

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

December 17, 1999

(Published Tuesday, December 28, 1999,
in Finance and Commerce)

Council Chamber
Minneapolis, Minnesota
December 17, 1999 - 9:30 a.m.

President Cherryhomes in the Chair.

Present - Council Members Lane, Herron,
Johnson, Thurber, Ostrow, Campbell, Biernat,
Niland, Goodman, Colvin Roy, McDonald, Mead,
President Cherryhomes.

Campbell moved acceptance of the minutes of
the regular meeting of November 24, and the
adjourned sessions held December 6 and 9, 1999.
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

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (265417)

Tax-exempt Bonding Authority: Resolution
authorizing carry forward of unused 1999 allocation
to 2000 for single family housing programs.

Tax Forfeited Land: Resolution classifying
approximately 27 properties as non-conservation
for various dispositions.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (265418)

Super Majority Vote for Land Transfers: Report
on consideration of whether the City can enter into
a contract to convey land with a simple majority
vote & thereafter be legally obligated to arrange for
super majority vote.

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

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (265419)

Upper Harbor River Terminal: Notification to
Koch Materials, Inc of City's intention to exercise
option to acquire asphalt facility & negotiate to
lease the site.

Radisson Leveraged Investment: Establishment
of new funds for existing leveraged investment set-
asides; approving transfer of residual equity &
establishment of new appropriations.

COORDINATOR (265420)

Resaleworld.com: Application for MN
Investment Funds to the MN Dept of Trade &
Economic Development.

NEIGHBORHOOD REVITALIZATION
PROGRAM (NRP) (265421)

Corcoran NRP: Approve use of Hennepin
County's "second 7.5%" NRP funds to support
senior needs programming.

Webber Camden NRP: Approve use of Hennepin
County's "second 7.5%" NRP funds to support
social service programming for families & children.

HEALTH AND HUMAN SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES
(265422)

Review of Research Projects Implemented in 1999.

HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES
(265423)

Child Health Assessment and Monitoring Project: Execute amendment #2 to contract with Mary Hourigan to extend performance period to assist with initial analysis of survey results.

Physician Services for School Based Clinic Program: Issue Fund Availability Notice to Hennepin Faculty Associates.

Healthy Start Project: Execute agreement with Minnesota Visiting Nurse Agency for public health nursing services.

HIV/AIDS Risk Reduction for High-Risk Youth: Issue Fund Availability Notice to Minneapolis Youth Diversion Program.

HEALTH AND FAMILY SUPPORT SERVICES
(265424)

Consulting Services: Execute amendment #3 to contract with Kathleen Amble increasing compensation to provide consultation on City's school health initiatives and Welcome Center, and nurse practitioner services for School Based Clinic Program.

Gay Lesbian Bisexual Transgender Host Home Program for Youth: Issue Fund Availability Notice to Minneapolis Youth Diversion Program for staff and program support bridge funding.

HEALTH AND FAMILY SUPPORT SERVICES
(265425)

Day Care Services: Rescind report passed April 23, 1999 authorizing two Fund Availability Notices to Greater Minneapolis Day Care Association; and Issue amended Fund Availability Notices for revised contract amounts in renovation and sliding fee funds.

Marketing and Media Consulting Services: Execute amendment #2 to contract with Parenteau Graves Communications increasing compensation and extending contract period for assistance with media campaigns, promotion of department research and policy activities and assistance with community forums.

Temporary Clerical Staff: Execute amendment #2 to contract with Accustaff Inc increasing compensation and extending contract period for temporary staffing as requested by Department.

HEALTH AND FAMILY SUPPORT SERVICES
(265426)

Health/Family Planning Services: Issue Fund Availability Notice to Planned Parenthood of Minnesota and South Dakota for family planning services to low income and at-risk women and outreach services to underserved and low income populations.

Family Planning Services: Issue Fund Availability Notice to Southside Community Health Services to provide services to low income and at-risk women.

Construction Cluster Training and Placement Program: Issue Fund Availability Notice to Summit Academy OIC to serve 24 residents.

Job Placement Services: Execute Master Contract with Women Venture and issue Fund Availability Notice to place 30 women in non-traditional jobs.

HEALTH AND FAMILY SUPPORT SERVICES
(265427)

Northside Weed and Seed Safe Haven Program: Issue Fund Availability Notice to North Commons YMCA for equipment and supplies.

Prenatal Services: Execute agreement with Minnesota Indian Women's Resource Center to provide services targeting at-risk women in American Indian community.

McKnight Welfare to Work Program: Modify amounts and time of performance of McKnight Welfare to Work Fund Availability Notices to provide bridge funding until Phase 2 funding is awarded in 2000.

Welfare to Work: Execute contract with Hennepin County Department of Community Corrections to provide employment and training services for eligible offenders to be trained in basic carpentry skills.

HEALTH AND FAMILY SUPPORT SERVICES
(265428)

Teacher Inservice Training: Issue Fund Availability Notice to Minneapolis Public Schools to receive training regarding methamphetamine use in community.

Curfew Truancy Center: Execute amendment #4 to contract with Police Athletic League to increase compensation and extend time of performance; and Issue Fund Availability Notice to Minneapolis Urban League.

School Based Clinics: Execute amendment #2 to contract with Incompass Inc to provide staff training to complete data collection system.

Head Start Services: Rescind report passed April 23, 1999 authorizing a Fund Availability

Notice to Parents in Community Action; and Issue amended Fund Availability Notice for revised contract amount.

MAYOR (265429)

Minneapolis Advisory Committee on Drug and Alcohol Problems: Approve appointment/reappointments for terms expiring July 1, 2001 — Osei Akoto; Dan Cain; Howard Epstein; Mary Hoopman; Vivian Klauber; Jaime Martinez; Kimberly Muellner; Rita Pelecis; and Waive residency requirement for Dan Cain, Kimberly Muellner and Osei Akoto.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (265430)

Girls Respecting Ourselves and Relationships (Girls ROAR) Project: Accept grant award from Prevention Alliance for the Girls to target at-risk adolescent women in Minneapolis Public Schools who are at risk for self-destructive behavior; and Approve appropriation.

Director of Research: Approve second step salary rate of the appointed pay schedule for Fritz Ohnsorg.

Welcome Center: Execute contract with Minneapolis Public Schools for receipt of funds for personnel costs.

LICENSES AND CONSUMER SERVICES (265431)

Lead Hazard Reduction: Execute addendum to agreement with Hennepin County 348-TOTS extending term of agreement, increasing budget, and changing payment for services to allow for greater flexibility in delivery of outreach and education services.

INTERGOVERNMENTAL RELATIONS:

INTERNATIONAL AFFAIRS OFFICE (265432)

Uppsala, Sweden: Sister City proposal.

MINNEAPOLIS FIREFIGHTERS RELIEF ASSOCIATION (265433)

Pension: Mpls Firefighters Relief Association: Short summary of 110% Supplemental Benefit Bill; Long summary of 110% Supplemental Benefit Bill; Report on Asset & Liability Modeling.

Mpls Finance Director: Proposed Policy Statement in event that MPRA/MFRA undo or fail to implement pension fund management practices consistent with professional fiduciary responsibilities.

INTERGOVERNMENTAL RELATIONS

(See Rep):

CHARTER COMMISSION (265434)

Charter: Letter of Transmittal recommending passage by 13-0 vote of Council of ordinance amending Chapter 8, Section 13 of Charter relating to Public Highways & Bridges, providing for sidewalk repair; Notice of public hearing.

COORDINATOR/LIAISON/FEDERAL, LOCAL AND STATE (265435)

North State Advisers: Authorize execute contract for Year 2000.

LIAISON/FEDERAL, LOCAL AND STATE (265436)

Legislative Agenda for Year 2000: Liaison/Federal, State & Local: Approve.

Legal Aid Society: Oppose amendments to Minn Human Rights Act limiting protections for subsidized tenants.

PUBLIC SAFETY AND REGULATORY

SERVICES:

EMERGENCY COMMUNICATIONS CENTER (ECC) (265437)

Presentation on Minneapolis Emergency Communications Center – Howgozit?

PUBLIC SAFETY AND REGULATORY

SERVICES (See Rep):

INSPECTIONS DEPARTMENT (265438)

Rental Dwelling Licenses: Ordinance amending Title 12, Chapter 244 of Code relating to Housing: Maintenance Code, to make ordinance more effective.

Raze: 1512 E 36th St; 2316 Lyndale Ave N; 716 N 31st Ave.

LICENSES AND CONSUMER SERVICES (265439)

Tax Delinquency: Revoke Wine & Strong Beer License held by Snoodles Twelve LLC, dba Snoodles, 1400 Nicollet Ave.

Licenses: Applications.

POLICE DEPARTMENT (265440)

Highway 55 - Hiawatha Corridor: Execute Joint Powers Agreement with State of Minnesota to facilitate reimbursement of expenses incurred for work performed by Minneapolis police officers.

PUBLIC SAFETY AND REGULATORY

SERVICES and WAYS & MEANS/BUDGET

(See Rep):

EMERGENCY PREPAREDNESS (265441)

Shelters for Citizens of Minneapolis in Times of Emergency: Execute agreement with

Minneapolis Chapter of American Red Cross to authorize use of Minneapolis shelters in event of natural or man-made disaster.

FIRE DEPARTMENT (265442)

Firefighter Cadet Training: Amend contract with Hennepin Technical College to provide training for class of 36 recruits; and Waive Request for Proposals requirement.

POLICE DEPARTMENT (265443)

Criminal Gang Strike Force: Accept grant award and execute agreement with State of Minnesota to provide funds for overtime for eight officers to serve on Strike Force in 2000 and 2001; and Approve 2000 appropriation.

Advanced Homicide Seminar: Accept registration fees for partial reimbursement of expenses incurred by Training Unit in hosting seminar; and Approve appropriation.

Year 2000 Juvenile Accountability Incentive Block Grant: Submit grant application to Minnesota Department of Economic Security seeking funds to be shared in partnership and coordinated through Hennepin County Criminal Justice Coordinating Committee to implement the Serious Habitual Offender Community Action Program (SHOCAP).

PURCHASING (265444)

Bid: OP #5255, accept low bid of Mattsen & Company for removal and disposal of hazardous and/or fallen trees.

PUBLIC SAFETY AND REGULATORY

SERVICES and ZONING AND PLANNING

(See Rep):

LICENSES AND CONSUMER SERVICES (265445)

Tires for Less (3011 3rd Ave S): Revoke Motor Vehicle Repair Garage License, due to non-compliance with site plan and conditional use permits.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (265446)

National Pollutant Discharge Elimination System: Update on Minnesota Pollution Control Agency permit process.

Tax Forfeited Land: List of current properties and notification that there are no parcels recommended for acquisition.

Traffic Restrictions: Quarterly report on stop signs, parking/turn restrictions, special zones, streetlights, etc.

TRANSPORTATION AND PUBLIC WORKS

(See Rep):

PUBLIC WORKS AND ENGINEERING (265447)

Steamed & Chilled Water Service for Municipal Parking Ramps: Agreement with Minneapolis Energy Center for the Courthouse and Hennepin at 10th St ramps.

Central Ave NE Street Lighting Project: Receive cost estimate, list of benefited properties and establish assessment procedure.

St. Anthony Parkway Bridge Project: Supplemental agreement to contract with Wiss, Janney, Elstner Associates for bridge feasibility study.

Hennepin County Routine Maintenance Agreement: Agreement for provision of maintenance services on various County routes.

Microtunneling Projects: Increase contract and purchase agreement for additional assistance and supplies for various flood mitigation projects.

Hiawatha Light Rail Transit: Master and Supplementary Cooperation Agreements; Resolution supporting grade separation at Lake St.

Water Management Organizations: Appointment of commissioners/alternates to Bassett Creek Water Management Organization and Shingle Creek Watershed Management Commission.

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

PUBLIC WORKS AND ENGINEERING (265448)

Uptown Streetscape Project: Supplemental agreement with Electric Service Company and final project payment.

Lake St at I-35W: Agreement with Hennepin County for cost participation study and design elements of access improvement project.

Cedar Lake Trail, Phase 3: Easement agreements with Burlington Northern Sante Fe Railroad and Investment Management, Inc.; Proceed with necessary vacation and exchange of land parcels.

PURCHASING (265449)

Bids: Accept OP #5201, only bid of Pierce Manufacturing, Inc. represented by Clarey's Safety Equipment for a heavy duty rescue vehicle; OP #5262, only bid of Duncan Industries Parking Control System Corporation for reloadable cash card vending machines.

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

PLANNING COMMISSION/DEPARTMENT
(265450)

Light Rail Transit Station Area Planning:
Contract with SRF Consulting, Inc. for master
planning services around stations at Cedar Riverside
and Franklin Ave.

WAYS AND MEANS BUDGET:

CONVENTION & VISITORS ASSOCIATION
OF GREATER MPLS (265451)

Greater Minneapolis Convention & Visitors
Association: Receive & File Third Quarter 1999
Quarterly Performance Report.

CONVENTION CENTER (265452)

Convention Center Expansion Project: Receive
& File change management actions.

Convention Center Expansion Project: Receive &
File construction schedule & budget.

FINANCE DEPARTMENT (265453)

Property & Evidence Room Special Review:
Receive & File report of payments to Police Relief
Association.

Travel Expenses: Receive & File Third Quarter
1999 Travel Expense Report.

PURCHASING (265454)

Staff Purchasing Letters: Receive & File.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (265455)

Sale of Metropolitan Centre Building: Tenant
Estoppel Certificate relating to City's leased office
space.

Settlement: Authorize payment to William M.
Weyer & attorney, \$7,000.

Settlement: Authorize payment to Medica
Choice, \$1,000, Alma Whitfield & attorney, \$37,500
and Bradley H. Ratgen, \$655.80.

CITY CLERK (265456)

Codification & Publication of Minneapolis
Charter and Code of Ordinances: Contract with
Municipal Code Corporation.

2000 Price Agreements: Establish w/U. S.
Postal Service, Anchor Paper (and successor
Hennepin County contractor) and Special School
District #1 Print Shop.

CONVENTION CENTER (265457)

Convention Center Sales & Marketing:
Amendment #2 to Contract w/GMCVA.

Convention Center Parking Facility: Change
Order #4 to Contract w/Knutson Construction
Services, Inc.

COORDINATOR (265458)

Metropolitan Council Livable Communities
Demonstration Grant: Agreement w/American
Indian Housing Corporation.

Metropolitan Council Livable Communities Act
Local Housing Incentives Account Grant:
Agreement w/Metropolitan Council, Memorandum
of Agreement w/MCDA.

COUNCIL MEMBER BIERNAT (265459)

Administrative Assistant Position: Grant 7th
Step Rate of Pay.

CULTURAL AFFAIRS (265460)

Funding for Arts Projects and Programs:
Concur w/Neighborhood Arts Program Advisory
Panel to provide Round 18 funding to 15
organizations.

HUMAN RESOURCES (265461)

Appointed Compensation: Pay increase for
Director of Employer/Employee Relations.

HUMAN RESOURCES (265462)

Policy for Performance Appraisals: Adopt.

Supervisor, Civil Rights Enforcement:
Reclassify & Salary Ordinance.

Complaint Investigation Officer: Reclassify &
Salary Ordinance.

Contract Compliance Officer: Reclassify &
Salary Ordinance.

Community Relations Coordinator: New
classification & Salary Ordinance.

RISK MANAGEMENT (265463)

Workers' Compensation Settlement:
Agreement w/James Oslund.

ZONING AND PLANNING:

INSPECTIONS/BOARD OF ADJUSTMENT
(265464)

US West Wireless, LLC: Board of Adjustment:
Delete from agenda an appeal from decision denying
appeal from Zoning Administrator's decision re
antenna on pole adjacent to 5440 Penn Ave S.

Attorney: Letter from Messerli & Kramer
acknowledging conditions under which
administrative review would be available to US
West Wireless for replacement of 29 utility poles.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (265465)

36th St W, 1412 (Hetherwood Construction)
frost footings for handicap access & room addition;
52nd St E, 1707 (Thomas & Janet Sass) home
addition; Oliver Ave N, 2631 (N Matthew Richardson)
front yard trellis.

COUNCIL MEMBER NILAND (265466)

Bratt, Walter: Reimburse application fees for nonconforming use & variance.

INSPECTIONS/BOARD OF ADJUSTMENT (265467)

Henderson, Lee H, 3420 46th Ave S: Grant appeal for front yard variation to allow addition to front of dwelling, with staff background report & recommendation, zoning maps, comments of Lee & Polly Henderson, Longfellow Community Council & neighbors, site plans, photos.

Thoresen, Kevin, 2729-31 E 25th St: Board of Adjustment: Appeal for non-conforming use certificate for a third dwelling unit, with staff background report & recommendation, maps, various records re continuous use, site plans, photos. Council Member Thurber: Recommend grant appeal

INSPECTIONS/ZONING ADMINISTRATOR (265468)

Gold Star Foods (Idriss Alnabi), 818 Lowry Ave N: Notice of public hearing to review site plan permit.

PLANNING COMMISSION/DEPARTMENT (265469)

Board of Adjustment: Reappoint Marissa Lasky. Master Civil & Construction Engineering, on behalf of Rio Bravo LLC: Approve application for 2 year extension of Interim Use Permit for parking lot at W River Road & 10th Ave S, with staff background report & recommendation, site plan, zoning map.

