

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

December 14, 2001

(Published December 22, 2001,
in *Finance and Commerce*)

Room 132 City Hall.
250 South 5th Street
Minneapolis, Minnesota
December 14, 2001 - 9:30 a.m.

Council President Cherryhomes in the Chair.

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

Campbell moved acceptance of the minutes of the regular meeting of November 21, 2001. 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) (267483)

2002 Federal Low Income Housing Tax Credits: Recommend preliminary reserve credits for St Barnabas project.

COUNCIL MEMBER NILAND (267484)

Hennepin County Shelter Advisory Board: Hennepin County action on appointments.

MAYOR (267485)

Mpls Public Housing Authority Board of Commissioners: Reappointment of William Gabler & Tom Hansen; new appointment of Bernadine Jaffe.

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267486)

Ivy Tower (1115-2nd Ave S): Resolution adopting Ivy Tower Redevelopment, Tax Increment Finance Plan, Amendment #10 to S Nicollet Mall Development Program & Amendment #2 to IDS/Data Service Center TIF Plan & Modification #88 to Common Plans, w/Attachments.

Milwaukee Depot Parcel C: Resolution adopting Modification #1 to Historic Milwaukee Depot Reuse Redevelopment Plan, Parcel C TIF Plan, Modification #18 to Industry Square Redevelopment Plan & Modification #86 to Common Plans, w/Attachments.

North Washington Jobs Park: Appropriation from MILES fund to CAZ fund for land acquisition & environmental cleanup.

Bonding Carryforward: Resolution authorizing carryforward of housing revenue bonding authority.
Affordable Housing Set-Aside: Authorize funds for Phillips Park Phase II & Lamoreaux projects.

HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (267487)

Honeywell Corporation Headquarters Dislocated Worker Project: Execute Amendment #2 to Contract with Ramsey County Workforce Development Department to increase funding and extend performance period to provide services to laid off workers; and Execute Modification #2 to Job Training Plan for Workforce Service Area #10 to extend performance period through June 30, 2002 to provide services to laid off workers.

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

HEALTH AND FAMILY SUPPORT SERVICES (267488)

Phillips Weed and Seed: Authorize transfer \$5,000 from Health & Family Support to Police Department for Third Precinct's Community Response Team to purchase two computers.

Northside Weed & Seed: Authorize transfer \$10,000 from Health & Family Support to Police Department for Fourth Precinct's Community Response Team to purchase equipment for collection of video and photographic evidence to further criminal cases.

Master Grant Contract with State of Minnesota: Execute contract with Minnesota Department of Health for two-year period, with individual projects and funding being issued through Project Agreements; and Authorize Commissioner of Health & Family Support to sign individual Project Agreements as the Community Health Services Administrator for the City.

INTERGOVERNMENTAL RELATIONS:

MINNEAPOLIS TEACHERS' RETIREMENT FUND ASSOCIATION (267489)

Minneapolis Teachers' Retirement Fund: Graphs & statistics re Accrued Liability Funding Ratio.

PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (267490)

Public Employees Retirement Association: General & Police and Fire Fund Status.

COORDINATOR (267490.1)

Domestic Terrorism Consequence Management Advisory Council: Coordinator to serve.

INTERGOVERNMENTAL RELATIONS (See Rep):

LIAISON/FEDERAL, LOCAL AND STATE (267491)

Bonding Priorities: Rank Empowerment Zone & Planetarium as 2 top priorities; Endorse Guthrie Theater, Shubert Theater & E Franklin Av Retail Center Project.

AMERICAN INDIAN BUSINESS DEVELOPMENT CORPORATION (267492)

East Franklin Av Retail Center: Authorize MCDA to act as fiscal agent.

PEOPLE, INC (267493)

Northside Community Support Program: Authorize MCDA to act as Fiscal agent.

PUBLIC SAFETY AND REGULATORY SERVICES:

POLICE DEPARTMENT (267494)

State of the Precincts: Second Precinct.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

INSPECTIONS DEPARTMENT (267495)

Raze: 1414 25th Av N; 2939 Aldrich Av N; 2931 Girard Av N; 1111 17th Av N.

LICENSES AND CONSUMER SERVICES (267496)

Taxicab License: Grant application of Stevelalk Inc, dba Yellow #70, 1923 Washington St NE (person to person transfer from Lois Mokros).

Licenses: Applications.

LICENSES AND CONSUMER SERVICES (267497)

Wheelchair Accessible Taxicab Service: Ordinance amendment to increase the number of taxicab licenses to increase availability of wheelchair accessible taxicab service; with attachments.

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

POLICE DEPARTMENT (267498)

Financial Crimes Task Force: Accept grant award of \$250,000 and execute grant agreement with Minnesota Department of Public Safety to perform major financial fraud, forgery and identity theft investigations; and Approve appropriation.

Safe & Sober Grant: Accept grant award of \$50,000 and execute grant agreement with Minnesota Department of Public Safety to pay overtime to Traffic Unit and Park officers to increase enforcement targeting impaired drivers, juvenile and young adult violators, speed violations and other enforcement to reduce accidents and increase driver safety; and Approve appropriation.

Emergency Communication Services to Hennepin County: Execute two-year contract with Hennepin County Emergency Services for City to provide certain services during 2002 and 2003, including call taker services for all unscheduled requests for an ambulance within the City.

TRANSPORTATION AND PUBLIC WORKS:

HEALTH AND FAMILY SUPPORT SERVICES (267499)

Air Quality: Update.

PUBLIC WORKS AND ENGINEERING (267500)

Dan Patch Corridor Commuter Rail Feasibility Study: Presentation on study recommendations.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (267501)

Downtown East Light Rail Transit Project (Parking Ramp): Authorize use of MCDA panel contract with Hammel, Green & Abrahamson for architectural services.

Central Av NE Paving Project (27th to 37th Av NE): Increase contract with SRF Consulting Group for storm sewer and pond retention design services.

Cedar Lake Parkway Bridge: Cooperative agreement with Burlington Northern Santa Fe Railroad.

Sale of City Property (2400 W Broadway): Authorize commence negotiations with St. Anne's Community Development Corporation.

Animal Shelter Project: Obtain proposals for architectural/engineering design services.

LRT - Traction Power Substations: Proposed screening plans for 50th St, 46th St, 38th St, S of 24th St and Yards and Shops Facility.

Ultrafiltration Membrane Project: Extend contract with consortium headed by HDR and Malcolm Pirie.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET:

PUBLIC WORKS AND ENGINEERING (267502)

Solid Waste Management and Collection Services: Report on potential of expanding area serviced by Minneapolis Solid Waste crews.

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

PUBLIC WORKS AND ENGINEERING (267503)

Soft Drink Machines in City Facilities: Agreements with Pepsi and Coca Cola Companies for placement of machines in selected City facilities.

Walker Art Center Parking Facility: Proposal to construct parking facility.

Lease of Ritz Block: Contract with Olaf Limited Partnership to continue lease of Ritz Lot at 54 S 4th St to be used for sale of public parking.

PURCHASING (267504)

Bid: OP #5752, low bid of Chesley Truck Sales for one lowboy tractor/trailer.

WAYS AND MEANS BUDGET:

CONVENTION CENTER (267505)

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

ESTIMATE AND TAXATION (267506)

Internal Audit: Receive & File Review of Procedures and Controls relating to the Minneapolis Police Department, Property and Evidence Unit.

FINANCE DEPARTMENT (267507)

Third Quarter Financial Status Report: Receive & File report.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (267508)

Settlements: Authorize payment to Malcolm R. Long; David St. Martin; Doloris A. Stafford.

Workers' Compensation Settlement: Approve settlement of claim of Wayne Garnett.

CITY CLERK (267509)

Price Agreements for Postage and Printing: Authorize price agreements for 2002 with U. S. Postal Service, Pitney Bowes, dba Purchase Power, and Special School District #1 Print Shop.

CONVENTION CENTER (267510)

Convention Center Expansion Project: Change orders to contracts with Impulse Group, Inc; M. G. McGrath, Inc; Gage Brothers Concrete Products, Inc; Swanson & Youngdale, Inc; Kellington Construction, Inc; Merrimac Construction.

Convention Center Expansion Project: Contract amendments with Mortenson/Thor; Convention Center Design Group.

COORDINATOR (267511)

New Central Library Project: Contract with Architectural Alliance/Cesar Pelli & Associates.

Interim Central Library Project: Contract with Meyer, Scherer & Rockcastle, Ltd.

New Central Library Project: Contract with Dale Dobson.

New Central Library Implementation Committee: Increase membership by one person to represent the Minneapolis Planetarium.

Employee Rewards and Recognition Program: Approve Rewards, Recognition and Incentives Work Team Summary Report and Resolution.

FINANCE DEPARTMENT (267512)

Workers' Compensation Settlement: Approve settlement with Thomas Kuntz.

Designation of Depository Status: Approve status for EastBank.

Budget Reporting and Analysis Support System (BRASS): Change funding mechanism for system from internal City bonds to administrative funding transfers.

Metropolitan Council, Minneapolis Employees Retirement Fund and City of Minneapolis Account Consolidation: Approve consolidation plan.

HUMAN RESOURCES (267513)

Family Support Specialist I (Health Initiatives) and Family Support Specialist (Employment and Training) Positions: Salary Ordinance.

Family Support Specialist II (Health Initiatives) and Family Support Specialist II (Employment and Training) Positions: Salary Ordinance.

Labor Agreement: Salary Ordinance for Minneapolis City Supervisors to upgrade Supervisor, Real Estate Assessment position.

HUMAN RESOURCES (267514)

Sick Leave Retirement Plan Redesign: Approve Ordinance relating to sick leave credit pay plan.

Senior Event Coordinator Position: Salary Ordinance.

Assistant to the City Coordinator Position: Salary Ordinance.

Director, Government Relations Position: Salary Ordinance.

Labor Agreement: Agreement with International Brotherhood of Electrical Workers, Local #292, Electrical Inspectors' Unit and Salary Ordinance.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (267515)

Manager, Business Applications, Operations & Regulatory Services Position: Start Cheri Bootes at step 6; Nathan Colgrove at step 6.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (267516)

Software Licenses: Contract with Microsoft.

PLANNING COMMISSION/DEPARTMENT (267517)
2001-2002 Certified Local Government Grant: Accept grant.
Crime Prevention Through Environmental Design on Central Avenue: Accept NRP Funds for improvements on 2200 and 2500 blocks.
PURCHASING (267518)
Bid: OP #5749, accept low bid of Millar Elevator Service Company.
TRAFFIC ENGINEERING (267519)
Parking Facility at the Walker Art Center: Approve Resolution.

ZONING AND PLANNING:

INSPECTIONS/ZONING ADMINISTRATOR (267521)
Bryn Mawr Tire & Bait Center (Robert Williams), 328 S Cedar Lake Rd: Notice of hearing to consider revocation of site plan permit; Recommend revocation & forward to PS&RS.
New Orient Market (Xayasack Ratsamy), 2800 1st Av S: Notice of hearing to consider revocation of site plan permit; Delete from agenda.
LICENSES AND CONSUMER SERVICES (267522)
Quality Paint & Auto Body, Inc, 3452 Lyndale Av S: Rescind previous Z&P Committee action recommending revocation of site plan permit.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (267523)
Lyndale West Partners, 5320 Lyndale Av S. Deny appeal of Joseph & Maryann Campo, John & Barbara Bacich & South Lyndale Liquor.
Planning Comsn: Notice of appeal & reasons therefor; Minutes; Staff report on application for conditional use permit, site plan review & variance, with findings & attached maps, drawings, photos, comments of Lynnhurst Neighborhood Association; minutes of community meeting on the project, comments of neighbors.
Council Member McDonald: Comments of Mary G Dobbins, Midge Bolt, Barbara Conti, Paul Lohman, Maryann Campo, Lyndale West Partners, Hennepin County Transportation Department, Aspen Waste Systems.
Lyndale West Partners: Response to appellants' reasons for appeal.
PLANNING COMMISSION/DEPARTMENT (267524)
University of St Thomas, 1125 Harmon Place: Approve vacation of right-of-way to allow law school building; Staff report on vacation and related applications, with findings, drawings, maps, photos; Action of Planning Commission.

MOTIONS (See Rep):

FINANCE DEPARTMENT (267525)
Workers Compensation: Third quarter of 2001 expenses.

UNFINISHED BUSINESS (See Rep):

PLANNING COMMISSION/DEPARTMENT (267526)
Riverview Supper Club Proposal: Staff update w/Comments.
ASPEN WASTE SYSTEMS INC. (267527)
Solid Waste Service: Letter from Robert E. Kircher, Chief Executive Officer, requesting an opportunity to negotiate a solid waste contract.
BFI WASTE SERVICES OF THE TWIN CITIES (267528)
Solid Waste Contract: Letter regarding solid waste collection contract from David Wiggins, General Manager, Eden Prairie Hauling Division.
FRIENDS OF THE MISSISSIPPI RIVER (267529)
Riverview Supper Club Proposal: Synthesis of funding for acquisition.
MINNEAPOLIS REFUSE INC. (267530)
Solid Waste Service: Letter from Chuck Kutter, Chairman, requesting consideration to contract for services.

WASTE MANAGEMENT OF MINNESOTA, INC. (267531)

Solid Waste Service: Letter requesting consideration for solid waste contract from Ronald F. Moening, District Manager.

FILED:

CITY CLERK/SPECIAL PERMITS (267532)

2nd St NE, 1700 (East Side Neighborhood Services) horse drawn haywagon;

2nd St S, north of Milwaukee Depot (Johmar Farms) horse & carriage (2 apps);

13th Av S, 2930 (Instant Signs) sign;

Cedar Lake Rd S, 411 (Bryn Mawr Neighborhood Business Assn) horse drawn haywagon;

Central Av, 1227 (Arrow Sign Co) sign;

Chicago Av S, 5401 (Kaufman Sign) sign;

Dowling Av N, 1615 (Folwell Neighborhood Assn) horse drawn haywagons;

Lake Harriet Bandshell (Life Time Fitness) 2 reindeer;

Humboldt to Penn & Osseo N (Susan Tennessen) horse drawn haywagon;

Nicollet Mall from 12th to 3rd (Johmar Farms) horse drawn Santa sleigh for Holidazzle Parades; West River Road N, 1815 (Schad Tracy Sign) sign.

COUNCIL MEMBER THURBER (267533)

9th Ward Council Member: Submitting letter of resignation effective Sunday, Dec 16, 2001, at midnight.

MAYOR (267534)

Letter appointing Ken Stabler to the Minneapolis Private Industry/Workforce Council.

FILED (See Rep):

LARKIN, HOFFMAN, DALY & LINDGREN, Ltd (267535)

1111 17TH Av N (the Property): Letter from Neal J. Blanchett requesting stay of razing decision. (See PS&RS Report)

**REPORTS OF
STANDING COMMITTEES**

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

Comm Dev - Your Committee, having under consideration the allocation of 2002 Federal Low Income Housing Tax Credits, administered by the Minneapolis Community Development Agency (MCDA), acting on behalf of the Minneapolis/St. Paul Housing Finance Board, and having received proposals as described and ranked in the staff report contained in Petn No 267375 and approved allocation to projects on October 26, 2001 and November 9, 2001, now recommends that the remaining \$22,997 balance of unused MCDA tax credits be awarded to the St. Barnabas project at Carew Dr and S 7th St, as set forth in Petn No 267483.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev - Your Committee recommends approval of the appointments of Marguerite Winston-Glover, Monica Delaney, S. Sameerah Bilal, Doris Williams, Neil Weber and Cathy Spann to the Hennepin County Shelter Advisory Board.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev - Your Committee recommends concurrence with the Mayor in the following recommendations for appointment to the Minneapolis Public Housing Authority Board of Directors:

- a) William Gabler, 5112 Irving Ave S, Minneapolis (reappointment, for a term to expire 12/31/04);
- b) Tom Hansen, 708 S 10 St, Minneapolis (reappointment, for a term to expire 12/31/04); and
- c) Bernadine Jaffe, 1314 - 44th Ave N, Minneapolis (new appointment, filling the unexpired term of Virginia Pederson, which expires 12/31/03).

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

Comm Dev & W&M/Budget - Your Committee, having under consideration the Ivy Tower Development Plan and Tax Increment Finance Plan for the historic restoration of the Ivy Tower building at 1115 - 2nd Ave S, coupled with the development of approximately 235,000 square feet of new office space on two adjoining properties now being used for surface parking, with limited on-site parking, supportive retail and specialty convention-oriented uses with skyway connections, and having conducted a public hearing thereon, now recommends passage and summary publication of the accompanying resolution adopting the Ivy Tower Development Plan and Tax Increment Financing Plan, including Amendment #10 to the South Nicollet Mall Development Program, Amendment #2 to the IDS/Data Service Center Tax Increment Financing Plan and Modification #88 to the Common Plan (Petn No 267486).

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Resolution 2001R-516, adopting the Ivy Tower Redevelopment Plan, the Ivy Tower Tax Increment Finance Plan, Amendment No 10 to the South Nicollet Mall Development Program, Amendment No 2 to the IDS/Data Service Center Tax Increment Finance Plan, and Modification No 88 to the Common Plans was passed December 14, 2001 by the City Council and approved December 20, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2001R-516
By Niland and Campbell

Adopting the Ivy Tower Redevelopment Plan, the Ivy Tower Tax Increment Finance Plan, Amendment No 10 to the South Nicollet Mall Development Program, Amendment No 2 to the IDS/Data Service Center Tax Increment Finance Plan, and Modification No 88 to the Common Plans.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals.

1.01. Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended (the "Agency Laws") the Housing and Redevelopment Authority in and for the City of Minneapolis has been reorganized, granted additional powers, and designated the Minneapolis Community Development Agency (the "Agency") with the authority to propose and implement city development districts, redevelopment projects, and tax increment financing

districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, 469.124 through 469.134, and 469.174 through 469.179 as amended; Laws of Minnesota 1971, Chapter 677, as amended; and Laws of Minnesota 1980, Chapter 595, as amended; (collectively, the "Laws").

1.02. That By Resolution No 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City of Minneapolis (the "City") has approved the creation by the Agency of the Common Development and Redevelopment Project ("the Common Project Area") and the adoption of the Common Development and Redevelopment Plan and the Common Tax Increment Financing Plans, (the "Common Plans") relating thereto, all pursuant to Minnesota the Laws.

1.03. That by Resolution duly adopted on December 16, 1983, and by subsequent resolutions, the City adopted the Development Program and approved the creation of the Development District No 57 (South Nicollet Mall).

1.04. That by Resolution 87R-407 duly adopted on September 11, 1987, the City approved the Modified Development Program by Amendment No 3 to the Development Program for Development District No 57 (South Nicollet Mall) and a tax increment finance ("TIF") Plan for TIF District No 40 (IDS/Data Service Center).

