.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee recommends that Community Development Block Grant Year 23 Nonprofit Administration Program Balance funds be reallocated as follows:

\$200,000 to the Jordan Neighborhood Revitalization Program Action Plan; and \$350,000 to the HOMS Initiative.

Your Committee further recommends that the Executive Director of the Minneapolis Community Development Agency or her delegate be authorized to execute documents needed to carry out this action. (Petn No 263311)

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

Comm Dev & W&M/Budget - Your Committee, having under consideration the proposal of Riverside Homes Limited Partnership (Riverside) that the City issue revenue bonds on behalf of Riverside to acquire and rehabilitate 192 units of multifamily housing in the Cedar Riverside area (the Program) as described in Petn No 263311.3, and having conducted a public hearing thereon, now recommends:

1. Passage of the accompanying resolution giving preliminary approval to the Program and to the issuance of up to \$7,575,000 of Tax-Exempt Multifamily Entitlement Rental Housing Revenue Bonds and \$510,000 of 501(c)(3) Bonds for Riverside;

2. Summary publication of the above-described resolution;

3. Approval of the restructuring of the second mortgage debt of \$4,266,955 into a single debt to Riverside;

4. Cancellation of the Assessment Agreement between the Minneapolis Community Development Agency (MCDA) and the City Assessor signed in 1984 and effective January 1, 1996, relating to the 92 units presently owned by West Bank Homes VI;

5. Approval of a new pledge for Riverside of \$434,988 to be subordinate to all other prior pledges; and

6. Referral of this action to the MCDA.

Adopted. Yeas, 11; Nays, 1.

Yeas - Mead, Scott, Schulstad, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, McDonald, Cherryhomes.

Nays - Minn.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-403, entitled "Adopting a housing program for the Riverside Homes Project; and giving preliminary approval to the issuance of revenue bonds thereunder and the issuance of revenue bonds to finance the acquisition by a non-profit corporation of additional rental units intended for sale to residents," was passed December 12, 1997 by the City Council and approved December 18, 1997 by the Mayor. It gives preliminary approval to the Program and to the issuance of up to \$7,575,000 of Program bonds to finance the costs of the Program and of up to \$510,000 of Qualified 501(c)(3) Bonds to finance the costs of the Home Ownership Project. 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-403

By Niland and Campbell

Adopting a housing program for the Riverside Homes Project; and giving preliminary approval to the issuance of revenue bonds thereunder and the issuance of revenue bonds to finance the acquisition by a non-profit corporation of additional rental units intended for sale to residents

Whereas, pursuant to the Minnesota Municipal Housing Act, Minnesota Statutes, Chapter 462C (the "Act") a city is authorized to undertake the financing of multifamily housing for persons of low and moderate income, and to authorize its housing and redevelopment authority to act on its behalf; and

Whereas, the City Council (the "City Council") of the City of Minneapolis (the "City") has prepared the Housing Plan for Local Housing for the City of Minneapolis, Minnesota, revised June, 1984 (the "Plan") which Plan was adopted pursuant to the Act on July 13, 1984; and

Whereas, the Act requires adoption of a housing finance program after a public hearing held thereon for which notice was published in a newspaper of general circulation in the City at least fifteen (15) days in advance of the hearing; and

Whereas, there has been proposed a program (the "Program") for the issuance of bonds to make a loan to finance the acquisition and rehabilitation of 192 units of multifamily rental housing located at various addresses, all in the Cedar Riverside area of the City (the "Project") to be acquired by Riverside Homes Limited Partnership, a Minnesota limited partnership whose general partner is West Bank Community Development Corporation, a Minnesota nonprofit corporation; and

Whereas, the cost of the Program is presently estimated to be not less than \$7,575,000; and

Whereas, the City on December 3, 1997 did conduct a public hearing on the Program for the Financing of a Multifamily Rental Housing Development following publication of notice as required by the Act; and

Whereas, the Program was submitted to the Metropolitan Council on or prior to the date of publication of notice of the public hearing on such Program, and the Metropolitan Council has been afforded an opportunity to present comments at the public hearing, all as required by the Act; and

Whereas, of the housing units, all in the Cedar Riverside area of the City, 32 units which have not yet been specifically identified will be acquired and owned by West Bank Community Development Corporation or West Bank Community Housing Corporation to be converted to home ownership units (the "Home Ownership Project"); and

Whereas, the City desires to facilitate the development and maintenance of rental housing and home ownership options within the community, encourage the preservation of affordable housing opportunities for residents of the City, encourage the preservation of housing facilities designed for occupancy by persons of low or moderate income within the boundaries of the City, and the maintenance of affordable units in the Project would assist the City in achieving these objectives; and

Whereas, the Program and the Home Ownership Project will result in the provision of decent, safe and sanitary rental housing opportunities to persons within the community; and

Whereas, this City Council has been advised that conventional, commercial financing to pay the capital costs of the Program and the Home Ownership Project is available only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the Project and the Home Ownership Project would be significantly reduced, but the City Council has been further advised that with the aid of municipal

financing and resulting low borrowing costs, the Project and the Home Ownership Project are economically more feasible; and

Whereas, the staff of the City considers the proposed Program and the Home Ownership Project to be in furtherance of the housing policies of the State of Minnesota as stated in the Act and of the City as stated in the Plan;

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

That the issuance of multifamily housing revenue bonds pursuant to the Act in the approximate amount presently estimated not to exceed \$7,575,000 (the "Program Bonds") to finance the costs of the Program is hereby given preliminary approval by the City Council subject to final agreement between the City, the Owner, and the purchaser of the Program Bonds as to the detailed terms and conditions on which the Program Bonds will be issued.

Be It Further Resolved that the Program for the Financing of a Multifamily Rental Housing Development is hereby adopted.

Be It Further Resolved that the issuance of multifamily housing revenue bonds pursuant to the Act in the approximate amount presently estimated not to exceed \$510,000 (the "Qualified 501(c)(3) Bonds") to finance the costs of the Home Ownership Project is hereby given preliminary approval by the City Council subject to final agreement between the City, the Owner, and the purchaser of the Qualified 501(c)(3) Bonds as to the detailed terms and conditions on which the Qualified 501(c)(3) Bonds will be issued.

Be It Further Resolved that proceeds of Program Bonds and Qualified 501(c)(3) Bonds may be used to make a loan or loans directly to the respective owners or other entity approved by the City or to acquire the Project or the Home Ownership Project, respectively, and at the discretion of the City may be financed by the Minneapolis Community Development Agency rather than the City.

Be It Further Resolved that the City hereby allocates \$7,575,000 of its 1998 entitlement authority for the issuance of the tax-exempt Program Bonds.

Be It Further Resolved that the City shall have the right in its sole discretion to withdraw from participation and, accordingly, not to issue the Program Bonds and the Qualified 501(c)(3) Bonds or either of them should the City, at any time prior to the issuance thereof, determine that it is in the interest of the City not to issue the bonds or should

the parties to this transaction be unable to reach agreement as to the terms and conditions of any of the documents required for this transaction. The decision of the City with respect to the aforementioned matters shall be uncontestable.

Be It Further Resolved that nothing in this Resolution or the documents prepared pursuant hereto shall authorize the expenditure of any municipal funds on the Program or the Home Ownership Project other than as specified and authorized by separate actions of the City Council and other than the revenues derived from the Project or the Home Ownership Project or otherwise granted to the City or Minneapolis Community Development Agency for this purpose.

Be It Further Resolved that Holmes & Galey, Ltd. is hereby appointed as Bond Counsel, in connection with the Program Bonds and the Qualified 501(c)(3) Bonds preliminarily approved hereby.

Adopted. Yeas, 11; Nays, 1.

Yeas - Mead, Scott, Schulstad, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, McDonald, Cherryhomes.

Nays - Minn.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the request of the Victory Neighborhood for early access to \$20,000 of Neighborhood Revitalization Program (NRP) funds to match the City's Hazardous/Boarded Buildings Program, as set forth in Petn No 263311.6, and further having under consideration the NRP Policy Board approval of said request, now recommends:

1. Approval of said request;
2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$20,000;
3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and
4. That this action be referred to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-404

By Niland and Campbell

**Amending The 1997 Minneapolis
Community Development Agency Appropriation
Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$20,000 from projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the request of the Bryn Mawr Neighborhood for early access to \$50,000 of Neighborhood Revitalization Program (NRP) funds to help equip the Bryn Mawr Elementary School and to update the computer lab at Anwatin Junior High School, and the request of the Minneapolis School Board to use \$52,722 of its "second 7.5%" NRP funds for the same purpose, as set forth more fully in Petn No 263311.6, and further having under consideration the NRP Policy Board approval of said requests, now recommends:

1. Approval of said requests;
2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$102,722;
3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said requests; and
4. That this action be referred to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed December 12, 1997.
Approved December 18, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 97R-405
By Niland and Campbell

**Amending The 1997 Minneapolis
Community Development Agency Appropriation
Resolution.**

Resolved by The City Council of The City of
Minneapolis:

That the above-entitled resolution, as
amended, be further amended by increasing Fund
CNR-NRP Program by \$102,722 from projected
fund balance.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes,
President of Council.

Approved December 18, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M Budget- Your
Committee recommends passage of the
accompanying resolution increasing the State
Grants Loans Fund (SMN) appropriation by
\$225,000 to be used for acquisition and demolition
of severely flood damaged properties and
increasing related revenue, reflecting receipt of
Community Rehabilitation Program flood relief
funds. (Petn No 263311.3)

Your Committee further recommends that this
action be referred to the Board of Commissioners
of the Minneapolis Community Development
Agency (MCDA).