Kwik Mart (Dinesh & Rajesh Tandon), 3652 Cedar Ave S: Planning Commission/Dept: Appeal for front yard setback variance to allow parking, with staff background report & recommendation, minutes, zoning maps, site plans, photos. Council Member Thurber: Recommend grant appeal.

R T RYBAK (265470)

Planning Commission - Mayor's Appointment of Julie Idelkope: Rybak: Letter from Richard H. Anderson on role of Northwest Airlines in supporting Convention Center expansion; Comments of Mike Nelson, Paul M McCormick, Shelley McKay, Michael Boldaski, Frederick W Smith, Neal J Blanchett, Russell W Peterson, Judy L Meath, David Hinze, Wendy Williams, Susan Love, Martha Ingram, Carolyn Baldus, Donald Pine, Fred G Biener.

Richter, John: Fortune Magazine, "Best Cities for Business"; Market value & property county by selected LDN boundaries. Attorney: Comments.

MOTIONS (See Rep):

ATTORNEY (265471)

Workers Compensation: Authorize payments to City employees.

PLANNING COMMISSION/DEPARTMENT (265471.1)

Minneapolis Comprehensive Plan: Authorize letter to University of Minnesota regarding account for donations to develop the Minneapolis Urban Vision.

FILED:

CITY CLERK/SPECIAL PERMITS (265472)

27th St NE, 1509 (Gustavus Adolphus Lutheran Church) farm animals; 44th Ave N, 2201 (Ward Holasek) horses; Cedar Lake Pkwy, 2214 (Michele Gaten) horses for hayride; Dowling & James Aves N (Folwell Park) horses for hayride; Main St SE (Mpls Park & Recreation Bd) New Year's Eve fireworks; University Ave SE, 2515 (University Village) sign.

METROPOLITAN COUNCIL (265472.1)

Metropolitan Council: Livable Communities grant awards to the City of Minneapolis.

NORTHERN STATES POWER (NSP) (265473)

Utilities: Authorize placement of pole.

**REPORTS OF
STANDING COMMITTEES**

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

Comm Dev – Your Committee, having under consideration the unused portion of the 1999 tax-exempt bonding allocation, now recommends passage of the accompanying resolution authorizing the carry forward into 2000 the unused private activity bond volume cap, and that it be designated for single family housing programs.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 17, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 21, 1999)

RESOLUTION 99R-435

By Niland

Authorizing carryforward of unused private activity bond volume cap.

Whereas, the City of Minneapolis, Minnesota (the "City") is an "entitlement issuer" within the meaning of Minnesota Statutes, Section 474A.02, Subd. 7; and

Whereas, the City's entitlement allocation for 1999 under Minnesota Statutes, Chapter 474A.03, Subd. 2a(3) is \$21,398,000; and

Whereas, the City has heretofore used \$4,000,000 of its 1999 entitlement allocation for single family mortgage revenue bonds and \$7,790,000 of its 1999 entitlement allocation for multifamily mortgage revenue bonds; and

Whereas, the City may, under § 146(f) of the Internal Revenue Code of 1986, as amended, and under Minnesota Statutes, Chapter 474A, "carryforward" all or a portion of the City's unused entitlement allocation for the year 1999; and

Whereas, it is in the best interest of the public health, safety and welfare that the City "carryforward" for qualified mortgage bonds and/or mortgage credit certificates any part of its entitlement allocation which remains unused at the end of 1999;

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

1. That the City hereby elects to carryforward any part of the City's 1999 entitlement allocation awarded to the City pursuant to Minnesota Statutes, Chapter 474A which remains unused for the purposes of qualified mortgage bonds and/or mortgage credit certificates.

2. That the Executive Director of the Minneapolis Community Development Agency is hereby authorized and directed to execute and cause to be filed with the Internal Revenue Service a Form 8328 specifying the amount of entitlement allocation carried forward by the City from the year 1999, and further specifying that such amount be carried forward for the purposes of qualified mortgage bonds or mortgage credit certificates. A copy of said Form 8328 shall be provided to the Minnesota Department of Finance in accordance with Minnesota Statutes, Chapter 474A. The Form 8328 shall be filed with the Internal Revenue Service on or before December 31, 1999 and with the Minnesota Department of Finance on or before the last Monday in December, 1999.

3. That any amount carried forward for the purposes of qualified mortgage bonds and/or

mortgage credit certificates may be utilized by the Joint Board pursuant to the current single family housing finance program approved by the City pursuant to Minnesota Statutes, Chapter 462C. The proceeds of bonds or mortgage credit certificates issued by the Minneapolis/Saint Paul Housing Finance Board may be applied without regard to jurisdictional boundaries as provided in Minnesota Statutes, Section 462C.12, Subd. 3.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 17, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 21, 1999)

Comm Dev - Your Committee, having under consideration a review of tax-forfeited properties, now recommends passage of the accompanying resolution approving the classification of approximately 27 of those properties as non-conservation for various disposition, including withholding from public and private sale and conveyance to the Minneapolis Community Development Agency (MCDA), withholding from public and private sale, sale to other public agencies and release for public and/or private sale, as set forth in Petn No 265417.

Your Committee further recommends that the proper City officers be authorized to execute all necessary documents.

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

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Mead moved to amend the resolution by 1) removing the parcel at 5841-28th Ave S from the list to be designated as non-conservation land and withheld from public and private sale designated for sale to the Airport Commission to the list of properties to be held from public and private sale and held for one year for the MCDA; 2) removing the parcel at 4732 Bryant Ave S from the list to be designated as non-conservation land and released for public auction to the list of properties to be held from public and private sale and held for one year for the MCDA; and 3) removing the parcel at 2742 Queen Ave N from the list to be designated as non-conservation land and released for public auction to the list of properties withheld from public and private sale and conveyed to the MCDA. Seconded.

Adopted upon a voice vote.
The report, as amended, was adopted.
Yeas, 13; Nays none.
Passed December 17, 1999.
Approved December 23, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Resolution 99R-436, entitled "Approving the classification of certain forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non-conservation and the conveyance thereof," was passed December 17, 1999 by the City Council and approved December 23, 1999 by the Mayor.

It designates the following parcels as non-conservation land to be withheld from public and private sale and conveyed to the Minneapolis Community Development Agency (MCDA): 3231 - 15th Ave S, 3437 Chicago Ave, 3201 - 2nd Ave S, 3537 - 3rd Ave S, 4146 Humboldt Ave N (non-target), 3655 Penn Ave N (non-target), 2900 Morgan Ave N, 2424 Bryant Ave N, 2340 James Ave N, 2134 James Ave N, 1340 Morgan Ave N, 1832 Bryant Ave N, 1724 Fremont Ave N, 723 Queen Ave N, 2011 - 10th Ave S, 2640 - 17th Ave S, 2742 - 14th Ave S, 2636 Bloomington Ave, 2742 Queen Ave N.

It designates the property at 628-30 E Franklin Ave, which was previously classified as non-conservation and withheld from public auction for one year, be conveyed to the MCDA.

It designates the following properties that have not already been designated as non-conservation land be designated as such and be withheld from public and private sale and held for one year for the MCDA: 3724 Oakland Ave S, 2800 Bloomington Ave S, 5841 - 28th Ave S & 4732 Bryant Ave S.

It designates that the following parcels that have not already been designated as non-conservation land be designated as such and be released for public auction: 120 Malcolm Ave SE, 3040 - 17th Ave S, 3043 Grand Ave S, 4117 - 4th Ave S,. 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 99R-436
By Niland**

Approving the classification of certain forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non conservation and the conveyance thereof.

Whereas, the City Council of the City of Minneapolis, Hennepin County, Minnesota, has been advised by the County of Hennepin, Minnesota, that certain parcels of land in said City have become the property of the State of Minnesota under the provision of law declaring the forfeiture of lands to the State for nonpayment of taxes;

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

That the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below be withheld from public and private sale and conveyed to the Minneapolis Community Development Agency (MCDA):

TAX FORFEITED PROPERTIES TO BE ACQUIRED BY THE MCDA

PIN NUMBER	ADDRESS	FORFEIT DATE	LEGAL DESCRIPTION
02-028-24-13-0025	3231 – 15 th Ave S	8/19/99	SOUTH 20 FEET OF LOT 11, BLOCK 9 AND THE NORTH 20 FEET OF LOT 20, BLOCK 12 WILLIAM'S ADDITION TO MINNEAPOLIS

DECEMBER 17, 1999

02-028-24-31-0186	3437 Chicago Ave	8/19/99	LOT 11, BLOCK 4 PORTERFIELD'S ADDITION TO MINNEAPOLIS
03-028-24-13-0027	3201 – 2 nd Ave S	7/15/99	LOT 26, BLOCK 9 BAKER'S 2 ND ADDITION TO MINNEAPOLIS
03-028-24-41-0091	3537 – 3 rd Ave S	7/15/99	LOT 19, BLOCK 5 CLINTON AVENUE ADDITION TO MINNEAPOLIS
04-029-24-12-0143	4146 Humboldt Ave N NON-TARGET	8/19/99	THAT PART OF LOT 25 AND 26 LYING SOUTHEASTERLY OF A LINE RUNNING FROM A POINT IN THE WEST LINE OF LOT 25 DISTANCE 13 FEET SOUTH FROM THE NORTHWEST CORNER TO A POINT IN THE NORTH LINE DISTANCE 20 FEET EAST FROM NORTHWEST CORNER THEREOF THENCE DEFLECTING TO THE LEFT FROM THE NORTH LINE THEREOF 34 DEGREES 12 MINUTES A DISTANCE OF 58.07 FEET THENCE DEFLECTING TO THE RIGHT 11 DEGREES 51 MINUTES A DISTANCE OF 53 9/10 FEET TO A POINT IN THE NORTH LINE OF LOT 26 DISTANCE 9 25/100 FEET WEST FROM NORTHEAST CORNER THEREOF, BLOCK 7 WYOMING PART ADDITION TO MINNEAPOLIS
05-029-24-44-0002	3655 Penn Ave N NON-TARGET	7/15/99	EAST 87 FEET OF LOT 1, BLOCK 1 "OAK WOOD" ADDITION TO MINNEAPOLIS
09-029-24-32-0008	2900 Morgan Ave N	9/16/99	LOT 8, BLOCK 1 FOREST PARK ADDITION TO MINNEAPOLIS
16-029-24-11-0091	2424 Bryant Ave N	8/19/99	LOT 14, BLOCK 13 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS
16-029-24-21-0107	2340 James Ave N	7/15/99	LOT 22, BLOCK 9 "FOREST HEIGHTS"
16-029-24-23-0010	2134 James Ave N	7/15/99	LOT 15, BLOCK 18 "FOREST HEIGHTS"
16-029-24-33-0230	1340 Morgan Ave N	7/15/99	THAT PART OF LOT 29 LYING SOUTH OF NORTH 20 FEET THEREOF LOT 29, BLOCK 5 "ROSEDALE PARK"

DECEMBER 17, 1999

16-029-24-41-0077	1832 Bryant Ave N	7/15/99	NORTH 29 FEET OF SOUTH 58 FEET LOT 1, BLOCK 42 SHERBURNE AND BEEBE'S ADDITION TO MINNEAPOLIS M.T.
16-029-24-42-0095	1724 Fremont Ave N	8/19/99	WEST 104.92 FEET LOT 14, BLOCK 16 "GALES SUBDIVISIONS IN SHERBURNE & BEBEE'S ADDITION TO MINNEAPOLIS"
20-029-24-14-0127	723 Queen Ave N	7/15/99	LOT 2, BLOCK 2 FLETCHER AND LORING'S ADDITION TO MINNEAPOLIS
35-029-24-21-0055	2011 – 10 th Ave S	6/17/99	NORTH 56 FEET OF LOT 7 AND NORTH 51 ½ FEET OF WEST ½ OF LOT 8, LOTS 7 AND 8 BLOCK 2 "HERRICK'S ADDITION TO MINNEAPOLIS"
35-029-24-41-0199	2640 – 17 th Ave S	8/19/99	SOUTH ½ LOT 9, BLOCK 2 SYLVESTER MILLS' ADDITION TO MINNEAPOLIS
35-029-24-42-0223	2742 – 14 th Ave S	7/15/99	EAST 75 92/100 FEET OF LOT 5, BLOCK 9 WRIGHT'S ADDITION TO MINNEAPOLIS
35-029-24-42-0297	2636 Bloomington Ave	7/15/99	LOT 3 ST. DENNIS ADDITION TO MINNEAPOLIS
08-029-24-44-0190	2742 Queen Ave N	7/15/99	LOT 26, BLOCK 3 "PENN AVENUE ADDITION TO MINNEAPOLIS"

The following property is being recommended for conveyance to the MCDA that was previously classified as non-conservation and withheld from public auction for one year.

26-029-24-33-0076	628-30 E Franklin Ave	5/21/98	LOT 8 AND WEST 10 FEET OF LOT 9 "HAMLIN'S ADDITION TO MINNEAPOLIS"
-------------------	-----------------------	---------	--

Be It Further Resolved that the parcels located at 3724 Oakland Ave S, PID # 02-028-24-33-0206; 2800 Bloomington Ave S, PID # 35-029-24-43-0053; 5841 - 28TH Ave S, PID # 24-028-24-41-0005; and 4732 Bryant Ave S, PID # 16-028-24-11-0140, which have not already been designated as non-conservation land be designated as such. Also, that the properties be withheld from public and private sale and held for one year for the MCDA.

Be It Further Resolved that the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below be released for public auction.

PID Number	Address
30-029-23-42-0053	120 Malcolm Ave SE
02-028-24-11-0142	3040 – 17 th Ave S
03-028-24-22-0013	3043 Grand Ave S
10-028-24-14-0145	4117 – 4 th Ave S

Be It Further Resolved that this matter be referred to the MCDA for authorization to submit an application to the Commissioner of Revenue and the County of Hennepin for the purchase of those properties located in non-target areas and conveyance of said property located in target areas pursuant to the provisions of Minnesota Statutes 282.01, Subd. 1 and Subd. 1a, as amended by Laws 1990, Chapter 604, Article 3, Section 37.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. 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 submittal of an application by the City, on behalf of Resaleworld.com, to the Minnesota Department of Trade and Economic Development for Minnesota Investment Funds in the amount of \$250,000, and having held a public hearing thereon, now recommends that the proper City officers be authorized to submit said application, as more fully set forth in Petn No 265420.

Your Committee further recommends passage of the accompanying resolution of local government support for the project.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-437
By Niland and Campbell

Authorizing submission of a Business and Community Development application to the Minnesota Department of Trade and Economic Development on behalf of Resaleworld.com, and execution of subsequent agreements.

Resolved by The City Council of The City of Minneapolis:

1. That the City of Minneapolis act as the legal sponsor for project contained in the Business and Community Development Application to be

submitted on December 17, 1999 and that the proper City officers of the City of Minneapolis are hereby authorized by Mayor Sharon Sayles Belton and Council President Jackie Cherryhomes to apply to the Minnesota Department of Trade and Economic Development for funding of this project on behalf of Resaleworld.com.

2. That the City of Minneapolis has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

3. That the City of Minneapolis has not incurred any costs and has not entered into any written agreements to purchase property.

4. That the City of Minneapolis has not violated any Federal, State, or local laws pertaining to fraud, bribery, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

5. That upon approval of its application by the state, the City of Minneapolis may enter into an agreement with the State of Minnesota for the above-referenced project, and that the City of Minneapolis certifies that it will comply with all applicable laws and regulations as stated in all contract agreements and described on the Compliances Section (FP-20) of the Business and Community Development Application.

6. That the City of Minneapolis has obtained credit reports and credit information from Resaleworld.com and Eric Beringnause. Upon review by City of Minneapolis and Applicant's Legal Counsel, no adverse findings or concerns regarding, but not limited to, tax liens, judgements, court actions, and filings with state, federal and other regulatory agencies were identified. Failure to disclose any such adverse information could result in revocation or other legal action.

