

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING DECEMBER 9, 2011

(Published December 17, 2011, in *Finance and Commerce*)

Council Chamber
Room 317 City Hall
350 South 5th Street
Minneapolis, Minnesota
December 9, 2011 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Reich, Hofstede, Schiff, Lilligren, Colvin Roy, Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Gordon, President Johnson.

Hofstede moved to amend the agenda to include consideration of a resolution regarding Northern Metals, LLC's application to amend its permit to operate a hammermill metal shredder in Minneapolis. Seconded.

Adopted upon a voice vote 12/9/2011.

Lilligren moved to amend the agenda to delete consideration of the issue of transfer of the Neighborhood Revitalization Program administration under the Committee of the Whole report. Seconded.

Adopted upon a voice vote 12/9/2011.

Lilligren moved adoption of the agenda as amended. Seconded.

Adopted upon a voice vote 12/9/2011.

Lilligren moved acceptance of the minutes of the regular meeting and the adjourned session of November 18, 2011, and the adjourned session held November 30, 2011. Seconded.

Adopted upon a voice vote 12/9/2011.

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

Adopted upon a voice vote 12/9/2011.

PETITIONS AND COMMUNICATIONS

AUDIT:

FINANCE DEPARTMENT (275348)

2011 Financial Statement Audit Entrance: State Auditor's Overview of 2011 Financial Statement Audit.

COMMITTEE OF THE WHOLE:

INTERGOVERNMENTAL RELATIONS (275349)

Federal/State/Local Written Update

PARK BOARD (275350)

Update on MPRB activities provided by Jayne Miller, Superintendent

COMMITTEE OF THE WHOLE (See Rep):

INTERGOVERNMENTAL RELATIONS (275351)

2012 State Legislative Agenda: Adoption of 2012 Legislative Agenda, including bonding priorities
Asian Carp: Statement of Support for the State Asian Carp Task Force Action Plan

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275352)

Hennepin County's Environmental Response Fund: Authorizing use of ERF to investigate environmental conditions relating to properties acquired under Neighborhood Stabilization Program in tornado impacted area.

Classification of Tax-Forfeited Land.

Chicago Avenue Apartments: Transfer of two existing City loans to Chicago Avenue Apartments, related actions.

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

NEIGHBORHOOD AND COMMUNITY RELATIONS (275353)

2011 NRP Administrative Budget Amendment.

East Phillips NRP Phase II Neighborhood Action Plan.

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

CIVIL RIGHTS (275354)

Minneapolis Commission on Civil Rights: Approve Mayoral re-appointment of Michelle Monteiro; Approval Mayoral appointments of G. Christine Peters; Kenneth H. Fukuda; Danielle Shelton Walczak; Wendy Adler Robinson; Terrance Noble; and Peter Larsen; and Re-designate Commissioners Adosh D. Unni; and Emily J. Froehle as attorney commissioners.

HEALTH AND FAMILY SUPPORT (275355)

Homegrown Minneapolis Food Council: Amend the Homegrown Minneapolis Food Council to increase membership by two positions — one representative from the Department of Regulatory Services and one City Council appointment; and Approve

City Council and Mayoral appointments.

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

CIVIL RIGHTS (275356)

One Minneapolis: A Call to Action Conference: Passage of Resolution accepting monetary, property, goods or services donations from sponsors of the conference.

HEALTH AND FAMILY SUPPORT (275357)

School Based Clinic Health Services: Amend and update contracts with health care payers/ insurance companies for continued billing for health services performed by Clinics.

POLICE DEPARTMENT (275358)

Auto Theft Prevention Program: Accept \$102,237 from the Minnesota Department of Commerce, and execute a contract, to provide support for the prosecution of auto thieves over a two-year period; and Approve appropriation.

Bomb Disposal Services: Execute Joint Powers Agreement with Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management to provide for the reimbursement of bomb disposal service calls provided by the Police Department to other jurisdictions within the State; and Approve appropriation.

REGULATORY SERVICES (275359)

2011 State Homeland Security Program: Accept grant of \$50,000 from the Minnesota Department of Public Safety to provide funds to enhance Twin Cities regional preparedness; and Approve appropriation.

2011 Urban Area Security Initiative: Accept \$1,101,044 from the Minnesota Department of Public Safety to provide funds to enhance Twin Cities regional preparedness; and Approve appropriation.

2011 Emergency Operations Plan: Approve plan.

REGULATORY SERVICES (275360)

Metropolitan Medical Response System: Execute contract with Hennepin County Medical Center to reimburse HCMC for equipment purchases made for the MMRS.

Animal Care Donations: Accept in-kind donations of enrichment toys, dog toys, cat litter and cat food, towels and veterinary vaccinations, leashes and treats.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

LICENSES AND CONSUMER SERVICES (275361)

Crave, 528 Hennepin Av: Grant On-Sale Wine Class A with Strong Beer License.

Mourado's Liquors, 2426 2nd St NE: Grant Off-Sale Liquor License (expansion of premises).

Auto Repair Businesses at 2929 University Av SE: Approve Business License Operating Conditions relating to Motor Vehicle Repair Garage Licenses for the following businesses — Awash Auto Repair; Auto Techs Masters; Barona Autoshop; Chris Auto Body & Frame; Diara Auto Body; Gacal Auto Body; Jeff's Auto Body; Niklas Auto Body; M Auto Service; Shelf Made Autos; Shine Auto Body; Ted's Auto Body; TIB Service Plus; Titan Auto & Tire Repair; United Auto Repair Services; and Vans Automotive Service.

LICENSES AND CONSUMER SERVICES (275362)

Fusion, 2919 Hennepin Av: Approve License Settlement Conference recommendations relating to On-Sale Liquor Class C-1 with Sunday Sales License.

Uptown Drink, 1400 Lagoon Av: Approve License Settlement Conference recommendations relating to On-Sale Liquor Class E with Sunday Sales License.

El Paraiso Restaurant, 3501 Nicollet Av: Approve License Settlement Conference recommendations relating to On-Sale Liquor Class C-2 with Sunday Sales License.

LICENSES AND CONSUMER SERVICES (275363)

Licenses: Applications.

REGULATORY SERVICES (275364)

Housing Board of Appeals: Approve reappointments of Anne Gilbertson-Seeling; Karen Barton; Beth Hart; Sandy Loescher; Kristen Cici; Lauren Maker; David Fridgen; Jorge Eduardo Grauvillardell; and Steven Leventhal; and staff and ex-officio appointments of JoAnn Velde; Brad Schmoll; Ruth Kildow; Geri Meyer; and Lee Wolf.

Taxicabs: Ordinance modernizing the Taxicab Code.

REGULATORY SERVICES (275365)

Rental Dwelling License at 2600 Morgan Av N: Approve reinstatement of license to be held by Raymond and Cindy L. Scherbing.

Rental Dwelling License at 2523 Logan Av N: Approve reinstatement of license to be held by Martin Koep.

Rental Dwelling License at 713 19th Av NE: Approve reinstatement of license to be held by Michael Kampmeyer.

REGULATORY, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):

FINANCE DEPARTMENT (275366)

Central Library Energy Retrofits: Negotiate and execute documents with Hennepin County for disbursement of \$117,000 in Energy Efficiency and Conservation Block Grant funds for energy retrofits.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (275367)

Chicago-Lake, Bloomington-Lake, East Lake & Lyndale-Lake Special Service Districts: Letters of objection (See Petn No 275232).

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (275368)

33rd Ave SE Street Reconstruction Project No 2225 (Como Ave SE to E Hennepin Ave): Project designation.

Nicollet Ave Street Reconstruction and Street Lighting Project No 6713 (Lake St to 40th St): Project designation.

Nicollet Ave Street Reconstruction and Street Lighting Project No 6713 (Lake St to 40th St): Areaway abandonment and removal public hearing.

Riverside Ave Street Reconstruction Project: Contract amendment with Thomas and Sons Construction, Inc.

PUBLIC WORKS AND ENGINEERING (275369)

Bassett Creek Watershed Management Commission: Appointments.

Special Assessment Deferment: 4140 Ewing Ave S.

Public Works Special Assessment Rolls: Cancellation of sidewalk repair special assessment for 5041 Washburn Ave N.

Minneapolis Bicycle Master Plan: "Bicycle Advisory Committee Recommendations for Implementation of the Minneapolis Bicycle Master Plan".