RESOLUTION 97R-406
By Niland and Campbell

**Amending The 1997 Minneapolis
Community Development Agency 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 in Fund SMN-State Grants Loans by
\$225,000 and increasing the Fund SMN revenue
(3215-MN State Grants) estimate by \$225,000.

Adopted. Yeas, 12; Nays, none.
Absent - Herron.
Passed December 12, 1997. J. Cherryhomes,
President of Council.
Approved December 18, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Comm Dev & W&M Budget- Your
Committee, having under consideration the Annual
Operating Budget for the Upper Harbor River
Terminal as required by the Operating Agreement
between the City and River Services, Inc dated
December 28, 1995, now recommends

1. Approval of Amendment No 3 to the 1997
Operating Budget as set forth in Petn No 263311.3.

2. Passage of the accompanying resolution
increasing the River Terminal Fund (ERT)
appropriation by \$540,698, reflecting increases in
Amendment No 2 to the 1997 Operating Budget
approved by Council on October 10, 1997, and
Amendment No 3, and increasing related revenue
by \$466,400. The balance of the appropriation
increase will come from the projected fund
balance.

3. Approval of the 1998 Operating Budget as
set forth in Enclosure 1 in said Petn.

4. That the 1998 MCDA budget request be
amended in accordance with the revised 1998
revenue and expense projections for the Terminal
set forth in Enclosure 2 in said Petn. Enclosure 2
shows increased revenue and expense projections
for 1998 but there will be no increase in the
amount of the requested subsidy.

Adopted. Yeas, 11; Nays, 1.

Yeas - Mead, Scott, Schulstad, Rainville,
Dziedzic, Thurber, Campbell, Biernat, Niland,
McDonald, Cherryhomes.

Nays - Minn.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-407
By Niland and Campbell

**Amending The 1997 Minneapolis
Community Development Agency 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 in Fund ERT-River Terminal by \$540,698, with \$74,298 to come from projected fund balance, and increasing the Fund ERT revenue (3855-01 Other Services) estimate by \$466,400.

Adopted. Yeas, 11; Nays, 1.

Yeas - Mead, Scott, Schulstad, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, McDonald, Cherryhomes.

Nays - Minn.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your

Committee recommends that \$150,000 of Community Development Block Grant Year 23 NEDF/CEDF funds be reallocated to Non-Profit Administration for economic development projects.

Your Committee further recommends that the Executive Director of the Minneapolis Community Development Agency or her delegate be authorized to execute documents necessary to carry out this action. (Petn No 263311.3)

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M Budget - Your

Committee, having under consideration the Redevelopment Agreement dated April 24, 1997 among the Minneapolis Community Development Agency, the City of Minneapolis, and Ryan Properties, Inc, under which Ryan would develop a public parking ramp, Target Store and office tower on Block 34 in the South Nicollet Mall District, now recommends passage of the accompanying resolution increasing the South Nicollet Mall Fund (CBY) appropriation by \$1,250,000 to pay legal costs for condemnation proceedings on two parcels in Block 34 and related relocation costs, from available 1997 and 1998 fund balances. (Petn No 263311.4)

Your Committee further recommends waiving the payment of the City administrative fee on

expenditures eligible for financing through the Limited Revenue Note pursuant to said Agreement.

Adopted. Yeas, 9; Nays, 3.

Yeas - Scott, Schulstad, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, Cherryhomes.

Nays - Mead, McDonald, Minn.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-408

By Niland and Campbell

**Amending The 1997 Minneapolis
Community Development Agency 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 in Fund CBY-South Nicollet Mall by \$1,250,000 from available 1997 and 1998 fund balances.

Adopted. Yeas, 9; Nays, 3.

Yeas - Scott, Schulstad, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, Cherryhomes.

Nays - Mead, McDonald, Minn.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M Budget - Your

Committee, having under consideration the proposed purchase of the Sears Property at Chicago Av and Lake St by STA Associates (the Ray Harris Group), now recommends that the Executive Director of the Minneapolis Community Development Agency be authorized to direct staff to enter into a loan agreement with STA Associates for up to \$2,000,000 from the Leveraged Investment Fund, and further, that the terms of the loan be in accordance with the existing guidelines for that fund. (Petn No 263311.4)

Adopted. Yeas, 11; Nays, none.

Absent - Herron, Dziedzic.

Passed December 12, 1997.
Approved December 18, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Comm Dev & W&M Budget - Your Committee recommends passage of the accompanying resolution amending Resolution 96R-089, which sets forth the tax-forfeited properties policy, by deleting the sunset date of December 31, 1997. (Petn No 263311.5)

Your Committee further recommends that the Task Force on Tax Forfeited Property report back to the Council annually on the impact of the resolution.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-409
By Niland and Campbell

Amending Resolution 96R-089 entitled "Rescinding Resolutions 89R-423 and 93R-211 and adopting a new policy for canceling special assessments and charges against tax-forfeited properties," passed April 12, 1996.

Resolved by The City Council of the City of Minneapolis:

That the above entitled resolution be amended by deleting the final paragraph providing for a sunset date of December 31, 1997.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes,
President of Council.

Approved December 18, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **ZONING & PLANNING** Committees submitted the following report:

Comm Dev & Z&P - Your Committee recommends approval of the development objectives for Heritage Landing Stage Two as set forth in Petn No 263311.7.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed December 12, 1997.
Approved December 18, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

IGR & W&M/Budget - Your Committee recommends passage of the accompanying Resolution approving Laws of Minnesota 1997, Chapter 231, Article 2, Section 62, relating to delinquent utility charges.

RESOLUTION 97R-410
By Rainville and Campbell

Approving Laws of Minnesota 1997, Chapter 231, Article 2, Section 62.

Whereas, the Minnesota State Legislature has passed a law which applies to Minneapolis only; and

Whereas, said law provides that assessments levied by the City of Minneapolis for delinquent utility charges constitute a lien upon the subject property from the date the utility charges become delinquent regardless of the date the assessment is levied; and

Whereas, said law further provides that utility charges become delinquent when the City issues a statement of charges to the current bill payer of the specified property and the charges are not paid in full on or before the due date set forth in the statement; and

Whereas, said law, by its terms, requires an affirmative vote of the majority of the members of the City Council before it may become effective;

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

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes,
President of Council.

Approved December 18, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

IGR & W&M/Budget - Your Committee recommends approval of the alternative finance

plan proposed by the State of Minnesota Department of Finance for completion of the Convention Center, and further recommends approval to submit a revised application for State funding, in accordance with said alternative finance plan, for inclusion in the State Bonding Bill.

Adopted. Yeas, 9; Nays, 3 as follows:

Yeas - Scott, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, McDonald, Cherryhomes.

Nays - Mead, Schulstad, Minn.

Absent - Herron.

Passed December 12, 1997.

Approved December 12, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 16, 1997).

THE PUBLIC SAFETY & REGULATORY SERVICES Committee submitted the following reports:

PS&RS - Your Committee recommends that the proper City officers be authorized to execute an agreement with Hennepin County through Pilot City Health Center to provide physician and health educator services for patients at North Star Elementary School Clinic and at North High School, for the period from October 1, 1997 through December 31, 1998, in the amount of \$42,000, payable from Federal Grants Fund - Health Department Agency - Contracts Management (030-440-4413).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 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 #12047 with the Minneapolis Public Schools, amending said contract to change certain line item budgets relating to school health services, for the period from January 1, 1997 through December 31, 1997, in the amount of \$246,701, payable from the Health Department Agency - Contracts Management, with \$205,901 to be payable from the General Fund (010-440-4413) and \$40,800 to be payable from the Federal Grants Fund (030-440-4413).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 12, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 16, 1997).

PS&RS - Your Committee recommends that the proper City officers be authorized to execute a contract with the Neighborhood Health Care Network to provide health care services to residents, including 489-CARE line, ImmuLink activities, interpreter services and subsidies for low income and uninsured families, for the period from January 1, 1998 through December 31, 1998, in the amount of \$776,400, payable from the Health Department Agency - Contracts Management, with \$88,883 to be payable from the General Fund (010-440-4413), \$469,377 to be payable from the Community Development Block Grant/Urban Development Action Grant (CDBG/UDAG) Fund (040-440-4413), and \$218,140 to be payable from the Federal Grants Fund (030-440-4413).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 12, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 16, 1997).

PS&RS - Your Committee recommends that the proper City officers be authorized to execute an agreement with the Metropolitan Visiting Nurse Association (MVNA) to provide public health nursing services, including home visits for low-income, uninsured and high-risk women, children and families, for the period from January 1, 1998 through December 31, 1998, in the amount of \$1,251,461, payable from the Health Department Agency, with \$680,050 to be payable from the General Fund - Contracts Management (010-440-4413), \$461,450 to be payable from the Other Grants Fund - Contracts Management (060-440-4413), and \$109,961 to be payable from the Federal Grants Fund - School Based Clinics (030-440-4422).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 12, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 16, 1997).