1.05. The Agency has prepared, and this Council has investigated the facts with respect to a proposed Ivy Tower Redevelopment Plan, Ivy Tower TIF Plan, Amendment No 10 to the Development Program for South Nicollet Mall, Amendment No 2 to the IDS/Data Service Center TIF Plan, and Modification No 88 to the Common Plans (collectively, the "Plans"), describing more precisely the "Project Area", the parcels to be included in the boundary of the TIF District, the two parcels to be excluded from the existing TIF District and Common Project boundary, the activities to be undertaken, the property that may be acquired, and eligible expenditures, all pursuant to the Laws.

1.06. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Plans, including, but not limited to, a review of the proposed Plans by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.07. The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Plans to reflect creation of the Project Area, identification of objectives, removal of parcels from an existing TIF district, creation of a new TIF district, a budget for eligible expenditures, property that may be acquired, and project activities.

Section 2. Findings for the Adoption of the Plans.

2.01. The Council hereby finds, determines and declares that the Plans will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Project Area by private enterprise; and

2.02. The Council further finds, determines and declares that the Plans conform to the general plan for the redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plans were issued, are incorporated herein by reference, and are on file in the office of the City Clerk in the form of a petition.

2.03. The Council further finds, determines and declares that the land in the Project Area would not be made available for redevelopment without the financial aid to be sought. The proposed development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and therefore the use of tax increment financing is deemed necessary. It is the position of the Agency and the City that the private redevelopment of the property included in the TIF District could not occur without public participation and financial assistance. This conclusion is based upon the following factors: the project will renovate and rehabilitate a locally designated historic and blighted building, eliminate inconsistent uses, result in pollution remediation, and provide and encourage development that incorporates historic structures with new development. The Ivy Tower is specifically listed as one of the few historic buildings downtown that cannot be replaced. The project, as proposed, consists of a full historic restoration of the Ivy Tower and development of approximately 250,000 net rentable square feet of adjoining new office space with supportive retail and skyway connections. Preservation and restoration of the Ivy Tower is not economically feasible without the resolution of certain issues to keep the project in balance. These issues include the high cost of existing building restoration

the extremely limited floor layout and building area within the Ivy Tower, the inability to protect the north face of the Ivy Tower from future development, the necessity to maintain open space on the northerly side of the Ivy Tower, and the unique massing and vertical transportation requirements within the project. Historic preservation has been highlighted as a public goal in both *Minneapolis Downtown 2010* and *Building a City That Works*. Therefore, it is the opinion of the City of Minneapolis that the proposed redevelopment project to be financed, in part, by this TIF District would not occur solely through private investment within the foreseeable future.

Further, the TIF Act requires that a potential TIF district must also pass a market value test in order to make a finding that the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the district permitted by this TIF Plan. Because it is the opinion of the City that the proposed redevelopment project to be financed, in part, by this TIF District would not occur solely through private investment at this time, the City projects that the estimated market value of the site without the use of tax increment remains at its present level. The calculations necessary to pass this test are contained on page 11 of the TIF Plan. The public redevelopment activity, expenditures, and market values associated with the redevelopment proposed in the TIF Plan results in a series of calculations and figures that clearly pass the market value test.

2.04. The Council further finds, determines and declares that the area to be included in the Project Area is a blighted area, contains vacant and unused property, expressly, the Ivy Tower Building has been vacant for approximately ten years and has been subjected to fire and vandalism. The Ivy Tower Redevelopment Project is found to be a redevelopment project as defined in the Minnesota Housing and Redevelopment Authorities Act (Minnesota Statutes, Section 469.002, Subdivision 14). In addition, the area to be included in the Redevelopment Project qualifies for inclusion in a Redevelopment TIF District (in accordance with Minnesota Statutes 469.174, Subd. 10 (a) (1)), and contains the following blighting influences: the property consists of vacant parcels and a deteriorated building suffering from physical and functional obsolescence, and is considered a hazard to health and safety. The building contains defects in structural elements and a combination of deficiencies in essential utilities and facilities, light and ventilation, fire protection including egress, room arrangement and layout, condition of interior partitions, and exterior walls which defects are of sufficient total significance to justify substantial renovation or clearance. The vacant land parcels are currently being used for surface parking. The Council finds that parcels consisting of 70% of the area of the district are occupied by buildings, streets, utilities, paved or gravel parking lots or other similar structures and more than 50% of the buildings, not including outbuildings, are structurally substandard to a degree requiring substantial renovation or clearance, and such conditions are reasonably distributed throughout the Redevelopment TIF district. Therefore, the area qualifies as blighted under Minnesota Statutes due to these findings. The land to be developed will eliminate the conditions which have resulted in a stagnant and unproductive condition of land potentially useful and valuable for contributing to the public health, safety, and welfare.

2.05. The Council further finds, determines and declares that the objectives and actions authorized by the Plans are consistent with the undertaking of a redevelopment project and redevelopment TIF District, all pursuant to and in accordance with the Laws. The City, together with the Agency, seeks to achieve the following objectives through the Plans: (1) elimination of blight, incompatible uses, and blighting influences; renovation and preservation of deteriorating historic structures that would contribute to the attractiveness of the area; facilitation of the development of underutilized and/or blighted property in the project area; revitalization of property in the area to create an attractive and functional area for commercial and related uses, and to promote reinvestment, modernization and rehabilitation as needed; Increase employment opportunities in the City of Minneapolis; and (3) provision of sufficient parking to meet the needs of the development.

2.06. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plans.

Section 3. Approval of the Plans.

3.01. Based upon the findings set forth in Section 2 hereof, the Plans presented to the Council on this date is hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plans.

4.01. The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Plans, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration Modification No 1 to the Historic Milwaukee Depot Reuse Redevelopment Plan, the Parcel C Tax Increment Finance Plan, Modification No 18 to the Industry Square Redevelopment Plan and Modification No 86 to the Common Development and Redevelopment and Common Tax Increment Finance Plan, all relating to Parcel C of the Milwaukee Depot property bounded by Portland, Washington and 5th Aves and 2nd St S currently used as a surface parking lot for the Hyatt Whitney Hotel and tenants of the Ceresota and Crown Roller Bill buildings, proposed for a mixed use development by CSM Corporation consisting of a new office complex with first floor commercial space, the new home of MacPhail Center for the Arts, ownership housing and a parking structure capable of serving the needs of the project and the requirements of the Standard Mill lease, as set forth in Petn No 267486, and having conducted a public hearing thereon, now recommends

a) Passage and summary publication of the accompanying resolution adopting said Plans and Modifications;

b) That the developer contribute money into the cash pool for affordable housing for other units to be constructed in lieu of converting four market rate units into affordable units in the Mill City Apartments at 625 - 2nd St N;

c) Passage of the accompanying resolution amending the Minneapolis Community Development Agency (MCDA) appropriation resolution by establishing a 2001 appropriation of \$25,000 in Fund CHC0 (Parcel C-TI District), decreasing the appropriation in Fund CAZ0 (Common Project) by \$12,000 and increasing the appropriation in Fund CHC0 (Parcel C-TI District) by \$12,000;

d) That this action be referred to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 14, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published December 18, 2001)

Resolution 2001R-517, adopting Modification No 1 to the Historic Milwaukee Depot Reuse Redevelopment Plan, the Parcel C Tax Increment Finance Plan, Modification No 18 to Industry Square Redevelopment Plan, and Modification No 86 to the Common Development and Redevelopment and Common Tax Increment Finance Plan (the "Common Plans") was passed December 14, 2001 by the City Council and approved December 14, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2001R-517
By Niland and Campbell**

Adopting Modification No 1 to the Historic Milwaukee Depot Reuse Redevelopment Plan, the Parcel C Tax Increment Finance Plan, Modification No 18 to Industry Square Redevelopment Plan, and Modification No 86 to the Common Development and Redevelopment and Common Tax Increment Finance Plan (the "Common Plans").

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals.

1.01. Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended (the "Agency Laws") the Housing and Redevelopment Authority in and for the City of Minneapolis has been reorganized, granted additional powers, and designated the Minneapolis Community Development Agency (the "Agency") with the authority to propose and implement redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179 as amended; (collectively, the "Laws").

1.02. By Resolution duly adopted on August 31, 1973 and subsequent resolutions, the City approved the creation of the Industry Square Redevelopment Project and the adoption of the Industry Square Redevelopment Plan, as modified, including Modification No 2 approved December 30, 1976, that expanded the project boundary to include the Milwaukee Depot, Freight House and Train Shed site. The Industry Square Redevelopment Project is included within the Common Project Area.

1.03. By Resolution No 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City of Minneapolis has approved the creation by the Agency of the Common Development and Redevelopment Project ("the Common Project Area") and the adoption of the Common Development and Redevelopment Plan and the Common Tax Increment Financing Plans, (the "Common Plans") relating thereto, all pursuant to Minnesota the Laws.

1.04. By Resolution No 99R-194 duly adopted June 11, 1999, the City of Minneapolis has approved the creation by the Minneapolis Community Development Agency of the Historic Milwaukee Depot Reuse Redevelopment Plan, and the Historic Milwaukee Depot Reuse TIF Plan, in order to authorize public redevelopment and reuse activities and expenditures, establish a new redevelopment project area and create a new tax increment finance (TIF) district to assist the Historic Milwaukee Depot Reuse Project.

1.05. The Industry Square Redevelopment Plan and Modification 86 to the Common Plans have been prepared to remove one parcel from an existing TIF district; further, the Historic Milwaukee Depot Reuse Redevelopment Plan has been modified to expand its boundary to include the block east of the former Milwaukee Depot, and to authorize the creation of a new pay-as-you-go redevelopment TIF district within the expanded Historic Milwaukee Depot Reuse Redevelopment Project Area; to authorize public redevelopment activities, establish a tax increment budget for the project; and finance the anticipated costs of eligible public redevelopment activities.

1.06. The Agency has prepared, and this Council has investigated the facts with respect to the Plans, describing more precisely the parcels to be included in the expanded project area, the activities to be undertaken, public costs, and identifying land uses for the redevelopment of the expanded project area, including a budget for expenditures for this project, authorization to establish a new TIF district for the project, and modification of the Industry Square and Common Plans to authorize the removal and decertification of one parcel from the Industry Square TIF district, all pursuant to the Laws.

1.07. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Plans, including, but not limited to, a review of the proposed Plans by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.08. The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Plans to reflect the expansion of the Project Area, removal and decertification of a parcel from an existing TIF district, creation of a new TIF district, a budget for eligible expenditures, and project activities.

Section 2. Findings for the Adoption of the Plans.

2.01. The Council hereby finds, determines and declares that the Plans will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the expanded Project Area and new TIF District by private enterprise, as the proposed development or redevelopment redevelops the underused former railroad property, cleans up a polluted site, and redevelops the area by facilitating a mixed use development, consisting of a significant new office

complex, commercial space, the new home of MacPhail Center for the Arts, ownership housing, the provision of affordable housing, and a parking structure capable of serving the needs of the project as well as those vehicles displaced by the project's development, in accordance with the Standard Mill Limited Partnership Parking Agreement.

2.02. The Council further finds, determines and declares that the Plans conform to the general plan for the redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plans were issued, are incorporated herein by reference, and are on file in the office of the City Clerk in the form of a petition.

2.03. The Council further finds, determines and declares that the area to be added to the Project Area which is the subject of the Plans, contains vacant and underused former railroad property, currently being used for a parking lot, and qualifies for inclusion in the expanded Historic Milwaukee Depot Reuse Redevelopment Project Area, and further, the property to be included in the Parcel C TIF District qualifies for inclusion in the Parcel C TIF District, and the Council finds that parcels consisting of 70% of the area of the district are occupied by buildings, streets, utilities, paved or gravel parking lots or other similar structures and such conditions are reasonably distributed throughout the Redevelopment TIF district. The Council declares that Parcel C is a Voluntary Petroleum Investigation and Cleanup (VPIC) site. Remediation has been completed and the Minnesota Pollution Control Agency has issued a letter of no action on February 22, 1999. Any remaining contamination in surface soils will need to be removed when the development is underway.

2.04. The Council further finds, determines and declares that the proposed development or redevelopment would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and the use of TIF is deemed necessary, because the land in the project area would not be made available for redevelopment without the financial aid to be sought. Further, the private redevelopment of the property included in the TIF District could not occur without public participation and financial assistance. Without the TIF for the project, it would not be economically feasible to build the project. The requirement to build parking sufficient to meet the needs of the existing agreement with the Standard Mill Limited Partnership and the required mixed use parking and the provision of affordable housing units makes this an expensive project to build without the ability to attain market economic return on the investment. The project requires parking spaces for the residential and commercial tenants per city zoning ordinance. There is an additional cost of building below-grade parking and screened above-grade parking. This conclusion is based upon the costs of site preparation for the existing blighted, vacant, underused, former railroad property, and the impact of these costs on the feasibility of new private development. Therefore, additional public subsidy is necessary and the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the District permitted by the Plans. Supporting documentation is included in the files of the Agency at 105 5th Avenue South.

2.05. The Council further finds, determines and declares that the municipality elects the method of tax increment computation set forth in Minnesota Statutes, Section 469.177, Subdivision 3(a), and that it is the intent of the City and Agency that any fiscal disparity contribution required of the City for development occurring within this District be taken from outside this District.

2.06. The Council further finds, determines and declares that the objectives and actions authorized by the Plans are consistent with the undertaking of a redevelopment project and a TIF district, all pursuant to and in accordance with the Laws. Further, the City, together with the Agency, seeks to achieve additional objectives through the Historic Milwaukee Depot Reuse Redevelopment Plan. These objectives are consistent with the Objectives for the Industry Square Redevelopment Project Area, the Historic Mills District Master Plan, the Update to the Historic Mills District Master Plan, the Common Plan, and other adopted City Plans for this area. It is believed that the proposed project offers the community an economically viable mixed-use project that will enhance the Mills District's cultural, business and residential vitality. Public redevelopment activities may include land disposition, provision of affordable housing units, parking, project administration, and public improvements. These actions are being undertaken for the purpose of removing blight, increased neighborhood livability, provision of affordable housing units, parking, and increasing the tax base of the City. The land to be developed will

eliminate the conditions which have resulted in a stagnant and unproductive state of land potentially useful and valuable for contributing to the public health, safety, and welfare.

2.07. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plans.

Section 3. Approval of the Plans.

3.01. Based upon the findings set forth in Section 2 hereof, the Plans presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plans.

4.01. The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Plans, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 14 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-518
By Niland and Campbell**

Amending The 2001 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 an appropriation of \$25,000 in Fund CHC0 - Parcel C-TI District; and
- b) Decreasing the appropriation in Fund CAZ0 - Common Project by \$12,000 and increasing the appropriation in Fund CHC0 (Parcel C-TI District) by \$12,000.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 14, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published December 18, 2001.)

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution amending the Minneapolis Community Development Agency (MCDA) appropriation resolution to appropriate \$1,327,115 from available Minneapolis Industrial Land and Employment Strategy (MILES) fund balance in Fund CAZ0 to CAZ0 C4416001 for land acquisition, environmental cleanup and other capital costs for redevelopment in the North Washington Jobs Park (Petn No 267486).

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-519
By Niland and Campbell**

Amending The 2001 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 appropriating \$1,327,115 from available MILES fund balance in Fund CAZ0 - Common Project to CAZ0 C4416001.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001. J. Cherryhomes, President of Council.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends passage and summary publication of the accompanying resolution authorizing the carry forward of the City's housing revenue bonding authority in an amount up to \$21,250,000 as multifamily projects and \$7,388,000 as single-family mortgage lending.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 14, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.
(Published December 18, 2001)

Resolution 2001R-520, authorizing the carry forward of the City's unused private activity bond volume cap was passed December 14, 2001 by the City Council and approved December 14, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2001R-520
By Niland and Campbell

Authorizing the 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 2001 under Minnesota Statutes, Chapter 474A.03, subd. 2a is \$28,638,000; 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 2001; and

Whereas, it is in the best interest of the public health, safety and welfare that the City "carryforward" for qualified carryforward purposes any part of its entitlement allocation which remains unused at the end of 2001;

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

1. The City hereby elects to carryforward \$7,388,000 of the City's 2001 entitlement allocation for the purpose of qualified mortgage bonds and/or mortgage credit certificates.

2. The City hereby elects to carryforward any other amount of the City's 2001 entitlement allocation that remains unused as of the end of the year for the purpose of qualified residential rental bonds.

3. 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 to be carried forward as described above. The Form 8328 shall be filed with the Internal Revenue Service on or before February 15, 2002. The Executive Director is further authorized to notify the Minnesota Department of Finance of such carryforward at such time and as required by Minnesota Statutes, Chapter 474A.

4. Any amount carried forward for the purposes of qualified mortgage bonds and/or mortgage credit certificates may be utilized by the Minneapolis/Saint Paul Housing Finance Board pursuant to a 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 14, 2001. J. Cherryhomes, President of Council.
Approved December 14, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the Affordable Housing Set-Aside, now recommends approval of the allocation of \$550,000 for Phillips Park Phase II and the Lamoreaux Project, as set forth in Petn No 267486.

Your Committee further recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund FNA0 (Neighborhood Development) by \$550,000 from available fund balance.

Your Committee further recommends that the proper City and/or MCDA officers be authorized to execute all necessary documents to implement said projects.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 2001R-521
By Niland and Campbell

Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund FNA0 - Neighborhood Development by \$550,000 from available fund balance.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001. J. Cherryhomes, President of Council.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

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

H&HS - Your Committee, having under consideration the provision of dislocated worker services for the Honeywell Corporation Headquarters Dislocated Worker Project, now recommends that the proper City Officers be authorized to execute Amendment #2 to Contract #15260 with the Ramsey County Workforce Development Department to increase the amount by \$16,465 and extend the performance period through June 30, 2002 to provide services to workers that were laid off later in the closing process, payable from Health & Family Support (060-860-8600).

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

H&HS - Your Committee, having under consideration the provision of dislocated worker services for the Honeywell Corporation Headquarters Dislocated Worker Project, now recommends that the proper City Officers be authorized to execute Modification #2 to the Job Training Plan for Workforce Service Area #10, under Minnesota Statutes Section 268.022 (Dislocated Worker Fund) and Section 268.975-98 (Plant Closing and Dislocated Workers), to provide discretionary funding through the Minnesota Job Skills Partnership/Dislocated Worker Program and to extend the performance period through June 30, 2002 to provide services to workers that were laid off later in the closing process.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

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

H&HS & W&M/Budget - Your Committee, having received a funding recommendation from the Phillips Weed & Seed Steering Committee, now recommends passage of the accompanying Resolution transferring \$5,000 in federal Weed & Seed funds from the Department of Health & Family Support to the Police Department to purchase two computers for use by the Third Precinct's Community Response Team.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 2001R-522
By Lane and Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended as follows:

a. decreasing the Health & Family Support Agency in the Grants - Federal Fund (030-860-8606) by \$5,000; and

b. increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-P300) by \$5,000.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

H&HS & W&M/Budget - Your Committee, having received a funding recommendation from the Northside Weed & Seed Steering Committee, now recommends passage of the accompanying Resolution transferring \$10,000 in federal Weed & Seed funds from the Department of Health & Family Support to the Police Department to purchase equipment for use by the Fourth Precinct's Community Response Team to collect video and photographic evidence to further criminal cases.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 2001R-523
By Lane and Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended as follows:

a. decreasing the Health & Family Support Agency in the Grants - Federal Fund (030-860-8606) by \$10,000; and

b. increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-P400) by \$10,000.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

H&HS & W&M/Budget - Your Committee, having under consideration a request to enter into a Master Grant Contract with the State of Minnesota which is intended to cover all grants received from the State in such areas as tobacco prevention, home visiting and health disparities, now recommends the following:

H&HS - that said Master Grant Contract be sent forward without recommendation.