7. That the proper City officers are hereby authorized by Mayor Sharon Sayles Belton and Council President Jackie Cherryhomes to execute such agreements, and amendments thereto, as are necessary to implement the project on behalf of the applicant.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the City's

option to acquire the asphalt facilities at the Upper River Harbor Terminal from Koch Materials, Inc, now recommends that the proper City and/or Minneapolis Community Development Agency officers be authorized to notify Koch Materials, Inc that the City intends to exercise its option to acquire the asphalt handling and storage facilities as described in the operating agreement between the City and Koch dated November 10, 1988, and to initiate negotiations with Koch Materials, Inc for its lease of subject asphalt facility, as more fully set forth in Petn No 265419.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget-Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of Hennepin County's "second 7.5%" NRP funds in the amount of \$31,000 to support senior needs programming in the Corcoran neighborhood being developed as part of the Corcoran NRP Action Plan, now recommends:

1. Approval of the use of Hennepin County's "second 7.5%" NRP funds for said purpose;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$31,000;

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 transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (Petn No 265421).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-438
By Niland and Campbell

Amending The 1999 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 CNR0 -

NRP Program by \$31,000 from projected fund balance.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget-Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of Hennepin County's "second 7.5%" NRP funds in the amount of \$39,000 to support social service programming for families and children in the Webber Camden neighborhood being developed as part of the Webber Camden NRP Action Plan, now recommends:

1. Approval of the use of Hennepin County's "second 7.5%" NRP funds for said purpose;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$39,000;

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 transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (Petn No 265421).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-439
By Niland and Campbell

Amending The 1999 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 CNR0 - NRP Program by \$39,000 from projected fund balance.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the reinvestment strategy for funds received from the early repayment of the Radisson Plaza VII Development Account and UDAG loans, set forth in Petn No 265419, now recommends:

a) Passage of the accompanying resolution establishing a 1999 appropriation in Fund SLF0 (Leveraged Investment Unrestricted) of \$647,942 and a revenue budget of \$275,000; and establishing a 1999 appropriation in Fund FLF0 (Leveraged Investment UDAG) of \$588,162 and a revenue budget of \$300,000;

b) Approval of the transfer of Radisson Leveraged Investment Fund residual equity from Fund SDA0 (Development Account) to Fund SLF0 (Leveraged Investment Unrestricted) effective January 1, 2000, and that the City Finance Officer be authorized to approve the necessary appropriation;

c) Approval of the transfer of Radisson Leveraged Investment Fund residual equity from Fund FNA0 (Neighborhood Development Account) to Fund FLF0 (Leveraged Investment UDAG) effective January 1, 2000, and that the City Finance Officer be authorized to approve the necessary appropriation.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-440
By Niland and Campbell**

Amending The 1999 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 as follows:

a) Establishing a 1999 appropriation in Fund SLF0 - Leveraged Investment Unrestricted of \$647,942 and a revenue budget of \$275,000 (\$170,000 3860-01; \$105,000 3735-01);

b) Establishing a 1999 appropriation in Fund FLF0 - Leveraged Investment UDAG of \$588,162 and a revenue budget of \$300,000 (\$50,000 3860-01; \$250,000 3735-01).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

H&HS - Your Committee, having under consideration the Northside Weed and Seed Safe Haven Program, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #X0-1, under Master Contract #10679, to the North Commons YMCA, in the amount of \$20,000, to provide equipment and supplies for said Program during the period August 8, 1998 through January 1, 1999, payable from Non-Departmental Agency (060-123-1230).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends concurrence with the recommendation of the Mayor to appoint/reappoint the following persons to serve on the Advisory Committee on Drug & Alcohol Problems for terms expiring July 1, 2001:

Appointment:

Osei Akoto, 6200 78th Av N, Brooklyn Park

Reappointments:

Dan Cain, 5315 Goldenrod Ln, Plymouth
Howard Epstein, 3524 Longfellow Av S (Ward

9)

Mary Hoopman, 3333 St Louis Av (Ward 7)
Vivian Klauber, 3527 47th Av S (Ward 12)
Jaime Martinez, 525 Portland Av S (Ward 7)
Kimberly Muellner, 17529 Queensberry St,
Forest Lake

Rita Pelecis, 3911 Upton Av S (Ward 13).

Your Committee further recommends approval to waive the residency requirement for Dan Cain, Kimberly Muellner and Osei Akoto, in accordance with City Ordinance 94-Or-066, Section 14.180 (m)(3), which allows appointment of individuals providing a "unique and special benefit" to the City.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to execute an agreement with the Minnesota Indian Women's Resource Center, in the amount of \$40,000, to provide prenatal enhancement services targeting at-risk women in the American Indian community for a two-year period, effective January 1, 2000 through December 31, 2001, payable from Neighborhood Services (030-860-8623), contingent upon funding in the Year 2000 budget and the availability of Maternal and Child Health Special Project funding.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the McKnight Foundation funded Welfare to Work Program, now recommends that the proper City Officers be authorized to modify the following Fund Availability Notices to provide bridge funding until Phase 2 funds are received in Year 2000:

a. FAN#Z9-1, under Master Contract#12188, with Freeport West, in the amount of \$10,000; time of performance January 1, 2000 through June 30, 2000;

b. FAN#Z9-1, under Master Contract#12206, with Powderhorn/Phillips Cultural Wellness, in the amount of \$8,000; time of performance January 1, 2000 through June 30, 2000;

c. FAN#Z9-1, under Master Contract#12201, with Minnesota American Indian Chamber of Commerce, in the amount of \$21,500; time of performance January 1, 2000 through June 30, 2000;

d. FAN#Z9-1, under Master Contract#10007, with Pillsbury Neighborhood Services, in the amount of \$17,500; time of performance January 1, 2000 through June 30, 2000;

e. FAN#03-3d, under Master Contract#10017, with the Greater Minneapolis Day Care Association; time of performance period to end December 31, 1999;

f. FAN#03-4b, under Master Contract#12205, with Early Childhood Resource Center; time of performance period to end December 31, 1999;

g. FAN#03-4b, under Master Contract#12168, with Exodus Community Development Corp; time of performance period to end December 31, 1999;

h. FAN#03-1a, under Master Contract#10016, with Catholic Charities; time of performance period to end December 31, 1999;

i. FAN#03-1a, under Master Contract#13675, with Episcopal Community Services; time of performance period to end December 31, 1999;

j. FAN#03-1a, under Master Contract#13851, with Person to Person; time of performance period to end December 31, 1999;

k. FAN #14286, with Colleen Cunningham; time of performance period to end December 31, 1999;

l. FAN#03-2c, under Master Contract#10002, with Eastside Neighborhood Services; time of performance period to end December 31, 1999;

m. FAN #03-3b, under Master Contract #13675, with Episcopal Community Services; time of performance period to end December 31, 1999;

n. FAN#03-3d, under Master Contract#12203, with University of Minnesota Extension Services; time of performance period to end December 31, 1999.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the establishment of a new apprenticeship carpentry program as part of the Sentence to Service Homes Program, now recommends that the proper City Officers be authorized to execute a contract with the Hennepin County Department of Community Corrections, in the amount of \$85,000, to provide employment and training services for eligible Welfare to Work offenders (non-custodial parents) to be trained in basic carpentry skills to rehabilitate existing properties and work on new construction projects. Said contract shall be for the period January 1 through December 31, 2000, payable from Neighborhood Services (030-860-8600).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to execute

Amendment #3 to Contract #13093 with Mary Hourigan to extend the performance period through March 31, 2000 to provide continued consulting services to assist with the initial analysis of the Child Health Assessment and Monitoring Project (CHAMP) survey results.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to issue Fund Availability Notice #Y1-1 to Hennepin Faculty Associates, in the amount of \$58,000, to provide physician services for the School Based Clinic Program during the period January 1 through December 31, 2000, payable from Neighborhood Services (010-860-8623).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the Healthy Start Project to address the disproportionate rates of infant mortality in the African American and American Indian communities of Minneapolis and St. Paul, now recommends that the proper City Officers be authorized to execute an agreement with the Minnesota Visiting Nurse Agency, in the amount of \$109,200, to provide public health nursing services for the period January 1 through June 30, 2000, payable from Neighborhood Services (030-860-8624), contingent upon funding in the Year 2000 budget.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to issue Fund Availability Notice #Y1-1 to the Minneapolis Youth Diversion Program, in the amount of \$25,000, to provide HIV/AIDS risk reduction services, through Project Offstreets, to at-risk youth during the period January 1 through December 31, 2000, payable from Neighborhood Services (010-860-8623).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to issue Fund Availability Notices to Planned Parenthood of Minnesota and South Dakota for the following health services, contingent upon funding in the Year 2000 budget and the availability of Maternal & Child Health Special Project funding:

a. FAN #Y3-1, in the amount of \$30,000, for family planning services to low income and at-risk women in Minneapolis for the period January 1, 2000 through December 31, 2001, payable from Neighborhood Services (030-860-8623); and

b. FAN #Y1-1, in the amount of \$23,000, for clinic enhancement funding for outreach services to underserved and low income populations for the period January 1 through December 31, 2000, payable from Neighborhood Services (010-860-8623).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to issue Fund Availability Notice #Y3-1 to Southside Community Health Services, Inc, in the amount of \$20,000, to provide family planning services to low income and at-risk women in Minneapolis during the period January 1, 2000 through December 31, 2001, payable from Neighborhood Services (030-860-8623), contingent upon funding in the Year 2000 budget and the availability of Maternal & Child Health Special Project funding.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the development of a construction cluster training and placement program, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #D9 to Summit Academy OIC, in the amount of \$50,000, to provide job training and placement services for

24 Minneapolis residents during the period January 1 through December 31, 2000, payable from Neighborhood Services (040-860-8600). (Petn No 265426)

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to execute a Master Contract with Women Venture for the period January 1, 2000 through December 31, 2004 to provide job placement services for women into non-traditional jobs.

Your Committee further recommends that the proper City Officers be authorized to issue Fund Availability Notice #GF, in the amount of \$60,000, for job placement services for approximately 30 women during the period January 1 through December 31, 2000, payable from Neighborhood Services (010-860-8600).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the COPS Methamphetamine Initiative whereby the City was awarded a grant to perform an assortment of enforcement, research and educational activities relating to methamphetamine use in the community, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #Y3-2, under Master Contract #10019, to Special School District #1, in the amount of \$1,964, to provide inservice education to teachers in the Minneapolis Public Schools by hiring substitute teachers between January 1 and June 30, 2000, payable from Neighborhood Services (030-860-8623).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the 1999 - 2000 Minnesota City Grant Plan that allocated funds to the Police Athletic League for curfew truancy services, now

recommends that the proper City Officers be authorized to execute Amendment #4 to Contract #10696 with the Police Athletic League, increasing the contract amount by \$25,000 for a new total contract amount not to exceed \$130,000, and extending the performance period through June 30, 2000, payable from Neighborhood Services (060-860-8605).

Your Committee further recommends that the proper City Officers be authorized to issue Fund Availability Notice #Z7-1 to the Minneapolis Urban League, in the amount of \$150,750, to provide curfew truancy services for the period July 1, 1999 through June 30, 2000, payable from Neighborhood Services (060-860-8605).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the development of a data collection system for the School Based Clinics, now recommends that the proper City Officers be authorized to execute Amendment #2 to Contract #12891 with Incompass, Inc, increasing the contract amount by \$10,000 for a new total contract amount of \$19,000, and extending the performance period through December 31, 2000, to provide staff training on the use and management of said data collection system, payable from Neighborhood Services (010-860-8622).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that report passed April 23, 1999 issuing a Fund Availability Notice to Parents in Community Action for Head Start services to low income families be rescinded.

Your Committee further recommends that the proper City Officers be authorized to issue an amended Fund Availability Notice #Z6-1a, under Master Contract #10020, to Parents in Community Action, Inc, to reflect the correct amount of \$113,000, to provide Head Start services for 23 eligible children in Minneapolis for the period June 1, 1999 through May 31, 2000, payable from Neighborhood Services (040-860-8605).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that report passed April 23, 1999 issuing two Fund Availability Notices to the Greater Minneapolis Day Care Association for day care services to low income families be rescinded.

Your Committee further recommends that the proper City Officers be authorized to execute the following amended Fund Availability Notices with the correct fund amounts for the Greater Minneapolis Day Care Association, payable from Neighborhood Services (040-860-8605):

a. FAN#Z6-1a, under Master Contract#10017, in the amount of \$438,000, for renovation funds for facility improvements for licensed child care providers; and

b. FAN#Z6-2a, under Master Contract#10017, in the amount of \$552,000, for sliding fee funds for subsidies for eligible children, training, emergency child care support, referral services and supportive services to culturally specific organizations serving the Hmong, American Indian, Latino and Somali communities during the period June 1, 1999 through May 31, 2001.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to execute Amendment #2 to Contract #12055 with Parenteau Graves Communications, increasing the contract amount by \$25,000 for a new total contract amount of \$75,000, and extending the contract for the period July 15, 1997 through December 31, 2000, for marketing and media consulting services, including assistance with media campaigns, promotion of Health Department research and policy activities and assistance with community forums. Said contract shall be payable from Neighborhood Services, with \$10,000 payable from (010-860-8615) and \$15,000 payable from (010-860-8618).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to execute Amendment #2 to Contract #12276 with Accustaff, Inc, increasing the contract amount by \$25,000 for a new total contract amount of \$75,000, and extending the performance period through calendar year 2000, effective January 1, 1998 through December 31, 2000, to provide temporary clerical staff for the Health Department, as requested and available, payable from Neighborhood Services (010-860-8611).

Herron moved that the report be referred back to the Health & Human Services Committee. Seconded.

Adopted upon a voice vote.

H&HS - Your Committee recommends that the proper City Officers be authorized to execute Amendment #3 to Contract #13632 with Kathleen Amble, increasing the contract amount by \$5,000 for a new total contract amount of \$50,500, for the continuation of consultant services related to the City's school health initiatives and the Welcome Center, as well as nurse practitioner services for the School Based Clinic Program, payable from the Health Department (060-440-4422).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 17, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 21, 1999; Republished 1/5/2000).

H&HS - Your Committee recommends that the proper City Officers be authorized to issue Fund Availability Notice #09-1 to the Minneapolis Youth Diversion Program, in the amount of \$12,000, to provide staff and program support for the Gay Lesbian Bisexual Transgender (GLBT) Host Home Program for the period January 1 through August 30, 2000, payable from Neighborhood Services (060-860-8605).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends passage of the accompanying Resolution encouraging increased efforts for Women and Minority Owned Businesses to participate in City Business Opportunities.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.
Approved December 23, 1999. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 99R-441
By Cherryhomes and Herron

**Encouraging increased efforts for Women
and Minority Owned Businesses to participate
in City Business Opportunities.**

Whereas, the City of Minneapolis has adopted
a new Small and Underutilized Business Program;
and

Whereas, the mission of the Program is to
encourage and foster development of small
businesses most specifically those owned by
women and minorities; and

Whereas, the Mayor and City Council is
committed to providing business opportunities to
women and minority owned businesses; and

Whereas, the Mayor and City Council is
committed to increasing the level of participation
by women and minority owned business, the City
will remove any barriers or obstacles to their
participation in City business opportunities; and

Whereas, elected officials, department heads
and City staff are committed to promoting business
opportunities for women and minority owned
businesses and creating an atmosphere that is
welcoming and friendly;

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

That each City department will appoint a
liaison person who will work closely with the Civil
Rights Department and women and minority
business owners to increase their opportunity of
doing business with the City.

Be It Further Resolved that the Executive
Director of the Minneapolis Department of Civil
Rights will be responsible for ensuring that the City
of Minneapolis' elected officials, department heads,
staff boards and commissions maximize
opportunities to do business with women and
minority owned businesses.

Be It Further Resolved that the City of
Minneapolis will make every reasonable effort to
increase the participation of women and minority
owned businesses in City business opportunities
including development and/or construction projects
and procurement of goods and services.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes,
President of Council.

Approved December 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under
consideration the Chicano/Latino Advisory
Committee to the Mayor and the City Council, now
recommends passage of the accompanying
Resolutions:

a. rescinding Resolution 91R-007 entitled
"Establishing the Chicano/Latino Advisory
Committee to the Mayor and the City Council of the
City of Minneapolis", passed January 11, 1991;
and

b. establishing the Latino Community Advisory
Committee to the Mayor and the City Council of the
City of Minneapolis, to change the official name of
the committee and specifying administrative
procedures and reporting requirement for said
committee.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-442
By Herron

Rescinding Resolution 91R-007 entitled
"Establishing the Chicano/Latino Advisory
Committee to the Mayor and the City Council
of the City of Minneapolis", passed January
11, 1991.

Resolved by The City Council of the City of
Minneapolis:

That the above-entitled Resolution be and is
hereby rescinded.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes,
President of Council.

Approved December 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-443
By Herron

Establishing the Latino Community
Advisory Committee to the Mayor and the City
Council of the City of Minneapolis.

Whereas, the Spanish speaking community is the fastest growing minority group in the State of Minnesota; and

Whereas, the Mayor and City Council of the City of Minneapolis at present do not have a formal organization to advise them on matters of concern to the Spanish speaking community of Minneapolis since the former Advisory Committee has not met for over 13 years; and

Whereas, such an organization will provide valuable information to both City leaders and the Latino community; and

Whereas, this advisory body would provide a forum for the discussion of pertinent issues;

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

That the Latino Community Advisory Committee to the Mayor and the City Council of the City of Minneapolis be established.

Be It Further Resolved that the Committee shall advise the Mayor and the City Council on the nature of issues and needs confronting the Spanish speaking people in the City; provide assistance in evaluating City programs as they pertain to the Latino community; provide input to the City's long-range planning, promote economic, cultural and social development for the Spanish speaking community; and serve as a referral to assist Spanish speaking people to secure access to City agencies and programs to make the City system more accessible to the Latino communities.

Be It Further Resolved that the Committee be composed of 13 members with an emphasis on representational membership to be jointly appointed by the Mayor and City Council President and confirmed by the Minneapolis City Council. In the initial appointments, seven members shall serve two-year terms and six members shall serve one-year terms. All subsequent terms shall be two years. Members may be reappointed for succeeding terms.

Be It Further Resolved that the Committee shall elect its own chairperson, develop its work program, meeting schedule and bylaws in cooperation with the Mayor's Office and the City Council.

Be It Further Resolved that the Mayor's Office shall provide administrative and staff support to the Committee.

Be It Further Resolved that the Committee shall report to the City Council once per year, and that the Committee shall report to the Health & Human Services Committee two times per year.

Be It Further Resolved that members of the Committee must work or reside in the City of Minneapolis.

Be It Further Resolved that the Committee members shall not receive compensation for service on the Committee.

