MINNEAPOLIS CITY COUNCIL
OFFICIAL PROCEEDINGS

REGULAR MEETING OF
FEBRUARY 25, 2011

(Published March 5, 2011, in *Finance and Commerce*)

Council Chamber
Room 317 City Hall
350 South 5th Street
Minneapolis, Minnesota
February 25, 2011 - 9:30 a.m.
Council President Johnson in the Chair.
Present - Council Members Colvin Roy, Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Gordon, Reich, Hofstede, Schiff, Lilligren, President Johnson.
Glidden moved adoption of the agenda. Seconded.
Adopted upon a voice vote 2/25/2011.
Absent - Lilligren.
Glidden moved acceptance of the minutes of the regular meeting and the adjourned session held February 11, 2011. Seconded.
Adopted upon a voice vote 2/25/2011.
Absent - Lilligren.
Glidden 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 2/25/2011.
Absent - Lilligren.

PETITIONS AND COMMUNICATIONS

COMMITTEE OF THE WHOLE (See Rep):
COORDINATOR (274777)
Business Plans:
City Coordinator Administration
Minneapolis 311
INTERGOVERNMENTAL RELATIONS (274778)
State Legislative Agenda:
Amendment to Public Safety section relating to gun laws and regulations
Federal Legislative Agenda
Adopt FY 2012 agenda

COMMUNITY DEVELOPMENT:
MAYOR (274779)
Mayor R.T. Rybak's Council on Economic Development Finance: Findings & recommendations on principles for growing a sustainable City & its tax base.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274780)

Land Sale: 824 Hennepin Ave S, to Improvisational Investments, LLC.

MacPhail Center for Music: Budget & governmental program.

Rehab Support Program: Change in program guidelines re loan repayment.

2010 Emergency Shelter Grant Funding recommendations.

"It's All About the Kids" Program: Contract with Lutheran Social Services for 2011 administration of program.

Morgan Arms Apartments/Project for Pride in Living (1400 & 1412 E 25th St): Forgiveness of existing project debt.

INTERGOVERNMENTAL RELATIONS (274781)

National Endowment for the Arts Our Town Initiative: Submisstion of Statement of Interest.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274782)

Environmental Remediation Grants (Fall 2010): Acceptance of grants from MN Department of Employment & Economic Developent, Metropolitan Council Tax Base Revitalization Account & Hennepin County Environmental Response Fund.

GRANTS AND SPECIAL PROJECTS (274783)

2010 Consolidated Plan Amendment #1-Neighborhood Stabilization Program 3 Action Plan: Direction to include summary of public comments in submittal to HUD.

NEIGHBORHOOD AND COMMUNITY RELATIONS (274784)

NRP Phase II Neighborhood Action Plans:

Downtown Mpls;

Cedar Isles Dean.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH:

CIVIL RIGHTS (274785)

Contract Compliance: Fourth Quarter 2010 Report.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (274786)

Public Health Services: Execute license agreement with Minneapolis Public Schools, Special School District #1, to use space in multiple school sites for providing public health services to the general public for public health emergencies.

REGULATORY SERVICES (274787)

Pet Licenses: Ordinance adding the provision for a three-year pet license.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and WAYS & MEANS/BUDGET:

FIRE DEPARTMENT (274788)

Minneapolis Fire Department Standard of Coverage: Report.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (274789)

Youth Violence Prevention Plan: Submit grant application to the United States Department of Justice seeking $750,000 for a 36-month project to implement evidence based anti-gang strategies that support the City's Youth Violence Prevention Plan.

Youth Violence Prevention Activities: Accept $100,000 from the Minneapolis Foundation for implementation of activities relating to the Youth Violence Prevention Blueprint; and Approve appropriation.

POLICE DEPARTMENT (274790)

Health Club Memberships for Sworn Employees: Negotiate and execute a contract with Lifetime Fitness for memberships for sworn members of the Minneapolis Police, Fire and Park Board Police Departments.

REGULATORY SERVICES (274791)

Animal Care & Control donations: Accept donations of $70 in pizza from Pizza Luce; and dog collars, leashes and treats from Buckle Down.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

LICENSES AND CONSUMER SERVICES (274792)

Taxi Driver James Nels Huseby: Approve License Settlement Conference recommendations relating to Taxi Driver's License.

Licenses: Applications.

REGULATORY SERVICES (274793)

Rental Dwelling License at 1518 Park Av: Approve reinstatement of license to be held by Amar Pulchan.

Lemonade Day: Declare Sunday, June 5, 2011 as Lemonade; and Waive all normal business inspections, fees, and permits for young entrepreneurs who participate in Lemonade Day.

Off-Sale Liquor Distance Requirements: Ordinance clarifying spacing requirements applicable to liquor, wine or beer licenses, and clarifying the definition of a religious institution.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (274794)

Wenonah West Street Resurfacing Project No 5217: Project designation.

Green Fleets Policy.

PUBLIC WORKS AND ENGINEERING (274795)

Temporary Employment Services: Increase Professional Services Agreement with Primestaff, Inc.

Snow Removal: Increase contract with Custom Products and Services, Inc for snow removal in Uptown, Hennepin, Dinkytown, and Stadium Village Special Service Districts.

Emergency Operations Training Facility Construction: Increase contract with Ebert, Inc.

Pioneers and Soldiers Memorial Cemetery Fence Restoration Project: Increase contract with Terra General Contractors.

Flood Area 5 37th Ave N Greenway Project: Grant application to Shingle Creek Watershed Management Commission.

Bid: OP 7383, Low bid of S.M. Hentges & Sons, Inc for Flood Area 5 37th Ave N Greenway Project.

WAYS AND MEANS BUDGET:

ATTORNEY (274796)

2010 Ethical Practices Board Annual Report.

WAYS AND MEANS BUDGET (See Rep):

ASSESSOR (274797)

City Assessor's Department: 2010 - 2014 Business Plan.

BUSINESS INFORMATION SERVICES (BIS) (274798)

Gift Donation: Accept donation for travel and lodging expenses from Gartner for Chief Information Security Officers (CISO) Invitational Program and Gartner's Security & Risk Management Summit.

Utility Billing Software System: Amend current contract C98-12701 with N. Harris dba Systems & Software, Inc. to cover maintenance and support of the enQuesta software.

FINANCE DEPARTMENT (274799)
2012-2016 Capital Long-Range Improvements Committee (CLIC): 2011 Capital Guidelines.
NEIGHBORHOOD AND COMMUNITY RELATIONS (274800)
Homeless Outreach Services: Amend contract with St. Stephen's Human Services, Inc.; and extend contract period to December 31, 2011.

ZONING AND PLANNING (See Rep):
PLANNING COMMISSION/DEPARTMENT (274801)
Zoning Code Text Amendment: Amending Title 20, Chapter 543 relating to Dynamic Signs
Rezoning:
US Bank Uptown BZZ-5059 (2417-2421 Fremont Ave S)

FILED:
CHARTER COMMISSION (274802)
Redistricting Rules Subcommittee: Proposed Rules.
CITY CLERK (274803)
Transcript
UPTOWN GASSEN LLC (274804)
Vacate Lagoon Ave alley between Girard and Lagoon at the property of 1312 Lake St W.

The following reports were signed by Mayor Rybak on March 2, 2011, 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 COMMITTEE OF THE WHOLE submitted the following reports:

Comm of the Whole - Your Committee recommends that the City's agenda for the 2011 Legislative Session, adopted December 10, 2010, as amended, be further amended to include in the Public Safety, opposition section, the following language:

> "Minneapolis opposes efforts to weaken Minnesota's gun laws and regulations such as legislation undermining local background checks, shoot-first legislation, legislation prohibiting State Colleges and Universities from banning guns on campus, and a constitutional amendment on the right to keep, bear and use arms."

Adopted 2/25/2011.
Absent - Lilligren.

Comm of the Whole - Your Committee recommends approval of the Fiscal Year 2012 Federal Agenda for the City of Minneapolis, as set forth and described in Petn No 274778, including the insertion of the item relating to Small Business Innovation Research (SBIR)/Small Business Technology Transfer (STTR) Programs.
Adopted 2/25/2011.
Absent - Lilligren.