W&M/Budget - that the City Council, acting as the Minneapolis Board of Health in its capacity as a Community Health Board, authorizes the proper City Officers to contract with the State of Minnesota, through the Minnesota Department of Health, for a Master Grant Contract for the period January 1, 2002 through December 31, 2003. Individual projects and funding will be issued under the Master Grant Contract through Project Agreements. Further, that the City Council, acting as the Minneapolis Board of Health in its capacity as a Community Health Board, authorizes the Commissioner of Health & Family Support to sign the individual Project Agreements as the Community Health Services Administrator for the City of Minneapolis.

Lane moved to amend the report to approve the Ways & Means/Budget Committee recommendation and to delete the Health & Human Services Committee recommendation. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 14, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published December 18, 2001)

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

IGR - Your Committee, having under consideration the desire of People Incorporated that the Minneapolis Community Development Agency (MCDA) replace the County as the Fiscal Agent for People's Northside Community Support Program (NCSP) for purposes of (1) receiving funds approved by the Legislature in 1998 for a building to house the NCSP and (2) assisting People Incorporated in developing, buying and leasing such a building, now recommends that the MCDA be authorized to act as the Fiscal Agent for NCSP. (Petn No 267493)

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

IGR - Your Committee, having under consideration the American Indian Business Development Corporation's proposal to seek \$2 million in the 2002 state bonding capital budget for The East Franklin Avenue Retail Center Project, now recommends that the Minneapolis Community Development Agency be authorized to act as the Fiscal Agent for the Project. (Petn No 267492)

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

IGR - Your Committee, having under consideration the 2002 State Bonding - Capital Budget request, now recommends that the City's proposals for such bonding be prioritized as follows:

a. The City Council's two top priorities are the Empowerment Zone and the Planetarium Space and Discovery Center.

b. The Council endorses but does not rank the following: The Guthrie Theater, the Shubert Theater, and the East Franklin Avenue Retail Center Project proposed by the American Indian Business Development Corporation. (Petn No 267491)

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:
PS&RS - Your Committee, to whom was referred an ordinance amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Liquor Licenses*, removing the reference to the maximum number of "On Sale" licenses that may be issued by the City, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described ordinance.
Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-145 amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Liquor Licenses*, amending Section 362.30 to remove the reference to the maximum number of "On Sale" licenses that may be issued by the City, was passed December 14, 2001 by the City Council and approved December 20, 2001 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 2001-Or-145
By Biernat
Intro & 1st Reading: 11/9/2001
Ref to: PS&RS
2nd Reading: 12/14/2001

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

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

Section 1. That Section 362.30 (a) of the above-entitled ordinance be amended to read as follows:

362.30. "On Sale" licenses. (a) [*Maximum number; classes*]. "On sale" licenses may be issued only to hotels, clubs, restaurants and establishments for the sale of "on sale" liquor exclusively. ~~The maximum number of such licenses not to exceed two hundred seventy-five (275).~~

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001. J. Cherryhomes, President of Council.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee, having conducted public hearings on October 31, 2001, November 14, 2001, and November 27, 2001, pursuant to Section 341.270 of the Minneapolis Code of Ordinances, to consider whether public convenience and necessity warrant additional taxicab licenses, and having heard testimony from, among others, wheelchair users, advocacy groups for wheelchair users, members of the public, taxicab drivers, taxicab owners and taxicab operators, now makes the following findings, based on the testimony heard at said public hearings:

1. that wheelchair users have limited and unequal access to taxicab service because of the current lack of wheelchair accessible vehicles;
2. that current taxicab service provides lesser quality service to wheelchair users than non-wheelchair users;

3. that two existing taxicab operators have proposed adding wheelchair accessible vehicles to their fleets;

4. that the proposals from existing taxicab operators to add wheelchair accessible vehicles to their fleets would improve the level and quality of service available to wheelchair users;

5. that adding wheelchair accessible vehicles to the fleet of existing taxicab operators could best be effectuated by the issuance of additional licenses dedicated to such vehicles;

6. that the issuance of additional licenses for wheelchair accessible vehicles would have no substantial negative impact on vehicular or pedestrian traffic;

7. that the use of wheelchair accessible vehicles by wheelchair users would provide the users with a safer and more convenient alternative than is currently available to them;

8. that providing wheelchair accessible vehicles would increase the use of taxicabs by wheelchair users;

9. that the issuance of additional licenses for wheelchair accessible vehicles would not substantially increase traffic congestion or pollution;

10. that the issuance of additional licenses for wheelchair accessible vehicles would not substantially affect taxicab stand capacity;

11. that there is a public need for wheelchair accessible vehicles dedicated to the needs of wheelchair users; and

12. that the issuance of additional licenses dedicated to wheelchair accessible vehicles would have a positive impact on existing taxicab operators by creating additional business with a segment of the community where taxicab service is currently underutilized.

Your Committee further recommends that for the convenience and necessity of the public additional taxicab licenses for wheelchair accessible vehicles are needed.

Adopted. Yeas, 12; Nays none.

Declining to vote - Niland.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 13, Chapter 341 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Taxicabs*, increasing the number of taxicab licenses by 38 to increase the availability of wheelchair accessible taxicab service in the City of Minneapolis, and having found that the public convenience and necessity warrant additional licenses, now recommends that said ordinance be given its second reading for amendment and passage.

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

Biernat moved to amend the report and Section 341.300 (d) of the ordinance by deleting the number "38" and inserting in lieu thereof "45". Seconded.

Adopted upon a voice vote.

Biernat moved to amend Section 341.300 (d) (3) of the ordinance by adding the following language after the words "section 341.320": "and seven (7) licenses in accordance with an approved service agreement submitted in connection therewith". Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Declining to vote - Niland, Goodman.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-146 amending Title 13, Chapter 341 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Taxicabs*, increasing the number of taxicab licenses to increase the availability of wheelchair accessible taxicab service in the City of Minneapolis, is summarized as follows:

- a. Section 341.10 adds a new definition thereto for "wheelchair accessible taxicab";
- b. Section 341.175 provides that service companies providing wheelchair accessible service shall grant priority to requests for service from wheelchair users; all requests for wheelchair accessible service shall be provided with no additional charge or deposit;
- c. Section 341.100 adds a new subdivision (d) thereto to reflect the issuance of 45 wheelchair accessible taxicab licenses; 20 to Airport/Town Taxi; 15 to Yellow Taxi; 10 to Rainbow Taxi;
- d. Section 341.650 provides that wheelchair accessible taxicab licenses may only be transferred to another wheelchair accessible taxicab;
- e. Section 341.660 exempts wheelchair accessible taxicabs from a jurisdictional restriction on operation; permits wheelchair accessible taxicabs to obtain licenses in other jurisdictions; prohibits wheelchair accessible taxicabs from waiting at downtown cab stands until after 8 p.m.; prohibits used Metro Mobility vehicles in service from using cab stands except those which allow access to medical service centers;
- f. Section 341.960 adds subdivisions (k) and (l) thereto to require wheelchair accessible taxicab service companies to maintain a computerized dispatch system; require said service companies to provide training on accessible vehicle features and the special needs of persons with disabilities;
- g. Section 341.975 adds a new subdivision (7) thereto to regarding service company reporting requirements concerning wheelchair accessible service.

Said ordinance was passed December 14, 2001 by the City Council and approved December 20, 2001 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 2001-Or-146
By Biernat
Intro & 1st Reading: 10/26/2001
Ref to: PS&RS
2nd Reading: 12/14/2001

Amending Title 13, Chapter 341 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Taxicabs.

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

Section 1. That Section 341.10 of the above-entitled ordinance be amended by adding thereto a new definition in alphabetical sequence to read as follows:

341.10. Definitions. Whenever used in this chapter the following words shall mean:

Wheelchair accessible taxicab: A motor vehicle for hire of a distinctive color or colors operated at rates per mile or upon a waiting-time basis, or both, which is a minivan or similar vehicle specially adapted for wheelchair users, which is also equipped with a taximeter, and which prioritizes requests for service from wheelchair users for purposes of transportation over and along the public streets, not over a defined route but, as to the route and destination, in accordance with and under the direction of the passenger or person hiring such vehicle.

Section 2. That the Minneapolis Code of Ordinances be amended by adding thereto a new Section 341.175 to read as follows:

341.175. Duty to accept and convey wheelchair users. An operator of a taxicab must accept any passenger and convey any passenger where directed upon dispatch or request, unless the operator is previously engaged or prohibited by this chapter to do so. Consistent with the practical operation thereof, taxicab service companies providing wheelchair accessible taxicabs shall grant priority to requests for service from wheelchair users. Upon a request for wheelchair accessible service, the service company shall immediately dispatch the first available wheelchair accessible taxicab prior to responding to a request for standard service. All requests for wheelchair accessible taxicab service shall be provided with no additional charge or deposit required.

Section 3. That Section 341.300 of the above-entitled ordinance be amended by adding a new subdivision (d) to read as follows:

341.300. Authorized number of licenses.

(d) Effective January 1, 2002, the authorized number of wheelchair accessible taxicab licenses shall be forty-five (45). The forty-five (45) wheelchair accessible taxicab licenses issued in 2002 shall be issued in the following allotments and according to the schedule below:

- (1) Twenty (20) licenses shall be awarded to Airport/Town Taxi (Coach USA) in accordance with an approved service agreement submitted in connection therewith.
- (2) Fifteen (15) licenses shall be awarded to Yellow Taxi in accordance with an approved service agreement submitted in connection therewith.
- (3) Three (3) licenses shall be awarded to Rainbow Taxi in conjunction with the cessation of the pilot project instituted pursuant to section 341.320 and seven (7) licenses in accordance with an approved service agreement submitted in connection therewith.

Section 4. That Section 341.650 of the above-entitled ordinance be amended to read as follows:

341.650. Transfer of license—Vehicle to vehicle. Taxicab licenses issued under the provisions of this article may be transferred from cab to cab upon payment of a fee of fifty-five dollars (\$55.00) and the filing of a written application. Wheelchair accessible taxicab licenses may only be transferred to another wheelchair accessible taxicab. The applicant for such transfer shall make application, setting forth the information required by section 341.590, and shall present therewith a policy of insurance or bond approved in the manner and required by section 341.500. In the event such application is accompanied by a transfer of such policy of insurance or bond covering the first vehicle, such transfer shall contain a clause providing that the same shall not release the principal or surety from any liability resulting from the operation of the vehicle formerly covered under such policy, up to and including the date of such transfer. Upon the fulfillment of all of the provisions of this chapter concerning vehicle condition, insurance, title registration, and vehicle marking, and upon passing vehicle inspection, the department shall issue the necessary license and card to be displayed in said taxicab.

Section 5. That Section 341.660 (f) of the above-entitled ordinance be amended, and a new subdivision (l) be added, to read as follows:

341.660. Unauthorized acts.

(f) No taxicab licensed under this article, except for wheelchair accessible taxicabs, shall be licensed to operate in any other jurisdiction except that of the Metropolitan Airports Commission. Wheelchair accessible taxicabs are permitted to obtain licenses in other jurisdictions in order to provide wheelchair accessible taxicab service.

(l) No wheelchair accessible taxicab vehicle licensee shall wait at any taxicab stand in the central business district until after 8 p.m. Used Metro Mobility vehicles providing wheelchair accessible service are not permitted to use taxicab stands, except those taxicab stands which allow access to medical service centers.

Section 6. That Section 341.960 of the above-entitled ordinance be amended by adding thereto subdivisions (k) and (l) to read as follows:

341.960. Conditions. Every licensed service company shall:

(k) In addition to the above conditions, every licensed wheelchair accessible taxicab service company shall maintain a computerized dispatch system to adequately respond to and maintain records of both on-demand and scheduled requests for service.

(l) A licensee licensed to transport passengers in wheelchairs must provide training to each of its operators on the special needs of persons with disabilities. The operator shall also receive training on operating and maintaining vehicle accessible features. The training program is subject to approval by the city council.

Section 7. That Section 341.975 (a) of the above-entitled ordinance be amended by adding thereto a new subdivision (7) to read as follows:

341.975. Service company reporting. (a) Effective April 15, 1996, each licensed service company shall, on a monthly basis, submit to the department a daily service report for each day of the preceding month that shall contain the following data:

(7) In addition to the above information, taxicab service companies providing wheelchair accessible service shall provide data on the number of scheduled and unscheduled rides provided by each

licensed vehicle, the start and end city locations of each trip, and the response to each request for wheelchair accessible service.

Adopted. Yeas, 11; Nays none.

Declining to vote - Niland, Goodman.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee, having under consideration the application of Noodle Shop Company – Minnesota Inc, dba Noodles & Company, 233 Cedar Av, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2002, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee, having under consideration the application of Marias Cafe Inc, dba Marias Cafe, 1113 E Franklin Av, for an On-Sale Wine Class D with Strong Beer License (new business) to expire April 1, 2002, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 14, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published December 18, 2001)

PS&RS - Your Committee, having under consideration the application of 3 Muses Inc, dba 3 Muses, 2817 Lyndale Av S, for an On-Sale Liquor Class C-2 with Sunday Sales License (change from On-Sale Wine Class C-2 with Strong Beer), to expire January 1, 2002, now recommends that said license application be sent forward without recommendation.

Biernat moved to amend the report by deleting the language “be sent forward without recommendation” and inserting in lieu thereof “be granted, along with a regular expansion of premises and change in shareholder, subject to final inspection and compliance with all provisions of application codes and ordinances.” Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee, having under consideration the application of Rouse Mechanical Inc, dba Rouse Mechanical, 7320 Oxford St, St. Louis Park, for a Plumbing License to expire December 1, 2002, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances and Department of Inspections requirements.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee recommends granting the following applications for Combined Trades Licenses to expire December 1, 2002, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

- a. Northwest Sheetmetal Co of St. Paul, 110 W Sycamore St;
- b. Allied Fireside Inc, dba Allied Fireside, 2700 Fairview Av N, Roseville;
- c. Dale Sorensen Company Inc, 9201 E Bloomington Freeway #1, Bloomington;
- d. Doody Mechanical Inc, dba United Sheet Metal, 520 Front Av, St. Paul;
- e. Kleve Heating & Air Conditioning Inc, dba Kleve Heating and Air Conditioning, 13075 Pioneer Trail, Eden Prairie.

Biernat moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote.

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

On-Sale Liquor Class A with Sunday Sales, to expire October 26, 2001

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, October 26, 2001, 6:00 p.m. to 12:30 a.m.; Ronald McDonald House);

On-Sale Liquor Class A with Sunday Sales, to expire November 1, 2001

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, November 1, 2001, 6:00 p.m. to 10:00 p.m.; Jr League of Minneapolis);

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2002

Promus Hotels Minneapolis Inc, dba Embassy Suites Hotel, 425 S 7th St;

International Catering Inc, dba Atrium Cafe 275 Market St (temporary expansion of premises, December 12, 2001, 4:00 p.m. to 7:00 p.m., HRP);

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, December 1, 2001, 6:00 p.m. to 11:30 p.m., General Mills Federal Credit Union);

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2001

Harrison Restaurant Holdings Inc, dba Sushi Sawatdee, 118 4th St N (new shareholder/partner);

Temporary On-Sale Liquor

Minneapolis Urban League, dba Minneapolis Urban League, 2100 Plymouth Av (November 16, 2001, 6:30 p.m. to 11:00 p.m., Professional Networking Event at 2100 Plymouth Av N; Licensed Facilitator: Atrium Catering);

Basilica of St. Mary, 88 17th St N (Fundraiser, December 12, 2001);

On-Sale Wine Class E with Strong Beer, to expire April 1, 2002

Yimer Belate B, dba Addis Ababa Ethiopian Restaurant, 2431 Riverside Av (new ownership from Solomon Tadesse & Aberash Asres);

Off Sale Beer, to expire April 1, 2002

Mousa Ahmed, dba Fatina Foods, 3246 Nicollet Av (new proprietor);

Temporary On-Sale Beer

Humane Society for Companion Animals, dba Humane Society for Companion Animals, 1115 Beulah Ln, St. Paul (November 13, 2001, 6:30 p.m. to 10:30 p.m., at Music Box Theatre, 1407 Nicollet Av).

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of December 14, 2001, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 267496):

Bed & Breakfast Facility; Bill Posting, Sign Painting & Hanger; Check Cashing; Christmas Tree; Drywall Contractor; Place of Entertainment; Fire Extinguisher Servicing Class A; Confectionery;

Grocery; Food Manufacturer; Meat Market; Drive In Food; Restaurant; Gas Fitter Class A; Gasoline Filling Station; Heating, Air Conditioning & Ventilating Class A; Hotel/Motel; Lodging House; Lodging House with Boarding; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Peddler - Foot; Peddler - Special Religious; Pet Shop; Plasterer; Plumber; Sign Hanger; Suntanning Facility; Tattooist/Body Piercer; Taxicab - Limited; Taxicab Vehicle; Taxicab Vehicle - Nontransferable; Theater Zone I; Tobacco Dealer; Combined Trades; Wrecker of Buildings Class A; and Wrecker of Buildings Class B.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst 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

Bolder Options, dba Bolder Options, 2020 1st Av S (Site: Whiskey Junction, 901 Cedar Av S); Southwest Hockey Inc, dba Southwest Hockey Inc, 414 6th Av N (Site: Poodle Club, 3001 E Lake St);

Southwest Hockey Inc, dba Southwest Hockey Inc, 4520 Upton Av S (Site: Country Bar & Grill, 3006 Lyndale Av S);

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

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

Southwest Hockey Inc, dba Southwest Hockey Inc, 4715 Ewing Av S (Site: Chessen's, 328 S 3rd St);

Southwest Hockey Inc, dba Southwest Hockey Inc, 4520 Upton Av S (Site: 4th Street Saloon, 328 W Broadway).