PS&RS - Your Committee recommends that the proper City officers be authorized to execute an agreement with Greater Minneapolis Day Care Association to perform lead reduction and educational activities designated by the work plan of the Lead-Based Paint Hazard Reduction Project funded by the United States Department of Housing and Urban Development, for the period from September 8, 1997 through August 31, 2000, in an amount not to exceed \$1,012,500, payable from the Federal Grants Fund - Licenses & Consumer Services Agency (030-835-8393).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

PS&RS & W&M/Budget - Your Committee, having under consideration a backlog of 2,600 fingerprint cards in the Police Department resulting from the recent system upgrading to an automated fingerprint database, now recommends approval to pay 8.0 Full Time Equivalent (FTE) Forensic Scientists for overtime to be worked on a straight-time, cash basis, at an estimated amount of \$13,000, payable from the General Fund - Police Department Agency - Midwest Automated Fingerprint Identification Network (010-400-B307).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends acceptance of a grant award from the Allina Foundation to fund continuation of a smoking cessation program for middle and high school students, in the amount of \$6,500. Your Committee further recommends passage of the accompanying Resolution increasing the Health Department Agency Appropriation by \$6,500.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-411
By Campbell and Biernat

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 Health Department Agency in the Other Grants Fund (060-440-4422) by \$6,500 and increasing the Health Department revenue estimate in the Other Grants Fund (060-440-4422-Source 3455) by \$6,500.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes,
President of Council.

Approved December 18, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends acceptance of the State Motor Vehicle Theft Program grant award to fund the proactive phase of said program, in the amount of \$26,000.

Your Committee further recommends passage of the accompanying resolution increasing the Police Department Appropriation by \$26,000.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-412
By Campbell and Biernat

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 Police Department Agency in the Other Grants Fund (060-400-P402) by \$26,000 and increasing the Police Department revenue

estimate in the Other Grants Fund (060-400-P402-Source 3215) by \$26,000.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles

Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends acceptance of the State Drugfire grant award to fund a technical position for two years, in the amount of \$75,000, with no local match required.

Your Committee further recommends passage of the accompanying resolution increasing the Police Department Agency by \$75,000.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles

Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-413
By Campbell and Biernat

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 Police Department Agency in the Other Grants Fund (060-400-B305) by \$75,000 and increasing the Police Department revenue estimate in the Other Grants Fund (060-400-B305-Source 3215) by \$75,000.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles

Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee, having under consideration the Automated Pawn System (APS) Project, now recommends that the proper City officers be authorized to acquire identified vendor services from Unisys, as

indicated under the supplemental schedule to the supplemental agreement with Unisys (State Contract #M-4066), in the amount of \$24,543, payable from Police Special Revenue - Licenses (210-400-C201).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles

Belton, Mayor.

Attest: M. Keefe, City Clerk.

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**, prohibiting the placement of solid waste containers in or adjacent to a public right-of-way in such a manner that blocks access to any curb cut or garage access point of any adjoining property, now recommends that said Ordinance be given its second reading for amendment and passage.

ORDINANCE 97-Or-095
By Minn

Intro: 9/26/97

Ref to: T&PW

1st Reading: 12/4/97

2nd Reading: 12/12/97

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 225.580 of the above-entitled ordinance be amended to read as follows:

225.580. Requirements for containers. All containers in which solid waste is placed shall be made of metal or approved plastic and be equipped with tight covers. Every dwelling unit, rooming unit, and shared bath unit that utilizes city collection, pursuant to section 225.600 of this Code, shall be provided with an adequate number of serviceable mobile refuse containers (MRC) as required by the city engineer to hold the solid waste accumulated by such units until collected for disposal. Any container that does not conform to all the provisions of this section, or that may have

ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof, must be promptly replaced by a proper container upon receipt of notice to that effect from the city engineer. No container may be placed in or adjacent to a public right-of-way for collection in such a manner that blocks access to any curb cut or garage access point of any adjoining property.

Plastic solid waste containers shall meet the standards of the National Sanitation Foundation Standard No. 21 (as revised 1975). A copy of the standard will be on file at the Minneapolis Department of Health and Family Support.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying Resolution designating the location and street to be improved in the Lowry Hill Street Lighting Project, Special Improvement of Existing Street No 2973.

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

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-414, designating the improvement of certain existing streets at the location described in Resolution 97R-414, was passed December 12, 1997 by the City Council and approved December 18, 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-414
By Dziedzic

Designating the improvement of certain existing streets at the location described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by installing ornamental street lights together with all the necessary appurtenances and work related thereto:

Lowry Hill Neighborhood south of Kenwood Parkway.

Be It Further Resolved that the City Engineer be directed to prepare a proposed Street Lighting Special Improvement Assessment against the list of benefited properties by applying the street influence zone area method.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends implementation of the following traffic calming measures in the East Isles Neighborhood:

a. Install "No Left Turn, 7AM - 9AM" restriction on East-bound Lake St at Irving Av S;
b. Install "No Right Turn on Red" signs on South-bound Hennepin Av at W 22nd St, W 24th St, W 27th St and W 28th St;

c. Reversal of the existing two-way stop signs at the intersections of W 24th St & Fremont Av S and W 25th St & Girard Av S so that east-west traffic must stop. Further, that staff be directed to evaluate the need for additional corner clearance and install signs, if needed.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Minneapolis Coordinated Transportation System Management Project, a multi-agency effort to mitigate traffic congestion and coordinate local operations with freeway operations, now recommends that the proper City Officers be authorized to execute Amendment No 1 to Agreement No 74151 with the Minnesota Department of Transportation (MnDOT) to extend the completion date to May 30, 2000 to implement an Integrated Transportation System Project being

undertaken with MnDOT for improved signal operations and local road/freeway coordination in the western Central Business District area in the vicinity of I-394/I-94 (AUSCI Project).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends concurrence with the request of the Downtown Transportation Management Organization (TMO) to appoint James Jachymowski representing Reliastar Corporate Properties, to the TMO's Executive Committee, replacing Winifred Smith representing Reliastar Investment Research Inc.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends that the proper City Officers be authorized to make payments to Minneapolis Refuse Inc (MRI) outside the boundaries of the existing solid waste collection contract for the provision of Dirty Collection Point cleanup services performed in 1997.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Metropolitan Council's Twin Cities Water Quality Initiative that awards grants to technical and educational projects that reduce non-point sources of pollution to metropolitan area rivers and streams, now recommends that the proper City Officers be authorized to execute the following agreements:

a. with the Metropolitan Council for the acceptance of a \$100,000 grant for the Grass Lake Stormwater Treatment Test Project to add a filtering system at the base of the existing outlet; and

b. with the Metropolitan Council and the City of St. Paul for the acceptance of a \$40,000 grant for the Catch Basin Stencil Sticker Project which

will print the catch basin stencil message on permanent self-adhesive marking tape, instead of utilizing the spray paint method.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the garbage cart maintenance program, now recommends that the proper City Officers be authorized to purchase the Farid FL 6500 Automated Mobile Cart Washer mounted on a 1997 Mack Midliner MS 300P cab and chassis demonstrator to wash dirty carts throughout the City, in the amount of \$155,126 plus tax, payable from PW - Solid Waste (770-664-6641).

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends that the Solid Waste and Recycling Division and the Operations Division of the Public Works Department be directed to cooperate in a Workforce Utilization Pilot Program that will trim branches and brush that encroach in the alley right-of-way in order to reduce public hazards and enhance the safety of employees and the public.

Adopted. Yeas, 10; Nays, 2 as follows:

Yeas - Mead, Scott, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, McDonald, Cherryhomes.

Nays - Schulstad, Minn.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends concurrence with the following recommendations of the Bicycle Advisory Committee to restrict bicycle use of the Nicollet Mall, with implementation to occur no later than October 1, 1998:

a. Bicycle use prohibited 6AM-6PM, Monday through Friday, except identified bicycle couriers;

b. Bicycle use allowed 6PM-6AM, Monday through Friday and anytime Saturday, Sunday and Holidays;

c. Add new one-way bicycle lanes to Marquette and 2nd Avenues South;

d. Create a bicycle courier identification and enforcement system that would allow bicycle courier use of the Mall at all times, as described in the recommended plan set forth in Petn No 263322 on file in the Office of the City Clerk.

Niland moved to substitute the following report for the above report. Seconded.

T&PW - Your Committee recommends that staff and the Bicycle Advisory Committee report back with a plan that allows both buses and bicycles to use Nicollet Mall based on the following principles:

a. there will be no hour or day restriction for bicycle use of the mall;

b. both lanes of bus use will remain on the mall;

c. increased enforcement and education to ensure all mall users obey traffic regulations;

d. establishment of well-designed, safe bicycle lanes on Marquette and 2nd Avenues South.

Niland's substitute motion lost upon a voice vote.

Dziedzic moved to amend the report by deleting the language "6AM-6PM" in subsection "a" and inserting in lieu thereof "7 to 9AM and 4 to 6PM". Seconded.

Lost. Yeas, 4; Nays, 8 as follows:

Yeas - Mead, Dziedzic, Niland, McDonald.

Nays - Scott, Schulstad, Rainville, Thurber, Campbell, Biernat, Minn, Cherryhomes.

Absent - Herron.

The report was adopted.

Yeas, 9; Nays, 3 as follows:

Yeas - Scott, Schulstad, Rainville, Dziedzic, Thurber, Campbell, Biernat, Minn, Cherryhomes.

Nays - Mead, Niland, McDonald.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying Resolution amending Resolution 97R-377 entitled "designating a street located in the 4th Ward of the City of Minneapolis in honor of Council Member Alice Rainville as Rainville Avenue", passed November 21, 1997, to amend the location of Rainville Avenue to Xerxes

Avenue N - Victory Memorial Parkway to York Avenue N.