Comm of the Whole - Your Committee recommends approval of the 2010-14 City Coordinator Administration and Minneapolis 311 Department Business Plans, in accordance with the reports on file in the Office of the City Clerk.
Adopted 2/25/2011.
Absent - Lilligren.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev - Your Committee, having under consideration acquisition of City-owned property at 824 Hennepin Ave S, now recommends:

a) Passage of the accompanying resolution authorizing sale of the property at 824 Hennepin Ave S for $725,000 to Improvisational Investments, LLC, a Minnesota limited liability company and an affiliated entity of Into the Mystic Productions, Inc., d/b/a Brave New Workshop, that will lease the Property to Into the Mystic Productions, Inc.;

b) Authorizing the escrow of $50,000 from the land sale proceeds for approved seller-deferred maintenance items;

c) Authorizing $640,000 Purchase Money Mortgage financing to the Purchaser; and

d) That the proper City offices be authorized to enter into agreements with the Purchaser in accordance with the terms contained in the Department of Community Planning & Economic Development staff report.

Adopted 2/25/2011.

Absent - Lilligren.

Resolution 2011R-076, authorizing sale of land Downtown Disposition Parcel Downtown-1 at 824 Hennepin Ave S, was adopted 2/25/2011 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 2011R-076
By Goodman

Authorizing sale of land Downtown Disposition Parcel Downtown-1 at 824 Hennepin Ave S.

Whereas, the City of Minneapolis, hereinafter known as the City, pursuant to a Request For Proposals has received an offer to purchase Disposition Parcel Downtown-1 in the Downtown West Neighborhood, from Improvisational Investments, LLC, hereinafter known as the Purchaser, the Parcel Downtown-1, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of Downtown-1; 824 Hennepin Avenue: All that certain parcel or parcels of land located in the City of Minneapolis, County of Hennepin, State of Minnesota, more particularly described as follows: Commencing at the point of intersection of the Northwesterly line of Hennepin Avenue with the dividing line between Lot 7 and 8 in Block 6, Wells, Sampson & Bell's Addition to Minneapolis; thence Northeasterly along the Northwesterly line of said Hennepin Avenue a distance of 50 feet to an intersection with the dividing line between Lots 8 and 9 in said Block 6; thence Northwesterly along the dividing line between said Lots 8 and 9 and same extended a distance of 116 feet to a point in Lot 5 of Block 6, Hoag and Bell's Addition to Minneapolis; thence Southwesterly parallel with the Northwesterly line of Hennepin Avenue eight feet to an intersection with a line drawn parallel with and 19.68 feet North of the South line of said Lot 5 in Block 6, Hoag & Bell's Addition to Minneapolis; thence Westerly parallel with the South line of said Lot 5 a distance of 85.7 feet, more or less, to the Easterly line of Ninth Street; thence South along the Easterly line of Ninth Street 19.68 feet to the Southwest corner of Lot 5, Block 6, Hoag & Bell's Addition to Minneapolis; thence East along the South line of said Lot 5 to its intersection with the dividing line between Lots 7 and 8 in Block 6, Wells, Sampson & Bell's Addition to Minneapolis; thence Southeasterly along said dividing line to the point of beginning. Above described premises comprising all of Lot 8 in Block 6, Wells, Sampson & Bell's Addition to Minneapolis, and part of Lot 5 in Block 6, Hoag & Bell's Addition to Minneapolis, according to the recorded plat thereof, and situate in Hennepin County, Minnesota. Abstract Property; and

Whereas, the Purchaser has offered to pay the sum of $725,000, for Parcel Downtown-1; the offer includes a commitment to operate the existing redeveloped building as a theater, entertainment and training facility. This offer is in accordance with the City's Request for Proposals for Purchase and Potential Redevelopment of 824 Hennepin Avenue; and

Whereas, the Purchaser 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 accepted methods of 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 Friday, February 4, 2011, a public hearing on the proposed sale was duly held on February 15, 2011, 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 Downtown plan, as amended, is hereby estimated to be the sum of $600,000 - $700,000, for Parcel Downtown-1.

Be It Further Resolved that the acceptance of the offer and commitment is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Purchaser possesses the qualifications and financial resources necessary to acquire and operate the Parcel in accordance with the City's Request for Proposals for Purchase and Potential Redevelopment of 824 Hennepin Avenue.

Be It Further Resolved that the offer be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, 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 Purchaser; 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 Purchaser 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 and delivered by the Finance Officer or other appropriate official of the City.

Adopted 2/25/2011.

Absent - Lilligren.

Comm Dev - Your Committee, having under consideration the MacPhail Center for Music 2010 Annual Report and its proposed fiscal year 2010-2011 budget, now recommends passage of the accompanying resolution approving the governmental program and annual budget for the operation of the MacPhail Center for Music facility at 501 S 2nd St, for fiscal year 2010-2011.

Adopted 2/25/2011.

Absent - Lilligren.

Resolution 2011R-077, approving the governmental program and annual budget for the operation of the MacPhail Center for Music facility in Minneapolis for fiscal year 2010-2011, was adopted 2/25/2011 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 2011R-077
By Goodman

Approving the governmental program and annual budget for the operation of the MacPhail Center for Music facility in Minneapolis for fiscal year 2010-2011.

Whereas, Minnesota Laws 2006, Chapter 258, Article 1, Section 4, Subdivision 4, authorizes the City of Minneapolis to undertake the design, construction and operation of the MacPhail Center for

Music facility; to establish the MacPhail Center for Music facility as a governmental program providing music education, music therapy, and music education programming in public and private schools and in partnership with other organizations; and to appropriate funds for such purposes; and

Whereas, in 2006 the City accepted a $5,000,000 bond grant from the State of Minnesota to design, construct, furnish and equip the MacPhail Center for Music facility in the City of Minneapolis; and

Whereas, to satisfy conditions of the State bond grant, the City must own or ground lease the MacPhail Center for Music facility, and enter into a use/lease agreement with MacPhail Center for Music under which it will take on the responsibility for the operation of the musical institution and the governmental program at the facility; and

Whereas, on July 21, 2006, the City Council adopted the governmental program to be achieved by the City's sponsorship of the MacPhail Center for Music facility to construct, equip and operate a music education center that includes studios, classrooms, and a performance hall, together with education programming, other cultural performances, and related and ancillary uses in the City of Minneapolis, pursuant to which the City expects to support cultural participation and encourage economic development and tourism; and

Whereas, pursuant to the State bond grant the City is required to annually report to the State on the operation of the MacPhail Center for Music facility and approve its continued use for the governmental program; and

Whereas, pursuant to the use/lease agreement MacPhail Center for Music has submitted annual current and projected budgets for the operation of the governmental program at the MacPhail Center for Music facility to the City; and

Whereas, the City's Department of Community Planning and Economic Development (CPED Department) Director has reviewed and approved the budgets for the operation of the governmental program at the MacPhail Center for Music facility submitted by MacPhail Center for Music to the City and found (i) that the current governmental program budget forecast for the 2010-2011 fiscal year shows revenues that are equal to or exceed expenses; (ii) that the projected governmental program budgets for the next 3 fiscal years (2011-2012, 2012-2013 and 2013-2014) forecast revenues that are equal to or exceed forecast expenses; and (iii) that the operation of the MacPhail Center for Music facility by MacPhail Center for Music continues to meet the requirements of the governmental program;

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

That based on the reports and documents submitted by MacPhail Center for Music, the review performed by City staff and the findings of the CPED Department Director, the City Council finds (i) that the current MacPhail Center for Music facility governmental program budget forecast for the 2010-2011 fiscal year shows revenues that are equal to or exceed expenses; (ii) that the projected MacPhail Center for Music facility governmental program budgets for the next 3 fiscal years (2011-2012, 2012-2013 and 2013-2014) forecast revenues that are equal to or exceed forecast expenses; and (iii) that the operation of the MacPhail Center for Music facility by MacPhail Center for Music continues to meet the requirements of the governmental program.

Be It Further Resolved that the City Council hereby approves and authorizes the continued use of the governmental program at the MacPhail Center for Music facility by MacPhail Center for Music for the fiscal year 2010-2011.

Be It Further Resolved that resolution shall be in full force and effect from and after its passage.

Adopted 2/25/2011.

Absent - Lilligren.

Comm Dev - Your Committee, having under consideration a modification to the Rehab Support Program (RSP), now recommends approval of a change in the program guidelines to make a loan fully repayable when the borrower no longer lives in or owns the home or in 30 years, whichever comes first, which will bring the RSP into compliance with Minnesota Housing Finance Agency requirements.

Adopted 2/25/2011.

Absent - Lilligren.

Comm Dev - Your Committee recommends approval of up to $465,365 of Fiscal Year 2010 Emergency Shelter Grant funds for the following projects:

a) Up to $38,185 for Avenues for Homeless Youth, 1708 Oak Park Ave N, by Avenues for Homeless Youth or an affiliated entity;

b) Up to $25,000 for Asian Women United of Minnesota's House of Peace, 2830 E 37th St, by Asian Women United of Minnesota or an affiliated entity;

c) Up to $82,180 for Salvation Army's Harbor Light Housing Project, 1010 Currie Ave, by Salvation Army or an affiliated entity; and

d) Up to $320,000 for Our Saviour's Outreach Ministries Transitional Housing, 2219 Chicago Ave S, by Our Saviour's Outreach Ministries or an affiliated entity.

