

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF NOVEMBER 7, 2003

(Published November 15, 2003, in *Finance and Commerce*)

Council Chamber  
350 South 5<sup>th</sup> Street  
Minneapolis, Minnesota  
November 7, 2003 - 9:30 a.m.

Council President Ostrow in the Chair.

Present - Council Members Lane, Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, Zerby, Johnson Lee, Niziolek, Benson, Goodman, President Ostrow.

Absent - Lilligren.

Benson moved acceptance of the minutes of the regular meeting held 10/24/03. Seconded.

Adopted upon a voice vote.

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

Adopted upon a voice vote.

### PETITIONS AND COMMUNICATIONS

#### **COMMUNITY DEVELOPMENT (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (269165)

Lot Division: Approve division of 2401 Bloomington Av S.

Krystol Properties (2843 26th Av S): Issuance of Tax-exempt and taxable revenue bonds.

Federal Low-Income Housing Tax Credits: Preliminary reservation of 2004 credits for St. Barnabas, Homewood Apartments, City Flats, and Hiawatha Commons projects.

#### **COMMUNITY DEVELOPMENT and TRANSPORTATION & PUBLIC WORKS (See Rep):**

PUBLIC WORKS AND ENGINEERING (269166)

Transportation Planning Function: Amendment to Focus Minneapolis plans to allow the transportation planning function to remain within the Public Works Department.

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

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (269167)

Cedar Riverside Neighborhood: Approve early access to Phase I funds request.

Sheridan Neighborhood: Approve Action Plan Modification #1 to allow creation of new strategies.

#### **HEALTH AND HUMAN SERVICES:**

CIVILIAN POLICE REVIEW AUTHORITY (269168)

Civilian Police Review Authority: Status report.

HEALTH AND FAMILY SUPPORT SERVICES (269169)

Public Health Emergency Preparedness: Update for Third Quarter 2003.

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

HEALTH AND FAMILY SUPPORT SERVICES (269170)

Reproductive Health Services for Young Males in Minneapolis: Accept five-year grant award of up to \$1,300,000 from United States Department of Health & Human Services to provide outreach, health education and risk assessments, male sexuality groups and on-site and off-site sexually transmitted infections testing for African American adolescent and young adult males in Northside and Southside communities; and Approve appropriation.

Gay, Lesbian, Bisexual and Transgender Homeless Youth in Minneapolis: Accept two-year grant award of \$167,271 and execute grant agreement with Minnesota Department of Public Safety to decrease crime committed by and against GLBT homeless youth by providing case management and host home programming; and Approve appropriation.

Minnesota Partnership for Action Against Tobacco Grant: Authorize submit three-year grant application seeking \$450,000 to research the effectiveness of a youth cessation tobacco program at six Minneapolis Public High Schools.

**INTERGOVERNMENTAL RELATIONS (See Rep):**

PLANNING COMMISSION/DEPARTMENT (269171)

Wold Chamberlain Field (MSP) Joint Airport Zoning Board: Appointment of Lee Sheehy, replacing Chuck Ballentine.

**INTERGOVERNMENTAL RELATIONS & PUBLIC SAFETY & REGULATORY SERVICES (See Rep):**

CRIMINAL JUSTICE COORDINATING COMMITTEE (269172)

2004 Legislative Priorities.

**PUBLIC SAFETY AND REGULATORY SERVICES:**

POLICE DEPARTMENT (269173)

Service Reductions related to Budget Cuts: Report.

**PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):**

INSPECTIONS DEPARTMENT (269174)

Inspections 2003 Special Assessment Levies: Approve the following levies — 1080 rubbish removal; 1081 weed removal; 1084 hazardous tree removal; 1085 brush and plant growth removal; 1086 inoperable vehicle tow administrative fees; 1092 removal of hazardous/nuisance condition buildings; 1093 removal of hazardous/nuisance condition buildings; 1096 vacant/boarded housing registrations; 1098 securing of buildings - police board up; 1099 securing abandoned buildings; and Passage of Resolutions directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of abating nuisance conditions in accordance with Minneapolis Code of Ordinances.

LICENSES AND CONSUMER SERVICES (269175)

Licenses: Applications.

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

POLICE DEPARTMENT (269176)

Police Department Timekeeping Program: Request to negotiate and execute agreement with contractor to implement enhancements to system.

**RULES (See Rep):**

ATTORNEY (269176.1)

Rules of the City Council: Proposed amendment to Rule 1 relating to submitting motions in written form at the City Council meeting.

**TRANSPORTATION AND PUBLIC WORKS:**

CITY CLERK (269177)

Critical Parking Area (23rd Av S from 35th St to 36th St): Appl of Joe Hesla requesting Type "B" CPA, No Parking Except By Permit.

PUBLIC WORKS AND ENGINEERING (269178)

Downtown Circulator Operating Funding: Informational report received and filed.

XCEL ENERGY (269180)

Xcel Energy/NSP: Installation of various poles and wires.

**TRANSPORTATION AND PUBLIC WORKS (See Rep):**

PUBLIC WORKS AND ENGINEERING (269179)

Snow & Ice Removal Assmts: Passage of Resl adopting assmts, levying assmts, adopting assmt rolls.

Special Assessment Deferment: Approve deferment for 3757 16th Av S.

Nicollet Mall Advisory Board: Apprv resignation of David Wilken & appointment of Tom Langseth, for the remaining term to expire 12/31/04.

Maint Agrmt for Certain Trunk Hwys & Bridges: Passage of Resl auth execution of Proposed State of Minnesota, Dept of Transportation Routine Maint Agrmt effective 7/1/03 - 6/30/05.

Downtown Circulator Task Force Report: Authorize City Engineer to return to T&PW Cmte 11/17/03 w/recmd for implementation of the Downtown Circulator.

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

PUBLIC WORKS AND ENGINEERING (269181)

Nicollet Mall Special Services District Assessments: Adopt & levy assessments for improvement, maintenance & operation for 2004.

Hilltop Reservoir Contract: Approve change order increasing contract with, Veit and Company Inc.

Washburn Tower Exterior Restoration Contract: Authorize execution of amendment to increase contract with Macpherson-Towne Company.

Bid: OP # 6163, Accept low bid submitted by Carl Bolander & Sons Company for soil correction and surcharging.

**WAYS AND MEANS BUDGET:**

COORDINATOR (269182)

New Central Library Project: Bid of Gage Brothers Concrete Products for exterior stone and precast concrete that was deleted from the Committee agenda.

Department Business Plans: Proposed process for consideration and approval of plans.

**WAYS AND MEANS BUDGET (See Rep):**

ATTORNEY (269183)

Legal Settlements: Settle claims of Mary DeWitt and William Harris.

Xcel Energy Lawsuit: Authorize request to Minnesota Supreme Court for leave to file a brief as amicus curiae with Metropolitan Council and Minnesota Department of Transportation.

BUSINESS INFORMATION SERVICES (269184)

Program Management Costs: Appropriation funds received as reimbursement from City departments that received services.

CITY CLERK (269185)

Postal Services: Establish price agreements with U.S. Postal Service and Pitney Bowes.

Election Services: Agreement with Special School District #1 providing City compensation for provision of election services.

COORDINATOR (269186)

New Central Library Project: Accept low bids of NewMech Companies for fire sprinkler system and H.K.L. Cladding Systems for window and window and curtainwall.

FINANCE DEPARTMENT (269187)

Delinquent Utility Charges: Assessment roll.

HUMAN RESOURCES (269188)

Long Term Disability Insurance for City Employees: Issuance of request for proposals.

Dental Insurance for City Employees: Execute contract with Delta Dental.

Health Care Reimbursement Plan: Amendment to clarify that over-the-counter drugs are eligible expenses as per IRS ruling.

Minneflex Plan: Amendment to the City's plan to allow the plan manager to designate a health care plan for employees who do not select a plan during open enrollment.

Reclassifications: Assistant Director of Communications and Finance Manager positions.

**ZONING AND PLANNING (See Rep):**

INSPECTIONS/BOARD OF ADJUSTMENT (269189)

Appeals:

Dennis & Cheryl Abraham (4548-34th Ave S).

PLANNING COMMISSION/DEPARTMENT (269190)

Interim Ordinance:

Lowry Hill East Neighborhood Moratorium: Ordinance amending Title 21, Chapter 577, extending moratorium to 7/23/04.

Vacations:

Metropolitan Airports Commission (water main and storm sewer easements & public right-of-ways in airport property).

Rezoning:

Dan Bartus (4140 & 4152 Dight Ave).

Zoning Code Text Amendment:

Catering in Industrial Districts: Ordinance amending Title 20, Chapter 550, to allow catering as a permitted use in the I1 & I2 Districts.

Appeals:

Whittier Alliance Board of Directors (re Basim Sabri/Karmel Plaza, 206 Elroy St S).

**FILED:**

CITY CLERK/SPECIAL PERMITS (269191)

2nd St NE, 1700 (Universal Signs Inc) sign;

Franklin Av E, 1021 (Open Arms of Minnesota) tents;

Portland Av S, 150 (Sign Source) signs.

COUNCIL MEMBER (269191.1)

Letters received from Council Mbr. Zimmermann re CDBG funding in 2003 budget year.

HENNEPIN COUNTY COMMISSIONERS (269192)

2003-2004 Annual List, Member At Large Appointments.

*The following reports were signed by Mayor Rybak on 11/7/03, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.*

**REPORTS OF STANDING COMMITTEES**

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

**Comm Dev-** Your Committee, having under consideration division of a lot located at 2401 Bloomington Av S, as set forth in Petn No 269165, and having held a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat; and further that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted 11/7/03.

Absent - Lilligren.

Resolution 2003R-524, approving division of a lot located at 2401 Bloomington Av S, was passed 11/7/03 by the City Council. 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 2003R-524**  
**By Goodman**

**Approving the subdivision of a lot at 2401 Bloomington Av S.**

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 2401 Bloomington Avenue South and legally described as:

*Lot 5 and the West 15 feet of Lot 4, Block 4, Gilpatrick's Addition to Minneapolis.*

be subdivided as follows:

*Parcel A:*

*The West 15 feet of Lot 4, Block 4, Gilpatrick's Addition to Minneapolis.*

*Parcel B:*

*Lot 5, Block 4, Gilpatrick's Addition to Minneapolis.*

Whereas, the proposed subdivision conforms with Minnesota Statutes, Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on October 17, 2003 a public hearing on said subdivision and proposed sale was duly held in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA at 1:30 p.m., October 28, 2003, in Room 319, Minneapolis City Hall, 350 South 5<sup>th</sup> St, in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted 11/7/03.

