

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF SEPTEMBER 1, 2006

(Published September 9, 2006, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
September 1, 2006 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Samuels, Gordon, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, President Johnson.

Lilligren moved adoption of the agenda. Seconded.

Schiff moved to amend the agenda to include consideration of a resolution honoring Sonny Rollins. Seconded.

Adopted upon a voice vote.

The agenda, as amended, was adopted upon a voice vote 9/1/2006.

Lilligren moved acceptance of the minutes of the regular meeting of August 18, 2006. Seconded.

Adopted upon a voice vote 9/1/2006.

Lilligren 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 9/1/2006.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271451)

Northside Economic Development Update and Plan.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271452)

Land Sales:

3120 & 3108 Penn Ave N, 2125 Lowry Ave N & 3119, 3115 & 3027 Oliver Ave N;

1220-25th Ave N;

3641-5th Ave S.

Whittier Townhouse Housing Project (333 E 25th St & 2738 Stevens Ave S): Final approval to issue bonds for renovation project.

2005 Affordable Ownership Housing Program: Authorize Single Family HOME funds with Single Family Vacant Housing Recycling Program funds for Redeemer Center for Life Housing projects at 1901-1915 – 4th Ave N.

GRANTS AND SPECIAL PROJECTS (271453)
2005 Consolidated Annual Performance & Evaluation Report.

COMMUNITY DEVELOPMENT and PUBLIC SAFETY AND REGULATORY SERVICES:

REGULATORY SERVICES (271454)
Minneapolis One Stop Shop update presentation.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271455)
Franklin Light Rail Transit Station Area: Approving Modification No. 1 to Franklin LRT Station Area
Redevelopment Plan & Modification No. 109 to the Common Plan.
Foreclosure Prevention Program: CPED appropriation increase in residential finance fund to
provide additional support for program.

INTERGOVERNMENTAL RELATIONS:

GRANTS AND SPECIAL PROJECTS (271456)
Report on grants technical assistance for community-based organizations.

INTERGOVERNMENTAL RELATIONS (See Rep):

ATTORNEY (271457)
Mpls City Charter: Proposed ordinance amendments establishing a Department of Public Works
and creating the Director of Public Works position, amending Chapter 3, Sections 4, 8, 9 & 10; Chapter
8, Sections 2, 6, 7, 8, 13, 14, & 22; Chapter 9, Section 5; Chapter 10, Sections 1, 5, 8, 10, 15 & 19;
Chapter 16, Sections 2, 3 & 15; and Chapter 19, Section 5.

PUBLIC SAFETY AND REGULATORY SERVICES:

LICENSES AND CONSUMER SERVICES (271458)
C.P.E.S. LLC (1730 New Brighton Blvd): Request to deny renewal of Vehicle Immobilization
License.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

ATTORNEY (271459)
Use of Alleys by Pedestrians: Ordinance amending Title 15, Chapter 385 of Code relating to
Offenses - Miscellaneous: In General, prohibiting use of alleys for through pedestrian traffic, except
for abutting property owners, tenants, their guests and invitees, law enforcement personnel, emergency
medical or fire personnel, persons performing public service activities or inspections, and persons
performing services for public or private utility, garbage collection, or communication companies; with
comments.

INSPECTIONS DEPARTMENT (271460)
Chapter 249 Property at 1014 16th Av N: Authorize demolition.
INSPECTIONS DEPARTMENT (271461)
Chapter 249 Property at 1516 W Broadway: Authorize demolition.
INSPECTIONS DEPARTMENT (271462)
Chapter 249 Property at 2903 Fremont Av N: Authorize demolition.
INSPECTIONS DEPARTMENT (271463)
Chapter 249 Property at 2937 Queen Av N: Authorize demolition.

INSPECTIONS DEPARTMENT (271464)

Rental Dwelling License at 2908 16th Av S: Concur with Rental License Board of Appeals to revoke license held by Phillip R. Owens.

Rental Dwelling License at 729 8th Av SE: Concur with Rental License Board of Appeals to revoke license held by Hyder Jaweed, Asgher Jaweed and Teri Kanis, dba Minneapolis Apartments Housing Associates I LLC.

Rental Dwelling License at 309 24th Av N: Authorize reinstate license to be held by Paragon Osagiede.

LICENSES AND CONSUMER SERVICES (271465)

Spray Paint: Ordinance amending Title 11, Chapter 223 of Code relating to Health and Sanitation: Drugs, restricting consumer access to aerosol paint; and Direct staff to convene task force to report back to Committee with recommendations for retail practices that keep spray paint away from juveniles, including options regarding storage of spray paint in retail stores, and suggestions for changes in State law to increase penalties for graffiti offenses; with comments.

Business Licenses: Ordinance amending Title 13, Chapter 259 of Code relating to Licenses and Business Regulations: In General, amending Business License Management Responsibilities to add the requirements of Title 10, Food Code, relating to existing minimum standards and conditions in order to hold a license, provisional license or permit.

Towing: Return to Author Ordinance amending Title 13, Chapter 349 of Code relating to Licenses and Business Regulations: Wreckers and Tow Trucks, establishing a maximum service fee for licensees performing Class A Motor Vehicle Service and requiring that licensees performing Class A Motor Vehicle Service accept all forms of payment accepted by the City of Minneapolis Impound Facility.

LICENSES AND CONSUMER SERVICES (271466)

Tam Tam's African Restaurant (605 Cedar Av): Grant On-Sale Wine Class E with Strong Beer License, subject to conditions.

Cedar Inn (4155 Cedar Av S): Grant On-Sale Wine Class E with Strong Beer License.

Stars Food Market (818 Lowry Av N): Grant application for Grocery, Tobacco and Food Manufacturer Licenses, subject to conditions.

Licenses: Applications.

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

FIRE DEPARTMENT (271467)

Emergency Community and Health Outreach (ECHO) Project: Execute grant agreement with Minnesota Counties Research Foundation to assist with costs of ECHO Project Year 2005 public education television shows.

LICENSES AND CONSUMER SERVICES (271468)

License Fees: Ordinance amending Appendix of Code relating to License Fees Schedule, increasing 2007 license fees by 3 percent to account for inflationary increases incurred from 2005 to 2006.

POLICE DEPARTMENT (271469)

National Night Out: Accept donation of \$6,000 from Target for CCP/SAFE Unit to use for community incentives for National Night Out; and Approve appropriation.

Phillips Weed and Seed Program: Approve appropriation decrease in grants received from Greater Minneapolis Council of Churches.

PURCHASING (271470)

Bids: OP #6645, accept low responsive bid of Paraclete Armor and Equipment for armor tactical vests and accessories.

OP #6646, accept low responsive bid of Pinnacle Armor for armor rifle plates.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (271471)

Sidewalk Repair and Construction Assessments: Set public hearing for October 10, 2006.

Water and Sewer Service Line Repair Assessments: Set public hearing for September 26, 2006.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (271472)

2nd St SE Sanitary Sewer Project No. 4421: Resolution designating streets in project.

2nd St SE Sanitary Sewer Project No. 4421: a) Receive cost estimate; b) Direct City Engineer to prepare proposed assessments; c) Receive petition letter from Bluff Street Development LLC (owner of 520 and 521 2nd St SE); and d) Set public hearing for September 26, 2006.

Exchange of Land: Approve method of sale of 2000 W River Rd N, 1-17th Av N, and 2-17th Av N by private sale to the Minneapolis Park and Recreation Board (MPRB) in exchange for MPRB land; b) Negotiate terms and conditions of the land exchange, and c) Set public hearing for September 14, 2006.

PUBLIC WORKS AND ENGINEERING (271473)

East Lake Street Project: Acquire and accept street easement from U.S. National Bank Association (919 E Lake St) to construct a cul-de-sac; and resolution directing City Engineer to proceed and do the work for the 10th Av S cul-de-sac project.

Northstar Corridor Construction: Negotiate and enter into agreement with MnDOT to reimburse City for project construction work; and amend agreement for redesign of sewer and water utility locations.

Sale of City-Owned Land: a) Approve sale of 3802 Calhoun Pkwy to adjacent owner, Biltmore Land Group, LLC, for revised price of \$20,000; b) Execute Quit Claim Deed and other documents necessary to facilitate the sale; and c) Proceeds to be used to reimburse Public Works for expenses with remainder deposited in the Property Disposition Fund.

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

PUBLIC WORKS AND ENGINEERING (271474)

Van White Memorial Boulevard: Amend contract with Toltz, King, Duvall, Anderson & Assoc. (TKDA) extending termination date to December 31, 2008, and increasing contract by \$800,000.

Bid: Accept OP 6652 from Elk River Chrysler, Inc., in the amount of \$50,238, to furnish two Jeep Wrangler 4 x 4's with snow plows.

WAYS AND MEANS BUDGET:

FINANCE DEPARTMENT (271475)

2007 Final Budget Development Calendar: Receive and file.

HUMAN RESOURCES (271476)

MetroPass Program: Receive and file update report on reduction in fare for employees who participate.

PURCHASING (271477)

Staff Purchasing Letters: Receive and File.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (271478)

Legal Settlement: Approve legal settlement of Police Officers' Federation of Minneapolis v. the City of Minneapolis.

BUSINESS INFORMATION SERVICES (BIS) (271479)

Oracle Corporation: Authorize execution of a contract with Oracle Corporation, to furnish financial system software; and approve appropriations.

OnScene Solutions, LLC: Authorize execution of a contract to provide a computer-aided towing system to the Public Works department; and approve appropriations.

Citywide Broadband Wireless Initiative: Approve US Internet as the selected vendor to provide Broadband IP Data Access services; authorize execution of a 10 year contract for said services; approve appropriations; and Approve US Internet contract Term Sheet.

COMMUNICATIONS (271480)

Utility Bill Inserts: Authorize October 2006 utility billing insert providing information about the fall street sweeping and bagged yard waste collection dates.

COORDINATOR (271481)

City of Minneapolis Logo: Approve staff direction to research and facilitate the development of a new City of Minneapolis Logo and tagline.

HEALTH AND FAMILY SUPPORT SERVICES (271482)

School Based Clinic Program: Authorize issuance for RFP for School Based Clinic (SBC) billing, data management, and consulting services.

Family Support Specialist III/Steps Coordinator: Approve hire of Janelle Peralez at Step 5 for Family Support Specialist III - Steps to a Healthier Minneapolis Coordinator.

HUMAN RESOURCES (271483)

Reclassified Position: Deputy Director, Operations Support: a) Approve position reclassification, grade 13, 595 points, effective July 12, 2006; and b) Passage of Salary Ordinance.

Reclassified Position: Deputy Director, Minneapolis One Stop: a) Approve position reclassification, grade 13, 588 points, effective July 21, 2006; and b) Passage of Salary Ordinance.

MAYOR (271484)

Pohlad Family Charities Grant Funds: a) Accept \$50,000 from the Pohlad Family Charities Grant for the Mayor's Office for efforts focused on youth and learning; and b) Approve appropriation of funds.

REGULATORY SERVICES (271485)

Plumbing Inspector: Approve hire of Scott Eggen at Step 5 for Plumbing Inspector for the Construction Code Services, in the Inspections Unit.

Mercury Lamp Outreach Project: a) Resolution authorizing execution of a contract and acceptance of funds between the City of Minneapolis and Hennepin County; and b) Approve appropriation of funds.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (271486)

Vacation: Union Land, LLC (Vicinity of 101 Broadway St NE): easement of drainage for construction of a mixed-use development.

Zoning Board of Adjustment Appointment: Planning Commission recommendation of the appointment of Alissa Luepke Pier.

Environmental Impact Statement: Pacific Block Development (block bounded by Washington Ave N, 3rd Ave N, 2nd St N, and 2nd Ave N): Determination of the need for an Environmental Impact Statement (EIS) and the adequacy of the Environment Assessment Worksheet (EAW).

MOTIONS:

LICENSES AND CONSUMER SERVICES (271487)

Mayslacks Polka Lounge (1428 4th St NE): Grant On-Sale Liquor Class B with Sunday Sales License (change in ownership), subject to conditions.

PUBLIC WORKS AND ENGINEERING (271488)

Mexican Independence Celebration (9/15/06): Approve large block event to operate outside time-frame allowed under Title 17, Chapter 455 of Code; and approve closure of E Lake St between Bloomington Ave S and 15th Ave S for event and setup.

FILED:

MAYOR (271489)

Interim Civil Rights Director: 90 day re-designation of Michael K. Browne, effective August 15, 2006 through November 13, 2006, receive and file.

City Engineer: Mayoral nomination of Steve Kotke to the position of City Engineer, receive and file.

The following reports were signed by Mayor Rybak on September 7, 2006, 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 recommends that the proper City officers be authorized to submit the 2005 Consolidated Annual Performance and Evaluation Report to the U.S. Department of Housing and Urban Development.

Adopted 9/1/2006.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the properties at 3120 and 3108 Penn Ave N; 2125 Lowry Ave N and 3119, 3115 and 3027 Oliver Ave N to Penn-Lowry Crossing LLC for \$239,691.

Your Committee further recommends approval of the term sheet set forth in the Department of Community Planning & Economic Development staff report as a basis for a redevelopment contract.

Adopted 9/1/2006.

Resolution 2006R-440, authorizing sale of land Penn-Lowry Project Area, Disposition Parcel No TF-511 & Penn-Lowry 1, 2, 3, 4 and 5 at 3120 and 3108 Penn Ave N, 2125 Lowry Ave N and 3119, 3115 and 3027 Oliver Ave N, was adopted 9/1/2006 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 2006R-440
By Goodman**

Authorizing sale of land Penn-Lowry Project Area, Disposition Parcel No TF-511 & Penn-Lowry 1, 2, 3, 4 and 5 (3120 and 3108 Penn Ave N, 2125 Lowry Ave N and 3119, 3115 and 3027 Oliver Ave N.)

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-511 & Penn-Lowry 1-1, 2, 3, 4 and 5, in the Jordan neighborhood, from Penn-Lowry Crossing LLC, hereinafter known as the Redeveloper, the Parcel TF-511 & Penn-Lowry 1-1, 2, 3, 4 and 5, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

PENN-LOWRY 1 & 2 (3120 and 3108 Penn Ave N): Lots 23 to 28 inclusive and that part of Lot 22 lying North of the South 6 feet thereof, Block 2, Hamisch's Second Addition to Minneapolis;

PENN-LOWRY 3 (2125 Lowry Ave N): Lots 1 and 2, in Block 2, of Hamisch's Second Addition to Minneapolis;

PENN-LOWRY 4 (3119 Oliver Ave N): Lot 3, Block 2, Hamish's Second Addition to Minneapolis;

PENN-LOWRY 5 (3115 Oliver Ave N): Lot 4, Block 2, Hamisch's Second Addition to Minneapolis;

TF-511 (3027 Oliver Ave N): Lot 8, Block 2, Hamisch's Second Addition to Minneapolis. Being registered property as is evidenced by Certificate of Title No. 1142829; and

Whereas, the Redeveloper has offered to pay the sum of \$239,691, for Parcel TF-511 & Penn-Lowry 1, 2, 3, 4 and 5 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on August 11, 2006, a public hearing on the proposed sale was duly held on August 22, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., 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 re-use value for uses in accordance with the Penn-Lowry Project Area plan, as amended, is hereby estimated to be the sum of \$239,691 for Parcel TF-511 & Penn-Lowry 1, 2, 3, 4 and 5.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 9/1/2006.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 1220 - 25th Ave N to The Greater Metropolitan Housing Corporation for \$18,000, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 9/1/2006.

Resolution 2006R-441, authorizing sale of land GMHC Century Homes Program, Disposition Parcel No GC-283 at 1220 - 25th Ave N, was adopted 9/1/2006 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 2006R-441

By Goodman

Authorizing sale of land GMHC Century Homes Program, Disposition Parcel No GC-283 at 1220 - 25th Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel GC-283, in the Jordan neighborhood, from The Greater Metropolitan Housing Corporation, hereinafter known as the Redeveloper, the Parcel GC-283, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of GC-283; 1220 25th Ave N: The East 40 feet of the West 78 feet of Lots 8 and 9, Block 42, Highland Park Addition to the City of Minneapolis, except that part of said lots described as follows: Beginning at a point on a line drawn parallel with and 78 feet East of the West line of said lots 8 and 9, said point being distant 14.9 feet South of the North line of said Lot 9; thence

West parallel with the North line of said Lot 9, a distance of 2.5 feet; thence South parallel with the West line of said Lots 8 and 9, a distance 45.1 feet; thence East parallel with the North line of said Lot 9, a distance of 2.5 feet; thence North parallel with the West line of said Lots 8 and 9 to the point of beginning. Being registered land as is evidenced by Certificate of Title No. 1142751; and

Whereas, the Redeveloper has offered to pay the sum of \$18,000, for Parcel GC-283 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on August 11, 2006, a public hearing on the proposed sale was duly held on August 22, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., 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 re-use value for uses in accordance with the GMHC Century Homes Program plan, as amended, is hereby estimated to be the sum of \$18,000 for Parcel GC-283.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning and Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 9/1/2006.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 3641 - 5th Ave S to The Greater Metropolitan Housing Corporation (GMHC) for \$35,000, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

If GMHC fails to close, authorization is given for sale of said property to Daniel Chen Bowman, dba Daniel Chen Bowman, dba Flour City Inc, for \$35,000, subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from date of the Department of Community Planning & Economic Development (CPED) notification;

2) Payment of holding costs of \$150 per month from the date of notification to the date of closing if land sale closing does not occur on or before 30 days from date of CPED notification.
The sale conditions may be waived or amended with the approval of the Director of CPED.
Adopted 9/1/2006.