Adopted 2/25/2011.
Absent - Lilligren.

Comm Dev - Your Committee recommends that the proper City officers be authorized to enter into a contract with Lutheran Social Services in an amount not to exceed $125,000 for 2011 for the administration of the "It's All About the Kids" Program.

Adopted 2/25/2011.
Absent - Lilligren.

Comm Dev - Your Committee recommends approval of the recommendation made by a City of Minneapolis internal review team to support submitting a Statement of Interest to the National Endowment for the Arts *Our Town* initiative for "Setting the Stage for the Hennepin Avenue Cultural Corridor," as described in the Department of Intergovernmental Relations staff report.

Adopted 2/25/2011.
Absent - Lilligren.
Approved by Mayor Rybak 2/25/2011.
(Published 3/1/2011)

Comm Dev - Your Committee, having under consideration the existing debt against the property at 1400 E 25th St (Morgan Arms Apartments/Project for Pride in Living), now recommends forgiveness of existing project debt totaling $364,783 and that the proper City officers be authorized to execute the necessary documents.

Adopted 2/25/2011.
Absent - Lilligren.

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

Comm Dev & W&M/Budget - Your Committee, having under consideration 2010 Consolidated Plan Amendment #1 - the City's Neighborhood Stabilization Program 3 (NSP3) Action Plan application to the U.S. Department of Housing and Urban Development (HUD) for NSP3 funds under the Housing and Economic Recovery Act of 2008, as amended, and the American Recovery and Reinvestment Act of 2009, as amended, and an additional allocation of funds provided by the Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act), now recommends that the proper City officers be directed to include a summary of the public comments received during the public comment period into the 2010 Consolidated Plan Amendment #1 – NSP3 submitted to HUD as required by HUD.

Adopted 2/25/2011.
Absent - Lilligren.

Comm Dev & W&M/Budget - Your Committee, having under consideration receipt of environmental remediation grant awards, now recommends that the proper City officers be authorized to accept and appropriate the following grant awards, and to execute grant, subrecipient and/or disbursement and related agreements as follows:

Minnesota Department of Employment and Economic Development Contamination Cleanup and Investigation Grant Program:

Project	Recipient	Grant Award
American Swedish Institute	City of Minneapolis	$99,810

Metropolitan Council Metropolitan Livable Communities Fund Tax Base Revitalization Account (TBRA):

Project	Recipient	Grant Award
City Place Lofts	City of Minneapolis	$212,600
Riverside Plaza	City of Minneapolis	800,000
Heritage Park Senior Services Center	Minneapolis Public Housing Authority	390,900
American Swedish Institute	City of Minneapolis	18,750

Hennepin County Environmental Response Fund:

Project	Recipient	Grant Award
American Swedish Institute	City of Minneapolis	$20,700
City Place Lofts	City of Minneapolis	100,000
El Patio	El Colegio Charter School	345,023
9 – 9th Avenue NE [former Scherer Bros. Lumber]	Minneapolis Park & Recreation Bd.	346,000
Heritage Park Senior Services Center	Minneapolis Public Housing Authority	167,550
Lowry Bridge Phase II	Hennepin County	77,666
Riverside Plaza	City of Minneapolis	150,000

Your Committee further recommends passage of the accompanying resolution increasing the Department of Community Planning & Economic Development appropriation to reflect the receipt of said grant funds.

Adopted 2/25/2011.

Absent - Lilligren.

RESOLUTION 2011R-078
By Goodman and Hodges

Amending the 2011 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

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

a) Increasing the appropriation in the Department of Community Planning and Economic Development (CPED) Agency in the Grants Other Fund (01600-8900320) by $139,260 (for American Swedish Institute);

b) Increasing the appropriation in the CPED Grants Other Fund (01600-8900220) by $1,262,600 (for City Place Lofts and Riverside Plaza);

c) Increasing the CPED revenue budget in the Grants Other Fund (01600-8900900-321504) by $99,810; (01600-8900900-321513) by $1,031,350; and (01600-8900900-322002) by $270,700.

Adopted 2/25/2011.

Absent - Lilligren.

Comm Dev & W&M/Budget - Your Committee, having under consideration the Downtown Minneapolis Neighborhood Revitalization Program (NRP) Phase II Neighborhood Action Plan, now recommends:

a) Approval of said action Plan and specifically those parts of the Plan that fall under City jurisdiction, with the total cost of the Plan not to exceed $913,167;

b) Passage of the accompanying resolution increasing the CPED appropriation in the NRP Fund by $456,584 from existing balance. The reduced appropriation amount is consistent with the staff direction set out in footnote "p" of the 2011 General Appropriation Resolution adopted 12/13/2010;

c) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 2/25/2011.

Absent - Lilligren.

RESOLUTION 2011R-079
By Goodman and Hodges

Amending The 2011 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 Department of Community Planning and Economic Development NRP Fund (01CNR-8900800) by $456,584.

Adopted 2/25/2011.

Absent - Lilligren.

Comm Dev & W&M/Budget - Your Committee, having under consideration the Cedar Isles Dean Neighborhood Revitalization Program (NRP) Phase II Neighborhood Action Plan, now recommends:

a) Approval of said action Plan and specifically those parts of the Plan that fall under City jurisdiction, with the total cost of the Plan not to exceed $261,420;

b) Passage of the accompanying resolution increasing the CPED appropriation in the NRP Fund by $130,710 from existing balance. The reduced appropriation amount is consistent with the staff direction set out in footnote "p" of the 2011 General Appropriation Resolution adopted 12/13/2010;

c) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 2/25/2011.

Absent - Lilligren.

RESOLUTION 2011R-080
By Goodman and Hodges

Amending The 2011 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 Department of Community Planning and Economic Development NRP Fund (01CNR-8900800) by $130,710.

Adopted 2/25/2011.

Absent - Lilligren.

The PUBLIC SAFETY, CIVIL RIGHTS & HEALTH Committee submitted the following reports:

PSC&H - Your Committee, to whom was referred an ordinance amending Title 4, Chapter 64 of the Minneapolis Code of Ordinances relating to *Animals and Fowl: Dogs, Cats, Ferrets, and Rabbits*,

adding the provision for a three-year pet license, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 2/25/2011.

Absent - Lilligren.

Ordinance 2011-Or-015 amending Title 4, Chapter 64 of the Minneapolis Code of Ordinances relating to *Animals and Fowl: Dogs, Cats, Ferrets, and Rabbits*, amending Section 64.30 to add the provision for a three-year pet license, was adopted 2/25/2011 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 2011-Or-015
By Schiff
Intro & 1st Reading: 1/28/2011
Ref to: PSC&H
2nd Reading: 2/25/2011

Amending Title 4, Chapter 64 of the Minneapolis Code of Ordinances relating to Animals and Fowl: Dogs, Cats, Ferrets, and Rabbits.

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

Section 1. That Section 64.30 (b) of the above-entitled ordinance be amended to read as follows:

64.30. License application and fee.

(b) Minneapolis Animal Care and Control shall provide each dog and cat licensed with a metallic tag upon which shall be stamped or engraved the registration number of the dog or cat. The annual fee for a dog or cat license required by this Code shall be thirty dollars ($30.00) for a spayed or neutered dog or cat; verification that the dog or cat has been spayed or neutered is required. A "sibling" license shall be available for spayed or neutered dogs and cats residing in the same household for an annual fee of twenty dollars ($20.00) for each dog or cat after the initial fee of thirty dollars ($30.00) is paid for the first dog or cat. A maximum of two (2) "sibling" licenses may be issued per household. <u>The fee for a three-year pet license shall be ninety dollars ($90.00) for a spayed or neutered dog or cat; verification that the dog or cat has been spayed or neutered is required. A "sibling" three-year pet license shall be available for spayed or neutered dogs and cats residing in the same household for a fee of sixty dollars ($60.00) for each dog or cat after the initial fee of ninety dollars ($90.00) is paid for the first dog or cat. A maximum of two (2) "sibling" licenses shall be issued per household.</u> The annual fee for an unneutered or unspayed dog or cat shall be fifty dollars ($50.00). Individuals sixty-five (65) years of age or older shall pay a reduced annual license fee in the amount of fifteen dollars ($15.00) for each dog or cat. A lifetime license is available for dogs and cats that are spayed or neutered and are microchipped. Certification by a licensed veterinarian that the animal is spayed or neutered is required for a lifetime license. The microchip number and manufacturer must be provided for the lifetime license to be issued. The fee for a lifetime license shall be two hundred dollars ($200.00). There shall be no reimbursement of any license fee, including lifetime, upon the death or removal of the animal from the city and fees shall not be prorated. Animals declared dangerous and potentially dangerous are not eligible for lifetime licenses.