Minneapolis Recycling Program: Staff direction to explore new recycling program; and Comments.

Riverview Apartments Senior Housing, LLC at 54th St E and Riverview Rd: Access easement agreement.

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

PUBLIC WORKS AND ENGINEERING (275370)

Traffic Management Center and Traffic Signal Projects: Agreement with Hennepin County.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (275371)

Legal Settlements: Darrell Williams v. Mark Durand and City of Minneapolis; Malcolm Labon v. City of Minneapolis, et al.; and Patricia Knapp v. City of Minneapolis, et al.

Legal Process Services: Execute three-year contract with Benco Delivery Service.

BUSINESS INFORMATION SERVICES (BIS) (275372)

Computer-Aided Dispatch and Mobile Equipment Support: Execute agreements with Hennepin County Medical Center, Minneapolis Park and Recreation Board, and University of Minnesota to provide services for four years (2012 – 2015); and accept revenue for these services.

CITY CLERK (275373)

City Seal Embosser and Stamp: Authorize use of a self-inking rubber stamp version of the City Seal to certify, attest, and mark documents.

COMMUNICATIONS (275374)

January 2012 Utility Billing Insert: Your Utility Bill.

Minneapolis Television Network (MTN) Board of Directors: Resignation of Ben Weeks and appoint David Lee for remaining term, expires January 13, 2013; and reappointment of Barbra Nei and John Gwinn, terms expires December 31, 2015.

FINANCE DEPARTMENT (275377)

Hamilton School Fields Renovation: Application for the Hennepin youth Sports Program and the Minnesota Twins Community Grant Funding.

Annual Property Insurance Premium for Minneapolis Convention Center, Tallmadge Building, and Parking Ramp: a) 2012 coverage; b) XL Insurance quote; and c) terrorism coverage.

HUMAN RESOURCES (275378)

Employee Contributions Ordinance: Amending Title 2, Chapter 20, amending section 20.440(b) related to contributions of accrued vacation leave to remove the references to pension plans no longer in existence and standardize the contribution; and, repealing section 20.440(c) to eliminate the HCSP percentage of annual salary adjustment contribution.

MINNEAPOLIS CONVENTION CENTER (275375)

Meet Minneapolis: Payment of 2010 1% Lodging Tax to 2011 operating budget.

MINNEAPOLIS CONVENTION CENTER and PROCUREMENT (275376)

OP #7523: Accept low bid of Morcon Construction Company to upgrade seven exterior roll up doors for the Minneapolis Convention Center.

OP #7546: Accept low bid of Construction Results Corporation to complete the west stairs renovation project at the Minneapolis Convention Center.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (275379)

Rezoning:

Emerge Community Development (1830 Emerson Ave N re: Emmerge Career & Technology Center)

Kolar Center, LLC, Birrell Center LLC, & Nancy Hirshfield et al (325, 331 & 341 E Lake St & 3009 & 3013 Clinton Ave, re: Kaah Adult Daycare)

Vacation: Artspace Projects, Inc. (901, 905, 907, 907 1/2, 911, 911 1/2, & 913 18 1/2 Ave NE and 1839, 1843, & 1847 Jackson St NE, re: Jackson Flats)

Zoning Code Text Amendment:

Pedestrian Oriented Overlay Districts - Title 20, Chapter 55

FILED:

CHARTER COMMISSION (275380)

Request from "Power by the People" to review summary language to be circulated with a proposed Charter amendment petition and Charter Commission response.

HENNEPIN COUNTY REAL ESTATE DIVISION (275381)

Vacate the unopened alley running North-South between Lagoon Avenue on the South and the Mall on the North.

The following reports were signed by Mayor Rybak on December 14, 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/IGR - Your Committee recommends approval of the City of Minneapolis 2012 Legislative Agenda regarding Local Government Finance, Capital Bonding, Public Safety, Transportation, Affordable Housing and Homelessness Prevention, Municipal Governance, City Livability, Environment and Sustainability, and Jobs and Economic Development, as set forth and described in Petn No 275351.

Glidden moved to amend the petition as follows:

Page 2. Local Government Finance Section.

First new paragraph, first sentence. After "established" insert "a."

Page 2. Local Government Finance Section

Second new paragraph, second sentence. Delete "\$67.0" and insert "\$64.1."

Page 2. Local Government Finance Section

Second new paragraph, fourth sentence. After "million" insert "paid to all eligible cities."

Page 4. Public Safety Section. Priority Section

Delete Item, Accomplished. Delete "Streamlining statutes in order to more effectively prosecute prostitution-related offenses."

Page 6: Public Safety Section. Opposition Item.

Update language. Change "Automated Pawn System" to "Automated Property System."

Page 6. Pension Sustainability Section.

New Language. "Support reasonable pension legislation that helps guarantee the long term viability of all state-wide public pension funds without overburdening local governments while at the same time fulfilling the commitments made to our employees. This could include reasonable adjustments to investment assumptions, employee/employer contributions as well as continued state contributions including those to all local funds folding into the state wide plans."

Page 8. Municipal Governance Section. Priority Section

Add new language: Add reference to vote-by-mail to existing item.

"Legislation authorizing cities to conduct alternative voting methods including but not limited to expanded vote-by-mail, instant runoff voting and legislation that adopts rules to implement instant runoff voting or authorize the Secretary of State or cities to promulgate the rules."

Page 8: Municipal Governance Section. Support Section.

Last item on the page. Delete "recount" and insert "post-election review."

Page 9: Municipal Governance, Opposition Section.

Add new item: "Legislation or a proposed constitutional amendment that requires a voter to present authorized photo identification in the polling place to obtain a ballot."

Page 9. Municipal Governance, Opposition Section.

Add new item: "Legislation placing additional, unnecessary and costly requirements upon city animal control agencies that would act to reduce their ability to provide the highest level of service to animals in their care." Seconded.

Adopted upon a voice vote.

The report was adopted 12/9/2011.

Comm of the Whole/IGR - Your Committee, having under consideration the Asian Carp Action Plan prepared by the State Ad Hoc Asian Carp Task Force, recommends approval of the following statement of support for the plan:

The City of Minneapolis supports the Asian Carp Action Plan as drafted on November 2, 2011, and that the City strongly supports all preventive measures downstream, and funding, that keep Asian Carp out of all Minnesota waterways.

Minneapolis also supports federal legislation granting the authority to the US Army Corps to temporarily close the St. Anthony Falls Lock and Dam and/or Lock and Dam #1 if certain Minnesota DNR established, and continually measured, criteria for the detection of Asian Carp are met (consistent with criteria within the federal legislation granting the closure authority).

Minneapolis will only support a permanent closure or a permanent fish barrier at the St. Anthony Falls and/or Lock and Dam #1 after the conclusion of a federally authorized and funded feasibility study of the impacts of such a closure on the City of Minneapolis and the rest of the State of Minnesota (as partially outlined in section 2.1 of the report). This study must include an opportunity for local input and review.

That any permanent closure of the St. Anthony Falls and/or Lock and Dam #1 must only be authorized when state and federal resources have been identified and funded to assist the City with any relocation, redevelopment and restoration costs made necessary by the ending or limiting of navigation above Lock and Dam #1.

Adopted 12/9/2011.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev – Your Committee recommends passage of the accompanying resolution authorizing the use of Hennepin County’s Environmental Response Fund to investigate environmental conditions related to properties acquired under the Neighborhood Stabilization Program in the tornado impacted area.

Adopted 12/9/2011.

Resolution 2011R-629, authorizing Hennepin County’s use of Environmental Response Funds to investigate environmental conditions of Neighborhood Stabilization Program (NSP) funded projects in the tornado impacted area of Minneapolis, was adopted 12/9/2011 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-629
By Goodman**

Authorizing Hennepin County’s use of Environmental Response Funds to investigate environmental conditions of Neighborhood Stabilization Program (NSP) funded projects in the tornado impacted area of Minneapolis.

Whereas, Hennepin County supports its Environmental Response Fund (ERF) program from mortgage registry and deed taxes as authorized by Minnesota Statutes 383B.80 and 383B.81; and

Whereas, the Twin Cities Community Land Bank (TCCLB) received a two-year \$100,000 ERF award from Hennepin County to support small environmental assessment and clean-up activities; and

Whereas, the City of Minneapolis has requested that TCCLB sub-award up to \$20,000 to conduct Phase I assessments on NSP-funded projects in the tornado impacted geography; and

Whereas, pursuant to Minnesota Statute 383B.81, Subd. 4, Hennepin County may not expend ERF funds unless the governing body of the city in which the site is located approves the project;

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

That the City of Minneapolis, in accordance with Minnesota Statutes 383B.81, Subdivision 4, supports the use of ERF funds on NSP-funded projects in the tornado impacted area (the “Project”).