RESOLUTION 97R-415

By Campbell

Amending Resolution 97R-377 entitled "Designating a street located in the 4th Ward of the City of Minneapolis in honor of Council Member Alice Rainville as Rainville Avenue", passed November 21, 1997.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution be amended by changing the location of Rainville Avenue from 47th Avenue N from Osseo Rd to Russell Avenue N to be Xerxes Avenue N - Victory Memorial Pkwy to York Avenue N.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying Resolution designating the ingress and egress roadway for the Quarry Retail Center in Northeast Minneapolis as "Quarry Center Drive".

RESOLUTION 97R-416

By Dziedzic

Designating the ingress and egress roadway for the Quarry Retail Center in Northeast Minneapolis as "Quarry Center Drive".

Whereas, the State of Minnesota Highway Department consents to the designation of "Quarry Center Drive" as the name for the ingress and egress roadway from the Quarry Retail Center to New Brighton Boulevard; and

Whereas, the City Council of the City of Minneapolis desires to name such roadway in order to facilitate the safe and orderly passage of vehicle traffic to and from the Quarry Retail Center;

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

That the segment of roadway lying between the former south and southeasterly right-of-way lines of Arthur Street NE, as vacated by City Resolution

96R-291, adopted September 27, 1996, and the northwesterly right-of-way line of New Brighton Boulevard, as existing on December 11, 1997, which provides ingress and egress from the southerly entry of the Quarry Retail Center to New Brighton Boulevard, shall hereinafter be known and designated as "Quarry Center Drive".

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 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, having under consideration the Central (Healy Block Area Expansion) Street Lighting Project to install pedestrian scale ornamental street lights and at selected locations high level ornamental street lights in the area generally bounded by Lake to 33rd Streets East and Clinton to Portland Avenues South, now recommends passage of the accompanying Resolutions:

a. ordering the work to proceed and adopting the special assessments for the Central (Healy Block Area Expansion) Street Lighting Project, Special Improvement of Existing Street No 2969;

b. appropriating \$478,200 to the PW - Transportation - Capital Agency to provide funds for the street lighting installation work, to be reimbursed from special assessments levied against benefited properties;

c. requesting the Board of Estimate & Taxation to issue and sell City of Minneapolis bonds in the amount of \$478,200 for certain purposes other than the purchase of public utilities.

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

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-417, ordering the work to proceed and adopting the special assessments for

the Central (Healy Block Area Expansion) Street Lighting Project, Special Improvement of Existing Street No 2969; and Resolution 97R-418, amending The 1997 Capital Improvement Appropriation Resolution; and Resolution 97R-419, requesting the Board of Estimate & Taxation to issue and sell City of Minneapolis bonds in the amount of \$478,200 for certain purposes other than the purchase of public utilities, were passed December 12, 1997 by the City Council and approved December 18, 1997 by the Mayor. A complete copy of these resolutions are available for public inspection in the office of the City Clerk.

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

RESOLUTION 97R-417

By Dzedzic and Campbell

CENTRAL (HEALY BLOCK AREA EXPANSION) STREET LIGHTING PROJECT SPECIAL IMPROVEMENT OF EXISTING STREET NO 2969

Ordering the work to proceed and adopting the special assessments for the Central (Healy Block Area Expansion) Street Lighting Project.

Whereas, a public hearing was held on September 4, 1997 and said public hearing was continued to September 18, 1997 and further continued to December 4, 1997 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 97R-228 passed August 8, 1997, to consider the proposed special assessments as on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 97R-228 passed August 8, 1997.

Be It Further Resolved that the proposed special assessments in the total amount of \$478,200 as on file in the Office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$100 may be paid shall be fixed at twenty (20) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 1999 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$100 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 1999 real estate tax statements.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-418
By Dziedzic 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 \$478,200 and increasing the Revenue Source (410-943-9432 - Source 3880) by \$478,200 for the Central (Healy Block Area Expansion) Street Lighting Project, to be reimbursed from special assessments levied against the benefited properties.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-419
By Dziedzic and Campbell

Requesting the Board of Estimate & Taxation to issue and sell City of Minneapolis bonds in the amount of \$478,200 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of the City of Minneapolis:

That the Board of Estimate & Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessment cost of making and constructing certain ornamental lighting improvements in the Central (Healy Block Expansion) Area (Lake to 33rd Sts E and Clinton to Portland Aves S), Special Improvement of Existing Street No 2969, to be assessed against benefited property owners as estimated by the City Council, which assessments shall be collectible in 20 successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee reports that in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to street lighting districts, a public hearing was held on September 4, 1997 and said public hearing was continued to September 18, 1997 and further continued to December 4, 1997 to consider the establishment of Street Lighting District No 1235 and to consider all written and oral objections and statements regarding this matter.

Your Committee now recommends that Street Lighting District No 1235 (streets to receive lighting are as designated in the Central (Healy Block Area Expansion) Street Lighting Project, Special Improvement of Existing Street No 2969) as delineated in a report of the Transportation and Public Works Committee passed by the City Council on August 8, 1997 be and hereby is given preliminary approval.

Your Committee further recommends that Street Lighting District No 1235 not be considered for final approval until at least two weeks from now in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances.

Adopted. Yeas, 11; Nays none.
Absent - Herron, Biernat.
Passed December 12, 1997.
Approved December 18, 1997. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute an amendment to Agreement No 72857 with the Minnesota Department of Transportation to provide for the continued operation of the Downtown Transportation Management Organization (TMO) through June 30, 1998, as well as to fund a comprehensive education effort to area employers.

Your Committee further recommends passage of the accompanying Resolution appropriating \$411,509.55 for said contract amendments, to be reimbursed from Federal Intermodal Surface Transportation Efficiency Act (ISTEA) funds.

Adopted. Yeas, 11; Nays none.
Absent - Herron, Biernat.
Passed December 12, 1997.
Approved December 12, 1997. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.
(Published December 16, 1997).

RESOLUTION 97R-420
By Dzedzic 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 PW - Transportation - Capital Agency in the Permanent Improvement Projects Fund (410-943-9462) by \$411,509.55, and increasing the Revenue Source (410-943-9462 - Source 3215) by \$411,509.55 to provide funds for the operation of the Downtown Transportation Management Organization (TMO), which will be reimbursed from Federal Intermodal Surface Transportation Efficiency Act (ISTEA) funds.

Adopted. Yeas, 11; Nays none.
Absent - Herron, Biernat.

Passed December 12, 1997. J. Cherryhomes,
President of Council.

Approved December 12, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.
(Published December 16, 1997).

T&PW & W&M/Budget - Your Committee, having received approval from the State of Minnesota for a Landscape Program for Trunk Highway 94 in the Dowling Avenue Interchange area, now recommends that the proper City Officers be authorized to execute Agreement No 76937 with the Minnesota Department of Transportation, in the amount of \$7,831, to provide for payment of the State's share of the cost of acquisition of landscape materials to be planted by the Webber-Camden Neighborhood Organization Green Space Committee at said interchange within the corporate City limits under State Project No 2781-969C (T.H. 94=392).

Adopted. Yeas, 11; Nays none.
Absent - Herron, Biernat.
Passed December 12, 1997.
Approved December 18, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to install temporary traffic circles to calm traffic at the intersection of Adams Street NE and Summer Street NE in the St. Anthony East Neighborhood for a one-year period, from May 1998 until May 1999.

Your Committee further recommends passage of the accompanying Resolution appropriating \$1,500 to the PW - Transportation - Capital Agency to provide funds for said traffic calming measures, to be reimbursed from St. Anthony East Neighborhood Revitalization Program (NRP) Funds for neighborhood transportation plan development.

Adopted. Yeas, 11; Nays none.
Absent - Herron, Biernat.
Passed December 12, 1997.
Approved December 18, 1997. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 97R-421
By Dzedzic 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 PW - Transportation - Capital Agency in the Permanent Improvement Projects Fund (410-943-9440) by \$1,500, and increasing the Revenue Source (410-943-9440 - Source 3845) by \$1,500 to provide funds for temporary traffic circles at the intersection of Adams and Summer Streets NE, to be reimbursed from St. Anthony East Neighborhood Revitalization Program (NRP) funds.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration construction of the police garage, radio shop and lands & buildings shops (Public Works Facilities - Phase I), now recommends approval of Change Order Nos 1 and 2 with Arkey Construction for a decrease of \$75,606 resulting in a new total contract amount of \$6,253,394 for changes in the scope of work as shown on the attachment set forth in Petn No 263325 on file in the Office of the City Clerk. Further, that the proper City Officers be authorized to execute said changes to Contract No 11669 with Arkey Construction.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute an Expedited Informal Settlement Agreement with the Minnesota Department of Labor and Industry Occupational Safety and Health Division to pay the reduced penalty of \$245 for an alleged violation with respect to provision of and record keeping for

Right to Know training for hazardous substances, harmful physical agents and infectious diseases. Further, that the Solid Waste and Recycling Division of the Department of Public Works be directed to continue the abatement of the violations listed in said agreement. (Petn No 263326)

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to increase Contract No 11362 with STS Consultants, Ltd by \$56,204, for a new total contract not to exceed \$150,000, for additional geotechnical services for the subgrade preparation and earth cover for the new 40 Million Gallon Hilltop Reservoir, payable from PW - Water (740-950-9515). (Petn No 263327)

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the Mayor's Flood Mitigation and Storm Drain Construction Program for the years 1998 through 2006, now recommends that the program be reprioritized to include the five schools that were affected by flooding (Petn No 263325) as a priority over the next two years. Concurrent, that acquisition of properties for the holding pond projects at 43rd and Park Avenue South and 60th Street and 1st Avenue South be balanced within the capital limits and external funding sources over the next two years, so that the aggregate bond and project work and external funding sources between 1998 and 1999 be included within the scope of work so that the schools and holding pond projects can be accomplished within the flood mitigation budget.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Dziedzic.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying Resolution authorizing the City Engineer/Director of Public Works and the proper City Officers to apply for and execute a Sub-Agreement with the Division of Emergency Management for the Hazard Mitigation Grant Program.