Absent - Lilligren.

**Comm Dev** - Your Committee, having under consideration a proposal to issue revenue bonds on behalf of Kristol Properties to finance acquisition, renovation and equipment for an existing facility located at 2843 26<sup>th</sup> Av S, and the Council having given preliminary approval to issue said bonds on August 8, 2003, now recommends passage of the accompanying resolution giving final approval to the issuance of up to \$3,300,000 of Minneapolis Community Development Agency Limited Tax Supported Development Revenue Bonds, Series 2003, to be issued in two series through the Minneapolis Common Bond Fund with up to \$2,500,000 of the bonds qualifying for tax-exempt status, and designating the bonds as bonds entitled to the security provided by Ordinance No. 97-Or-084, Tax Reserve and Pledge Ordinance, as set forth in Petn No 269165; and further that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted 11/7/03.

Absent - Lilligren.

Approved by Mayor Rybak 11/7/03.

(Published 11/12/03)

Resolution 2003R-525, giving final approval to the issuance of up to \$3,300,000 of Minneapolis Community Development Agency Limited Tax Supported Development Revenue Bonds, Series 2003, to be issued for Kristol Properites, LLC in two series through the Minneapolis Common Bond Fund with

up to \$2,500,000 of the bonds qualifying for tax-exempt status, and designating the bonds as bonds entitled to the security provided by Ordinance No. 97-Or-084, Tax Reserve and Pledge Ordinance, was passed 11/7/03 by the City Council. 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 2003R-525**  
**By Goodman**

**Giving final approval to and authorizing a project on behalf of Kristol Properties, LLC (the "Company"), authorizing the issuance of revenue bonds of the Minneapolis Community Development Agency therefor, and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended**

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue bonds for the purpose of providing financing for the acquisition, construction and installation of projects consisting of properties, real or personal, used or useful in connection with a revenue-producing enterprise, whether or not operated for profit; and

Whereas, by Resolution No. 82-512, as amended, of the Agency, the Agency established a common bond fund and authorized the issuance from time to time by the Agency of bonds to be secured by such common bond fund (the "Common Fund Bonds"); and

Whereas, under the terms of Minneapolis Code of Ordinances, Title 16, Chapter 422, as amended ("Chapter 422"), adopted pursuant to Chapter 595, the City Council of the City authorized the Agency to issue Common Fund Bonds; and

Whereas, it has been proposed that the Agency issue revenue bonds in the amount of not to exceed \$3,300,000 (the "Bonds") to finance the acquisition, improvement and equipping of a manufacturing facility to be used in the operations of the Company (the "Project"); and

Whereas, the Agency expects to give final approval to the issuance of the Bonds by a resolution to be adopted on the date hereof; and

Whereas, the Bonds shall bear interest at an average weighted interest rate not to exceed seven and one-half percent (7.50%) per annum, shall have a final maturity date not later than December 1, 2028, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference; and

Whereas, pursuant to Minneapolis Code of Ordinances, Chapter 424, as amended ("Chapter 424"), the City may from time to time designate a series of Common Fund Bonds to be secured by the limited pledge of tax revenues authorized by Chapter 424;

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

That the City Council hereby gives final approval to the issuance by the Agency of the Bonds in the aggregate principal amount of not to exceed \$3,300,000 for the purpose of financing the Project.

Be It Further resolved that the Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-042 of the City adopted December 12, 1997.

Be It Further resolved that the City Council hereby designates the Bonds under Chapter 424 as bonds which are and shall be entitled to the benefit of the pledge, agreements and provisions of Chapter 424.

Be It Further resolved that the Finance Officer of the City shall execute and deliver such certificates as may be necessary on the date of delivery of the Bonds in order to acknowledge the application of Chapter 424 to the Bonds and the designation of the Bonds thereunder.

Be It Further resolved that this approval of the City Council of the City is hereby given as required by Chapter 422.

Adopted 11/7/03.

Absent - Lilligren.

Approved by Mayor Rybak 11/7/03.

**Comm Dev** - Your Committee recommends approval to preliminarily reserve 2004 federal low-income housing tax credits totaling \$998,977 for the following projects and in the amounts indicated:

a) St. Barnabas, 906 S 7<sup>th</sup> St, \$430,000;

b) Homewood Apartments, 1239 Sheridan Av N, \$175,987;

c) City Flats, 2633 1<sup>st</sup> Av S, \$211,000;

d) Hiawatha Commons, 2301 E 26<sup>th</sup> St, \$181,990.

Adopted 11/7/03.

Absent - Lilligren.

The **COMMUNITY DEVELOPMENT** and **TRANSPORTATION & PUBLIC WORKS** Committees submitted the following report:

**Comm Dev & T&PW** - Your Committee, having under consideration the recommendation of the City Engineer and the Director of the Community Planning and Economic Development (CPED) that the City's transportation planning function remain within the Public Works Department and not be moved to CPED as called for in a previously approved action, now recommends passage of the accompanying resolution amending the "Focus Minneapolis" resolution to remove the reference to moving transportation planning to CPED.

Adopted 11/7/03. Yeas, 11; Nays 1, as follows:

Yeas - Lane, Samuels, Johnson, Colvin Roy, Zimmermann, Zerby, Johnson Lee, Niziolek, Benson, Goodman, Ostrow.

Nays - Schiff.

Absent - Lilligren.

**RESOLUTION 2003R-526**  
**By Goodman and Colvin Roy**

**Amending Resolution 2002R-303 entitled "Implementing the 'Focus Minneapolis' initiative to strengthen planning and community development in the City of Minneapolis", passed September 13, 2002.**

Resolved by The City Council of The City of Minneapolis:

That the above entitled resolution be amended by changing Resolved Clause 4, paragraph C to read as follows:

"c) Begin the process to adopt the CPED structure and to organize four new departments within it, including Neighborhood and Community Planning (NCP), Development Services, Housing Development, and Business Development, according to the following diagram. Incorporate the functions of the MCDA, and the Planning Department ~~and Public Works transportation planning~~ into the CPED structure;

Adopted 11/7/03. Yeas, 11; Nays 1 as follows:

Yeas - Lane, Samuels, Johnson, Colvin Roy, Zimmermann, Zerby, Johnson Lee, Niziolek, Benson, Goodman, Ostrow.

Nays - Schiff.

Absent - Lilligren.

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

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Cedar Riverside Neighborhood's

request for early access to NRP funds in the amount of \$48,000 to support Phase I planning activities in their neighborhood, now recommends:

- a) That said early access request, and specifically those parts of the request which fall under City jurisdiction, be approved;
  - b) Passage of the accompanying resolution increasing the NRP Program Fund by \$48,000;
  - c) That the proper City officers be authorized to execute any agreements needed to implement said activities; and
  - d) That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.
- Adopted 11/7/03.  
Absent - Lilligren.

**RESOLUTION 2003R-527**  
**By Goodman and Johnson**

**Amending The 2003 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 CNR0 by \$48,000 from the projected fund balance.  
Adopted 11/7/03.  
Absent - Lilligren.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Sheridan Neighborhood's request to modify their Neighborhood Action Plan to reallocate \$83,675 to allow creation of two new strategies (support for community health programs and Eastside Food Co-op capital improvements, now recommends:

- a) That said Modification 10 to the Sheridan NRP be approved;
  - b) That the proper City officers be authorized to execute any agreements needed to implement said activities; and
  - c) That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.
- Adopted 11/7/03.  
Absent - Lilligren.

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

**H&HS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to accept a five-year grant award of up to \$1,300,000 from the United States Department of Health & Human Services to improve reproductive health services for young males in the City of Minneapolis during the period September 30, 2003 through September 29, 2008. The Department of Health & Family Support will partner with Fremont Community Health Services, Inc and Teen Age Medical Services (TAMS) to target African American adolescent and young adult males in the Northside and Southside communities to provide outreach services, health education and risk assessment, male sexuality groups and on-site and off-site sexually transmitted infections testing. Further, passage of the accompanying Resolution appropriating \$1,300,000 to the Health & Family Support Agency.  
Adopted 11/7/03.  
Absent - Lilligren.

Resolution 2003R-528, appropriating \$1,300,000 to the Department of Health & Family Support to improve reproductive health services for young males in the City of Minneapolis, was passed 11/7/03 by the City Council. 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 2003R-528**  
**By Johnson Lee and Johnson**

**Amending The 2003 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Federal Fund (030-860-8618) by up to \$1,300,000 and increasing the Revenue Source (030-860-8618 - Source 3210) by \$1,300,000.

Adopted 11/7/03.

Absent - Lilligren.

**H&HS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to accept a grant award of \$167,271 and execute a two-year grant agreement with the Minnesota Department of Public Safety, Office of Justice Programs, to decrease crime committed by and against gay, lesbian, bisexual and transgender homeless youth in Minneapolis by providing case management and host home programming services during the period January 1, 2004 through December 31, 2005. YouthLink shall serve as the non-profit community agency that will provide services under the grant, and the Department of Health & Family Support will serve as fiscal agent and provide assistance with the evaluation. Further, passage of the accompanying Resolution appropriating \$167,271 to the Department of Health & Family Support.

Adopted 11/7/03.

Absent - Lilligren.

Resolution 2003R-529, appropriating \$167,217 to the Department of Health & Family Support to decrease crime committed by and against gay, lesbian, bisexual and transgender homeless youth in the City of Minneapolis, was passed 11/7/03 by the City Council. 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 2003R-529**  
**By Johnson Lee and Johnson**

**Amending The 2003 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Federal Fund (030-860-8615) by \$167,271 and increasing the Revenue Source (030-860-8615 - Source 3210) by \$167,271.

Adopted 11/7/03.

Absent - Lilligren.

**H&HS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to submit a three-year grant application to the Minnesota Partnership for Action Against Tobacco, through the "Research Funding to Reduce the Harm Tobacco Causes Minnesotans" initiative, seeking

\$450,000 to research the effectiveness of a youth cessation tobacco program at six Minneapolis Public High Schools

Adopted 11/7/03.

Absent - Lilligren.

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

**IGR** - Your Committee recommends passage of the accompanying resolution appointing Lee Sheehy, Director of Community Planning and Economic Development, as a City representative on the Wold Chamberlain Field (MSP) Joint Airport Zoning Board, replacing Charles (Chuck) Ballentine.

Adopted 11/7/03.

Absent - Lilligren.