Be It Further Resolved that any Committee member who misses more than four meetings, without an excuse, shall cease to be a member of the Committee.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

H&HS & W&M/Budget - Your Committee, having under consideration education activities related to the Housing and Urban Development (HUD) Round IV Lead Hazard Reduction Grant, now recommends that the proper City Officers be authorized to execute an Addendum to Agreement #13169 with the Hennepin County 348-TOTS Program, to change the contract terms as follows:

- a. that terms of the agreement shall be extended through June 30, 2000;
- b. the payment for services be amended to allow for more flexible delivery of services;
- c. that the contract budget be increased by \$10,100, resulting in a total amount of \$50,000 for the project; and
- d. that the authorization be increased by an additional \$6,110 necessary to pay for these additional activities, resulting in a total authorization of \$50,000, payable from Licenses & Consumer Services (030-835-8393).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee, having under consideration the Girls Respecting Ourselves and Relationships (Girls ROAR) Project which targets adolescent women in Minneapolis Public Schools who are at-risk for self-destructive behavior, now recommends that the proper City Officers be authorized to accept

a grant award of \$3,500 from the Prevention Alliance for a School Based Clinic counselor to work with groups at Roosevelt High School and South High School during the project period of September 1, 1999 through June 30, 2000. (Petr No 265430)

Your Committee further recommends passage of the accompanying Resolution appropriating \$3,500 to the Health Department Agency to reflect receipt of said funds.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-444
By Herron and Campbell**

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants - Other Fund (060-440-4413) by \$3,500, and increasing the Revenue Source (060-440-4413 - Source 3720) by \$3,500.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee recommends that Fritz Ohnsorg be granted the second step rate of pay of the appointed salary schedule for the position of Director of Research with the Department of Health & Family Support.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee, having under consideration services provided at the Welcome Center, now recommends that the proper City Officers be authorized to execute a contract with the Minneapolis Public Schools to receive redesign funding in the amount of \$15,000

for personnel costs for the Bi-Lingual Advocate positions at the Welcome Center during the period July 1, 1999 through June 30, 2000.

Your Committee further recommends passage of the accompanying Resolution appropriating \$15,000 to the Health Department to reflect receipt of said funds.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-445
By Herron and Campbell**

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants - Other Fund (060-440-4421) by \$15,000.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

IGR - Your Committee, having under consideration a proposed ordinance amending Chapter 8, Section 13 of the City Charter relating to Public Highways and Bridges, providing for Sidewalk Repairs, submitted by the Minneapolis Charter Commission with recommendation for passage by a 13-0 vote of the Minneapolis City Council, pursuant to Minn Stats Section 410.12, Subd 7, and having conducted a public hearing thereon, now recommends that said ordinance be adopted. (Petr No 265434)

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 99-Or-162
By Mead, Campbell and Thurber

Intro & 1st Reading: 8/27/99
Ref to: IGR & T&PW
2nd Reading: 12/17/99

Amending Chapter 8, Section 13 of the Minneapolis City Charter relating to Public Highways and Bridges, providing for Sidewalk Repairs. (Charter Amendment No 149)

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

Section 1. That Chapter 8, Section 13 of the Minneapolis City Charter be amended to read as follows:

Section 13. Sidewalk Repairs. If the owner of any lot or parcel of land shall suffer any sidewalk along the same to become broken, rotten, or out of repair, it shall be the duty of the City Engineer to immediately repair the same within a reasonable time in a good, substantial and thorough manner, and to report to the City Council the cost of such repairs in each case, and a description of the lot or parcel of land abutting which such repairs are made, and such report shall be carefully filed and preserved by the City Clerk; and the City Council shall once in each year, at or as near as conveniently may be, the time of levying the yearly city taxes, assess and levy upon each of the lots and parcels of land fronting or abutting upon sidewalks which have been so repaired the cost of making such repairs. In each case such assessments for all such repairs within the year may be combined in one assessment roll and be collected as provided for in Chapter ten of this Charter. In case any such sidewalk shall become so out of repair as to become dangerous, and cannot be made safe without being rebuilt, and there are no funds to defray the expense of such rebuilding, it shall be the duty of the City Engineer to remove the same entirely, and the expense of such removal shall be added to the cost of rebuilding when the same shall be reconstructed and collected with the assessment for such reconstruction.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR - Your Committee recommends approval of the City's agenda for the Year 2000 Legislative Session as set forth below. The issues are described more fully and the rankings - priority, support, endorse and monitor - are defined in Petn No 265436.

Priority Issues

Empowerment Zone
Downtown Library
Kondirator
Affordable Housing
Tax Increment Finance Change for Library Use

Support Issues

Distribution of Fine Revenue
Middle Mississippi Watershed Management Organization
Telecommunications
Police Chief Appointment Authority
Official Publication Notice
Integrated Information Systems
Metro Transit Funding
Tax Increment Finance
Income Tax Credit for Historic Preservation
Redevelopment Fund
Late Night Closing
Historic Preservation Initiatives

Endorse

New Arrivals
Sunset for Continued Assistance
Abatement of Nuisances
Vehicle Forfeiture Laws
Graduated Sanctions
Driving While Intoxicated Fees
Tax Credit for Employers Providing Transit Benefits
St Anthony Falls/Washburn Crosby Mill
Sales Tax on Local Units of Government

Wait for Task Force Reports and Recommendations

Non-profit Corporations
Airport Mitigation Funding

Oppose

Levy Limits
Limited Market Value
Reverse Referendum
Amendments to the Minnesota Human Rights Act which would limit the protections for subsidized tenants

Undecided

Firefighter Pension Changes

Monitor

Property Tax Reform
Access to Health Care
Adolescent Health
Welfare Reform
Child Care
Promoting Healthy Families and Children
Dislocated Workers Program
Tobacco Endowments
Reducing Firearm Injury and Death
Youth Access to Alcohol
Business Subsidies Act

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. 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 that the proper City officers be authorized to execute a contract with North State Advisers & Associates for professional services/advice and lobbying services relating to property taxes, tax increment financing, pollution, housing, and related issues at the Minnesota Legislature during the 12 month period from January 1, 2000 through December 31, 2000, in an amount not to exceed \$27,000, payable from the Intergovernmental Relations Agency in the General Fund (0100-841-8410). Funds were appropriated in the Year 2000 budget. (Petr No 265435)

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas - Lane, Herron, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, McDonald, Cherryhomes.

Nays - Mead.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

PS&RS – Your Committee, to whom was referred an ordinance amending Title 12, Chapter 244, Article XVI of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*; revising various sections relating to *Rental Dwelling Licenses* to improve the effectiveness of said ordinance, now recommends that said ordinance be given its second reading for amendment and passage.

Ostrow moved to amend the ordinance by adding the following amendment under License fees in Section 244.1880 (b) and adding a new subsection (d) as follows:

“(b) The annual license ~~renewal~~ fee shall be increased by fifty (50) percent when more than fifteen (15) calendar days late. Late applicants shall not be entitled to prorated license fees.

(d) Operation of an unlicensed dwelling unit shall be subject to an additional administrative fee of fifty dollars (\$50.00) for the first dwelling unit, and twenty dollar (\$20.00) for each additional dwelling unit under common ownership in the same building. This fee shall be in addition to any other appropriate enforcement action or fees due.” Seconded.

Adopted upon a voice vote.

Ostrow moved to amend the ordinance in Section 244.1850 to delete the language “sworn affidavit” and insert in lieu thereof the word “statement”. Seconded.

Adopted upon a voice vote.

Ostrow moved to authorize summary publication of the above-described Ordinance. Seconded.
Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-163 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code* amending Sections 244.1800, 244.1840, 244.1850, 244.1880, 244.1910, 244.1930, 244.1945, 244.1950, 244.1960, 244.1985, 244.2010 and 244.2020 to amend the *Rental Dwelling Licenses* Article XVI, as follows:

1. Adds a definition for "appropriate action";
2. Adds "business" address as an option for the address required on the rental license application;
3. Includes business street address as an acceptable address for the application for a rental license;
4. Includes commercial mail receiving services, such as Mail Boxes Etc, along with post office boxes as unacceptable addresses for a license application;
5. Allows flexibility in the issuance and/or denial of a provisional rental license;
6. Adds as a condition of a provisional license or annual renewal, that the applicant shall sign a statement affirming that the licensee meets the standards of Section 244.1910, subsections 11 through 14;
7. Adds an additional administrative fee of \$50 for the first dwelling unit and \$20 for each additional dwelling unit for operation of an unlicensed dwelling unit;
8. Adds the location of a register of tenants as information available to the Director of Inspections;
9. Includes in the minimum standards to hold a rental dwelling license that there be no delinquent property taxes, no active arrest warrants, that any person with two or more revoked licenses shall be ineligible to hold a license for a period of five years; and that there be no new rental dwelling license pending adverse license actions for the property;
10. Notices shall be mailed or delivered to each licensed dwelling unit;
11. Adds a reinstatement fee of \$1,000 for an application for reinstatement of a license previously denied, revoked or suspended under conduct on premises;
12. Revises the makeup of the Board of Appeals;
13. Increases the maximum amount payable for each voting member of the board per year to \$2,000, to allow for 20 appeals hearings without an ordinance change;
14. Deletes the word "tape" and leaves simply the word recording of the appeals procedures;
15. Allows 30 days after the appeals hearing for the Board to render a decision in writing;
16. Specifies into the prepared findings what the legal basis is for the board's determination;
17. Adds that copies of the board's decision shall also be sent to each licensed dwelling unit;
18. Adds a section to make the unauthorized removal of any posted notices punishable as a misdemeanor;
19. Changes the word "promptly" to 10 days for notification of a change in the last license application;
20. Includes what sufficient notice is whenever a notice is required to the tenants;
21. Corrects the reference to the new ordinance section on noisy assemblies;
22. Corrects the name for the Crime Prevention/SAFE Unit;
23. Clarifies the timetable for denial, revocation or suspension of a license based on notices of disorderly use;
24. Clarifies the timeframe for notice to a tenant as 30 days after and not 30 days of notice under the Section 244.2020 (f);
25. Required the submittal of a notice to vacate to SAFE within 10 days to avoid adverse license action; and
26. Revises "appropriate measures" to "appropriate action" under Section 244.2020(f).

Said Ordinance was passed December 17, 1999 by the City Council and approved December 23, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 99-Or-163
By Cherryhomes and Biernat

Intro & 1st Reading: 10/29/99
Ref to: PS&RS
2nd Reading: 12/17/99

Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, Art. XVI Rental Dwelling Licenses.

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

Section 1. That Section 244.1800 of the above-entitled ordinance be amended to read as follows:

244.1800. Definitions. Words used in this article shall have the meanings ascribed in section 244.40, unless otherwise defined herein.

Appropriate action shall mean that action which a reasonable license holder would take based upon the facts and circumstances of each case so as to prevent a reoccurrence of a disorderly use.

Section 2. That Section 244.1840 of the above-entitled ordinance be amended to read as follows:

244.1840. Application for license. Within ninety (90) days after the effective date of this ordinance [article], the owner of each rental dwelling shall make written application to the director of inspections for a license to carry on the business of renting residential property. In addition, the owner of each such rental dwelling constructed after the effective date of this ordinance [article] shall make written application to the director of inspections for a license as herein provided prior to initial occupancy. Such application shall be made on a form furnished by the director of inspections for such purpose and shall set forth the following information:

- (a 1) Name, business or residence address, telephone number, and date of birth of the owner of the dwelling. If the owner is a partnership, the name of the partnership, the name, residence address, and date of birth of the managing partner. If the owner is a corporation, the name and address of the corporation, and the name of the chief operating officer; in cases where the owner of a dwelling resides outside of the sixteen-county metropolitan area consisting of the following counties: Hennepin, Rice, Wright, Anoka, Washington, McLeod, Ramsey, Dakota, Scott, Carver, Sherburne, Isanti, Chisago, Sibley, ~~Leseuer~~ Le Sueur and Goodhue; the owner's agent/contact person shall reside within the sixteen-county metropolitan area;
- (b 2) If the owner has appointed an agent authorized to accept service of process and to receive and give receipt for notices, the name, business or residence address, telephone number, and date of birth of such agent;
- (e 3) Every applicant, whether an individual, partnership, or corporation, shall identify in the application, by name, residence or business street address, telephone number, and date of birth, a natural person who is actively involved in, and responsible for, the maintenance and management of the premises. A post office box or commercial mail receiving service are not acceptable as an address for such person. The individual designated herein may also be the owner of the dwelling or an agent identified in subsection (b) above;

(d 4) Street address of the dwelling;

(e 5) Number and kind of units within the dwelling (dwelling units, rooming units, or shared bath units). For each unit, specify the floor number, and the unit number and/or letter and/or designation.

Section 3. That Section 244.1850 of the above-entitled ordinance be amended to read as follows:

244.1850. Provisional licenses. The director of inspections shall may issue a provisional license to the owner of a rental dwelling who has submitted an application and paid the license fee required by this article. A provisional license shall authorize the continued occupancy of rental dwelling units in actual existence on the effective date of this ordinance {article}, pending issuance of a rental dwelling license. Dwelling units constructed or converted to rental usage after the effective date of this ordinance {article} shall not be eligible for a provisional license, and shall not be occupied for human habitation prior to the issuance of the required license.

A provisional license indicates only that the owner has submitted an application for a license and paid the required fee, and that the license shall be issued or denied after the building has been inspected for compliance with the minimum standards set forth in section 244.1855 of this article. A provisional license is not a determination that the building complies with the housing maintenance code or the minimum standards set forth in this article.

As a condition of a provisional license or annual renewal of such license, the applicant shall sign a statement affirming that the licensee meets the standards of section 244.1910, subsections (11) through (14).

Section 4. That Section 244.1880 of the above-entitled ordinance be amended to read as follows:

244.1880. License fees.

(a) The annual license fee for a rental dwelling license or provisional license is twenty-eight dollars (\$28.00) for the first dwelling unit and fifteen dollars (\$15.00) for each additional dwelling unit under common ownership in the same building. A change in ownership shall require a new license application and payment of the license fee. An increase in the number of licensed dwelling units during the license year shall require an amended license application and the payment of an additional license fee to cover the additional units.

(b) The annual license renewal fee shall be increased by fifty (50) percent when more than fifteen (15) calendar days late. Late applicants shall not be entitled to prorated license fees.

(c) License fees shall be prorated as follows:

Issued during first half of license year . . . Full fee

Issued during second half of license year . . . 1/2 fee

(d) Operation of an unlicensed dwelling unit shall be subject to an additional administrative fee of fifty dollars (\$50.00) for the first dwelling unit, and twenty dollars (\$20.00) for each additional dwelling unit under common ownership in the same building. This fee shall be in addition to any other appropriate enforcement action or fees due.

Section 5. That Section 244.1910 of the above-entitled ordinance be amended to read as follows:

244.1910. Licensing standards. The following minimum standards and conditions shall be met in order to hold a rental dwelling license under this article. Failure to comply with any of these standards and conditions shall be adequate grounds for the denial, refusal to renew, revocation, or suspension of a rental dwelling license or provisional license.

(a 1) The licensee or applicant shall have paid the required license fee;

(b 2) Rental dwelling units shall not exceed the maximum number of dwelling units permitted by the zoning code;

(c 3) No rental dwelling or rental dwelling unit shall be over occupied or illegally occupied in violation of the zoning code or the housing maintenance code;

(d 4) The rental dwelling shall not have been used or converted to rooming units in violation of the zoning code;

(e 5) The owner shall not suffer or allow weeds, vegetation, junk, debris, or rubbish to accumulate repeatedly on the exterior of the premises so as to create a nuisance condition under section 227.90 of this Code. If the city is required to abate such nuisance conditions under section 227.100 more than three (3) times during a license year or during the twelve (12) months prior to a license application, it shall be deemed sufficient grounds to deny, revoke, suspend or refuse to renew a license;

(f 6) The rental dwelling or any rental dwelling unit therein shall not be in substandard condition, as defined in section 244.1920.

(g 7) The licensee or applicant shall have paid the required reinspection fees.

(h 8) The licensee or his or her agent shall allow the director of inspections and his or her designated representative to perform a rental license review inspection as set forth in section 244.2000(c).

(i 9) The licensee shall maintain a current register of all tenants and other persons with a lawful right of occupancy to a dwelling unit and the corresponding floor number, and unit number and/or letter and/or designation of such unit within the building. The register shall be kept current at all times. The licensee shall designate the person who has possession of the register and shall inform the director of the location at which the register is kept. The register shall be available for review by the director or his or her authorized representatives at all times.

(j 10) The licensee shall submit to the director of inspections or an authorized representative of the director, at the time of application for a rental dwelling license, the following information: the number and kind of units within the dwelling (dwelling units, rooming units, or shared bath units), specifying for each unit, the floor number, and the unit number and/or letter and/or designation.

(11) There shall be no delinquent property taxes or assessments on the rental dwelling.

(12) There is no active arrest warrant for a Minneapolis Housing Maintenance Code or Zoning Code violation pertaining to any property in which the licensee, applicant or property manager has a legal or equitable ownership interest or is involved in management or maintenance.

(13) Any person(s) who has had an interest in two (2) or more licenses revoked pursuant to this article shall be ineligible to hold a rental dwelling license or provisional license for a period of five (5) years.

(14) No new rental dwelling license shall be issued for the property during the pendency of adverse license action initiated pursuant to section 244.1940.