RESOLUTION 97R-422
By Dziedzic and Campbell

Authorizing the City Engineer/Director of Public Works and the proper City Officers to apply for and execute a Sub-Agreement with the Division of Emergency Management for the Hazard Mitigation Grant Program.

Whereas, during July 1997 the City of Minneapolis experienced a series of rainstorms that created severe damage to public and private structures; and

Whereas, these storms received a Presidential disaster declaration, FEMA-1187-DR-MN; and

Whereas, the Mayor and City Council are developing a nine-year Flood Mitigation Program to reduce or eliminate the flooding in 39 flood prone areas; and

Whereas, this Flood Mitigation Program includes property acquisition and construction of several flood control ponds; and

Whereas, the State of Minnesota, Division of Emergency Management has approved the City's pre-application which may result in FEMA funding of acquisition of flood-prone homes that are within the areas to be acquired for the flood control ponds; and

Whereas, the State of Minnesota requires potential Hazard Mitigation Grant Program subgrantee (City of Minneapolis) to adopt a resolution indicating the City's desire to participate in this program;

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

That the City Engineer/Director of Public Works and the proper City Officers are authorized to apply for and execute the necessary agreements with the Division of Emergency Management in the Department of Public Safety, State of Minnesota, for the program entitled Hazard Mitigation Grant Program for Presidential disaster declaration FEMA-1187-DR-MN on behalf of the City of Minneapolis.

Adopted. Yeas, 11; Nays none.

Absent - Herron, Dziedzic.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS, WAYS & MEANS/BUDGET** and **ZONING & PLANNING** Committees submitted the following report:

T&PW, W&M/Budget & Z&P - Your Committee, having under consideration the development of off street municipal parking facilities located in the Lyn/Lake business community, now recommends approval of the designation of Lyn/Lake Municipal parking lots in the two blocks north of Lake Street between Garfield and Aldrich Avenues. Further, that staff be directed to prepare budgets, designs, land acquisition agreement, zoning changes and operational agreements to initiate the assessment process. (Petn No 263328)

Adopted. Yeas, 11; Nays none.

Absent - Herron, Biernat.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

W&M/Budget - Your Committee, having under consideration the 1998-1999 Year of the City Community Resource Program and the City's eligibility to receive \$1,012,598 for the two-year period, now recommends:

- a) That the proper City officers be authorized to receive \$1,012,598 (\$506,299 for each year) from the State of Minnesota; and
 b) Approval of the Year of the City Advisory Committee recommendations for allocation of said funds as follows:

1998 & 1999 Funding

City Initiatives

Crime Prevention

Club Fed	\$ 20,000
Phat Summer	20,000
Police Athletic League	15,000
Graffiti Removal Crews	19,299
Domestic Abuse	\$100,000

Neighborhood Initiatives

Community Initiatives Program (1997 interest allocated to 1998 program, & 1998 interest allocated to the 1999 CIP Program)	\$56,000
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Community Building/Leadership Development	\$76,000
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Employment & Training

Adult Employment	\$150,000
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Administration

Total	\$506,299
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Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be directed to release \$362,700 from the Convention Center Related Fund (076) to the Minneapolis Youth Coordinating Board to be used with capital funds that have been raised for the design and construction of the Little Earth Neighborhood Early Learning Center.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 12, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 16, 1997).

W&M/Budget - Your Committee recommends that the proper City officers be authorized to settle the Workers' Compensation claims of Arthur Kirsch against the City in accordance with the recommendation of the City Attorney and the terms set forth in Petn No 263331.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to settle the workers' compensation claims of Cynthia Wegener, Jason Wegener, Jennifer Hillen, Steven Hillen, Jesse Davis, Jason Davis and Matthew Davis against the City in accordance with the recommendation of the City Attorney and the terms set forth in Petn No 263331.

Your Committee further recommends that the City accept a draft from Burlington Northern in the sum of \$350,000, retaining \$250,000 for subrogation interest and forwarding the remaining \$100,000 to Cynthia Wegener, trustee.

It is further recommended that the proper City officers be authorized to settle the City's subrogation claim against Burlington Northern and Santa Fe Railroad in accordance with the recommendation of the City Attorney and the terms set forth in Petn No 263331.

It is further recommended that the City Attorney, or his designee, be authorized to approve and execute all documents necessary to effectuate the terms of the settlement.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the lawsuits filed against the City by the following individuals be settled as follows:

690-150-1500-7110-4000 Thomas Krampitz and Paul J. Gatto, his attorney, \$10,000.

690-150-1500-7110-4000 Yolanda Plunkett and John E. Vukelich, her attorney, \$6,000.

690-150-1500-7140-4000 Sandra Dee Jones and Robert Hill & Associates, her attorneys, \$2,500.

690-150-1500-7115-8150 Dennis Williams, \$52,500.

690-150-1500-7110-4000 Michael Friestleben, and John D. Mariani, his attorney, \$8,500.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 12, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 16, 1997).

W&M/Budget - Your Committee, having under consideration the activities and fundraising needs of the Minneapolis Office of International Affairs, now recommends:

a) That the proper City officers be authorized to accept funds raised from corporate sponsorships, individual donations and ticket sales for the Twin Cities International Citizen Awards, in an amount not to exceed \$85,000 annually. Said funds shall be used solely for the purpose of reimbursing the

City for its costs in sponsoring the award event and any surplus revenue in a given year shall be forwarded to the management of the event in the following year; and

b) That the proper City officers be authorized to accept funds raised from the corporate and non-profit community for the purpose of hospitality extended by the City to international guests, in an amount not to exceed \$10,000 annually.

When funds are received from the City's fiscal agent for said event and purpose (the Greater Minneapolis Convention & Visitors Association), the funds will be appropriated to the City Coordinator Agency and designated for the Office of International Affairs (060-840-8405).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends passage of the accompanying resolution providing for technical appropriation adjustments to the Office of International Affairs representing the provision of the following funds totaling \$6,574.21:

a) \$3,850 raised from the Minneapolis corporate community for hospitality extended by the City to visitors from Ibaraki, Japan;

b) \$832.37 from the City of St. Paul as reimbursement for one half of the costs associated with the visit of the mayor of the Russian city of Novosibirsk; and

c) \$1,892.34 associated with the cost of City lapel pins.

RESOLUTION 97R-423

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 as follows:

a) Increasing the appropriation for the City Coordinator Agency in the Grants-Other Fund (060-840-8405) by \$3,850; and

b) Increasing the appropriation for the City Coordinator Agency in the General Fund (010-840-8405) by \$2,724.21.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends acceptance of the low bid received on OP #4751 (Petn No 263333) submitted by Parsons Electric Company for an estimated expenditure of \$1,400,000 for furnishing and delivering all labor, materials, equipment and incidentals necessary to accomplish lighting retrofits and energy improvements at the Minneapolis Convention Center, all in accordance with our specifications.

Your Committee further recommends that the proper City officers be authorized to execute a contract for said services.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the following Finance Department employees who have accrued compensatory time in excess of 100 hours due to extra work related to the installation of the FISCOL and HRIS Systems be paid at straight time rate of pay from 1997 funds for their compensatory time balances over 100 hours:

Steve Buchal, Manager, Financial Analysis;

Lori Economy Scholler, Director, Cash & Revenue Management;

Glen Flohrs, Manager, Accounting;

Glen Henry, Payroll Clerk I;

Shirley Janssen, Payroll Supervisor;

Connie Long, Accountant I;

Al Madison, Accountant II;

Robert Simonson, Manager, Accounting

Mike Shur, Accountant I.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 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 and execute a grant agreement with the State of Minnesota Department of Economic Security for the receipt of \$49,358 to be used for services associated with the YouthWorks/Americorps Program.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend the following Fund Availability Notice (FAN) with Loring Nicollet Bethlehem Center (LNBC) to reduce the amount of state funding being provided for the YouthWorks/Americorps Program due to the receipt of additional federal funds.

Funds	Agency	Master Contr #	Period	Amount	FAN#
030-860-8600	LNBC	10008	7/1/97 - 8/31/98	(\$18,000)	92-3a

Adopted. Yeas, 12; Nays none.
 Absent - Herron.
 Passed December 12, 1997.
 Approved December 18, 1997. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the report passed by the Council on October 24, 1997 authorizing the issuance of a fund availability notice to Loring Nicollet Bethlehem Center in the amount of \$112,379 for services related to the YouthWorks/Americorps Program be rescinded to allow for issuance of a corrected fund availability notice.