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee, having under consideration the Gas Fitter Class A, Heating, Air Conditioning and Ventilating, and Refrigeration Licenses held by Thrane Inc, 7204 W 27th St #112, St. Louis Park, and having received Findings of Fact, Conclusions and Recommendations after the licensee agreed to forgo a Technical Advisory Committee (TAC) hearing thereon for failure to obtain permits prior to the start of all mechanical work in the City; to obtain permits at the appropriate value; to complete work in a timely manner; and to complete all mechanical work in compliance with the Minneapolis Code of Ordinances, and has stipulated that the Findings of Fact, Conclusions and Recommendations are true and correct as on file in the Office of the City Clerk and that they be made a part of this report by reference, now recommends that the licensee agrees to voluntarily surrender all mechanical licenses and to cease all contracting activity in the City of Minneapolis until the following conditions are met:

a. all of the listed addresses in said Findings must be completed and be in compliance with the Minneapolis Code of Ordinances. Owners of said addresses may negotiate settlements with the licensee in lieu of completing the work. The licensee must contact the Inspections Department and arrange for final inspection. The Inspections Department maintains all rights to seek legal remedy if the licensee does not meet requirements contained in the Code of Ordinances.

b. the licensee agrees to pay an administrative fine in the amount of \$1,000;

c. if the licensee completes the above requirements and applies for a new license, he shall be limited to a maximum of five permits. Permits should be closed before others will be issued.

d. the licensee agrees to comply with all written orders from the Department of Inspections by the completed order date. The licensee will request an extension if the work cannot be completed by the stated date.

e. the licensee agrees to notify the Mechanical Inspections upon completion of all work and arrange for a final inspection.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee, having under consideration the property located at 1414 25th Av N which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to raze said property legally described as Lot 11, Block 1, Forest Heights Addition to Minneapolis (PID #16-029-24-21-0012), in accordance with the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee, having under consideration the property located at 2939 Aldrich Av N which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to raze said property legally described as Lot 6, Block 2, Harmony Terrace Addition to Minneapolis (PID #09-029-24-41-0034), in accordance with the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee, having under consideration the property located at 2931 Girard Av N which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to raze said property legally described as Lot 6, Block 13, Silver Lake Addition to Minneapolis (PID #09-029-24-42-0094), in accordance with the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee, to whom was referred back a report on November 9, 2001 relating to the property located at 1111 17th Av N which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to raze said property legally described as Lot 1, Block 17, Gales Subdivision in Sherburne & Beebe's Addition to Minneapolis (PID #16-029-24-42-0139), in accordance with the Findings of Fact, Conclusions and Recommendation on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 9; Nays, 2 as follows:

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

Nays - Ostrow, Lilligren.

Declining to vote - Niland, Mead.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Biernat moved to stay the demolition of the property located at 1111 17th Av N, Minneapolis, pending the outcome of any appeal of the City Council's decision to demolish this property to the Minnesota Court of Appeals. Seconded.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee, having under consideration the application of Stevelalk Inc, dba Yellow #70, 1923 Washington St NE, for a Taxicab Vehicle License (person to person transfer from Lois Mokros), now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst 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 accept a grant award of \$250,000 and execute a two-year grant agreement with the State of Minnesota Department of Public Safety for the Financial Crimes Task Force to perform major financial fraud and forgery, including identity theft investigations, during the period July 1, 2001 through June 30, 2003.

Your Committee further recommends passage of the accompanying Resolution appropriating \$250,000 to the Police Department to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 14, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published December 18, 2001)

RESOLUTION 2001R-524
By Biernat and Campbell

Amending The 2001 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 Grants - Other Fund (060-400-C117) by \$250,000 and increasing the Revenue Source (060-400-C117 - Source 3215) by \$250,000.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 14, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published December 18, 2001)

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept a Safe and Sober Grant Award of \$50,000 and execute a grant agreement with the State of Minnesota Department of Public Safety, Office of Traffic Safety, to pay overtime to Traffic Unit and Park patrol officers to increase enforcement targeting impaired drivers, juvenile and young adult violators, speed violations and other enforcement to reduce accidents and increase driver safety.

Your Committee further recommends passage of the accompanying Resolution appropriating \$50,000 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 2001R-525
By Biernat and Campbell

Amending The 2001 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 Grants - Federal Fund (030-400-DT13) by \$50,000 and increasing the Revenue Source (030-400-DT13 - Source 3210) by \$50,000.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute a two-year contract with Hennepin County Emergency Services whereby the City of Minneapolis' Emergency Communications Center will provide certain emergency communications services during 2002 and 2003 to Hennepin County, for the sum of \$100,000, including call taker services for all unscheduled requests for an ambulance within the City of Minneapolis. Revenue from said contract shall operate through the Police Agency (010-400-4181 - Revenue Source 3455).

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 14, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published December 18, 2001)

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

T&PW - Your Committee, having under consideration the Downtown East Light Rail Transit (LRT) Station Block Transit-Oriented Development Public Infrastructure Project (Parking Ramp under LRT station at Metrodome plaza site), now recommends that the proper City officers be authorized to use the Minneapolis Community Development Agency (MCDA) panel contract with Hammel, Green and Abrahamson, Inc. for additional architectural services necessary to construct the parking ramp. Said contract shall not exceed \$40,000 and is payable from the bond proceeds available for the project.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW - Your Committee, having under consideration the Central Av NE (27th to 37th Av NE) Paving Project and flood mitigation work in the area of 34th and Central Av NE (including addition of sewer lines and a storm retention pond in Columbia Golf Course), now recommends that the City's contract with SRF Consulting Group (Contract #016914) be amended to provide for expansion of the scope of work to include additional design enhancements, research, and survey work, with a cost increase up to an additional \$40,000. The contract increase is payable from the existing project budget.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

T&PW - Your Committee recommends passage and summary publication of the accompanying resolution authorizing a Cooperative Agreement with the Burlington Northern Santa Fe Railroad for construction of the Cedar Lake Parkway Bridge Project.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Resolution 2001R-526, authorizing a Cooperative Agreement with the Burlington Northern Santa Fe Railroad for construction of the Cedar Lake Parkway Bridge Project, was passed December 14, 2001 by the City Council and approved December 20, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2001R-526

By Mead

Requesting authorization for the City of Minneapolis to enter into a Cooperative Agreement with the Burlington Northern Santa Fe Railroad (BNSF) for the Cedar Lake Parkway Bridge Project.

Whereas, the City of Minneapolis is proposing to reconstruct the Cedar Lake Parkway Bridge and replace the existing Bridge No. 90470 with new Bridge No. 27A25 in 2002; and

Whereas, the Cedar Lake Parkway Bridge is approved for Federal Bridge Replacement Funds in 2002; and

Whereas, the City of Minneapolis Department of Public Works desires to proceed with the construction of the project for the year it is programmed for the federal funds; and

Whereas, the Minnesota Department of Transportation (MnDOT) requires that the City of Minneapolis secure a Cooperative Agreement with the railroad (BNSF) authorized by resolution;

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

That the proper City officers be authorized to enter into a Cooperative Agreement with the Burlington Northern Santa Fe Railroad for construction of the Cedar Lake Parkway Bridge Project.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW - Your Committee recommends that the proper City officers be authorized to negotiate with St. Anne's Community Development Corporation for the sale of City-owned property at 2400 W Broadway (former 4th police precinct) and that a public hearing be established to consider the sale of said property.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW - Your Committee, having under consideration the proposed Minneapolis Animal Shelter project, now recommends that the proper City officers be authorized to obtain proposals for architectural/engineering design services for construction of said facility.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 14, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.
(Published December 18, 2001)

T&PW - Your Committee recommends passage and summary publication of the accompanying resolution reaffirming the City's support for the Northstar Commuter Rail Project.

Mead moved that the report be referred back to the Transportation & Public Works Committee.
Seconded.

Adopted upon a voice vote.

T&PW - Your Committee, having under consideration the Hiawatha Corridor Light Rail Transit (LRT) project and proposed screening plans for the Traction Power Substations at 50th St (7), 46th St (8), 38th St (9), South of 24th St (11) and the Yards and Shops facility as indicated in the Architectural Review Package for the City of Minneapolis (dated November 12, 2001 and included in Petn No 267501), now recommends approval of said plans.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

T&PW - Your Committee, having under consideration the Water Work's Ultrafiltration Membrane Project and Contract #9078 with a consortium of engineering firms headed by HDR and Malcolm Pirnie regarding performance testing of the membrane equipment, preparation of the membrane equipment specifications, bid package and evaluation and having been informed that an extension and additional funding is required for the contract due to schedule changes and the need for additional data, now recommends that the term of said contract be extended to December 31, 2002 and additional funds in the amount of \$190,000 be authorized, for a new contract total not to exceed \$2,688,000, payable from the existing project budget (7400-950-9515).

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 14, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.
(Published December 18, 2001)

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

T&PW & W&M/Budget - Your Committee, having under consideration the results of a request for proposals for soft drink machines to be placed in City facilities such as parking ramps and the Impound Lot, now recommends that the proper City officers be authorized to enter into separate agreements with Pepsi and Coca Cola Bottling Companies effective December 1, 2001, extending for three years and including two one-year renewal options. Said agreement will allow for placement of soft drink machines in selected City facilities and will provide for a commission to the City on each bottle sold. The proper City officers shall be granted the right to negotiate commission rates increases.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid received on OP #5752 (Petn No 267503) submitted by Chesley Truck Sales, in the amount of \$96,846, for furnishing and delivering a lowboy tractor/trailer for the Public Works Equipment Services Division, all in accordance with City specifications.

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

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 14, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published December 18, 2001)

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to enter into an agreement with Olaf Limited Partnership commencing January 1, 2002 for lease of the Ritz Lot at 54 S 4th St, to be used by the City for the sale of public parking, the proceeds of which shall be deposited into the City's Parking Fund. The lease shall be at a cost of \$450,000 per year and shall have a term of five-years, further providing for a fifty/fifty sharing of gross revenues that exceed \$920,000 in a calendar year.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation in the Parking Fund by \$170,000 to be carried over to 2002 to allow for the increase in rent for the Ritz Lot over the base budget.

Mead moved that the report be referred back to the Transportation & Public Works and Ways & Means/Budget Committees. Seconded.

Adopted upon a voice vote.

T&PW & W&M/Budget - Your Committee, having under consideration a proposal to construct a parking facility adjacent to the Walker Art Center to accommodate identified parking needs for a planned expansion of the art center and other public parking in the area and having received a staff recommendation that the proper City officers be authorized to negotiate and execute an agreement with the Walker Art Center for said parking facility in accordance with the business terms set forth in Petn No 267503, now recommends:

T&PW - That the matter be forwarded without recommendation.

W&M/Budget - Approval.

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

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 10; Nays, 3 as follows:

Yeas - Ostrow, Campbell, Niland, Goodman, Colvin Roy, McDonald, Lilligren, Johnson, Thurber, Cherryhomes.

Nays - Biernat, Mead, Lane.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

W&M/Budget - Your Committee, having under consideration a proposed parking facility to be located at the Walker Art Center, and having held a public hearing thereon, now recommends passage of the accompanying resolution requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds (general obligation parking assessment bonds), in the amount of \$25,000,000 for certain purposes other than the purchase of public utilities.

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

Adopted upon a voice vote.

W&M/Budget - Your Committee, having under consideration a proposed parking facility to be located at the Walker Art Center, and having held a public hearing thereon, now recommends passage

of the accompanying resolution authorizing issuance of up to \$25,000,000 in principal amount of general obligation bonds to finance the costs of a parking facility located at the Walker Art Center.

Adopted. Yeas, 11; Nays, 2 as follows:

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

Nays - Mead, Lane.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 2001R-527

By Campbell

Authorizing issuance of up to \$25,000,000 in principal amount of general obligation bonds to finance the costs of a parking facility located at the Walker Art Center.

Whereas, the City and the Walker Art Center have reached agreement on the terms of financing an approximately 700-stall underground parking facility (the "Parking Facility") to be located at the Walker Art Center; and

Whereas, a public hearing was duly called and held on the issuance, by the City, of general obligation bonds to finance the Parking Facility;

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

That the issuance of up to \$25,000,000 in principal amount of general obligation bonds to finance the costs of the Parking Facility is hereby approved, subject to entry into a final agreement between the City and the Walker Art Center.

Be It Further Resolved that the bonds shall be issued, pursuant to Minnesota Statutes, Section 459.14, Subd 3, and in accordance with the agreement between the City and the Walker Art Center. Special assessments, in an amount not less than 50% of the amount of such bonds shall be levied, pursuant to Minnesota Statutes, Section 459.14, Subd. 7.

Adopted. Yeas, 11; Nays, 2 as follows:

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

Nays - Mead, Lane.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee, to whom was referred the subject matter of the accompanying Ordinances, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, to comply with current Internal Revenue Service (IRS) regulations, now recommends that the accompanying Ordinances be sent forward without recommendation:

- a) Ordinance repealing Section 20.550 relating to compensation for unused sick leave; and
- b) Ordinance adding a new Section 20.550 relating to sick leave credit pay plan.

Your Committee further recommends that summary publication of the above-described Ordinances be sent forward without recommendation.

Campbell moved to amend the report to delete from the first and last paragraphs the language, "sent forward without recommendation" and to insert in lieu thereof, the language, "approved." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinances 2001-Or-147 and 2001-Or-148, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*. 1) repealing Section 20.550 relating to compensation for unused sick leave; and 2) adding a new Section 20.550 relating to sick leave credit pay plan, in compliance with current IRS regulations, was passed December 14, 2001 by the City Council and approved December 20, 2001 by the Mayor. A complete copy of these ordinances is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2001-Or-147
By Campbell
Intro & 1st Reading: 11/21/2001
Ref to: W&M/Budget
2nd Reading: 12/14/2001

Repealing a portion of 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 Section 20.550 of the above-entitled ordinance be and is hereby repealed.

20.550. Compensation for unused sick leave. ~~City employees, as of December 31, 1966, other than uniformed public safety personnel, except the police chief, fire chief, assistant fire chief, and three (3) deputy police chiefs, with an accumulation of sick leave of sixty (60) days or more on December 31, 1966, and all city employees during each year thereafter, other than uniformed public safety personnel, shall have the option of accumulating sick leave days or receiving compensation for unused sick leave, above the minimum limits, earned in the current year in accordance with the following schedule:~~

~~(a) At least sixty (60) days, but less than ninety (90) days—Payment for unused sick leave days earned during the current year in excess of sixty (60) days shall be at the rate of fifty (50) per cent of the daily rate of pay in effect on December thirty-first of that year.~~

~~(b) At least ninety (90) days, but less than one hundred twenty (120) days—Payment for unused sick leave days earned during the current year in excess of ninety (90) days shall be at the rate of seventy-five (75) per cent of the daily rate of pay in effect on December thirty-first of that year.~~

~~(c) At least one hundred twenty (120) days—Payment for unused sick leave days earned during the current year in excess of one hundred twenty (120) days shall be at the rate of one hundred (100) per cent of the daily rate of pay in effect on December thirty-first of that year.~~

~~Provided, however, that for any employee who shall be separated for any reason whatsoever from the city service during any calendar year commencing with 1967, the daily rate of pay herein referred to shall be that in effect at the time of his separation from said city service. Provided further that to be eligible for this program the police chief, fire chief, assistant fire chief, and three (3) deputy police chiefs must be on the payroll in that title on December thirty-first to receive payment for that year.~~

~~Adopted. Yeas, 13; Nays none.~~

~~Passed December 14, 2001. J. Cherryhomes, President of Council.~~

~~Approved December 20, 2001. S. Sayles Belton, Mayor.~~

~~Attest: M. Keefe, City Clerk.~~

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

ORDINANCE 2001-Or-148
By Campbell
Intro & 1st Reading: 11/21/2001
Ref to: W & M/Budget
2nd Reading: 12/14/2001

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 Chapter 20 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 20.550 to read as follows:

20.550. Sick leave credit pay plan. (a) *Eligibility.* City employees, other than uniformed public safety personnel, except the police chief, fire chief, assistant fire chiefs, and deputy police chiefs, with a sick leave balance of sixty (60) days or more on December 1, 2001, and each year thereafter shall be eligible to make an election to receive compensation for future earned sick leave.

(b) *Election.* On or before December 31 of each year commencing with 2001 eligible employees shall submit a sick leave credit pay plan election form to the human resources benefits department. An eligible employee must elect whether to receive a cash payment for all or any portion of sick leave that is earned but unused during the calendar year immediately following the election. Such election is irrevocable. An eligible employee who fails to submit a sick leave credit pay plan election form to the human resources department on or before December 31 of each year shall be considered to have elected not to receive a cash payment for all or any portion of sick leave that is earned but unused during the calendar year immediately following the election.

(c) *Payment.* Within sixty (60) days after the end of the calendar year immediately following the election, an eligible employee who has elected to receive cash payment shall be paid as follows:

- (1) Accumulated sick leave of at least sixty (60) days, but less than ninety (90) days -- Payment for sick leave days earned but unused during the calendar year immediately following the election shall be at the rate of fifty (50) per cent of the daily rate of pay in effect on December thirty-first of that year.
- (2) Accumulated sick leave of at least ninety (90) days, but less than one hundred twenty (120) days -- Payment for sick leave days earned but unused during the calendar year immediately following the election shall be at the rate of seventy-five (75) per cent of the daily rate of pay in effect on December thirty-first of that year.
- (3) Accumulated sick leave of at least one hundred twenty (120) days -- Payment for sick leave days earned but unused during the calendar year immediately following the election shall be at the rate of one hundred (100) per cent of the daily rate of pay in effect on December thirty-first of that year.

(d) *Payment for the sick leave earned but unused in the year 2001.* City employees, other than uniformed public safety personnel, except the police chief, fire chief, assistant fire chiefs, and deputy police chiefs, with a sick leave balance of sixty (60) days or more on December 31, 2001, and who elected in 2000 to receive compensation for the unused sick leave earned in 2000, shall receive compensation for unused sick leave, above the minimum limits earned in the year 2001 in accordance with the following schedule:

- (1) At least sixty (60) days, but less than ninety (90) days -- Payment for sick leave days earned but unused during the year 2001 in excess of sixty (60) days shall be at the rate of fifty (50) per cent of the daily rate of pay in effect on December 31, 2001.
- (2) At least ninety (90) days, but less than one hundred twenty (120) days -- Payment for sick leave days earned but unused during the year 2001 in excess of ninety (90) days shall be at the rate of seventy-five (75) per cent of the daily rate of pay in effect on December 31, 2001.
- (3) At least one hundred twenty (120) days -- Payment for sick leave days earned but unused during the year 2001 in excess of one hundred twenty (120) days shall be at the rate of one hundred (100) per cent of the daily rate of pay in effect on December 31, 2001.

City employees, other than uniformed public safety personnel, except the police chief, fire chief, assistant fire chiefs, and deputy police chiefs, with an accumulation of sick leave of sixty (60) days or more on December 31, 2001, and who had either a balance of less than sixty (60) days sick leave in 2000 or had elected in 2000 not to receive a cash payment for earned but unused sick leave earned in 2000, shall receive no payment for earned but unused sick leave in 2001 but shall continue to accumulate any unused sick leave days earned in 2001.