Adopted 2/25/2011.

Absent - Lilligren.

PSC&H - Your Committee recommends that the proper City officers be authorized to execute a license agreement with the Minneapolis Public Schools, Special School District #1, for the use of school space in multiple sites to provide public health services to the general public in the event of a public health emergency.

Adopted 2/25/2011.

Absent - Lilligren.

The PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and WAYS & MEANS/BUDGET Committees submitted the following reports:

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to submit a grant application to the United States Department of Justice seeking an amount not to exceed $750,000 for a 36-month project to implement evidence based anti-gang strategies that support the City's Youth Violence Prevention Plan by providing parent support services, street based outreach, and employment training and placement for youth ages 18 and younger, and to support improvements in the Department of Health's data tracking and comprehensive gang assessment focused on Latino and Somali communities.

Adopted 2/25/2011.

Absent - Lilligren.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept a grant award in the amount of $100,000 from the Minneapolis Foundation for implementation of youth violence prevention activities as part of the Youth Violence Prevention Blueprint. The Foundation has provided designated that $80,000 be used for the development of a public information campaign, and $20,000 for a community-wide conference for traditional and non-traditional stakeholders interested in youth development, juvenile justice, and youth violence prevention. Further, passage of the accompanying resolution appropriating $100,000 to the Department of Health & Family Support.

Adopted 2/25/2011.

Absent - Lilligren.

RESOLUTION 2011R-081
By Samuels and Hodges

Amending The 2011 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 Department of Health & Family Support Agency in the Grants – Other Fund (01600-8600111) by $100,000 and increasing the Revenue Source (01600-8600111-372001) by $100,000.

Adopted 2/25/2011.

Absent - Lilligren.

PSC&H & W&M/Budget - Your Committee recommends passage of the accompanying resolution accepting donations for Minneapolis Animal Care & Control.

Adopted 2/25/2011.

Absent - Lilligren.

RESOLUTION 2011R-082
By Samuels and Hodges

Accepting donations for Minneapolis Animal Care & Control.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept the following donations for Minneapolis Animal Care & Control:

a. $70 in pizza from Pizza Luce Restaurant, 2200 E Franklin Av, for guests attending an Open House event for all Minneapolis Veterinary Clinics on March 10, 2011 to introduce a new program to license pets at vet clinics.

b. Dog collars and leashes and dog treats, valued at approximately $600, from Buckle-Down located in Gardena, California, for animals at Minneapolis Animal Care & Control.

Adopted 2/25/2011.

Absent - Lilligren.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to negotiate and execute a contract with Lifetime Fitness for the provision of health club memberships for sworn members of the Minneapolis Police, Fire and Park Board Police Departments, for an estimated amount of $460,400 annually through 2014.
Adopted 2/25/2011.
Absent - Lilligren.

The REGULATORY, ENERGY & ENVIRONMENT Committee submitted the following reports:

RE&E - Your Committee, to whom was referred an ordinance amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: In General*, clarifying spacing requirements applicable to liquor, wine or beer licenses, and clarifying the definition of a religious institution, now recommends that said ordinance be **sent forward without recommendation**.

Glidden moved that the report be referred back to the Regulatory, Energy & Environment Committee. Seconded.

Tuthill moved a substitute motion that the report be amended by deleting the language "be sent forward without recommendation" and inserting in lieu thereof "be given its second reading for amendment and passage", and that Section 360.120 of the ordinance be amended by substituting the following language:

"**360.120. Proximity to schools and ~~churches~~ religious institution place of assembly.** No on-sale liquor, wine or beer license, except in the B4 zoning district, shall be issued for any building, room or place within three hundred (300) feet from any building space that is used primarily and regularly for any public or parochial schools or used primarily and regularly for any ~~church~~ religious institution place of assembly, said distance to be measured in a straight line from the principal public entrance of the school or ~~church~~ religious institution place of assembly space to the main public entrance of the premises for which license is sought. No off-sale liquor license, except in the B4 zoning district, shall be issued for any building, room or place within three hundred (300) feet from any building space that is used primarily and regularly for any public or parochial schools or used primarily and regularly for any religious institution place of assembly, said distance to be measured in the shortest straight line from the property line of the premises or building proposed as the location for the license sought to the property line of the school or religious institution place of assembly." Seconded.

Adopted. Yeas, 7; Nays, 6 as follows:

Yeas - Colvin Roy, Tuthill, Quincy, Goodman, Samuels, Hofstede, Johnson.

Nays - Glidden, Hodges, Gordon, Reich, Schiff, Lilligren.

Schiff moved that the substitute ordinance be amended to read as follows:

"**360.120. Proximity to schools and churches religious institution place of assembly.** No on-sale liquor, wine or beer license, except in the B4 zoning district, shall be issued for any building, room or place within three hundred (300) feet from any building space that is used primarily and regularly for any public or parochial schools ~~or used primarily and regularly for any church religious institution place of assembly~~, said distance to be measured in a straight line from the principal public entrance of the school or ~~church~~ religious institution place of assembly space to the main public entrance of the premises for which license is sought. No off-sale liquor license, except in the B4 zoning district, shall be issued for any building, room or place within three hundred (300) feet from any building space that is used primarily and regularly for any public or parochial schools or used primarily and regularly for any religious institution place of assembly, said distance to be measured in the shortest straight line from the property line of the premises or building proposed as the location for the license sought to the property line of the school or religious institution place of assembly." Seconded.

Lost. Yeas, 6; Nays, 7 as follows:

Yeas - Tuthill, Goodman, Samuels, Gordon, Schiff, Johnson.

Nays - Colvin Roy, Quincy, Glidden, Hodges, Reich, Hofstede, Lilligren.

The report, as amended, was adopted 2/25/2011. Yeas, 7; Nays, 6 as follows:
Yeas - Colvin Roy, Tuthill, Quincy, Goodman, Samuels, Hofstede, Johnson.
Nays - Glidden, Hodges, Gordon, Reich, Schiff, Lilligren.

Ordinance 2011-Or-016 amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: In General*, amending Section 360.120 to clarifying spacing requirements applicable to liquor, wine or beer licenses, and clarifying the definition of a religious institution, was adopted 2/25/2011 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 2011-Or-016
By Tuthill
Intro & 1st Reading: 1/28/2011
Ref to: RE&E
2nd Reading: 2/25/2011

Amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to Liquor and Beer: In General.

The City Council of the City of Minneapolis do ordain as follows:
Section 1. That Section 360.120 of the above-entitled ordinance be amended to read as follows:
360.120. Proximity to schools and churches religious institution place of assembly. No on-sale liquor, wine or beer license, except in the B4 zoning district, shall be issued for any building, room or place within three hundred (300) feet from any building space that is used primarily and regularly for any public or parochial schools or used primarily and regularly for any ~~church~~ religious institution place of assembly, said distance to be measured in a straight line from the principal public entrance of the school or ~~church~~ religious institution place of assembly space to the main public entrance of the premises for which license is sought. No off-sale liquor license, except in the B4 zoning district, shall be issued for any building, room or place within three hundred (300) feet from any building space that is used primarily and regularly for any public or parochial schools or used primarily and regularly for any religious institution place of assembly, said distance to be measured in the shortest straight line from the property line of the premises or building proposed as the location for the license sought to the property line of the school or religious institution place of assembly.
Adopted 2/25/2011. Yeas, 7; Nays, 6 as follows:
Yeas - Colvin Roy, Tuthill, Quincy, Goodman, Samuels, Hofstede, Johnson.
Nays - Glidden, Hodges, Gordon, Reich, Schiff, Lilligren.

RE&E - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.
Adopted 2/25/2011.