Resolution 2003R-530, appointing Lee Sheehy to the Wold Chamberlain Field (MSP) Joint Airport Zoning Board, replacing Charles (Chuck) Ballentine, was passed 11/7/03 by the City Council. 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 2003R-530**

**By Benson**

**Appointing Lee Sheehy to the Wold Chamberlain Field (MSP) Joint Airport Zoning Board.**

Whereas, the City of Minneapolis participated as a member of the Wold Chamberlain Field (MSP) Joint Airport Zoning Board in adopting the current airport zoning ordinance regulating the height of natural and man made structures and land use in 1984; and

Whereas, the Joint Zoning Board was re-convened on September 13, 2001 to amend the current ordinance adopted in 1984 to address changes in the airport facility that have since been undertaken or are now a part of an approved airport layout plan; and

Whereas, the Joint Airport Zoning Board is comprised of representatives from the Cities of Bloomington, Eagan, Mendota, Mendota Heights, Minneapolis, Richfield, St. Paul; Hennepin County and the Metropolitan Airports Commission (MAC); and

Whereas, the City of Minneapolis is allocated two representatives on the Joint Airport Zoning Board; and

Whereas, the City has been represented by Charles Ballentine, Director of Planning and Merland Otto, City Planner, since September 13, 2001; and

Whereas, Charles Ballentine has left the City's employment, the City desires to formally designate its replacement representative to the Joint Zoning Board;

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

That Lee Sheehy, Director of Community Planning and Economic Development, shall be the designated City of Minneapolis representative on the Wold Chamberlain (MSP) Joint Airport Zoning Board, replacing Charles Ballentine, effective immediately.

Be It Further Resolved that the City Clerk transmit a copy of this resolution to the MAC.

Adopted 11/7/03.

Absent - Lilligren.

The **INTERGOVERNMENTAL RELATIONS** and **PUBLIC SAFETY & REGULATORY SERVICES** Committees submitted the following report:

**IGR & PS&RS** - Your Committee, having under consideration the 2004 legislative agenda of the Criminal Justice Coordinating Committee of Hennepin County/City of Minneapolis, now recommends that the City support and approve the CJCC's legislative agenda, as set forth in Petn No 269172.

Adopted 11/7/03.

Absent - Lilligren.

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

**PS&RS** - Your Committee, having under consideration the application of Maksim Restaurant Group Inc, dba Red Restaurant, 821 Marquette Av, for an On-Sale Liquor Class C-1 with Sunday Sales License (change in ownership) to expire October 1, 2004 and a Sidewalk Cafe License (new proprietor) and All Night Special Food License (new business) to expire April 1, 2004, 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 11/7/03.

Declining to Vote - Benson.

Absent - Lilligren.

**PS&RS** - Your Committee recommends passage of the accompanying Resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 11/7/03.

Declining to Vote - Benson.

Absent - Lilligren.

Resolution 2003R-531, granting applications for Liquor, Wine and Beer Licenses, was passed 11/7/03 by the City Council. 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 2003R-531**

**By Niziolek**

**Granting Liquor, Wine and Beer Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted:

**On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2004**

Drink Inc, dba Drink, 26 5<sup>th</sup> St N (new manager);

Drink Inc, dba Drink, 26 5<sup>th</sup> St N;

Mintahoe, Inc, dba Perfect Host Catering, 219 Main St SE;

Ukrainian American Community Center Inc, dba Ukrainian American Community Center, 301 Main St NE;

80 S 8<sup>th</sup> St Hotel Operations Inc, dba Windows on Minnesota, 701 Nicollet Mall, 50<sup>th</sup> floor;

Lee Consultants Ltd, dba Sticks, 708 1<sup>st</sup> St N;

Wild Entertainment Ltd, dba Ground Zero, 15 4<sup>th</sup> St NE;

**On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2004**

Sega Gameworks LLC, dba Gameworks, 600 Hennepin Av #110 (new business);

**On-Sale Liquor Class C-2 with Sunday Sales, to expire April 1, 2004**

Brinda-Heilicher Riverfront Inc, dba Vics Restaurant, 201 Main St SE (upgrade from Class E with Sunday Sales);

**On-Sale Liquor Class C-2 with Sunday Sales, to expire July 1, 2004**

13<sup>th</sup> Avenue SE LLC, dba Bobby Z's, 418 13<sup>th</sup> Av SE;

**On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 2004**

Two Mac Inc, dba Mackenzie, 918 Hennepin Av;

News Room Inc, dba News Room, 990 Nicollet Mall;

**On-Sale Liquor Class E with Sunday Sales, to expire November 2, 2003**

Azia Inc, dba Azia, 2550 Nicollet Av (temporary expansion of premises, 10:00 p.m. October 30, 2003 until 2:00 a.m. November 2, 2003);

**On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2004**

Chevy's Uno LLC, dba Chevy's Fresh-Mex, 701 Hennepin Av;

**On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2004**

Graves Hospitality Corp, dba Downtown Residence Inn, 45 S 8<sup>th</sup> St;  
Morton's of Chicago/Mpls Inc, dba Morton's of Chicago, 555 Nicollet Mall;  
Brandon's 923 Inc, dba Brandons 923 Club, 923 Washington Av N;  
Fanagle Enterprises Inc, dba Eli's Bar & Grill, 1225 Hennepin Av;  
Creative Restaurants Inc, dba Bullwinkle's, 1429 Washington Av S, 1<sup>st</sup> floor;  
Sumick Inc, dba Lyle's, 2021 Hennepin Av;  
Original Broadway Station Inc, dba Broadway Station, 2025 W River Rd;  
Haze 2 Group, dba Grumpy's Bar, 2200 4<sup>th</sup> St NE;  
K H Enterprises Mpls Inc, dba Porter's Bar & Grill, 2647 Nicollet Av;  
Schooner Inc, dba Schooner, 2901 27<sup>th</sup> Av S, 1<sup>st</sup> floor;  
Stand Up Frank's Inc, dba Stand Up Franks, 2027 2<sup>nd</sup> St N, 1<sup>st</sup> floor;

**Temporary On-Sale Liquor**

Hiemenz Mark, dba Open Arms of Minnesota, 1414 E Franklin Av (with entertainment, November 1, 2003, 8:00 p.m. to 1:00 a.m. at 1021 E Franklin Av);

**On-Sale Wine Class E with Strong Beer, to expire April 1, 2004**

Guayaquil Restaurant Inc, dba Guayaquil Restaurant, 1526 E Lake St #E (new business);  
Friends of the Revolution Inc, dba Auriga, 1930 Hennepin Av (new shareholder/partner);

**Off-Sale Beer, to expire April 1, 2004**

South Side Food Market LLC, dba South Side Food Market, 3501 23<sup>rd</sup> Av S (new business).

Adopted 11/7/03.

Declining to Vote - Benson.

Absent - Lilligren.

**PS&RS** - Your Committee recommends passage of the accompanying Resolution granting applications for Business Licenses.

Adopted 11/7/03.

Absent - Lilligren.

Resolution 2003R-532, granting applications for Business Licenses, was passed 11/7/03 by the City Council. 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 2003R-532**

**By Niziolek**

**Granting applications for Business Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of November 7, 2003 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 269175):

Amusement Devices; Place of Amusement Class A; Bed & Breakfast Facility; Car Wash; Christmas Tree; Dancing School; Food Distributor; Grocery; Food Manufacturer; Milk & Grocery Delivery Vehicle; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food; Bulk Gas & Oil Storage; Gasoline Filling Station; Going Out of Business; Hotel/Motel; Juke Box - Musical; Lodging House with Boarding; Motor Vehicle Dealer - New & Used; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Rental Halls; Towing Class B; Towing Class D; Plumber; Residential Specialty Contractor; Antique Dealer Class B; Exhibition Operator; Solid Waste Hauler; Suntanning Facility; Tattooist/Body Piercer; Tattooist/Body Piercer

Establishment; Taxicab Service Company; Taxicab Vehicle; Theater Zone I; Theater Zone II; Theater Zone III; Tobacco Dealer.

Adopted 11/7/03.

Absent - Lilligren.

**PS&RS** - Your Committee recommends passage of the accompanying Resolution granting applications for Gambling Licenses.

Adopted 11/7/03.

Absent - Lilligren.

Resolution 2003R-533, granting applications for Gambling Licenses, was passed 11/7/03 by the City Council. 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 2003R-533**

**By Niziolek**

**Granting applications for Gambling Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

**Gambling Class B**

Catholic Eldercare Community Foundation, dba Catholic Eldercare Community Foundation, 817 Main St NE (Site: Elsie's Restaurant Bar & Bowling Center, 729 Marshall St NE);

Air Force Chapter General E W Rawling Association, dba Air Force Chapter General E W Rawlings, 6050 5th Av S (Site: Jimmys Steaks & Spirits, 3675 Minnehaha Av);

**Gambling Lawful Exempt**

Hope for the City, dba Hope for the City, 7807 Creekridge Circle, Edina (Raffle October 25, 2003 at Convention Center, 1301 2nd Av S);

Church of St. Anne, dba Church of St. Anne, 2627 Queen Av N (Bingo & raffle November 9, 2003 at St. Anne's Hall, 2620 Russell Av N);

Church of St. Hedwig, dba Church of St. Hedwig, 123 29th Av NE (Raffle December 7, 2003);

Children's Theatre Company, dba Children's Theatre Company, 2400 3rd Av S (Raffle January 10, 2004);

Best Prep, dba Best Prep, 400 1st St N #102 (Raffle January 24, 2004 at McNamara Alumni Center, University of Minnesota, 200 Oak St SE).

Adopted 11/7/03.

Absent - Lilligren.