Section 6. That Section 244.1930(b) of the above-entitled ordinance be amended to read as follows:

244.1930. Director's determination of noncompliance; notice.

(b) If the rental dwelling fails to meet one or more of the standards set forth in subsections 244.1910 ~~(a) through (f)~~, the notice shall indicate that the license holder or applicant has ten (10) days to correct the defects, after which the city council will take action to deny, refuse to renew, revoke, or suspend the license or provisional license.

Section 7. That Section 244.1940 of the above-entitled ordinance be amended to read as follows:

244.1940. Denial; nonrenewal; revocation; suspension. If after any period for compliance under section 244.1930 has expired, the director determines that the dwelling still fails to comply with any of the licensing standards in sections 244.1910 or 244.1920, or the director has initiated an action to deny, revoke, suspend, or not renew a license for conduct on premises in section 244.2020, the director shall mail the owner a notice of denial, nonrenewal, revocation, or suspension of the license or provisional license. The notice shall state:

(a 1) That the director has determined that the building fails to comply with the licensing standards for rental dwellings in section 244.1910 and section 244.1920, or that the licensee has failed to take appropriate action following conduct by tenants and/or their guests on the licensed premises under section 244.2020.

(b 2) The specific reasons why the building fails to meet licensing standards, including copies of applicable inspection reports, or notices sent to licensee of conduct on licensed premises.

(c 3) That the director has referred the matter to the city council with a recommendation to deny, not renew, revoke, or suspend the license or provisional license.

(d 4) That the city council will deny, refuse to renew, revoke, or suspend the license or provisional license unless the owner appeals the determination within fifteen (15) days after receipt of the notice, in the manner provided in section 244.1960.

(e 5) That after denial, nonrenewal, revocation or suspension, the dwelling or the affected dwelling units therein must be vacated, and shall not be reoccupied until all violations are corrected and a license is granted by the city council, (except where an extension of time has been granted by the director of inspections due to weather). Further, no license will be granted by the city council until an approved plan to control conduct on premises has been presented and accepted by the city council if the denial, nonrenewal, revocation or suspension was under section 244.2020.

(f 6) The notice shall describe how an appeal may be filed under section 244.1960.

(g 7) The director shall cause a notice to tenants to be mailed or delivered to each licensed dwelling unit and prominently posted on the building. The notice shall indicate that the rental dwelling license for the building has been denied, revoked, or suspended, whichever is applicable; that the action will become final on a specific date unless the building owner appeals and requests a hearing; that tenants may be required to vacate the building when the action becomes final; that further information can be obtained from the City of Minneapolis Housing Services Office.

Section 8. That the Minneapolis Code of Ordinances be amended by adding thereto a new Section 244.1945 to read as follows:

244.1945. Reinstatement fee. A fee of one thousand dollars (\$1,000.00) must accompany any application for reinstatement of any license or provisional license that has been denied, revoked or suspended under section 244.2020. This reinstatement fee is in addition to the license fees imposed pursuant to section 244.1880.

Section 9. That Section 244.1950 of the above-entitled ordinance be amended to read as follows:

244.1950. Rental dwelling license board of appeals. (a) There is hereby created a rental dwelling license board of appeals. The board shall consist of seven (7) members who shall be appointed by the city council. The board members shall serve for a period of two (2) years and until their successors have been appointed and qualified. ~~Two (2) members shall be engaged in the business of residential building construction; two (2) members shall be realtors or real estate managers;~~ Three (3) members shall be real estate agents or brokers, residential rental property managers, or residential rental property owners; two (2) members shall be ~~representatives of tenants' of housing advocacy organizations;~~ one tenants or residential rental housing advocates; two (2) members shall be appointed from the general public. The fire marshal and the director of inspections shall be nonvoting ex officio members of the board. The director of inspections or the directors' designee shall serve as the secretary of the board. A majority of the voting members shall constitute a quorum. The board shall be subject to the Minnesota Open Meeting Law.

(b) The board shall have authority to hear and decide all appeals from the director's recommendation to deny, not renew, revoke, or suspend a rental dwelling license or provisional license.

(c) Each voting member of the board shall be compensated fifty dollars (\$50.00) per meeting attended, not to exceed ~~one two thousand dollars (\$1,000.00)~~ \$2,000.00 per year.

Section 10. That Section 244.1960 (c), (d) and (e) of the above-entitled ordinance be amended to read as follows:

244.1960. Appeals procedure.

(c) At the hearing, the board shall hear all relevant evidence and argument. The board may admit and give probative effect to evidence ~~which~~ that possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs. The board shall ~~tape~~ record the hearing and keep a record of documentary evidence submitted.

(d) The board shall render its decision in writing within ~~fifteen (15)~~ thirty (30) days after the close of the hearing. The decision shall determine whether the building, or dwelling units therein, meets the licensing standards of sections 244.1910, ~~and~~ 244.1920, or 244.2020, and shall specify the factual and legal basis for the determination.

(e) The board shall mail a copy of its decision to the license holder or applicant and to each licensed dwelling unit.

Section 11. That the Minneapolis Code of Ordinances be amended by adding thereto a new Section 244.1985 to read as follows:

244.1985. Unauthorized removal of notices a misdemeanor. Any person who removes, defaces, tampers or in any way interferes with any notice posted pursuant to this article, is guilty of a misdemeanor, punishable as provided in section 1.30 of this Code.

Section 12. That Section 244.2010 of the above-entitled ordinance be amended to read as follows:

244.2010. Notices. Whenever a notice is required to be sent to or served upon the licensee of a rental dwelling under this article, notice shall be deemed sufficient if sent by first class mail to the owner

or owner's designated agent at the address specified in the last license application filed in the department of inspections under section 244.1840. If a notice sent to the address specified in the last license application is returned, and the owner or owner's agent cannot be found, then notice shall be sent to the person designated in the last license application, under subsection 244.1840(e 3), as responsible for the maintenance and management of the premises, or any other known caretaker or manager, and a notice shall also be posted on the building.

Every licensee shall promptly notify the department of inspections division within ten (10) days of any changes in the names, addresses, and other information concerning the persons listed in the last license application filed with the department division. Whenever notice is required to be sent or delivered to tenants of a dwelling unit under this article, notice shall be sufficient if sent by first class mail to the tenants or occupants of each licensed dwelling unit at the address specified in the license application or the register that the licensee maintains pursuant to section 244.2000(b).

Section 13. That Section 244.2020 of the above-entitled ordinance be amended to read as follows:

244.2020. Conduct on licensed premises. (a) It shall be the responsibility of the licensee to take appropriate action, with the assistance of the community services bureau crime prevention/SAFE unit and other units of the Minneapolis Police Department, following conduct by tenants and/or their guests on the licensed premises which is determined to be disorderly, in violation of any of the following statutes or ordinances, to prevent further violations.

- (1) Minnesota Statutes, Sections 609.75 through 609.76, which prohibit gambling;
- (2) Minnesota Statutes, Section 609.321 through 609.324, which prohibits prostitution and acts relating thereto;
- (3) Minnesota Statutes, Sections 152.01 through 152.025, and Section 152.027, Subdivisions 1 and 2, which prohibit the unlawful sale or possession of controlled substances;
- (4) Minnesota Statutes, Section 340A.401, which prohibits the unlawful sale of alcoholic beverages;
- (5) Section ~~385.440~~ 389.65 of this Code, which prohibits noisy assemblies;
- (6) Minnesota Statutes, Sections 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716, and section 393.40, 393.50, 393.70, 393.80, 393.90 and 393.150 of this Code, which prohibit the unlawful possession, transportation, sale or use of a weapon; or
- (7) Minnesota Statutes, Section 609.72, and Section 385.90 of this Code, which prohibit disorderly conduct, when the violation disturbs the peace and quiet of the occupants of at least two (2) units on the licensed premises or other premises, other than the unit occupied by the person(s) committing the violation.

(b) The community services bureau crime prevention/SAFE unit ~~department~~ and the department of inspections division shall be jointly responsible for enforcement and administration of section 244.2020.

(c) Upon determination by the community services bureau crime prevention/SAFE unit utilizing established procedures, that a licensed premises was used in a disorderly manner, as described in subsection (a), the responsible ~~safe officer~~ SAFE team shall notify the licensee by mail of the violation and direct the licensee to take appropriate action with the assistance of the community services bureau crime prevention/SAFE unit and other units of the Minneapolis Police Department to prevent further violations.

The established procedures manual is available to the public from the community services bureau of the Minneapolis Police Department.

(d) If another instance of disorderly use of the licensed premises occurs within twelve (12) months of an incident for which a notice in subsection (c) was given, the responsible SAFE officer team shall notify the licensee by mail of the violation and shall also require the licensee to submit a written report of the actions taken, and proposed to be taken, by the licensee to prevent further disorderly use of the premises. This written report shall be submitted to the SAFE officer team within five (5) days of receipt of the notice of disorderly use of the premises and shall detail all actions taken by the licensee in response to all notices of disorderly use of the premises within the preceding twelve (12) months.

(e) If another instance of disorderly use of the licensed premises occurs within twelve (12) months after the second of any two (2) previous instances of disorderly use for which notices were sent to the licensee pursuant to this section, the rental dwelling license for the premises may be denied, revoked, suspended, or not renewed. An action to deny, revoke, suspend, or not renew a license under this section shall be initiated by the director of inspections in the manner described in section 244.1940, and shall proceed according to the procedures established in sections 244.1950, 244.1960, and 244.1970.

(f) No adverse license action shall be imposed where the instance of disorderly use of the licensed premises occurred during the pendency of eviction proceedings (unlawful detainer) or within thirty (30) days of after a notice is given by the licensee to a tenant to vacate the premises, where the disorderly use was related to conduct by that tenant or his/her guests. Eviction proceedings shall not be a bar to adverse license action, however, unless they are diligently pursued by the licensee. A notice to vacate shall not be a bar to adverse license action unless a copy of the notice is submitted to the SAFE team within ten (10) days of receipt of the violation notice. Further, an action to deny, revoke, suspend, or not renew a license based upon violations of this section may be postponed or discontinued by the director of inspections at any time if it appears that the licensee has taken appropriate measures which will action to prevent further instances of disorderly use.

(g) A determination that the licensed premises have been used in a disorderly manner as described in subsection (a) shall be made upon substantial evidence to support such a determination. It shall not be necessary that criminal charges be brought to support a determination of disorderly use, nor shall the fact of dismissal or acquittal of such a criminal charge operate as a bar to adverse license action under this section.

(h) The public safety and regulatory services committee shall review section 244.2020 three (3) years after the effective date of these revisions to determine its impact upon both landlords and tenants, and to recommend any changes which may be appropriate. The directors of regulatory services and the community services bureau shall keep records of all actions and proposed actions under section 244.2020 to facilitate the committee review required herein.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2000

CBC DT Tennis & Athletic Club Inc, dba Regency Athletic Club and Spa, 1300 Nicollet Mall (upgrade from Wine Class A with Strong Beer);

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2000

Yendor Corp, dba Auggies, 424 Hennepin Av (add Sunday Sales to On-Sale Liquor Class A);

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2000

International Catering Inc, dba Atrium Cafe/ Atrium Catering Intl, 275 Market St (temporary expansion of premises, November 19, 1999, 6:00 p.m. to 11:00 p.m., AIA Minnesota);

International Catering Inc, dba Atrium Cafe/ Atrium Catering Intl, 275 Market St (temporary expansion of premises, November 20, 1999, 6:30 p.m. to 1:00 a.m., Quadion);

International Catering Inc, dba Atrium Cafe/ Atrium Catering Intl, 275 Market St (temporary expansion of premises, November 15, 1999, 4:30 p.m. to 8:30 p.m., Minnesota Institute of Food Technologists);

International Catering Inc, dba Atrium Cafe, 275 Market St (December 11, 1999, 6:00 p.m. to 12:30 a.m., Katun Corp);

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, November 12, 1999, 6:00 p.m. to 1:00 a.m., Meda);

International Catering Inc, dba Atrium Cafe, 275 Market St (November 16, 1999, 5:30 p.m. to 9:00 p.m., International Leadership Institute);

International Catering Inc, dba Atrium Cafe/ Atrium Catering Intl, 275 Market St (temporary expansion of premises, November 13, 1999, 6:30 p.m. to 12:00 a.m., Family Alternatives);

International Catering Inc, dba Atrium Cafe/ Atrium Catering Intl, 275 Market St (temporary expansion of premises, December 4, 1999, 6:00 p.m. to 1:00 a.m., Paper Magic Group);

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, December 3, 1999, 6:00 p.m. to 12:00 a.m., SPL Integrated Solutions);

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2000

Brandon's 923 Inc, dba Brandon's 923 Club, 923 Washington Av N (new shareholder/partner);

Off-Sale Beer, to expire April 1, 2000

Rainbow Food Group Inc, dba Rainbow Foods, 1104 Lagoon Av (change in corporate name);

Rainbow Food Group Inc, dba Rainbow Foods, 1540 New Brighton Blvd (change in corporate name);

Sundrani Enterprises Inc, dba Al's Market, 2820 E 42nd St;

Rainbow Food Group Inc, dba Rainbow Foods, 2919 26th Av S (change in corporate name).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Portion Republished January 5, 2000)

PS&RS - Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of December 17, 1999, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 265438):

Amusement Devices; Place of Amusement Class A; Building Contractor Class A; Building Contractor Class B; Contractor/Masonry Class A; Christmas Tree; Laundry; Drywall Contractor; Fire Extinguisher Class A; Confectionery; Grocery; Food Manufacturer; Restaurant; Short-Term Food Permit; Vending Machines; Fuel Dealer; Gas Fitter Class A; Gas Fitter Class B; Gasoline Filling Station; Heating, Air Conditioning, Ventilation Installer Class A; Heating, Air Conditioning, Ventilation Installer Class B; Hospital; Hotel; Musical Juke Box; Lodging House; Lodging with Boarding House; Motor Vehicle Auctioneer; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Access Use; Commercial Parking Lot Class A; Plasterer; Plumber; Recycling/Salvage Yard; Refrigeration Installer; Solicitor - Individual; Steam & Hot Water Systems Installer; Suntanning Facilities; Taxicab - Limited; Taxicab Vehicle; Tobacco Dealers; Tradesman-Combination; Wrecker of Buildings Class A; and Wrecker of Buildings Class B.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

Gambling-Lawful Class B

Southwest Hockey Inc, 4715 Ewing Av S (Site: Chatterbox Tavern, 2229 E 35th St);

Southwest Hockey Inc, 4520 Upton Av S (Site: Casey's Bar & Grill, 3510 Nicollet);

Southwest Hockey Inc, 4520 Upton Av S (Site: Pizza Pie & I, 4205 E 34th St);

Southwest Hockey Inc, 4715 Ewing Av S
(Site: Chessens, 328 S 3rd St);

DeLaSalle High School, One DeLaSalle Dr
(Site: Broadway Pizza, 2025 W River Rd);

DeLaSalle High School, One DeLaSalle Dr
(Site: Mac's Sports Bar, 301 Central Av SE);

DeLaSalle High School, One DeLaSalle Dr
(Site: Halek's Bar, 2024 Washington Av N);

Southwest Hockey Inc, 1921 W Franklin Av
(Site: Sunny's Restaurant, 2940 Chicago Av);

Gambling Lawful Exempt

Allina Health, 2120 Park Av (Raffle, December
4, 1999);

Church of St Boniface, 629 NE 2nd St (Raffle,
paddlewheel and pulltabs, November 23, 1999);

Church of the Holy Name, 3637 11th Av S
(Raffle, February 19, 2000 at Risen Christ School,
1120 E 37th St).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under
consideration the pending Gasoline Filling Station,
Food Manufacturing, Grocery and Tobacco Dealer
Licenses for Tanya Tobalyas Moore and Ahmed
Mohammed Ahmed, dba Broadway Food, Gas
and Deli, 1905 W Broadway, and having received
notification that the licensees have agreed to
forgo a Technical Advisory Committee (TAC)
hearing as a result of an investigation by the
Police Department into the purchase of stolen
property by stores, and the licensees having
agreed to stipulate that the Findings of Fact,
Conclusions and Recommendations are true and
correct, now recommends that said licenses be
granted, subject to the following conditions, as
more fully set forth in said Findings, on file in the
Office of the City Clerk and made a part of this
report by reference:

a. that the licensees immediately pay a
\$3,000 penalty;

b. that the store be closed for a period of one
week, from Monday, December 6, 1999 through
Sunday, December 12, 1999;

c. that Mr. Ahmed Mohammed Ibrahim shall
have no participation in the business of Broadway
Food, Gas and Deli and shall not come onto the
property at 1905 W Broadway in any capacity;

d. that any present or future employees who
are arrested and convicted of receiving or
concealing stolen property will be immediately

discharged from employment at Broadway Food,
Gas and Deli;

e. that a schedule shall be established for
picking up litter and trash on a daily basis on and
around the property at 1905 W Broadway, including
adjacent property;

f. that all dumpsters will be maintained in a
fenced-in area as designated in the site plan
review.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under
consideration the Wine & Strong Beer License
held by Snoodles Twelve LLC, dba Snoodles, 1400
Nicollet Av, and having received notification from
the State of Minnesota Department of Revenue
that Snoodles has an outstanding tax liability, now
recommends that said license be revoked and the
licensee immediately discontinue business within
the City of Minneapolis until a tax clearance
certificate is obtained from the State.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends that
the proper City Officers be authorized to execute a
Joint Powers Agreement with the State of
Minnesota, Department of Public Safety, to
reimburse the City up to \$450,000 for overtime and
miscellaneous expenses for work performed at the
Highway 55 - Hiawatha Corridor.