Resolution 2006R-442, authorizing sale of land Tax Forfeiture Program, Disposition Parcel No TF-683 at 3641 - 5th Ave S, was adopted 9/1/2006 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 2006R-442
By Goodman

Authorizing sale of land Tax Forfeiture Program, Disposition Parcel No TF-683 at 3641 - 5th Ave S.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel TF-683, in the Central neighborhood, from The Greater Metropolitan Housing Corporation, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel TF-683, from Daniel Chen Bowman, d/b/a/ Flour City Inc. hereinafter known as the Alternate Redeveloper, the Parcel TF-683, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-683; 3641 5th Ave S: Lot 13, Block 8, Vinton Park Addition to Minneapolis. As evidenced by Certificate of Possessory Title No. 1177982; and

Whereas, the Redeveloper has offered to pay the sum of \$35,000, for Parcel TF-683 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$35,000 for Parcel TF-683 to the City for the land, and the Alternate Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on August 11, 2006, a public hearing on the proposed sale was duly held on August 22, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., 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 re-use value for uses in accordance with the Tax Forfeiture Program plan, as amended, is hereby estimated to be the sum of \$35,000 for Parcel TF-683.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of

holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper and 2) payment of holding costs of \$150.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning and Economic Development Director. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver the contract to the Redeveloper or Alternate Redeveloper, as appropriate; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver a conveyance of the land to the Redeveloper or the Alternate Redeveloper as appropriate in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 9/1/2006.

Comm Dev – Your Committee, having under consideration the issuance of revenue bonds on behalf of Dominion Acquisition, LLC (Minneapolis Leased Housing Associates LLP) for the rehabilitation of the Whittier Townhouse Housing Project at 333 E 25th St and 2738 Stevens Ave S, now recommends passage of the accompanying resolution giving final approval to the issuance of up to \$1,420,000 in Tax-exempt Multi-Family Housing Revenue Entitlement Bonds for said project.

Adopted 9/1/2006.

Resolution 2006R-443, authorizing the issuance and sale of the \$1,420,000 Multifamily Housing Revenue Note Series 2006 for the Whittier Townhomes Project at 333 E 25th St and 2738 Stevens Ave S, was adopted 9/1/2006 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

(Republished 9/30/2006)

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

RESOLUTION 2006R-443
By Goodman

Authorizing the issuance and sale of the \$1,420,000 Multifamily Housing Revenue Note Series 2006 (Whittier Townhomes Project).

Resolved by The City Council of The City of Minneapolis:

Section 1. Findings.

The City Council has heretofore determined, and does hereby determine, as follows:

1.1. The City proposes to assist in financing the acquisition and renovation of 12 two-story multifamily rental townhome units located at 333 East 25th Street and 2738 Stevens Avenue South in the City (the "Project") issued for the benefit of Minnesota Leased Housing Associates I, LP, a Minnesota limited partnership (the "Borrower") and to enter into a Loan Agreement with the Borrower (the "Loan Agreement") to provide for repayment of the Note for the public purposes expressed in Minnesota Statutes, Chapter 462C, as amended.

1.2. In authorizing the financing of the Project the City's purpose is, and in its judgment the effect thereof will be, to promote the public welfare by providing affordable housing facilities in the community.

1.3. It is desirable to issue one or more Multifamily Housing Revenue Notes, Series 2006 (Whittier Townhomes Project) in the aggregate amount not to exceed \$1,420,000 (collectively the "Note") to finance the Project.

1.4. The Note and the interest accruing thereon do not constitute an indebtedness of the City within the meaning of any constitutional or statutory limitation and do not constitute or give rise to a pecuniary liability or a charge against the general credit or taxing powers of the City and neither the full faith and credit nor the taxing powers of the City is pledged for the payment of the Note or interest thereon.

Section 2. The Note.

2.1. Authorized Amount and Form of Note. The Note issued pursuant to this Resolution shall be in substantially the form set forth on Exhibit A to the Loan Agreement, with such appropriate variations, omissions and insertions as are permitted or required by this Resolution, and in accordance with the further provisions hereof; and the total principal amount of the Note that may be outstanding hereunder is expressly limited to \$1,420,000 unless a duplicate Note is issued pursuant to Section 2.7.

2.2. The Note. The Note shall be dated as of the date of delivery, shall be payable at the time and in the manner, shall bear interest at the rate, and shall be subject to such other terms and conditions as are set forth therein; provided that in no event shall the final maturity date of the Note be longer than December 31, 2036 and the interest rate shall not exceed eight percent (8%) per annum.

2.3. Execution. The Note shall be executed on behalf of the City by the signature of its Finance Officer, registered by the Finance Officer, and shall be sealed with the seal of the City. In case any officer whose signature shall appear on the Note shall cease to be such officer before the delivery of the Note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if it had remained in office until delivery. In the event of the absence or disability of the Finance Officer such officers of the City as, in the opinion of the City Attorney, may act in their behalf, shall without further act or authorization of the City Council execute and deliver the Note.

2.4. Delivery of Note. Before delivery of the Note there shall be filed with U.S. Bank National Association (the "Lender") (except to the extent waived by the Lender) the following items:

(a) an executed copy of each of the following documents:

(1) the Loan Agreement;

(2) the Pledge Agreement between the City and Lender (the "Pledge Agreement");

(3) the Mortgage, Security Agreement, Assignment of Rents and Leases and Fixture Financing Statement (the "Mortgage");

(4) the Regulatory Agreement among the City, the Borrower and the Lender (the "Amendment"); and

(5) such other security and disbursing documents as required by the Lender.

(b) an opinion of Counsel for the Borrower as prescribed by Bond Counsel and the Lender;

(c) the opinion of Bond Counsel as to the validity and tax exempt status of the Note; and

(d) such other documents and opinions as Bond Counsel may reasonably require for purposes of rendering its opinion required in subsection (c) above or that the purchasers may reasonably require for the closing.

2.5. Disposition of Note Proceeds. Upon delivery of the Note, the purchase price paid will be disbursed in accordance with the Disbursing Agreement between the Borrower and the Lender.

2.6. Registration of Transfer. The City will cause to be kept with the transcript of the documents relating to the Note a Note Register in which, subject to such reasonable regulations as it may prescribe, the City shall provide for the registration of transfers of ownership of the Note. The Note shall be initially registered in the name of the original purchaser and shall be transferable upon the Note Register by the holders in person or by an agent duly authorized in writing, upon surrender of a Note together with a written instrument of transfer satisfactory to the Finance Officer, duly executed by the holder or its duly authorized agent. The following form of assignment shall be sufficient for such purpose.

For value received _____ hereby sells, assigns and transfers unto _____ the within Note of the City of Minneapolis, Minnesota, and does hereby irrevocably constitute and appoint _____ attorney to transfer such Note on the books of such City with full power of substitution in the premises. The undersigned certifies that the transfer be made in accordance with the provisions of Section 2.9 of the Resolution relating to the above Note.

Dated: _____

Registered Owner

Upon such transfer the Finance Officer shall note the date of registration and the name and address of the new holder in the Note Register and in the registration blank appearing on the Note.

2.7. Mutilated, Lost or Destroyed Note. In case the Note issued hereunder shall become mutilated or be destroyed or lost, the City shall, if not then prohibited by law, cause to be executed and delivered, a new Note of like outstanding principal amount, number and tenor in exchange and substitution for and upon cancellation of such mutilated Note, or in lieu of and in substitution for such Note destroyed or lost, upon the holder's paying the reasonable expenses and charges of the City in connection therewith, and in the case of a Note destroyed or lost, the filing with the City of evidence satisfactory to the City with indemnity satisfactory to it. If the mutilated, destroyed or lost Note has already matured or been called for redemption in accordance with its terms it shall not be necessary to issue a new Note prior to payment.

2.8. Ownership of Note. The City may deem and treat the person in whose name the Note is last registered in the Note Register and by notation on the Note whether or not such Note shall be overdue, as the absolute owner of such Note for the purpose of receiving payment of or on account of the principal balance, redemption price or interest and for all other purposes whatsoever, and the City shall not be affected by any notice to the contrary.

2.9. Limitation on Note Transfers. The Note has been issued without registration under state or other securities laws, pursuant to an exemption for such issuance; and accordingly the Note may not be assigned or transferred in whole or part, nor may a participation interest in the Note be given pursuant to any participation agreement, except in accordance with an applicable exemption from such registration requirements.

2.10 Issuance of New Note. Subject to the provisions of Section 2.9, the City shall, at the request and expense of a holder, issue a new note, in aggregate outstanding principal amount equal to that of the Note surrendered, and of like tenor except as to number, principal amount, and the amount of the monthly installments payable thereunder, and registered in the name of the holder or such transferee as may be designated by the holder.

2.11. Designation as "Program Bonds." The Note is 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-402 of the City adopted August 12, 1997.

Section 3. General Covenants.

3.1. Payment of Principal and Interest. The City covenants that it will promptly pay or cause to be paid the principal of and interest on the Note at the place, on the dates, solely from the source and in the manner provided herein and in the Note. The principal and interest are payable solely from and secured by revenues and proceeds derived from the Loan Agreement, the Pledge Agreement, the Mortgage and the other security documents required by the Lender (the "Security Documents"), which revenues and proceeds are hereby specifically pledged to the payment thereof in the manner and to the extent specified in the Note and the Security Documents; and nothing in the Note or in this Resolution shall be considered as assigning, pledging or otherwise encumbering any other funds or assets of the City.

3.2. Performance of Covenants. The City covenants that it will faithfully perform at all times any and all covenants, undertakings, stipulations and provisions contained in this Resolution, in the Note and in all proceedings of the City Council pertaining thereto. The City agrees to enforce all covenants and obligations of the Borrower under the Loan Agreement, upon request of the holders of the Note and being indemnified to the satisfaction of the City for all expenses and claims arising therefrom, and to perform all covenants and other provisions pertaining to the City contained in the Note and the Loan Agreement.

3.3. Nature of Security. Notwithstanding anything contained in the Note, the Security Documents or any other document referred to in Section 2.4 to the contrary, under the provisions of the Act the Note may not be payable from or be a charge upon any funds of the City other than the revenues and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon, nor shall the Note

otherwise contribute or give rise to a pecuniary liability of the City or, to the extent permitted by law, any of the City's officers, employees and agents. No holder of the Note shall ever have the right to compel any exercise of the taxing power of the City to pay the Note or the interest thereon, or to enforce payment thereof against any property of the City other than the revenues pledged under the Pledge Agreement; and the Note shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City; and the Note shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation. The City has made the covenants and agreements herein for the benefit of the purchaser; provided that in any event, the agreement of the City to perform or enforce the covenants and other provisions contained in the Note, the Loan Agreement, the Pledge Agreement and Regulatory Agreement shall be subject at all times to the availability of revenues under the Loan Agreement sufficient to pay all costs of such performance or the enforcement thereof, and neither the City nor any of its officers, employees or agents shall be subject to any personal or pecuniary liability thereon.

Section 4. Miscellaneous.

4.1. Severability. If any provision of this Resolution shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions or in all cases because it conflicts with any provisions of any constitution or statute or rule or public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever. The invalidity of any one or more phrases, sentences, clauses or paragraphs in this Resolution contained shall not affect the remaining portions of this Resolution or any part thereof.

4.2. Authentication of Transcript. The officers of the City are directed to furnish to Bond Counsel certified copies of this Resolution and all documents referred to herein, and affidavits or certificates as to all other matters which are reasonably necessary to evidence the validity of the Note. All such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute recitals of the City as to the correctness of all statements contained therein.

4.3. Authorization to Execute Agreements. The forms of the proposed Loan Agreement, the Pledge Agreement, Mortgage and Regulatory Agreement are hereby approved in substantially the form heretofore presented to the City Council, together with such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by Bond Counsel prior to the execution of the documents, and the Finance Officer is authorized to execute the Loan Agreement, the Pledge Agreement, Mortgage and Regulatory Agreement in the name of and on behalf of the City and such other documents as Bond Counsel consider appropriate in connection with the issuance of the Note. In the event of the absence or disability of the Finance Officer such officers of the City as, in the opinion of the City Attorney, may act in his behalf, shall without further act or authorization of the City Council do all things and execute all instruments and documents required to be done or executed by such absent or disabled officers. The execution of any instrument by the appropriate officer or officers of the City herein authorized shall be conclusive evidence of the approval of such documents in accordance with the terms hereof.

Be It Further Resolved that this Resolution shall take effect upon publication.

Adopted 9/1/2006.

Comm Dev - Your Committee, having under consideration a modification of funding recommendation for the 2005 Affordable Ownership Housing Program (AOHP), now recommends that the proper City officers be authorized to replace \$40,000 of Single Family HOME funds with \$40,000 of Single Family Vacant Housing Recycling Program funds for the Redeemer Center for Life Housing project, which proposal is for construction of twin homes housing at 1901-1915 - 4th Ave N.

Adopted 9/1/2006.

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

Comm Dev & W&M/Budget - Your Committee, having under consideration the Franklin Avenue Light Rail Transit (LRT) Station Area Redevelopment Project, now recommends passage of the accompanying resolution a) approving Modification No. 1 to the Franklin LRT Station Area Redevelopment Plan (including Modification No. 15 to the Seward South Urban Renewal Plan, Modification No. 8 to the Franklin Avenue Redevelopment Plan, Modification No. 20 to the Model City Urban Renewal Plan, and Modification No. 4 to the Seward West Urban Renewal Plan), which expands the boundaries of the existing project and removes this expansion area from other overlapping redevelopment project areas and establishes consistent transit oriented development land use requirements, goals and objectives within the expanded project area; and b) approving Modification No. 109 to the Common Development and Redevelopment and Common Tax Increment Financing Plan, which expands the Common Project to include all of the area located within the enlarged Franklin LRT Station Area and allows for the remaining Common Project funding allocated in 2001 for transit oriented development infrastructure around the Franklin Ave LRT station to be expended throughout the enlarged project area.

Adopted 9/1/2006.

Resolution 2006R-444, adopting Modification No 1 to the Franklin LRT Station Area Redevelopment Plan, including Modification No 15 to the Seward South Urban Renewal Plan, Modification No 8 to the Franklin Avenue Redevelopment Plan, Modification No 20 to the Model City Urban Renewal Plan, Modification No 4 to the Seward West Urban Renewal Area, and Modification No 109 to the Common Development and Redevelopment and Common Tax Increment Finance Plan, was adopted 9/1/2006 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 2006R-444
By Goodman and Ostrow

Adopting Modification No 1 to the Franklin LRT Station Area Redevelopment Plan, including Modification No 15 to the Seward South Urban Renewal Plan, Modification No 8 to the Franklin Avenue Redevelopment Plan, Modification No 20 to the Model City Urban Renewal Plan, Modification No 4 to the Seward West Urban Renewal Area, and Modification No 109 to the Common Development and Redevelopment and Common Tax Increment Finance Plan.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals

1.1. Pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the "City"), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the "Project Laws").

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

1.3. That by Resolution No 2001R-164 duly adopted on April 23, 2001, the City Council approved the creation of the Franklin LRT Station Area Redevelopment Plan.

1.4. That on April 28, 1967, the City Council approved the Seward South Urban Renewal Plan, and subsequent modifications that have been prepared and approved.

1.5. That on June 26, 1981, the City Council approved the Franklin Avenue Redevelopment Plan, and subsequent modifications that have been prepared and approved.

1.6. That on October 23, 1970, the City Council approved the Model City Urban Renewal Plan, and subsequent modifications that have been prepared and approved.

1.7. That on September 25, 1970, the City Council approved the Seward West Urban Renewal Plan, and subsequent modifications that have been prepared and approved.

1.8. It has been proposed and the City has prepared, and this Council has investigated the facts with respect to, a proposed Modification No 1 to the Franklin Light Rail Transit (LRT) Station Area Redevelopment Plan, including Modification No 15 to the Seward South Urban Renewal Plan, Modification No 8 to the Franklin Avenue Redevelopment Plan, Modification No 20 to the Model City Urban Renewal Plan, Modification No 4 to the Seward West Urban Renewal Area, and Modification No 109 to the Common Plans (the "Modifications") to reflect the expansion of the Franklin LRT Area Station Redevelopment Project boundary to conform with the neighborhood proposed boundary; to establish a consistent set of goals and objectives for the area around the station; to provide legal authority for City or County development activities, including the County TOD program; to allow City TOD funding allocated for Franklin Avenue to be spent within the expanded project area; and to establish land use requirements for City-acquired property and publicly assisted projects. The Modifications support implementation of the Franklin-Cedar/Riverside Transit-Oriented (TOD) Master Plan and the related Development Implementation Plan, all pursuant to and in accordance with the Project Laws.