(e) Subsection (d) and (e) of this section are automatically repealed without further action on March 1, 2002.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. 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 contract with Microsoft for the purchase of software licenses for approximately 3,100 workstations for City employees, for the period from January 1, 2002 through December 31, 2004, at a cost of \$317 per workstation, for a total estimated amount of \$1,000,000, to be payable annually from the Information and Technology Services (ITS) Agency in the Intergovernmental Service Fund (6400-880-8800), subject to approval of the related Decision Package through the budget process.

Your Committee further recommends that the Chief Information Officer and the Finance Officer be authorized to jointly approve miscellaneous ancillary contracts with Microsoft for amounts totaling \$10,000 or less, payable from the ITS Agency in the Intergovernmental Service Fund (6400-880-8800).

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

a) Malcolm R. Long and his attorney, Martin Montilino, in the amount of \$15,000, payable from 6900-150-1500-4000;

b) David St. Martin and his attorney, Dean Margolis, in the amount of \$2,500, payable from 6900-150-1500-4000; and

c) Doloris A. Stafford, in the amount of \$425, payable from 6900-150-1500-6070.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends full, final, and complete settlement of the Wayne Garnett vs. City of Minneapolis Workers' Compensation claim, to be payable from the Self Insurance Fund (6900-150-1500-2800), as follows:

a) Payment to Wayne Garnett and his attorney, Ronald Meuser, in the amount of \$112,000;

b) Payment to Ronald Meuser, in the amount of \$18,000;

c) Payment to Physicians' Diagnostics and Rehabilitation (PD&R), of Burnsville, Minnesota, in the amount of \$300;

d) Payment to HealthPartners, in the amount of \$3,250; and

e) Payment to Blue Cross, in the amount of \$37.50.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends full, final and complete settlement of the Workers' Compensation claim of Thomas Kuntz, in the amount of \$188,000, payable from the Workers' Compensation Agency in the Self-Insurance Fund (6900-145-1451-4000), with reimbursement of \$178,000 from the State Special Compensation Fund within 30 days of the City's reimbursement request.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to establish the following 2002 price agreements:

- a) United States Postal Service, in an amount not to exceed \$75,000, payable from the City Clerk - Total Agency in the Intergovernmental Service Fund (6400-260-2620);
- b) Pitney Bowes, dba Purchase Power, in an amount not to exceed \$575,000, payable from the City Clerk - Total Agency in the Intergovernmental Service Fund (6400-260-2620); and
- c) Special School District #1 Print Shop, in an amount not to exceed \$100,000, payable from the City Clerk - Total Agency in the Intergovernmental Service Fund (6400-260-2630).

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute change orders to the following contracts for additional work required on the Convention Center Expansion Project, increasing the contracts by the amounts indicated, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751):

- a) Authorize execution of Change Order #3 to Contract #15186 with Impulse Group, Inc., increasing said contract by \$43,330, for a new contract total of \$8,609,472;
- b) Authorize execution of Change Order #4 to Contract #14638 with M. G. McGrath, Inc, increasing said contract by \$26,806, for a new contract total of \$2,821,097;
- c) Authorize execution of Change Order #4 to Contract #14492 with Gage Brothers Concrete Products, Inc, increasing said contract by \$1,985, for a new contract total of \$1,313,927;
- d) Authorize execution of Change Order #5 to Contract #15277 with Swanson & Youngdale, Inc, increasing said contract by \$18,477, for a new contract total of \$895,241;
- e) Authorize execution of Change Order #12 to Contract #15156 with Kellington Construction, Inc, increasing said contract by \$52,987, for a new contract total of \$18,806,555; and
- f) Authorize execution of Change Order #5 to Contract #13946 with Merrimac Construction, increasing said contract by \$600,000, for a new contract total of \$5,383,008.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 14, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published December 18, 2001)

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment #4 to Contract #13041 with Mortenson/Thor, increasing the reimbursable amount to Mortenson/Thor by \$400,000 for "general conditions" work that is included in the project's current construction funds budget, requiring no increase in the contract total of an amount not to exceed \$10,762,181, payable from Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751), in concurrence with the recommendation of the Convention Center Implementation Subcommittee at its meeting on December 7, 2001.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published December 18, 2001; Republished December 22, 2001)

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment #5 to Contract #12662 with the Convention Center Design Group, providing for the transfer of funds, in the amount of \$160,000, from the additional services line item to the reimbursable line item,

with no change in the contract total, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751), in concurrence with the recommendation of the Convention Center Implementation Subcommittee at its meeting on December 7, 2001.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published December 18, 2001; Republished December 22, 2001)

W&M/Budget - Your Committee recommends concurrence with the recommendation of the New Central Library Implementation Committee that the proper City officers be authorized to execute a contract with Architectural Alliance/Cesar Pelli and Associates to provide architectural and engineering services for design of the New Central Library Project, with said contract to be executed for the duration of the project, in an amount not to exceed \$10,910,275, payable from the Library Board Capital Referendum Agency in the Permanent Improvement Library Fund (4400-908-9080).

Campbell moved to amend the report to add the following language at the end of the report, "conditioned upon full compliance with the Minneapolis Code of Ordinances, Section 139.423." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the New Central Library Implementation Committee that the proper City officers be authorized to execute a contract with Meyer, Scherer & Rockcastle, Ltd., to provide architectural and engineering services for the Interim Minneapolis Central Library Project, for the period from January 1, 2002 through December 31, 2002, in an amount not to exceed \$183,000, payable from the Library Board Capital Referendum Agency in the Permanent Improvement Library Fund (4400-908-9080).

Campbell moved to amend the report to add the following language at the end of the report, "conditioned upon full compliance with the Minneapolis Code of Ordinances, Section 139.423." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with Dale Dobson to provide project management services for the New Central Library Project, with said contract to be executed for the duration of the project, in an amount not to exceed \$50,000, payable from the Library Board Capital Referendum Agency in the Permanent Improvement Library Fund (4400-908-9080), with the understanding that the City's standard agreement is not being used.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the New Central Library Implementation Committee to increase current membership on said Committee by one person who will represent the Minnesota Planetarium.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben Asst City Clerk.

W&M/Budget - Your Committee recommends approval to designate depository status to EastBank, based on a study (by the City and the Minneapolis Community Development Agency) of the most recent Community Reinvestment Act Review and one full year of Quarterly Consolidated Reports of Conditions and Income, confirming that EastBank has met the financial criteria, and with the understanding that EastBank is an active community lender.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends amending Council action of February 18, 2000 (Resolution No. 2000R-074) to change the funding mechanism for the new budget reporting and analysis support system (BRASS) from the internal City bonds concept to a concept that would allow the Finance Officer to administratively appropriate transfers from the Finance Department Agency (820) to the Permanent Improvement Capital Projects Fund (4100) at each year-end, with the understanding that this process would commence in 2001 and would continue until the obligation has been paid in full.

Your Committee further recommends passage of the accompanying Resolution amending Resolution No. 2000R-074 entitled, "Requesting that the Board of Estimate and taxation incur indebtedness and issue and sell City of Minneapolis bonds, in the amount of \$478,000, for certain purposes other than the purchase of public utilities," and further requesting that the Board of Estimate and Taxation concur with the proposed funding mechanism change for the budget reporting and analysis support system (BRASS), and related software.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 2001R-528
By Campbell

Amending Resolution No. 2000R-074 entitled, "Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds, in the amount of \$478,000, for certain purposes other than the purchase of public utilities," and further requesting that the Board of Estimate and Taxation concur with the proposed funding mechanism change for the budget reporting and analysis support system (BRASS), and related software.

Resolved by The City Council of The City of Minneapolis:
That Resolution No. 2000R-074 be amended to read as follows:

That the Board of Estimate and Taxation be requested to concur with the proposed funding mechanism change for the budget reporting and analysis support system (BRASS), and related software, from the internal City bonds concept to a concept that would allow the Finance Officer to administratively appropriate transfers from the Finance Department Agency (820) to the Capital - Permanent Improvement Projects Fund (4100) at each year-end, with the understanding that this process would commence in 2001 and would continue until the obligation has been paid in full.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001. J. Cherryhomes, President of Council.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends approval to classify a new position as Senior Event Coordinator, allocated to Grade 9 of the Staff Assistance Promotional Line, with an annual salary of \$44,464 to \$62,039, effective January 1, 2002.

Your Committee further recommends approval to reclassify the current incumbents from the Event Coordinator position, Grade 8, to the Senior Event Coordinator position, Grade 9, effective January 1, 2002.

Your Committee further recommends passage of the accompanying amendments to the Salary Ordinance reflecting said change.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-149, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Senior Event Coordinator, was passed December 14, 2001 by the City Council and approved December 20, 2001 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 2001-Or-149
By Campbell
1st & 2nd Readings: 12/14/2001

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:

Minneapolis Professional Employees Association (MPEA)
Effective January 1, 2002

| Job Code | Salary Grade | FLSA OTC | Classification title | P | 6-Month rate | 1st Step | 2nd Step | 3rd Step | 4th Step | 5th Step | 6th Step | 7th Step |
|----------|--------------|----------|--------------------------|---|--------------|----------|----------|----------|----------|----------|----------|----------|
| 9 | E | | Senior Event Coordinator | A | 44,464 | 45,604 | 48,005 | 50,532 | 53,191 | 55,990 | 58,937 | 62,039 |

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends approval to upgrade the appointed position of Assistant to the City Coordinator from Grade 8 to Grade 10, effective July 24, 2001, resulting in an increase in the annual salary range from \$49,652 - \$54,878 to \$59,263 - \$65,501.

Your Committee further recommends approval to reclassify the incumbent, Lori Olson, effective July 24, 2001.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance reflecting said change.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

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

Yeas - Ostrow, Campbell, Niland, Goodman, Colvin Roy, McDonald, Mead, Lane, Lilligren, Johnson, Thurber, Cherryhomes.

Nays - Biernat.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-150, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Assistant to the City Coordinator, was passed December 14, 2001 by the City Council and approved December 20, 2001 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 2001-Or-150
By Campbell
1st & 2nd Readings: 12/14/2001**

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: (Annual Rates)

**Appointed Officials (CAP)
Effective July 24, 2001**

| FLSA | OTC | CLASSIFICATION | P | Step A Start rate | Step B After 1 "A" year | Step C After 2 "B" Years | Step D After 3 "C" Years |
|------|-----|--------------------------------------|---|----------------------|-------------------------------|--------------------------------|--------------------------------|
| E | 1 | Assistant to the City Coordinator | A | \$59,263 | \$62,382 | \$64,254 | \$65,501 |

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

**Appointed Officials (CAP)
Effective: January 1, 2002**

| FLSA | OTC | CLASSIFICATION | P | Step A Start rate | Step B After 1 "A" year | Step C After 2 "B" Years | Step D After 3 "C" Years |
|------|-----|--------------------------------------|---|----------------------|-------------------------------|--------------------------------|--------------------------------|
| E | 1 | Assistant to the City Coordinator | A | \$61,189 | \$64,410 | \$66,342 | \$67,630 |

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

Yeas - Ostrow, Campbell, Niland, Goodman, Colvin Roy, McDonald, Mead, Lane, Lilligren, Johnson, Thurber, Cherryhomes.

Nays - Biernat.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends approval to reclassify the appointed position of Director, Intergovernmental Relations, Grade 13, to Director, Government Relations, Grade 14, effective October 24, 2001, resulting in an increase in the annual salary range from \$80,592 - \$89,076 to \$85,859 - \$94,897.

Your Committee further recommends approval to reclassify the incumbent, Andrea Hart-Kajer, effective October 24, 2001.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance reflecting said change.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

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

Yeas - Ostrow, Campbell, Niland, Goodman, Colvin Roy, McDonald, Mead, Lane, Lilligren, Johnson, Thurber, Cherryhomes.

Nays - Biernat.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-151, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Director, Government Relations, was passed December 14, 2001 by the City Council and approved December 20, 2001 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 2001-Or-151
By Campbell
1st & 2nd Readings: 12/14/2001

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: (Annual Rates)

Appointed Officials (CAP)
Effective October 24, 2001

| FLSA | OTC | CLASSIFICATION | P | Step A Start rate | Step B After 1 "A" year | Step C After 2 "B" Years | Step D After 3 "C" Years |
|------|-----|--------------------------------------|---|----------------------|-------------------------------|--------------------------------|--------------------------------|
| E | 1 | Director, Government Relations | A | \$85,859 | \$90,378 | \$93,089 | \$94,897 |

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

**Appointed Officials (CAP)
Effective: January 1, 2002**

| FLSA | OTC | CLASSIFICATION | P | Step A Start rate | Step B After 1 "A" year | Step C After 2 "B" Years | Step D After 3 "C" Years |
|------|-----|--------------------------------------|---|----------------------|-------------------------------|--------------------------------|--------------------------------|
| E | 1 | Director, Government Relations | A | \$88,649 | \$93,315 | \$96,115 | \$97,981 |

Adopted. Yeas, 12; Nays, 1 as follows:
Yeas - Ostrow, Campbell, Niland, Goodman, Colvin Roy, McDonald, Mead, Lane, Lilligren, Johnson, Thurber, Cherryhomes.
Nays - Biernat.
Passed December 14, 2001. J. Cherryhomes, President of Council.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends approval of the labor agreement with the International Brotherhood of Electrical Workers, Local #292, Inspectors' Unit, as more fully set forth in Petn No 267514, which summarizes the major proposed terms of said agreement.

Your Committee further recommends that the proper City officers be authorized to execute a one-year contract to reflect the terms of said agreement, effective May 1, 2000 through April 30, 2001.

Your Committee further recommends that the proper City officers be authorized to execute a three-year contract to reflect the terms of said agreement, effective May 1, 2001 through April 30, 2004.

Your Committee further recommends passage of the accompanying Salary Ordinances providing for implementation of salary adjustments, as set forth in said labor agreements:

- a) Salary Ordinance, effective May 1, 2000; and
- b) Salary Ordinance, effective May 1, 2001.

Your Committee further recommends that summary publication of the above-described Ordinances be authorized.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

Ordinances 2001-Or-152 and 2001-Or-153, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, amending the Salary Ordinances for the International Brotherhood of Electrical Workers, Local #292, Inspectors' Unit to reflect the terms of the labor agreement, was passed December 14, 2001 by the City Council and approved December 20, 2001 by the Mayor. A complete copy of these ordinances are available for public inspection in the office of the City Clerk.

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

**ORDINANCE 2001-Or-152
By Campbell
1st & 2nd Readings: 12/14/2001**

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:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of May 1, 2000, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service through fault or delinquency on the part of such employee. The rates stated herein shall be the hourly salary rates unless stated otherwise.

Section 1. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective May 1, 2000.

**Electricians Local 292 - Inspectors Unit
Effective May 1, 2000**

| FLSA | OTC | CODE | CLASSIFICATION | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|------|-----|--------|-------------------------------|---|----------|----------|----------|----------|----------|----------|----------|
| N | 3 | 05480C | Inspector, Electrical | H | 24.926 | 25.158 | 25.364 | 25.518 | 25.673 | 26.407 | 27.115 |
| N | 3 | 05970C | Lead Inspector, Electrical | H | 26.278 | 26.523 | 26.754 | 26.999 | 27.244 | 27.862 | 28.518 |

Effective January 1, 1993, add \$.06 cents per hour for all permanent employees hired prior to October 15, 1992 until they complete nine years of service.

Provided that a \$.258 cents per hour shift differential be paid for shifts which start between the hours of 12:00 p.m. and 6:00 a.m.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001. J. Cherryhomes, President of Council.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

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

**ORDINANCE 2001-Or-153
By Campbell
1st & 2nd Readings: 12/14/2001**

**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:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of May 1, 2001, and August 1, 2001, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or

delinquency of such employee, but shall not apply to any employee heretofore separated from the service through fault or delinquency on the part of such employee.

The rates stated herein shall be the hourly salary rates unless stated otherwise.

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective May 1, 2001.

**Electricians Local 292 - Inspectors Unit
Effective May 1, 2001**

| FLSA | OTC | CODE | CLASSIFICATION | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|------|-----|--------|-------------------------------|---|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| N | 3 | 05480C | Inspector, Electrical | H | 24.926 | 25.158 | 25.364 | 25.518 | 25.673 | 26.407 | 27.115 |
| N | 3 | 05970C | Lead Inspector, Electrical | H | 26.278 | 26.523 | 26.754 | 26.999 | 27.244 | 27.862 | 28.518 |

Effective January 1, 1993, add \$.06 cents per hour for all permanent employees hired prior to October 15, 1992 until they complete nine years of service.

Provided that a \$.258 cents per hour shift differential be paid for shifts which start between the hours of 12:00 p.m. and 6:00 a.m.

Any new or current employee not receiving longevity as of June 1, 2001, shall not be eligible for longevity. For those employees who are receiving longevity as of June 1, 2001, they shall be frozen at their current rate. These employees shall not progress through the longevity scale nor shall there be increases to the longevity rate.

Section 2. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective August 1, 2001.

**Electricians Local 292 - Inspectors Unit
Effective August 1, 2001**

| FLSA | OTC | CODE | CLASSIFICATION | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|------|-----|--------|-------------------------------|---|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| N | 3 | 05480C | Inspector, Electrical | H | 27.110 | 27.362 | 27.586 | 27.753 | 27.922 | 28.720 | 29.490 |
| N | 3 | 05970C | Lead Inspector, Electrical | H | 28.533 | 28.799 | 29.050 | 29.316 | 29.582 | 30.253 | 30.965 |

The rates of pay effective May 1, 2002, and May 1, 2003, shall be calculated according to the agreed upon formula, using the wage rate established for the Electrician, Foreman, according to the Outside Building Trades Formula.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben Asst City Clerk.

W&M/Budget - Your Committee recommends approval to classify a new position as Family Support Specialist I (Health Initiatives), allocated to Grade 8 of the Staff Assistance Promotional Line, with an annual salary of \$38,384 to \$54,880, effective September 21, 2001.

Your Committee further recommends approval to reclassify the current incumbents from the Health Program Analyst I position, Grade 8, to Family Support Specialist I (Health Initiatives), Grade 8, to be effective September 21, 2001.

Your Committee further recommends approval to classify a new position as Family Support Specialist I (Employment and Training), allocated to Grade 8 of the Staff Assistance Promotional Line, with an annual salary of \$38,384 to \$54,880, effective September 21, 2001.

Your Committee further recommends approval to reclassify the current incumbents from the Vocational Guidance Counselor I position, Grade 7, to Family Support Specialist I (Employment and Training), Grade 8, effective September 21, 2001.

Your Committee further recommends passage of the accompanying Salary Ordinance reflecting said changes:

- a) Family Support Specialist I (Health Initiatives); and
- b) Family Support Specialist I (Employment and Training).

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben Asst City Clerk.