**PS&RS** - Your Committee recommends that the following levies be approved and that the Director of the Hennepin County Property Taxation Department be directed to place assessments against the specified properties to defray costs of work performed under authorization of the Inspections Division to correct nuisance or hazardous conditions on these properties (Petn No 269174):

Levy 1080 - Removal of Offensive Matter (rubbish),  
payable in one year - \$216,715.78

Levy 1081 - Removal of Offensive Matter (weeds),  
payable in one year - \$131,248.29

Levy 1084 - Removal of Offensive Matter (hazardous trees),  
payable in five years - \$98,689

Levy 1085 - Removal of Offensive Matter (brush and plant growth),  
payable in one year - \$48,191.55

Levy 1086 - Inoperable Vehicle Tow Administrative Fees,  
payable in one year - \$43,387.50  
Levy 1092 - Removal of Hazardous/Nuisance Condition Buildings,  
Lump sum payable in one year - \$97,286  
Levy 1093 - Removal of Hazardous/Nuisance Condition Buildings,  
payable in five years - \$4,571  
Levy 1096 - Vacant/Boarded Housing Registrations,  
payable in one year - \$42,800  
Levy 1098 - Securing of Buildings (Police Board Up),  
payable in one year - \$69,537.50  
Levy 1099 - Securing Abandoned Buildings,  
payable in one year - \$19,396.05

Your Committee further recommends passage of the accompanying Resolutions, all in accordance with Chapter 227 of the Minneapolis Code of Ordinances, directing the Director of the Hennepin County Taxation Department to:

- a. place assessments against certain properties to defray the cost of abating nuisance conditions (Levies 1080, 1081, 1084, 1085 and 1086).
- b. place assessments against certain properties to defray the cost of razing buildings determined to constitute a nuisance condition in accordance with Chapter 249 of the Minneapolis Code of Ordinances (Levy 1092, 1093).
- c. place assessments against certain properties to defray the cost of razing dangerous buildings determined to constitute a nuisance condition in accordance with Chapter 87 of the Minneapolis Code of Ordinances (Levy 1092, 1093).
- d. place assessments against certain properties to defray the administrative costs for registering and processing the vacant building registration form and for the costs of the city in monitoring the vacant building site (Levy 1096).
- e. place assessments against certain properties to defray the cost of securing the building and also levy and collect associated administrative costs not to exceed seventy-five dollars (\$75) for each building that is secured in the manner provided by Minnesota Statutes, Sections 429.061, 429.071 and 429.081 and amendments thereto (Levy 1098).
- f. place assessments against certain properties to defray the cost of securing abandoned buildings as authorized in Minnesota Statutes, Chapter 463 (Levy 1099).

Adopted 11/7/03.

Absent - Lilligren.

Resolution 2003R-534, directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of abating nuisance conditions in accordance with Chapter 227 of the Minneapolis Code of Ordinances, was passed 11/7/03 by the City Council. 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 2003R-534**

**By Niziolek**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of abating nuisance conditions in accordance with Chapter 227 of the Minneapolis Code of Ordinances.**

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

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

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

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

Be It Further Resolved that Levy Numbers 1080 (Rubbish Removal), 1081 (Weed Removal), 1084 (Offensive Tree Removal), 1085 (Shrub, Brush Removal), and 1086 (Inoperable Vehicle Tow Administrative Fees) be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to defray the costs of work performed under authorization of the Inspections Division to abate nuisances on private properties.

Be It Further Resolved that Levy Numbers 1080, 1081, 1085, and 1086 be payable in a single installment with interest thereon at eight percent (8%) and that Levy Number 1084 be paid in five equal annual installments with interest thereon at eight percent (8%) per annum, as set forth in Petn No 269174 on file in the Office of the City Clerk.

Adopted 11/7/03.

Absent - Lilligren.

Resolution 2003R-535, directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of razing dangerous buildings in accordance with Chapter 87 of the Minneapolis Code of Ordinances, and to defray the cost of razing buildings determined to constitute a nuisance condition in accordance with Chapter 249 of the Minneapolis Code of Ordinances, was passed 11/7/03 by the City Council. 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 2003R-535**

**By Niziolek**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of razing dangerous buildings in accordance with Chapter 87 of the Minneapolis Code of Ordinances, and to defray the cost of razing buildings determined to constitute a nuisance condition in accordance with Chapter 249 of the Minneapolis Code of Ordinances.**

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

Whereas, the City Charter of the City of Minneapolis provides that the costs incurred in the razing of dangerous buildings shall be levied and collected as a special assessment against the properties as provided for in Chapter 227 of the Minneapolis Code of Ordinance; and

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

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

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

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

Be It Further Resolved that Levy Numbers 1092 and 1093 be approved and transmitted to the Hennepin County Taxation Department and that the Director of the Hennepin County Property Taxation Department be directed to place assessments against the specified properties to defray costs of work performed under the authorization of the Inspections Division to raze dangerous buildings on properties and buildings determined to constitute a nuisance condition.

Be It Further Resolved that Levy Number 1092 be payable in a single installment with interest thereon at eight percent (8%), and that Levy Number 1093 be paid in five (5) equal annual installments with interest thereon at eight percent (8%) per annum, as set forth in Petn No 269174 on file in the Office of the City Clerk.

Adopted 11/7/03.

Absent - Lilligren.

Resolution 2003R-536, directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for registering vacant properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances, was passed 11/7/03 by the City Council. 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 2003R-536**  
**By Niziolek**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for registering vacant properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances.**

Whereas, the City Council of the City of Minneapolis did determine that certain buildings met the criteria stated in Section 249.80 of the Minneapolis Code of Ordinances that defines a vacant property and were authorized by the Director of Inspections to have the fee levied against the property in cases where property owners failed to pay the required yearly fee; and

Whereas, Chapter 249 of the Minneapolis Code of Ordinances provides that the cost of registering a vacant property as defined by Section 249.80 shall be levied and collected as a special assessment against the property as provided for in Chapter 227 of the Minneapolis Code of Ordinances when the property owner fails to meet the requirement for fee payment;

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

That the costs incurred for registering vacant properties are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1096 be approved and transmitted to the Hennepin County Taxation Department and that the Director of the Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 269174 on file in the Office of the City Clerk.

Adopted 11/7/03.

Absent - Lilligren.

Resolution 2003R-537, directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of securing any building or structure rendered uninhabitable or unoccupied and open to trespass as a result of lawful police action in accordance with Chapter 171 of the Minneapolis Code of Ordinances, was passed 11/7/03 by the City Council. 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 2003R-537**  
**By Niziolek**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of securing any building or structure rendered uninhabitable or unoccupied and open to trespass as a result of lawful police action in accordance with Chapter 171 of the Minneapolis Code of Ordinances.**

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

Whereas, the Chief of Police did secure such buildings under the authority of the City Council of the City of Minneapolis; and

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

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

That the costs of securing unoccupied or uninhabitable buildings open to trespass under the authority of the Chief of Police are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1098 be approved and transmitted to the Hennepin County Taxation Department and that the Director of the Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 269174 on file in the Office of the City Clerk.

Adopted 11/7/03.

Absent - Lilligren.

Resolution 2003R-538, directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of securing abandoned buildings in accordance with Chapter 227 of the Minneapolis Code of Ordinances, was passed 11/7/03 by the City Council. 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 2003R-538**

**By Niziolek**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of securing abandoned buildings in accordance with Chapter 227 of the Minneapolis Code of Ordinances.**

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

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

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

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

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

Be It Further Resolved that Levy Number 1099 be approved and transmitted to the Hennepin County Taxation Department and that the Director of the Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 269174 on file in the Office of the City Clerk.

Adopted 11/7/03.

Absent - Lilligren.

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

**PS&RS & W&M/Budget** - Your Committee, having under consideration the selection of a vendor to implement enhancements to the Police Department's Timekeeping Program to include 24/7 scheduling, attendance ability in real time, and to track training and court scheduling for individual employees, now recommends:

**PS&RS** - that the proper City Officers be authorized to negotiate and execute an agreement with the successful vendor from the request for proposal process, in an amount not to exceed \$1,800,000, with all funding provided through a Cops More grant.

**W&M/Budget** - that the proper City Officers be authorized to negotiate and execute an agreement with SOGETI, Two Meridian Crossings, Suite 670, Richfield, in an amount not to exceed \$1,800,000, with all funding provided through a Cops More grant.

Niziolek moved that the report be amended to approve the Ways & Means/Budget Committee recommendation and to delete the Public Safety & Regulatory Services Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 11/7/03.

Absent - Lilligren.

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

**Rules** - Your Committee recommends amending Rule 1 of the *Rules of the City Council* relating to meetings by adding Paragraph F to read as follows:

F. Any amendments, motions or resolutions submitted for action at a regular or special Council meeting must be offered in writing. Any amendments, motions or resolutions not submitted in compliance with this provision shall not be considered unless a motion to suspend the rules is approved. This provision does not apply to non-substantive motions, including but not limited to motions to postpone, limit debate, refer a matter to committee, recess, or adjourn, or a motion to correct typographical errors.

Zerby moved that the report be amended by inserting the language "or via e-mail" at the end of the first sentence in Paragraph F. Seconded.

Lost upon a voice vote.

The report was adopted 11/7/03.

Yeas, 10; Nays, 2 as follows:

Yeas - Lane, Samuels, Johnson, Colvin Roy, Zimmermann, Schiff, Niziolek, Benson, Goodman, Ostrow.

Nays - Zerby, Johnson Lee.

Absent - Lilligren.

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

**T&PW** - Your Committee recommends passage of the accompanying Resolution adopting and levying the assessments for the removals of snow and ice from sidewalks on the list of properties set forth in Petn No 269179

Adopted 11/7/03.

Absent - Lilligren.

Resolution 2003R-539, adopting and levying the assessments for the unpaid charges for the removals of snow and ice from sidewalks on the list of properties set forth in Petn No 269179, was passed 11/7/03 by the City Council. 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 2003R-539**

**By Colvin Roy**

**Adopting and levying the assessments for the unpaid charges for the removals of snow and ice from sidewalks on the list of properties set forth in Petn No 269179.**

Whereas, a public hearing was held on October 28, 2003 in accordance with Chapter 8, Sections 12 and 13 of the Minneapolis City Charter to consider the proposed assessments as shown on the proposed assessment rolls on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

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

That the proposed assessments against the affected properties on the list dated August 1, 2003 set forth in Petn No 269179 in the total amount of \$5,097.74 and as shown on the proposed assessment rolls on file in the Office of the City Clerk be and hereby are adopted and levied.

Be It Further Resolved that the assessments in the total amount of \$5,097.74 be collected in one (1) installment on the 2004 real estate tax statements with interest.

Be It Further Resolved that the assessment rolls as prepared by the City Engineer be and hereby are adopted and that the City Clerk is hereby directed to transmit certified copies of said assessment rolls to the Hennepin County Auditor.

Adopted 11/7/03.

Absent - Lilligren.

**T&PW** - Your Committee, having considered the special assessment deferment application (Senior Citizen) submitted by Wei Wang to defer a sidewalk replacement special assessment (Levy 01052, Project 04S01) in the principal amount of \$1,100.43 for payable 2004 and subsequent years on the property at 3757 16th Av S, PID 02-028-24-44-0100, now recommends that the application be approved as provided for in Minnesota Statutes, Sections 435.193 to 435.195 and Resolutions 80R-365 passed August 8, 1980 and 93R-134 passed April 16, 1993.