1.9. It has been proposed and the City has prepared, and this Council has investigated the facts with respect to, a proposed Modification No 109 to the Common Project to reflect the expansion of the Common Project geographic area that will include a free-standing overlay area that includes the same parcels incorporated into the expanded Franklin LRT Station Area Redevelopment Project Area; and to authorize Common Project TOD set-aside funds to pay eligible public project costs in the expanded Franklin LRT Station Area.

1.10. It has been proposed and the City has prepared, and this Council has investigated the facts with respect to, a proposed Modification No 15 to the Seward South Urban Renewal Plan to remove the geographic area included within the Franklin LRT Station Area Redevelopment Project from the Seward South Urban Renewal Area.

1.11. It has been proposed and the City has prepared, and this Council has investigated the facts with respect to, a proposed Modification No 8 to the Franklin Avenue Redevelopment Plan to remove the geographic area included within the Franklin LRT Station Area Redevelopment Project from the Franklin Avenue Redevelopment Project Area.

1.12. It has been proposed and the City has prepared, and this Council has investigated the facts with respect to, a proposed Modification No 20 to the Model City Urban Renewal Plan to remove the geographic area included within the Franklin LRT Station Area Redevelopment Project from the Model City Urban Renewal Project Area.

1.13. It has been proposed and the City has prepared, and this Council has investigated the facts with respect to, a proposed Modification No 4 to the Seward West Urban Renewal Area to remove the geographic area included within the Franklin LRT Station Area Redevelopment Project from the Seward West Urban Renewal Area.

1.14. The expanded project area of the Franklin LRT Station Area Redevelopment Plan is not being incorporated into the Common Project financial structure and will not be subject to the existing Common Project financial obligations and commitments. No properties are being added or deleted from the tax increment districts. The Franklin LRT Station Area Redevelopment Plan instead is a freestanding overlay project. However, the authorized objectives and activities of the Franklin LRT Station Area Redevelopment Project are incorporated as objectives and activities of the Common Plans and eligible Common Project tax increment revenues are available to pay these costs.

1.15. The City has prepared, and this Council has investigated the facts with respect to the proposed Modifications, describing more precisely the activities to be undertaken, land uses, goals and objectives for the redevelopment of the project area, legal authority for City or County development activities, including the County TOD program, City TOD funding allocated for Franklin Avenue to be spent within the expanded project area; and establishing land use requirements for CPED-acquired

property and publicly assisted projects described in the Modifications, all pursuant to and in accordance with the Project Laws.

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

1.17. The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Modifications as described above.

Section 2. Findings for the Adoption of the Modifications

2.1. The Council hereby finds, determines and declares that the land in the project area would not be made available for redevelopment without the financial aid to be sought.

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

2.3. The Council further finds, determines and declares that the modified redevelopment plans for the redevelopment in the locality will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development and redevelopment of the Project Area by private enterprise.

2.4. The Council further finds, determines and declares that the existing site conditions and the most of the proposed expanded project area constitute a blighting influence. The following blighting influences were found within the proposed expanded project area: conflicting and deleterious land uses, underutilized, unused and vacant property, deteriorated building conditions, faulty transportation infrastructure layout and design, and unsafe pedestrian conditions (footnote: Franklin-Cedar/Riverside Transit Oriented Development Master Plan, dated January 2002). The proposed 143-acre expansion area is bisected by Hiawatha Avenue (MN Trunk Highway 55). The layout of the major road and highway infrastructure creates obstacles and impediments to development and safe pedestrian circulation. Portions of the project area are isolated from nearby residential areas and difficult to access due to significant terrain relief and grade separations generated by the transportation infrastructure. These difficult physical characteristics of the land and the obsolete layout and design characteristics of some of the street infrastructure are a significant area-wide blighting influence. It is therefore found that the area included in the Franklin LRT Station Area Redevelopment Project Area qualifies as blighted and is suitable for inclusion within a redevelopment project area as defined in Minnesota Statutes, Section 469.002, Subdivision 11.

2.5. The Council further finds, determines and declares that the objectives and actions authorized by the Modifications are all pursuant to and in accordance with the Project Laws.

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

Section 3. Approval of the Modifications

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

3.2. Based upon the findings set forth in Section 2, Modification No 1 to the Franklin LRT Station Area Redevelopment Plan is hereby approved.

3.3. Based upon the findings set forth in Section 2, Modification No 15 to the Seward South Urban Renewal Plan is hereby approved.

3.4. Based upon the findings set forth in Section 2, Modification No 8 to the Franklin Avenue Redevelopment Plan is hereby approved.

3.5. Based upon the findings set forth in Section 2, Modification No 20 to the Model City Urban Renewal Plan is hereby approved.

3.6. Based upon the findings set forth in Section 2, Modification No 4 to the Seward West Urban Renewal Area is hereby approved.

3.7. Based upon the findings set forth in Section 2, Modification No 109 to the Common Plans is hereby approved.

Section 4. Implementation of the Modifications

4.1. After passage and publication of this Resolution, the officers and staff of the City and the City's consultants and counsel are authorized and directed to proceed with the implementation of the Modifications, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further modifications, plans, resolutions, documents and contracts necessary for this purpose.

Adopted 9/1/2006.

Comm Dev & W&M/Budget - Your Committee, having under consideration the request of the Department of Community Planning & Economic Development (CPED) for an increase in the residential finance fund to provide additional support for the Foreclosure Prevention Program, now recommends passage of the accompanying resolution increasing the CPED appropriation by \$100,000, and approving an amendment to the Foreclosure Prevention Program by increasing the contract amount from \$250,000 to \$350,000.

Adopted 9/1/2006.

**RESOLUTION 2006R-445
By Goodman and Ostrow**

Amending the 2006 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 Community Planning and Economic Development Agency in the Residential Finance Fund (SRF0-890-8953) by \$100,000.

Adopted 9/1/2006.

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

IGR - Your Committee, to whom was referred proposed ordinances amending the Minneapolis City Charter relating to the Department of Public Works, to establish a Department of Public Works and create the Director of Public Works position, now recommends that the following ordinances be referred to the Minneapolis Charter Commission for consideration and referral to the City Council for adoption by unanimous vote:

Amending Chapter 3, Sections 4, 8, 9 and 10 of the Minneapolis City Charter relating to *Powers and Duties of Officers*, amending the power of the executive committee on appointments and removals; amending the existence of the City Engineer as the head of the Public Works Department by creating a Department of Public Works and a Director of Public Works; amending the powers of the City Engineer and providing the duties and powers of the Director of Public Works; and amending the maintenance of surveys, plans and estimates;

Amending Chapter 8, Sections 2, 7, 8, 13, 14, 22 and Repealing Section 6 of the Minneapolis City Charter relating to *Public Highways and Bridges*, amending the way profiles and grades are maintained and the staff who will provide advice to the Commissioners; repealing Section 6 so that the City Engineer is not responsible for grading and construction of public ways; amending so that the Director of Public Works cannot have interest in contracts; amending who is prohibited from accepting bribes; amending by providing duties of the Director of Public Works regarding the repair of sidewalks; amending by providing the Department of Public Works is responsible for sidewalk repairs; and amending the location of copies of plats;

Amending Chapter 9, Section 5 of the Minneapolis City Charter relating to *Water Works*, amending the location for the preservation of records and the certification of the cost of construction;

Amending Chapter 10, Sections 1, 5, 8, 10, 15 and 29 of the Minneapolis City Charter relating to *Local Improvements - Assessments*, amending the process for proposing suitable land for public improvements; amending the street improvement process by having the Department of Public Works provide advice and assistance instead of the Engineer; amending the local improvement process by

having the Department of Public Works provide assistance instead of the Engineer; amending the sidewalk building process by having the Department of Public Works provide a description of property and cost estimate instead of the Engineer; amending who certifies that an improvement has been made by the owner of a property; and amending who must work with the Auditor regarding improvements;

Amending Chapter 16, Sections 2, 3, and 15 of the Minneapolis City Charter relating to *Parks and Parkways*, amending the location for the filing of plats of the Park and Recreation Board; amending the location for the filing of plats for land condemned by the Park and Recreation Board; and amending reference to the process used by the City in building sidewalks and assessing for the construction; and

Amending Chapter 19, Section 4 of the Minneapolis City Charter relating to *Civil Service*, amending the unclassified service to include the Director of Public Works and eliminate the City Engineer.

Adopted 9/1/2006.

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

PS&RS - Your Committee, to whom was referred an ordinance amending Title 11, Chapter 223 of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Drugs*, restricting consumer access to aerosol paint by requiring that spray paint be stored behind a counter or in a locked cabinet; and that signage be displayed that states current City ordinance that spray paint may not be sold to people 17 years of age or younger, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends that staff be directed to convene a task force, to include hardware store owners, neighborhood representatives most affected by graffiti and staff from the Department of Regulatory Services, the Police Department, and the City Attorney's Office, with a report back to Committee in three cycles (October 11th) with recommendations for retail practices that keep spray paint away from juveniles, including options regarding storage of spray paint in retail stores, and suggestions for changes in State law that would increase penalties for graffiti offenses.

Schiff moved that the report be postponed. Seconded.

Adopted upon a voice vote 9/1/2006.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: In General*, amending Business License Management Responsibilities to add the requirements of Title 10, Food Code, relating to existing minimum standards and conditions in order to hold a license, provisional license, or permit, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 9/1/2006.

Ordinance 2006-Or-098 amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: In General*, amending Section 259.250 to add the requirements of Title 10, Food Code, relating to existing minimum standards and conditions in order to hold a license, provisional license, or permit, was adopted 9/1/2006 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 2006-Or-098
By Hofstede
Intro & 1st Reading: 8/4/2006
Ref to: PS&RS
2nd Reading: 9/1/2006

Amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: In General.

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

Section 1. That Section 259.50 of the above-entitled ordinance be amended to read as follows:

259.250. Business license management responsibilities. The following minimum standards and conditions shall be met in order to hold a license, provisional license or permit under Titles 10, 13 and 14 of this Code. Failure to comply with any of these standards and conditions shall be adequate grounds for the denial, refusal to renew, revocation or suspension of said license or permit.

(1) It shall be the responsibility of the licensee to take appropriate action to prevent further violations following conduct by any persons on the business premises, including parking areas, in violation of any of the following statutes or ordinances:

- a. Minnesota Statutes, Sections 609.75 through 609.76, which prohibit gambling.
- b. Minnesota Statutes, Sections 609.321 through 609.324, which prohibits prostitution and acts relating thereto.
- c. Minnesota Statutes, Sections 152.01 through 152.025 or Section 152.027 subdivisions 1 and 2, which prohibit the unlawful sale or possession of controlled substances.
- d. Minnesota Statutes, Sections 617.23 through 617.241, which prohibits indecent exposure and the exhibition and distribution of obscene materials or performances.
- e. Minnesota Statutes, Section 609.33 or Section 385.170(b)(1) of this Code, which prohibit owning, operating, managing, maintaining or conducting a disorderly house, and inviting or attempting to invite others to visit or remain in a disorderly house.
- f. Section 389.65 of this Code, which prohibits noisy assemblies.
- g. Minnesota Statutes, Sections 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716 and Section 393.40, 393.50, 393.70, 393.80, 393.90 and 393.150 of this Code, which prohibits the unlawful possession, transportation, sale or use of a weapon.
- h. Minnesota Statutes, Section 609.72 and Section 385.90 of this Code, which prohibits disorderly conduct.
- i. Sections 385.80 and 385.50 of this Code, which prohibit lurking and loitering.
- j. Minnesota Statutes, Sections 609.74 and 609.745, which prohibit public nuisance and permitting a public nuisance.
- k. Minnesota Statutes, Sections 609.50, which prohibits obstructing legal process, arrest, or firefighting.
- l. Any other criminal activity arising out of the conduct of the business.

(2) It shall be the responsibility of the licensee to maintain and operate the business in compliance with all applicable laws and ordinances, including the zoning, fire, environmental health, environmental management, license, food, liquor, housing and building codes.

(3) The licensee is directly and vicariously responsible for any violations on the premises, including parking areas, by any employees, independent contractors, other persons hired by the licensee, or otherwise under the supervision or management of the licensee.

(4) It shall be the responsibility of the licensee to provide adequate security to prevent criminal activity, loitering, lurking and disorderly conduct on the business premises, including parking areas.

(5) A licensee shall be required to pay all delinquent court judgments arising out of their business and business operations.

(6) Areas of the premises that are not regularly monitored by employees or security shall not be accessible to patrons, customers, or the public.

(7) Vending and other unattended coin operated machines shall be in plain view of employees and shall not be operable during hours the business is not open to the public and in operation. Public pay telephones shall be operated in full compliance with Chapter 264 of this Code.

(8) Parking and other outdoor areas of the premises accessible to the public shall be illuminated at an intensity of at least two (2) foot-candles per square foot at eighteen (18) inches above ground level.

(9) The provisions of this section are not exclusive. Adverse license action may be based upon good cause as authorized by Chapter 4, Section 16 of the Charter. This section shall not preclude the enforcement of any other provisions of this Code or state and federal laws and regulations.

Adopted 9/1/2006.

PS&RS – Your Committee, to whom was referred an ordinance amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to *Offenses—Miscellaneous: In General*, prohibiting the use of alleys for through pedestrian traffic, except for abutting property owners, tenants, their guests and invitees, law enforcement personnel, emergency medical or fire personnel, persons performing public service activities or inspections, and persons performing services for public or private utility, garbage collection, or communication companies, now recommends that said ordinance be sent forward without recommendation.

Lilligren moved to amend Section 385.85 of the ordinance by adding a paragraph entitled “Definition” and a subsection under the paragraph entitled “Use prohibited” to include members of a community crime prevention group, to read as follows:

“Definition. As used in this section, “invitee” means a person who is at a place at the invitation of another. An invitation may be expressed in words or implied by acts or conduct of the inviting owner or tenant that would lead another person to believe that he or she is invited to the property of the inviting owner or tenant.”

“Persons engaged in neighborhood patrol as a member of a community crime prevention group, as defined in Minnesota Statutes section 609.2231, subdivision 7(b).” Seconded.

Adopted upon a voice vote.

Lilligren called the question. Seconded.

Adopted upon a voice vote.

The report, with the amended ordinance, lost 9/1/2006. Yeas, 3; Nays, 10 as follows:

Yeas – Samuels, Lilligren, Johnson.

Nays – Gordon, Hofstede, Ostrow, Schiff, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges.

PS&RS – Your Committee, to whom was referred an ordinance amending Title 13, Chapter 349 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Wreckers and Tow Trucks*, establishing a maximum service fee for licensees performing Class A Motor Vehicle Service and requiring that licensees performing Class A Motor Vehicle Service accept all forms of payment accepted by the City of Minneapolis Impound Facility, now recommends that said ordinance be returned to author.

Adopted 9/1/2006.

PS&RS - Your Committee, having under consideration the application of Tam Tams African Restaurant Inc, dba Tam Tams African Restaurant, 605 Cedar Av S for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2007, and having held a public hearing thereon, now recommends that said license be granted, subject to the following conditions:

a. the licensee agrees to complete the site plan according to the standards and timelines set forth by the Zoning Administrator’s Office. The licensee agrees that failure to complete the site plan according to zoning standards and timelines will result in the liquor license being voluntarily surrendered by the licensee to the Licensing Office and the business closing until all site plan requirements are met.

b. the dumpster shall be screened, have a lid, and be kept clean. It shall be emptied to keep the area from overflowing.

c. the licensee shall clean the property and public areas on a regular basis within 100 feet of the property lines.

d. noise from the establishment will be kept to a minimum.

e. the licensee shall keep all lights properly functioning and will add lights if recommended by the Police Department, CCP/SAFE, or the Licenses Department.

f. the licensee shall remove snow from sidewalks, both private and public, within four hours of a snow event.

g. the interior of the establishment shall be kept clean at all times.

h. the licensee agrees not to install pay phones either inside or outside the establishment.

i. the licensee agrees to follow all laws and rules of the City of Minneapolis and the State of Minnesota relating to operating an establishment with an on-sale beverage alcohol license.

j. final inspection and compliance with all provisions of applicable codes and ordinances.
Adopted 9/1/2006.

PS&RS - Your Committee, having under consideration the application of Thomas Rosen Inc, dba Cedar Inn, 4155 Cedar Av S, for an On-Sale Wine Class E with Strong Beer License (new business; change from On-Sale Beer) to expire April 1, 2007, 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 9/1/2006.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Stars Food Market, 818 Lowry Av N, for Grocery, Tobacco and Food Manufacturer Licenses, subject to conditions.
Adopted 9/1/2006.