Further, that the proper City Officers be
authorized to invoice the State of Minnesota for
recovery of said costs.

Adopted. Yeas, 11; Nays none.

Declining to Vote - Niland, Goodman.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under
consideration the following properties creating
nuisance conditions within the meaning of Chapter
249 of the Minneapolis Code of Ordinances, and
having received a request by the owners to raze
said properties, now recommends that the proper

City officers be authorized to raze the following properties, as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference:

a. 1512 E 36th St, legally described as Lot 12, Block 16, Bloomington Avenue Addition (PID #02-028-24-42-0135);

b. 2316 Lyndale Av N, legally described as South 40 Feet, Ex St of Lots 7 and 8, Block 9 of Cobbs Addition to North Minneapolis (PID #15-029-24-22-0049);

c. 716 N 31st Av, legally described as Lot 16, Block 1, The Oakland Addition (PID #09-029-24-41-0132).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. 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 recommends that the proper City Officers be authorized to execute an agreement with the Minneapolis Chapter of the American Red Cross allowing the Director of Emergency Preparedness, with the recommendation and approval of the Mayor and Emergency Operations Center staff, to authorize use of City-owned buildings as shelter areas for use by citizens in the event of a natural or man-made disaster.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to amend Contract #13448 with Hennepin Technical College to provide training for one firefighter cadet class of 36 students, at a cost of \$78,737 for 30 cadets, and \$2,715 for each additional student, for a total amount of \$95,027. Tutoring will be available at a cost of \$65 per hour per student, estimated at a cost of \$1,300 to \$1,850.

Your Committee further recommends that said contract be entered into notwithstanding the City's requirement for a Request for Proposals

process, pending review by the Permanent Review Committee.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept a grant of \$165,600 and execute a grant agreement with the State of Minnesota, Criminal Gang Strike Force for Minneapolis, to fund overtime for eight police officers to serve on the State Gang Strike Force and to fund vehicles for their use over an 18-month period during the Years 2000 and 2001.

Your Committee further recommends passage of the accompanying Resolution appropriating \$165,600 to the Police Department Agency to reflect receipt of said funds.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-446 By Biernat and Campbell

Amending The 2000 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution be amended by increasing the appropriation for the Police Department Agency in the Grants - Other Fund (060-400-C007) by \$165,600 and increasing the Revenue Source (060-400-C007 - Source 3215) by \$165,600.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept registration fees of \$500 per participant, for a total of \$61,970, as partial

reimbursement of expenses for the Police Department Training Unit hosting the Advanced Homicide Seminar, held September 12 - 17, 1999.

Your Committee further recommends passage of the accompanying Resolution appropriating \$61,970 to the Police Department Agency to reflect receipt of said funds.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-447
By Biernat and Campbell

Amending The 1999 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 General Fund (010-400-B111) by \$61,970.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to submit a grant application to the Minnesota Department of Economic Security seeking \$644,034 as part of the Juvenile Accountability Incentive Block Grant to support activities of the Hennepin County Criminal Justice Coordinating Committee (CJCC) and for implementation of the Serious Habitual Offender Community Action Program (SHOCAP) in Hennepin County. Said grant will be shared with Hennepin County in partnership and coordinated through the Hennepin County CJCC; the Police Department shall provide the local matching expenditure of \$71,559, with the source of funds to be identified prior to acceptance of the grant award. (Petn No 265443)

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends acceptance of low bid received on OP #5255 (Petn No 265444) submitted by Mattsen & Company, for a two-year estimated expenditure of \$300,000, for furnishing and delivering all labor, equipment and incidentals necessary for removal and disposal of hazardous and/or fallen trees and branches for the Inspections Department during the period January 1, 2000 through December 31, 2001, all in accordance with City specifications. Vendor offers to extend bid for the Years 2002 and 2003 at the sole option of the City of Minneapolis.

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

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **ZONING & PLANNING** Committees submitted the following report:

PS&RS & Z&P - Your Committee, to whom was referred by the Council on November 12, 1999 the matter of the Motor Vehicle Repair Garage License of Miled Soussi, dba Tires for Less, Inc, 3011 3rd Av S, as a result of non-compliance with the conditional use permit and site plan permit, and having been notified by the Zoning Office that the licensee has not met the terms and conditions of Conditional Use

Permit C-1949 and Site Plan Review Permit PR-476 by the November 15, 1999 deadline, now recommends that said Motor Vehicle Repair Garage License be revoked.

Biernat moved that the report be postponed. Seconded.

Adopted upon a voice vote.

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

T&PW - Your Committee recommends that the proper City officers be authorized to enter into the appropriate agreements with the Minneapolis Energy Center (MEC) for steam chilled water service at the Courthouse and Hennepin at 10th municipal parking ramps. The term of the agreement shall be 20 years (5-year initial term with three 5-year options), with prices to be at the current rate (adjustable pursuant to the agreement).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to the establishment of street lighting districts (said Chapter 431 defining such street lighting district as an area wherein lighting in excess of minimum street lighting is provided and further providing that the City's costs over and above said minimum lighting shall be paid by the benefited property owners), the City Engineer has presented to your Committee the details required by said Chapter 431 in connection with proposed Street Lighting District No 1240 for assessment of the maintenance and operation costs on additional street lighting for the convenience and safety of the area delineated as Central Av NE from 18th to 27th Av NE and the cross-streets (streets to receive lighting are as designated in the Central Av NE Street Lighting Project, Special Improvement of Existing Street No. 2207).

A summary of the facts relative to this assessment is as follows:

Number of assessable parcels in said district	115
Total assessable frontage in feet	6660
Annual cost per foot	\$0.69

Your Committee recommends that if there should be an increase in the cost of street lighting in the future that the increased cost be reflected in the assessment.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on January 13, 2000, in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances, to be considered the establishment of said proposed Street Lighting District No. 1240.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having received a cost estimate of \$592,000 for street lighting improvements and a list of benefited properties for the Central Av NE Street Lighting Project, Special Improvement of Existing Street No. 2207, as designated by Resolution 99R-405 passed November 12, 1999, now recommends that the City Engineer be directed to prepare a proposed Street Lighting Special Improvement Assessment in the amount of \$592,000 against the list of benefited properties by applying the street influence zone area method.

Your Committee further recommends that the City Clerk be directed to give a notice of a public hearing to be held by the Transportation and Public Works Committee on January 13, 2000, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated street

lighting project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the St. Anthony Parkway Bridge project over the Burlington Northern Santa Fe Railroad, now recommends that the proper City officers be authorized to execute Supplemental Agreement #1 to the City's contract with Wiss, Janney, Elstner, Associates, Inc. for completion of a feasibility study (Contract #13983), allowing for an extended completion date of July 1, 2000. The supplemental agreement will extend the time of performance only so no additional funding is required.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends that the proper City officers be authorized to execute the Routine Maintenance Agreement with Hennepin County (Agreement No. 23-20-99) for the year 2000, providing payment to the City in the amount of \$900,678 for various services performed on County routes within the City.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having been informed that the microtunneling process will be used to install pipe for certain projects within the Flood Mitigation Program, now recommends that proper City officers be authorized to increase the contract with Akkerman Company (Contract #14633) by \$70,000 and the primary purchase agreement with Akkerman Company (PC 82500008908) by \$125,000, to provide for additional parts, technicians and training for microtunneling operations. The increases are payable from the Sewer Rental Fund (7300).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Hiawatha Corridor Light Rail Transit Project and execution of agreements setting forth the terms and conditions of cooperation between the City and various parties associated with the implementation of the project, now recommends that the proper City officers be authorized to execute the following:

a) The Hiawatha Corridor Light Rail Transit Master Project Cooperation Agreement (as contained in Petn No 265447 on file in the Office of the City Clerk) between the Minnesota Department of Transportation, the Metropolitan Council, the Metropolitan Airports Commission, the Hennepin County Regional Railroad Authority, the City of Minneapolis and the City of Bloomington; and

b) The Hiawatha Corridor Light Rail Transit Supplementary Project Cooperation Agreement (as contained in Petn No 265447 on file in the Office of the City Clerk) between the Minnesota Department of Transportation, the Metropolitan Council and the City of Minneapolis.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Hiawatha Corridor Light Rail Transit (LRT) Project and alternatives for the LRT crossing at Lake Street, and having been informed of the results of a consultant study and community input on the matter, now recommends passage of the accompanying resolution approving the Hiawatha LRT crossing of Lake Street on a bridge structure.

Adopted. Yeas, 11; Nays, 1 as follows:

Yeas - Lane, Herron, Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, McDonald, Mead, Cherryhomes.

Nays - Niland.

Declining to vote - Goodman.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-448

By Mead

Approving the Hiawatha Light Rail Transit (LRT) crossing of Lake Street on a bridge structure.

Whereas, the Minnesota Department of Transportation (MnDOT) has evaluated various alternatives involving the LRT crossing of Lake Street and has concluded that an LRT crossing at grade, especially with signal preemption, would cause dramatic negative impacts to Lake Street traffic including bus movement; and

Whereas, a joint City/Hennepin County study of the impacts of the LRT crossing of Lake Street on proposed redevelopment of the Hi-Lake Shopping Center has concluded that the net effect of a grade separation could be a positive impact on the redevelopment plans if such redevelopment plans and the planning and design of the grade separation proceed in a coordinated fashion; and

Whereas, the City has been reluctant to support a grade separation at Lake Street until there could be proper discussion of the merits with the neighborhoods most directly affected; and

Whereas, such discussion has now taken place and staff has recommended that LRT pass over Lake Street on a bridge structure;

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

That the City now supports an LRT crossing at Lake Street on a bridge structure with the understanding that the planning for such a crossing and the planning for redevelopment of the Hi-Lake Shopping Center area proceed in a coordinated manner.

Adopted. Yeas, 11; Nays, 1 as follows:

Yeas - Lane, Herron, Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, McDonald, Mead, Cherryhomes.

Nays - Niland.

Declining to vote - Goodman.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying resolution approving the appointment of Commissioners and Alternate Commissioners to serve on the Bassett Creek Water Management Commission and the Shingle

Creek Watershed Management Commission to serve the unexpired terms of the current appointees.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-449

By Mead

Appointing Commissioners and Alternate Commissioners to serve on the Bassett Creek Water Management Commission and the Shingle Creek Watershed Management Commission.

Whereas, the City of Minneapolis has entered into a joint powers agreement with the Cities of Crystal, Golden Valley, Medicine Lake, Minnetonka, New Hope, Plymouth, Robbinsdale and St Louis Park that created the Bassett Creek Watershed Management Commission (BCWMC); and

Whereas, the City of Minneapolis has entered into a joint powers agreement with the Cities of Brooklyn Center, Brooklyn Park, Crystal, Maple Grove, New Hope, Osseo and Plymouth that created the Shingle Creek Watershed Management Commission (SCWMC); and

Whereas, both the BCWMC and SCWMC agreements commit Minneapolis to appoint a commissioner and an alternate commissioner to serve three year terms; and

Whereas, the terms of the present appointees expire on January, 2001; and

Whereas, the Minnesota Legislature amended the Metropolitan Surface Water Management Act to prohibit cities from appointing staff to serve on joint power watershed management organizations; and

Whereas, said legislation requires that Minneapolis replace both the commissioners and alternate commissioners on both the BCWMC and the SCWMC no later than January, 2000.

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

That the following people be appointed to serve on the BCWMC until January, 2001:

Commissioner: Michael Welch, 217 S Cedar Lake Rd

Alternate Commissioner: Edward McRoberts, 2400 Glenwood Av

Be It Further Resolved that the following people be appointed to serve on the SCWMC until January, 2001:

Commissioner: Council Member Barbara Johnson

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

T&PW & W&M/Budget - Your Committee recommends acceptance of the following bids in accordance with City specifications (Petn No 265449):

a) OP #5201, only bid submitted by Pierce Manufacturing, Inc. represented by Clarey's Safety Equipment in the amount of \$404,610 for furnishing and delivering a heavy duty rescue vehicle to the Public Works Equipment Service Division; and

b) OP #5262, only bid of Duncan Industries Parking Control System Corporation in the amount of \$61,919.12 for furnishing and delivering reloadable cash card vending machines to the Public Works Transportation Division.

Your Committee further recommends that the proper City Officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished January 5, 2000)

T&PW & W&M/Budget - Your Committee, having under consideration the Uptown Streetscape Project and having been informed that the project is complete, now recommends that the proper City officers be authorized to execute Supplemental Agreement #4 to the contract with Electric Service Company of Minneapolis (Contract #9199) increasing the contract by \$12,677.29 due to a change in the scope of project construction.

Your Committee further recommends that the electrical and concrete work for the project be accepted and final payment of \$1,026,972.07 be authorized.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget- Your Committee, having under consideration participation in the study, preliminary design and final design of improved access at CASH 3 (Lake Street) and I-35W, now recommends that the proper City officers be directed to execute Agreement No. PW 65-20-99 with Hennepin County for the City's share of a study and authorized to make a total payment of \$182,666 to the County from the 1999 and 2000 Engineering Services Budget (4100-6025), to be funded as follows:

a) The Budget office is directed to allow the Engineering Services Division to carry over \$100,000 from its 1999 Budget (4100-6025) into year 2000 budget to cover part of the required \$182,666 payment; and

b) The remaining \$82,666 will be paid from the approved year 2000 Engineering Services Budget (4100-6025).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 17, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 21, 1999)

T&PW & W&M/Budget - Your Committee, having under consideration Phase 3 of the Cedar Lake Trail Project and two easements that are required for construction and having received a report from the Minneapolis Community Development Agency (MCDA) outlining what condemnation of the properties would cost and a report from the Risk Management Division providing an assessment of the risks involved with the easements, now recommends that the proper City officers be authorized to:

a) Enter into an easement agreement with the Burlington Northern Sante Fe Railroad for property associated with the Phase 3 of the Cedar Lake Trail Project and make a payment in the amount of \$16,470;

b) Enter into an easement agreement with Investment Management, Incorporated (IMI) for property associated with Phase 3 of the Cedar Lake Trail Project and make a payment in the amount of \$1; and

c) Proceed with the vacation and exchange of land parcels relating to the agreement with IMI.

Your Committee further recommends that the costs for the easements be payable from the Bike Commuter Route System Capital Program (4100-943-9464).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. 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 recommends that the proper City officers be authorized to enter into an agreement with SRF Consulting, Inc. to conduct a master plan process focusing on transit oriented design and development within one-half mile of the light rail transit (LRT) station platform locations at Cedar Riverside and Franklin Av. The anticipated cost for the planning services is \$125,000, with funding of \$100,000 being provided by the Metropolitan Council under the LRT Master Cooperative Funding Agreement, and the remaining \$25,000 from the Public Works Department budget (0100-380-3820).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

W&M/Budget-Your Committee recommends approval to adopt the *Policy for Performance Appraisals*, an updated City policy that supports regular performance feedback for all City employees and formal performance appraisals on an annual basis.

Your Committee further recommends that the Director of the Human Resources Department be directed to consider additional language that would encourage innovative thinking and discussions.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget-Your Committee recommends concurrence with the Neighborhood Arts Program Advisory Panel in their recommendation to provide Round 18 funding to 15 organizations for art projects and programs, for a total funding amount of \$25,000, with \$13,850 to be payable from the General Fund (0100-800-8015) and \$11,150, to be payable from the Grants - Other Fund (0600-800-8015), as more fully set forth in Petn No 265460 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget-Your Committee, having under consideration the City's leased office space at the Metropolitan Centre Building, 333 South 7th Street, and issues relating to the sale of said building, now recommends that the proper City officers be authorized to execute a "Tenant Estoppel Certificate," to accurately reflect the terms and conditions of said lease.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget-Your Committee recommends that the lawsuits filed against the City be settled and be payable from the Self Insurance Fund, as follows:

a) William M. Weyer and his attorney, Roger C. Alderson, in the amount of \$7,000, payable from 6900-150-1500-4000; and

b) Medica Choice, in the amount of \$1,000, Alma Whitfield and her attorney, Bradley H. Ratgen, in the amount of \$37,500, and Bradley H. Ratgen, in the amount of \$655.80, payable from 6900-145-1451-8200.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget-Your Committee recommends that the proper City officers be authorized to execute a 5-year renewable contract with Municipal Code Corporation to provide codification and publication of the Minneapolis City Charter and Code of Ordinances, for the period from January 1,

2000 through December 31, 2004, at an estimated annual cost not to exceed \$50,000, for an estimated contract total not to exceed \$250,000, payable from the City Clerk - Total Agency in the General Fund (0100-260-2611).

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget-Your Committee recommends that the proper City officers be authorized to establish the following price agreements for 2000, payable from the City Clerk - Total Agency in the Intergovernmental Service Fund:

a) United States Postal Service, in an amount not to exceed \$550,000, payable from 6400-260-2620;

b) Anchor Paper and the successor Hennepin County contractor, in an amount not to exceed \$250,000, payable from 6400-260-2630; and

c) Special School District #1 Print Shop, in an amount not to exceed \$100,000, payable from 6400-260-2630.

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget-Your Committee recommends that the proper City officers be authorized to execute Amendment #2 to Contract #13479 with the Greater Minneapolis Convention and Visitors Association (GMCVA), extending said contract through December 31, 1999 and increasing the amount by \$20,000, for a new contract total of \$100,000, payable from the Convention Center Agency in the Convention Center Fund (0760-865-8651).