Ordinance 2001-Or-154, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the positions of Family Support Specialist I (Health Initiatives) and Family Support Specialist I (Employment and Training), was passed December 14, 2001 by the City Council and approved December 20, 2001 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 2001-Or-154
By Campbell
1st & 2nd Readings: 12/14/2001

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:

Minneapolis Professional Employees Association (MPEA)
Effective September 21, 2001

| Job Code | Salary Grade | FLSA OTC | Classification title | P | 6-Month rate | 1st Step | 2nd Step | 3rd Step | 4th Step | 5th Step | 6th Step | 7th Step |
|----------|--------------|----------|---|---|--------------|----------|----------|----------|----------|----------|----------|----------|
| 8 | E1 | | Family Support Specialist I (Employment and Training) | A | 38,384 | 39,368 | 42,240 | 44,557 | 46,871 | 49,327 | 51,949 | 54,880 |
| 8 | E1 | | Family Support Specialist I (Health Initiatives) | A | 38,384 | 39,368 | 42,240 | 44,557 | 46,871 | 49,327 | 51,949 | 54,880 |

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

**Minneapolis Professional Employees Association (MPEA)
Effective January 1, 2002**

| Job Code | Salary Grade | FLSA OTC | Classification title | P | 6-Month rate | 1st Step | 2nd Step | 3rd Step | 4th Step | 5th Step | 6th Step | 7th Step |
|----------|--------------|----------|---|---|--------------|----------|----------|----------|----------|----------|----------|----------|
| 8 | E1 | | Family Support Specialist I (Employment and Training) | A | 40,028 | 41,054 | 44,049 | 46,465 | 48,879 | 51,440 | 54,174 | 57,230 |
| 8 | E1 | | Family Support Specialist I (Health Initiatives) | A | 40,028 | 41,054 | 44,049 | 46,465 | 48,879 | 51,440 | 54,174 | 57,230 |

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001. J. Cherryhomes, President of Council.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends approval to classify a new position as Family Support Specialist II (Health Initiatives), allocated to Grade 9 of the Staff Assistance Promotional Line, with an annual salary of \$43,552 to \$62,302, effective April 26, 2001.

Your Committee further recommends approval to reclassify the current incumbents from the Health Program Analyst II position, Grade 9, to Family Support Specialist II (Health Initiatives), Grade 9, effective April 26, 2001.

Your Committee further recommends approval to classify a new position as Family Support Specialist II (Employment and Training), allocated to Grade 9 of the Staff Assistance Promotional Line, with an annual salary of \$43,552 to \$62,302, effective April 26, 2001.

Your Committee further recommends approval to reclassify the current incumbents from the Vocational Guidance Counselor II position, Grade 8, to Family Support Specialist II (Employment and Training) Grade 9, effective April 26, 2001.

Your Committee further recommends passage of the accompanying Salary Ordinance reflecting said changes:

- a) Family Support Specialist II (Health Initiatives); and
- b) Family Support Specialist II (Employment and Training).

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-155, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the positions of Family Support Specialist II (Health Initiatives) and Family Support Specialist II (Employment and Training), was passed December 14, 2001 by the City Council and approved December 20, 2001 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 2001-Or-155
By Campbell
1st & 2nd Readings: 12/14/2001**

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:

**Minneapolis Professional Employees Association (MPEA)
Effective April 26, 2001**

| Job Code | Salary Grade | FLSA OTC | Classification title | P | 6-Month rate | 1st Step | 2nd Step | 3rd Step | 4th Step | 5th Step | 6th Step | 7th Step |
|----------|--------------|----------|--|---|--------------|----------|----------|----------|----------|----------|----------|----------|
| 9 | E1 | | Family Support Specialist II (Employment and Training) | A | 43,552 | 44,669 | 48,043 | 50,584 | 53,456 | 56,301 | 59,315 | 62,302 |
| 9 | E1 | | Family Support Specialist II (Health Initiatives) | A | 43,552 | 44,669 | 48,043 | 50,584 | 53,456 | 56,301 | 59,315 | 62,302 |

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

**Minneapolis Professional Employees Association (MPEA)
Effective January 1, 2002**

| Job Code | Salary Grade | FLSA OTC | Classification title | P | 6-Month rate | 1st Step | 2nd Step | 3rd Step | 4th Step | 5th Step | 6th Step | 7th Step |
|----------|--------------|----------|--|---|--------------|----------|----------|----------|----------|----------|----------|----------|
| 9 | E1 | | Family Support Specialist II (Employment and Training) | A | 45,418 | 46,582 | 50,101 | 52,750 | 55,746 | 58,712 | 61,856 | 64,970 |
| 9 | E1 | | Family Support Specialist II (Health Initiatives) | A | 45,418 | 46,582 | 50,101 | 52,750 | 55,746 | 58,712 | 61,856 | 64,970 |

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001. J. Cherryhomes, President of Council.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends approval to amend Ordinance No. 2001-Or-140, passed by Council action of November 21, 2001, to change the Salary Ordinance for the Minneapolis City Supervisors' Association to update the salary for the classification of Supervisor, Real Estate Assessment to reflect a recent Letter of Agreement that resulted in a position upgrade.

Your Committee further recommends passage of the accompanying Salary Ordinance reflecting said amendment.

Your Committee further recommends that summary publication of the above-described Salary Ordinance be authorized.

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-156, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, amending the salary ordinance for the Minneapolis City Supervisors' Association to update the classification of the Supervisor, Real Estate Assessment to reflect a recent Letter of Agreement resulting in a position upgrade, was passed December 14, 2001 by the City Council and approved December 20, 2001 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 2001-Or-156
By Campbell
1st & 2nd Readings: 12/14/2001**

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:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of January 1, 2001, January 1, 2002, and January 1, 2003, except as hereinafter provided, shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service through fault or delinquency on the part of such employee.

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2001.

**MINNEAPOLIS CITY SUPERVISORS ASSOCIATION (CSU)
Effective January 1, 2001**

Group I (Exempt)

| FLSA | OTC | CODE | CLASSIFICATION | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|------|-----|--------|------------------------------------|---|----------|----------|----------|----------|----------|----------|----------|
| E | 4 | 00835C | Asst Manager Envirnmntl Hlth-C | A | 45,887 | 49,293 | 51,895 | 54,523 | 57,419 | 60,396 | 63,481 |
| E | 4 | 00920C | Asst Supv, Building Inspections | A | 53,665 | 54,255 | 54,738 | 55,328 | 55,864 | 57,259 | 58,760 |
| E | 4 | 00950C | Asst Supv Parking Traf Ctl-C | A | 46,719 | 49,052 | 51,466 | 54,121 | | | |
| E | 4 | 01720C | Chief Inspector Util Conctns-C | A | 42,481 | 44,707 | 47,067 | 49,535 | 52,136 | 54,872 | 57,768 |
| E | 4 | 02760C | Crime Preventn Prg Crd(Supv)-C | A | 40,363 | 42,079 | 44,466 | 46,719 | 49,025 | 51,466 | 54,121 |
| E | 4 | 03600C | District Street Supv I-C | A | 56,400 | 59,002 | 61,496 | | | | |
| E | 4 | 03610C | District Street Supv II-C | A | 60,557 | 63,293 | 66,028 | | | | |
| E | 1 | 03620C | District Street Supv III-C | A | 67,208 | 70,614 | 74,074 | | | | |
| E | 4 | 03623C | District Supv Inspection Cns-C | A | 51,116 | 53,638 | 56,524 | 59,410 | 62,478 | 65,780 | |
| E | 4 | 03625C | District Supv Inspection Hsg-C | A | 51,116 | 53,638 | 56,524 | 59,410 | 62,478 | 65,780 | |
| E | 4 | 04475C | Floor Supervisor, Conv Ctr-C | A | 43,313 | 43,822 | 44,225 | 44,707 | 51,546 | 54,121 | 56,508 |
| E | 4 | 05120C | Gen Foreman Bridge Maint Rpr-C | A | 62,247 | 64,929 | 67,638 | | | | |
| E | 4 | 05180C | Gen Foreman Paving Constr-C | A | 62,247 | 64,929 | 67,638 | | | | |
| E | 4 | 05200C | Gen Foreman Plnt Maint/NC-C | A | 61,147 | 63,776 | 66,511 | | | | |

DECEMBER 14, 2001

| | | | | | | | | | | | | | |
|---|---|--------|--------------------------------|---|--------|--------|--------|--------|--------|--------|--------|--|--|
| E | 4 | 05220C | Gen Foreman Sewer Const-C | A | 62,247 | 64,929 | 67,638 | | | | | | |
| E | 4 | 05235C | Gen Foreman Sol | | | | | | | | | | |
| | | | Waste/Recycl-C | A | 62,247 | 64,929 | 67,638 | | | | | | |
| E | 4 | 05250C | Gen Foreman Water | | | | | | | | | | |
| | | | Svc Maint-C | A | 60,557 | 63,293 | 66,028 | | | | | | |
| E | 4 | 06550C | Manager Animal Control-C | A | 49,427 | 51,895 | 54,469 | 57,205 | 60,075 | 63,105 | 66,216 | | |
| E | 4 | 08940C | Sanitarian III | A | 42,481 | 45,673 | 48,006 | 50,634 | 53,450 | 56,213 | 63,159 | | |
| E | 4 | 09840C | Supv Building Ops/Maint-C | A | 62,247 | 64,929 | 67,638 | | | | | | |
| E | 4 | 09860C | Supv Central Garage | A | 48,542 | 48,945 | 49,481 | 49,937 | 50,473 | 52,968 | 55,381 | | |
| E | 4 | 09922C | Supv Construction Services-C | A | 62,247 | 64,929 | 67,638 | | | | | | |
| E | 4 | 09970C | Supv Electrical Inspections-C | A | 51,117 | 53,638 | 56,534 | 59,404 | 62,488 | 65,787 | | | |
| E | 4 | 09983C | Supv Engineering | | | | | | | | | | |
| | | | Technician-C | A | 40,363 | 42,079 | 44,466 | 46,719 | 49,025 | 51,466 | 54,121 | | |
| E | 4 | 10000C | Supv Equipment-C | A | 62,247 | 64,929 | 67,638 | | | | | | |
| E | 4 | 10060C | Supv Housekeeping/Setup-C | A | 43,313 | 43,822 | 44,225 | 44,707 | 51,546 | 54,121 | 56,508 | | |
| E | 4 | 10072C | Supv Identification Division-C | A | 55,301 | 56,669 | 57,956 | 59,243 | 60,557 | 61,845 | 63,159 | | |
| E | 4 | 10140C | Supv Parking & Traffic Ctl-C | A | 50,742 | 53,289 | 55,944 | 58,760 | | | | | |
| E | 4 | 10180C | Supv Plant Ops Conv Ctr-C | A | 43,313 | 43,822 | 44,225 | 44,707 | 51,546 | 54,121 | 56,508 | | |
| E | 4 | 10220C | Supv Pumping Stations-C | A | 57,527 | 60,101 | 62,596 | | | | | | |
| E | 4 | 10230C | Supv Ramp Repair and | | | | | | | | | | |
| | | | Restr-C | A | 58,036 | 60,638 | 63,159 | | | | | | |
| E | 4 | 10240C | Supv Real Estate | | | | | | | | | | |
| | | | Assessment-C | A | 51,116 | 53,638 | 56,524 | 59,410 | 62,478 | 65,780 | | | |
| E | 4 | 10260C | Supv Security & Safety-C | A | 36,742 | 38,619 | 40,524 | 42,589 | 44,707 | 46,906 | 49,293 | | |
| E | 4 | 10270C | Supv Sewer Maintenance-C | A | 57,527 | 60,101 | 62,596 | | | | | | |
| E | 4 | 10282C | Supv Sidewalk Inspections-C | A | 42,481 | 44,707 | 47,067 | 49,535 | 52,136 | 54,872 | 57,768 | | |
| E | 4 | 10300C | Supv Towing & Impounding-C | A | 50,742 | 53,289 | 55,944 | 58,760 | | | | | |
| E | 4 | 10320C | Supv Traffic Equip Maint-C | A | 55,301 | 57,902 | 60,450 | | | | | | |
| E | 4 | 10360C | Supv Water Treatment Labs-C | A | 50,447 | 54,228 | 57,017 | 59,994 | 63,159 | 66,404 | 69,783 | | |
| E | 4 | 10370C | Supv Water Treatmt Plant-C | A | 56,400 | 59,002 | 61,496 | | | | | | |

Group II (Non-Exempt)

| FLSA | OTC | CODE | CLASSIFICATION | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|------|-----|--------|--------------------------------|---|----------|----------|----------|----------|----------|----------|----------|
| N | 3 | 00910C | Asst Supv Animal Cntrl-C | H | 18.644 | 18.838 | 19.624 | 21.326 | 22.474 | 23.647 | 24.975 |
| N | 2 | 04150C | Equipment Dispatcher-C | H | 18.928 | 21.868 | 22.822 | 23.957 | | | |
| N | 2 | 04610C | Foreman Electronics-C | H | 18.838 | 20.179 | 21.326 | 22.474 | 23.647 | 24.975 | |
| N | 2 | 04620C | Foreman Equipment Repair-C | H | 21.300 | 22.371 | 23.480 | 24.588 | 25.710 | | |
| N | 2 | 04685C | Foreman Janitors-C | H | 21.404 | 23.260 | | | | | |
| N | 2 | 04950C | Foreman Shop Water Dept-C | H | 23.480 | 24.588 | 25.710 | | | | |
| N | 2 | 04970C | Foreman Stationary | | | | | | | | |
| | | | Engineers-C | H | 20.823 | 21.068 | 21.262 | 21.494 | 24.782 | 26.020 | 27.167 |
| N | 3 | 05140C | Gen Foreman Electrician-C* | H | 32.296 | 32.622 | 32.951 | 33.284 | 33.620 | 33.960 | |
| N | 3 | 05980C | Lead Inspector, Environmental | H | 25.788 | 26.071 | 26.303 | 26.587 | 26.845 | 27.515 | 28.237 |
| N | 3 | 07840C | Plan Examiner I, Electrical | H | 25.788 | 26.071 | 26.303 | 26.587 | 26.845 | 27.515 | 28.237 |
| N | 3 | 07850C | Plan Examiner I, Heating | | | | | | | | |
| | | | & Refrig | H | 25.800 | 26.084 | 26.316 | 26.600 | 26.858 | 27.528 | 28.392 |
| N | 3 | 07860C | Plan Examiner I, Plumbing | H | 25.800 | 26.084 | 26.316 | 26.600 | 26.858 | 27.528 | 28.392 |
| N | 3 | 07870C | Plan Examiner I, Warm Air | H | 25.800 | 26.084 | 26.316 | 26.600 | 26.858 | 27.528 | 28.392 |
| N | 3 | 09198C | Shift Supvr, Housekpg/Set-up-C | H | 17.187 | 18.038 | 18.941 | 19.895 | 20.875 | 21.919 | 23.015 |
| N | 3 | 09460C | Street Operations Specialist-C | H | 14.866 | 15.872 | 19.147 | 20.153 | 21.275 | 22.396 | 23.583 |
| N | 3 | 09950C | Supv Distribution Center-C | H | 19.405 | 20.385 | 21.378 | 22.461 | 23.583 | 24.743 | 26.020 |
| N | 3 | 09980C | Supv Electronics-C | H | 24.253 | 25.478 | 26.742 | 28.070 | 29.475 | 30.958 | |
| N | 3 | 10081C | Supv Meter Service Workers-C | H | 18.644 | 18.838 | 19.624 | 21.326 | 22.474 | 23.647 | 24.975 |
| N | 3 | 10200C | Supv Police Warehouse | | | | | | | | |
| | | | Fclty-C | H | 16.685 | 17.871 | 18.606 | 19.160 | 19.843 | 20.462 | |
| N | 3 | 10600C | Traffic Control Agent II-C | H | 17.187 | 18.038 | 18.941 | 19.895 | 20.875 | 21.919 | 23.015 |
| N | 3 | 10780C | Vehicle Records Shift Supv-C | H | 14.815 | 15.821 | 17.536 | 18.245 | 18.876 | 19.689 | 20.462 |

Provided that employees shall receive the following longevity.

\$12.378 Biweekly longevity at the beginning of the 10th year of service.

\$23.931 Biweekly longevity at the beginning of the 15th year of service.

\$28.882 Biweekly longevity at the beginning of the 20th year of service.

\$37.959 Biweekly longevity at the beginning of the 25th year of service.

Provided that the Foreman, Stationary Engineers, when properly licensed and while performing the duties of, and/or supervising Stationary Engineers who are performing Maintenance Electrician duties shall receive a premium of \$.516 cents per hour.

Provided that a \$0.413 per hour shift differential be paid for shifts which start between the hours of 12:00 p.m. and 6:00 a.m. Provided further that a \$0.980 per hour shift differential be paid to employees in law enforcement support job classifications for shifts which are permanently fixed and where at least one-half (1/2) of the work hours (exclusive of unpaid meal periods) fall between the hours of 6:00 p.m. and 6:00 a.m.

*The wage for the General Foreman, Electrician, classification is determined by the Outside Building Trades formula.

That rate is listed above.

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2002.