Resolution 2006R-446, granting the application of Stars Food Market, 818 Lowry Av N, for Grocery, Tobacco and Food Manufacturer Licenses, subject to conditions, was adopted 9/1/2006 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 2006R-446
By Samuels

Granting the application of Stars Food Market, 818 Lowry Av N, for Grocery, Tobacco and Food Manufacturer Licenses, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Adil Albosaad, dba Stars Food Market, 818 Lowry Av N, for Grocery, Tobacco and Food Manufacturer Licenses to expire April 1, 2007, subject to the following conditions:

1. "No Trespassing" signs will be posted. Staff will immediately ask people loitering to leave. If they refuse, staff will call 911 and cooperate with police once they arrive.
2. the licensee agrees to actively address security concerns to include loitering, drug activity, trespassing and management of the trespassing program. The licensee agrees to cooperate fully in the prosecution of criminal activity.
3. the licensee agrees not to sell single cigars sometimes referred to as blunts.
4. the licensee agrees not to sell items which are commonly used by drug users and drug dealers. These items include glass pipes (sometimes with roses inside), Brillo Pads or Chore Boy, small zip lock bags, also known as jewelry bags, dice, single use tobacco products to include rolling papers. The licensee also agrees not to supply matches to non-tobacco customers.
5. the licensee agrees to keep all lights adequate and functioning properly.
6. all windows will be in compliance with the requirements of Section 543.350 of the Minneapolis Code of Ordinances.
7. the licensee shall comply with the Surveillance Camera Ordinance, Section 259.250 of the Minneapolis Code of Ordinances.
8. the licensee agrees not to install pay phones either inside or outside the store.
9. the licensee agrees to clean the property of litter and trash daily, including the area within 100 feet of the property line.

Adopted 9/1/2006.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.
Adopted 9/1/2006.

Resolution 2006R-447, granting applications for Liquor, Wine and Beer Licenses, was adopted 9/1/2006 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 2006R-447
By Samuels**

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, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2007

Dinkytownner Inc, dba Dinkytownner Cafe, 412 14th Av SE (new shareholder/partner)

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2007

Minneapolis 0052 LLC, dba Lodge Bar, 15 S 5th St (new manager)

Tanner Madison Entities LLC, dba Legends Cafe, 825 E Hennepin Av (temporary expansion of premises with entertainment September 23, 2006, 3:00 p.m. to 10:00 p.m. and September 22, 2006, 8:00 a.m. to 10:00 p.m. in parking lot)

Off-Sale Beer, to expire April 1, 2007

Saraleen Food Inc, dba Morevalu Food, 2600 Cedar Av S

Temporary On-Sale Beer

Church of the Annunciation, dba Church of the Annunciation, 509 W 54th St (Septemberfest September 23 & 24, 2006, Noon to 9:00 p.m.)

St. Maron Catholic Church, dba St. Maron Church, 600 University Av NE (September 23, 2006, 1:00 p.m. to 8:00 p.m. and September 24, 2006, 11:00 a.m. to 6:00 p.m. on church grounds).

Adopted 9/1/2006.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.
Adopted 9/1/2006.

Resolution 2006R-448, granting applications for Business Licenses, was adopted 9/1/2006 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 2006R-448
By Samuels**

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 September 1, 2006 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 271466):

Amusement Devices; Place of Amusement Class B-2; Car Wash; Dry Cleaning & Laundry Pickup Station; Place of Entertainment; All Night Special Food; Caterers; Food Market Distributor; Farm - Produce Permits; Grocery; Food Manufacturer; Mobile Food Vendor; Restaurant; Short-Term Food Permit; Sidewalk Cafe; Fuel Dealer; Gasoline Filling Station; Lodging House; Lodging House with Boarding; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Towing Class B; Commercial Parking Lot Class A; Residential Specialty Contractor; Secondhand Goods Class B; Antique Dealer Class B; Antique Mall Operator Class B; Solid Waste Hauler; Taxicab Vehicle; Tobacco Dealer.

Adopted 9/1/2006.

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

Adopted 9/1/2006.

Resolution 2006R-449, granting applications for Gambling Licenses, was adopted 9/1/2006 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 2006R-449
By Samuels

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 applicable codes and ordinances:

Gambling Lawful Exempt

Church of All Saints, dba Church of All Saints, 435 4th St NE (Bingo, Raffle, Paddlewheel and Pulltabs September 10, 2006 at 435 4th St NE)

Clare Housing, dba Clare Housing, 929 Central Av NE (Bingo and Raffle September 16, 2006 at Incarnation School Basement)

Church of the Annunciation, dba Church of the Annunciation, 509 W 54th St (Bingo and Raffle September 23 & 24, 2006)

Cystic Fibrosis Foundation, dba Cystic Fibrosis Foundation, 1611 W County Road B, St. Paul (Raffle November 4, 2006 at Hyatt Regency, 1300 Nicollet Mall).

Adopted 9/1/2006.

PS&RS - Your Committee, having under consideration the following properties which have been deemed by the Director of Inspections to constitute nuisance conditions within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City officers be authorized to demolish the following properties, as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

a. 1516 W Broadway, legally described as that part of Lots 49 and 50, Block 17, Forest Heights, described as commencing on the Sly line of Lot 49 at a point 10.57 feet Wly from the SEly corner thereof; th Nly to a point on the NEly line of said Lot, 12.6 feet from the NEly corner thereof; th SEly on the NEly line of Lots 49 and 50 to a point on the N line of Lot 50 distant 9.5 feet E from the NW corner thereof; th Sly to a point on the Sly line of Lot 50 a distance of 11.44 feet from the SWly corner of said Lot; th Wly to the point of beg, according to the recorded plat thereof (PID #16-029-24-24-0131).

b. 2937 Queen Av N, legally described as Lot 6, Block 2, "Queen Avenue Addition to Minneapolis" (PID #08-029-24-41-0151).

c. 2903 Fremont Av N, legally described at all of Lot 13, except part taken for Street and Sly 6 feet of Lot 12, Block 14, Silver Lake Addition to Minneapolis (PID #09-029-24-42-0126).

d. 1014 16th Av N, legally described as the rear or Ely 45 feet of Lots 8 and 9, Block 26, Gale's Subdivisions in Sherburne and Beebe's Addition to Minneapolis (PID #16-029-24-42-0112).

Adopted 9/1/2006.

PS&RS – Your Committee, having under consideration the Rental Dwelling License held by Phillip R. Owens for the property located at 2908 16th Av S, and a hearing having been held by the Rental Dwelling License Board of Appeals on July 11, 2006, now recommends concurrence with the recommendation of the Board of Appeals that said license be revoked for failure to comply with the requirements of Section 244.2020 of the Minneapolis Code of Ordinances as it relates to conduct on licensed premises, as more fully set forth in the Findings of Fact, Conclusions and Recommendation on file in the Office of the City Clerk, which is hereby made a part of this report by reference.

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

Adopted upon a voice vote 9/1/2006.

PS&RS – Your Committee, having under consideration the Rental Dwelling License held by Hyder Jaweed, Asgher Jaweed and Teri L. Kanis, dba Minneapolis Apartments Housing Associates I LLC, for the property located at 729 8th Av SE, and a hearing having been held by the Rental Dwelling License Board of Appeals on July 11, 2006, now recommends concurrence with the recommendation of the Board of Appeals that said license be revoked for failure to comply with the requirements of Section 244.2020 of the Minneapolis Code of Ordinances as it related to conduct on licensed premises, as more fully set forth in the Findings of Fact, Conclusions and Recommendation on file in the Office of the City Clerk, which is hereby made a part of this report by reference.

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

Adopted upon a voice vote 9/1/2006.

PS&RS – Your Committee, having under consideration the Rental Dwelling License for the property located at 309 24th Av N, and the Department of Inspections having verified that said property is in compliance with rental licensing standards in accordance with Section 244.1910 of the Minneapolis Code of Ordinances, now recommends concurrence with the recommendation of the Director of Inspections to approve the reinstatement of said license to be held by Paragon Osagiede.

Adopted 9/1/2006.

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

PS&RS & W&M/Budget - Your Committee, to whom was referred an ordinance amending Appendix J of the Minneapolis Code of Ordinances relating to *License Fees Schedule*, increasing 2007 license fees by 3 percent to account for inflationary increases incurred from 2005 to 2006.

Adopted 9/1/2006.

Ordinance 2006-Or-099 amending Appendix J of the Minneapolis Code of Ordinances relating to *License Fees Schedule*, increasing 2007 license fees by 3 percent to account for inflationary increases incurred from 2005 to 2006, was adopted 9/1/2006 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 2006-Or-099
By Samuels
Intro & 1st Reading: 7/21/2006
Ref to: PS&RS
2nd Reading: 9/1/2006

Amending Appendix J of the Minneapolis Code of Ordinances relating to License Fees Schedule.

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

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

APPENDIX J LICENSE FEES SCHEDULE*

TABLE INSET:

License	Ordinance	2004 Fee	2005 Fee	2006 Fee	2007 Fee
ALCOHOLIC BEVERAGES					
Alcohol License					
Investigation Fee:	362.50(c), 363.50, 366.11		\$500.00	\$500.00	<u>\$500.00</u>
Liquor—On Sale					
Class A	362.50(a)		\$9,139.00	\$9,413.00	<u>\$9,695.00</u>
Class B	362.50(a)		\$7,687.00	\$7,917.00	<u>\$8,155.00</u>
Class C-1	362.50(a)		\$7,211.00	\$7,427.00	<u>\$7,650.00</u>
Class C-2	362.50(a)		\$6,605.00	\$6,804.00	<u>\$7,008.00</u>
Class D	362.50(a)		\$5,876.00	\$6,052.00	<u>\$6,234.00</u>
Class E	362.50(a)		\$5,512.00	\$5,677.00	<u>\$5,847.00</u>
Sunday Sales*	362.50(a)		\$200.00	\$200.00	<u>\$200.00</u>
Investigation Fee—On and Off					
Sale*	360.50(c)		\$500.00	\$500.00	<u>\$500.00</u>
<u>Liquor Catering*</u>	<u>362.38</u>			<u>\$500.00</u>	<u>\$500.00</u>
Temp. On Sale Liquor					
< 10,000 people/day	362.35(d)		\$184.00	\$190.00	<u>\$196.00</u>
Director Granted	362.35(d)		\$276.00	\$284.00	<u>\$293.00</u>
> 10,000 people/day	362.35(d)		\$307.00	\$316.00	<u>\$325.00</u>
Director Granted	362.35(d)		\$460.00	\$474.00	<u>\$488.00</u>
Temporary Entertainment	362.35(e)		\$72.00	\$74.00	<u>\$76.00</u>
Retained, Sunday Sale					
Denial	362.60(b)		\$41.00	\$42.00	<u>\$43.00</u>
Retained, Liquor On and Off Sale					
(withdrawn)	362.60(b)		\$106.00	\$109.00	<u>\$112.00</u>
Retained, Liquor On and Off Sale					
(denied)	362.60(b)		\$318.00	\$328.00	<u>\$338.00</u>
Temporary Expansion	362.50(e)		\$140.00	\$144.00	<u>\$149.00</u>
Director Granted Temporary					
Expansion	362.36(a)(5)		\$210.00	\$216.00	<u>\$222.00</u>
Temporary Outdoor					
Entertainment	360.100(b)(5)		\$196.00	\$202.00	<u>\$208.00</u>
Director Granted Temporary					
Outdoor Entertainment	362.36(a)(5)		\$291.00	\$300.00	<u>\$309.00</u>

SEPTEMBER 1, 2006

Temporary Entertainment w/o				
Expansion	360.100(b)(5)	\$140.00	\$144.00	<u>\$149.00</u>
Reapplication	362.90(b)	\$83.00	\$86.00	<u>\$89.00</u>
Liquor—Off Sale*	362.50	\$1,000.00	\$1,000.00	<u>\$1,000.00</u>
Liquor—Off Sale Malt				
Liquor—Off Sale Malt - Liquor-				
Growler*	362.50	\$1,030.00	\$1,061.00	<u>\$1,000.00</u>
Food; /Ice - (Additional cost to				
Off-Sale Liquor)	362.50	\$218.00	\$225.00	<u>\$232.00</u>
Beer—On Sale				
Class A	366.60	\$4,643.00	\$4,783.00	<u>\$4,926.00</u>
Class B	366.60	\$3,193.00	\$3,289.00	<u>\$3,388.00</u>
Class C-1	366.60	\$2,802.00	\$2,886.00	<u>\$2,973.00</u>
Class C-2	366.60	\$2,100.00	\$2,163.00	<u>\$2,228.00</u>
Class D	366.60	\$1,372.00	\$1,413.00	<u>\$1,455.00</u>
Class E	366.60	\$1,017.00	\$1,047.00	<u>\$1,079.00</u>
Nonprofit Temporary	366.40(a)	\$70.00	\$72.00	<u>\$74.00</u>
Each Additional Day	366.40(a)	\$36.00	\$37.00	<u>\$38.00</u>
Temporary Expansion	366.60	\$140.00	\$144.00	<u>\$149.00</u>
Director Granted Temporary				
Expansion	366.40(e)	\$210.00	\$216.00	<u>\$223.00</u>
Beer—Off Sale	366.60	\$181.00	\$187.00	<u>\$192.00</u>
Wine—On Sale				
Class A*	363.50(a)	\$2,000.00	\$2,000.00	<u>\$2,000.00</u>
Class B*	363.50(a)	\$2,000.00	\$2,000.00	<u>\$2,000.00</u>
Class C-1*	363.50(a)	\$2,000.00	\$2,000.00	<u>\$2,000.00</u>
Class C-2*	363.50(a)	\$2,000.00	\$2,000.00	<u>\$2,000.00</u>
Class D	363.50(a)	\$1,752.00	\$1,805.00	<u>\$1,859.00</u>
Class E	363.50(a)	\$1,401.00	\$1,443.00	<u>\$1,486.00</u>
Temporary License/Nonprofit	363.41(d)	\$140.00	\$144.00	<u>\$149.00</u>
Temporary Expansion	363.50(a)	\$140.00	\$144.00	<u>\$149.00</u>
Special Expansion	363.41(d)	\$210.00	\$216.00	<u>\$223.00</u>
Wine On Sale with Beer (price of beer only)				
Add—Strong Beer 363.25(e)				
Class A		\$701.00	\$722.00	<u>\$744.00</u>
Class B		\$701.00	\$722.00	<u>\$744.00</u>
Class C-1		\$701.00	\$722.00	<u>\$744.00</u>
Class C-2		\$701.00	\$722.00	<u>\$744.00</u>
Class D		\$701.00	\$722.00	<u>\$744.00</u>
Class E		\$701.00	\$722.00	<u>\$744.00</u>
Add—3.2% Beer 363.26(e)				
Class A		\$349.00	\$360.00	<u>\$370.00</u>
Class B		\$349.00	\$360.00	<u>\$370.00</u>
Class C-1		\$349.00	\$360.00	<u>\$370.00</u>
Class C-2		\$349.00	\$360.00	<u>\$370.00</u>
Class D		\$349.00	\$360.00	<u>\$370.00</u>
Class E		\$349.00	\$360.00	<u>\$370.00</u>
Temporary On Sale Wine				
< 10,000 people/day	363.41(d)	\$184.00	\$190.00	<u>\$196.00</u>
Director Granted	363.41(d)	\$276.00	\$284.00	<u>\$293.00</u>
> 10,000 people/day	363.41(d)	\$308.00	\$317.00	<u>\$327.00</u>
Director Granted	363.41(d)	\$460.00	\$474.00	<u>\$488.00</u>
Temporary Entertainment	363.41(e)	\$72.00	\$74.00	<u>\$76.00</u>

