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*Randall D.B. Tigue,
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Executive Assistant*

June 8, 2016

Grant Wilson
Minneapolis License and Consumer Services
1C City Hall
350 S. 5th St.
Minneapolis, MN 55415-1391

Re: Somali Independence Day Block Event

Dear Mr. Wilson:

Please consider this letter to be an appeal to the Transportation and Public Works Committee of the Minneapolis City Council on behalf of Mohamud Isse, Mohamed Cali, Abdul Ibrahim, and the South Whittier Neighborhood Group concerning the above-described matter.

By my reading of your letter of June 1, 2016, the sole basis for your rejection of the application is that another group led by Ka Joog and Mahamed Farah, hereinafter referred to as the Ka Joog applicants, have already been granted a block event application for the same area at the same time.

Our review of the Ka Joog application has determined that that application does not comply with the city's requirement for such a block event. The block event ordinance requires that a proposed block event obtain the signatures of 75% of the businesses and residences in the proposed block event area. Ka Joog identified only 35 businesses and residences and obtained a total of only 27 signatures, as 8 of the addresses were only notified and did not approve the block event. A copy of this list of signatures was attached to our original application as Exhibit A. There are in fact, 92 businesses and residences in the area of the proposed block event. A list of those businesses and residences was attached to the original application as Exhibit B. Twenty-seven is nowhere near 75% of 92.

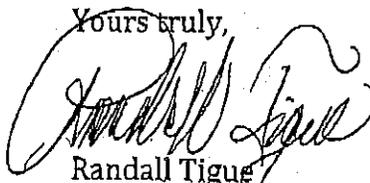
Because the Ka Joog application did not comply with the 75% requirement, that application should have been denied in favor of my clients' application.

My clients' application did contain the requisite signatures of the 75% of the area it proposes to use. Even if my clients' application is subsequent in time, the fact remains that it complies with the requirements of the ordinance, while the Ka Joog application does not.

Your letter of June 10 contains the conclusory assertion that your staff has reviewed the Ka Joog application and "determined that it meets the requirements set forth in Minneapolis Code of Ordinances Chapter 455. However, nowhere does that letter dispute that there are 92 businesses and residences in the area covered by the Ka Joog application, nowhere does it dispute that the Ka Joog application contains only 36 signatures, and nowhere does it claim that 27 is 75% of 92. Equally significantly, the letter does not dispute that my clients in fact have the signatures of 75% of the businesses and residents in the area covered by their application.

My clients therefore demand a hearing before the Transportation and Public Works Committee well in advance of the planned event.

Yours truly,



Randall Tighe
Attorney at Law

Enclosures
C: Clients

SPEETER & JOHNSON

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RETIRED COUNSEL:
VINCENT E. JOHNSON

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DIRECT CELL: 612-616-8658

June 9, 2016

Grant Wilson
Minneapolis License and Consumer Services
1C City Hall
350 S. 5th St.
Minneapolis, MN 55415-1391

Re: *KaJoog Block Event Permit*
Date: *July 9, 2016*

Dear Mr. Wilson:

Please take notice that Karmel Mall, LLC, Karmel Village, LLC and Sabri Properties, LLC hereby object to the granting of a three block, Block Event Permit, to Ka Joog for a block event to be held on or about July 9, 2016. This letter should be considered as an appeal by the above referenced affected businesses to the Transportation and Public Works Committee of the Minneapolis City Council of the grant of that block event permit.

The reason for the objection is that past block events held by KaJoog have significantly and negatively affected the Karmel Malls as well as Karmel Village, by restricting ingress and egress from the south.

The problems for the malls is exacerbated by the fact that the proposed block event is to be on Lake Street, West of Blaisdell and East of Grand. This leaves the block event bounded by two southerly one ways on the east and west. Accordingly reaching these very busy malls becomes an extremely difficult and confusing task. It is essential that access to the mall entrance from the south not be barricaded off by this Block Event. Past events by Kajoog dramatically affected mall attendance. A great number of my tenants complained and they lost significant revenue.

June 9, 2016

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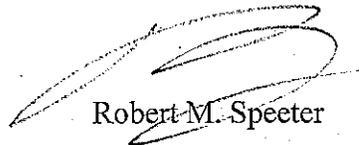
It is essential that Pleasant remain open. By allowing ease of entrance by keeping Pleasant open, we can instruct patrons how best to leave, even if Pillsbury is barricaded, and the impact to the malls will be much less.