Adopted 11/7/03.

Absent - Lilligren.

**T&PW** - Your Committee, having under consideration the Nicollet Mall Advisory Board, now recommends acceptance of the resignation of David Wilken, Vice President, Regional Sales Manager, ING LifeDesign, and appointment of Tom Langseth, Sales Vice President of Individual Insurance and Specialty Markets Distribution, ING, to fill the unexpired term of David Wilken, for a term to expire December 31, 2004.

Adopted 11/7/03.

Absent - Lilligren.

**T&PW** - Your Committee, having under consideration passage of a Resolution authorizing the proper City officers to execute a State of Minnesota, Department of Transportation Routine Maintenance Agreement No. 84594 between the Minnesota Department of Transportation (MnDOT) and the City of Minneapolis effective July 1, 2003 through June 30, 2005 to cover routine maintenance of certain portions of trunk highways and bridges within the corporate limits of the City of Minneapolis, now recommends that the report be sent forward without recommendation.

Colvin Roy moved that the report be referred back to the Transportation and Public Works Committee. Seconded.

Adopted upon a voice vote.

**T&PW** - Your Committee, having under consideration the Downtown Circulator Task Force Report revised 10/23/03, now recommends that the report be received and filed.

Your Committee further recommends that the City Engineer return to the Transportation and Public Works Committee on November 17, 2003 with the recommendations for implementation of the Downtown Circulator.

Adopted 11/7/03.

Absent - Lilligren.

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

**T&PW & W&M/Budget** – Your Committee, having under consideration the Nicollet Mall improvement, maintenance and operation assessments for payable 2004 and all written and oral objections and statements regarding the assessments and having held a public hearing on October 28, 2003 in accordance with the provisions of Minnesota Statutes, Section 430.102, now recommends that the proposed assessments in the amount of \$1,131,702 be adopted and levied, that the assessment roll filed by the City Engineer with the City Clerk (Petn No 269181) be adopted and that the City Clerk be directed to transmit a certified copy of said assessment roll to the Hennepin County Auditor.

Adopted 11/7/03.

Absent - Lilligren.

**T&PW & W&M/Budget** – Your Committee, having under consideration the Hilltop Reservoir Contract, now recommends that the proper City Officers be authorized to execute Change Order No 4 increasing Contract No 11931 with Veit and Company, Inc., by \$101,986.50 for a revised contract amount of \$5,885,656.88, for additional site improvements, funding is available from existing budget.

Adopted 11/7/03.

Absent - Lilligren.

**T&PW & W&M/Budget** – Your Committee, having under consideration the Washburn Tower Exterior Restoration Contract, now recommends that the proper City Officers be authorized to execute Amendment No 1 to Contract No 18216 with Macpherson-Towne Company increasing said contract by \$22,450.70 for a new contract total of \$250,509.70, for unforeseen construction scope modifications, funding is available from existing project budget.

Adopted 11/7/03.

Absent - Lilligren.

**T&PW & W&M/Budget** - Your Committee, having under consideration the Fridley Water Maintenance Facility, now recommends acceptance of low bid received on OP #6163 (Petn No 269181) submitted by Carl Bolander & Sons Company in the amount of \$328,800, for soil correction and surcharging.

Your Committee further recommends that the proper City Officers be authorized to execute a contract for said project/service, contingent on approval of the Civil Rights Department.

Adopted 11/7/03.

Absent - Lilligren.

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

**W&M/Budget** - Your Committee, to whom was referred an ordinance amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, adding a new Article XII relating to the study and establishment of unclassified positions in the City service to reflect recent changes in State law that give the City expanded authority to establish unclassified positions, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 11/7/03.

Absent - Lilligren.

Ordinance 2003-Or-131 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, adding a new Article XII relating to the study and establishment of unclassified positions in the City service, was passed 11/7/03 by the City Council. 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 2003-Or-131**  
**By Lilligren**  
**Intro & 1st Reading: 10/10/03**  
**Ref to: W&M/Budget**  
**2nd Reading: 11/7/03**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel, by adding a new Article XII relating to Unclassified Service.**

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 Article XII, including new sections 20.1000 - 20.1050, to read as follows:

**ARTICLE XII. UNCLASSIFIED SERVICE**

**20.1000. Unclassified positions in city service.** Pursuant to the authority granted to the City of Minneapolis by 2003 Minnesota Laws, Chapter 115, S.F.No. 421, Sections 1 – 3, the city hereby enacts a process for establishing positions in the unclassified service of the city, notwithstanding any contrary provisions of the Minneapolis city charter, civil service rule, general law or special law.

**20.1010. City council to establish positions.** The city council may, pursuant to this ordinance, establish unclassified positions in designated departments of the city that meet the following criteria:

(1) The person occupying the position must report to the head of the designated city department or the designated city department head's deputy.

(2) The person occupying the position must be part of the designated department head's management team.

(3) The duties of the position must involve significant discretion and substantial involvement in the development, interpretation, or implementation of city or department policy.

(4) The duties of the position must not primarily require technical expertise where continuity in the position would be significant.

(5) There is a need for the person occupying the position to be accountable to, loyal to, and compatible with the mayor, the city council, and the department head.

The city council must adopt findings on whether the criteria in this section are met before an unclassified position is established. The city council shall establish the terms and conditions of employment for all unclassified positions, or may delegate that function to the director of human resources.

**20.1020. Charter positions excluded.** This ordinance does not apply to any department head position appointed under authority contained in the city charter.

**20.1030. Changes or amendments to established unclassified positions.** The city council must follow the process in Section 20.1010 above to:

(1) Change or alter the terms and conditions of employment for previously established unclassified positions;

(2) To establish additional unclassified positions in any department, even if the new position is identical to an existing or a previously existing unclassified position; or

(3) Transfer a classified position from one city department to another city department.

No city employees or officials, other than the city council pursuant to this ordinance, may establish, add, modify, transfer or eliminate any unclassified position established pursuant to this ordinance.

**20.1040. Unclassified positions reported to city council.** Notwithstanding any charter provision, civil service rule, special law, general law, or any previous city practice or procedures to the contrary, all unclassified positions in the city service shall be established pursuant to this ordinance and recorded

by the director of human resources.

The director of human resources shall report on a semi-annual basis to the ways and means/budget committee of the city council on each unclassified position, what department each unclassified position is in, the incumbent employees in the unclassified positions, and all vacancies of unclassified positions.

**20.1050. City approval of special law.** This ordinance is not effective until the city council has approved the special law authorizing this ordinance pursuant to Minnesota Statutes, Section 645.021, subd. 2 and subd. 3.

Adopted 11/7/03.

Absent - Lilligren.

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution approving legal settlements as recommended by the City Attorney.

Adopted 11/7/03.

Absent - Lilligren.

Resolution 2003R-540, approving legal settlements with Mary DeWitt and William Harris, was passed 11/7/2003 by the City Council. 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 2003R-540**  
**By Johnson**

**Approving legal settlements.**

Resolved by The City Council of The City of Minneapolis:

That the recommendation of the City Attorney to settle the following legal matters be approved and payments authorized as indicated:

a) Mary W. DeWitt by payment of \$200,000 to Ms. DeWitt and her attorney Brian Love (Hauer, Fargoine, Love, Landy and McEllistrem, P.A.);

b) William Harris by payment of \$40,000 to Mr. Harris and his attorney David L. Schulman.

Be It Further Resolved that the payments shall be made from the Self Insurance Fund (6900) and the City Attorney is authorized to execute any documents necessary to effectuate the settlements.

Adopted 11/7/03.

Absent - Lilligren.

**W&M/Budget** - Your Committee, having under consideration a lawsuit brought by Xcel Energy regarding loss of access and taking of property rights as a result of the light rail transit project, now recommends that the City Attorney be authorized to file a request with the Minnesota Supreme Court for leave to file a brief as amicus curiae in the matter of *Northern States Power Company d/b/a Xcel Energy v. Minnesota Metropolitan Council and Minnesota Department of Transportation, et.al* and that the City Attorney be authorized to file such a brief if the request for such a brief is granted.

Adopted 11/7/03.

Absent - Lilligren.

**W&M/Budget** - Your Committee, having under consideration the New Central Library Project, now recommends acceptance of the low bid received on OP #6162 (Petn No 269186) submitted by NewMech Companies, Inc., in the amount of \$696,000, for furnishing and delivering all material, labor, equipment and incidentals necessary to accomplish the work of Contract 11, Fire Protection, all in accordance with the plans, specifications and addenda prepared by Architectural Alliance and titled "Minneapolis Central

Library Bid Package No. 4 - Enclosure".

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

Adopted 11/7/03.

Absent - Lilligren.

Approved by Mayor Rybak 11/7/03.

(Published 11/12/03)

**W&M/Budget** - Your Committee, having under consideration the New Central Library Project, now recommends acceptance of the low bid received on OP #6162 (Petn No 269186) submitted by H.K.L. Classing Systems, Inc., in the amount of \$8,790,000, for furnishing and delivering all material, labor, equipment and incidentals necessary to accomplish the work of Contract 8, Storefront/Curtainwall, all in accordance with the plans, specifications and addenda prepared by Architectural Alliance and titled "Minneapolis Central Library Bid Package No. 4 - Enclosure".

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

Adopted 11/7/03.

Absent - Lilligren.

Approved by Mayor Rybak 11/7/03.

(Published 11/12/03)

**W&M/Budget** - Your Committee recommends that the 2003 special tax assessments for delinquent utility charges be approved, as indicated in the assessment roll adopted as part of this action and set forth in Petn No 269187 on file in the Office of the City Clerk.

Adopted 11/7/03.

Absent - Lilligren.

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution appropriating \$870,000 to the Business Information Services Department as payment for project services provided by the Program Management Division to City departments.

Adopted 11/7/03.

Absent - Lilligren.

#### **RESOLUTION 2003R-541**

**By Johnson**

#### **Amending The 2003 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 Information and Technology Services Agency in the Intergovernmental Services Fund (6400-880-8870) by \$870,000 and increasing the revenue source (6400-880-8870 - Source 3455) by \$870,000.

Adopted 11/7/03.

Absent - Lilligren.

**W&M/Budget** - Your Committee, having under consideration a request to execute agreements for payment of City postage expenses, now recommends that the proper City officers be authorized to execute a price agreement with the United States Postal Service in the amount of \$75,000 and with Pitney Bowes (as postage vendor) in the amount of \$600,000.

Adopted 11/7/03.