Resolution 2011R-083, granting applications for Liquor, Wine and Beer Licenses, was adopted 2/25/2011 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 2011R-083
By Glidden

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 (Petn No 274792):

Off-Sale Liquor, to expire October 1, 2011

France 44 Liquor Inc, dba France 44 Wines & Spirits, 4351 France Av S (transfer of shares)

France 44 Liquor Inc, dba France 44 Wines & Spirits, 4351 France Av S (new manager)

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2012

BW Entertainment LLC, dba Uncle Bucks, 26 5th St N (new proprietor)

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2011

Wild Entertainment Ltd, dba Ground Zero/The Front, 15 4th St NE

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2012

Miss Jimmy Inc, dba Red Stag Supperclub, 509 1st Av NE

On-Sale Liquor Class C-1 with Sunday Sales, to expire January 1, 2012

Lip to Lip Inc, dba In Wunderbar, 983 E Hennepin Av

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2012

Bullfrog Inc, dba Bullfrog Cajun Bar, 1111 Hennepin Av (new business)

On-Sale Liquor Class E with Sunday Sales, to expire December 20, 2010

Rosvold Enterprises Inc, dba Campus Pizza, 825 Washington Av SE (temporary expansion of premises December 20, 2010, 9:00 a.m. to Midnight)

On-Sale Liquor Class E with Sunday Sales, to expire March 26, 2011

Halek's Bar Inc, dba Halek's Bar, 2024 Washington Av N (temporary expansion of license for benefit March 26, 2011, 2:00 p.m. to Midnight)

Temporary On-Sale Wine

Minnesota Public Radio, dba Minnesota Public Radio, 480 Cedar St, Saint Paul (March 5 & 6, 2011, 1:00 p.m. to 5:00 p.m. each day, Target Field)

Temporary On-Sale Beer

Church of the Annunciation, dba Church of the Annunciation, 509 W 54th St (February 26, 2011, fundraiser for Mission Hatti).

Adopted 2/25/2011.

RE&E - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 2/25/2011.

Resolution 2011R-084, granting applications for Business Licenses, was adopted 2/25/2011 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 2011R-084
By Glidden

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 February 25, 2011 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 274792):

Car Wash; Dry Cleaner - Flammable; Dry Cleaning - Non-Flammable; Dry Cleaning & Laundry Pickup Station; Laundry; Confectionery; Food Market Distributor; Grocery; Food Market Manufacturer; Restaurant; Short-Term Food Permit; Horse and Carriage; Juke Box - Musical; Motor Vehicle Dealer Auctioneer; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair

Garage with Accessory Use; Commercial Parking Lot Class A; Commercial Parking Lot Class B; Plumber; Rental Halls; Residential Specialty Contractor; Secondhand Goods Class A; Secondhand Goods Class B; Antique Dealer Class B; Sign Hanger; Solicitor - Company; Steam & Hot Water Systems Installer; Taxicab Service Company; Taxicab Vehicle Fuel Efficient; Taxicab Vehicle Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Medical Contract Carrier; Theater Zone I; Combined Trades; Tree Servicing; Wrecker of Buildings Class A.

Adopted 2/25/2011.

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

Adopted 2/25/2011.

Resolution 2011R-085, granting applications for Gambling Licenses, was adopted 2/25/2011 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 2011R-085
By Glidden

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 (Petn No 274792):

Gambling Class B

Lions Club of Northeast Minneapolis, dba Lions Club of Northeast Minneapolis, 714 18 1/2 Av NE (Raffle March 23, 2011 at Jax Cafe)

Lions Club of Northeast Minneapolis, dba Lions Club of Northeast Minneapolis, 714 18 1/2 Av NE (Market Bar-B-Que, Pulltabs, Pulltabs with dispensing device)

Gambling Exempt

Church of St. Albert the Great, dba Church of St. Albert the Great, 2836 33rd Av S (Bingo and Raffles April 8, 2011)

Clare Housing, dba Clare Housing, 929 Central Av NE (Raffles and Bingo April 9, 2011 at Hyatt Regency, 1300 Nicollet Mall)

Alzheimers Association Minneapolis-North Dakota, dba Alzheimers Association Minnesota-North Dakota, 4550 W 77th St (Raffle April 16, 2011 at Minneapolis Marriott)

Faiths Lodge, dba Faiths Lodge, 818 W 46th St (Raffle May 10, 2011 at Brits Pub, 1110 Nicollet Mall)

Metropolitan Boys Choir, dba Metropolitan Boys Choir, PO Box 19348 (Raffle May 17, 2011)

Church of St. Albert the Great, dba Church of St. Albert the Great, 2836 3rd Av S (Raffles and Bingo March 11, 2011)

Church of Our Lady of Peace, dba Church of Our Lady of Peace, 5426 12th Av S (Raffle March 18, 2011)

Church of St. Albert the Great, dba Church of St. Albert the Great, 2836 33rd Av S (Bingo and Raffle March 18, 2011)

Church of St. Albert the Great, dba Church of St. Albert the Great, 2836 33rd Av S (Bingo and Raffles March 25, 2011)

Church of St. Albert the Great, dba Church of St. Albert the Great, 2836 33rd Av S (Bingo and Raffles April 1, 2011).

Adopted 2/25/2011.

RE&E - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Taxi Driver's License held by James Nels Huseby, 2419 Grand St NE.

Adopted 2/25/2011.

Resolution 2011R-086, approving License Settlement Conference recommendations relating to the Taxi Driver's License held by James Nels Huseby, 2419 Grand St NE, was adopted 2/25/2011 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 2011R-086
By Glidden

Approving License Settlement Conference recommendations relating to the Taxi Driver's License held by James Nels Huseby, 2419 Grand St NE.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on January 28, 2011 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee has continually violated the operating conditions of his business license, which he agreed to on
April 28, 2009;

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

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. The licensee, James Huseby, shall make no more than one phone call in a 24 hour period to any City of Minneapolis employee, department or other representative. The licensee further agrees to comply with a previous request from elected officials to cease and desist calling them or their staff. All communication to elected officials from the licensee shall only be submitted through writing.

2. The Department shall impose a suspension of James Huseby's Taxi Driver's License for a period of 14 days. This suspension shall be stayed for a period of one year, provided that the licensee, James Huseby, does not violate any part of this agreement within that time period.

Adopted 2/25/2011.

RE&E - Your Committee, having under consideration the Rental Dwelling License for the property located at 1518 Park Av, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Director of Housing Inspections to approve the reinstatement of said license to be held by Amar Pulchan.

Adopted 2/25/2011.

RE&E - Your Committee recommends passage of the accompanying resolution declaring Sunday, June 5, 2011, as Lemonade Day. Further, that the proper City officers be authorized to waive all normal business inspections, fees, and permits for young entrepreneurs who participate in Lemonade Day.

Adopted 2/25/2011.

Resolution 2011R-087, declaring Sunday, June 5, 2011, as Lemonade Day, was adopted 2/25/2011 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 2011R-087
By Glidden

Declaring Sunday, June 5, 2011, as Lemonade Day.

Whereas, generations of young entrepreneurs have earned money and gained valuable life experience by having a lemonade stand; and

Whereas, Lemonade Day is a nationwide event that teaches youth the skills they need to be successful in business in the future; and

Whereas, by participating, youth will learn to set goals, develop a business plan, establish a budget, seek investors, provide customer service, and give back to the community; and

Whereas, Lemonade Day will provide young entrepreneurs with a backpack containing Entrepreneur Workbooks that explain budgets, securing investors, choosing locations, marketing, and customer services; and

Whereas, young entrepreneurs who have lemonade stands will need adult supervision, sponsors, investors, employees, and customers; and

Whereas, the backpacks also will include a Caring Adult Guide that will provide advice on how adults can help; and

Whereas, every school can participate and use lesson plans that highlight Minnesota's teaching objectives and combine academics and life skills to teach youth about entrepreneurship; and

Whereas, companies can become sponsors, become partners, encourage employees to get involved by distributing information or even create a company-wide family event on Lemonade Day; and

Whereas, Minneapolis will hold three major contests on Lemonade Day: Best Tasting Lemonade, Best Lemonade Stand, and Most Successful Business; and

Whereas, young entrepreneurs keep everything they earn, but are encouraged to open a savings account, pay back investors, or make a further investment in the community by contributing to the charity of their choice; and

Whereas, The City Council encourages youth and adults to visit the Lemonade Day website at www.lemonadeday.org or the Minneapolis website at http://twincities.lemonadeday.org to learn how to become involved;

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

That the City Council does hereby declare Sunday, June 5, 2011, as Lemonade Day and we encourage all young entrepreneurs to participate and our caring community to show its support for training the next generation of entrepreneurs through a free, fun, and engaging experience.

Be It Further Resolved that the City will waive any normal business inspections, fees, and permits for young entrepreneurs participating in Lemonade Day.

Adopted 2/25/2011.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 2011 Street Resurfacing Program, Wenonah West Street Resurfacing Project, Special Improvement of Existing Street No 5217.

Adopted 2/25/2011.

Resolution 2011R-088, designating the locations and streets to be improved in the 2011 Street Resurfacing Program, Wenonah West Street Resurfacing Project, Special Improvement of Existing Street No 5217, was adopted 2/25/2011 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 2011R-088
By Colvin Roy

2011 STREET RESURFACING PROGRAM
WENONAH WEST STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5217

Designating the improvement of certain existing streets in the 2011 Street Resurfacing Program at the locations described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing-related improvements as needed.