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget-Your Committee recommends that the proper City officers be authorized to execute Change Order #4 to Contract #13203 (Convention Center Parking Facility Contract) with Knutson Construction Services, Inc., increasing said contract by \$68,971, for a new contract total of \$7,417,745, payable from the Project Contingency.

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.

Approved December 17, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.
(Published December 21, 1999)

W&M/Budget-Your Committee recommends that the proper City officers be authorized to execute an agreement with the American Indian Housing Corporation for Metropolitan Council Livable Communities Demonstration Account funding to provide for the renovation of their building and site at 2020 Bloomington Avenue South, in the amount of \$50,000, payable from the Metropolitan Council, as administered by the City.

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget-Your Committee recommends acceptance of a grant award, in the amount of \$250,000, from the Metropolitan Council's Metropolitan Livable Communities Act Local Housing Incentives Account.

Your Committee further recommends that the proper City officers be authorized to execute the required grant agreement with the Metropolitan Council.

Your Committee further recommends that the proper City officers be authorized to execute a Memorandum of Agreement with the Minneapolis Community Development Agency (MCDA) for implementation of said grant.

Your Committee further recommends passage of the accompanying resolution increasing the Non-Departmental Agency appropriation and revenue estimate by \$250,000.

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-450

By Campbell

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) increasing the appropriation for the Non-Departmental Agency in the Grants - Other Fund (0600-123-1232) by \$250,000 and increasing the revenue estimate for the Non-Departmental Agency in the Grants - Other Fund (0600-123-1232-Source 3215) by \$250,000; and

b) increasing the Transfer Fund Agency in the Grants - Other Fund (0600-127-1270-9030) by \$250,000 for transfer to the Minneapolis Community Development Agency for implementation.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends reclassification of the Supervisor, Civil Rights Enforcement position to Grade 10 of the Civil Rights Promotional Line.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for said position, based on studies conducted by the Department of Human Resources, to be effective August 5, 1999.

Your Committee further recommends summary publication of said ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-164, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Supervisor, Civil Rights Enforcement, was passed December 17, 1999 by the City Council and approved December 23, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

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

ORDINANCE 99-Or-164

By Campbell

1st & 2nd Readings: 12/17/99

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

**Non-Represented (CNR)
Effective: August 5, 1999**

FLSA	OTC	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	1	Supervisor, Civil Rights Enforcement	B	1716	1849	1942	2048	2153	2263	2382

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Non-Represented (CNR)
Effective: January 1, 2000

FLSA	OTC	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	1	Supervisor, Civil Rights Enforcement	B	1759	1895	1991	2099	2207	2320	2442

Adopted. Yeas, 13; Nays none.
 Passed December 17, 1999. J. Cherryhomes, President of Council.
 Approved December 23, 1999. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends reclassification of Equal Opportunity Specialist to Complaint Investigation Officer, Grade 8, Civil Rights Promotional Line.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for said position, based on studies conducted by the Department of Human Resources, to be effective July 19, 1999, and that back pay be authorized in accordance with union contract provisions.

Your Committee further recommends summary publication of said Ordinance.
 Adopted. Yeas, 13; Nays none.
 Passed December 17, 1999.
 Approved December 23, 1999. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

Ordinance 99-Or-165, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Complaint Investigation Officer, was passed December 17, 1999 by the City Council and approved December 23, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

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

ORDINANCE 99-Or-165
By Campbell

1st & 2nd Readings: 12/17/99

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

AFSCME Local 9 Clerical/Technical (CAF)
Effective: July 19, 1999

FLSA	OTC	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	2	Complaint Investigation Officer	B	1502	1576	1654	1736	1823	1917	2012

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.
Approved December 23, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends reclassification of the Equal Opportunity Specialist and Labor Standards Coordinator positions to Contract Compliance Officer, Grade 8, Civil Rights Promotional Line.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for said position, based on studies conducted by the Department of Human Resources, to be effective July 19, 1999, and that back pay be authorized in accordance with union contract provisions.

Your Committee further recommends summary publication of said ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-166, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Contract Compliance Officer, was passed December 17, 1999 by the City Council and approved December 23, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

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

ORDINANCE 99-Or-166

By Campbell

1st & 2nd Readings: 12/17/99

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

AFSCME Local 9 Clerical/Technical (CAF) Effective: July 19, 1999

FLSA	OTC	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	2	Contract Compliance Officer	B	1502	1576	1654	1736	1823	1917	2012

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of the new classification of Community Relations Coordinator, Grade 8, Staff Assistance Promotional Line.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for said position, based on studies conducted by the Department of Human

Resources, to be effective July 19, 1999, and that back pay be authorized in accordance with union contract provisions.

Your Committee further recommends summary publication of said ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-167, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Community Relations Coordinator, was passed December 17, 1999 by the City Council and approved December 23, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

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

**ORDINANCE 99-Or-167
By Campbell**

1st & 2nd Readings: 12/17/99

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

**Minneapolis Professional Employees Association (CPE)
Effective: July 19, 1999**

FLSA	OTC	CLASSIFICATION	P	6 Months	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	4	Community Relations Coordinator	B	1386	1423	1529	1607	1694	1781	1883	1977

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a Workers' Compensation Settlement Agreement with James Osland, in the amount of \$44,000, payable from the Workers' Compensation Agency in the Self-Insurance Fund (6900-145-1451-6750).

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that Hillary J. Freeman be transferred to the position of Administrative Assistant in Ward 3 and be granted the seventh step rate of pay, to be effective on the date of said transfer.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.
Approved December 23, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the Executive Committee to authorize the Director of Human Resources to offer Timothy Giles an annual pay increase of \$17,365 above the salary schedule for the position of Director of Employer/Employee Relations for the remainder of 1999, in order to retain his professional services and based upon the competitive labor market for such positions.

Your Committee further recommends passage of the accompanying salary ordinance reflecting the increase in annual compensation for the Director of Employer/Employee Relations.

Your Committee further recommends that that the Director of Human Resources be directed to draft an ordinance that would be similar to Minnesota Statute 43A.17, Subd.3(b), which would allow the Executive Committee to review such unusual employment situations and make exceptions based on the need to attract or retain qualified people. Such exceptions could not exceed 120 percent of the salary of the head of the department or the maximum rate established for the position, whichever is less. The ordinance should further define the conditions that must apply to such requests.

Your Committee further recommends summary publication of said ordinance.

Adopted. Yeas, 12; Nays none.

Declining to Vote - Niland.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-168, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Director, Employer/Employee Relations, was passed December 17, 1999 by the City Council and approved December 23, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 99-Or-168
By Campbell

1st & 2nd Readings: 12/17/99

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 classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes:

Appointed Officials (CAP)
Effective: December 17, 1999

FLSA	OTC	CLASSIFICATION	Annual Salary
E	1	Director of Employer- Employee Relations	\$106,000

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

Appointed Officials (CAP)

Effective: January 1, 2000

FLSA	OTC	CLASSIFICATION	Annual Salary
E	1	Director of Employer- Employee Relations	\$108,650

Adopted. Yeas, 12; Nays none.
Declining to Vote - Niland.
Passed December 17, 1999. J. Cherryhomes, President of Council.
Approved December 23, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

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

Z&P - Your Committee, having under consideration Site Plan Review Permit PR-536 granted to Gold Star Foods (Idriss Alnabi) for the site at 818 Lowry Av N, and having conducted a public hearing to determine if the terms of said permit have been violated and whether the permit should be modified or revoked, now recommends that PR-536 be revoked, in accordance with the Findings of Fact prepared by the City Attorney's Office and on file in the Office of the City Clerk and made a part of this report by reference.

Your Committee further recommends that this matter be referred to the Public Safety & Regulatory Services Committee for action on the applicant's license and joint recommendation to the City Council. (Petn No 265468).

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.
Approved December 23, 1999. 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. N. Matthew Richardson, 2631 Oliver Av N: Application to retain the existing front yard trellis at 7-1/2 ft height. (#1999-183)

b. William Woods for Hetherwood Construction: Application to install frost footing for handicap access and room addition at 1412 W 36th St, on condition that the applicant go through non-conforming zoning process with Planning Commission and meet with the neighborhood board. (#1999-194)

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.
Approved December 23, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends granting the application of Thomas and Janet Sass, 1707 E 52nd St, to permit-construction of home addition to within 5 ft of the side lot line while variance approval is being sought from Board of Adjustment, notwithstanding the Zoning Code. (#1999-196)

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.
Approved December 17, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Published December 21, 1999)

Z&P - Your Committee recommends that the proper City officers be authorized to reimburse Walter Bratt for fees for nonconforming use and variance applications for property at 2840 and 2844 Bloomington Av (O-504 and V-4549) in the amount of \$925. (Petn No 265466)

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.
Approved December 23, 1999. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends that the Mayor's appointment of Julie Idelkope to the Planning Commission not be confirmed.
McDonald moved that the following resolution be substituted for the above report. Seconded.
Adopted upon a voice vote.

RESOLUTION 99R-451
By Mead, McDonald, Lane, Niland,
Goodman, Herron, Ostrow

Objecting to the Mayor's appointment to the City's Planning Commission.

The City Council of the City of Minneapolis finds it objectionable that the Mayor's appointment to the City's Planning Commission is a lobbyist for Northwest Airlines paid to gain access to the City of Minneapolis and other State and local governmental entities.

Adopted. Yeas, 9; Nays 4, as follows:
Yeas - Lane, Herron, Thurber, Ostrow, Niland, Goodman, Colvin Roy, McDonald, Mead.
Nays - Johnson, Campbell, Biernat, Cherryhomes.

Passed December 17, 1999. J. Cherryhomes, President of Council.

NOT APPROVED BY THE MAYOR.
Attest: M. Keefe, City Clerk.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss
CITY OF MINNEAPOLIS)

I MERRY KEEFE, City Clerk of the City of Minneapolis, County of Hennepin, State of Minnesota, do hereby certify that Resolution 99R-451 relating to the Mayor's appointment of Julie Idelkope to the Minneapolis Planning Commission, as acted upon by the City Council of Minneapolis, Minnesota, and designated as "Not Approved by the Mayor", for her approval and signature as such Mayor; that Mayor Sayles Belton did not thereafter, within five days, Sundays excepted, approve or sign such action within the time specified.

Therefore, in accordance with the provisions of Chapter 3, Section 1, of the City Charter, said action has become and is valid, and I hereby certify that it has the same force and effect as if approved by said Mayor.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, this 27th day of December, 1999.

Merry Keefe
City Clerk.

Z&P - Your Committee, having under consideration the appeal of Lee Henderson from the decision of the Board of Adjustment granting a 9 ft addition with 50% transparent railing in lieu of Henderson's request for variation of the front yard from 33.5 ft to 21.5 ft to permit a one-story, 12 ft diameter, circular entry/family room addition on front of dwelling at 3420 46th Av S (V-4566), and having conducted a public hearing thereon, now recommends that said appeal be granted and a variation to 21.5 feet be allowed, notwithstanding the decision of the Board of Adjustment. (Petn No 265467)

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.
Approved December 23, 1999. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of Kevin Thoresen from the decision of the Board of Adjustment denying application for a nonconforming use certificate for a third dwelling unit on the ground floor at 2729-31 E 25th St (O-505), and having conducted a public hearing thereon, now recommends that said appeal be granted and the nonconforming use be allowed, notwithstanding the decision of the Board of Adjustment. (Petn No 265467)

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.
Approved December 23, 1999. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the application of Master Civil and Construction Engineering on behalf of Rio Bravo, LLC, for a two year extension of its interim use permit (I-1) for a surface commercial parking lot in the area bounded by W River Road, 2nd St S, 8th Av S and 10th Av S, and having conducted a public hearing thereon, now recommends that said application be approved, with the extended interim use permit to expire December 31, 2001, upon condition that the parking lot shall not be expanded beyond its current extent. (Petn No 265469)

Adopted. Yeas, 12; Nays, 1 as follows:
Yeas - Lane, Herron, Johnson, Thurber, Ostrow,
Campbell, Biernat, Niland, Colvin Roy, McDonald,
Mead, Cherryhomes.
Nays - Goodman.
Passed December 17, 1999.
Approved December 23, 1999. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of Dinesh and Rajesh Tandon from the decision of the Planning Commission denying their request for variation of the front yard setback from 15 ft to 5 ft to permit the existing parking to remain in the front yard setback of their Kwik Mart store at 3652 Cedar Av S (V-4557), and having conducted a public hearing thereon, now recommends that said appeal be granted and the variation allowed, notwithstanding the decision of the Board of Adjustment. (Petn No 265469)

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.
Approved December 23, 1999. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends that Marissa Lasky, 1233 Edlin Place (Ward 7), be reappointed to the Zoning Board of Adjustment for a three-year term to expire December 31, 2002. (Petn No 265469)

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.
Approved December 23, 1999. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P - Your Committee, to whom was referred the following:

a. On October 16, 1998, the subject matter of an ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances, prohibiting establishment, re-establishment or expansion of billboards in the general billboard Districts A and B; and

b. On November 13, 1998, the subject matter of an ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances, prohibiting establishment, re-establishment or expansion of off-premises advertising signs and billboards in the City, now recommends that said ordinances be returned to author.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.
Approved December 23, 1999. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

MOTIONS

Ostrow, Chair of the Claims Committee, moved concurrence in the reports received from the City Attorney (Petn No 265471) recommending payment of workers' 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, 13; Nays none.
Passed December 17, 1999.
Approved December 23, 1999. 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, 2000, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.
Approved December 23, 1999. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Campbell moved to suspend the Council Rules for the purpose of amending the starting time from 9:30 a.m. to 2:00 p.m. for the Organization Meeting scheduled for January 3, 2000. Seconded.
Adopted upon a voice vote.

McDonald moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Martha Sandberg for a residential block event to be held December 21, 1999, between the hours of 6:30 and 9:30 p.m. on W 41st Street between Lyndale Av S and the alley between Lyndale and Garfield Aves S, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 13; Nays none.
Passed December 17, 1999.
Approved December 23, 1999. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Herron moved that H&HS report passed November 24, 1999 regarding the provision of adult placement/retention services for the Phillips Neighborhood be amended to add the following item "c":

"further, that the proper City Officers be authorized to enter into a Master Contract with Goodwill/Easter Seals." Seconded.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

McDonald moved to authorize the Planning Director to issue a letter to the University of Minnesota setting up an account for donations to develop the Minneapolis Urban Vision in support of the Minneapolis Comprehensive Plan. Seconded.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 29, 1999)

UNFINISHED BUSINESS

Septan Inc, 3948 Nicollet Ave: Deny appeal for nonconforming use certificate to allow gas station and repair garage, grant appeal for variance. (Postponed 10/30/98, Z&P)

Emerson Townhomes, 1221 W Lake St/3016-26 Emerson Ave S: Passage of Resolution vacating alley to allow retail/residential development (9 votes). (Postponed 11/12/99, Z&P)

McDonald moved to continue postponement on the above two reports. Seconded.

Adopted upon a voice vote.

NEW BUSINESS

McDonald was granted unanimous consent to introduce ordinances repealing the following Chapters of Title 21 of the Minneapolis Code of Ordinances relating to *Interim Ordinances*, due to the related zoning controls having been adopted by passage of the 1999 Zoning Code revision, which were given their first reading:

- a) Chapter 581 related to "Providing for a Moratorium on Expansion or Establishment of Tobacco Shops and Tobacco Related Establishments in the B2, B2S, B3, B3S and B3C Business Districts"
- b) Chapter 582 related to "Providing for a Moratorium on the Demolition of Buildings and the Establishments or Expansion of Surface Parking Lots in Elliot Park*"
- c) Chapter 585 related to "Providing for a Moratorium on the Establishment or Expansion of Day Labor Facilities"
- d) Chapter 587 related to "Providing for a Moratorium on the Demolition of Buildings and the Establishment or Expansion of Surface Parking Lots in the Loring Park and North Loop Study Areas"
- e) Chapter 588 related to "Providing for a Moratorium on the Establishment, Re-establishment or Expansion of any Automobile Service Station, Automobile Convenience Facility, Garage for the Storage, Repair or Servicing of Motor Vehicles, or Automobile Combination Convenience Facility in any of the B3 Zoning Districts or in the B-2-S Zoning District"

McDonald was granted unanimous consent that said ordinances be given their second reading for amendment and passage.

ORDINANCE 99-Or-169

By McDonald

1st & 2nd Readings: 12/17/99

Repealing Chapter 581 of Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Providing for a Moratorium on Expansion or Establishment of Tobacco Shops and Tobacco Related Establishments in the B2, B2S, B3, B3S and B3C Business Districts.

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

Section 1. That Chapter 581 of the above-entitled ordinance be and is hereby repealed.

581.10. Authority. Pursuant to Minnesota Statutes Section 462.355, Subd. 4, the city is authorized to establish interim ordinances to regulate, restrict or prohibit any use or development in all or a part of the city while the city or its planning department is conducting studies, or has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of the comprehensive plan or official zoning controls. In furtherance of this statutory authority, the city has enacted section 534.470 of the zoning code that governs the establishment of interim ordinances. The city declares that this interim ordinance is established pursuant to the aforementioned statute and city ordinance.