Adopted. Yeas, 12; Nays none.
 Absent - Herron.
 Passed December 12, 1997.
 Approved December 18, 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 Loring Nicollet Bethlehem Center (LNBC) in the amount of \$58,163 reflecting the correct amount of federal funds being provided for services related to the YouthWorks/Americorps Program.

Funds	Agency	Master Contr #	Period	Amount	FAN#
060-860-8600	LNBC	10008	9/1/97 - 8/31/98	\$58,163	34-1

Adopted. Yeas, 12; Nays none.
 Absent - Herron.
 Passed December 12, 1997.
 Approved December 18, 1997. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to continue the City's contract with Marsha Haagenson d/b/a The Records Link for the provision of records management redesign consultant services. Said contract shall be increased by \$15,000, for a total amount not to exceed \$90,000, payable from the City Clerk budget (010-260-2611).

Adopted. Yeas, 12; Nays none.
 Absent - Herron.
 Passed December 12, 1997.
 Approved December 18, 1997. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends passage of the accompanying resolutions authorizing the submission of six grant applications to the Minnesota Amateur Sports Commission requesting funds through the "Mighty Kids" Grant Program for the following projects:

- Park and Recreation Board Equipment - \$40,000;
- Park and Recreation Board Day Sports Camps - \$40,000;
- Police Athletic League In-Line Skating Rink - \$40,000;
- Park and Recreation Board North Commons Pool Pass Program- \$7,500;
- Park and Recreation Board Jackson Square Park Basketball Court- \$40,000;
- Park and Recreation Board Life Guard Training - \$2,400

Your Committee further recommends that the amount of \$18,085 from the Family Fund be committed as a local match for the grants if they are approved by the State.

Campbell moved to amend the report by adding a resolution authorizing submission of an additional application for "Mighty Kids" funds for the following project:

Park and Recreation Board Girls' Golf Program - \$5,000. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-424

By Campbell

Authorizing submission of an application to the State of Minnesota Amateur Sports Commission requesting a "Mighty Kids" Program grant for the Park and Recreation Board Equipment Program.

Whereas, the Minnesota Amateur Sports Commission (MASC), via the State General Fund, provides funds to assist political subdivisions of the state of Minnesota in the development of youth sports and recreation programs; and

Whereas, the City desires to support the Minneapolis Park and Recreation Board proposal to purchase sporting equipment for youth sports programs;

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

That the estimated total cost of developing said program shall be \$40,000 and the City is requesting \$20,000 from the State General Fund; and

That the proper City officers are authorized and directed to execute said application and serve as the official liaison with the MASC.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-425

By Campbell

Authorizing the submission of an application to the State of Minnesota Amateur Sports Commission requesting a "Mighty Kids" Program grant for the Park and Recreation Day Sports Camps Program.

Whereas, the Minnesota Amateur Sports Commission (MASC), via the State General Fund, provides funds to assist political subdivisions of the state of Minnesota in the development of youth sports and recreation programs; and

Whereas, the City desires to support the Minneapolis Park and Recreation Board proposal to offer a program providing day sports camps for City youth;

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

That the estimated total cost of developing said program shall be \$40,000 and the City is requesting \$20,000 from the State General Fund; and

That the proper City officers are authorized and directed to execute said application and serve as the official liaison with the MASC.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-426

By Campbell

Authorizing submission of an application to the State of Minnesota Amateur Sports Commission requesting a "Mighty Kids" Program grant for the Police Athletic League In-Line Skating Rink Program.

Whereas, the Minnesota Amateur Sports Commission (MASC), via the State General Fund, provides funds to assist political subdivisions of the state of Minnesota in the development of youth sports and recreation programs; and

Whereas, the City desires to support the Police Athletic League's proposal to construct an outdoor in-line hockey rink on the property of the Northeast Armory;

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

That the estimated total cost of developing said program shall be \$40,000 and the City is

requesting \$20,000 from the State General Fund;
and

That the proper City officers are authorized and directed to execute said application and serve as the official liaison with the MASC.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes,
President of Council.

Approved December 18, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-427
By Campbell

Authorizing submission of an application to the State of Minnesota Amateur Sports Commission for the Park and Recreation Board North Commons Pool Pass Program.

Whereas, the Minnesota Amateur Sports Commission (MASC), via the State General Fund, provides funds to assist political subdivisions of the state of Minnesota in the development of youth sports and recreation programs; and

Whereas, the City desires to support the Minneapolis Park and Recreation Board's proposal to provide free passes for the North Commons Pool to be earned by youth who have performed community services;

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

That the estimated total cost of developing said program shall be \$7,500 and the City is requesting \$5,000 from the State General Fund; and

That the proper City officers are authorized and directed to execute said application and serve as the official liaison with the MASC.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes,
President of Council.

Approved December 18, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-428
By Campbell

Authorizing submission of an application to the State of Minnesota Amateur Sports Commission for the Park and Recreation Board Jackson Square Park Basketball Court Project.

Whereas, the Minnesota Amateur Sports Commission (MASC), via the State General Fund, provides funds to assist political subdivisions of the state of Minnesota in the development of youth sports and recreation programs; and

Whereas, the City desires to support the Minneapolis Park and Recreation Board's proposal to replace and upgrade the outdoor full-court basketball court at Jackson Square Park;

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

That the estimated total cost of developing said program shall be \$40,000 and the City is requesting \$20,000 from the State General Fund; and

That the proper City officers are authorized and directed to execute said application and serve as the official liaison with the MASC.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes,
President of Council.

Approved December 18, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-429
By Campbell

Authorizing submission of an application to the State of Minnesota Amateur Sports Commission for the Park and Recreation Board Life Guard Training Program.

Whereas, the Minnesota Amateur Sports Commission (MASC), via the State General Fund, provides funds to assist political subdivisions of the state of Minnesota in the development of youth sports and recreation programs; and

Whereas, the City desires to support the Minneapolis Park and Recreation Board's proposal to provide life guard training to 20 youth from at-risk neighborhoods;

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

That the estimated total cost of developing said program shall be \$2,400 and the City is requesting \$2,400 from the State General Fund; and

That the proper City officers are authorized and directed to execute said application and serve as the official liaison with the MASC.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.
Approved December 18, 1997. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 97R-430
By Campbell

Authorizing submission of an application to the State of Minnesota Amateur Sports Commission for the Park and Recreation Board Girls' Golf Program.

Whereas, the Minnesota Amateur Sports Commission (MASC), via the State General Fund, provides funds to assist political subdivisions of the state of Minnesota in the development of youth sports and recreation programs; and

Whereas, the City desires to support the Minneapolis Park and Recreation Board's proposal for a girls' golf program;

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

That the estimated total cost of developing said program shall be \$5,000 and the City is requesting \$3,334 from the State General Fund; and

That the proper City officers are authorized and directed to execute said application and serve as the official liaison with the MASC.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends passage of the accompanying amendment to the Salary Ordinance establishing new salary rates for the following positions, based on a study of the positions conducted by the Department of Human Resources:

- a) Crime Prevention Specialist
- b) Crime Prevention Supervisor; and
- c) Manager, Crime Prevention.

ORDINANCE 97-Or-096
By Campbell
1st & 2nd Readings: 12/12/97

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

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

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

AFSCME Local 9 (C009)

Effective November 21, 1996

FLSA	OTC	Classification	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
Add									
E	4	Crime Prevention Specialist	1265	1328	1394	1464	1537	1614	1695
Delete		Crime Prevention Specialist I							

Mpls City Supervisor's Assn (MCSA)

Effective April 25, 1997

FLSA	OTC	Classification	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
Add									
E	4	Crime Prevention Supervisor	1390	1450	1533	1610	1690	1774	1864
Delete		Crime Prevention Specialist II							

Non-Represented (NREP)

Effective April 25, 1997

FLSA	OTC	Classification	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
Add									
E	4	Manager, Crime Prevention	1555	1633	1715	1801	1891	1986	2085
Delete		Crime Prevention Specialist III							

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends passage of the accompanying amendment to the Salary Ordinance establishing the salary for the two reclassified positions of Residential Meter Service Worker and Commercial Service Worker, based on a study of the positions conducted by the Department of Human Resources.

ORDINANCE 97-Or-097

By Campbell

1st & 2nd Readings: 12/12/97

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

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

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Water Works Maintenance - Plumbers Local 15

Effective January 1, 1997

FLSA	OTC	Classification	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
Add									
N	3	Residential Meter Service Worker	1042	1094	1149	1206	1266	1329	1395
N	3	Commercial Service Worker	1081	1135	1192	1252	1315	1381	1450
Delete		Water Meter Reader I							
		Water Meter Reader II							
		Water Meter Repair Worker I							
		Water Meter Repair Worker II							

Provided that employees certified to the title of Water Meter Repair Worker I prior to January 1, 1997 move to step seven of the salary scale for Residential Meter Service Worker on January 1, 1997, and that employees certified to the title of Water Meter Repair Worker II on January 1, 1997 move to step seven of Commercial Meter Service Worker on January 1, 1997.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends passage of the accompanying amendment to the Salary Ordinance adjusting the salary range for the position of Inspector, Housing II, based on the recommendation of the Department of Human Resources.