SEPTEMBER 1, 2006

Bottle Club				
<u>Bottle Club-On-Sale Liquor*</u>	372.70	\$300.00	\$300.00	<u>\$300.00</u>
<u>Bottle Club-On-Sale Beer</u>	372.70	\$1,017.00	\$1,047.00	<u>\$1,079.00</u>
AMUSEMENT DEVICES	267.600	\$95.00	\$98.00	<u>\$101.00</u>
Each Machine*	267.600	\$15.00	\$15.00	<u>\$15.00</u>
Replacement Decal	267.650	\$2.00	\$2.00	<u>\$2.00</u>
AMUSEMENT, PLACE OF				
Class A	267.860	\$900.00	\$927.00	<u>\$955.00</u>
Class B	267.860	\$83.00	\$86.00	<u>\$89.00</u>
Class C	267.860	\$450.00	\$464.00	<u>\$478.00</u>
ANTIQUUE DEALER				
Class A	321.260(1)	\$263.00	\$271.00	<u>\$279.00</u>
Class B	321.260(2)	\$263.00	\$271.00	<u>\$279.00</u>
ANTIQUUE MALL DEALER				
Class A	321.260(5)	\$263.00	\$271.00	<u>\$279.00</u>
Additional location	321.260(7)	\$19.00	\$19.00	<u>\$20.00</u>
Class B	321.260(6)	\$70.00	\$72.00	<u>\$74.00</u>
Additional location	321.260(7)	\$19.00	\$19.00	<u>\$20.00</u>
ANTIQUUE MALL OPERATOR				
Class A	321.260(3)	\$380.00	\$391.00	<u>\$403.00</u>
Class B	321.260(4)	\$380.00	\$391.00	<u>\$403.00</u>
ASPHALT, SHINGLE & ROOFING MFG.				
	269.30	\$1,103.00	\$1,136.00	<u>\$1,170.00</u>
BED & BREAKFAST FACILITY				
	297A.30	\$134.00	\$138.00	<u>\$142.00</u>
BILLBOARD ERECTOR				
	277.2520	\$152.00	\$157.00	<u>\$162.00</u>
BILL POSTING AND SIGN PAINTING				
	277.2680	\$152.00	\$157.00	<u>\$162.00</u>
BILL POSTING, SIGN PAINTING/HANGER COMBINED				
	277.2680	\$152.00	\$157.00	<u>\$162.00</u>
BOWLING ALLEY				
1st Alley	267.420	\$122.00	\$125.00	<u>\$129.00</u>
Each Add'l	267.420	\$31.00	\$32.00	<u>\$33.00</u>
BOWLING, BILLIARDS, ALL NT				
	360.80	\$83.00	\$86.00	<u>\$89.00</u>
BUILDING WRECKER				
Class A & B	277.2280	\$207.00	\$213.00	<u>\$220.00</u>
Lowest Prorate Amt.	277.2280	\$107.00	\$110.00	<u>\$114.00</u>
BULK GAS AND OIL STORAGE				
	287.50	\$525.00	\$541.00	<u>\$557.00</u>
CARNIVAL				
0—9 Attractions, First Day	267.500(b)(1)	\$122.00	\$125.00	<u>\$129.00</u>
Each Add'l	267.500(b)(1)	\$38.00	\$39.00	<u>\$40.00</u>
10—19 Attractions, First Day	267.500(b)(2)	\$200.00	\$206.00	<u>\$212.00</u>
Each Add'l	267.500(b)(2)	\$38.00	\$39.00	<u>\$40.00</u>
20 or more Attractions, First Day	267.500(b)(3)	\$398.00	\$410.00	<u>\$422.00</u>
Each Add'l	267.500(b)(3)	\$38.00	\$39.00	<u>\$40.00</u>
CAR WASH				
	265.250	\$220.00	\$227.00	<u>\$234.00</u>
CHILDREN'S RIDES				
Each Per Week	267.70	\$13.00	\$14.00	<u>\$14.00</u>

SEPTEMBER 1, 2006

CHRISTMASTREES				
DEALER	279.40	\$107.00	\$110.00	<u>\$114.00</u>
CIRCUS				
To 14 Days	267.50	\$459.00	\$473.00	<u>\$487.00</u>
Each Add'l Day	267.50	\$75.00	\$77.00	<u>\$80.00</u>
COURTESY BENCH				
New	283.40	\$44.00	\$46.00	<u>\$47.00</u>
Renew	283.40	\$24.00	\$24.00	<u>\$25.00</u>
Transfer	283.240	\$22.00	\$22.00	<u>\$23.00</u>
DANCE HALL	267.1340	\$397.00	\$408.00	<u>\$421.00</u>
DANCING SCHOOL	285.40	\$44.00	\$46.00	<u>\$47.00</u>
DRY CLEANER/LAUNDRY				
Flammable	301.50	\$386.00	\$398.00	<u>\$410.00</u>
Non-flammable/Laundry	301.50	\$276.00	\$284.00	<u>\$293.00</u>
Pickup Station	301.50	\$115.00	\$119.00	<u>\$122.00</u>
Coin-operated	301.150	\$276.00	\$284.00	<u>\$293.00</u>
Add'l after 1st coin machine	301.150	\$30.00	\$31.00	<u>\$32.00</u>
DUCT CLEANER				
CONTRACTOR	278.240	\$234.00	\$241.00	<u>\$248.00</u>
ENTERTAINMENT, PLACE OF				
Within B4	267.1140			
Up to 2,500	267.1140(1)	\$580.00	\$597.00	<u>\$615.00</u>
2,501—5,000	267.1140(2)	\$827.00	\$852.00	<u>\$877.00</u>
5,000—10,000	267.1140(3)	\$1,242.00	\$1,279.00	<u>\$1,318.00</u>
More than 10,000	267.1140(4)	\$1,822.00	\$1,877.00	<u>\$1,933.00</u>
Outside of Downtown B4				
1 to 2,500	267.1140(5)	\$386.00	\$398.00	<u>\$410.00</u>
2,501—5,000	267.1140(6)	\$552.00	\$569.00	<u>\$586.00</u>
5,001—10,000	267.1140(7)	\$827.00	\$852.00	<u>\$877.00</u>
More than 10,000	267.1140(8)	\$1,213.00	\$1,250.00	<u>\$1,287.00</u>
EXHIBITION EXHIBITOR				
ONE LOC.	321.470(e)(1)	\$54.00	\$55.00	<u>\$57.00</u>
EXHIBITION OPERATOR				
Class A	321.470(a)	\$877.00	\$903.00	<u>\$930.00</u>
Class B	321.470(b)	\$585.00	\$603.00	<u>\$621.00</u>
Class C	321.470(c)	\$291.00	\$300.00	<u>\$309.00</u>
FIRE EXTINGUISHER SALES/SERV.				
Class A	289.60	\$335.00	\$345.00	<u>\$355.00</u>
Class B	289.60	\$238.00	\$245.00	<u>\$252.00</u>
FLOWER CART VENDOR				
Location Transfer, Midseason	331.90(b)	\$106.00	\$86.00	<u>\$89.00</u>
FOOD				
All Night Special	360.70(a)	\$83.00	\$85.00	<u>\$88.00</u>
Confectionery				
1,000 sq. ft. or less	188.250	\$105.00	\$108.00	<u>\$111.00</u>
1,001 to 3,000	188.250	\$166.00	\$171.00	<u>\$176.00</u>
3,001 to 5,000	188.250	\$220.00	\$227.00	<u>\$234.00</u>
5,001 to 7,000	188.250	\$276.00	\$284.00	<u>\$293.00</u>
7,001 to 9,000	188.250	\$331.00	\$341.00	<u>\$351.00</u>
9,001 to 11,000	188.250	\$386.00	\$398.00	<u>\$410.00</u>
11,001 to 13,000	188.250	\$441.00	\$454.00	<u>\$468.00</u>
13,001 to 15,000	188.250	\$496.00	\$511.00	<u>\$527.00</u>

SEPTEMBER 1, 2006

15,001 sq. ft. and over	188.250		\$552.00	\$569.00	<u>\$586.00</u>
Drive-in	188.250		\$361.00	\$371.00	<u>\$382.00</u>
Drive-in (Restricted)	188.250		\$75.00	\$77.00	<u>\$80.00</u>
Farm Produce (Nonprofit)	265.390		\$44.00	\$46.00	<u>\$47.00</u>
Food Distributor or Manufacturer					
1,000 sq. ft. or less	188.250		\$276.00	\$284.00	<u>\$293.00</u>
1,001 to 3,000	188.250		\$331.00	\$341.00	<u>\$351.00</u>
3,001 to 5,000	188.250		\$386.00	\$398.00	<u>\$410.00</u>
5,001 to 7,000	188.250		\$441.00	\$454.00	<u>\$468.00</u>
7,001 to 9,000	188.250		\$496.00	\$511.00	<u>\$527.00</u>
9,001 to 11,000	188.250		\$552.00	\$569.00	<u>\$586.00</u>
11,001 to 13,000	188.250		\$607.00	\$625.00	<u>\$644.00</u>
13,001 to 15,000	188.250		\$662.00	\$682.00	<u>\$703.00</u>
15,001 sq. ft. and over	188.250		\$717.00	\$738.00	<u>\$761.00</u>
Food Distributor—					
Out of Town	188.290		\$55.00	\$56.00	<u>\$58.00</u>
Food Establishment Plan review fees-new business					
Risk 1 establishment					
1,000 sq. ft. or less	188.370	\$300.00	\$309.00	\$318.00	<u>\$328.00</u>
1,001—3,000 sq. ft.	188.370	\$400.00	\$412.00	\$424.00	<u>\$437.00</u>
3,001—5,000 sq. ft.	188.370	\$500.00	\$515.00	\$530.00	<u>\$546.00</u>
5,001—7,000 sq. ft.	188.370	\$600.00	\$618.00	\$637.00	<u>\$656.00</u>
Risk 2 establishments					
1,000 sq. ft. or less	188.370	\$250.00	\$258.00	\$265.00	<u>\$273.00</u>
1,001—3000 sq. ft.	188.370	\$350.00	\$361.00	\$371.00	<u>\$382.00</u>
3,001—5,000 sq. ft.	188.370	\$450.00	\$464.00	\$477.00	<u>\$492.00</u>
5,001—7,000 sq. ft.	188.370	\$550.00	\$567.00	\$583.00	<u>\$601.00</u>
Risk 3 establishments					
1,000 sq. ft. or less	188.370	\$150.00	\$155.00	\$159.00	<u>\$164.00</u>
1,001—3,000 sq. ft.	188.370	\$250.00	\$258.00	\$265.00	<u>\$273.00</u>
3,001—5,000 sq. ft.	188.370	\$300.00	\$309.00	\$318.00	<u>\$328.00</u>
5,001—7,000 sq. ft.	188.370	\$400.00	\$412.00	\$424.00	<u>\$437.00</u>
Food Establishment Plan review fees-remodel					
Risk 1 establishment					
1,000 sq. ft. or less	188.370	\$225.00	\$232.00	\$239.00	<u>\$246.00</u>
1,001—3,000 sq. ft.	188.370	\$300.00	\$309.00	\$318.00	<u>\$328.00</u>
3,001—5000 sq. ft.	188.370	\$375.00	\$386.00	\$398.00	<u>\$410.00</u>
5,001—7,000 sq. ft.	188.370	\$450.00	\$464.00	\$477.00	<u>\$492.00</u>
Risk 2 establishments					
1,000 sq. ft. or less	188.370	\$187.00	\$193.00	\$198.00	<u>\$204.00</u>
1,001—3,000 sq. ft.	188.370	\$262.00	\$270.00	\$278.00	<u>\$286.00</u>
3,001—5,000 sq. ft.	188.370	\$337.00	\$347.00	\$358.00	<u>\$368.00</u>
5,001—7,000 sq. ft.	188.370	\$412.00	\$424.00	\$437.00	<u>\$450.00</u>
Risk 3 establishments					
1,000 sq. ft. or less	188.370	\$112.00	\$115.00	\$119.00	<u>\$122.00</u>
1,001—3,000 sq. ft.	188.370	\$187.00	\$193.00	\$198.00	<u>\$204.00</u>
3,001—5,000 sq. ft.	188.370	\$225.00	\$232.00	\$239.00	<u>\$246.00</u>
5,001—7,000 sq. ft.	188.370	\$300.00	\$309.00	\$318.00	<u>\$328.00</u>
Food Market Manufacturer	186.50		\$150.00	\$155.00	
Food Market Manufacturer Plan Review	201.70		\$50.00	\$52.00	
Food Market Distributor	186.50		\$150.00	\$155.00	<u>\$160.00</u>

SEPTEMBER 1, 2006

Food Market Distributor				
Plan Review	201.70	\$50.00	\$52.00	<u>\$54.00</u>
<u>Food Market Manufacturer</u>	<u>186.50</u>		<u>\$155.00</u>	<u>\$160.00</u>
<u>Food Market Manufacturer</u>				
Plan Review	<u>201.70</u>		<u>\$52.00</u>	<u>\$54.00</u>
Food Shelf	188.250	\$1.00	\$1.00	<u>\$1.00</u>
FOOD VEHICLE				
INSPECTION	232.30,	\$55.00	\$56.00	<u>\$58.00</u>
	<u>190.130,</u>			
	<u>188.310</u>			
	490.130	\$55.00	\$56.00	
	488.310	\$55.00	\$56.00	
Grocery				
500 sq. ft. or less, restricted	188.250	\$359.00	\$370.00	<u>\$381.00</u>
500—1,000, restricted	188.250	\$502.00	\$517.00	<u>\$532.00</u>
1,000 sq. ft. or less	188.250	\$502.00	\$517.00	<u>\$532.00</u>
1,001—5,000	188.250	\$981.00	\$1,010.00	<u>\$1,040.00</u>
5,001—7,500	188.250	\$1,053.00	\$1,084.00	<u>\$1,117.00</u>
7,501—10,000	188.250	\$1,124.00	\$1,157.00	<u>\$1,192.00</u>
10,001—15,000	188.250	\$1,259.00	\$1,296.00	<u>\$1,335.00</u>
15,001 plus	188.250	\$1,332.00	\$1,372.00	<u>\$1,413.00</u>
Grocery & Milk Delivery				
Vehicle	200.70(h)	\$101.00	\$104.00	<u>\$107.00</u>
Groceteria/Portable Store	295.100	\$474.00	\$488.00	<u>\$503.00</u>
Indoor Food Cart	188.520(j)	\$386.00	\$398.00	<u>\$410.00</u>
Kiosk Food Cart Vendor	188.250	\$386.00	\$398.00	<u>\$410.00</u>
Meat Market				
1,000 sq. ft. or less	188.250	\$276.00	\$284.00	<u>\$293.00</u>
1,001 to 3,000	188.250	\$331.00	\$341.00	<u>\$351.00</u>
3,001 to 5,000	188.250	\$386.00	\$398.00	<u>\$410.00</u>
5,001 to 7,000	188.250	\$441.00	\$454.00	<u>\$468.00</u>
7,001 to 9,000	188.250	\$496.00	\$511.00	<u>\$527.00</u>
9,001 to 11,000	188.250	\$552.00	\$569.00	<u>\$586.00</u>
11,001 to 13,000	188.250	\$607.00	\$625.00	<u>\$644.00</u>
13,001 to 15,000	188.250	\$662.00	\$682.00	<u>\$703.00</u>
15,001 sq. ft. and over	188.250	\$717.00	\$738.00	<u>\$761.00</u>
Mobil Food Vendor	188.250	\$101.00	\$104.00	<u>\$107.00</u>
Prepackaged Perishable	188.250	\$174.00	\$179.00	<u>\$185.00</u>
Restaurant, Cafe, Dining Rooms, Boardinghouses, Caterers				
1,000 sq. ft. or less	188.250	\$331.00	\$341.00	<u>\$351.00</u>
1,001 to 3,000	188.250	\$441.00	\$454.00	<u>\$468.00</u>
3,001 to 5,000	188.250	\$552.00	\$569.00	<u>\$586.00</u>
5,001 to 7,000	188.250	\$662.00	\$682.00	<u>\$703.00</u>
7,001 to 9,000	188.250	\$773.00	\$796.00	<u>\$820.00</u>
9,001 to 11,000	188.250	\$883.00	\$909.00	<u>\$936.00</u>
11,001 to 13,000	188.250	\$993.00	\$1,023.00	<u>\$1,053.00</u>
13,001 to 15,000	188.250	\$1,103.00	\$1,136.00	<u>\$1,170.00</u>
15,001 sq. ft. and over	188.250	\$1,324.00	\$1,363.00	<u>\$1,404.00</u>
Short Term Permit	188.170	\$75.00	\$77.00	<u>\$80.00</u>
Short Term Food				
Establishment - <u>Seasonal</u>	188.170	\$201.00	\$207.00	<u>\$213.00</u>