Absent - Lilligren.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to negotiate and execute a new contract with Special School District #1 to receive compensation to the

City for election(s) services to be provided during the period of July 1, 2003 through June 30, 2007. Compensation will be based on State cost allocation procedures and will include a percentage of costs for voting equipment maintenance and storage.

Adopted 11/7/03.

Absent - Lilligren.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to issue a limited request for proposals (RFP) seeking long term disability insurance for City employees for the year 2004, with direction to staff to release a full RFP in 2004 seeking a three-year contract.

Adopted 11/7/03.

Absent - Lilligren.

Approved by Mayor Rybak 11/7/03.

(Published 11/12/03)

**W&M/Budget** - Your Committee, having under consideration the results of a request for proposals process seeking dental insurance for City employees, now recommends that the proper City officers be authorized to execute a three-year contract with Delta Dental as the selected provider of dental insurance for 2004, 2005, and 2006 and directs that said contract be executed consistent with Minnesota Statutes, Section 471.6161, Subd. 3.

Adopted 11/7/03.

Absent - Lilligren.

**W&M/Budget** - Your Committee, having been informed by the City Attorney that the Internal Revenue Service has issued a ruling clarifying that existing law allows individuals participating in a Health Care Reimbursement Plan to be reimbursed for over-the-counter medicines and drugs, now recommends adoption of Amendment No. 2 to the City of Minneapolis Health Care Reimbursement Plan (as included in Petn No 269188) amending the plan to allow for such reimbursement.

Adopted 11/7/03.

Absent - Lilligren.

**W&M/Budget** - Your Committee, having been informed by the Human Resources Director that the City's health care benefit plan (Minneflex Plan) currently contains a "Failure to Elect" provision that is no longer appropriate under the new health care offerings, now recommends approval of Amendment No. 1 to the Minneflex Plan (as included in Petn No 269188) that will allow the plan manager to designate a default health care option for employees who don't choose health care options during the open enrollment period.

Adopted 11/7/03.

Absent - Lilligren.

**W&M/Budget** - Your Committee recommends concurrence with the recommendation of the Executive Committee to reclassify the position of Director, ITS from Grade 14 (638 points) to the new position of Assistant Director of Communications at Grade 10 (468 points) of the Appointive Service, effective October 6, 2003.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance adopting the salary range for the new position.

Adopted 11/7/03.

Absent - Lilligren.

Ordinance 2003-Or-132 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel, establishing the new position of Assistant Director of Communications, was passed 11/7/03 by the City Council. 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 2003-Or-132  
By Johnson  
1st & 2nd Readings: 11/7/03**

**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 6, 2003**

FLSA	OTC	CLASSIFICATION	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B"	Step D After 3 "C"
E	1	Assistant Director, Communications	A	\$61,869	\$65,125	\$67,079	\$68,381

Adopted 11/7/03.  
Absent - Lilligren.

**W&M/Budget** - Your Committee recommends concurrence with the recommendation of the Executive Committee to reclassify a vacant Director, Financial Operations position to a new position entitled Finance Manager, Grade 11 (528 points) of the Appointive Service, effective October 3, 2003.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance adopting the salary range for the new position.

Adopted 11/7/03.  
Absent - Lilligren.

Ordinance 2003-Or-133 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel, establishing the new position of Finance Manager, Grade 11, was passed 11/7/03 by the City Council. 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 2003-Or-133  
By Johnson  
1st & 2nd Readings: 11/7/03**

**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 3, 2003**

FLSA	OTC	CLASSIFICATION	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B"	Step D After 3 "C"
E	1	Finance Manager (Appointed)	A	\$70,025	\$73,711	\$75,922	\$77,396

Adopted 11/7/03.  
Absent - Lilligren.

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

**Z&P** - Your Committee, having under consideration the appeal of Cheryl and Dennis Abraham from the decision of the Board of Adjustment denying a variance for an increase in the maximum permitted size of a detached accessory garage from 676 square feet to 928 square feet at 4548 - 34<sup>th</sup> Ave S, now recommends that said appeal be granted, and the variance increase be approved, in accordance with the Findings of Fact prepared by the City Attorney's Office and on file in the Office of the City Clerk and made a part of this report by reference.

Adopted 11/7/03.  
Absent - Lilligren.

**Z&P** - Your Committee, to whom was referred an ordinance amending Title 21, Chapter 577 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Providing for a moratorium on the establishment or expansion of any multiple family residential use within the recognized boundaries of the Lowry Hill East neighborhood (bounded by Lyndale Ave, Hennepin Ave and Lake St), except where property has frontage on Hennepin Ave, Franklin Ave, Lagoon Ave, Lyndale Ave or Lake St, extending the moratorium to July 23, 2004, now recommends that the accompanying ordinance be given its second reading for amendment and passage.

Adopted 11/7/03.  
Absent - Lilligren.

Ordinance 2003-Or-134 amending Title 21, Chapter 577 of the Minneapolis Code of Ordinances relating to Interim Ordinances, providing for a moratorium on the establishment or expansion of any multiple family residential use within the recognized boundaries of the Lowry Hill East neighborhood (bounded by Lyndale Ave, Hennepin Ave and Lake St), except where property has frontage on Hennepin Ave, Franklin Ave, Lagoon Ave, Lyndale Ave or Lake St, extending the moratorium to July 23, 2004, was passed 11/7/03 by the City Council. 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 2003-Or-134**  
**By Niziolek and Schiff**  
**Intro & 1<sup>st</sup> Reading: 10/10/03**  
**Ref to: Z&P**  
**2<sup>nd</sup> Reading: 11/7/03**

**Amending Title 21, Chapter 577 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Providing for a moratorium on the establishment or expansion of any multiple family residential use within the recognized boundaries of the Lowry Hill East neighborhood (bounded by Lyndale Avenue, Hennepin Avenue and Lake Street), except where property has frontage on Hennepin Avenue, Franklin Avenue, Lagoon Avenue, Lyndale Avenue or Lake Street.**

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

Section 1. That Section 577.40 of the above-entitled ordinance be amended to read as follows:

**577.40. Restrictions.** For a period of one year from November 22, 2002, the date of introduction of this ordinance, no zoning, demolition, building or license permit or approval for the establishment or expansion of any multiple-family residential use shall be allowed or granted for any property located in this study area by any City department. The City specifically reserves the right to extend this ordinance for such additional periods as are necessary to complete the planning study, not exceeding a total additional period of eighteen (18) months.

This chapter is hereby extended and shall expire on July 23, 2004.

Adopted 11/7/03.

Absent - Lilligren.

**Z&P** - Your Committee concurs in the recommendations of the Planning Commission granting the application of the Metropolitan Airports Commission (#1422 & #1423) to vacate all of the water main and storm sewer easements in the vacated 59<sup>th</sup> St E, from 34<sup>th</sup> Ave S to the vacated 37<sup>th</sup> Ave S and vacating all of the non-vacated rights-of-way as dedicated in Blocks 1-4, Cummings Manor Addition to Minneapolis; Blocks 1-4, Cummings Homesites Addition to Minneapolis; Blocks 1-2, Ford Park Manor Addition to Minneapolis; Block 17, Minnehaha Falls 4<sup>th</sup> Addition to Minneapolis; and Blocks 5-8, High View Park Addition to Minneapolis, subject to retention of easement rights, to permit conveyance of tracts to the U.S. Navy and to complete the registered land survey of this area, and to adopt the related findings prepared by the Planning Department.

Your Committee further recommends passage of the accompanying resolution vacating the right-of-way and easements.

Adopted 11/7/03.

Absent - Lilligren.

Resolution 2003R-542, vacating all of the water main and storm sewer easements in the vacated 59<sup>th</sup> St E, from 34<sup>th</sup> Ave S to the vacated 37<sup>th</sup> Ave S and vacating all of the non-vacated rights-of-way as dedicated in Blocks 1-4, Cummings Manor Addition to Minneapolis; Blocks 1-4, Cummings Homesites Addition to Minneapolis; Blocks 1-2, Ford Park Manor Addition to Minneapolis; Block 17, Minnehaha Falls 4<sup>th</sup> Addition to Minneapolis; and Blocks 5-8, High View Park Addition to Minneapolis, was passed 11/7/03 by the City Council. 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 2003R-542**

**By Schiff**

**Vacating all of the water main and storm sewer easements in the vacated 59<sup>th</sup> Street East, from 34<sup>th</sup> Avenue South to the vacated 37<sup>th</sup> Avenue South and vacating all of the non-vacated rights-of-way as dedicated in Blocks 1-4, Cummings Manor Addition to Minneapolis; Blocks 1-4, Cummings Homesites Addition to Minneapolis; Blocks 1-2, Ford Park Manor Addition to Minneapolis; Block 17, Minnehaha Falls 4<sup>th</sup> Addition to Minneapolis; and Blocks 5-8, High View Park Addition to Minneapolis.**

Resolved by The City Council of The City of Minneapolis:

That all that part of the water main and storm sewer easements in the vacated 59<sup>th</sup> Street East, from 34<sup>th</sup> Avenue South to the vacated 37<sup>th</sup> Avenue South and vacating all of the non-vacated rights-of-way as dedicated in Blocks 1-4, Cummings Manor Addition to Minneapolis; Blocks 1-4, Cummings Homesites Addition to Minneapolis; Blocks 1-2, Ford Park Manor Addition to Minneapolis; Block 17, Minnehaha Falls 4<sup>th</sup> Addition to Minneapolis; and Blocks 5-8, High View Park Addition to Minneapolis is hereby vacated except that such vacation shall not affect the existing easement right and authority of Xcel Energy and Qwest, their successors and assigns, to enter upon that portion of the aforescribed streets and alleys which is described in regard to each of said corporation(s) as follows, to wit:

**As to Xcel:** A permanent easement over, under and across the following described property: Beginning at the Northwest corner of the Southeast Quarter of the Southwest Quarter of Section 19, Township 28, Range 23; thence East along the North line of the South one-half of the South one-half of said Section 19 to a point where the center line of Block 17, "Minnehaha Falls Fourth Addition to Minneapolis" extended intersects with the North line of the South one-half of the Southeast Quarter of said Section 19; thence North along the center line of Block 17, and the same extended to the Northwest corner of Lot 6 in Block 17; thence East along the Northerly line of Lot 6, Block 17 and Lots 6 and 19 in each of the Blocks 18, 19 and 20, all in "Minnehaha Falls Fourth Addition to Minneapolis", and across the intervening avenues and along said line extended to Lot 24, Block 5, "High View Park"; thence North along the Westerly line of said Lot 24 to the Northwest corner thereof; thence East along the Northerly line of Lots 7 and 24 in said Block 5 and Lot 24, Block 6 of said "High View Park", and across the intervening streets and alleys to the center of the alley in said Block 6; thence South along the center line of the alley in said block as extended across 60<sup>th</sup> Street and along the center line of Block 2, Ford Park Manor, Hennepin County, Minn., as extended to the South line of said plat; thence East along said line and along an extension thereof to the East line of said Section 19; thence North along the East line of said Section 19 to the center of East 59<sup>th</sup> Street; thence West along the center of East 59<sup>th</sup> Street to the center of 34<sup>th</sup> Avenue South; thence South to point of beginning; except those portions thereof taken per Document Nos. 182781 and 192553; And