Last year, both Pleasant and Pillsbury Avenues were signed road closed at 28th Street and there was a confusing set of detour signs. Travel to and our of these busy malls was confusing, dangerous and certainly negatively impacted both the malls and the surrounding neighborhood.

Additionally, we believe that KaJoog has not obtained the requisite 75% of the required signatures for approval as set forth in the separate appeal by representatives of South Whittier Neighborhood Group. We would therefore respectfully request that the Block Event either be constricted to West of Blaisdell and East of Pleasant or that the application be denied in its entirety.

We therefore demand a hearing before the Transportation and Public Works Committee at the next meeting and before the planned event.

Sincerely,



Robert M. Speeter

RMS:

Address	SABRI's list	NOTES	Comments		
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May 24, 2016

To: Lee Wolf
Assistant City Attorney

From: Phil Schliesman
License Inspector

REF: Summary of signatures for Ka Joog Somali Independence Day Event
Scheduled for July 9th, 2016 on Lake Street West

An objection was made regarding Ka Joog (the applicant) meeting the required 75% of households and business owners or other authorized representatives on the blocks that abut the block event. A collection of signatures supplied by the applicant was compared to the list of signatures submitted in a competing application. A summary of the comparative analysis follows.

The City has verified there are 33 addresses abutting this event, with two addresses being multi-dwelling buildings. The objecting party states there are 92 total owners/businesses/residents involved with this event. The following paragraphs will explain differences between what the applicant and the competing application have submitted for approvals.

The two multi-dwelling locations, 127 Lake Street and 301½ to 309½ Lake Street, contain apartments. Obtaining signatures from all tenants in multi-dwelling units is not practical and nearly impossible to obtain, therefore the operational standards for a large block event application has been set for many years at making the applicant show proof of notification to the location, by placing the notification in a common location within the location, or giving the notification to the front desk to distribute to all residents. The competing application has counted 33 signatures for 127 Lake Street and 8 signatures for 301½ to 309½ Lake Street.

The objecting application states there is an additional business and a third multi-dwelling location. The business address is 105 Lake Street. This location is vacant and the front of the business faces Blaisdell Avenue. The multi-dwelling address is 318 Lake Street; however, the main door to the dwellings faces Grand Avenue. The competing application has counted 6 signatures for 318 Lake. Both of these locations are not counted for purposes of obtaining the 75% requirement.

There is a multi-business location at 312 Lake Street. There are two businesses in that building abutting Lake Street. Per Ordinance 455.25 (c) only those that abut the block event need to be counted. Ka Joog has obtained these two businesses' approval. The competing applicant's documentation shows there are 9 businesses at this location, and the building owner was also counted. Therefore, only 2 of the 10 are needed to be counted for the 75% requirement.

The competing application documents state there are two businesses at 124 Lake Street. The applicant submitted an approval signature for that address.

Hook Fish & Chicken is located at 221 Lake Street. The applicant submitted an approval signature for this business. The competing application shows there is the business plus a person, Paul Olerster, at this location. Only one signature is required for this business.

The applicant submitted an approval signature for 224 Lake. The competing application shows there are two businesses at that address.

117 and 119 Lake house H&R BLOCK, one business.

There are 33 addresses that abut this event. Two of the addresses contain multi-dwelling units where notification is required, but the total number of units is not counted in computing the 75% approval. That leaves 31 addresses. 117 and 119 are one business, thus leaving 30 addresses. Two business need to be counted for 312 Lake. That means there are 31 businesses. Using the competing application numbers where there are two instances where there is the possibility of two businesses at one addresses, there are 33 total possible businesses that could be affected. The applicant has obtained approval for 30 of those businesses. The applicant supplied a copy of an event notification that was posted at 127 Lake and at the mail boxes for the tenants at 301 ½ to 309 ½. The approval percentage is 90.9%. The requirement per Ordinance is 75%. Therefore this application meets the minimum approval requirement.

The applicant will be reposting all of the addresses two weeks prior to the scheduled event.