Wenonah West (5217)
Woodlawn Blvd from 54th St E to Cedar Ave S;
55th and 56th Sts E from Woodlawn Blvd to 28th Ave S;
58th St E from Cedar Ave S to 28th Ave S;
59th and 59 1/2 Sts E from 26th Ave S to 28th Ave S;
Longfellow, 19th, and 20th Aves S from Woodlawn Blvd to the south City limits;
21st Ave S from Woodlawn Blvd to approximately 100 feet south of 58th St E;
22nd and Standish Aves S from 56th St E to 58th St E;
Shoreview Ave from 54th St E to 56th St E;
23rd Ave S from 55th St E to the south City limits;
24th, 25th, 26th, and 27th Aves S from 54th St E to 58th St E; and
26th and 27th Aves S from 59th St E to 59 1/2 St E.

Adopted 2/25/2011.

T&PW - Your Committee, having received cost estimates of $1,474,452 for street resurfacing improvements and a list of benefited properties for certain locations in the Wenonah West Street Resurfacing Project, Special Improvement of Existing Street No 5217, as designated by Resolution 2011R-088 passed February 25, 2011, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2011 Uniform Assessment Rates as per Resolution 2011R-036, passed January 28, 2011.

Your Committee further recommends that a public hearing be held on April 5, 2011 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 2/25/2011.

T&PW - Your Committee recommends approval of the Green Fleet Policy for City-owned vehicles and heavy equipment, as set forth in Petn No 274794.

Adopted 2/25/2011.

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

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend the Professional Services Agreement, Contract No C-28318, with PrimeStaff, Inc., increasing the contract by $45,000, for a revised contract total of $95,000, for temporary employment services to cover interim staffing needs in the Property Services Division.

Adopted 2/25/2011.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to increase the contract with Custom Products and Services, Inc. in the total amount of $275,000 to allow for additional funding for snow removal in the following Special Service Districts (SSDs):

Contract No	Special Service District	Increase
C-26322	Uptown SSD	$150,000;
C-26321	Hennepin SSD	$ 35,000;
C-25403	Dinkytown SSD	$ 50,000;
C-25404	Stadium Village SSD	$ 40,000.

Adopted 2/25/2011.

T&PW & W&M/Budget - Your Committee, having under consideration the construction of the Emergency Operations Training Facility, now recommends that the proper City officers be authorized to execute Change Order No 4 to Contract No C-26968 with Ebert, Inc., increasing the contract by $19,595.08, for a revised contract total of $4,598,674.42, to allow for work not included in the original scope of the project.

Adopted 2/25/2011.

T&PW & W&M/Budget - Your Committee, having under consideration the Pioneers and Soldiers Memorial Cemetery Fence Restoration Project, now recommends that the proper City officers be authorized to execute Change Order No 1 to Contract No C-28308 with Terra General Contractors, increasing the contract by $6,517.05, for a revised contract total of $243,517.05, in order to resolve unforeseen conditions related to deterioration of existing stonework.

Adopted 2/25/2011.

T&PW & W&M/Budget - Your Committee, having under consideration the Flood Area 5 37th Ave N Greenway Project, now recommends:

a) That the proper City officers be authorized to submit an application for $250,000 funding from the Shingle Creek Watershed Management Commission;

b) That the proper City officers be authorized to negotiate and execute an agreement with Shingle Creek Watershed Management Commission, terms of which will include that the City is to design, award, and administer construction of the project; that the project will be constructed on land owned or easements held by the City; that the City will have ownership of the improvements and will maintain them in good operating condition in perpetuity or until they are replaced; and the City will defend, indemnify, protect, and hold harmless the Commission and its agents, officers, and employees from any claims arising out of the design, construction, or maintenance of the project, including environmental claims; and

c) Passage of the accompanying resolution increasing the appropriation for Flood Area 5 infrastructure work by $250,000.

Adopted 2/25/2011.

RESOLUTION 2011R-089
By Colvin Roy and Hodges

Amending The 2011 Capital Improvement 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 PW-Stormwater Fund (07300-9010932-SW 030 Proj CSW030STFL05) by $250,000 and increasing the revenue source (07300-9010932 - Source 3225) by $250,000 for 2011 funding by the Shingle Creek Watershed Management Commission.

Adopted 2/25/2011.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7383 from S.M. Hentges & Sons, Inc., for an estimated amount of $2,631,189.01, to furnish and deliver all labor, materials, equipment, and incidentals necessary to complete the Flood Area 5 37th Ave N Greenway Project for the Minneapolis Public Works Surface Waters and Sewers Division.

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.

Adopted 2/25/2011.

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

W&M/Budget - Your Committee, having under consideration the City Assessor's 5-Year Business Plan (2010-2014), now recommends approval of said plan as set forth in Petn No 274797 on file in the Office of the City Clerk.

Adopted 2/25/2011.

W&M/Budget - Your Committee, having under consideration the City's Utility Billing Software System, now recommends that the proper City officers be authorized to increase the current contract C98-12701 with N. Harris, dba Systems & Software, Inc. by $1,875,000 to cover maintenance and support of the enQuesta software over the next five (5) years, for the period 2011 to 2015. No additional appropriation required.

Adopted 2/25/2011.

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing proper City officers to accept a donation for registration, travel and lodging expenses (not to exceed $4,000) from Gartner, to participate in the Chief Information Security Officers (CISO) Invitational Program and Security & Risk Management Summit in National Harbor, Maryland for the dates of June 20 - 22, 2011.

Adopted 2/25/2011.

RESOLUTION 2011R-090
By Hodges

Accepting a donation from Gartner for registration, travel and lodging expenses.

Resolved by the City Council of The City of Minneapolis:

That proper City officers be authorized to accept a donation for registration, travel and lodging expenses, value not to exceed $4,000 from Gartner.

Adopted 2/25/2011.

W&M/Budget - Your Committee, having under consideration the 2011 Capital Long-Range Improvements Committee (CLIC) Capital Guidelines to be used by the CLIC Committee in reviewing and rating capital proposals for the 2012 - 2016 Capital Budget cycle (set forth in Petn No 274799), now recommends that said guidelines be approved.

Adopted 2/25/2011.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend contract C-24688 with St. Stephen's Human Services, Inc. to continue homeless outreach services, as follows:

a) Extend contract period from January 1, 2011 to December 31, 2011; and

b) Increase contact amount by $150,000, payable from the Neighborhood and Community Relations 2011 adopted budget. No additional appropriation required.

Adopted 2/25/2011.

The ZONING & PLANNING Committee submitted the following reports:

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of U.S. Bank (BZZ-5059) to rezone a portion of the properties at 2417-2421 Fremont Ave S from R4 to the C2 District to permit a bank and adopting the related findings prepared by the Department of Community Planning & Economic Development.

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

Adopted 2/25/2011.

Absent - Reich.

Ordinance 2011-Or-017 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally,* rezoning a portion of the properties at 2417-2421 Fremont Ave S to the C2 District, was adopted 2/25/2011 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 2011-Or-017
By Schiff
1st & 2nd Readings: 2/25/2011

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

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

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

That part of Lots 6, and 7 of Block 1 of Channell's Addition to Minneapolis, which lies Southeasterly of the following described line:

> Commencing at the Northwest corner of said Lot 7; thence due East on an assumed bearing along the North line of said Lot 7 a distance of 92.04 feet to the point of beginning of the line to be described; thence South 19 degrees 32 minutes 44 seconds West a distance of 108.02 feet, more or less, to the Southerly line of said Lot 6.

except the Southerly 15 feet of said Lot 6, which has been used in the opening of Fremont Avenue, all in Hennepin County, Minnesota. (2417-2421 Fremont Ave S - Plate 18) to the C2 District.

Adopted 2/25/2011.

Absent - Reich.

Z&P - Your Committee, to whom was referred an ordinance amending Title 20, Chapter 543 of the Minneapolis Code of Ordinances relating to *Zoning Code: On-Premise Signs,* to make changes to how dynamic signs are regulated, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that said ordinance, as amended by the committee, be given its second reading for amendment and passage.

Vice President Lilligren assumed the Chair.

Johnson moved to amend Sections 543.330 (c) and 543.340 (c) (1) of the ordinance as follows:

Section 543.330

(c) *Location*. The dynamic changeable copy sign shall be located on a primary building wall or be part of a freestanding sign. If the dynamic changeable copy sign is part of a freestanding sign, the dynamic changeable copy portion shall be part of the continuous display surface of the sign. Except in the downtown districts, a dynamic changeable copy sign shall not be part of a projecting sign. Dynamic changeable copy signs shall be prohibited in the IL Industrial Living Overlay District ~~and PO Pedestrian Oriented Overlay District~~.