SEPTEMBER 1, 2006

Sidewalk Cafe				
30 seats or less	265.330(a)	\$306.00	\$315.00	<u>\$325.00</u>
31 seats or more	265.330(a)	\$441.00	\$454.00	<u>\$468.00</u>
Sidewalk Food Cart Vendor	188.250	\$780.00	\$803.00	<u>\$827.00</u>
Location Transfer,				
Midseason	188.250	\$122.00	\$125.00	<u>\$129.00</u>
Soft Drinks				
1,000 sq. ft. or less	188.250	\$105.00	\$108.00	<u>\$111.00</u>
1,001 to 3,000	188.250	\$166.00	\$171.00	<u>\$176.00</u>
3,001 to 5,000	188.250	\$220.00	\$227.00	<u>\$234.00</u>
5,001 to 7,000	188.250	\$276.00	\$284.00	<u>\$293.00</u>
7,001 to 9,000	188.250	\$331.00	\$341.00	<u>\$351.00</u>
9,001 to 11,000	188.250	\$386.00	\$398.00	<u>\$410.00</u>
11,001 to 13,000	188.250	\$441.00	\$454.00	<u>\$468.00</u>
13,001 to 15,000	188.250	\$496.00	\$511.00	<u>\$527.00</u>
15,001 sq. ft. and over	188.250	\$552.00	\$569.00	<u>\$586.00</u>
Soft Drink Manufacturing	198.30	\$161.00	\$166.00	<u>\$170.00</u>
Vending Machine (Food)*	188.250	\$15.00	\$15.00	<u>\$15.00</u>
Nut Vending Machine*	188.250	\$5.00	\$5.00	<u>\$5.00</u>
Wholesale Sausage				
Manufacturer				
1—1,000 sq. ft.	190.120	\$161.00	\$166.00	<u>\$170.00</u>
1,001—5,000	190.120	\$474.00	\$488.00	<u>\$503.00</u>
5,001 plus	190.120	\$1,270.00	\$1,308.00	<u>\$1,347.00</u>
FUEL DEALER	291.50	\$152.00	\$157.00	<u>\$162.00</u>
GAMBLING (Charitable Only,				
per day)	268.60(a)	\$62.00	\$62.00	<u>\$62.00</u>
GAME OF SKILL	267.40	\$107.00	\$110.00	<u>\$114.00</u>
GAS FITTER	278.240	\$234.00	\$241.00	<u>\$248.00</u>
GASOLINE FILLING STATION				
4 or less	287.50	\$249.00	\$257.00	<u>\$264.00</u>
5 to 8	287.50	\$386.00	\$398.00	<u>\$410.00</u>
9 or more	287.50	\$525.00	\$541.00	<u>\$557.00</u>
GOING OUT OF BUSINESS	293.70	\$114.00	\$118.00	<u>\$121.00</u>
Plus for each \$1,000.00 of				
Inventory	293.70	\$10.00	\$11.00	<u>\$11.00</u>
First Renewal Maximum				
Add'l 30 days	293.80	\$229.00	\$236.00	<u>\$243.00</u>
Second Renewal, per day	293.80	\$75.00	\$77.00	<u>\$80.00</u>
Fire, Actual Disaster	293.20	\$122.00	\$125.00	<u>\$129.00</u>
Each Add'l Day	293.20	\$31.00	\$32.00	<u>\$33.00</u>
City Acquired Property	293.70	\$107.00	\$110.00	<u>\$114.00</u>
HEATING, VENTILATION				
AND AIR CONDITIONING				
INSTALLERS	278.240	\$234.00	\$241.00	<u>\$248.00</u>
HOOFED AND/OR SMALL				
ANIMALS SERVICE	304.30	\$150.00	\$150.00	<u>\$155.00</u>
HORSE & CARRIAGE	303.30	\$161.00	\$166.00	<u>\$170.00</u>
Maximum Cleanup Fee		\$667.00	\$687.00	<u>\$708.00</u>
Temporary Route	303.110	\$12.00	\$13.00	<u>\$13.00</u>
HOOVED—SMALL				
ANIMALS HORSE &				
CARRIAGE	304.30			<u>\$155.00</u>
HOSPITAL	296.50	\$949.00	\$977.00	<u>\$1,006.00</u>

SEPTEMBER 1, 2006

HOTEL/MOTEL				
1—20	297.50(b)	\$338.00	\$348.00	<u>\$358.00</u>
21—75	297.50(b)	\$562.00	\$579.00	<u>\$597.00</u>
76—200	297.50(b)	\$633.00	\$652.00	<u>\$672.00</u>
201 plus	297.50(b)	\$986.00	\$1,015.00	<u>\$1,046.00</u>
ICE PEDDLER				
Per Vehicle	299.30	\$101.00	\$104.00	<u>\$107.00</u>
ICE PRODUCER, DEALER, WHOLESALE				
	299.30	\$238.00	\$245.00	<u>\$252.00</u>
JUKE BOX	267.960	\$45.00	\$47.00	<u>\$48.00</u>
LIQUID WASTE HAULER	225.420	\$209.00	\$215.00	<u>\$222.00</u>
LODGING ESTABLISHMENT				
Non-conforming Rights and Fraternity or Sorority				
5—6 sleeping rooms	244.1150		\$280.00	<u>\$288.00</u>
7-16 sleeping rooms	244.1150		\$390.00	<u>\$402.00</u>
17-32 sleeping rooms	244.1150		\$545.00	<u>\$561.00</u>
33 plus sleeping rooms	244.1150		\$655.00	<u>\$675.00</u>
LODGING ESTABLISHMENT				
Group Homes				
5-6 beds	244.1150		\$280.00	<u>\$288.00</u>
7-16 beds	244.1150		\$390.00	<u>\$402.00</u>
17-32 beds	244.1150		\$545.00	<u>\$561.00</u>
33 plus beds	244.1150		\$655.00	<u>\$675.00</u>
LODGING ESTABLISHMENT				
WITH BOARDING				
Non-conforming Rights and Fraternity or Sorority				
5—6 sleeping rooms	244.1150		\$455.00	<u>\$469.00</u>
7-16 sleeping rooms	244.1150		\$540.00	<u>\$556.00</u>
17-32 sleeping rooms	244.1150		\$695.00	<u>\$716.00</u>
33 plus sleeping rooms	244.1150		\$850.00	<u>\$876.00</u>
LODGING ESTABLISHMENT				
WITH BOARDING				
Group Homes				
5-6 beds	244.1150		\$455.00	<u>\$469.00</u>
7-16 beds	244.1150		\$540.00	<u>\$556.00</u>
17-32 beds	244.1150		\$695.00	<u>\$716.00</u>
33 plus beds	244.1150		\$850.00	<u>\$876.00</u>
MARKETS				
Municipal Market	202.50	\$150.00	\$155.00	<u>\$159.00</u>
<u>Municipal Market</u>				
<u>Plan Review</u>	<u>202.50</u>		<u>\$155.00</u>	<u>\$159.00</u>
Public Market	<u>201.40</u>		<u>\$155.00</u>	<u>\$159.00</u>
Public Market Plan Review	201.60(1)	\$50.00	\$52.00	<u>\$54.00</u>
Public Market	201.40	\$150.00	\$155.00	
MILK DELIVERY VEHICLE	200.70(g)	\$101.00	\$104.00	<u>\$107.00</u>
<u>Each</u> Addl. Vehicle	200.70(g)	\$39.00	\$40.00	<u>\$42.00</u>
MILK DISTRIBUTOR	200.50(a)	\$275.00	\$283.00	<u>\$292.00</u>
MOTOR SCOOTER				
LEASING	311.40	\$104.00	\$107.00	<u>\$110.00</u>
MOTOR VEHICLE DEALER				
New and Used	313.40	\$314.00	\$324.00	<u>\$333.00</u>
Auctioneer	313.40	\$162.00	\$167.00	<u>\$172.00</u>

SEPTEMBER 1, 2006

Cycles, Scooters and				
Motor-Bikes	313.40	\$162.00	\$167.00	<u>\$172.00</u>
Used Only	313.40	\$338.00	\$348.00	<u>\$358.00</u>
Broker	313.40	\$357.00	\$368.00	<u>\$379.00</u>
Wholesaler	313.40	\$193.00	\$198.00	<u>\$204.00</u>
Additional Places				
of Business	313.40	\$166.00	\$171.00	<u>\$176.00</u>
MOTOR VEHICLE				
IMMOBILIZATION SERVICE	320.30	\$321.00	\$331.00	<u>\$341.00</u>
MOTOR VEHICLE LUBRICANT				
DEALER	315.30	\$152.00	\$157.00	<u>\$162.00</u>
MOTOR VEHICLE REPAIR				
GARAGE	317.40	\$374.00	\$385.00	<u>\$397.00</u>
With Accessory	317.40	\$130.00	\$134.00	<u>\$138.00</u>
Motor Vehicle Servicing—				
Driver New	349.130	\$38.00	\$39.00	<u>\$40.00</u>
Renewal	349.130	\$24.00	\$24.00	<u>\$25.00</u>
Duplicate ID or ID Picture	349.130	\$8.00	\$8.00	<u>\$9.00</u>
MOTOR VEHICLE SERVICING—				
VEHICLES				
Class A				
1—5 Vehicles	349.150	\$794.00	\$818.00	<u>\$842.00</u>
6—15 Vehicles	349.150	\$1,201.00	\$1,237.00	<u>\$1,274.00</u>
Each Add'l Vehicle	349.150	\$24.00	\$24.00	<u>\$25.00</u>
Class B	349.250	\$122.00	\$125.00	<u>\$129.00</u>
Each Add'l Vehicle		\$24.00	\$24.00	<u>\$25.00</u>
Class C	349.250	\$83.00	\$86.00	<u>\$89.00</u>
Each Add'l Vehicle		\$24.00	\$24.00	<u>\$25.00</u>
Class D	349.250	\$55.00	\$56.00	<u>\$58.00</u>
Each Add'l Vehicle		\$24.00	\$24.00	<u>\$25.00</u>
MOTOR VEHICLE USED				
PARTS DEALER	348.30	\$552.00	\$569.00	<u>\$586.00</u>
Each Add'l Lot	348.30	\$50.00	\$52.00	<u>\$54.00</u>
OIL BURNER INSTALLER	278.240	\$234.00	\$241.00	<u>\$248.00</u>
PARKING LOT				
Commercial Class A				
1—50 Spaces	319.60	\$306.00	\$315.00	<u>\$325.00</u>
51—100	319.60	\$450.00	\$464.00	<u>\$478.00</u>
101—200	319.60	\$751.00	\$773.00	<u>\$797.00</u>
201 plus	319.60	\$1,199.00	\$1,235.00	<u>\$1,272.00</u>
Commercial Class B				
1—50 Spaces	319.60	\$83.00	\$86.00	<u>\$89.00</u>
51—100	319.60	\$161.00	\$166.00	<u>\$170.00</u>
101—200	319.60	\$238.00	\$245.00	<u>\$252.00</u>
201 +	319.60	\$474.00	\$488.00	<u>\$503.00</u>
PAWN BROKER				
Class A	324.50	\$2,922.00	\$3,010.00	<u>\$3,100.00</u>
PEDDLER (Foot)	323.20	\$161.00	\$166.00	<u>\$170.00</u>
PEDDLER (Junk)	323.30	\$75.00	\$77.00	<u>\$80.00</u>
PEDICAB (Each)	305.30	\$83.00	\$86.00	<u>\$89.00</u>
PET SHOP REGULAR	68.20	\$130.00	\$134.00	<u>\$138.00</u>
Mobile	68.20	\$162.00	\$167.00	<u>\$172.00</u>
PLUMBER	278.240	\$234.00	\$241.00	<u>\$248.00</u>

SEPTEMBER 1, 2006

POOL, BILLIARDS				
1st Table	267.1230	\$240.00	\$247.00	<u>\$255.00</u>
Each Add'l	267.1230	\$31.00	\$32.00	<u>\$33.00</u>
PRECIOUS METAL				
DEALER	322.50	\$397.00	\$408.00	<u>\$421.00</u>
RECYCLING/SALVAGE	350.40	\$818.00	\$842.00	<u>\$868.00</u>
Additional Yard	350.40	\$291.00	\$300.00	<u>\$309.00</u>
New Salvage Yard				
Surcharge*	350.40		<u>\$500.00</u>	<u>\$500.00</u>
REFRIGERATION				
INSTALLER	278.240	\$234.00	\$241.00	<u>\$248.00</u>
RENTAL HALL, NEW	266.30	\$1,083.00	\$1,115.00	<u>\$1,148.00</u>
Annual Renewal	266.30	\$649.00	\$668.00	<u>\$688.00</u>
Temp. Hall	266.70	\$216.00	\$223.00	<u>\$229.00</u>
<u>Rental Dwelling License,</u>				
1 st Unit	<u>244.1880</u>		<u>\$55.00</u>	<u>\$57.00</u>
RESIDENTIAL SPECIALTY				
CONTRACTOR	277.2990	\$163.00	\$168.00	<u>\$173.00</u>
RESIN MANUFACTURER	272.50	\$2,207.00	\$2,274.00	<u>\$2,342.00</u>
SECONDHAND DEALER				
Class A	321.50	\$263.00	\$271.00	<u>\$279.00</u>
Class B	321.50	\$263.00	\$271.00	<u>\$279.00</u>
SHOOTING GALLERY	267.1680	\$107.00	\$110.00	<u>\$114.00</u>
SIDEWALK FLOWER CART				
VENDOR	331.40	\$152.00	\$157.00	<u>\$162.00</u>
Midseason Transfer	331.90	\$114.00	\$118.00	<u>\$121.00</u>
SIGN HANGER	277.2520	\$152.00	\$157.00	<u>\$162.00</u>
SKATING RINK ICE,				
ROLLER	267.30	\$276.00	\$284.00	<u>\$293.00</u>
SOLICITOR				
Company	333.60	\$161.00	\$166.00	<u>\$170.00</u>
Individual	333.60	\$161.00	\$166.00	<u>\$170.00</u>
SOLID WASTE HAULER				
Each Add'l Vehicle	225.320	\$83.00	\$86.00	<u>\$89.00</u>
New Decal or Vehicle to				
Vehicle Transfer	225.320	\$13.00	\$14.00	<u>\$14.00</u>
STEAM AND HOT WATER				
INSTALLER	278.240	\$234.00	\$241.00	<u>\$248.00</u>
STREET PHOTOGRAPHER				
Per Camera	335.30	\$229.00	\$236.00	<u>\$243.00</u>
SUN TANNING FACILITY	232.20(b)	\$126.00	\$129.00	<u>\$133.00</u>
SWIMMING POOL, PUBLIC				
Add'l Pool, Same Location	231.480	\$83.00	\$86.00	<u>\$89.00</u>
Whirlpool Only	231.480	\$83.00	\$86.00	<u>\$89.00</u>
TATTOOING				
ESTABLISHMENT	339.100(b)	\$175.00	\$180.00	<u>\$186.00</u>
Sponsor Temporary	339.120(6)	\$88.00	\$90.00	<u>\$93.00</u>
TATTOOIST/PIERCING				
Temporary	339.100(a)	\$175.00	\$180.00	<u>\$186.00</u>
Temporary	339.120(5)	\$88.00	\$91.00	<u>\$93.00</u>
TAXICAB DRIVER - NEW				
DRIVER	341.410		\$90.00	<u>\$90.00</u>
Class fee	341.410(b)		\$38.00	<u>\$75.00</u>
Renewal	341.430		\$59.00	<u>\$59.00</u>
Transfer/Duplicate			\$16.00	<u>\$16.00</u>

SEPTEMBER 1, 2006

Transfer/Duplicate 2 or more			\$27.00	<u>\$27.00</u>
Taxicab- Vehicle	341.580		\$475.00	<u>\$475.00</u>
Winter	341.310		\$238.00	<u>\$238.00</u>
Taxicab-Special Inspection	341.625		\$50.00	<u>\$50.00</u>
Taxicab-Transfer Fee				
Person to Person	341.655		\$119.00	<u>\$119.00</u>
Vehicle to Vehicle	341.650		\$59.00	<u>\$59.00</u>
Temporary Replacement	341.645		\$36.00	<u>\$36.00</u>
Neighborhood Rideshare			\$475.00	<u>\$475.00</u>
Service Company	<u>341.910</u>		\$1,188.00	<u>\$1,188.00</u>
Non-Transferable			\$475.00	<u>\$475.00</u>
Taxicab Driver - New driver	341.410		\$1,000.00	
<u>Taxicab Medical Transport</u>				
<u>Carrier*</u>	<u>341.335(g)</u>		<u>\$1,000.00</u>	<u>\$1,000.00</u>
THEATER				
Zone 1				
1—400 Capacity	267.1850	\$161.00	\$166.00	<u>\$170.00</u>
401—600	267.1850	\$207.00	\$213.00	<u>\$220.00</u>
601—1,000	267.1850	\$260.00	\$267.00	<u>\$275.00</u>
1,001—1,500	267.1850	\$306.00	\$315.00	<u>\$325.00</u>
1,501—2,000	267.1850	\$306.00	\$315.00	<u>\$325.00</u>
2,001 +	267.1850	\$306.00	\$315.00	<u>\$325.00</u>
Zone 2				
1—400 Capacity	267.1850	\$207.00	\$213.00	<u>\$220.00</u>
401—600	267.1850	\$260.00	\$267.00	<u>\$275.00</u>
601—1,000	267.1850	\$306.00	\$315.00	<u>\$325.00</u>
1,001—1,500	267.1850	\$414.00	\$426.00	<u>\$439.00</u>
1,501—2,000	267.1850	\$511.00	\$526.00	<u>\$542.00</u>
2,001 +	267.1850	\$511.00	\$526.00	<u>\$542.00</u>
Zone 3				
1—400 Capacity	267.1850	\$511.00	\$526.00	<u>\$542.00</u>
401—600	267.1850	\$612.00	\$630.00	<u>\$649.00</u>
601—1,000	267.1850	\$819.00	\$843.00	<u>\$869.00</u>
1,001—1,500	267.1850	\$1,049.00	\$1,049.00	<u>\$1,081.00</u>
1,501—2,000	267.1850	\$1,215.00	\$1,252.00	<u>\$1,289.00</u>
2,001 +	267.1850	\$2,035.00	\$2,096.00	<u>\$2,159.00</u>
TOBACCO DEALER	281.30	\$271.00	\$279.00	<u>\$287.00</u>
TRANSIENT MERCHANT	343.50	\$220.00	\$227.00	<u>\$234.00</u>
Each Add'l Loc.	343.50	\$83.00	\$86.00	<u>\$89.00</u>
TREE SERVICING	347.70	\$83.00	\$86.00	<u>\$89.00</u>
Each Add'l Vehicle	347.70	\$28.00	\$30.00	<u>\$31.00</u>
VALET PARKING				
One Authorized Zone	307.40	\$552.00	\$569.00	<u>\$586.00</u>
Each Additional Zone	307.40	\$110.00	\$114.00	<u>\$117.00</u>
Zone Operated by Employees of Existing Licensed				
Business	307.40	\$110.00	\$114.00	<u>\$117.00</u>
WRECKERS AND TOW TRUCKS				
Replacement Vehicle	349.50	\$22.00	\$22.00	<u>\$23.00</u>
LICENSE FEE GENERALLY				
Processing Charge	261.30	\$39.00	\$40.00	<u>\$42.00</u>
New <u>Business License</u>				