All those parts of East 59<sup>th</sup> Street and the Military Road between 34<sup>th</sup> Avenue South and 36<sup>th</sup> Avenue which lie southerly of the centerline of said East 59<sup>th</sup> Street; And

Beginning at the northwest corner of the south one-half (S 1/2) of the northeast quarter of the southwest quarter (NE 1/4 of SW 1/4) of Section Nineteen (19), Township Twenty-eight (28) North, Range Twenty-three (23) West; thence south along the west line of said northeast quarter of the southwest quarter (NE 1/4 of the SW 1/4) a distance of one hundred twenty-one (121.0) feet; thence easterly on a line parallel with said north line of south one-half (S 1/2) of the northeast quarter of the southwest quarter (NE 1/4 of SW 1/4) of said Section Nineteen (19), a distance of thirty-three (33.0) feet to point of beginning of land to be described; thence further along said line extended easterly a distance of five hundred ninety-eight (598.0) feet; thence southerly along a line parallel with the west line of said northeast quarter of the southwest quarter (NE 1/4 of SW 1/4) a distance of four hundred ninety-nine and seventeen hundredths (499.17) feet; thence northwesterly along a line to a point distant thirty-three (33.0) feet east of the west line of said northeast quarter of the southwest quarter (NE 1/4 of SW 1/4) and one hundred fifty-four and seven tenths (154.7) feet southerly from the point of beginning; thence northerly, a distance of one hundred fifty-four and seven tenths (154.7) feet to point of beginning, all of said land lying in Section Nineteen (19), Township Twenty-eight (28) North, Range Twenty-three (23) West of the Fourth Principal Meridian, City of Minneapolis, County of Hennepin, and State of Minnesota.

Said permanent easement consists of six parcels of land.

Description of Permanent Easement Parcel One: Said Permanent Easement Parcel One is a strip of land 33.00 feet wide, the westerly line of said strip being described as follows: Beginning at the point of intersection of the centerline of said East 59<sup>th</sup> Street and the centerline of said 34<sup>th</sup> Avenue South; thence southerly along said centerline of 34<sup>th</sup> Avenue South for 400.00 feet and there terminating.

The easterly line of said Permanent Easement Parcel One is to be prolonged or shortened to begin on said centerline of East 59<sup>th</sup> Street.

Said strip of land crosses the following described properties: The rights-of-way of East 59<sup>th</sup> Street and 34<sup>th</sup> Avenue South all in CUMMINGS MANOR, Hennepin Co. Minn, according to the recorded plat thereof, Hennepin County, Minnesota; and

The right-of-way of 34<sup>th</sup> Avenue South in CUMMINGS HOMESITES, Hennepin Co. Minn. according to the recorded plat thereof, Hennepin County, Minnesota;

Description of Permanent Easement Parcel Two: Said Permanent Easement Parcel Two is a strip of land 30.00 feet wide, the centerline of said strip being described as follows: Commencing at said northwest corner of the Southeast Quarter of the Southwest Quarter of Section 19, Township 28, Range 23; thence on an assumed bearing of North 89 degrees 18 minutes 55 seconds East, along the north line of the South Half of the South Half of said Section 19, for 128.30 feet to the actual point of beginning of the centerline to be described; thence North 00 degrees 41 minutes 05 seconds West for 67.60 feet; thence North 30 degrees 14 minutes 15 seconds West for 254.50 feet to the centerline of said East 59<sup>th</sup> Street and there terminating.

The sidelines of said Permanent Easement Parcel Two are to be prolonged or shortened to begin and terminate on said northerly line of the South Half of the South half and said centerline of 34<sup>th</sup> Avenue South.

Said strip of land crosses the following described properties: The rights-of-way of 34<sup>th</sup> Avenue South and East 60<sup>th</sup> Street, Lots 8 through 13, inclusive, Block 4, all in CUMMINGS HOMESITES, Hennepin Co. Minn., according to the recorded plat thereof, Hennepin County, Minnesota;

Description of Permanent Easement Parcel Three: Said Permanent Easement Parcel Three is a strip of land 30.00 feet wide, the centerline of said strip being described as follows: Beginning at the point of intersection of the centerline of said East 59<sup>th</sup> Street and the centerline of said 34<sup>th</sup> Avenue South; thence on an assumed bearing of North 89 degrees 19 minutes 39 seconds East, along said centerline of East 59<sup>th</sup> Street, for 384.80 feet to the actual point of beginning of the centerline to be described; thence South 00 degrees 40 minutes 21 seconds East for 37.30 feet; thence North 89 degrees 19 minutes 39 seconds East for 38.40 feet; thence South 01 degrees 07 minutes 30 seconds East for 57.20 feet; thence North 89 degrees 34 minutes 24 seconds East for 256.47 feet; thence South 64 degrees 35 minutes 21 seconds East for 562.63 feet to a point hereinafter described as POINT A; thence South 19 degrees 30 minutes 05 seconds West for 52.62 feet; thence South 08 degrees 13 minutes 00 seconds East for 271.41 feet to said northerly line of the South Half of the South Half of Section 19 and there terminating.

The sidelines of said Permanent Easement Parcel Three are to be prolonged or shortened to begin and terminate on said centerline of East 59<sup>th</sup> Street and said northerly line of the South Half of the South Half.

Said strip of land crosses the following described properties: The rights-of-way of East 59<sup>th</sup> Street, 36<sup>th</sup> Avenue South and 37<sup>th</sup> Avenue South, Lots 1, 2, 13 and 14, Block 3, and the Alley in said Block 3, Lots 3, 4, 5, 6, 11, 12 and 13, Block 2, and the Alley in said Block 2, Lots 7, 8 and 9, Block 1, and the Alley in said Block 1, all in CUMMINGS MANOR, Hennepin Co. Minn., according to the recorded plat thereof, Hennepin County, Minnesota;and

The right of way of East 60<sup>th</sup> Street; Lots 1 through 7, inclusive, Block 1, Lot 14, Block 1, and the Alley in said Block 1, all in CUMMINGS HOMESITES, Hennepin Co. Minn., according to the recorded plat thereof, Hennepin County, Minnesota.

Description of Permanent Easement Parcel Four: Said Permanent Easement Parcel Four is a strip of land 30.00 feet wide, the centerline of said strip being described as follows: Beginning at POINT A, as described above; thence North 19 degrees 30 minutes 05 seconds East for 236.48 feet to the southerly line of the lands taken by the United States of America per Document No. 192553, and there terminating.

The sidelines of said Permanent Easement Parcel Four are to be prolonged or shortened to begin on the boundary of Permanent Easement Parcel Three as above described and terminate on said southerly line of the lands taken by the United States of America per Document No. 192553.

Said strip of land crosses the following described properties: Lots 3, 4, 5, 6 and 7, Block 1, all in CUMMINGS MANOR, Hennepin Co. Minn., according to the recorded plat thereof, Hennepin County, Minnesota;and

Lot 1, Block 1, CUMMINGS HOMESITES, Hennepin Co. Minn., according to the recorded plat thereof, Hennepin County, Minnesota.

Description of Permanent Easement Parcel Five: Said Permanent Easement Parcel Five is a strip of land 14.00 feet wide, the centerline of said strip being described as follows: Commencing at the point of intersection of the centerline of said East 59<sup>th</sup> Street and said East line of Section 19; thence on an assumed bearing of South 89 degrees 20 minutes 22 seconds West, along said centerline of East 59<sup>th</sup> Street, for 165.28 feet to the actual point of beginning; thence South 00 degrees 09 minutes 08 seconds

East for 660.73 feet and there terminating.

The sidelines of said Permanent Easement Parcel Five are to be prolonged or shortened to begin on said centerline of East 59<sup>th</sup> Street and to terminate on a line which bears South 89 degrees 19 minutes 24 seconds West and which passes through the terminus of the above described centerline.

Said strip of land crosses the following described properties: The rights-of- way of East 59<sup>th</sup> Street and East 60<sup>th</sup> Street And the Alley in Block 8, Lots 3, 4,5 ,6 and 7, Block 1, all in "High View Park", according to the recorded plat thereof, Hennepin County, Minnesota;

Description of Permanent Easement Parcel Six: Said Permanent Easement Parcel Six is a strip of land 30.00 feet wide, the centerline of said strip being described as follows: Commencing at said point of intersection of the centerline of said East 59<sup>th</sup> Street and said East line of Section 19; thence on an assumed bearing of South 00 degrees 09 minutes 30 seconds East, along said East line of Section 19, for 611.68 feet to the actual point of beginning; thence South 54 degrees 30 minutes 07 seconds West for 85.81 feet and there terminating.

The sidelines of said Permanent Easement Parcel Six are to be prolonged or shortened to begin on said East line of Section 19 and to terminate on a line which bears South 89 degrees 19 minutes 24 seconds West and which passes through the terminus of the above described centerline.

Said strip of land crosses the following described properties: The rights-of- way of 46<sup>th</sup> Avenue South and East 60<sup>th</sup> Street, and Lot 15, Block 8, all in "High View Park", according to the recorded plat thereof, Hennepin County, Minnesota.