Be It Further Resolved that nothing in this resolution shall create a pecuniary obligation of the City to assist the foregoing Project nor shall the City be in any way responsible for any financing obligation or agreement of Hennepin County or the TCCLB with respect to their provision of financial assistance to the Project.

Be It Further Resolved that the support expressed herein extends only to the powers of Hennepin County or the TCCLB with respect to the financial assistance the County or the TCCLB proposes to provide to the Project and the City shall retain all other powers and jurisdiction over matters relating to the City and the Project.

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

Adopted 12/9/2011.

Comm Dev - Your Committee, having under consideration classification of tax-forfeited land, now recommends passage of the accompanying resolutions a) requesting actions with respect to the conveyance of certain tax-forfeited land located in the City and authorizing the Mayor and the City Clerk

to sign an application for title registration which will be filed pursuant to Minnesota Statutes 508.03(6); and b) approving the classification of certain tax-forfeited land located in the City as non-conservation and the conveyance thereof.

Adopted 12/9/2011.

Resolution 2011R-630, requesting actions with respect to the conveyance of certain tax-forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, was adopted 12/9/2011 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-630
By Goodman**

Requesting actions with respect to the conveyance of certain tax-forfeited land located in the City of Minneapolis, Hennepin County, Minnesota.

Whereas, the City Council of the City of Minneapolis, Hennepin County, Minnesota, has been advised by the County of Hennepin, Minnesota, that certain parcels of land in said City have become the property of the State of Minnesota under the provision of law declaring the forfeiture of lands to the State for nonpayment of taxes;

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

That the parcels listed below be designated as non-conservation land if not previously so designated, and that all the properties listed below which are located in targeted neighborhoods be withheld from public and private sale and conveyed to the City of Minneapolis for \$1.00 for development purposes:

<u>PID Number</u>		<u>Target</u>	<u>Ward</u>	<u>Current</u>
<u>Address</u>		<u>Zoning</u>	<u>Legal Description</u>	<u>Use</u>
<u>Lot Size</u>				
17 029 24 14 0022		Y	5 DON SAMUELS 2 MARK STENGLEIN	VACANT LAND COMMERCIAL
2200 GOLDEN VALLEY RD			LOTS 14 AND 15 SUBJECT TO STREET BLOCK 001 "NICHOLS-FRISSELL CO.'S SHADY OAKS ADDITION TO MINNEAPOLIS"	
NON-CONSERVATION	C1			
114.4x85.75=9810				

Be It Further Resolved that the parcels listed below be designated as non-conservation land if not previously so designated, and that all the properties listed below be withheld from sale for six months:

<u>PID Number</u>		<u>Target</u>	<u>Ward</u>	<u>Current</u>
<u>Address</u>		<u>Zoning</u>	<u>Legal Description</u>	<u>Use</u>
<u>Lot Size</u>				
08 029 24 41 0202		Y	4 BARBARA JOHNSON 2 MARK STENGLEIN	VACANT, BOARDED, CONDEMNED SINGLE FAMILY 249 LIST
3115 SHERIDAN AVE N			LOT 004 "SEALLUM GATES, SECOND ADDITION TO MINNEAPOLIS"	
NON-CONSERVATION	R1A			
42.27x127.82=5395				

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09 029 24 34 0051	Y	5 DON SAMUELS 2 MARK STENGLEIN	VACANT BOARDED SINGLE FAMILY
2611 JAMES AVE N		E 2/3 LOT 005 BLOCK 001 "ON THE HEIGHTS, AN ADDITION TO MINNEAPOLIS"	
NON-CONSERVATION	R1A		
42x86=3629			
28 029 24 32 0059	N	7 LISA GOODMAN 3 GAIL DORFMAN	VACANT LAND
1652 1/2 KENWOOD PKWY		THAT PART OF LOT 16 LYING W OF E 100 FT THOF AND SLY OF A LINE RUNNING FROM SW COR THOF TO A PT ON E LINE OF LOT 16 DIS 190 FT N FROM SE COR THOF INCL ADJ 1/2 OF VAC STREET LOT 016 BLOCK 002 LAKEVIEW ADD	
NON-CONSERVATION	R1/R2		
47.6x55=2905			
34 029 24 31 0136	Y	6 ROBERT LILLIGREN 3 GAIL DORFMAN	VACANT LAND COMMERCIAL
2644 NICOLLET AVE		S 11 72/100 FT OF LOT 10 AND ALL OF LOTS 11 12 AND 13 REARRANGEMENT OF BLOCK 13 J. T. BLAISDELL'S REVISED ADDITION TO MINNEAPOLIS	
NON-CONSERVATION	C3A		
151.9x150.0=22,809			
35 029 24 42 0118	Y	9 GARY SCHIFF 4 PETER MCLAUGHLIN	VACANT LAND
1403 26TH ST E		N 30 FT OF W 51 1/4 FT OF LOT 13 AND THE E 24 1/4 FT OF W 51 1/4 FT OF LOT 14 BLOCK 019 TORRANCE TOUSLEYS AND MCNAIRS SUBDIVISION OF BLOCKS SEVENTEEN EIGHTEEN NINETEEN AND TWENTY (17, 18, 19, 20,) OF BRACKETT AND BOVEY'S ADD'N TO MINNEAPOLIS	
NON-CONSERVATION	R2B		
24x72=2544			
35 029 24 42 0119	Y	9 GARY SCHIFF 4 PETER MCLAUGHLIN	VACANT NON COMPLIANT BLDG
1401 26TH ST E		W 27 FT LOT 014 BLOCK 019 TORRANCE TOUSLEYS AND MCNAIRS SUBDIVISION OF BLOCKS SEVENTEEN EIGHTEEN NINETEEN AND TWENTY (17, 18, 19, 20,) OF BRACKETT AND BOVEY'S ADD'N TO MINNEAPOLIS	
NON-CONSERVATION	R2B		
27x41.5=1121			
35 029 24 43 0067	Y	9 GARY SCHIFF 4 PETER MCLAUGHLIN	VACANT LAND
2822 15TH AVE S		LOT 005 BLOCK 002 MERRIAM AND SHAW'S ADDITION TO MINNEAPOLIS	
NON-CONSERVATION	R2B		
58x127=7395			
36 029 24 23 0020	Y	9 GARY SCHIFF 4 PETER MCLAUGHLIN	VACANT LAND
1863 E M STATELY ST		LOT 006 AUDITOR'S SUBDIVISION NO. 016 HENNEPIN COUNTY, MINN	
NON-CONSERVATION	R2B		
40x127=5080			

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08 029 24 42 0105	Y	4 BARBARA JOHNSON 2 MARK STENGLIN 2617 LOWRY AVE N NON-CONSERVATION R4 34x38=2852	VACANT, BOARDED, CONDEMNED SINGLE FAMILY 249 LIST W 34 FT OF E 58 82/100 FT OF LOTS 27 AND 28 "SEALLUM GATES" THIRD ADDITION TO MINNEAPOLIS"
09 029 24 41 0152	Y	3 DIANE HOFSTEDE 2 MARK STENGLIN 714 30TH AVE N NON-CONSERVATION R2B 40x128=4800	VACANT LAND LOT 017 BLOCK 002 THE OAKLAND ADDITION TO MINNEAPOLIS
16 029 24 34 0174	Y	5 DON SAMUELS 2 MARK STENGLIN 1407 16TH AVE N NON-CONSERVATION R2B 50x144=7200	VACANT LAND THAT PART OF LOT 1 LYING WESTERLY OF THE EAST 45.00 FEET THEREOF AND LYING EASTERLY OF THE WEST LINE OF THE EAST 95.00 FEET OF SAID LOT 1 BLOCK 001 "CREPEAU'S ADDITION TO MINNEAPOLIS"
08 029 24 43 0013	Y	5 DON SAMUELS 2 MARK STENGLIN 2611 THOMAS AVE N NON-CONSERVATION R1A 40x128=5136	VACANT SINGLE FAMILY LOT 013 BLOCK 001 "RADISSON HEIGHTS"
09 029 24 41 0057	Y	3 DIANE HOFSTEDE 2 MARK STENGLIN 2956 BRYANT AVE N NON-CONSERVATION R2B 33.4x126.4=4222	OCCUPIED SINGLE FAMILY LOT 030 BLOCK 002 "HARMONY TERRACE"
11 029 24 14 0081	Y	1 KEVIN REICH 2 MARK STENGLIN 2516 JACKSON ST NE NON-CONSERVATION R2B 46x182=8372	OCCUPIED DUPLEX LOT 009 BLOCK 020 MENAGE'S SUPPLEMENT TO EAST SIDE ADDITION TO MINNEAPOLIS
08 029 24 41 0103	Y	5 DON SAMUELS 2 MARK STENGLIN 2904 QUEEN AVE N NON-CONSERVATION R1A 39X128=4940	VACANT LAND LOT 017 BLOCK 002 "PENN AVENUE ADDITION TO MINNEAPOLIS"
09 029 24 33 0108	Y	5 DON SAMUELS 2 MARK STENGLIN 2718 PENN AVE N NON-CONSERVATION R1A 42.6X125=5365	VACANT LAND LOT 012 BLOCK 004 "SUPPLEMENT TO FOREST HEIGHTS MINNEAPOLIS"