Section 543.340 (c)

(1) The dynamic sign shall be located on a primary building wall or be part of a freestanding sign. If the dynamic sign is part of a freestanding sign, the dynamic portion shall be part of the continuous display surface of the sign. Except in the downtown districts, a dynamic sign shall not be part of a projecting sign. Dynamic signs shall be prohibited in IL Industrial Living Overlay District ~~and PO Pedestrian Oriented Overlay District~~. Seconded.

Schiff moved a substitute amendment amending Table 543-4 and Sections 543.330 (c) and 543.340 (c) (1) of the ordinance as follows:

Table 543-4 Specific Standards for Signs in the Industrial Districts
Industrial Districts Sign Standards

Signs Attached to Buildings

Types of ~~S~~signs ~~A~~attached to ~~B~~buildings ~~A~~allowed	
Dynamic Changeable Copy Signs	Yes, see Section 543.330.
Dynamic signs	Yes, see Section 543.340.

Freestanding Signs

Types of ~~F~~freestanding ~~S~~signs ~~A~~allowed	
Dynamic Changeable Copy Signs	~~Yes, see Section 543.330.~~ No, except that manual changeable copy signs existing on March 1, 2011, may be replaced by dynamic changeable copy signs in compliance with the standards of this chapter. See Section 543.330.
Dynamic Signs	~~Yes, see Section 543.340.~~ No, except that manual changeable copy signs existing on March 1, 2011, may be replaced by dynamic signs in compliance with the standards of this chapter, including but not limited to obtaining a conditional use permit as required. See Section 543.340.

Section 543.330

(c) *Location*. The dynamic changeable copy sign shall be located on a primary building wall or be part of a freestanding sign. If the dynamic changeable copy sign is part of a freestanding sign, the dynamic changeable copy portion shall be part of the continuous display surface of the sign. Except in the downtown districts, a dynamic changeable copy sign shall not be part of a projecting sign. Dynamic changeable copy signs shall be prohibited in the PO Pedestrian Oriented Overlay District provided that manual changeable copy signs existing on March 1, 2011, may be replaced by dynamic changeable copy signs in compliance with the standards of this chapter.

Section 543.340 (c)

(1) The dynamic sign shall be located on a primary building wall or be part of a freestanding sign. If the dynamic sign is part of a freestanding sign, the dynamic portion shall be part of the continuous display surface of the sign. Except in the downtown districts, a dynamic sign shall not be part of a projecting sign. Dynamic signs shall be prohibited in the PO

Pedestrian Oriented Overlay District provided that manual changeable copy signs existing on March 1, 2011, may be replaced by dynamic signs in compliance with the standards of this chapter, including but not limited to obtaining a conditional use permit as required.

Seconded.

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

Yeas - Tuthill, Gordon, Reich, Hofstede, Schiff.

Nays - Colvin Roy, Quincy, Glidden, Goodman, Hodges, Samuels, Lilligren, Johnson.

Johnson's motion was adopted. Yeas, 9; Nays, 4 as follows:

Yeas - Colvin Roy, Quincy, Glidden, Goodman, Hodges, Samuels, Reich, Lilligren, Johnson.

Nays - Tuthill, Gordon, Hofstede, Schiff.

The report, as amended, was adopted 2/25/2011. Yeas, 9; Nays, 4 as follows:

Yeas - Colvin Roy, Quincy, Glidden, Goodman, Hodges, Samuels, Reich, Lilligren, Johnson.

Nays - Tuthill, Gordon, Hofstede, Schiff.

Ordinance 2011-Or-018 amending Title 20, Chapter 543 of the Minneapolis Code of Ordinances relating to *Zoning Code: On-Premise Signs*, amending Tables 543-1, 543-2, 543-4, adding a new Section 543.225, and amending Sections 543.250, 543,330, 543.340 & 543.440 to make changes to how dynamic signs are regulated, was adopted 2/25/2011 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 2011-Or-018
By Schiff
Intro & 1st Reading: 5/28/2010
Ref to: Z&P
2nd Reading: 2/25/2011

Amending Title 20, Chapter 543 of the Minneapolis Code of Ordinances relating to Zoning Code: On-Premise Signs.

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

Section 1. That the following portions of Table 543-1 of the above-entitled ordinance be amended to read as follows:

Table 543-1 Specific Standards for Signs in the Residence and OR1 Districts

Use	*Sign Standards*
INSTITUTIONAL AND PUBLIC USES	
Social, Cultural, Charitable and Recreational Facilities	
Athletic field Cemetery Golf course ~~Library~~ ~~Park~~	One (1) wall identification sign not exceeding thirty-two (32) sq. ft. Maximum height of fourteen (14) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign[1] not exceeding thirty-two (32) sq. ft. in area and eight (8) ft. in height. ~~Either the wall sign or the monument sign[1], but not both, may be a dynamic changeable copy sign. The dynamic changeable copy sign portion of the sign shall not exceed sixteen (16) sq. ft~~. Either the wall sign or the monument sign[1], but not both, may be illuminated.
Community Garden	One (1) nonilluminated identification sign not exceeding eight (8) sq. ft. Maximum height of six (6) ft.

Developmental achievement center	One (1) nonilluminated, flat wall identification sign not exceeding sixteen (16) sq. ft. Maximum height of fourteen (14) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building.
Educational arts center	One (1) wall identification sign not exceeding sixteen (16) sq. ft. Maximum height of fourteen (14) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign[1] not exceeding sixteen (16) sq. ft. in area and six (6) ft. in height. Either the wall sign or the monument sign[1], but not both, may be illuminated.
Library Park	One (1) wall identification sign not exceeding thirty-two (32) sq. ft. Maximum height of fourteen (14) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign[1] not exceeding thirty-two (32) sq. ft. in area and eight (8) ft. in height. Either the wall sign or the monument sign[1], but not both, may be a dynamic changeable copy sign. The dynamic changeable copy sign portion of the sign shall not exceed sixteen (16) sq. ft. Either the wall sign or the monument sign[1], but not both, may be illuminated. Dynamic changeable copy signs shall be allowed accessory to parks only when located on the same zoning lot as an enclosed recreation center.

Section 2. That the following portions of Table 543-2 of the above-entitled ordinance be amended to read as follows:

Table 543-2 Specific Standards for Signs in the OR2, OR3 and Commercial Districts

	Zoning District Sign Standards					
	OR2, OR3	***C1***	***C2***	***C3A***	***C3S***	***C4***
Signs Attached to Buildings						
Types of signs attached to buildings allowed						
~~Dynamic Changeable Copy Signs~~	~~Yes, see Section 543.330.~~					
Dynamic Changeable Copy Signs	No	No	Yes, see Section 543.330	Yes, see Section 543.330	Yes, see Section 543.330	Yes, see Section 543.330
~~Dynamic signs~~	~~No~~	~~No~~	~~Yes, see Section 543.340~~			
Dynamic signs	No	No	Yes, see Section 543.340	Yes, see Section 543.340	Yes, see Section 543.340	Yes, see Section 543.340
Freestanding Signs						
Types of F~~f~~reestanding ~~S~~signs ~~A~~allowed						
~~Dynamic Changeable Copy Signs~~	~~Yes, see Section 543.330.~~					

Dynamic Changeable Copy Signs	No	No	Yes, see Section 543.330	Yes, see Section 543.330	Yes, see Section 543.330	Yes, see Section 543.330
Dynamic signs	No	No	Yes, see Section 543.340	Yes, see Section 543.340	Yes, see Section 543.340	Yes, see Section 543.340

Section 3. That the following portions of Table 543-4 of the above-entitled ordinance be amended to read as follows:

Table 543-4 Specific Standards for Signs in the Industrial Districts
Industrial Districts Sign Standards

Signs Attached to Buildings

Types of ~~S~~signs ~~A~~attached to ~~B~~buildings ~~A~~allowed	
Dynamic Changeable Copy Signs	Yes, see Section 543.330.
Dynamic signs	Yes, see Section 543.340.

Freestanding Signs

Types of ~~F~~freestanding ~~S~~signs ~~A~~allowed	
Dynamic Changeable Copy Signs	Yes, see Section 543.330.
Dynamic Signs	Yes, see Section 543.340.