581.20. Findings and purpose. The City of Minneapolis is conducting a comprehensive revision of its zoning code and commercial zoning district regulations. One of the major goals of the revision is to minimize land use conflicts, particularly near fragile residential neighborhoods and to promote home ownership, maintenance and investment in residential property, and to preserve the city as a desirable place in which to live, to work and to visit.

The city council is concerned about the proximity of tobacco shops to sensitive uses such as schools, churches, parks, and day care facilities. Smoking has been shown to cause a great number of health problems. For the vast majority of smokers, the habit of smoking becomes established before they are legally adults. Because there may be a correlation between proximity to tobacco-related establishments and the availability of tobacco products to youth, the city is examining the location of tobacco-related establishments with respect to sites that are central gathering places or traffic routes of youth.

The city is concerned with the impact of tobacco marketing on youth. The city is considering design and signage standards of tobacco-related establishments in order to minimize the degree to which youth are subjected to tobacco-related advertising.

The city is concerned that the existence of tobacco shops in some locations may have an adverse effect on property values.

The licensing department of the City of Minneapolis is in the process of amending the ordinance that regulates tobacco-related establishments in the City of Minneapolis. The final form of the amended ordinance has not yet been established. Appropriate zoning restrictions on tobacco-related establishments may depend on the provisions of the amended ordinance or vice versa. Changes to both ordinances should be considered together and in light of the findings of this study in order that a consistent city policy with rational implementation measures may result.

As a result of the important land use, zoning and regulatory issues cited above, the city, through its planning department, will conduct studies to consider possible amendments to the comprehensive plan or official zoning controls to address issues related to the impact of tobacco-related establishments. The city finds that this interim ordinance should be adopted to protect the planning process and the health, safety, and welfare of the citizens.

581.30. Zoning study. The B2, B2S, B3, B3S and B3C zoning districts are hereby declared to be an interim zoning study area with respect to conversion, expansion or establishment of any business establishments for which tobacco-related sales comprise forty (40) percent of total gross receipts. The planning department is directed to commence a study to propose such amendments to the comprehensive plan or official zoning controls that the planning department deems necessary.

581.40. Restrictions. For a period of one (1) year from the date of final approval of this chapter, no building, construction, or demolition permit or license shall be allowed or granted by any city department for the establishment of any tobacco shop or other establishment for which tobacco-related sales comprise forty (40) percent of total gross receipts. The city specifically reserves the right to extend this chapter for such additional periods as are necessary to complete a planning study, not exceeding a total additional period of eighteen (18) months.

This chapter is hereby extended eighteen (18) months and shall expire on December 21, 2000.

581.50. Hardship. In cases of hardship, any person aggrieved by the requirements of this ordinance may apply to the city council for a waiver for all or a portion of the applicable restrictions. Such application shall be made to the zoning administrator who will forward the request to the appropriate committee of the city council. A waiver may be granted where the city council finds that the waiver will not affect the integrity of the planning process and that the purposes for which the ordinance is enacted will be served by the waiver.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 99-Or-170

By McDonald

1st & 2nd Readings: 12/17/99

Repealing Chapter 582 of Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Providing for a Moratorium on the Demolition of Buildings and the Establishment or Expansion of Surface Parking Lots in Elliot Park.

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

Section 1. That Chapter 582 of the above-entitled ordinance be and is hereby repealed.

582.10. Authority. Pursuant to Minnesota Statutes Section 462.355, Subd. 4, the city is authorized to establish interim ordinances to regulate, restrict or prohibit any use or development in all or a part of the city while the city or its planning department is conducting studies, or has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of the comprehensive plan or official zoning controls. In furtherance of this statutory authority, the city has enacted Chapter 529 of the zoning code which governs the establishment of interim ordinances. The city declares that this interim ordinance is established pursuant to the aforementioned statute and city ordinance.

582.20. Findings and purpose. The City of Minneapolis is conducting a major revision of its comprehensive plan, zoning code and commercial zoning district regulations. One of the goals of the revision is to minimize land use conflicts and to protect the unique character of city neighborhoods. Another goal is to preserve and promote the reuse of existing significant and useful buildings. The city council is concerned about the effects of the destruction of existing, useful buildings, and the establishment or expansion of surface parking lots in the Elliot Park area.

The city council is concerned that existing buildings which provide important contributions to the unique character and aesthetic and economic vitality of the Elliot Park area may be destroyed, often to add more surface parking lots which do not contribute to the welfare of the Elliot Park area in the same important ways as the existing buildings.

The city council is concerned that the current regulations governing the location, design and landscaping of surface parking lots are inadequate to protect and promote the unique character and the aesthetic quality of the Elliot Park area.

As a result of the important land use and zoning issues cited above, the city, through its planning department, will conduct studies for the purpose of consideration of possible amendments to the comprehensive plan or official zoning controls to address the issues concerning the demolition of

existing buildings, and the establishment or expansion of surface parking lots in the Elliot Park area. The city finds that this interim ordinance should be adopted to protect the planning process and the health, safety and welfare of the citizens:

582.30. Zoning study. The Elliot Park Study Area of the city, defined as the area bounded by 5th Street south from Chicago Avenue to Interstate 35W and south and west along Interstate 35W to Interstate 94 and Interstate 94 north to 12th Street and 12th Street east to Chicago Avenue and Chicago Avenue north to 5th Street, and as shown on the map contained in Petition Number 262916 on file in the office of the city clerk, is hereby declared to be an interim zoning study area with respect to the demolition of existing buildings, and the establishment or expansion of surface parking lots. The planning department is directed to commence a study of the effects of the demolition of existing buildings, and the establishment or expansion of surface parking lots within the study area and to propose such amendments to the comprehensive plan or official zoning controls that the planning department deems necessary.

582.40. Restrictions. For a period of one year from the date of final approval of this chapter, no demolition permit for the destruction of any building, and no building or construction permit, zoning certificate or license for the establishment or expansion of any surface parking lot within the study area shall be allowed or granted by any city department. The city specifically reserves the right to extend this chapter for such additional periods as are necessary to complete the study, not exceeding a total additional period of eighteen (18) months:

This chapter is hereby extended eighteen (18) months and shall expire on January 11, 2000.

582.50. Hardship. In cases of hardship, any person having a legal or equitable interest in land and aggrieved by the requirements of this interim ordinance may apply to the city council for a waiver of all or a portion of the applicable restrictions as provided for in Chapter 529 of the zoning code. A waiver may be granted where the city council finds substantial hardship caused by the restrictions and finds that the waiver will not unduly affect the planning process or the purposes for which the interim ordinance is enacted:

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 99-Or-171

By McDonald

1st & 2nd Readings: 12/17/99

Repealing Chapter 585 of Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Providing for a Moratorium on the Establishment or Expansion of Day Labor Facilities.

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

Section 1. That Chapter 585 of the above-entitled ordinance be and is hereby repealed.

585.10 Authority. Pursuant to Minnesota Statutes Section 462.355, Subd. 4., the city is authorized to establish interim ordinances to regulate, restrict or prohibit any use or development in all or a part of the city while the city or its planning department is conducting studies, or has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of the comprehensive plan or official zoning controls. In furtherance of this statutory authority, the city has enacted Chapter 529 of the zoning code which governs the establishment of interim ordinances. The city declares that this interim ordinance is established pursuant to the aforementioned statute and city ordinance:

585.20. Findings and purpose. The city of Minneapolis is conducting a comprehensive revision of its zoning code. One of the major goals of the revision is to minimize land use conflicts, particularly near fragile residential neighborhoods and to promote home ownership, maintenance and investment in

residential property. The city council is concerned about the affects of day labor facilities in and near residential neighborhoods. The city council is concerned that day labor facilities may contribute to neighborhood instability through increased traffic, early morning noise, littering, and other nuisance related activities often associated with this type of use.

The city council is concerned that day labor facilities are not a service to neighborhoods or community level commercial districts. As a result of the important land use and zoning issues cited about, the city, through its planning department, will conduct studies for the purpose of consideration of possible amendments to the comprehensive plan or official zoning controls to address the issues related to the establishment or expansion of day labor facilities. The city finds that this interim ordinance should be adopted to protect the planning process and the health, safety, and welfare of the citizens.

585.30. Zoning study. The City of Minneapolis is hereby declared to be an interim zoning study area with respect to the establishment or expansion of day labor facilities. The planning department is directed to commence a study of the effects of the establishment or expansion of day labor facilities in the city, and to propose such amendments to the comprehensive plan or official zoning controls that the planning department deems necessary.

585.40. Restrictions. For a period of one (1) year from the date of final approval of this ordinance, no building, construction, or demolition permit or license for the establishment or expansion of any day labor facility shall be allowed or granted by any city department. The city specifically reserves the right to extend this ordinance for such additional periods as are necessary to complete a planning study, not exceeding a total additional period of eighteen (18) months.

This chapter having previously been extended twelve (12) months is hereby extended an additional six (6) months and shall expire on February 8, 2000.

585.50. Hardship. In cases of hardship, any person aggrieved by the requirements of this ordinance may apply to the city council for a waiver of all or a portion of the applicable restrictions. Such application shall be made to the zoning administrator who will forward the request to the appropriate committee of the city council. A waiver may be granted where the city council finds that the waiver will not affect the integrity of the planning process and that the purpose for which the ordinance is enacted will be served by the waiver.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 99-Or-172
By McDonald

1st & 2nd Readings: 12/17/99

Repealing Chapter 587 of Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Providing for a Moratorium on the Demolition of Buildings and the Establishment or Expansion of Surface Parking Lots in the Loring Park and North Loop Study Areas.

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

Section 1. That Chapter 587 of the above-entitled ordinance be and is hereby repealed.

587.10. Authority. Pursuant to Minnesota Statutes Section 462.355, Subd. 4, the city is authorized to establish interim ordinances to regulate, restrict or prohibit any use or development in all or a part of the city while the city or its planning department is conducting studies, or has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of the comprehensive plan or official zoning controls. In furtherance of this statutory authority, the city has enacted Chapter 529 of the zoning code which governs the establishment of interim ordinances. The city declares that this interim ordinance is established pursuant to the aforementioned statute and city ordinance.

587.20. Findings and purpose. The City of Minneapolis is conducting a major revision of its

comprehensive plan, zoning code and zoning map. One of the goals of the revision is to minimize land use conflicts and to protect the unique character of city neighborhoods. Another goal is to preserve and promote the reuse of existing significant and useful buildings. The city council is concerned about the effects of the destruction of existing useful buildings, and the establishment or expansion of surface parking lots in the unique residential and mixed-use neighborhoods and areas near downtown.

The city council is concerned that existing buildings which provide important contributions to the unique character and aesthetic and economic vitality of these areas may be destroyed, often to add more surface parking lots which do not contribute to the welfare of these areas in the same important ways as the existing buildings. The city council is concerned that the regulations governing the location, design and landscaping of surface parking lots are inadequate to protect and promote the unique character and aesthetic quality of these areas.

As a result of the important land use and zoning issues cited above, the city, through its planning department, will conduct studies for the purpose of consideration of possible amendments to the comprehensive plan or official zoning controls to address the issues concerning the demolition of existing buildings, and the establishment or expansion of surface parking lots in these unique residential and mixed-use areas near downtown. The city finds that this interim ordinance should be adopted to protect the planning process and the health, safety and welfare of the citizens.

587.30. Zoning study. The Loring Park Study Area, defined as the area bounded by Interstate 94, Interstate 394, Interstate 35W and 12th Street, and the North Loop Study Area, defined as the area bounded by 3rd Avenue North, the Mississippi River, Plymouth Avenue, and Washington Avenue, and as shown on the map contained in Petition Number 263914 on file in the office of the city clerk, are hereby declared to be interim zoning study areas with respect to the demolition of existing buildings and the establishment or expansion of surface parking lots. The planning department is directed to commence a study of the effects of the demolition of existing buildings, and the establishment or expansion of surface parking lots within the study areas and to propose such amendments to the comprehensive plan or official zoning controls that the planning department deems necessary.

587.40. Restrictions. For a period of one (1) year from the date of final approval of this chapter, no demolition permit for the destruction of any building, and no building or construction permit, zoning certificate or license for the establishment or expansion of any surface parking lot within the study areas shall be allowed or granted by any city department. The city specifically reserves the right to extend this chapter for such additional periods as are necessary to complete the study, not exceeding a total additional period of eighteen (18) months.

This chapter is hereby extended eighteen (18) months and shall expire on December 26, 2000.

587.50. Hardship. In cases of hardship, any person having a legal or equitable interest in land and aggrieved by the requirements of this interim ordinance may apply to the city council for a waiver of all or a portion of the applicable restrictions as provided for in Chapter 529 of the zoning code. A waiver may be granted where the city council finds substantial hardship caused by the restrictions and finds that the waiver will not unduly affect the planning process or the purposes for which the interim ordinance is enacted.

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**ORDINANCE 99-Or-173
By McDonald**

1st & 2nd Readings: 12/17/99

Repealing Chapter 588 of Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Providing for a Moratorium on the Establishment, Re-Establishment or Expansion of any Automobile Service Station, Automobile Convenience Facility, Garage for the Storage, Repair or Servicing of Motor Vehicles, or Automobile Combination Convenience Facility in Any of the B3 Zoning Districts or in the B-2-S Zoning District.

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

Section 1. That Chapter 588 of the above-entitled ordinance be and is hereby repealed.

588.10. Authority. Pursuant to Minnesota Statutes Section 462.355, Subd. 4, the city is authorized to establish interim ordinances to regulate, restrict or prohibit any use or development in all or a part of the city while the city or its planning department is conducting studies, or has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of the comprehensive plan or official zoning controls. In furtherance of this statutory authority, the city has enacted Chapter 529 of the zoning code that governs the establishment of interim ordinances. The city declares that this interim ordinance is established pursuant to the aforementioned statute and city ordinance.

588.20. Findings and purpose. The City of Minneapolis is conducting a major revision of its comprehensive plan, zoning code and zoning map. One of the goals of the revision is to minimize land use conflicts and to protect the unique character of city neighborhoods.

The city council is concerned with the increased traffic which results when there is an establishment, re-establishment or expansion of an automobile service station, automobile convenience facility, garage for the storage, repair or servicing of motor vehicles, or automobile combination facility. The city council is also concerned with the operational characteristics of such facilities which include the facilities operating hours, resulting noise and increased artificial lighting which can cause quality of life concerns in the city and new comprehensive city plan. The city finds that the interim ordinance should be adopted to protect the planning process and the health, safety and welfare of the citizens. Automobile service stations, automobile convenience facilities, garages for the storage, repair or servicing of motor vehicles, and automobile combination convenience facilities are unique in the fact that they are typically the most intense commercial uses which are found in neighborhood commercial nodes. These businesses therefore have a greater impact on neighborhood livability.

As a result of the important land use and zoning issues cited above, the city, through its planning department, will conduct studies for the purpose of consideration of possible amendments to the comprehensive plan or official zoning controls to address the issues concerning the establishment, re-establishment or expansion of automobile service station, automobile convenience facility, garage for the storage, repair or servicing of motor vehicles, and automobile combination convenience facilities. The city finds that this interim ordinance should be adopted to protect the planning process and the health, safety and welfare of the citizens.

588.30. Zoning study. The entire City of Minneapolis is hereby declared to be an interim zoning study area, with respect to the establishment, re-establishment or expansion of automobile service stations, automobile convenience facilities, garages for the storage, repair or servicing of motor vehicles, or automobile combination convenience facilities in the B3 zoning districts and B-2-S zoning district. The planning department is directed to commence a study of the effects of the establishment, re-establishment or expansion of automobile service stations, automobile convenience facilities, garages for the storage, repair or servicing of motor vehicles, and automobile combination convenience facilities within the zoning study area and to propose such amendments to the comprehensive plan or official zoning controls that the planning department deems necessary.

588.40. Restrictions. For a period of one year from the date of final approval of this chapter, no demolition permit, building or construction permit, zoning certificate or license for the establishment, re-establishment or expansion of any automobile service station, automobile convenience facility, garage for the storage, repair or servicing of motor vehicles, or automobile combination convenience facility, except for repair or removal of underground storage tanks, shall be allowed or granted for any property located in the zoning study area by any city department. The city specifically reserves the right to extend this chapter for such additional periods as are necessary to complete the study, not exceeding a total additional period of eighteen (18) months.

This chapter is hereby extended six (6) months and shall expire on February 22, 2000.

588.50. Hardship. In cases of hardship, any person having a legal or equitable interest in land and aggrieved by the requirements of this interim ordinance may apply to the city council for a waiver of all

DECEMBER 17, 1999

or a portion of the applicable restrictions as provided for in Chapter 529 of the zoning code. A waiver may be granted where the city council finds substantial hardship caused by the restrictions and finds that the waiver will not unduly affect the planning process or the purposes for which the interim ordinance is enacted:

Adopted. Yeas, 13; Nays none.

Passed December 17, 1999. J. Cherryhomes, President of Council.

Approved December 23, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Campbell moved to adjourn to Room 315 City Hall immediately following the Minneapolis Community Development Agency Board of Commissioners meeting for an adjourned City Council session for the purpose of considering the following litigation:

a) City of Minneapolis vs. Signcrafters Outdoor Display, Inc, et al.

b) Rotimi vs. City of Minneapolis, et al.

c) Shannon Hanson vs. City of Minneapolis, et al.

Seconded.

Adopted upon a voice vote.

MERRY KEEFE,
City Clerk.

Created: 12/21/99; Modified 01/07/2000;
Administrative correction on 1/19/2000. Modified
01/31/2000; Modified 05/03/2000.