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June 20, 2016

Kevin Reich, Chair
Minneapolis City Council Transportation and Public Works Committee
307 City Hall
350 S. 5th St.
Minneapolis, MN 55415

Re: *KaJoog Block Event Permit*
Date: July 9, 2016

Dear Mr. Reich:

Please take notice that Karmel Mall, LLC, Karmel Village, LLC and Sabri Properties, LLC submit this letter as it is our understanding that testimony will not be allowed at the June 21, 2016 hearing. The main thrust of this appeal is to at the very least constrict the block event at issue to the two blocks on Lake St. West from west of Blaisdell to east of Pleasant.

The reason for the objection was originally set forth in my letter of June 9, 2016. Additionally, the Affidavits of Basim Sabri and Mahmoud Isse are attached. These Affidavits establish that the past two block events held by KaJoog have significantly and negatively affected the Karmel Malls as well as Karmel Village, by restricting ingress and egress from the south.

The problems for the malls is exacerbated by the fact that the proposed block event is to be on Lake Street, West of Blaisdell and East of Grand. This leaves the block event bounded by two southerly one ways on the east and west. Accordingly reaching these very busy malls becomes an extremely difficult and confusing task. It is essential that access to the mall entrance from the south not be barricaded off by this Block Event. Past events by Ka Joog dramatically affected mall attendance. A great number of tenants complained and they lost significant revenue.

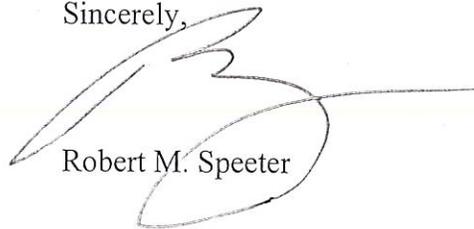
June 20, 2016

Page 2

The Minneapolis Code Section 455.30 precludes blocking an arterial street such as Lake St. where the surrounding streets cannot accommodate the traffic. For the reasons set forth in the attached affidavits, this is true where the intersection of Pleasant and Lake Street is blocked. The ordinance also precludes the granting of a permit where it causes undue financial hardship and it unduly restricts pedestrian and vehicular traffic. Pleasant is dramatically impacted from 28th Street to the north to Lake St. to the south. These impacts warrant the denial of the permit unless it is restricted to west of Blaisdell Ave. to east of Pleasant Ave.

Additionally, we believe that KaJoog has not obtained the requisite 75% of the required signatures for approval as set forth in the separate appeal by representatives of South Whittier Neighborhood Group warranting wholesale denial of the application.

Sincerely,

A handwritten signature in black ink, appearing to be 'RMS', with a long horizontal line extending to the right.

Robert M. Speeter

RMS:
enclosures

AFFIDAVIT OF
BASIM OMAR SABRI

1. I own the Limited Liability Partnerships that own Karmel Plaza, Karmel Square and Karmel West. I submit this affidavit for consideration of my objection to the Ka Joog Block Event Permit as presently granted as I have been advised that no hearing will be held where I can testify.

2. I am also objecting on behalf of the many businesses that have contacted me because the block events held in 2014 and 2015 severely impacted the access to the Karmel Malls because the southern access was blocked.

3. Lake St. is a snow emergency route and arterial street. Accordingly, under Minneapolis Code Section 455.30 (b) the event cannot block such a street unless traffic flow can be reasonably accommodated on adjacent streets.

4. We now have 3 years of experience that these events dramatically and negatively affect the traffic toward the Karmel Malls from Lake St. on the south because Pleasant Ave. is blocked, which is also the entrance to the Malls.

5. There was no such problem in 2010, 2012 and 2013 when the event was held from Blaisdell to Pleasant Ave. only, so that Pleasant Ave. was not blocked Lake St.

6. In the last two years, during these events, Pleasant Ave. has been barricaded at 28th St. with a sign reading "Road Closed – Local Traffic Only." As this is 1-1/2 blocks from the malls, many patrons were not inclined to travel past the road-closed signs to the entrances to the Malls. Additionally, traveling south on Pleasant Ave. past the 28th St. Barricade, patrons would encounter another sign at 29th St. indicating "Detour" and directing traffic to the east instead of south on Pleasant.