Section 4. That Chapter 543 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 543.225, to read as follows:

543.225. Institutional and Public Uses. Notwithstanding the provisions of Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4 Specific Standards for Signs in the Industrial Districts, signage accessory to the following institutional and public uses shall be regulated by the standards of Table 543-1 Specific Standards for Signs in the Residence and OR1 Districts: public libraries, public parks, religious institution places of assembly, and schools (grades K-12).

Section 5. That Section 543.250 of the above-entitled ordinance be amended to read as follows:

543.250. Nonconforming uses. Newly established signs ~~located on~~ accessory to nonconforming nonresidential uses in the Residence and OR1 Districts shall be limited to one (1) nonilluminated, flat wall identification sign, not to exceed sixteen (16) square feet in area and fourteen (14) feet in height. In addition, on a corner lot, two (2) such signs per building, except as otherwise allowed in the manner provided for in Chapter 531, Nonconforming Uses and Structures, governing expansion or alteration of legal nonconforming uses and structures. Newly established signs accessory to nonconforming uses in the OR2, OR3, Commercial, Industrial, and Downtown Districts shall be subject to the regulations of the district in which it is located.

Section 6. That Section 543.330 of the above-entitled ordinance be amended to read as follows:

543.330. Changeable copy sign, dynamic. (a) *In general.* The dynamic changeable copy sign shall be limited to letters or numbers only. The background of the dynamic changeable copy sign shall be black and the text shall be colored.

(b) *Number of signs.* There shall not be more than one (1) dynamic changeable copy sign located on a zoning lot.

(c) *Location*. The dynamic changeable copy sign shall be located on a primary building wall or be part of a freestanding sign. If the dynamic changeable copy sign is part of a freestanding sign, the dynamic changeable copy portion shall be part of the continuous display surface of the sign. Except in the downtown districts, a dynamic changeable copy sign shall not be part of a projecting sign. Dynamic changeable copy signs shall be prohibited in the IL Industrial Living Overlay District.

(d) *Size*. The maximum size of the dynamic changeable copy sign shall be sixteen (16) square feet. Dynamic changeable copy signs shall be included in the calculation of the total permitted sign area.

(e) *Height*. Notwithstanding Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, the maximum height of a dynamic changeable copy sign attached to a building shall be fourteen (14) feet, or top of wall, whichever is less.

(f) *Duration of message*. The copy of the dynamic changeable copy sign shall remain static for a period of not less than ~~one (1) hour~~ fifteen (15) minutes. The transition from one (1) message to the next shall be direct and immediate, without any special effects.

(g) *Image characteristics and transition*. Dynamic changeable copy signs shall have a pitch of not greater than twenty (20) millimeters between each pixel. Special effects, including but not limited to dissolving, fading, scrolling, starbursts and wiping shall be prohibited.

(~~g~~h) *Luminance*. Between ~~7:00 a.m.~~ sunrise and ~~7:00 p.m.~~ sunset the maximum luminance shall be five thousand (5,000) nits and between ~~7:00 p.m.~~ sunset and ~~7:00 a.m.~~ sunrise the maximum luminance shall be five hundred (500) nits. All signs with a dynamic display having illumination by means other than natural light must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness to comply with this requirement. Except for Institutional and Public Uses, the dynamic changeable copy sign shall not display messages or be illuminated when the use is closed.

Section 7. That Section 543.340 of the above-entitled ordinance be amended to read as follows:

543.340. Dynamic signs. (a) *In general.* Except where allowed as-of-right in the Downtown Entertainment Area, dynamic signs may be allowed as a conditional use, subject to the provisions of Chapter 525, Administration and Enforcement, and the following:

(b) *Number of signs*. There shall not be more than one (1) dynamic sign located on a zoning lot.

(c) *Location*. ~~The dynamic sign shall be located on a primary building wall.~~ Dynamic signs shall be subject to the following location restrictions:

(1) The dynamic sign shall be located on a primary building wall or be part of a freestanding sign. If the dynamic sign is part of a freestanding sign, the dynamic portion shall be part of the continuous display surface of the sign. Except in the downtown districts, a dynamic sign shall not be part of a projecting sign. Dynamic signs shall be prohibited in IL Industrial Living Overlay District.

(2) The dynamic sign shall be located on a lot of not less than twelve Thousand (12,000) square feet.

(3) The dynamic sign shall be no closer than one hundred (100) feet from the nearest residence district or office residence district property line.

(4) The dynamic sign shall be located on a lot that is part of an area of at least six hundred sixty (660) feet of continuous commercial, downtown, or industrial zoning fronting along the same side of the street as the lot, without interruption by a residence or office residence district.

(d) *Height*. Notwithstanding ~~Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts,~~ Table 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, the maximum height of a dynamic sign attached to a building shall be fourteen (14) feet, or top of wall, whichever is less.

(e) *Size*. Dynamic signs shall not exceed thirty-two (32) square feet. Dynamic signs shall be included in the calculation of the total permitted sign area.

(f) *Duration of message*. The sign message shall remain static for a period of not less than ~~eight (8)~~ sixty (60) seconds. The transition from one (1) message to the next shall be direct and immediate, without any special effects.

(g) *Image characteristics and transition*. Dynamic signs shall have a pitch of not greater than twenty (20) millimeters between each pixel. Special effects, including but not limited to dissolving, fading, scrolling, starbursts and wiping shall be prohibited.

(~~g~~h) *Luminance*. Between ~~7:00 a.m.~~ sunrise and ~~7:00 p.m.~~ sunset the maximum luminance shall be five thousand (5,000) nits and between ~~7:00 p.m.~~ sunset and ~~7:00 a.m.~~ sunrise the maximum luminance shall be five hundred (500) nits. All signs with a dynamic display having illumination by means other than natural light must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness to comply with this requirement. Except for Institutional and Public Uses, the dynamic sign shall not display messages or be illuminated when the use is closed.

Section 8. That Section 543.440 of the above-entitled ordinance be amended to read as follows:

543.440. Specific product or brand name signs. (a) *In general.* Signs which mention a specific product or brand name sold or offered on the premises, except identification signs, shall be subject to the following:

(1) Such signs shall not exceed sixteen (16) square feet in area.
(2) Not more than two (2) such signs shall be located on a freestanding sign.
(3) Not more than two (2) such signs per primary building wall.
(4) Such signs shall be included in the calculation of the total permitted sign area.
(5) Such signs shall comply with all of the applicable regulations of this zoning ordinance.

(b) *Dynamic signs*. Dynamic signs shall be exempt from this provision.

Adopted 2/25/2011. Yeas, 9; Nays, 4 as follows:
Yeas - Colvin Roy, Quincy, Glidden, Goodman, Hodges, Samuels, Reich, Lilligren, Johnson.
Nays - Tuthill, Gordon, Hofstede, Schiff.

President Johnson resumed the Chair.

UNFINISHED BUSINESS

Pursuant to notice, Colvin Roy moved to introduce the subject matter of an ordinance amending Title 10, Chapter 202 of the Minneapolis Code of Ordinances relating to *Food Code: Municipal Market*, for first reading and referral to the Transportation & Public Works Committee (placing the municipal market under the direction of the finance officer). Seconded.

Adopted upon a voice vote 2/25/2011.
Absent - Hodges.

Pursuant to notice, Glidden moved to introduce the subject matter of an ordinance amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: In General*, for first reading and referral to the Regulatory, Energy & Environment Committee (amending Section 259.30, to add additional license categories to be eligible for administrative issuance of license). Seconded.

Adopted upon a voice vote 2/25/2011.
Absent - Hodges.

Pursuant to notice, Glidden moved to introduce the matter of an ordinance amending Title 5, Chapter 95 of the Minneapolis Code of Ordinances relating to *Building Code: Projections and Encroachments*, for first reading and referral to the Regulatory, Energy & Environment Committee (adding new language related to areaways, requiring compliance with the building code, and setting inspection schedules). Seconded.

Adopted upon a voice vote 2/25/2011.
Absent - Hodges.

NEW BUSINESS

Hodges gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 2, Chapter 15 of the Minneapolis Code of Ordinances relating to *Administration: Ethics in Government (*amending section 15.280 to change the definition of local official to include all persons appointed or designated to serve on a city board, commission or agency regardless of manner of appointment).

Lilligren moved to adjourn to March 8, 2011, at 11:00 a.m. at Augsburg College Foss Center, Hoversten Chapel, 625-22nd Ave S, Minneapolis, for the purpose of receiving Mayor R.T. Rybak's 2011 Minneapolis State of the City Address, and to conduct any other business deemed necessary at that time, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of February 25, 2011. Seconded.

Adopted upon a voice vote 2/25/2011.

Casey Joe Carl,
City Clerk.

Unofficial Posting: 3/01/2011
Official Posting: 3/04/2011
Correction: 5/27/2011