MINNEAPOLIS CITY SUPERVISORS ASSOCIATION (CSU)

Effective January 1, 2002

Group I (Exempt)

| FLSA | OTC | CODE | CLASSIFICATION | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|------|-----|--------|-----------------------------------|---|----------|----------|----------|----------|----------|----------|----------|
| E | 1 | | Supervisor III | A | 46,224 | 48,535 | 50,961 | 53,510 | 56,185 | 58,994 | 61,944 |
| | | 00835C | Asst Manager | | | | | | | | |
| | | | Envirnmtl Hlth-C | | | | | | | | |
| | | 00910C | Asst Supv Animal Cntrl-C | | | | | | | | |
| | | 00920C | Asst Supv, Building Inspections | | | | | | | | |
| | | 01720C | Chief Inspector Util Conctns-C | | | | | | | | |
| | | 04475C | Floor Supervisor, Conv Ctr-C | | | | | | | | |
| | | 04970C | Foreman Stationary Engineers-C | | | | | | | | |
| | | 05980C | Lead Inspector, Environmental | | | | | | | | |
| | | 06640C | Manager, Crime Prevention - C | | | | | | | | |
| | | 07840C | Plan Examiner I, Electrical | | | | | | | | |
| | | 07850C | Plan Examiner I, Heating & Refrig | | | | | | | | |
| | | 07860C | Plan Examiner I, Plumbing | | | | | | | | |
| | | 07870C | Plan Examiner I, Warm Air | | | | | | | | |
| | | 08940C | Sanitarian III | | | | | | | | |
| | | 09860C | Supv Central Garage | | | | | | | | |
| | | 10060C | Supv Housekeeping/Setup-C | | | | | | | | |
| | | 10140C | Supv Parking & Traffic Ctl-C | | | | | | | | |
| | | 10180C | Supv Plant Ops Conv Ctr-C | | | | | | | | |
| | | 10282C | Supv Sidewalk Inspections-C | | | | | | | | |
| | | 10300C | Supv Towing & Impounding-C | | | | | | | | |
| E | 1 | | Supervisor IV | A | 50,170 | 52,679 | 55,313 | 58,078 | 60,982 | 64,031 | 67,233 |
| | | 03600C | District Street Supv I-C | | | | | | | | |
| | | 03623C | District Supv Inspection Cns-C | | | | | | | | |
| | | 03625C | District Supv Inspection Hsg-C | | | | | | | | |
| | | 05140C | Gen Foreman Electrician-C* | | | | | | | | |
| | | 06550C | Manager Animal Control-C | | | | | | | | |
| | | 09970C | Supv Electrical Inspections-C | | | | | | | | |
| | | 09980C | Supv Electronics-C | | | | | | | | |
| | | 10072C | Supv Identification Division-C | | | | | | | | |
| | | 10220C | Supv Pumping Stations-C | | | | | | | | |
| | | 10230C | Supv Ramp Repair and Restr-C | | | | | | | | |
| | | 10240C | Supv Real Estate Assessment-C | | | | | | | | |
| | | 10270C | Supv Sewer Maintenance-C | | | | | | | | |
| | | 10320C | Supv Traffic Equip Maint-C | | | | | | | | |
| | | 10370C | Supv Water Treatmt Plant-C | | | | | | | | |

DECEMBER 14, 2001

| | | | | | | | | | | |
|---|---|---------------------------------------|---|--------|--------|--------|--------|--------|--------|--------|
| E | 1 | Supervisor V | A | 54,117 | 56,823 | 59,664 | 62,647 | 65,779 | 69,068 | 72,522 |
| | | 03610C District Street Supv II-C | | | | | | | | |
| | | 05120C Gen Foreman Bridge Maint Rpr-C | | | | | | | | |
| | | 05180C Gen Foreman Paving Constr-C | | | | | | | | |
| | | 05200C Gen Foreman Plnt Maint/NC-C | | | | | | | | |
| | | 05220C Gen Foreman Sewer Const-C | | | | | | | | |
| | | 05235C Gen Foreman Sol Waste/Recycl-C | | | | | | | | |
| | | 05250C Gen Foreman Water Svc Maint-C | | | | | | | | |
| | | 09840C Supv Building Ops/Maint-C | | | | | | | | |
| | | 09922C Supv Construction Services-C | | | | | | | | |
| | | 10000C Supv Equipment-C | | | | | | | | |
| | | 10360C Supv Water Treatment Labs-C | | | | | | | | |
| E | 1 | Supervisor VI | A | 58,063 | 60,967 | 64,015 | 67,216 | 70,576 | 74,105 | 77,811 |
| | | 03620C District Street Supv III-C | | | | | | | | |

Group II (Non-Exempt)

| FLSA | OTC | CODE | CLASSIFICATION | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|------|-----|--------|----------------------------------|---|----------|----------|----------|----------|----------|----------|----------|
| N | 2 | | Supervisor I | H | 18.090 | 18.995 | 19.945 | 20.942 | 21.989 | 23.088 | 24.243 |
| | | 04150C | Equipment Dispatcher-C | | | | | | | | |
| | | 04685C | Foreman Janitors-C | | | | | | | | |
| | | 09198C | Shift Supvr,Housekpg/Set-up-C | | | | | | | | |
| | | 09460C | Street Operations Specialist-C | | | | | | | | |
| | | 10200C | Supv Police Warehouse Fclty-C | | | | | | | | |
| | | 10260C | Supv Security & Safety-C | | | | | | | | |
| | | 10600C | Traffic Control Agent II-C | | | | | | | | |
| | | 10780C | Vehicle Records Shift Supv-C | | | | | | | | |
| | | 11045C | Yard Supervisor, Impound Lot - C | | | | | | | | |
| N | 2 | | Supervisor II | H | 19.988 | 20.987 | 22.036 | 23.138 | 24.295 | 25.510 | 26.785 |
| | | 00950C | Asst Supv Parking Traf Ctl-C | | | | | | | | |
| | | 02760C | Crime Preventn Prg Crd(Supv)-C | | | | | | | | |
| | | 04610C | Foreman Electronics-C | | | | | | | | |
| | | 04620C | Foreman Equipment Repair-C | | | | | | | | |
| | | 04950C | Foreman Shop Water Dept-C | | | | | | | | |
| | | 09950C | Supv Distribution Center-C | | | | | | | | |
| | | 09983C | Supv Engineering Technician-C | | | | | | | | |
| | | 10081C | Supv Meter Service Workers-C | | | | | | | | |

Provided that employees shall receive the following longevity.

\$12.780 Biweekly longevity at the beginning of the 10th year of service.

\$24.709 Biweekly longevity at the beginning of the 15th year of service.

\$29.821 Biweekly longevity at the beginning of the 20th year of service.

\$39.193 Biweekly longevity at the beginning of the 25th year of service.

Provided that the Foreman, Stationary Engineers, when properly licensed and while performing the duties of, and/or supervising Stationary Engineers who are performing Maintenance Electrician duties shall receive a premium of \$0.533 cents per hour.

Provided that a \$0.426 per hour shift differential be paid for shifts which start between the hours of 12:00 p.m. and 6:00 a.m. Provided further that a \$1.012 per hour shift differential be paid to employees in law enforcement support job classifications for shifts which are permanently fixed and where at least one-half (1/2) of the work hours (exclusive of unpaid meal periods) fall between the hours of 6:00 p.m. and 6:00 a.m.

*The wage for the General Foreman, Electrician, classification is determined by the Outside Building Trades formula.

Effective January 1, 2002, classification titles will be consolidated into six (6) levels, Supervisor I - VI. The existing classification titles will be consolidated into one of the six levels as agreed in the collective bargaining agreement.

Incumbents will be placed at the new classification step nearest to a 3.25% increase and hereafter progress pursuant to the collective bargaining agreement. Job codes for the new classifications are forthcoming.

For bargaining unit purposes, the classification titles of Yard Supervisor, Impound Lot and Manager, Crime Prevention will be members of the Minneapolis City Supervisors Association effective January 1, 2001. For wage purposes these positions will be included in the Supervisors Collective Bargaining Agreement effective January 1, 2002.

Section 3. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2003.

MINNEAPOLIS CITY SUPERVISORS ASSOCIATION (CSU)

Effective January 1, 2003

Group I (Exempt)

| FLSA | OTC CODE | CLASSIFICATION | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|------|----------|----------------|---|----------|----------|----------|----------|----------|----------|----------|
| E | 1 | Supervisor III | A | 47,726 | 50,112 | 52,617 | 55,249 | 58,011 | 60,911 | 63,957 |
| E | 1 | Supervisor IV | A | 51,801 | 54,391 | 57,111 | 59,966 | 62,964 | 66,112 | 69,418 |
| E | 1 | Supervisor V | A | 55,876 | 58,670 | 61,603 | 64,683 | 67,917 | 71,313 | 74,879 |
| E | 1 | Supervisor VI | A | 59,950 | 62,948 | 66,095 | 69,401 | 72,870 | 76,513 | 80,340 |

Group II (Non-Exempt)

| FLSA | OTC CODE | CLASSIFICATION | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|------|----------|----------------|---|----------|----------|----------|----------|----------|----------|----------|
| N | 2 | Supervisor I | H | 18.678 | 19.612 | 20.593 | 21.623 | 22.704 | 23.838 | 25.031 |
| N | 2 | Supervisor II | H | 20.638 | 21.669 | 22.752 | 23.890 | 25.085 | 26.339 | 27.656 |

Provided that employees shall receive the following longevity.

- \$13.196 Biweekly longevity at the beginning of the 10th year of service.
- \$25.512 Biweekly longevity at the beginning of the 15th year of service.
- \$30.790 Biweekly longevity at the beginning of the 20th year of service.
- \$40.467 Biweekly longevity at the beginning of the 25th year of service.

Provided that the Foreman, Stationary Engineers, when properly licensed and while performing the duties of, and/or supervising Stationary Engineers who are performing Maintenance Electrician duties shall receive a premium of \$0.550 cents per hour.

Provided that a \$0.440 per hour shift differential be paid for shifts which start between the hours of 12:00 p.m. and 6:00 a.m. Provided further that a \$1.045 per hour shift differential be paid to employees in law enforcement support job classifications for shifts which are permanently fixed and where at least one-half (1/2) of the work hours (exclusive of unpaid meal periods) fall between the hours of 6:00 p.m. and 6:00 a.m.

Adopted. Yeas, 13; Nays none.
 Passed December 14, 2001. J. Cherryhomes, President of Council.
 Approved December 20, 2001. S. Sayles Belton, Mayor.
 Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends approval to start the following persons at Step 6 of the salary schedule for the position of Manager, Business Applications, Operations and Regulatory Services for the Department of Operations and Regulatory Services:

a) Cheri Bootes; and

b) Nathan Colgrove.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends acceptance of a Certified Local Government Grant (CLG) from the Federal Government through the State Historic Preservation Office of the Minnesota Historical Society, in the amount of \$30,000, to revise the City's survey of historic properties, for portions of the Bryn Mawr, Harrison, Near North, Willard-Hay, Jordan and Hawthorne neighborhoods.

Your Committee further recommends approval of a commitment to provide the required cash match, in the amount of \$30,000, of which \$25,000 has been included in the Planning Department budget and the remaining \$5,000 would be provided in hourly services by the preservation planner and the Heritage Preservation commissioners.

Your Committee further recommends passage of the accompanying resolution increasing the Planning Department Agency appropriation and revenue estimate by \$30,000.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 2001R-529

By Campbell

Amending The 2001 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 Planning Department Agency in the Federal Grants Fund (0300-380-3820) by \$30,000, and increasing the Planning Department Agency revenue estimate in the Federal Grants Fund (0300-380-3820-Source 3210) by \$30,000.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends acceptance of Neighborhood Revitalization Program (NRP) funds, in the amount of \$89,748, from the Minneapolis Community Development Agency to work with the Northeast Economic Development Corporation to implement Crime Prevention Through Environmental Design improvements on the 2200 and 2500 blocks of Central Avenue.

Your Committee further recommends passage of the accompanying Resolution increasing the Non-Departmental Agency by \$89,748.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 2001R-530

By Campbell

Amending The 2001 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 Non-Departmental Agency in the Grants - Other Fund (0600-123-1232) by \$89,748, and increasing the Non-Departmental Agency revenue estimate in the Grants - Other Fund (0600-123-1232-Source 3720) by \$89,748.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends approval to consolidate the Minneapolis Employee Retirement Fund (MERF) employer account with the Metropolitan Council employer account, in accordance with the terms set forth in Petn No 267512 on file in the Office of the City Clerk.

Your Committee further recommends approval to transfer all Metropolitan Council liability and all Metropolitan Council's employer account assets to the MERF employer accounts of the City, in return for a one-time payment of \$1,307,264 into the City's MERF employer fund.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends acceptance of the low bid received on OP #5749 (Petn No 267518), submitted by Millar Elevator Service Company, for an estimated annual expenditure of \$125,000 to provide elevator and escalator maintenance, for the period from January 1, 2002 through December 31, 2002, all in accordance with City specifications.

Your Committee further recommends that the proper City Officers be authorized to execute the required contracts for the above services.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee recommends approval of the Employee Rewards and Recognition Program of the City of Minneapolis, as presented in the Rewards, Recognition and Incentives Work Team Summary Report, as set forth in Petn No 267511 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget - Your Committee, having under consideration the City's Employee Rewards and Recognition Program, now recommends passage of the accompanying Resolution authorizing expenditures of public funds for certain organizational functions, employee development activities and other public purposes, and delegating certain authority.

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

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Resolution 2001R-531, authorizing expenditures of public funds for certain organizational functions, employee development activities and other public purposes, and delegating certain authority, was passed December 14, 2001 by the City Council and approved December 20, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2001R-531

By Campbell, Ostrow, Thurber, McDonald, Colvin Roy, Lane

Authorizing expenditures of public funds for certain organizational functions, employee development activities and other public purposes, and delegating certain authority.

Whereas, the City of Minneapolis has responsibility for performing certain municipal functions; and
Whereas, the City of Minneapolis is a major public employer in the State of Minnesota and employs approximately 5,000 public employees; and

Whereas, the "public purpose doctrine" permits a governmental entity to expend public funds if the primary purpose of the expenditure is public and the expenditure relates to the governmental purposes for which the entity was created; and

Whereas, the Minneapolis City Council has determined it is necessary and convenient for the fulfillment of the City's governmental responsibilities for the City Council to authorize discretionary expenditures of public funds for certain employee training and development activities and other public purposes related to the operation and functions of the City; and

Whereas, the Minneapolis City Council, having reviewed and considered the appropriate factual and other background materials, the Minneapolis City Council makes the following public purpose findings and determinations:

1) It is in the public interest to recruit, select and develop an effective, skilled, productive and responsive work force to ensure the effective and efficient delivery of City services.

2) Training and development programs for City employees serve a public purpose when those training and development programs are directly related to the performance of the employees' job-related duties and are directly related to the governmental responsibilities of the City and its employees.

3) Payment of employee work-related expenses, including travel, lodging and meal expenses, serves a public purpose when those expenses are necessarily incurred by City employees in connection with their actual work assignments or official duties and those expenses are directly related to the performance of the governmental functions for which the City is responsible.

4) Appropriate safety and health programs for City employees serve a public purpose because they result in healthier and more productive employees and reduce certain costs to the taxpayers of the City of Minneapolis, including various costs associated with workers' compensation and disability benefit claims, insurance premiums, and lost time from employee absences.

5) Public expenditures (which do not involve direct payment of money) for appropriate City employee recognition programs serve a public purpose because formally recognizing employees who make significant contributions and demonstrate their commitment during the performance of their duties results in higher morale and productivity among all City employees and, therefore, permits the Mayor and City Council to fulfill their responsibilities in an efficient and cost-effective manner and assists the City in attracting and retaining an efficient, productive and capable work force.

6) Public expenditures for food and refreshments associated with official City functions serve a public purpose when the provision of food or refreshments is an integral part of an official City function and the provision of food or refreshments is necessary to ensure meaningful participation by the participants.

7) Public expenditures for appropriate community and customer outreach and similar activities serve a public purpose when those expenditures are necessary for the Mayor or City Council to ensure the efficient operation of City departments, promote the availability and use of City resources, and promote coordinated planning activities among and between the public and the private sectors.

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

That, based on these findings, the Minneapolis City Council authorizes its City Coordinator to establish administrative procedures and policies that are consistent with these findings and the following guiding policies:

1) **Employee Training and Development Programs.** The City may pay reasonable registration, tuition and travel expenses for conferences, seminars, workshops and similar employee training and

development opportunities when those training and development opportunities are directly related to the performance of the employee's official job duties and directly related to the governmental purposes, which are the responsibility of City of Minneapolis elected officials.

2) **Expenses Related to Work Assignments.** The City may pay reasonable and necessary expenses related to the performance of official City activities including expenses associated with travel, lodging, meals and appropriate incidental expenses related to the performance of official work activities.

3) **Employee Safety and Health Programs.** The City may pay reasonable and necessary expenses related to the operation of appropriate employee safety and health programs when the benefit of those programs is clearly demonstrated and the programs are not primarily of a social or recreational nature.

4) **Employee Recognition Programs.** The City may pay reasonable and necessary expenses related to employee recognition and appreciation programs, including service awards to recognize employee performance and length of service.

5) **Food and Refreshment.** The City may pay reasonable and necessary food or refreshment expenses when:

a) the cost of a meal or refreshments is part of a structured agenda of a conference, workshop, seminar or meeting, the employee is authorized to attend the conference, workshop, seminar or meeting, and the topic of the conference, workshop, seminar or meeting relates to the official business of the City of Minneapolis; or

b) refreshments are part of a department-sponsored meeting, conference or workshop and the majority of the participants are not City employees; or

c) the cost of refreshments, meals and other conference costs are part of a department-sponsored event, registration fees are charged and the majority of the participants are not City employees; or

d) the cost of refreshments or meals are part of a formal meeting that consists primarily of City employees when the refreshments or meals are an integral part of the formal meeting and are necessary to sustain the flow of the meeting, to retain the captive audience, and to assist the participation of those employees and attendees, but only if the meeting is one of the following:

i) a department-wide annual or quarterly staff meeting of all of its employees;

ii) a departmental senior management meeting;

iii) a department-wide annual or quarterly staff meeting for all managers; or

iv) a structured training session, available to employees generally, but only if the training has been approved by the Human Resources Department.

Except for structured training sessions, the meeting described above shall be held no more frequently than once each quarter. All meetings shall be scheduled to minimize inclusion of meals.

e) refreshments or meals are provided during official meetings of the City Council or official meetings of City Council committees, task forces, work groups or advisory committees, provided the provision of refreshments or meals is necessary to sustain the flow of the meeting and to assist the participation of the attendees.

6) **Community Outreach.** The City may pay reasonable expenses related to community and customer outreach and similar activities when the expenses are necessary to ensure the efficient operation of its governmental activities, or promote the availability and coordinated use of the services provided by the City to its residents, or which improve or promote the health, welfare and prosperity of its citizens.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

Z&P - Your Committee, having under consideration the appeal of South Lyndale Liquors, Joseph and Maryann Campo, and John and Barbara Bacich from the decision of the Planning Commission approving with conditions a conditional use permit and a site plan permit and also approving a variance, all to allow construction of The Boulevard Project consisting of 24 residential units and approximately 7,000 sq ft

of commercial space at 5320 Lyndale Av S (BZZ-360), and having conducted a public hearing thereon, now recommends that the appeal be denied and the decision of the Planning Commission be upheld, and that the findings set forth in Petn No 267523 be adopted.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Z&P - Your Committee, having under consideration the application of the University of St Thomas (Vac #1370) to vacate that part of Lot 46, Auditor's Sub. 30 comprising the triangular parcel at the southerly corner of 11th Street and Harmon Place, previously taken for 11th St S, to permit construction of a law school at 1125 Harmon Place with an accessory surface parking lot and an outdoor plaza area, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 267524 and to approve said vacation application.

Your Committee further recommends passage and summary publication of the accompanying resolution vacating said alley.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Resolution 2001R-532, entitled "Vacating part of Lot 46, Auditor's Sub. 30, the triangular parcel at the southerly corner of 11th Street and Harmon Place. (Vac #1370," was passed December 14, 2001 by the City Council and approved December 20, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2001R-532

By McDonald

Vacating part of Lot 46, Auditor's Sub. 30, the triangular parcel at the southerly corner of 11th Street and Harmon Place. (Vac #1370)

Resolved by The City Council of The City of Minneapolis:

That part of Lot 46, Auditor's Subdivision No. 30, Hennepin County, Minnesota, previously taken for 11th Street South, described as follows:

Beginning at the intersection of the southeasterly line of Harmon Place, as per Special Street Acquisition and Improvement No. 492, with the southwesterly line of 11th Street South, as per Special Street Acquisition and Improvement No. 61; thence North 62 degrees, 00 minutes, 45 seconds East (assumed bearing), along said southeasterly line of Harmon Place, a distance of 30 feet; thence South 73 degrees 38 minutes 46 seconds East a distance of 14.30 feet; thence South 29 degrees 18 minutes 15 seconds East a distance of 69.71 feet to said southwesterly line of 11th Street South; thence North 55 degrees 41 minutes 04 seconds West, along said southwesterly line of 11th Street South, a distance of 90.00 feet to the point of beginning, containing 1,544 square feet, is hereby vacated.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Motions

Ostrow, Chair of the Claims Committee, moved concurrence in the reports received from the City Attorney (Petn No 267525) 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 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst 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, 2002, approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Campbell moved that the action of the City Council of January 3, 2000, relating to the organization of the City Council be amended as follows:

COMMITTEE ASSIGNMENTS

Intergovernmental Relations: **Johnson**, Cherryhomes, Campbell, Goodman, Lane, and Lilligren

Public Safety & Regulatory Services: **Biernat**, Colvin Roy, McDonald, Ostrow, Lilligren, and Schiff

Ways & Means/Budget: **Campbell**, Ostrow, McDonald, Colvin Roy, Lane and Schiff

Rules: **Biernat**, All Council Members

Adopted upon a voice vote.