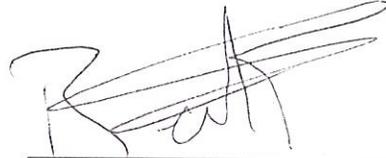
7. Furthermore, if one is traveling south on Pillsbury, there is a detour sign at 29th and Pillsbury stopping southbound traffic and directing traffic west or east leaving traffic to drive in circles.

8. Access from Lake St. and Pleasant Ave. to the Malls is critical because Grand to the west and Blaisdell to the east are both southern directed one ways. Traffic from the south had to figure out to travel northerly on Harriet to 28th St., then easterly on 28th to Pleasant Ave. S. where they may or may not attempt to navigate the "Road Closed" and detour signs.

9. After each of these last three block events I have received a near unanimous chorus of complaints from the over 200 Somali commercial business operators in these Malls complaining of the loss of business because of the lack of access. They strongly object to the event as configured.

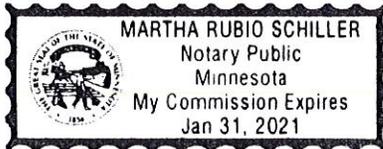
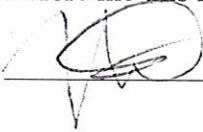
10. I made several requests to the event sponsor, Ka Joog to limit the event to West of Blaisdell and East of Pleasant so as not to cause this problem. They have refused to modify the event.

Subscribed and Sworn to



Basim Omar Sabri

Before me this 20th Day of June, 2016



AFFIDAVIT OF

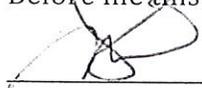
MOHAMUD ISSE

1. I am president of the Somali Business Association for the Karmel Malls and President of the South Whittier Neighborhood Association. I submit this affidavit for consideration of our objection to the Ka Joog Block Event Permit as presently granted as I have been advised that no hearing will be held where I can testify.
2. I am also objecting on behalf of the Somali Businesses at the Karmel Malls because the block events held in 2014 and 2015 severely impacted the access to the Karmel Malls because the southern access was blocked and we expect the same in 2016. Many store owners wanted to personally testify as to matters in this affidavit.
3. I am of Somali decent and understand very well the Somali culture and the difference in clans. The Ka Joog group does not have any financial or business interest in at the Karmel Malls or nearby. They are of a different clan than the vast majority of business owners at the Karmel Malls.
4. The Ka Joog event is not directed to the Karmel Mall owners, but to their own personal business interests.
5. Lake St. is a snow emergency route and arterial street. Accordingly, under Minneapolis Code Section 455.30 (b) the event cannot block such a street unless traffic flow can be reasonably accommodated on adjacent streets.
6. We now have 2 years of experience that these events as they dramatically and negatively affect the traffic toward the Karmel Malls from Lake St. on the south because Pleasant Ave. is blocked, which is also the entrance to the Malls.
7. There was no such problem in 2010, 2012 and 2013 when the event was held from Blaisdell to Pleasant Ave. only, so that Pleasant Ave. was not blocked Lake St. It should be noted that there were not enough participants in the last two years to require a three-block event.
8. By blocking the southern access to the mall, the 200 plus businesses have been significantly impacted as traffic to the mall is reduced by well over 50% from its normal use in 2014 and 2015.
9. After each of these last three block events I have received a near unanimous chorus of complaints from the over 200 Somali commercial

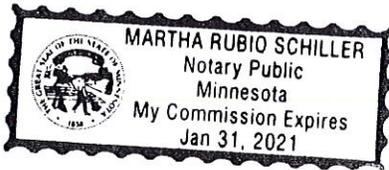
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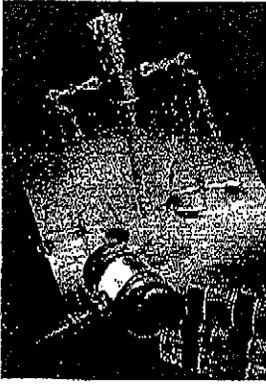
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Before me this 20th Day of June, 2016




Mohmaud Isse





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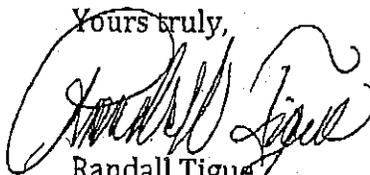
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My clients therefore demand a hearing before the Transportation and Public Works Committee well in advance of the planned event.