ORDINANCE 97-Or-098

By Campbell

1st & 2nd Readings: 12/12/97

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

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

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

AFSCME Local 9 (COO9)

Effective May 12, 1996

FLSA	OTC	Classification	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
Add									
N	3	Inspector, Housing II (after 5/12/96)	1401	1471	1544	1621	1702	1788	1877

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes:

AFSCME Local 9 (COO9)

Effective October 16, 1996

FLSA	OTC	Classification	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
Add									
N	3	Inspector, Housing II (after 10/16/96)	1429	1500	1575	1653	1736	1824	1915

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends passage of the accompanying amendment to the Salary Ordinance establishing the salary for the reclassified position of Draftsman/Construction Inspector, based on a study of the position conducted by the Department of Human Resources.

ORDINANCE 97-Or-099

By Campbell

1st & 2nd Readings: 12/12/97

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

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

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

AFSCME Local 9 (COO9)

Effective December 19, 1996

FLSA	OTC	Classification	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
Add									
N	3	Draftsman/ Construction Inspector	1230	1292	1357	1425	1497	1572	1651

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 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 a Request for Proposals (RFP) seeking Managed Care Organization/Preferred Provider Organization for the City workers' compensation medical services and/or an occupational health clinic for employment services.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee, having under consideration a request of the City Attorney for clarification of the report passed by the City Council on November 21, 1997, and approved by the Mayor on November 26, 1997, authorizing amendments to the City's contract with Kelber Catering, Inc. for catering services at the Minneapolis Convention Center, now recommends that the following language from that action be rescinded:

"e) That said contract renewal shall not include an additional automatic renewal feature at the terminus of the contract term."

Your Committee further recommends that all other actions authorized by said report shall remain as approved.

Minn moved that the report be referred back to the Ways & Means/Budget Committee. Seconded.

Lost upon a voice vote.

The report was adopted.

Yeas, 11; Nays 1 as follows:

Yeas - Mead, Herron, Schulstad, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, McDonald, Cherryhomes.

Nays - Minn.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee, to whom was referred back an ordinance establishing salary rates for City Council Members and the Mayor, now recommends passage of the accompanying amendment to the Salary Ordinance providing for a yearly percentage increase of 2% for the years 1998 through 2001,

with that increase to be reduced accordingly if the Consumer Price Index-Urban is less than 2% in any of those years.

Campbell moved that the report be postponed.
Seconded.

Adopted upon a voice vote.

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

Z&P - Your Committee, having under consideration the recommendation of the Planning Commission to deny the petition of Boyer Ford Trucks, Inc (#1185) to vacate Broadway Rd NE between Broadway and Taft Sts, Blocks 1, 2 and 4, Minneapolis Industrial District, to allow enlargement of their lot and bring greater visibility from Broadway St NE, now finds that said road is no longer needed for public travel and recommends that said petition be granted, subject to retention of easement rights by Minnegasco and the City of Minneapolis, by passage of the accompanying resolution, and upon condition of a signed private ingress/egress easement between the petitioner and Hub Manufacturing Company acceptable to both parties being implemented prior to City Council approval.

Dziedzic moved to amend the report by deleting all language following "and upon condition of" and inserting in lieu thereof the following language: "the creation and recording of an easement burdening the property of Boyer Ford Trucks, Inc and its successors and assigns, and benefiting the property of Hub Manufacturing Company, its successors and assigns.

Further, the City accepts the defense and indemnification offered by Boyer Ford Trucks, Inc subject to its acceptance by the City Attorney for content and form." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-431

By Scott

Vacating Broadway Road NE between Broadway Street and Taft Street, Blocks 1, 2 and 4, Minneapolis Industrial District.

Resolved by The City Council of The City of Minneapolis:

That all that part of Broadway Road NE and all of Taft Street NE from Broadway Street NE to Broadway Road is hereby vacated except that such vacation shall not affect the existing easement right and authority of Minnegasco and the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed streets which is described in regard to each of said corporations as follows, to wit:

As to Minnegasco: The east half of Taft Street Northeast lying north of Broadway Street Northeast and southerly of the plat of Minneapolis Industrial District;

As to the City of Minneapolis:

Taft Street - A 30 foot wide sewer easement, lying 15 feet east and west of the centerline of Taft Street NE, extending along said centerline and its northerly extension, from the north line of Broadway Street NE to a point 15 feet north of the centerline of Broadway Road NE;

Broadway Road - A 30 foot wide watermain easement, being 4 feet southeasterly and 26 feet northwesterly of the centerline of Broadway Road NE, extending along said centerline, from the north line of Broadway Street NE to a point 40 feet northeasterly of the northerly extension of the centerline of Taft Street NE;

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 corporation 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 streets upon or within the above-described areas without first obtaining the written approval of the corporation 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 the other corporation, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if these streets had not been vacated.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the petition of Steve Goldetsky and Pamela Herder (#1209) to vacate part of the alley in the block bounded by W 43rd & 44th Sts and Abbott & Beard Aves 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, Paragon Cablesystem and US West, by passage of the accompanying resolution.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-432

By Scott

Vacating part of the alley in the block bounded by West 43rd and 44th Streets, and Abbott and Beard Avenues South.

Resolved by The City Council of The City of Minneapolis:

That all that part the alley dedicated in the plat of Harriet Addition which lies South of the westerly extension of the south line of the north 10 feet of Lot 8 in said addition is hereby vacated except that such vacation shall not affect the existing easement right and authority of Northern States Power Company, US West and Paragon Cablesystem, 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 Paragon Cablesystem, the easterly 10' of the alley;

As to US West, all 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 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 having utility facilities located within the area involved authorizing them to do so.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends concurrence in the recommendation of the Planning Commission denying the petition of Debra Cottone, William Brooks III, Robert & Cinda Collins and Lynn Vaughan (#1189) to vacate the alley between Cedar Lake Pkwy and Kenilworth Lagoon to allow preservation of the existing landscape screen and other homeowner amenities on Benton Blvd.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends concurrence in the recommendation of the Planning Commission granting the petition of Allina Health System (P-1024) to rezone property at 2805 and 2813 Chicago Av S from R6 and R2B to the B3C-4 District to allow a mixed use development to be located on the Sears site, and that the accompanying amendment to the Zoning Ordinance be passed (63722).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-100

By Scott

1st & 2nd Readings: 12/12/97

Amending Title 20, Chapter 536 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 536.20 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of the West 82 ft of Lot 31 (2805 Chicago Av - Plate 26); and Lot 28, all in Block 4, Avery's Chicago Av Addition to Minneapolis (2813 Chicago Av - Plate 26) to the B3C-4 District.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997. J. Cherryhomes, President of Council.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, to whom was referred ordinances amending Title 20 of the Minneapolis Code of Ordinances to permit stadiums, arenas, auditoriums, museums and interpretive centers in the RC and T zoning districts, now recommends that the following ordinances be denied and returned to author:

Amending Chapter 552 relating to Zoning Code: RC Riverfront Commercial District;

Amending Chapter 571 relating to Zoning Code: Minnesota Technology Corridor Research and Development District (T).

Scott moved to amend the report by deleting the language "denied and returned to author" and inserting in lieu thereof, "given their second reading for amendment and passage." Seconded.

Adopted upon a voice vote.

Minn moved to amend Chapters 552 and 571 by deleting the word "stadiums" wherever it appears therein. Seconded.

Lost. Yeas, 3; Nays, 9 as follows:

Yeas - Niland, McDonald, Minn.

Nays - Mead, Scott, Schulstad, Rainville, Dziedzic, Thurber, Campbell, Biernat, Cherryhomes.

Absent - Herron.

The report, as amended, was adopted.

Yeas, 10; Nays, 2 as follows:

Yeas - Mead, Scott, Schulstad, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, Cherryhomes.

Nays - McDonald, Minn.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-101
By Campbell and Scott
Intro & 1st Reading: 10/24/97
Ref to: Z&P
2nd Reading: 12/12/97

Amending Title 20, Chapter 552 of the Minneapolis Code of Ordinances relating to Zoning Code: RC Riverfront Commercial District.

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

Section 1. That Section 552.40 (4) of the above-entitled ordinance be amended to read as follows:

552.40. Conditions governing permitted uses. Uses permitted in the RC District are subject to the following conditions:

(4) All applications for commercial development must provide for residential development at a density of not less than one unit per one thousand two hundred (1,200) square feet of lot area subject to the provisions of section 550.350, residential development transfer banking. Applications for stadiums, auditoriums, arenas, museums or interpretive centers are not governed by this requirement.

Section 2. That Section 552.120 of the above-entitled ordinance be amended by adding thereto subdivisions (4) and (5) to read as follows:

552.120. Permitted uses. In addition to any use permitted in the B3S District the following uses are permitted in the RC District:

(4) Stadiums, auditoriums, arenas - open or enclosed.

(5) Museums, interpretive centers.

Section 3. That Section 552.240 of the above-entitled ordinance be amended by adding thereto subdivisions (5) and (6) to read as follows:

552.240. Off-street parking.

(5) Stadiums, auditoriums, arenas: No parking.

(6) Museums, interpretive centers: One (1) parking space shall be provided for each eight hundred (800) square feet of gross floor area.

Adopted. Yeas, 10; Nays, 2 as follows:

Yeas - Mead, Scott, Schulstad, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niand, Cherryhomes.
Nays - McDonald, Minn.
Absent - Herron.
Passed December 12, 1997. J. Cherryhomes, President of Council.
Approved December 18, 1997. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-102
By Campbell and Scott
Intro & 1st Reading: 10/24/97
Ref to: Z&P
2nd Reading: 12/12/97

Amending Title 20, Chapter 571 of the Minneapolis Code of Ordinances relating to Zoning Code: Minnesota Technology Corridor Research and Development District (T).