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09 029 24 33 0138	Y	5 DON SAMUELS	VACANT SINGLE FAMILY
2654 OLIVER AVE N		2 MARK STENGLEIN	LOT 014 BLOCK 006 "SUPPLEMENT TO FOREST HEIGHTS MINNEAPOLIS"
NON-CONSERVATION	R1A		
43.6X127.5=5552			
09 029 24 34 0043	Y	5 DON SAMUELS	VACANT LAND
2720 JAMES AVE N		2 MARK STENGLEIN	LOT 009 BLOCK 002 "MILLER'S SUBDIVISION OF LOT "F" BABBITTS OUTLOTS TO MINNEAPOLIS"
NON-CONSERVATION	R1A		
33X126=4184			
09 029 24 44 0156	Y	3 DIANE HOFSTEDE	VACANT LAND
2650 COLFAX AVE N		2 MARK STENGLEIN	LOT 013 BLOCK 011 FAIRMOUNT PARK ADDITION TO MINNEAPOLIS
NON-CONSERVATION	R2B		
42.6X127=5429			
16 029 24 11 0118	Y	3 DIANE HOFSTEDE	VACANT LAND
917 26TH AVE N		2 MARK STENGLEIN	W 1/2 OF E 1/2 OF LOTS 13 AND 14 BLOCK 015 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS
NON-CONSERVATION	R2B		
39.2X100=3900			
16 029 24 14 0090	Y	3 DIANE HOFSTEDE	VACANT COMMERCIAL BUILDING
800 WEST BROADWAY		2 MARK STENGLEIN	LOTS 4 TO 7 INCL BLOCK 009 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS
NON-CONSERVATION	C3S		
200X157=31400			
28 029 24 32 0082	N	7 LISA GOODMAN	VACANT LAND COMMON AREA
1480 KENWOOD PKWY		3 GAIL DORFMAN	OUTLOT A KENWOOD CREST
NON-CONSERVATION	R2		
35 029 24 42 0115	Y	9 GARY SCHIFF	VACANT SINGLE FAMILY
1405 26TH ST E		4 PETER MCLAUGHLIN	E 26 1/4 FT OF W 77 1/2 FT OF LOTS 13 AND 14 AND THE S 11 1/2 FT OF W 51 1/4 FT OF LOT 13 BLOCK 019 TORRANCE TOUSLEYS AND MCNAIRS SUBDIVISION OF BLOCKS SEVENTEEN EIGHTEEN NINETEEN AND TWENTY (17, 18, 19, 20,) OF BRACKETT AND BOVEY'S ADD'N TO MINNEAPOLIS
NON-CONSERVATION	R2B		
26x83=2768			
09 029 24 44 0113	Y	3 DIANE HOFSTEDE	VACANT LAND
2822 BRYANT AVE N		2 MARK STENGLEIN	LOT 013 BLOCK 008 FAIRMOUNT PARK ADDITION TO MINNEAPOLIS
NON-CONSERVATION	R2B		
42.6x127=5425			

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Be It Further Resolved that the parcels listed below be designated as non-conservation land if not previously so designated, and that all the properties listed below be released for public auction:

<u>PID Number</u>	<u>Target</u>	<u>Ward</u>	<u>Current</u>
<u>Address</u>	<u>Zoning</u>	<u>Legal Description</u>	<u>Use</u>
<u>Lot Size</u>			
02 028 24 43 0199	Y	9 GARY SCHIFF 4 PETER MCLAUGHLIN	VACANT SINGLE FAMILY
1500 38TH ST E		W 40.44 FT OF LOTS 13 AND 14 BLOCK 008 JENNIE R. F. BLAISDELL'S ADDITION TO MINNEAPOLIS	
NON-CONSERVATION 96x40 = 3894	R2B		
16 029 24 11 0024	Y	3 DIANE HOFSTEDE 2 MARK STENGLEIN	VACANT LAND
2415 LYNDALE AVE N		LOT 004 BLOCK 002 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS	
NON-CONSERVATION 50x157=7850	R1A		
21 029 24 32 0214	Y	5 DON SAMUELS 2 MARK STENGLEIN	VACANT, BOARDED, CONDEMNED NON COMPLIANT BLDG 249 LIST
2014 GLENWOOD AVE N		LOT 5 AND W 25 INCHES OF N 21 FT OF LOT 6 BLOCK 005 "DREWS ADDITION TO MINNEAPOLIS"	
NON-CONSERVATION 42x123=5168	C1		
26 029 24 34 0085	Y	6 ROBERT LILLIGREN 4 PETER MCLAUGHLIN	VACANT DUPLEX 249 LIST
1916 ELLIOT AVE S		N 50 FT OF LOTS 89 AND 10 BLOCK 015 JS & W ELLIOTS ADDITION TO MINNEAPOLIS	
NON-CONSERVATION 50x150=7500	NP/R2B		
09 029 24 24 0002	N	4 BARBARA JOHNSON 2 MARK STENGLEIN	VACANT SINGLE FAMILY
3212 IRVING AVE N		COM ONE LINE OF IRVING AVE AT A PT 120 FT N FROM N LINE OF LOWRY AVE THENCE E 125 30/100 FT TO ALLEY THENCE N TO S LINE OF JAMES AVE ADDN THENCE W TO E LINE OF IRVING AVE N THENCE S TO BEG UNPLATTED	
NON-CONSERVATION 38x125=4761	R4		
21 029 24 21 0116	Y	5 DON SAMUELS 2 MARK STENGLEIN	VACANT LAND WITH 1/2 OF A OCCUPIED HOUSE
1104 LOGAN AVE N		LOT 005 BLOCK 005 "OAK PARK ADDITION TO MINNEAPOLIS"	
NON-CONSERVATION 42.1x126=5331	R2B		