Yours truly,

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Attorney at Law

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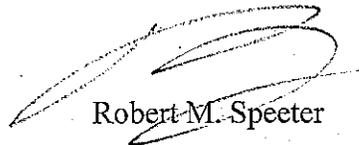
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Assistant City Attorney

From: Phil Schliesman
License Inspector

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An objection was made regarding Ka Joog (the applicant) meeting the required 75% of households and business owners or other authorized representatives on the blocks that abut the block event. A collection of signatures supplied by the applicant was compared to the list of signatures submitted in a competing application. A summary of the comparative analysis follows.

The City has verified there are 33 addresses abutting this event, with two addresses being multi-dwelling buildings. The objecting party states there are 92 total owners/businesses/residents involved with this event. The following paragraphs will explain differences between what the applicant and the competing application have submitted for approvals.

The two multi-dwelling locations, 127 Lake Street and 301½ to 309½ Lake Street, contain apartments. Obtaining signatures from all tenants in multi-dwelling units is not practical and nearly impossible to obtain, therefore the operational standards for a large block event application has been set for many years at making the applicant show proof of notification to the location, by placing the notification in a common location within the location, or giving the notification to the front desk to distribute to all residents. The competing application has counted 33 signatures for 127 Lake Street and 8 signatures for 301½ to 309½ Lake Street.

The objecting application states there is an additional business and a third multi-dwelling location. The business address is 105 Lake Street. This location is vacant and the front of the business faces Blaisdell Avenue. The multi-dwelling address is 318 Lake Street; however, the main door to the dwellings faces Grand Avenue. The competing application has counted 6 signatures for 318 Lake. Both of these locations are not counted for purposes of obtaining the 75% requirement.

There is a multi-business location at 312 Lake Street. There are two businesses in that building abutting Lake Street. Per Ordinance 455.25 (c) only those that abut the block event need to be counted. Ka Joog has obtained these two businesses' approval. The competing applicant's documentation shows there are 9 businesses at this location, and the building owner was also counted. Therefore, only 2 of the 10 are needed to be counted for the 75% requirement.

The competing application documents state there are two businesses at 124 Lake Street. The applicant submitted an approval signature for that address.

Hook Fish & Chicken is located at 221 Lake Street. The applicant submitted an approval signature for this business. The competing application shows there is the business plus a person, Paul Olerster, at this location. Only one signature is required for this business.

The applicant submitted an approval signature for 224 Lake. The competing application shows there are two businesses at that address.

117 and 119 Lake house H&R BLOCK, one business.

There are 33 addresses that abut this event. Two of the addresses contain multi-dwelling units where notification is required, but the total number of units is not counted in computing the 75% approval. That leaves 31 addresses. 117 and 119 are one business, thus leaving 30 addresses. Two business need to be counted for 312 Lake. That means there are 31 businesses. Using the competing application numbers where there are two instances where there is the possibility of two businesses at one addresses, there are 33 total possible businesses that could be affected. The applicant has obtained approval for 30 of those businesses. The applicant supplied a copy of an event notification that was posted at 127 Lake and at the mail boxes for the tenants at 301 ½ to 309 ½. The approval percentage is 90.9%. The requirement per Ordinance is 75%. Therefore this application meets the minimum approval requirement.

The applicant will be reposting all of the addresses two weeks prior to the scheduled event.

SPEETER & JOHNSON

AN ASSOCIATION INCLUDING PROFESSIONAL ASSOCIATIONS

ATTORNEYS AT LAW

1515 CANADIAN PACIFIC PLAZA

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June 20, 2016

Kevin Reich, Chair
Minneapolis City Council Transportation and Public Works Committee
307 City Hall
350 S. 5th St.
Minneapolis, MN 55415

Re: *KaJoog Block Event Permit*
Date: *July 9, 2016*

Dear Mr. Reich:

Please take notice that Karmel Mall, LLC, Karmel Village, LLC and Sabri Properties, LLC submit this letter as it is our understanding that testimony will not be allowed at the June 21, 2016 hearing. The main thrust of this appeal is to at the very least constrict the block event at issue to the two blocks on Lake St. West from west of Blaisdell to east of Pleasant.