SEPTEMBER 1, 2006

Surcharge	261.35	\$108.00	\$111.00	<u>\$115.00</u>
Prorating of Fees	261.40	\$39.00	\$40.00	<u>\$42.00</u>
License Renewals 10%				
Late Fee	267.66			
License Renewal Late Fee 20%—50%	261.20, 262.20			
Liquor License Penalty 20% for Late Renewal Liquor	362.80			
Penalty for Late Installment Twenty (20) Percent Liquor	362.90			
Penalty for Late Renewal Twenty (20) Percent Wine	363.80			
Penalty for Late Installment Twenty (20) Percent Wine	363.90			
Beer License	366.70	\$103.00	\$106.00	<u>\$109.00</u>
Penalty for Late Renewal Twenty (20) Percent Beer	366.90			
REPLACEMENT DECALS, GENERALLY				
Two (2) inches square or less	261.36	\$2.00	\$2.00	<u>\$2.00</u>
More than two (2) inches square	261.36	\$12.00	12.00	<u>\$13.00</u>
Environmental annual registration	46.60	\$1,000.00	\$1,060.90	
Storage and processing of hazardous waste not generated at the same address	<u>46.60</u>		\$1,060.90 per site	<u>\$1,093.00</u> per site
Interior oil, stoker, or hand fired fuel burning equipment or combination of fuel burning equipment with an input capacity exceeding four hundred thousand (400,000) Btu per hour	47.70	\$45.00 each	\$47.74 each	<u>\$49.00</u> each
Commercial exhaust system with a discharge greater than five hundred (500) CFM	47.70	\$45.00 each	\$47.74 each	<u>\$49.00</u> each
Annealer, atmosphere burner, cupola, bag filter, cyclone, dust collector, fly ash collector, scrubber, lint collector, waste oil burner, boiler, burner, kitchen exhaust system, waste generator, emergency generator, tumbler, make-up air heater, air handling equipment over five (5) horsepower, internal	47.70	\$45.00 each	\$47.74 each	<u>\$49.00</u> each

combustion engine, oil fired forge, oven, room heater totaling four hundred thousand (400,000) Btu, food or other process equipment, incinerator, dryer, heat treat oven, ladle, salt or cyanide pot, batch plant, shot blast, rotary press, compactor, coating system, degreaser, paint booth, plating equipment, sonic cleaner, reactor, catalytic combustor, or laminator				
Any combination of space heating equipment as set out in section 47.50(a)	47.70	\$45.00 per unit	\$47.74 per unit	<u>\$49.00</u> each
Roof or ground mounted commercial HVAC equipment	47.70	\$45.00 each	\$47.74 each	<u>\$49.00</u> each
Commercial coffee roaster	47.70	\$45.00 each	\$47.74 each	<u>\$49.00</u> each
Stage I vapor recovery or other pollution control device(s) in or on any building, equipment or other pollution control device(s) in or on any building, equipment or premises	47.70		\$47.74 each	<u>\$49.00</u> each
Storage of regulated substances for containers over 250 gallons	48.310	\$45.00 each	\$47.74 each	<u>\$49.00</u>
Storage of regulated substances in multiple containers smaller than 250 gallons	48.310	\$45.00 per 250	\$47.74 each 250 gallon increment	<u>\$49.00 per 250</u> <u>gallon</u> <u>increment</u>
Out of service aboveground or underground tank	48.310	\$500.00 each	\$530.45 each	<u>\$546.00</u> each
Annual chemical inventory registration	48.310	\$500.00 per site	\$530.45 per site	<u>\$546.00</u> per site
Contaminated open leak site	48.310	\$300.00 per site	\$318.27 per site	<u>\$328.00</u> per site
Contaminated CERCLIS/MERLA site	48.310	\$1,000.00 per site	\$1,060.90 per site	<u>\$1,094.00</u> per site
On-site remediation, except wells	48.310	\$500.00 each	\$530.45 each	<u>\$546.00</u> each
Water supply well maintenance	48.310	\$125.00 each	\$150.00 each	<u>\$155.00</u> each

Monitoring well maintenance	48.310	\$125.00	\$150.00	<u>\$155.00</u>
		each	each	each
Industrial waste generator	48.310	\$45.00	\$47.74	<u>\$49.00</u>
		per site	per site	per site
Sediment trap	48.310		\$47.74	<u>\$49.00</u>
			per site	each
Oil/water separator	48.310	\$45.00	\$47.74	<u>\$49.00</u>
		each	each	each
Discharge domestic waste into the sewer system	50.70	\$50.00	\$53.05	<u>\$55.00 per connection</u>
		per connection	per connection	
Discharge industrial waste into the sanitary sewer	50.70	\$50.00	\$53.05	<u>\$55.00 per connection</u>
		per connection	per connection	
Discharge directly into the storm drain system	50.70	\$50.00	\$53.05	<u>\$55.00 per connection</u>
		per connection	per connection	
Storm water management devices	54.92(d)	\$80.00	\$84.87	<u>\$87.00 each</u>
		per device	each	
		\$40.00		
		for each additional device		

*Fee is capped by State Statute or Ordinance
Adopted 9/1/2006.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a non-standard grant agreement with the Minnesota Counties Research Foundation, in the amount of \$97,000, to assist with the cost of the Emergency Community and Health Outreach (ECHO) Project Year 2005 public education television shows, payable from the 2005 MMRS Grant.
Adopted 9/1/2006.

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to accept a \$6,000 donation from Target for use by the CCP/SAFE Unit for community incentives for National Night Out. Further, passage of the accompanying resolution appropriating \$6,000 to the Police Department.
Adopted 9/1/2006.

RESOLUTION 2006R-450
By Samuels and Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:
That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Other Fund (060-400-E001) by \$6,000 and increasing the Revenue Source (060-400-E001 – Source 3720) by \$6,000.
Adopted 9/1/2006.

PS&RS & W&M/Budget – Your Committee recommends passage of the accompanying resolution decreasing the appropriation for the Police Department by \$5,000 to reflect a reduction in grant funds

received from the Greater Minneapolis Council of Churches for the 2006 Phillips Weed and Seed Program.

Adopted 9/1/2006.

**RESOLUTION 2006R-451
By Samuels and Ostrow**

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by decreasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-P300) by \$5,000 and decreasing the Revenue Source (030-400-P300 – Source 3210) by \$5,000.

Adopted 9/1/2006.

PS&RS & W&M/Budget – Your Committee recommends acceptance of the following bids in accordance with City specifications and contingent upon the approval of the Civil Rights Department (Petn No 271470):

a. OP #6645, low responsive bid of Paraclete Armor and Equipment Inc, in the amount of \$107,415.22, to furnish and deliver tactical vests and related accessories for the Police Department.

b. OP #6646, low responsive bid of Pinnacle Armor Inc, in the amount of \$98,176, to furnish and deliver armor rifle plates.

Adopted 9/1/2006.

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

T&PW - Your Committee, having under consideration the East Lake Street Project, now recommends that the proper City officers be authorized to execute the appropriate documents to acquire and accept a street easement from U.S. National Bank Association (U.S. Bank), 919 E Lake St, in order to construct a cul-de-sac on 10th Av S between E Lake St and E 31st St.

Your Committee further recommends passage of the accompanying resolution accepting the 10th Av S plans and directing the City Engineer to proceed and do the work for the 10th Av S cul-de-sac project.

Adopted 9/1/2006.

Approved by Mayor Rybak 9/5/2006.

(Published 9/6/2006)

Resolution 2006R-452, designating the improvement of 10th Av S between Lake St and E 31st St and ordering the work to proceed for the 10th Av S at Lake Street Project, was adopted 9/1/2006 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 2006R-452
By Colvin Roy**

10th AV S AT LAKE STREET CUL-DE-SAC PROJECT 9848

Designating the improvement of certain existing streets at the location described hereinafter and ordering the work to proceed for the 10th Av S at Lake Street Project.

Resolved by The City Council of The City of Minneapolis:

That 10th Av S between E Lake St and E 31st St within the City of Minneapolis is hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by paving with plant mix asphalt and concrete with concrete curb and gutter all on a stabilized base including other street paving-related improvements, and the City Engineer is hereby directed to proceed and do the work as designated.

Adopted 9/1/2006.

Approved by Mayor Rybak 9/5/2006.

T&PW - Your Committee, having under consideration the Northstar Corridor Construction Agreement, now recommends that the proper City officers be authorized to negotiate and enter into an agreement with the Minnesota Department of Transportation (MnDOT) to reimburse the City of Minneapolis for project construction work.

Your Committee further recommends that the proper City officers amend the agreement for redesign of sewer and water utility locations.

Adopted 9/1/2006.

T&PW - Your Committee, having under consideration the sale of excess City-owned land located at 3802 Calhoun Parkway West, legally described as part of Lots 1 and 2, Block 10, Cottage City, now recommends:

a) Approval of the sale of said parcel to the adjacent owner, Biltmore Land Group, LLC, for a revised price of \$20,000, according to the terms of the Purchase Agreement;

b) That the proper City officers be authorized to execute a Quit Claim Deed to convey the property to the buyer and sign any other documents necessary to facilitate the sale of the property (a conservation easement shall be reserved on the parcel to prevent future building); and

c) That the sale proceeds be used to reimburse Public Works for the expenses associated with selling the property, with the balance deposited into the PW-General Services-Capital Agency in the Lands and Buildings Fund 6200-923-9242 (Property Disposition-Land Sales).

Adopted 9/1/2006.

T&PW - Your Committee, having under consideration the 2nd St SE Sanitary Sewer Project No. 4421, now recommends passage of the accompanying resolution designating the street(s) to be improved in the project.

Adopted 9/1/2006.

Resolution 2006R-453, designating the location of the sanitary sewer work on 2nd St SE between 5th and 6th Aves SE, was adopted 9/1/2006 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 2006R-453

By Colvin Roy

2nd STREET SE SANITARY SEWER PROJECT NO 4421

Designating the sanitary sewer work at the location described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing street within the City of Minneapolis is hereby designated to be improved, pursuant to the provisions of Chapter 9, Sections 4 and 5 and Chapter 10, Sections 6 and 9 of the Minneapolis City Charter, by installing a public sanitary sewer together with all the necessary appurtenances and work related thereto:

2nd Street SE from approximately the centerline of 6th Avenue SE, then Northwesterly approximately 240 feet (as more particularly described and shown in the plans on file in the office of the City Engineer).
Adopted 9/1/2006.

T&PW - Your Committee, having received a cost estimate of \$103,412 for sanitary sewer construction improvements and a list of benefited properties for the 2nd Street SE Sanitary Sewer Project No. 4421, as designated by Resolution 2006R-453, passed September 1, 2006, now recommends that the City Engineer be directed to prepare a proposed Sanitary Sewer Construction Assessment against the list of benefited properties.

Your Committee further recommends receiving the Petition Letter from Bluff Street Development LLC (owner of benefited property at 520 and 521 Second Street SE).

Your Committee further recommends that a public hearing be held on September 26, 2006 to consider the amount proposed to be assessed to the benefited properties and the amount to be funded by the City.

Adopted 9/1/2006.

T&PW - Your Committee recommends that the City-owned land located at 2000 W River Rd N, 1-17th Av N, and 2-17th Av N be sold by the method of private sale to the Minneapolis Park and Recreation Board in exchange for certain MPRB land.

Your Committee further recommends that the proper City officers be authorized to negotiate with the Minneapolis Park and Recreation Board to define the terms and conditions of a land exchange and report back to Committee at a public hearing to be held on September 14, 2006 regarding said sale.

Adopted 9/1/2006.

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

T&PW & W&M/Budget - Your Committee, having under consideration the construction of the Van White Memorial Boulevard, now recommends amending Contract Agreement 21009, dated October 1, 2004 with Toltz, King, Duvall, Anderson & Assoc. (TKDA) by extending the termination date to December 31, 2008, and increasing the amount of the contract by \$800,000 for construction administration, surveying, monitoring, inspection, geotechnical monitoring, contamination monitoring, and contamination remediation. No additional appropriation required.

Adopted 9/1/2006.

T&PW & W&M/Budget - Your Committee recommends acceptance of the responsive bid submitted to the Public Works Department on OP No. 6652 from Elk River Chrysler, Inc., in the amount of \$50,238, to furnish and deliver two (2) Jeep Wrangler 4 x 4's with snow plows.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications and contingent upon approval of the Civil Rights Department. (Petr. No. 271474)

Adopted 9/1/2006.

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

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a five-year contract with OnScene Solutions, LLC, in the amount of \$54,364, to furnish its InTow software application, support and maintenance providing a computer-aided towing system to the Public Works department.

Your Committee further recommends passage of the accompanying Resolution appropriating \$28,948.48 in the Information & Technology Services Agency for 2006.

Adopted 9/1/2006.

RESOLUTION 2006R-454

By Ostrow

Amending The 2006 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 in the Information & Technology Services Agency in the Intergovernmental Service Fund (6400-880-8870 Project 880F5332) by \$28,948.48; and increasing the revenue source (6400-880-8870 - Source 3455) by \$28,948.48 in 2006.

Adopted 9/1/2006.

W&M/Budget – Your Committee, having under consideration the City of Minneapolis Logo, now recommends that City staff, under the oversight of the City Coordinator be directed to research and facilitate the development of a new City of Minneapolis logo and tagline, utilizing the support of private sector expertise as appropriate and at no cost to the City; and to report back to the Committee by October 16, 2006.

Hodges moved that the report be amended by adding a new paragraph to read as follows: “Further, during a new logo development process, elected officials will have the option of using the official seal of the City of Minneapolis in place of the sailboats logo. The Communications staff will develop a higher quality template of the seal by September 18, 2006.” Seconded.

Adopted upon a voice vote.

Colvin Roy moved to amend the first paragraph of the report by adding the language, “with input from the public” after the word “tagline.” Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 9/1/2006.

Yeas, 10; Nays, 3 as follows:

Yeas - Samuels, Gordon, Hofstede, Ostrow, Lilligren, Glidden, Remington, Benson, Hodges, Johnson.

Nays - Schiff, Colvin Roy, Goodman.

W&M/Budget - Your Committee recommends approval of the October 2006 utility billing insert on behalf of the Streets and Solid Waste & Recycling divisions of Public Works providing information about the fall street sweeping and bagged yard waste collection dates.

Adopted 9/1/2006.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for School Based Clinic (SBC) billing, data management, and consulting services for up to three school years (2006-07, 2007-08, and 2008 through August 31, 2009), contingent upon program needs, funding, and performance, with services funded by SBC revenue from third party payers.

Adopted 9/1/2006.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to hire Janelle Peralez at Step 5 of the salary scale for the position of Family Support Specialist III / Steps to a Healthier Minneapolis Coordinator. This position is funded by a federal grant (0300-860-8615).

Adopted 9/1/2006.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept funds in the amount of \$50,000 from the Pohlad Family Charities for efforts focused on youth and learning.

Your Committee further recommends passage of the accompanying Resolution increasing an appropriation to the Mayor’s Office to reflect receipt of said funds.

Adopted 9/1/2006.

RESOLUTION 2006R-455

By Ostrow

Amending The 2006 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 Mayor's Office Agency in the Grants - Other Fund (0600-375-3760-5130) by \$50,000, and increasing the revenue source by \$50,000.

Adopted 9/1/2006.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to hire Scott Eggen at Step 5 of the salary scale for the position of Plumbing Inspector, Construction Code Services, in the Inspections Unit.

Adopted 9/1/2006.

W&M/Budget - Your Committee, having under consideration the Mercury Lamp Outreach Project, now recommends passage of the accompanying Resolutions:

a) Authorizing the proper City officers to execute a contract and accept funds between City of Minneapolis and Hennepin County for Mercury Lamp Outreach Project grant for an amount not to exceed \$24,500 and is to be completed by December 31, 2008; and subsequent contracts necessary to achieve goals of said grant; and

b) Approving an increase in appropriation in the Licenses & Consumer Services Agency by \$24,500.

Adopted 9/1/2006.