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34 029 24 32 0288	Y	6 ROBERT LILLIGREN OCCUPIED CONDO 3 GAIL DORFMAN 2610 GARFIELD AVE S # 302 APT NO 302 APARTMENT OWNERSHIP NO. 0140 GARFIELD GABLES, A CONDOMINIUM NON-CONSERVATION R2B CONDO GARAGE
06 028 23 33 0125	N	9 GARY SCHIFF OCCUPIED SINGLE FAMILY 4 PETER MCLAUGHLIN 3744 SNELLING AVE LOT 014 BLOCK 021 PALMER'S ADDITION TO MINNEAPOLIS NON-CONSERVATION PO/R1A 40x150=6000
02 028 24 21 0153	Y	8 ELIZABETH GLIDDEN OCCUPIED SINGLE FAMILY 4 PETER MCLAUGHLIN 3036 12TH AVE S LOT 004 BLOCK 001 WISCONSIN ADDITION TO MINNEAPOLIS NON-CONSERVATION R2B 40x123=4946
03 028 24 42 0153	Y	10 MEG TUTHILL OCCUPIED DUPLEX 3 GAIL DORFMAN 3501 1ST AVE S N 29 37/100 FT LOT 014 BLOCK 002 "SHARTLE'S ADDITION TO MINNEAPOLIS" NON-CONSERVATION R2B 29.4x131=3836
10 028 24 44 0044	N	8 ELIZABETH GLIDDEN OCCUPIED SINGLE FAMILY 4 PETER MCLAUGHLIN 4449 4TH AVE S LOT 018 BLOCK 002 "F. A. SAVAGE'S PORTLAND AVE. ADDITION TO MINNEAPOLIS" NON-CONSERVATION AP/R1A 40x129=5160
11 028 24 32 0116	N	8 ELIZABETH GLIDDEN OCCUPIED COMMERCIAL BUILDING 4 PETER MCLAUGHLIN 4308 CHICAGO AVE LOT 003 BLOCK 001 "HIGGINS' FIRST ADDITION TO MINNEAPOLIS MINNESOTA" NON-CONSERVATION C1 40x124=4960
04 029 24 14 0136	N	4 BARBARA JOHNSON VACANT SINGLE FAMILY 2 MARK STENGLIEN 4018 COLFAX AVE N LOT 018 BLOCK 001 WYOMING PARK ADDITION TO MINNEAPOLIS NON-CONSERVATION R2B 50x128=6400
09 029 24 32 0150	Y	4 BARBARA JOHNSON OCCUPIED DUPLEX 2 MARK STENGLIEN 3118 NEWTON AVE N LOT 026 BLOCK 001 "HAMISCH'S 3D ADDITION TO MINNEAPOLIS" NON-CONSERVATION R1B 41.3x127=5242

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16 029 24 11 0020	Y	3 DIANE HOFSTEDE VACANT LAND COMMERCIAL 2 MARK STENGLEIN 2524 ALDRICH AVE N NON-CONSERVATION R2B 97.68x157=15,336	LOTS 13 AND 14 BLOCK 001 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS
35 029 24 41 0110	Y	9 GARY SCHIFF VACANT, BOARDED, COMDEMND 4 PETER MCLAUGHLIN SINGLE FAMILY 249 LIST 2701 BLOOMINGTON AVE S NON-CONSERVATION C1 38x124=4693	N 38 FT LOT 010 BLOCK 004 "PETERS ADDITION TO MINNEAPOLIS"
31 029 23 24 0012	N	2 CAM GORDON OCCUPIED COMMERCIAL BLDG 4 PETER MCLAUGHLIN 3414 25TH ST E NON-CONSERVATION R1A IRREGULAR 7985 SQ. FT.	LOT 2 EXCEPT THE EAST 80 FEET OF THE NORTH 32 FEET THEREOF; AND ALL OF LOT 3 BLOCK 003 "REARRANGEMENT OF BLOCKS IN THE TOWN OF FALLS CITY"
03 028 24 21 0117	Y	10 MEG TUTHILL OCCUPIED SINGLE FAMILY 3 GAIL DORFMAN 3149 PILLSBURY AVE NON-CONSERVATION R5 42X36=1494	W 36 FT LOT 005 BLOCK 002 RICHARDSON'S ADDITION TO MINNEAPOLIS
04 029 24 44 0198	N	3 DIANE HOFSTEDE OCCUPIED SINGLE FAMILY 2 MARK STENGLEIN 3623 LYNDALE AVE N NON-CONSERVATION R1A 40X124=4981	LOT 010 BLOCK 016 "WALTON PARK"
09 029 24 21 0170	N	4 BARBARA JOHNSON VACANT SINGLE FAMILY 2 MARK STENGLEIN 3459 KNOX AVE N NON-CONSERVATION R1A 37.6X126.6=4755	LOT 001 BLOCK 006 "NIMMONS AND PRATT'S ADDITION TO MINNEAPOLIS"
09 029 24 34 0021	Y	5 DON SAMUELS OCCUPIED DUPLEX 2 MARK STENGLEIN 2725 HUMBOLDT AVE N NON-CONSERVATION R1A 66X126=8327	LOTS 1 AND 2 BLOCK 001 "MILLER'S SUBDIVISION OF LOT "F" BABBITS OUTLOTS TO MINNEAPOLIS"
14 028 24 14 0023	N	11 JOHN QUINCY OCCUPIED DUPLEX 4 PETER MCLAUGHLIN 4809 BLOOMINGTON AVE S NON-CONSERVATION AP/R3/SH Triangle 8330 sq. ft.	LOT 008 "HEGG'S ADDITION TO MINNEAPOLIS MINNESOTA"

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21 029 24 23 0177	Y	5 DON SAMUELS 2 MARK STENGLEIN	OCCUPIED SINGLE FAMILY
903 LOGAN AVE N		LOTS 7 AND 8 BLOCK 023 "OAK PARK ADDITION TO MINNEAPOLIS"	
NON-CONSERVATION	R2B	84x126=10,584	
34 029 24 44 0072	Y	6 ROBERT LILLIGREN 6 PETER MCLAUGHLIN	OCCUPIED COMMERCIAL BUILDING
500 LAKE ST E		LOTS 14 AND 15 BLOCK 001 HANCES ADDITION TO MINNEAPOLIS	
NON-CONSERVATION	C1	119x94.9=11,297	
11 029 24 14 0069	Y	1 KEVIN REICH 2 MARK STENGLEIN	VACANT LAND
822 26TH AVE N E		E 31.4 FT OF W 91.6 FT OF LOTS 1 AND 2 BLOCK 020 MENAGE'S SUPPLEMENT TO EAST SIDE ADDITION TO MINNEAPOLIS	
NON-CONSERVATION	R2B	31.4x93=2883	

Be it Further Resolved that the parcels listed below be designated as non-conservation land if not previously so designated, and that all the property listed below be released for auction to adjacent owners:

<u>PID Number</u>		<u>Target</u>	<u>Ward</u>	<u>Current</u>
<u>Address</u>		<u>Zoning</u>	<u>Legal Description</u>	<u>Use</u>
<u>Lot Size</u>				
12 118 21 34 0030	N		4 BARBARA JOHNSON 1 MIKE OPAT	VACANT LAND
4657 ALDRICH AVE N			N 18 FT OF W 24 FT LOT 002 BLOCK 003 "CAMDEN PARK ADDITION"	
NON-CONSERVATION	R1A		18x24=432 sq. ft.	
02 028 24 31 0166	Y		8 ELIZABETH GLIDDEN 4 PETER MCLAUGHLIN	VACANT LAND
912 35TH ST E			W 45 FT OF S 10 FT OF LOT 6 AND W 45 FT OF LOT 7 LOTS 6 AND 7 BLOCK 003 PORTERFIELD'S ADDITION TO MINNEAPOLIS	
NON-CONSERVATION	R2B		45X50=2250	

Be it Further Resolved that the city is authorized to file an application for title registration on the tax-forfeited properties listed in this resolution for acquisition by the City of Minneapolis signed by the Mayor and the City Clerk pursuant to Minnesota Statutes 508.03(6)
Adopted 12/9/2011.

Resolution 2011R-631, approving the classification of certain tax-forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non-conservation and the conveyance thereof, was adopted 12/9/2011 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-631

By Goodman

Approving the classification of certain tax-forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non-conservation and the conveyance thereof.

Whereas, the City Council of the City of Minneapolis, Hennepin County, Minnesota, has been advised by the County of Hennepin, Minnesota, that certain parcels of land in said City have become the property of the State of Minnesota under the provision of law declaring the forfeiture of lands to the State for nonpayment of taxes;

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

That all of the parcels listed below be designated as non-conservation land:

Property ID Number	Property Address
02 028 24 43 0199	1500 38TH ST E
08 029 24 41 0202	3115 SHERIDAN AVE N
09 029 24 34 0051	2611 JAMES AVE N
16 029 24 11 0024	2415 LYNDAL AVE N
17 029 24 14 0022	2200 GOLDEN VALLEY RD
21 029 24 32 0214	2014 GLENWOOD AVE N
26 029 24 34 0085	1916 ELLIOT AVE S
28 029 24 32 0059	1652 1/2 KENWOOD PKWY
34 029 24 31 0136	2644 NICOLLET AVE
35 029 24 42 0118	1403 26TH ST E
35 029 24 42 0119	1401 26TH ST E
35 029 24 43 0067	2822 15TH AVE S
36 029 24 23 0020	1863 E M STATELY ST
12 118 21 34 0030	4657 ALDRICH AVE N
08 029 24 42 0105	2617 LOWRY AVE N
09 029 24 24 0002	3212 IRVING AVE N
09 029 24 41 0152	714 30TH AVE N
11 029 24 14 0069	822 26TH AVE N E
16 029 24 34 0174	1407 16TH AVE N
21 029 24 21 0116	1104 LOGAN AVE N
34 029 24 32 0288	2610 GARFIELD AVE S # 302
06 028 23 33 0125	3744 SNELLING AVE
02 028 24 21 0153	3036 12TH AVE S
03 028 24 42 0153	3501 1ST AVE S
10 028 24 44 0044	4449 4TH AVE S
11 028 24 32 0116	4308 CHICAGO AVE
04 029 24 14 0136	4018 COLFAX AVE N
08 029 24 43 0013	2611 THOMAS AVE N
09 029 24 32 0150	3118 NEWTON AVE N
09 029 24 41 0057	2956 BRYANT AVE N
11 029 24 14 0081	2516 JACKSON ST NE
16 029 24 11 0020	2524 ALDRICH AVE N
35 029 24 41 0110	2701 BLOOMINGTON AVE S
31 029 23 24 0012	3414 25TH ST E
02 028 24 31 0166	912 35TH ST E
03 028 24 21 0117	3149 PILLSBURY AVE

04 029 24 44 0198
08 029 24 41 0103
09 029 24 21 0170
09 029 24 33 0108
09 029 24 33 0138
09 029 24 34 0021
09 029 24 34 0043
09 029 24 44 0156
16 029 24 11 0118
16 029 24 14 0090
28 029 24 32 0082
35 029 24 42 0115
09 029 24 44 0113
14 028 24 14 0023
21 029 24 23 0177
34 029 24 44 0072

3623 LYNDAL AVE N
2904 QUEEN AVE N
3459 KNOX AVE N
2718 PENN AVE N
2654 OLIVER AVE N
2725 HUMBOLDT AVE N
2720 JAMES AVE N
2650 COLFAX AVE N
917 26TH AVE N
800 WEST BROADWAY
1480 KENWOOD PKWY
1405 26TH ST E
2822 BRYANT AVE N
4809 BLOOMINGTON AVE S
903 LOGAN AVE N
500 LAKE ST E

Adopted 12/9/2011.

Comm Dev – Your Committee, having under consideration the Chicago Avenue Apartments (1500, 1504, 1508 Chicago Ave), a 60-unit project-based Section 8 rental project owned by Chicago Avenue Partners, of which Aeon is the managing general partner, now recommends approval of the request of Aeon for transfer of two existing City loans to Chicago Avenue Apartments, to extend the maturity dates of the loans to match new HUD financing, to reduce the interest rate of one loan going forward, and re-subordinate to other lenders as described in the Department of Community Planning & Economic Development report.

Adopted 12/9/2011.

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

Comm Dev & W&M/Budget – Your Committee, having under consideration the request of the Neighborhood Revitalization Program (NRP) Policy Board to increase the 2011 NRP Administrative Budget by \$250,000, now forwards without recommendation the following requests:

- a) Approve the 2011 NRP Administrative Budget, as amended and set forth in the NRP staff report;
- b) Passage of the accompanying resolution increasing the Department of Community Planning and Economic Development (CPED) appropriation in the NRP Fund by \$295,000 and request that CPED immediately transfer \$295,000 to the NRP's City of Minneapolis Fund 42300;
- c) That the proper City officers be authorized to enter into any contracts or agreements needed to implement this request.

Goodman moved that the report be postponed. Seconded.

Adopted 12/9/2011.

Comm Dev & W&M/Budget - Your Committee, having under consideration the East Phillips 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 \$489,220;
- b) Consistent with the staff direction set out in footnote "p" of the 2011 General Appropriation Resolution adopted by the Council on December 13, 2010, as amended April 1, 2011, to amend the 2011 General Appropriation Resolution by increasing the Community Planning and Economic Development Department (CPED) agency Fund 01 CNR 8900-800 (the NRP fund) by \$322,969.60 from existing fund balance;
- c) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 12/9/2011.

**RESOLUTION 2011R-632
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 \$322,969.60.

Adopted 12/9/2011.

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

PSC&H - Your Committee, having under consideration appointments to the Homegrown Minneapolis Food Council, now recommends that the following be **sent forward without recommendation**:

a) the accompanying resolution amending Resolution 2011R-445 which created the Homegrown Minneapolis Food Council to increase the membership by two positions (one representative from the Department of Regulatory Services, and one City Council appointment).

b) the following City Council and Mayoral appointments, for terms to expire December 31, 2013:

City Council

Neil Oxendale, Ward 12
Alison Rotel, Ward 11
Russ Henry, Ward 12
Kristine Igo, Ward 9
Aaron Reser, Ward 9
Sarah Nelson-Pallmeyer, Ward 2
Eric Larsen, Ward 6
Rebecca Reed, Ward 7

Mayoral

Julie Ristau, Ward 8
Beth Dooley, Ward 7
Kurt Schreck, Ward 2
Ryhs Williams, Ward 2
Tracy Singleton, Ward 2
Mustafa Sundiata, Ward 1
Deborah Ramos, Ward 12.

Samuels moved that the report be amended by deleting the language "be sent forward without recommendation" and inserting in lieu thereof "be approved". Seconded.

Tuthill moved that the report be referred back to the Public Safety, Civil Rights & Health Committee. Seconded.

Samuels moved to call the question on Tuthill's motion. Seconded.

Adopted upon a voice vote.

Tuthill's motion lost upon a voice vote.

The report was adopted 12/9/2011. Yeas, 11; Nays, 2 as follows:

Yeas – Reich, Schiff, Lilligren, Colvin Roy, Quincy, Glidden, Goodman, Hodges, Samuels, Gordon, Johnson.

Nays – Hofstede, Tuthill.

Resolution 2011R-633, amending Resolution 2011R-445 which created the Homegrown Minneapolis Food Council to increase the membership by two positions (one representative from the Department of Regulatory Services, and one City Council appointment), was adopted 12/9/2011 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-633

By Gordon

Amending Resolution 2011R-445 entitled “Creating the Homegrown Minneapolis Food Council and Recognizing the Importance of Healthy, Sustainably Produced and Locally Grown Foods by amending Resolution 2009R-283 entitled “recognizing the Importance of Healthy, Sustainably Produced and Locally Grown Foods and Creating the Homegrown Minneapolis Implementation Task Force”, passed June 26, 2009 by reorganizing the Homegrown Minneapolis Implementation Task Force”, passed September 2, 2011.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution be amended by revising the following Resolved Clauses to add two members to the Minneapolis Food Council (a representative from the Department of Regulatory Services and an additional City Council appointment):

Be It Further Resolved that the Homegrown Minneapolis Food Council will be made up of no more than ~~49~~ 21 members. The body will be structured to include participation of community members, City staff and elected representatives, a coownership model proven to be effective for moving food system work forward in Minneapolis. Term length will be two years beginning in January of even-numbered years; first term to begin in January of 2012 and end in December of 2013. Members may serve up to three consecutive terms.

Be It Further Resolved that of the ~~49~~ 21 members, ~~44~~ 15 members will be sought from the community, striving for diverse and balanced representation and being mindful to seek out community expertise and perspective from those often underrepresented (such as communities of color). Interested applicants will go through the City’s open appointments process, ~~7~~ each appointed by the Mayor and ~~8~~ appointed by the Council. The remaining ~~5~~ 6 members will include one representative from each of the following City Departments: the Minneapolis Department of Health and Family Support, Community Planning and Economic Development, City Coordinator– Sustainability, the Department of Regulatory Services, a Mayor’s representative, and a Council member or Council member representative. The body will be staffed by the Homegrown Minneapolis Coordinator unless future funding for this position is not secured, in which case the Mayor’s Office will provide staffing.

Adopted 12/9/2011. Yeas, 11; Nays, 2 as follows:

Yeas – Reich, Schiff, Lilligren, Colvin Roy, Quincy, Glidden, Goodman, Hodges, Samuels, Gordon, Johnson.

Nays – Hofstede, Tuthill.