The reason for the objection was originally set forth in my letter of June 9, 2016. Additionally, the Affidavits of Basim Sabri and Mahmoud Isse are attached. These Affidavits establish that the past two block events held by KaJoog have significantly and negatively affected the Karmel Malls as well as Karmel Village, by restricting ingress and egress from the south.

The problems for the malls is exacerbated by the fact that the proposed block event is to be on Lake Street, West of Blaisdell and East of Grand. This leaves the block event bounded by two southerly one ways on the east and west. Accordingly reaching these very busy malls becomes an extremely difficult and confusing task. It is essential that access to the mall entrance from the south not be barricaded off by this Block Event. Past events by Ka Joog dramatically affected mall attendance. A great number of tenants complained and they lost significant revenue.

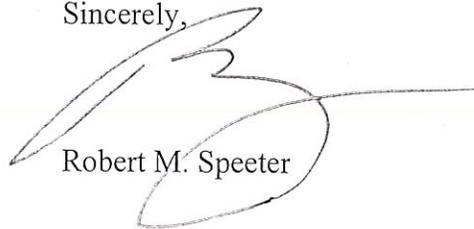
June 20, 2016

Page 2

The Minneapolis Code Section 455.30 precludes blocking an arterial street such as Lake St. where the surrounding streets cannot accommodate the traffic. For the reasons set forth in the attached affidavits, this is true where the intersection of Pleasant and Lake Street is blocked. The ordinance also precludes the granting of a permit where it causes undue financial hardship and it unduly restricts pedestrian and vehicular traffic. Pleasant is dramatically impacted from 28th Street to the north to Lake St. to the south. These impacts warrant the denial of the permit unless it is restricted to west of Blaisdell Ave. to east of Pleasant Ave.

Additionally, we believe that KaJoog has not obtained the requisite 75% of the required signatures for approval as set forth in the separate appeal by representatives of South Whittier Neighborhood Group warranting wholesale denial of the application.

Sincerely,

A handwritten signature in black ink, appearing to be 'RMS', with a long horizontal line extending to the right.

Robert M. Speeter

RMS:
enclosures

AFFIDAVIT OF
BASIM OMAR SABRI

1. I own the Limited Liability Partnerships that own Karmel Plaza, Karmel Square and Karmel West. I submit this affidavit for consideration of my objection to the Ka Joog Block Event Permit as presently granted as I have been advised that no hearing will be held where I can testify.

2. I am also objecting on behalf of the many businesses that have contacted me because the block events held in 2014 and 2015 severely impacted the access to the Karmel Malls because the southern access was blocked.

3. Lake St. is a snow emergency route and arterial street. Accordingly, under Minneapolis Code Section 455.30 (b) the event cannot block such a street unless traffic flow can be reasonably accommodated on adjacent streets.

4. We now have 3 years of experience that these events dramatically and negatively affect the traffic toward the Karmel Malls from Lake St. on the south because Pleasant Ave. is blocked, which is also the entrance to the Malls.

5. There was no such problem in 2010, 2012 and 2013 when the event was held from Blaisdell to Pleasant Ave. only, so that Pleasant Ave. was not blocked Lake St.

6. In the last two years, during these events, Pleasant Ave. has been barricaded at 28th St. with a sign reading "Road Closed – Local Traffic Only." As this is 1-1/2 blocks from the malls, many patrons were not inclined to travel past the road-closed signs to the entrances to the Malls. Additionally, traveling south on Pleasant Ave. past the 28th St. Barricade, patrons would encounter another sign at 29th St. indicating "Detour" and directing traffic to the east instead of south on Pleasant.

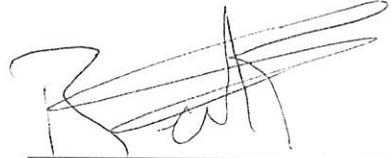
7. Furthermore, if one is traveling south on Pillsbury, there is a detour sign at 29th and Pillsbury stopping southbound traffic and directing traffic west or east leaving traffic to drive in circles.

8. Access from Lake St. and Pleasant Ave. to the Malls is critical because Grand to the west and Blaisdell to the east are both southern directed one ways. Traffic from the south had to figure out to travel northerly on Harriet to 28th St., then easterly on 28th to Pleasant Ave. S. where they may or may not attempt to navigate the "Road Closed" and detour signs.