**As to Qwest:** A permanent easement over, under and across the following described property: Beginning at the Northwest corner of the Southeast Quarter of the Southwest Quarter of Section 19, Township 28, Range 23; thence East along the North line of the South one-half of the South one-half of said Section 19 to a point where the center line of Block 17, "Minnehaha Falls Fourth Addition to Minneapolis" extended intersects with the North line of the South one-half of the Southeast Quarter of said Section 19; thence North along the center line of Block 17, and the same extended to the Northwest corner of Lot 6 in Block 17; thence East along the Northerly line of Lot 6, Block 17 and Lots 6 and 19 in each of the Blocks 18, 19 and 20, all in "Minnehaha Falls Fourth Addition to Minneapolis", and across the intervening avenues and along said line extended to Lot 24, Block 5, "High View Park"; thence North along the Westerly line of said Lot 24 to the Northwest corner thereof; thence East along the Northerly line of Lots 7 and 24 in said Block 5 and Lot 24, Block 6 of said "High View Park", and across the intervening streets and alleys to the center of the alley in said Block 6; thence South along the center line of the alley in said block as extended across 60<sup>th</sup> Street and along the center line of Block 2, Ford Park Manor, Hennepin County, Minn., as extended to the South line of said plat; thence East along said line and along an extension thereof to the East line of said Section 19; thence North along the East line of said Section 19 to the center of East 59<sup>th</sup> Street; thence West along the center of East 59<sup>th</sup> Street to the center of 34<sup>th</sup> Avenue South; thence South to point of beginning; except those portions thereof taken per Document Nos. 182781 and 192553; And

All those parts of East 59<sup>th</sup> Street and the Military Road between 34<sup>th</sup> Avenue South and 36<sup>th</sup> Avenue which lie southerly of the centerline of said East 59<sup>th</sup> Street; And

Beginning at the northwest corner of the south one-half (S 1/2) of the northeast quarter of the southwest quarter (NE 1/4 of SW 1/4) of Section Nineteen (19), Township Twenty-eight (28) North, Range Twenty-three (23) West; thence south along the west line of said northeast quarter of the southwest quarter (NE 1/4 of the SW 1/4) a distance of one hundred twenty-one (121.0) feet; thence easterly on a line parallel with said north line of south one-half (S 1/2) of the northeast quarter of the southwest quarter (NE 1/4 of SW 1/4) of said Section Nineteen (19), a distance of thirty-three (33.0) feet to point of beginning of land to be described; thence further along said line extended easterly a distance of five hundred ninety-eight (598.0) feet; thence southerly along a line parallel with the west line of said northeast quarter of the southwest quarter (NE 1/4 of SW 1/4) a distance of four hundred ninety-nine and seventeen hundredths (499.17) feet; thence northwesterly along a line to a point distant thirty-three (33.0) feet east of the west line of said northeast quarter of the southwest quarter (NE 1/4 of SW 1/4) and one hundred fifty-four and seven tenths (154.7) feet southerly from the point of beginning; thence northerly, a distance of one hundred fifty-four and seven tenths (154.7) feet to point of beginning, all of said land lying in Section Nineteen (19), Township Twenty-eight (28) North, Range Twenty-three (23) West of the Fourth Principal Meridian, City of Minneapolis, County of Hennepin, and State of Minnesota.

Said permanent easement is a strip of land 16.50 feet wide, being 11.50 feet to the right and 5.00 feet to the left of the following described line: Beginning at a point in the centerline of said East 59<sup>th</sup> Street distant 30.00 feet easterly from the centerline of said 34<sup>th</sup> Avenue South, as measured along said centerline of East 59<sup>th</sup> Street; thence southerly to a point in the southerly line of the Northeast Quarter of the Southwest Quarter of said Section 19, Township 28 North, Range 23 West distant 35.00 feet easterly from the southwest corner of said Northeast Quarter of the Southwest Quarter, as measured along said southerly line, and there terminating.

The sidelines of said strip are to be prolonged or shortened to begin and terminate in said centerline of East 59<sup>th</sup> Street and said southerly line of the Northeast Quarter of the Southwest Quarter.

Said strip of land crosses the following described properties: The rights-of-way of East 59<sup>th</sup> Street and 34<sup>th</sup> Avenue South, Lots 8 through 14, inclusive, Block 4, all in CUMMINGS MANOR, Hennepin Co. Minn., according to the recorded plat thereof, Hennepin County, Minnesota; And

The rights-of-way of 34<sup>th</sup> Avenue South and East 60<sup>th</sup> Street, Lots 8 through 14, inclusive, Block 4, all in CUMMINGS HOMESITES, Hennepin Co. Minn., according to the recorded plat thereof, Hennepin County, Minnesota;

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 streets and alleys upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.

Adopted 11/7/03.

Absent - Lilligren.

**Z&P** – Your Committee concurs in the recommendation of the Planning Commission granting the petition of Dan Bartus to rezone the property at 4140 and 4152 Dight Ave by adding the Industrial Living Overlay District to the existing I1 District to permit an eight-unit residential cluster development (42<sup>nd</sup> Street Studios, phase II), and adopting the related findings prepared by the Planning Department.

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

Adopted 11/7/03.

Absent - Lilligren.

Ordinance 2003-Or-135, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 4140 and 4152 Dight Ave by adding the Industrial Living Overlay District to the existing I1 District, was passed 11/7/03 by the City Council. 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 2003-Or-135**

**By Schiff**

**1<sup>st</sup> & 2<sup>nd</sup> Readings: 11/7/03**

**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 parcels of land, pursuant to MS 462.357:

A. Commencing at a point in the westerly line of Dight Avenue distance of 141.75 feet Northwesterly along the same from its intersection with the north line of East 42<sup>nd</sup> Street thence Northwesterly along

Dight Avenue 45.5 feet thence West parallel with the north line of East 42<sup>nd</sup> Street to a point 60 feet northeasterly at right angles from the easterly line of Rail Road Right-of-Way thence Southeasterly parallel with said Right-of-Way line 45.5 feet thence East to the point of beginning (4152 Dight Ave - Plate 33) by adding the Industrial Living Overlay District to the existing I1 District.

B. Commencing at a point in the westerly line of Dight Avenue distance of 187.25 feet Northwesterly from its intersection with the north line of East 42<sup>nd</sup> Street thence Northwesterly along Dight Avenue to a point 44.6 feet Southeasterly from the southeast corner of Block 3, South Morgan Addition thence West to a point 60 feet northeasterly at right angles from the easterly line of Rail Road Right-of-Way thence Southeasterly parallel with said Right-of-Way line to a point 187.25 feet Northwesterly measured along a line parallel with said Right-of-Way line from the North line of East 42<sup>nd</sup> Street thence Easterly to point of beginning (4140 Dight Ave - Plate 33) by adding the Industrial Living Overlay District to the existing I1 District.

Adopted 11/7/03.

Absent - Lilligren.

**Z&P** - Your Committee, to whom was referred an ordinance amending Title 20, Chapter 550 of the Minneapolis Code of Ordinances relating to *Zoning Code: Industrial Districts*, to allow catering as a permitted use in the I1 Light Industrial and the I2 Medium Industrial Districts, now concurs in the recommendation of the Planning Commission that the related findings be adopted, and that the accompanying ordinance be given its second reading for amendment and passage.

Adopted 11/7/03.

Absent - Lilligren.

Ordinance 2003-Or-136 amending Title 20, Chapter 550 of the Minneapolis Code of Ordinances relating to *Zoning Code: Industrial Districts*, to allow catering as a permitted use in the I1 Light Industrial and the I2 Medium Industrial Districts, was passed 11/7/03 by the City Council. 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 2003-Or-136**  
**By Schiff**  
**Intro & 1<sup>st</sup> Reading: 9/12/03**  
**Ref to: Z&P**  
**2<sup>nd</sup> Reading: 11/7/03**

**Amending Title 20, Chapter 550 of the Minneapolis Code of Ordinances relating to Zoning Code: Industrial Districts.**

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

Section 1. That the following portion of Table 550-1 of the above-entitled ordinance be amended to read as follows:

**Table 550-1 Principal Uses in the Industrial Districts**

<b>Use</b>	<b>I1</b>	<b>I2</b>	<b>I3</b>	<b>Specific Development Standards</b>
<b>Food and Beverages</b>				
<u>Catering</u>	<u>P</u>	<u>P</u>		
Coffee shop, with limited entertainment	P	P		√
Nightclub	C	C		√
Restaurant, delicatessen	P	P		√

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Restaurant, fast food	C	C	√
Restaurant, sit down, including the serving of alcoholic beverages with general entertainment	P	P	√

Adopted 11/7/03.  
Absent - Lilligren.

**Z&P** - Your Committee, having under consideration the appeal of the Whittier Alliance Board of Directors from the decision of the Planning Commission granting the applications of Basim Sabri, for Karmel Properties, LLC, for a conditional use permit and site plan review for a farmer's market at 206 Elroy St, now recommends that the appeal be denied, and the decisions of the Planning Commission be upheld.

Adopted 11/7/03.  
Absent - Lilligren.

**MOTIONS**

Ostrow moved to appoint Council Member Colvin Roy to replace Council Member Schiff as the City Council's representative on the Downtown Transportation Management Organization (TMO). Seconded.

Adopted 11/7/03.  
Absent - Lilligren.

Johnson introduced the subject matter of Ordinances amending the Minneapolis City Charter which were given their first reading and referred to the Intergovernmental Relations Committee, amending:

- a) Chapter 3, Section 1 relating to the powers and duties of the Mayor;
- b) Chapter 3, Section 5 relating to the Powers and Duties of the City Clerk;
- c) Chapter 3, Sections 11 and 16 relating to the powers and duties of the Finance Officer;
- d) Chapter 4 to add a new Section 25 relating to the City Council's power to contract; and
- e) Chapter 5, Section 24 relating to the payment of City obligations.

Zimmermann introduced the subject matter of an Ordinance amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to *Zoning Code: Administration and Enforcement*, which was given its first reading and referred to the Zoning & Planning Committee (Authorizing a variance of the limitation of one off-premise advertising sign per zoning lot).

**UNFINISHED BUSINESS**

New Fire Station #14 (2002 Lowry Av N): Authorization to obtain proposals for Architectural/Engineering Design Services for construction. (Postponed 10/24/03, T&PW)

By unanimous consent, the above report was postponed.

Replacement of Natural Gas Main (Bryant Av & 7th St): Authorize payment of \$35,437.27 to CenterPoint (Minnegasco) for damage caused by City crews

**T&PW** - Approved.

**W&M/Budget** - Sent forward without recommendation.

By unanimous consent, the above report was postponed.

**NEW BUSINESS**

Niziolek introduce an Ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances related to *Housing: Maintenance Code*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (To provide a fair fee schedule for associations; to have rental/s within Condominium or Co-operative to be licensed under single ownership; provide licensing

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for leasehold cooperatives; to provide provisional licensing for single family conversions from homestead to rental).

Benson moved to adjourn. Seconded.  
Adopted 11/7/03.

Adjourned.

Merry Keefe,  
City Clerk.

Created: 11/10/2003;  
Modified: 11/13/2003;  
Corrected: 12/23/2003