PSC&H - Your Committee, having under consideration appointments to the Minneapolis Commission on Civil Rights, now recommends the following:

a) Approval of the Mayoral re-appointment of Michelle Monteiro, Ward 9, for the remainder of a three-year term to expire August 31, 2014.

b) Approval of the following Mayoral appointments for three-year terms to expire August 31, 2014:

- G. Christine Peters, Ward 10
- Kenneth H. Fukuda, Ward 11
- Danielle Shelton Walczak, Ward 13
- Wendy Adler Robinson, Ward 8
- Terrance Noble, Ward 1
- Peter Larsen, Ward 11.

c) That the following current appointments be re-designated as attorney commissioners:

- Adosh D. Unni, Ward 6
- Emily J. Froehle, Ward 6.

Adopted 12/9/2011.

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

PSC&H & W&M/Budget - Your Committee, having under consideration the Police Department's Auto Theft Program, now recommends that the proper City officers be authorized to accept \$102,237 from the Minnesota Department of Commerce, and execute a contract, to provide support for the prosecution of auto thieves over a two-year period. Further, passage of the accompanying resolution appropriating \$102,237 to the Police Department.

Adopted 12/9/2011.

**RESOLUTION 2011R-634
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 Police Department Agency in the Grants – Other Fund (01600-4003100) by \$102,237 and increasing the Revenue Source (01600-4003100-321513) by \$102,237.

Adopted 12/9/2011.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a Joint Powers Agreement with the Minnesota Department of Public Safety – Division of Homeland Security and Emergency Management to provide for the reimbursement of bomb disposal service calls provided by the Police Department to other jurisdictions within the State as needed. The reimbursement rate shall be in the amount of \$175 or an amount up to \$54,000. Further, passage of the accompanying resolution appropriating \$54,000 to the Police Department.

Adopted 12/9/2011.

**RESOLUTION 2011R-635
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 Police Department Agency in the General Fund (0100-4002720) by \$54,000.

Adopted 12/9/2011.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept the 2011 State Homeland Security Program Grant, in the amount of \$50,000, from the Minnesota Department of Public Safety to provide funds to enhance Twin Cities regional preparedness by strengthening local response capabilities through planning, operations, equipment, training, and exercises. Further, passage of the accompanying resolution appropriating \$50,000 to the Division of Emergency Management, Office of the City Coordinator.

Adopted 12/9/2011.

**RESOLUTION 2011R-636
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 Division of Emergency Management, Office of the City Coordinator Agency in the Grants –

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Federal Fund (01300-8352000) by \$50,000 and increasing the revenue estimate for the Division of Emergency Management, Office of the City Coordinator (01300-8352000) by \$50,000.

Adopted 12/9/2011.

PSC&H & W&M/Budget - Your Committee, having under consideration the 2011 Urban Area Security Initiative Grant, now recommends that the proper City officers be authorized to accept \$1,101,044 from the Minnesota Department of Public Safety to provide funds to enhance Twin Cities regional preparedness by strengthening local response capabilities through planning, operations, equipment, training, and exercises. Further, passage of the accompanying resolution appropriating \$1,101,044 to the Division of Emergency Management, Office of the City Coordinator.

Adopted 12/9/2011.

RESOLUTION 2011R-637

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 Division of Emergency Management, Office of the City Coordinator Agency in the Grants – Federal Fund (01300-8352000) by \$1,101,044 and increasing the revenue estimate for the Division of Emergency Management, Office of the City Coordinator (01300-8352000) by \$1,101,044.

Adopted 12/9/2011.

PSC&H & W&M/Budget – Your Committee recommends approval of the 2011 Emergency Operations Plan.

Adopted 12/9/2011.

PSC&H & W&M/Budget – Your Committee, having under consideration the Metropolitan Medical Response System, now recommends that the proper City officers be authorized to execute a contract with Hennepin County Medical Center, in the amount of \$143,776.24, to reimburse HCMC for equipment purchases made for the MMRS.

Adopted 12/9/2011.

PSC&H & W&M/Budget – Your Committee recommends passage of the accompanying resolution accepting in-kind donations of enrichment toys (Kongs), dog toys, cat litter and cat food, towels and veterinary vaccinations, leashes and treats for Minneapolis Animal Care & Control.

Adopted 12/9/2011.

Resolution 2011R-638, accepting in-kind donations of enrichment toys (Kongs), dog toys, cat litter and cat food, towels and veterinary vaccinations, leashes and treats for Minneapolis Animal Care & Control, was adopted 12/9/2011 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-638

By Samuels

Accepting in-kind donations of enrichment toys (Kongs), dog toys, cat litter and cat food, towels and veterinary vaccinations, leashes and treats for Minneapolis Animal Care & Control.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the city:

Mary Wick, Mandi W. Morgart, Andrea Lahouze, Kristal Wilson and Arf Minnesota	The group donated 50 Kong enrichment toys
Izzy Eisenstadt	Purina Cat Chow (7 lb), Cat Litter Delight (25 lb)
Dr. Kate A. Hunter	Pet Vaccinations
Claudia Wondra	Towels
Pam & Ross Mayer	Blankets
Linda Higgins	Dog jacket, dog toys, dog leashes (3), dog treats (8 oz); and

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the city in providing Animal Care and meeting our goals of Responsible Pet Ownership, as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donations offered;

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

The donations described above are accepted and shall be used for the animals cared for at Minneapolis Animal Care and Control.

Adopted 12/9/2011.

PSC&H & W&M/Budget – Your Committee, having under consideration the provision of medical, mental health, and health education services through the School Based Clinics, now recommends that the proper City officers be authorized to amend and update contracts with health care payers/insurance companies for the purpose of continued billing for health services performed by the School Based Clinics.

Adopted 12/9/2011.

PSC&H & W&M/Budget – Your Committee recommends passage of the accompanying resolution accepting monetary, property, goods or services donations from sponsors of the One Minneapolis: A Call to Action Conference.

Samuels moved that the report be referred back to the Public Safety, Civil Rights & Health and Ways & Means/Budget Committees. Seconded.

Adopted 12/9/2011.

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

RE&E – Your Committee, to whom was referred an ordinance amending Title 13, Chapter 341 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Taxicabs*, modernizing the Taxicab Code, now recommends that said ordinance be given its second reading for amendment and passage.

Glidden moved that section 341.250 (28) of the ordinance be amended to read as follows:

“(28) Operate a taxicab while using a wireless telephone, including a wireless telephone equipped with hands-free technology, **when a passenger is present, except for emergency purposes;**” Seconded.

Adopted upon a voice vote.

The report was adopted 12/9/2011.

Ordinance 2011-Or-112 amending Title 13, Chapter 341 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Taxicabs*, amending Sections 341.10, 341.30, 341.100, 341.120, 341.130, 341.140, 341.160, 341.175, 341.180, 341.190, 341.200, 341.225, 341.230, 341.240, 341.250, and 341.695 to modernize the Taxicab Code, was adopted 12/9/2011 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-112
By Glidden
Intro & 1st Reading: 11/4/2011
Ref to: RE&E
2nd Reading: 12/9/2011

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

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

Section 1. That Section 341.10 of the above-entitled ordinance be amended to read as follows:

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

Central business district: The geographic area bounded by and including the Mississippi River southeasterly to Interstate 35; Interstate 35 southerly to Interstate 94; Interstate 94 westerly and northerly to Glenwood Avenue; Glenwood Avenue easterly to North Ninth Street; North Ninth Street northerly to Second Avenue North, and Second Avenue North to the Mississippi River.

Committee: The committee of the city council to which responsibility for licensing and consumer services may be assigned.

Department: The department of the city responsible for licensing and consumer services.

Director: The director of the department of licenses and consumer services and his or her designee.

Limousine: A plain painted, unmarked motor vehicle which carries passengers for hire, driven by a uniformed chauffeur, subject to call only from its own garage or central place of business, and which charges its customers a flat rate by the trip or by the hour, day or longer period of time, where such rate is greater than the taximeter rate for a comparable trip. A luxury passenger automobile with a seating capacity for not more than twelve (12) people, excluding the driver, which does not have a meter, and has a chassis and wheelbase that has been stretched, or is a sedan that the manufacturer promotes as a luxury automobile. A limousine does not include a bus, a pickup truck, station wagon, taxicab, truck, van, multipurpose vehicle, or sport utility vehicle.

Limousine service: A service that is for-hire, is provided in a limousine, is not provided on a regular route, provides only prearranged pickup and charges more than a taxicab for a comparable trip.

Motor carrier of passengers: A person engaged in the for-hire transportation of passengers in vehicles designed to transport eight (8) or more persons, including the driver.