Resolution 2006R-456, authorizing execution of an agreement with Hennepin County for Municipal Waste Abatement Incentive Fund Grant Program to develop a Mercury Lamp Outreach Project, was adopted 9/1/2006 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 2006R-456

By Ostrow

Authorizing execution of an agreement with Hennepin County for Municipal Waste Abatement Incentive Fund Grant Program to develop a Mercury Lamp Outreach Project

Whereas, the City is committed to enhancing its natural environment and overall well being; and
Whereas, the purchase and proper disposal of mercury lamps can save energy, reduce global warming and protect our lakes; and

Whereas, the Hennepin County Board, by Resolution No.99-9-532, established a Municipal Waste Abatement Incentive Fund to provide assistance to communities on waste abatement projects; and

Whereas, the City submitted in application for Hennepin County's Municipal Waste Abatement Incentive Fund Grant Program for a mercury lamp outreach project;

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

That the Minneapolis City Council authorizes the execution of a Municipal Waste Abatement Incentive Fund Grant Agreement.

Be It Further Resolved that as a condition to receive funds under this Grant Agreement the City agrees to implement a mercury lamp outreach program as committed to by its submission of the Grant Application.

Adopted 9/1/2006.

**RESOLUTION 2006R-457
By Ostrow**

Amending The 2006 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 in the Licenses & Consumer Services Agency in the Grants - Other Fund (0600-835-8396) by \$24,500; and increasing the revenue by \$24,500.

Adopted 9/1/2006.

W&M/Budget - Your Committee recommends concurrence with the Executive Committee in approving the reclassification of the position of Deputy Director, Licenses and Consumer Services, (grade 13 with 593 points) to Deputy Director, Operations Support, (grade 13 with 595 points), effective July 12, 2006.

Your Committee further recommends passage of the accompanying Salary Ordinance establishing the salary for said reclassified position.

Adopted 9/1/2006.

Ordinance 2006-Or-100 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel, approving the reclassified position of Deputy Director, Licenses and Consumer Services to Deputy Director, Operations Support, was adopted 9/1/2006 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 2006-Or-100
By Ostrow
1st & 2nd Readings: 9/1/2006**

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

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

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)
Effective: JULY 12, 2006**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After2 "B"	Step D After 3 "C"
E	1	Deputy Director, Operations Support	595	13	A	\$82,544	\$86,889	\$89,496	\$91,233

Adopted 9/1/2006.

W&M/Budget - Your Committee recommends concurrence with the Executive Committee in approving the reclassification of the position of Deputy Director, Minneapolis One Stop, (grade 13 with 593 points) to Deputy Director, Minneapolis One Stop, (grade 13 with 588 points), effective July 21, 2006.

Your Committee further recommends passage of the accompanying Salary Ordinance establishing the salary for said reclassified position.

Adopted 9/1/2006.

Ordinance 2006-Or-101 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel, approving the reclassified position of Deputy Director, Minneapolis One Stop, was adopted 9/1/2006 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 2006-Or-101
By Ostrow
1st & 2nd Readings: 9/1/2006

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

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

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed Officials (CAP)
Effective: July 21, 2006

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After2 "B"	Step D After 3 "C"
E	1	Deputy Director, Minneapolis One Stop	588	13	A	\$81,552	\$85,844	\$88,419	\$90,136

Adopted 9/1/2006.

W&M/Budget - Your Committee recommends that the City Attorney be authorized to proceed with the settlement of Police Officers' Federation of Minneapolis v. the City of Minneapolis, by removing the original findings of the Minneapolis Police Civilian Review Authority in Case No. 01-1647; replace the original findings with amended findings.

Your Committee further recommends that the proper City officers be authorized to execute any documents necessary to effectuate said settlement.

Adopted 9/1/2006.

W&M/Budget - Your Committee, having under consideration the requests from Business Information Services staff to:

a) Authorize execution of a \$950,000 contract with Oracle Corporation to furnish a financial system and, if determined feasible, additional human resources software as well as support and maintenance; and

b) Increase the expense appropriation and revenue in the Information & Technology Services Agency by \$1,228,540, now recommends that said requests be **sent forward without recommendation**.

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

Adopted upon a voice vote.

W&M/Budget - Your Committee, having under consideration the request from Business Information Services staff, now recommends approval of the following:

a) Authorize appropriate City officials to execute a contract with Oracle Corporation to furnish the PeopleSoft financial applications and human resources software components, as well as support and maintenance for a contract total of \$2,438,416.07.

b) Increase the expense appropriation and revenue in the Business Information Services Agency by \$1,228,540 consisting of \$950,000 in software, first year software and support of \$209,000, and sales tax.

Adopted 9/1/2006.

Approved by Mayor Rybak 9/5/2006.

(Published 9/6/2006)

RESOLUTION 2006R-458

By Ostrow

Amending The 2006 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 in the Business Information Services Agency in the Intergovernmental Service Fund (6400-880-8870 Project 880F5171) by \$1,228,540; and increasing the revenue source (6400-880-8870 - Source 3455) by \$1,228,540 in 2006.

Adopted 9/1/2006.

Approved by Mayor Rybak 9/5/2006.

(Published 9/6/2006)

W&M/Budget - Your Committee, having under consideration the Citywide Broadband Wireless Initiative, now recommends the following:

a) Approval of US Internet as the selected vendor to provide Broadband Internet Protocol (IP) Data Access services to the City of Minneapolis;

b) Authorization to execute a ten year contract for said services;

c) Passage of the accompanying Resolution increasing the appropriation by \$2,200,000 in the Information & Technology Services Agency; and

d) Approval of the US Internet contract Term Sheet.

Gordon moved to divide the report so as to consider separately recommendations "a - d." Seconded.

Schiff asked President Johnson for a ruling on whether the motion was debatable.

Chair Johnson ruled that the motion was debatable.

Colvin Roy appealed the ruling of the Chair. Seconded.

Adopted upon a voice vote.

Gordon moved to amend the US Internet Wireless (USIW) Term Sheet to include a provision that nullifies the contract if USIW, any parent company of USIW, or any company with a controlling interest in USIW is acquired in whole or in part by the incumbent cable or telephone company in Minneapolis.

Lost for lack of a second.

Gordon moved to amend the report to withhold authorization for the contract with US Internet until the City Council has reviewed and approved final versions of clauses pertaining to: 1) The required City owned Fiber; 2) Wholesale access; 3) Rates for access to City assets; 4) Negotiated rates for network services; and 5) Penalties for non-performance. Seconded.

Schiff moved a substitute motion that staff be directed to report back to the Ways & Means/Budget Committee meeting of September 18, 2006 regarding the contract clauses pertaining to: 1) The required City owned Fiber; 2) Wholesale access; 3) Rates for access to City assets; 4) Negotiated rates for network services; and 5) Penalties for non-performance. Seconded.

Adopted upon a voice vote.

Schiff's substituted motion was adopted upon a voice vote.

Ostrow moved that the Term Sheet be amended to include \$3,178,000 of prepaid broadband services to reflect the initial \$2,200,000 plus the time value of money. Seconded.

Adopted upon a voice vote.

Colvin Roy moved to amend Ostrow's motion to include the following language after "the time value of money": "and further, provide for an irrevocable letter of credit or performance bond, to be chosen by the City Finance Director, to ensure that the City receives the full \$3,178,000 in services or re-payment." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 9/1/2006. Yeas, 12; Nays, 1 as follows:

Yeas - Samuels, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Johnson.

Nays - Gordon.

Approved by Mayor Rybak 9/5/2006.

(Published 9/6/2006)

RESOLUTION 2006R-459

By Ostrow

Amending The 2006 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 in the Information & Technology Services Agency in the Intergovernmental Service Fund (6400-880-8870 Project 880WIRE6) by \$2,200,000; and increasing the revenue source (6400-880-8870 - Source 3455) by \$2,200,000.

Adopted 9/1/2006. Yeas, 12; Nays, 1 as follows:

Yeas - Samuels, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Johnson.

Nays - Gordon.

Approved by Mayor Rybak 9/5/2006.

(Published 9/6/2006)

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

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Union Land III, LLC (#1484) to vacate an easement for drainage in the vicinity of 101 Broadway St NE, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said drainage easement.

Adopted 9/1/2006.

Resolution 2006R-460, vacating all of a drainage easement in Block 13, Marshall's Addition to the Town of St. Anthony, Minneapolis, Hennepin County, Minnesota (vicinity of 101 Broadway St NE), was adopted 9/1/2006 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 2006R-460

By Schiff

Vacating all of a Drainage Easement in Block 13, Marshall's Addition to the Town of St. Anthony, Minneapolis, Hennepin County, Minnesota (vicinity of 101 Broadway St NE) (#1484).

Resolved by The City Council of The City of Minneapolis:

That part of Lots 6, 7, 8, & 9, Block 13, Marshall's Addition to the Town of St. Anthony, being a strip of land 20 feet in width, the center line of which is described as follows: Beginning at a point in the East line of the West half of said Lot 9, distant 95 feet North of the North line of Broadway Street as now established, thence West parallel with the North line of Broadway Street a distance of 164.7 feet, thence Southwesterly deflecting to the left 42 degrees, 58 minutes to the Easterly line of Main Street and there terminating. All according to the recorded plat of Marshall's Addition to the Town of St. Anthony, Hennepin County, Minnesota is hereby vacated.

Adopted 9/1/2006.

Z&P – Your Committee recommends approval of the appointment of Alissa Luepke Pier (Ward 3), to the Minneapolis Zoning Board of Adjustment, for a term of office to expire December 31, 2009.

Adopted 9/1/2006.

Z&P - Your Committee, having under consideration the environmental review process for the Pacific Block Development: a mixed commercial, hotel, office and residential (comprised of 450 condominium units) development totaling approximately 750,000 gross square feet proposed on the block bounded by Washington Ave N, 3rd Ave N, 2nd St N, and 2nd Ave N, and the recommendation of Community Planning & Economic Development staff that development of an Environmental Impact Statement not be ordered, therefore making a negative declaration, and to adopt the Findings of Fact and Record of Decision document set forth in the staff report, now recommends that the subject matter be **sent forward without recommendation**.

Schiff moved to amend the report by deleting the language, "the subject matter be sent forward without recommendation," and inserting in lieu thereof, "approval of the staff recommendation." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 9/1/2006.

MOTIONS

Ostrow moved that the regular payrolls for all City employees under City Council jurisdiction for the month of October, 2006, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 9/1/2006.

Colvin Roy introduced the subject matter of the following ordinances amending Title 17 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks, which were given their first reading and referred to the Transportation & Public Works Committee*:

- a. adding a new Chapter 460 relating to *Bloomington-Lake Special Services District*,
- b. adding a new Chapter 461 relating to *Chicago-Lake Special Services District*.

Schiff moved approval of an application for a large block event permit for the Mexican Independence Celebration, to be held on September 15, 2006, to operate outside the time-frame allowed under Title 17, Chapter 455 of the Minneapolis Code of Ordinances and approval of the closure of Lake St E between Bloomington Av S and 15th Av S to allow for the event and set-up. Seconded.

Adopted upon a voice vote 9/1/2006.

Hofstede moved that the Public Safety & Regulatory Services Committee be discharged from further consideration of the license application submitted by Mayslacks Polka Lounge, 1428 4th St NE, for a change in ownership. Seconded.

Adopted upon a voice vote 9/1/2006.

Approved by Mayor Rybak 9/5/2006.

(Published 9/6/2006)

Hofstede moved that the license application submitted by T M Entities LLC, dba Mayslacks Polka Lounge, 1428 4th St NE, for an On-Sale Liquor Class B with Sunday Sales License (change in ownership from JWM Investments Inc) to expire July 1, 2007, be granted, subject to the following conditions:

a. the licensee shall clean the property and public areas on a regular basis within 100 feet of the property lines.

b. the licensee will take all appropriate measures to reduce noise in accordance with Section 360.55 of the Minneapolis Code of Ordinances. In addition, any noise (patron, music, etc) from the establishment and outdoor area that has documented proof to disturb a resident will result in adverse license action.

c. the interior of the establishment shall be kept clean at all times.

d. the licensee agrees not to install pay phones either inside or outside the establishment.

e. the licensee shall follow all laws and rules of the City of Minneapolis and the State of Minnesota relating to operating an establishment with an on-sale beverage alcohol license.

f. the licensee shall complete all of the Code requirements as directed by staff of the Environmental Health Department within 90 days of licensure by the City of Minneapolis. Should an extension of the 90-day requirement be needed, a review of the circumstances will be conducted and approved or denied by the Director of Minneapolis Licenses and Consumer Services. Seconded.

Adopted 9/1/2006.

Approved by Mayor Rybak 9/5/2006.

(Published 9/6/2006)

Samuels moved to amend the previously adopted report of the Public Safety & Regulatory Services Committee of August 18, 2006 by deleting the recommendation to demolish the property located at 1430 Irving Av N and legally described as Lot 4, Block 2, Crepeau's Addition to Minneapolis (PID #16-029-24-34-0029), and to substitute the following recommendation for rehabilitation: "now recommends that the property owner be authorized to renovate 1430 Irving Av N, and that the renovation be completed by October 9, 2006 under the terms of the Restoration Agreement, and in accordance with the revised findings of fact. Further, that staff be directed to report back to the Public Safety & Regulatory Services Committee if the owner of 1430 Irving Av N does not complete the required rehabilitation." Seconded.

Adopted upon a voice vote 9/1/2006.

RESOLUTIONS

Resolution 2006R-461, honoring Frances Guminga for her environmental work on behalf of the City of Minneapolis, was adopted 9/1/2006 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 2006R-461

**By Johnson, Ostrow, Gordon, Hofstede, Samuels, Lilligren,
Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy and Hodges**

Honoring Frances Guminga for her environmental work on behalf of the City of Minneapolis.

Whereas, Frances Guminga, a true citizen of Minneapolis, was an authentic friend of the city and all its people; and

Whereas, Frances Guminga, often at the forefront of social and environmental justice issues, was a tireless worker for the good of the city who accepted responsibility, demanded accountability and earned the respect of those on both sides of issues she espoused; and

Whereas, Frances Guminga was co-founder of Bottineau Citizens in Action and was its president, co-founder of the Mississippi Corridor Neighborhood Coalition (MCNC) of 21 neighborhoods, a significant force in Minneapolis' Above the Falls Citizens Advisory Committee, and co-founder of Clean Energy Now; and

Whereas, Frances Guminga was a leader in creating several Minneapolis Neighborhood Revitalization Program (NRP) neighborhood organizations, developing comprehensive NRP Phase I plans for the neighborhoods of Bottineau, Shingle Creek, and Lind-Bohanon Neighborhood Associations; and

Whereas, Frances Guminga authored the award-winning "*Conceptual River Corridor Plan*" for North/Northeast/South Minneapolis, recognized as a "national model" that was eventually used for the "Above the Falls Master Plan" efforts; co-authored the first Environmental Inventory done for North/Northeast/South Minneapolis neighborhoods in 1993; authored the "Historical Marshall Street Walking Tour"; and co-authored and presented the Mayor with the MCNC Environmental Agenda 2002 detailing environmental priorities and policies; and

Whereas, Frances Guminga's tireless advocacy for her city led in part to the following environmental improvements: improved water and air monitoring and reporting in Minneapolis and the metropolitan area; improved water quality of the Mississippi River; the agreed-to conversion of the Riverside plant to natural gas, all to the lasting benefit of residents and businesses on both sides of the Mississippi River; and

Whereas, Frances Guminga, citizen, activist, advocate, and mentor to many North and Northeast Minneapolis residents and to others across the city and metro area, has left a lasting example for the city and its people;

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

That we honor Frances Guminga for her tireless and invaluable work on behalf of the City of Minneapolis and its people.

Adopted 9/1/2006.

Resolution 2006R-462, honoring Sonny Rollins, was adopted 9/1/2006 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 2006R-462

**By Schiff, Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman,
Glidden, Remington, Benson, Colvin Roy and Hodges**

Honoring Sonny Rollins.

Whereas, Sonny Rollins is recognized as an innovator on the tenor saxophone and often referred to as the "Saxophone Colossus"; and

Whereas, during his entire career, Sonny Rollins has maintained his own distinct sound while evolving with each development in music; and

Whereas, during the 60 years he has played music, Sonny Rollins has been very important in the development of jazz, performing with legends as diverse as: Bud Powell, Thelonious Monk, Clifford Brown, Max Roach, Miles Davis, Coleman Hawkins, and the Rolling Stones; and

Whereas, for the past 50 years, the influence of Sonny Rollins can be seen in many practitioners of the tenor saxophone, including artists as diverse as Branford Marsalis and David S. Ware; and

Whereas, today, Sonny Rollins continues to record and tour, releasing a new CD "Sonny, Please" and performing on the University of Minnesota campus, at the Ted Mann Concert Hall, on Sunday, September 17th, 2006;

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

That Sunday, September 17th, 2006, be proclaimed as Sonny Rollins Day in The City of Minneapolis.

Adopted 9/1/2006.

NEW BUSINESS

Ostrow moved to refer to the Ways & Means/Budget Committee the finalists for the appointment to the Minneapolis Ethical Practices Board and that a public hearing be held at the Ways & Means/Budget Committee meeting on September 18, 2006. Seconded.

Adopted 9/1/2006.

Lilligren moved to adjourn. Seconded.

Adopted upon a voice vote 9/1/2006.

Merry Keefe,
City Clerk.

Unofficial Publication: 9/05/2006
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Correction: 9/20/2006; 11/9/2006; 1/2/2007