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

Section 1. That Section 571.20 of the above-entitled ordinance be amended by adding thereto subdivisions (7) and (8) to read as follows:

571.20. Permitted uses. The following uses are permitted in the (T) Minnesota Technology Corridor, Research and Development District:

(7) Stadiums, auditoriums, arenas - open or enclosed.

(8) Museums, interpretive center.

Section 2. That Section 571.140 of the above-entitled ordinance be amended to read as follows:

571.140. Off-street parking. Off-street parking uses in the (T) Minnesota Technology Corridor shall be three (3) spaces per one thousand (1,000) square feet of net leasable area. This requirement does not include stadiums, auditoriums, arenas, museums or interpretive centers. Parking may be provided within the Technology Corridor District up to five hundred (500) feet from the main entrance of the principal use. Parking shall further be provided in accordance with regulations specified in Chapter 528 of the zoning code. Off-street parking for the following uses are as follows:

(1) Stadiums, auditoriums, arenas: Open or enclosed, no parking required.

(2) Museums, interpretive center: One (1) parking space shall be provided for each eight hundred (800) square feet of gross floor area.

Adopted. Yeas, 10; Nays, 2 as follows:

Yeas - Mead, Scott, Schulstad, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, Cherryhomes.
Nays - McDonald, Minn.
Absent - Herron.
Passed December 12, 1997. J. Cherryhomes, President of Council.
Approved December 18, 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) Ida Miller: Appl to extend the existing bedroom (presently 8'-8" X 9'-10") by adding 6' to the south; adjoining the east wall of the sun porch to within 2' of the front edge at 3420 E 55th St (#1997-236);

b) Robert Poehling: Appl to continue construction work on the Van Dusen Mansion's carriage house at 1900 LaSalle Av until January 31, 1998, prior to parking variance approval by the Board of Adjustment (#1997-245).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends granting the application of Suburban Lighting, Inc for a special permit to install two 20 square foot "Conoco" canopy signs and one 76 square foot freestanding sign at 5601 Xerxes Av S (#1997-210).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the environmental review process for the Sears Lake Center, the redevelopment of the former Sears building and surrounding property generally bounded by Lake St S, Chicago Av S, 28th St S and 11th Av S, now recommends -

a) That development of an Environmental Impact Statement not be ordered; therefore making a negative declaration;

b) Adoption of the "Findings of Fact and Record of Decision" report as contained in Petn No 263340.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

REPORT OF SPECIAL COMMITTEE

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

Comm of the Whole - Your Committee rises and reports that it has under consideration the Action Plan (Petn No 263341) for redevelopment of the Sumner Field, Glenwood, Lyndale and Olson Public Housing Developments and adjacent land in Minneapolis in accordance with *Hollman vs. Cisneros* Consent Decrees. Your committee, having received presentations from the Minneapolis Public Housing Authority (MPHA) and the Minneapolis Community Development Agency (MCDA) and written and oral objections and statements regarding the Action Plan, and having held a meeting that was open to the public, now recommends that the proposed Action Plan be adopted.

Cherryhomes moved to substitute the following report for the above report. Seconded. Adopted upon a voice vote.

Comm of the Whole - Your Committee rises and reports that it has under consideration draft 4 of the Action Plan for redevelopment of the Sumner Field, Glenwood, Lyndale and Olson Public Housing Developments and adjacent land in Minneapolis (Petn No 263341), in accordance with the *Hollman vs. Cisneros* Consent Decree. Your committee received presentations from the Minneapolis Public Housing Authority (MPHA) and the Minneapolis Community Development Agency (MCDA), all written and oral objections and statements regarding the Action Plan, and related documents and communications (Petn No 263341), and having held a meeting that was open to the public, now recommends that draft 4 of the proposed Action Plan be adopted as the Action Plan with the following amendments:

(1) In all locations throughout the document — strike the following phrase that refers to housing ratios: "25% public housing, 25% will be for

moderate-income homeowners and renters and 50% will be market-rate". Substitute the following language: "25% public housing and 75% market-rate housing, with no cap on the prices of the market-rate housing".

(2) That in page 12 of the Action Plan, instead of "will" be part of the City's larger park system, connecting to the network of trails to the south, the language shall be changed to "may" be part of the City's larger park system connecting to the network of trails to the south.

(3) In all locations throughout the document — strike all references to rental housing in descriptions of housing types, except for the public housing portion of the development.

(4) In Section IV.E — Selection of Housing Developer — add language that the housing developer be approved through the regular City Council process. Further, the MCDA shall be lead agency for all development activities described in the Action Plan. In undertaking these activities, the MCDA shall consult as appropriate with MPHA and other affected agencies.

(5) That in the Action Plan report the commercial development will depend upon the income mix of the owners of the new units.

(6) Insert as an introductory clause to the Narrative section in Development Elements: Mixed-Income Housing the following language — "MPHA and MCDA will make land available for development. It is expected that . . ." (continue with the remainder of the narrative).

(7) In all locations throughout the document — strike references that the Action Plan area **will** contain social services. Substitute the following language: the Action Plan area **may** contain social services.

(8) That on page 38 of the Action Plan a more definite time line shall be placed in the Action Plan.

(9) That the Action Plan (Petn No 263341) is found on pages 1-45 of the larger two volume report prepared by the MPHA. All other portions of the two volume report distributed by MPHA are supplemental reference material and are not part of the Action Plan itself.

(10) That a final paragraph be added to the end of the 45-page Action Plan and included in that Action Plan. The proposed language shall be as follows:

Implementation of certain components of this Action Plan depends upon factors partly or wholly beyond the control of the Minneapolis Defendants. These factors include, but are not necessarily

limited to, the availability of tax increment financing and other funding to be provided by the City or MCDA; the securing of funding from private or other governmental sources; the approval, participation or other cooperation of other governmental units; and the involvement of private developers. With respect to these factors, the obligation of the Minneapolis Defendants to implement this Action Plan is limited to their use of reasonable efforts. The Minneapolis Defendants will use reasonable efforts to secure all necessary funding, to obtain all necessary involvement of the private sector and other governmental entities, and to otherwise achieve the goals of the Action Plan. The Minneapolis Defendants shall otherwise have no obligation to implement any component of this Action Plan that depends in whole or in part upon any funding not yet available to, and approved by, the City or MCDA; outside funding sources, whether public or private; or the actions of private persons or other governmental units. The Action Plan is not intended to create, and should not be construed as creating, any such obligation. In each and every instance in which this Action Plan provides for any action that depends in whole or in part upon any future funding, or upon any participation or cooperation by a person or entity other than the Minneapolis Defendants, implementation of that part of the Action Plan is contingent upon obtaining such funding, participation or cooperation.

Your Committee further recommends that staff be directed to amend the draft action plan consistent with the proposals outlined herein, and that final Action Plan be transmitted to all interested parties, the public and the Federal District Court.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

MOTIONS

Campbell moved concurrence in the reports received from the City Attorney (Petn No 263344) recommending payment of worker' compensation to various employees and to the State Fund, and for payment of bills and professional services rendered claimants or employees injured on the job. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Campbell, Chair of the Ways & Means/Budget Committee, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of January 1998 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 18, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Cherryhomes moves to approve the application of Arkay Construction for a special permit to obtain necessary building permits to begin construction on footings and foundation only for the new Hale School at 1601 Aldrich Av N prior to approval of location and design review (#1997-250). Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed December 12, 1997.

Approved December 12, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 16, 1997).

Mead moved to refer the subject matter of a Resolution relating to equal opportunity ownership in the FM commercial radio market to the Intergovernmental Relations Committee. Seconded.

Adopted upon a voice vote.

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 and 14 to allow the City to enact moratoria, etc; Authorize summary publication.

Biernat moved to continue postponement. Seconded.

Adopted upon a voice vote.

NEW BUSINESS

Scott offered the following Ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to **Zoning Code**, which were given their first reading and referred to the Zoning & Planning Committee (Amending floodplain regulations) amending the following:

- a) Chapter 522, **In General**;
- b) Chapter 525, **Administration and Enforcement**;
- c) Chapter 525, **Administration and Enforcement** (Repeal Section 525.300)
- d) Chapter 531, **Nonconforming Uses and Structures**;
- e) Chapter 543, **Floodplain Districts**, deleting this Chapter;
- f) Chapter 543, **Floodplain Districts**, adding new Chapter.

Scott offered the following Ordinances amending Title 22, Chapter 598 of the Minneapolis Code of Ordinances relating to **Land Subdivision: Land Subdivision Regulations**, which was given its first reading and referred to the Zoning & Planning Committee (Amending floodplain regulations).

Campbell offered Ordinances amending Title 2, Chapter 14 of the Minneapolis Code of Ordinances relating to **Administration: In General**, which was given its first reading and referred to the Ways & Means/Budget Committee (Repealing Section 14.70 and adding a new Section 14.70 relating to a performance and fidelity bond for City officers and employees).

Scott and McDonald offered an Ordinance amending Title 17, Chapter 427 of the Minneapolis Code of Ordinances relating to **Streets and Sidewalks: In General**, which was given its first reading and referred to the Transportation & Public Works Committee (Re railroads blocking bike trails/paths).

Campbell moved to adjourn. Seconded.
Adopted. Yeas, 12; Nays none.
Absent - Herron.
Adjourned.

MERRY KEEFE,
City Clerk.
97-11761