9. After each of these last three block events I have received a near unanimous chorus of complaints from the over 200 Somali commercial business operators in these Malls complaining of the loss of business because of the lack of access. They strongly object to the event as configured.

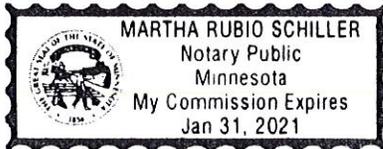
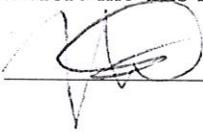
10. I made several requests to the event sponsor, Ka Joog to limit the event to West of Blaisdell and East of Pleasant so as not to cause this problem. They have refused to modify the event.

Subscribed and Sworn to



Basim Omar Sabri

Before me this 20th Day of June, 2016



AFFIDAVIT OF

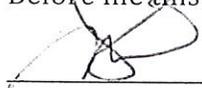
MOHAMUD ISSE

1. I am president of the Somali Business Association for the Karmel Malls and President of the South Whittier Neighborhood Association. I submit this affidavit for consideration of our objection to the Ka Joog Block Event Permit as presently granted as I have been advised that no hearing will be held where I can testify.
2. I am also objecting on behalf of the Somali Businesses at the Karmel Malls because the block events held in 2014 and 2015 severely impacted the access to the Karmel Malls because the southern access was blocked and we expect the same in 2016. Many store owners wanted to personally testify as to matters in this affidavit.
3. I am of Somali decent and understand very well the Somali culture and the difference in clans. The Ka Joog group does not have any financial or business interest in at the Karmel Malls or nearby. They are of a different clan than the vast majority of business owners at the Karmel Malls.
4. The Ka Joog event is not directed to the Karmel Mall owners, but to their own personal business interests.
5. Lake St. is a snow emergency route and arterial street. Accordingly, under Minneapolis Code Section 455.30 (b) the event cannot block such a street unless traffic flow can be reasonably accommodated on adjacent streets.
6. We now have 2 years of experience that these events as they dramatically and negatively affect the traffic toward the Karmel Malls from Lake St. on the south because Pleasant Ave. is blocked, which is also the entrance to the Malls.
7. There was no such problem in 2010, 2012 and 2013 when the event was held from Blaisdell to Pleasant Ave. only, so that Pleasant Ave. was not blocked Lake St. It should be noted that there were not enough participants in the last two years to require a three-block event.
8. By blocking the southern access to the mall, the 200 plus businesses have been significantly impacted as traffic to the mall is reduced by well over 50% from its normal use in 2014 and 2015.
9. After each of these last three block events I have received a near unanimous chorus of complaints from the over 200 Somali commercial

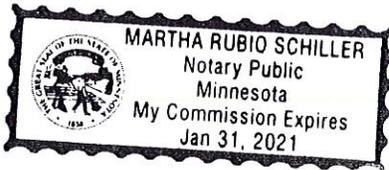
business operators in these Malls complaining of the loss of business because of the lack of access. They strongly object to the event as configured.

Subscribed and Sworn to

Before me this 20th Day of June, 2016




Mohmaud Isse





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*Randall D.B. Tigue,
Attorney at Law*

*Mimi Hasselbalch
Associate Attorney*

*Debra Schretner
Administrative Assistant*

June 20, 2016

Kevin Reich, Chair
Minneapolis City Council Transportation and Public Works Committee
307 City Hall
350 S. 5th St.
Minneapolis, MN 55415

Re: Appeal of Block Event application for South Whittier Neighborhood Group, et al

Dear Chairman Reich:

Since our group will not be granted a hearing before your committee on June 21, please consider this letter to be our response to the staff report submitted by License Inspector Phil Schliesman. It is our position that his report fails to establish that the Ka Joog application is in compliance with Minneapolis Code of Ordinances Sec. 455.25 (c), which requires the approval of 75% of the businesses and households of the affected area. The attached Exhibit A builds off of the document prepared by Mr. Schliesman and shows the three errors made by the City: 1) counting errors by (a) the inclusion of any residential signatures when residences are excluded and (b) the inclusion of addresses that did not approve but were merely notified; 2) the failure to include 40 apartment units; 3) the failure to include businesses at 312 East Lake St.