Ostrow moved that on January 2, 2002, the Inauguration Ceremony for the newly elected Mayor and Council Members be held at 10:00 a.m. in the City Hall Rotunda.

Adopted upon a voice vote.

Colvin Roy, at her request, voting "No".

Ostrow moved to suspend the Rules of the City Council for the purpose of considering the Organization Meeting starting time on January 2, 2002. Seconded.

Adopted upon a voice vote.

Ostrow moved that the Organization Meeting of January 2, 2002, be held at 11:00 a.m. in the City Hall Rotunda. Seconded.

Adopted upon a voice vote.

Ostrow moved approval of the following Committee meeting schedule for the two-week Council cycle beginning January 7, 2002:

| | |
|--|------------|
| Monday, January 7 - Community Development | 3:00 p.m. |
| Tuesday, January 8 - Zoning & Planning | 3:00 p.m. |
| Wednesday, January 9 - Public Safety & Regulatory Services | 4:00 p.m. |
| Thursday, January 10 - Transportation & Public Works | 3:00 p.m. |
| Thursday, January 10 - Health & Human Services | 4:00 p.m. |
| Monday, January 14 - Ways & Means/Budget | 1:00 p.m. |
| Tuesday, January 15 - Intergovernmental Relations | 9:30 a.m. |
| Thursday, January 17 - Committee of the Whole | 10:00 a.m. |
| Friday, January 18 - City Council | 9:30 a.m. |

Ostrow further moved approval of the following Committee meeting schedule for the two-week Council cycle beginning January 22, 2001:

| | |
|---|-----------|
| Tuesday, January 22 - Community Development | 9:30 a.m. |
| Tuesday, January 22 - Zoning & Planning | 1:30 p.m. |
| Wednesday, January 23 - Public Safety & Regulatory Services | 1:00 p.m. |

| | |
|--|------------|
| Thursday, January 24 - Transportation & Public Works | 9:00 a.m. |
| Thursday, January 24 - Health & Human Services | 1:30 p.m. |
| Monday, January 28 - Ways & Means/Budget | 1:00 p.m. |
| Tuesday, January 29 - Intergovernmental Relations | 9:30 a.m. |
| Thursday, January 31 - Committee of the Whole | 10:00 a.m. |
| Friday, February 1, City Council | 9:30 a.m. |

Adopted upon a voice vote.

Campbell and Cherryhomes, at their request, recorded as declining to vote.

Animal Control Ordinance: Biernat introduced the subject matter of an Ordinance amending Title 4, Chapter 64 of the Minneapolis Code of Ordinances relating to *Animals and Fowl: Dogs and Cats*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee for a public hearing to be held December 19, 2001, at 1:00 p.m. (Increasing license fees by \$10).

Resolutions

Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Goodman, Lilligren, McDonald, Mead, Colvin Roy and Lane offered the following resolution:

RESOLUTION 2001R-533

Receiving and consent to the resignation of Kathy Thurber, Council Member for the Ninth Ward.

Whereas, on December 11, 2001, the City Clerk received a letter from Kathy Thurber, Council Member for the Ninth Ward in the City of Minneapolis; and

Whereas, Kathy Thurber's letter indicates she is resigning as a Council Member at midnight on Sunday, December 16, 2001; and

Whereas, Minneapolis Charter Chapter 2, Section 16A, provides that when a Council Member files with the City Clerk a notice of vacation of office to be effective on a given date in the future, such action results in the vacation of that office on that given date; and

Whereas, Minneapolis Charter Chapter 2, Section 17, authorizes the City Council to consent to the resignation;

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

That the City Council consents to the written resignation of Kathy Thurber, Council Member for the Ninth Ward, and confirms that the position is vacant at midnight on December 16, 2001.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Biernat, Campbell, Ostrow, Johnson, Cherryhomes, Niland, Goodman, Lilligren, Thurber, McDonald, Mead, Colvin Roy and Lane offered the following resolution:

RESOLUTION 2001-534

Honoring Karen Anderson, Mayor of the City of Minnetonka, for her public services and congratulating her on her election as President of the National League of Cities.

Whereas, on December 8, 2001, Karen Anderson began her term as President of the National League of Cities;

Whereas, Karen Anderson has served as Mayor of the City of Minnetonka since 1994, as Acting Mayor in 1991 and 1992, and on the Minnetonka City Council as Councilmember at Large from 1986 to 1993;

Whereas, Karen Anderson, prior to her election as President of the National League of Cities, served in the following positions with the National League of Cities:

- First Vice President, December 2000-December 2001
- Second Vice President, December 1999-December 2000
- Board of Directors, 1995-96
- Advisory Council, 1997-1999
- Leadership Training Council, Chair 1999
- Special Membership Task Force, Chair 1998
- Strategic Planning Committee, 1997-98
- Membership Committee, 1995-96, 1998 (Chair 1996)
- Nominating Committee, 1997
- Transportation & Communications Steering Committee, 1992-94

Whereas, Karen Anderson served on the Board of Directors of the League of Minnesota Cities from 1992 to 1997, as its President in 1995 and 1996, and as Vice Chair of its Insurance Trust from 1997 to the present.

Whereas, Karen Anderson has also served on the following boards and committees:

- Association of Metropolitan Municipalities, President 1992-93; Board of Directors 1988-94
- Metropolitan Council, Livable Communities Advisory Committee, Chair 1995-99
- Governor Ventura's Metropolitan Council Nominating Committee, 1999
- Governor Carlson's Metropolitan Council Nominating Committee, Chair 1994-98
- Governor Carlson's Housing Advisory Task Force, 1992
- Lt. Governor Dyrstad's Commission on Local & State Government Relations, 1991-93
- Southwest Suburban Cable Commission, Chair 1989-92; Vice Chair 1987-88
- Minnesota Center for Women in Government, Hamline University Advisory Board, 1988-present

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

That the City of Minneapolis honors Karen Anderson for her outstanding dedication to public service and congratulates her on her recent election as President of the National League of Cities.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Unfinished Business

Contract with Minneapolis Refuse, Inc. (MRI): Approve staff recommendation to execute a new five-year contract with MRI, covering one-half the city's residential units, commencing on January 1, 2002, and establishing fees and annual percentage increases. (Postponed 9/28/2001 pending receipt of the report called for in the Ways & Means/Budget Committee recommendation, T&PW)

T&PW - Your Committee, having under consideration the City's contract with Minneapolis Refuse, Inc, (MRI) and having been presented with a proposal for a new five-year contract (as contained in Petn No 267277), now recommends approval of the following staff recommendations:

- That the proper City officers be authorized to execute a five-year contract with MRI for residential garbage, recycling, yard waste and problem materials collection service;
- That said contract cover one unit less than one-half the City's residential dwelling units; and
- That said contract shall commence on January 1, 2002, starting at \$8.99 per dwelling unit per month and increasing 3 percent annually for years 2003, 2004, 2005 and increasing 1.6% for year 2006.

Ostrow moved that the report be postponed. Seconded.

Lost. Yeas, 5; Nays, 8 as follows:

Yeas - Ostrow, Niland, Goodman, Mead, Lane.

Nays - Campbell, Biernat, Colvin Roy, McDonald, Lilligren, Johnson, Thurber, Cherryhomes.

Mead moved to substitute a report for continuation of the contract for solid waste pickup for one year.
Seconded.

On the motion to substitute, it lost.

Yeas, 5; Nays, 8 as follows:

Yeas - Ostrow, Niland, Goodman, Mead, Lane.

Nays - Campbell, Biernat, Colvin Roy, McDonald, Lilligren, Johnson, Thurber, Cherryhomes.

McDonald moved to substitute the following proposal:

- Retain City forces for 50% of City collection, with new crew allocation design. Permit Public Works to purchase half of proposed equipment upgrades. Projected savings: \$300,000 (rather than the proposed \$600,000)
- Extend MRI's current contract for two years, at current contract rates only. Alternative is the entire contract goes out for proposal. This is a two-year transition period. MRI does not get a rate increase during the transition.
- Public Works redesigns City routes with input from private industry. Create either a City Quadrant collection plan or other viable system where two 25% route opportunities are available for private hauling.
- Reduce MRI's portion of collection to 25% for a five-year contract. Put clause in contract that renewal is not automatic and must be re-bid at end of term. Require that no single entity can own or control more than 10% ownership of MRI.
- Put new 25% "opportunity route" out to bid for private hauling by any firm not associated with MRI. Under this scenario, the City retains control of pricing and service design, (avoid the St. Paul scenario of trucks running around same routes) but also gets competitive benefit of price point competition from multiple sources. This also leaves opportunity for orderly transition to two private haulers in the future.

Seconded.

The motion to substitute lost upon a voice vote.

The report was adopted. Yeas, 7; Nays, 6 as follows:

Yeas - Campbell, Biernat, Colvin Roy, McDonald, Johnson, Thurber, Cherryhomes.

Nays - Ostrow, Niland, Goodman, Mead, Lane, Lilligren.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Minneapolis Stone Arch Partners, 600 & 625 Main St SE, 106 6th Av SE: Passage of Resolutions vacating 8th Av SE north of Main St and vacating Main St SE between 6th & 8th Avs; Authorize summary publication. (Postponed 9/28/2001, Z&P)

By unanimous consent, the above report was continued to be postponed.

Ramin Hakimi, 2827 1st Av S: Passage of Resolution vacating alley in block bounded by 1st & Stevens Avs S and 28th & 29th Sts E to allow addition to auto body shop; Authorize summary publication (9 votes) (Postponed 10/26/2001, Z&P)

Z&P - Your Committee, having under consideration the application of Ramin Hakimi (Vac #1295) to vacate a portion of the "L" shaped alley bounded by 1st and Stevens Avs S and 28th and 29th Sts E to permit a future addition to Oscar Auto Body adjacent to the west side of the alley, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 267402 and to approve said vacation.

Your Committee further recommends passage and summary publication of the accompanying resolution vacating said alley.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 2001R-535
By McDonald

Vacating a portion of an alley bounded by 1st and Stevens Avenues South and 28th and 29th Streets East. (Vac #1295).

Resolved by The City Council of The City of Minneapolis:

That all that part South of a line, said line's point-of-beginning being 26.00 feet Southerly of the Northwest corner, along the West line of Lot 7, Block 2 of Stillman's Addition, according to the recorded plat thereof and situate in Hennepin County, Minnesota; thence Westerly and parallel with the North line of said Lot 7 a distance of 12.00 feet to the East line of Lot 16, Block 2 of said addition and there terminating, is hereby vacated except that such vacation shall not affect the existing easement right and authority of Reliant Energy and Time Warner Cable, their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporations as follows, to wit:

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

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Trainee III Position: Classify new position; Passage of Salary Ordinance; Authorize summary publication. (Postponed 11/21/2001, W&M, for consideration at the December 14, 2001, City Council meeting)

W&M/Budget - Your Committee recommends approval to classify a new position as Trainee III, to be non-represented and non-exempt, with the understanding that said position will be used as a tool to recruit and train applicants for positions that experience extremely high turnover rates, are historically difficult to fill, or are substantially underrepresented, based on studies conducted by the Department of Human Resources.

Your Committee further recommends passage of the accompanying Salary Ordinance, setting the salary for said position.

Your Committee further recommends that summary publication of the above-described ordinance be authorized.

Adopted. Yeas, 13; Nays none.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-157, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, amending the salary ordinance for the non-represented employees for classification of a new position as Trainee III, was passed December 14, 2001 by the City Council and approved December 20, 2001 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 2001-Or-157
By Campbell
1st & 2nd Readings: 12/14/2001**

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:

**NON-REPRESENTED (CNR)
Effective November 16, 2001**

| Job Code | FLSA OTC | Classification title | P |
|-----------------|-----------------|-----------------------------|----------|
| N2 | | Trainee III | H |

The wage for the Trainee III position shall be 80% of Step 1 of the classification for which the employee is being trained or the Living Wage, whichever is higher. (September 26, 2001, Living Wage = \$9.313/hour)

Adopted. Yeas, 13; Nays none.
Passed December 14, 2001. J. Cherryhomes, President of Council.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

JADT Development Group, 2319 W River Road: Passage of Ordinance amending Zoning Code to rezone by adding an ILOD overlay to permit 102-unit cluster development; Authorize summary publication. (Postponed 11/21/2001, Z&P)

Z&P – Your Committee, having under consideration the application of JADT Development Group (BZZ-276) to rezone property at 2319 W River Rd by adding an Industrial Living Overlay District (ILOD) to the existing I1 and I2 zoning districts to allow a cluster development including 102 dwelling units, and having received public testimony thereon, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 267468 and to approve the rezoning application. (64520).

Your Committee further recommends passage and summary publication of the accompanying ordinance amending the Zoning Code.

Ostrow moved that the report be amended to deny the rezoning and direct staff to adopt findings of fact consistent with that denial. Seconded.

Lost upon a voice vote.
The report was adopted.
Yeas, 10; Nays, 3 as follows:

Yeas - Campbell, Biernat, Goodman, Colvin Roy, McDonald, Lane, Lilligren, Johnson, Thurber, Cherryhomes.

Nays - Ostrow, Niland, Mead.
Passed December 14, 2001.
Approved December 20, 2001. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-158, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 2319 W River Rd by adding an Industrial Living Overlay District (ILOD) to the existing I1 and I2 zoning districts, was

passed December 14, 2001 by the City Council and approved December 20, 2001 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 2001-Or-158

By McDonald

1st Reading: 11/21/2001

2nd Reading: 12/14/2001

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

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

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

A. That part of Lot 1, Block 1, North Washington Industrial Center, except that part of Lot 1, of said Block 1, lying westerly and southerly of a line drawn from a point on the line dividing Lot 1 from West River Road North, distant 48.4 feet Northerly (as measured along said dividing line) from the northeast corner of Lot 2 in said Block and Addition, to a point in the northwesterly line of Lot 1, distant 715.92 feet southwesterly (measured along said northwesterly line) from the northeast corner of Lot 1, subject to an easement for street and utilities purposes over the easterly 79.98 feet of Lot 1, Block 1, North Washington Industrial Center, according to the recorded plat thereof on file and of record in the office of the Register of Deeds, in and for Hennepin County, Minnesota (2319 W River Road - Plate 8), adding an ILOD to the existing I1 and I2 Districts.

Adopted. Yeas 10; Nays, 3 as follows:

Yeas - Campbell, Biernat, Goodman, Colvin Roy, McDonald, Lane, Lilligren, Johnson, Thurber, Cherryhomes.

Nays - Ostrow, Niland, Mead.

Passed December 14, 2001. J. Cherryhomes, President of Council.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Z&P - Your Committee recommends granting the application of Ron Siron for a special permit for a walk-up service window less than 20 ft from the south side lot line and for outdoor seating less than 20 ft from the south lot line at Crema Café & Sonnie's Ice Cream, 3405 Lyndale Av S, on condition that the immediate neighbor to the south provides a letter of support, notwithstanding the Zoning Code (#2001-152).

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

Yeas - Campbell, Biernat, Niland, Goodman, Colvin Roy, McDonald, Mead, Lilligren, Johnson, Thurber, Cherryhomes.

Nays - Lane.

Declining to Vote - Ostrow.

Passed December 14, 2001.

Approved December 20, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Goodman's notice of intent to discharge the Transportation & Public Works and Ways & Means/Budget Committees from further consideration of the parking ramp at the Walker Art Center was deleted from the agenda.

New Business

Biernat introduced an Ordinance amending Title 13, Chapter 261 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: License Fees Generally*, which was given

its first reading and referred to the Public Safety & Regulatory Services Committee (Repealing section 261.50 relating to a general fee for a transfer of license).

Campbell introduced an Ordinance amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to *Building Code: Permit Fees*, which was given its first reading and referred to the Ways & Means/Budget Committee (Amending Section 91.35 relating to service charges for research by the Inspections Department).

McDonald introduced Ordinances amending Title 20, Chapters 520, 531, 541 and 544 of the Minneapolis Code of Ordinances relating to *Zoning Code*, which was given its first reading and referred to the Zoning & Planning Committee (Amending to be in conformance with State laws).

Campbell's notice of intent to discharge the Ways & Means/Budget Committee from further consideration of the execution of a new five-year contract with MRI was deleted from the agenda.

The City Council recessed at 12:20 p.m. to Room 315 City Hall immediately following the Minneapolis Community Development Agency Board of Commissioners for consideration of the following lawsuits:

1. Siegel, et al. vs. City of Minneapolis and MCDA; and
2. Johnson vs. City of Minneapolis and MCDA.

The City Council reconvened at 12:40 p.m. in Room 315 City Hall.

President Cherryhomes in the Chair.

Present - Council Members Ostrow (In at 12:45), Campbell, Biernat, Niland (In at 12:49), Goodman, Colvin Roy, McDonald (In at 12:45), Lane, Lilligen, Johnson, Thurber, Cherryhomes.

Absent: Mead.

Also present - Jay Heffern, City Attorney; Mike Norton, Deputy City Attorney; Jim Moore and Susan Walgrave, Assistant City Attorneys; Steve Cramer, MCDA Executive Director; Susanne Griffin, City Clerk's office; Billy Binder, Council Member Assistant; Jan Hrcir, City Clerk's office.

Jay Heffern advised that, upon the proper motion, this body may close this meeting pursuant to the Open Meeting Law for the express purpose of discussing the above-mentioned lawsuits.

Campbell moved that the meeting be closed for the purpose of considering the above-mentioned lawsuits. Seconded.

Adopted upon a voice vote.

Jim Moore summarized the lawsuits involving Siegel, et al vs. City of Minneapolis and MCDA and Johnson vs. City of Minneapolis and MCDA from 12:42 to 12:52 p.m.

The closed portion of this meeting was tape recorded with the tape on file in the office of the City Clerk.

Campbell moved that the meeting be opened at 12:52 p.m. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Mead.

By unanimous consent, the meeting was adjourned.

STEVEN J. RISTUBEN,
Assistant City Clerk.