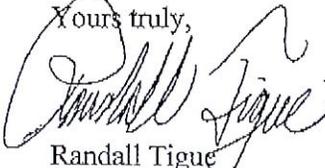
To begin with, even using Mr. Schliesman's math, the Ka Joog application falls short of the required 75%. According to Mr. Schliesman, there are 33 affected businesses and households. In this regard, it should be noted that two signatures were obtained from 127 W. Lake St., a 33-unit apartment building which Mr. Schliesman says should not be counted. If the building is not counted, then neither should the signatures. This brings the number to 31. According to the signatures submitted, there were no signatures obtained for the following addresses: 118 W. Lake St., 119 W. Lake St., 120 W. Lake St., 121 W. Lake St., 133 W. Lake St., 221 W. Lake St., 301 W. Lake St., 317 W. Lake St., and 321 W. Lake St. Additionally, one of the submitted signatures for 312 W. Lake Street does not abut Lake St. The remaining signatures amount to 21 of the 31, or less than 68%.

Mr. Adam R. Strauss
December 23, 2014
Page 2

This leads to the second objection to the Schliesman report: Mr. Schliesman says that multi-unit apartment buildings in the affected area need not be counted because of the difficulty in obtaining signatures. The ordinance contains no such exceptions. It refers to businesses and "households." If renters are to be disenfranchised and made second-class citizens, that should be a decision for the Council, not staff, to make. As for the supposed impossibility of getting signatures from multi-unit buildings, it should be noted that my clients obtained the required signatures from the multi-unit building in their proposed area. When the 40 multi-unit addresses are included in the proposed area, the Ka Joog application does not even meet half the 75% requirement as it totals 32%.

Thirdly, with respect to the building at 312 W. Lake St., there are nine businesses in the building. Since the building fronts on Lake St. and the patrons of all nine businesses enter on Lake St., it is clear that all nine businesses should be counted, not only the two immediately on Lake St. This makes the Ka Joog application fall even shorter of the 75% requirement as the percentage drops to 31%.

We therefore request that the committee reject the Ka Joog application and approve my clients'. In this regard, it should be noted that there is no dispute that my clients' application fully complies with the 75% requirement. It should also be noted that my clients' application will not block the southern access to the busy Karmel Mall, so as not to cause traffic issues and loss of revenue to the many businesses that would occur if the Ka Joog application was approved.

Yours truly,

Randall Tighe
Attorney at Law

RT/tit

EXHIBIT A

Address	KaJoog List Signal	EXHIBIT A	KaJoog No Signature	Comments
100	X	B-8		Fronts Blaisdell
116	X	B-2		
117	X	A-18		117/119 H&R Block
118	X		B-13 Notify only	
119				117/119 H&R Block
120	X		Not on list-No Signature	
120 1/2	X	A-11		
121	X		B-14 Notify Only	
123	X	A-10		
124	X	A-12		
127			*	only 2 of 33 approvals obtained
128	X	A-13		
129	X	A-9		
133	X		B-12 Notify Only	
139	X	A-8		
200	X	A-19		
201	X	A-7		
211	X	A-6		
221	X		B-16-Notify Only	
224	X	A-20		May be 2nd business
301	X		B-15 Notify Only	
301/5.5				0 of 7 units approved
305	X	A-4		
307	X	B-4		
309	X	A-5		Lists 309.5 as 2 tenants
310	X	B-3		
311	X	B-7		
312	X	B-5		2 Biz fronting Lake approve
312	X		B-6 business does not front Lake	7 other businesses no approval
313	X	A-2/3		
317	X		B-11 Notify Only	
320	X		B-20 Notify Only	RLIC is for 5 units - lists 6 slots
321	X		B-9 Notify Only	
323	X	A-1		
Subtotal	31	21	Approval Percentage as submitted: 68%	
Adding Resident	40	2		
Subtotal	71	23	Approval Percentage with Residential: 32%	
Adding all 312 B	7	1		
Total	78	24	Approval Percentage with Residential and 312 Lake Businesses: 31%	

* If the 33 residential units are not included in the calculation it makes no sense to include 2 that approved