Service company: The company which, for each group of taxicab owners operating under a common color scheme, provides common services and facilities such as radio dispatching, color rights, advertising, telephone listings, maintenance, insurance, credit accounts, driver assignments, and record keeping.

Seven-county metropolitan area: The counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, within the State of Minnesota.

Taxi driver's license: A license granted in accordance with Article III of this chapter.

Taxicab: Any motor vehicle, except a limousine or motor carrier of passengers, regularly engaged in the business of carrying passengers for hire, having a seating capacity of less than ten (10) persons seven (7) or fewer persons including the driver and not operated on a fixed route or schedule.

Taxicab license: A license granted in accordance with Article IV of this chapter.

Taximeter: An instrument or device attached to a vehicle and designed to measure mechanically the distance traveled by such vehicle, to record the time said vehicle travels or is in waiting and to indicate upon such record the fare to be charged.

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

Section 2. That Section 341.30 of the above-entitled ordinance be amended to read as follows:

341.30. Display of rates in cabs. There shall be conspicuously placed in every taxicab licensed for the conveyance of passengers for hire in such manner as to be easily read by any person riding in the same, a card furnished by the department, which shall be plainly visible to passengers and shall bear the name of the owners service company, number of taxicab, rate of fare and telephone number of the city taxicab inspector and the 311 call center which may be used to report any complaints. Such card shall be clearly displayed at a location within the cab, approved by the inspector, where it may be easily read by any passenger. The owner, driver, licensee or other person in charge of any taxicab shall not demand or be entitled to receive any pay for the conveyance of any passengers unless said card bearing the maximum rates of fare shall be conspicuously displayed as provided.

Section 3. That Section 341.100 of the above-entitled ordinance be amended to read as follows:

341.100. Courtesy. A taxicab driver shall at all times be courteous when dealing with the public or with any city employee authorized to administer or enforce taxicab regulations.

Section 4. That Section 341.120 of the above-entitled ordinance be amended to read as follows:

341.120. Safe and legal operation. Every taxicab owner and driver shall operate his or her taxi in accordance with the laws, statutes, ordinances and regulations of the state and the city, and with due regard for the safety, convenience and comfort of passengers and the general public.

Section 5. That Section 341.130 of the above-entitled ordinance be amended to read as follows:

341.130. Driver appearance. Every taxicab driver, while on duty, shall keep a clean and well-groomed appearance, and shall be suitably dressed. ~~Drivers shall be clean shaven, and hair shall be neatly trimmed. If a beard or mustache is worn, it shall be neatly trimmed.~~ "Suitably dressed" shall mean long ~~trousers or slacks,~~ pants, jeans or bermuda or postal-type shorts, a skirt or dress, a shirt or blouse with collar, or a turtleneck, ~~and shoes and socks.~~ Footwear shall be worn consisting of shoes and socks, or sandals with a band or strap that fastens over the instep or around the ankle.

The following articles of clothing, when worn as outer garments, are prohibited:

- (a1) T-shirts without a pocket or buttons, underwear, tank tops, swimwear, jogging suits, body shirts, shorts, cut-offs, trunks, or similar attire;
- (b2) ~~Sandals~~ Flip-flop style sandals and clogs.
- (e3) ~~By prior approval of the director, T-shirts may be worn as outer garments in conjunction with special attractions, and bermuda or post office type shorts may be authorized during periods of hot weather.~~ Any clothing items with holes, tears or prominent stains.

By prior approval of the director, T-shirts and sports jerseys and shirts may be worn as outer garments in conjunction with special attractions.

Section 6. That Section 341.140 of the above-entitled ordinance be amended to read as follows:

341.140. Duty to inspect vehicle. Every taxicab driver prior to the beginning of each shift and at the end of each shift shall inspect the taxi vehicle to make sure that all equipment on the vehicle is operating properly and that there is no major body damage to the cab. An entry shall be made on the trip sheet or service company inspection form showing the date and times these inspections were conducted. All equipment defects or body damage shall immediately be reported to the owner and service company. No driver shall knowingly operate any taxi vehicle which is unsafe or which has major body damage not in compliance with section 341.590.

Section 7. That Section 341.160 of the above-entitled ordinance be amended to read as follows:

341.160. Lost articles. Every taxicab driver shall inspect his or her vehicle after the departure of each passenger to ascertain that no article has been left behind. In the event that a passenger does leave an article in a cab, the driver shall immediately attempt to return it. If the driver is unable to immediately return the article, the dispatcher shall be notified and the article shall be turned in to the service company office not later than the end of the driver's shift. A taxicab driver or service company may not require or request a charge in exchange for the return of the article, except a driver may charge the legal rate of fare when requested to deliver the article to its owner. The taxicab owner and service company shall make a diligent effort to locate the owner of any lost article and shall retain the article at the service company officer for at least thirty (30) days and shall maintain a log with a description of each lost article inclusive of any identifying information.

Section 8. That Section 341.175 of the above-entitled ordinance be amended to read as follows:

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

Section 9. That Section 341.180 of the above-entitled ordinance be amended to read as follows:

341.180. Payment of fares. A taxicab driver, when such notice is posted in the cab, may:

- (a~~1~~) Refuse to accept a personal check in payment of the fare;
- (b~~2~~) Refuse to provide more than twenty dollars (\$20.00) in change in return for payment of a fare.

Every driver shall, at all times, be able to provide up to twenty dollars (\$20.00) in change in return for payment of a fare. In the event that fare has accrued and a driver refuses to accept payment under the provisions of this section, the passenger shall be conveyed to the nearest place where acceptable payment may be obtained. Fare may be charged for all distances travelled in this pursuit, and for returning the passenger to his or her original destination.

Section 10. That Section 341.190 of the above-entitled ordinance be amended to read as follows:

341.190. Use of safe mandatory; notice required. ~~Every taxicab driver shall at all times, deposit cash revenues into the drop or deposit safe. Taxicabs may be equipped with a drop or deposit safe, and no driver, while on duty, shall carry the keys for such safe. The department shall furnish a notice of such requirement for posting in each licensed taxicab. No taxicab shall operate without such notice having been posted. A notice may be posted in the taxicab indicating that a safe is in use.~~

Section 11. That Section 341.200 of the above-entitled ordinance be amended to read as follows:

341.200. Receipts for fares. Every taxicab driver shall, upon request of the person paying for the taxicab ride, provide a written receipt to that person. The receipt shall contain in legible type or writing the name of the ~~owner~~ service company, the number of the meter in case of an automatic receipt, or the taxicab ~~license~~ vehicle number in the case of a written receipt, the total amount paid and the date and time of payment. Every taxicab shall have displayed on the inside of the cab a printed card, in letters plainly visible to passengers seated in the taxicab, stating that such passengers, upon payment of the fare and upon request, shall be entitled to receive a receipt for the amount paid.

Section 12. That Chapter 341 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 341.225 to read as follows:

341.225. Unattended taxicab in taxicab stand. The driver of a taxicab occupying the first or second position in line at a taxicab stand shall remain in the driver's seat ready to accept passengers at all times. The drivers of any other taxicabs lawfully located at such a taxicab stand shall not engage the drivers of the first two (2) vehicles and shall be no more than five (5) feet away from their taxicab vehicles at all times. All drivers shall remain readily available to accept passengers at all times while located at a taxicab stand. Nothing in this subsection shall prohibit a person from leaving the vehicle for the purpose of assisting a passenger into or out of the vehicle.

Section 13. That Section 341.230 of the above-entitled ordinance be amended to read as follows:

341.230. Map required. Every taxicab driver shall carry in his or her taxicab at all times a current detailed street map of the seven-county metropolitan area and shall contact his or her dispatcher when in doubt of the most direct route. The map shall be required even if the vehicle is equipped with a global positioning system or similar electronic device.

Section 14. That Section 341.240 of the above-entitled ordinance be amended to read as follows:

341.240. Trip sheets. At the start of each shift, each driver shall enter the following information onto the trip sheet required by this section: (1) date, (2) shift start time, (3) driver name, (4) vehicle number, (5) and a written affirmation that a vehicle inspection was completed in compliance with section 341.140. Every taxicab driver shall keep a trip sheet, current to the last run taken, upon which shall be noted the starting location point and time, and the termination point drop off location and time of each

trip, the place of discharge of each passenger, the amount of the fare charged, whether upon the meter, flat rate or trip basis, the time reporting and going off duty, ~~and the driver's name and number.~~ Every taxicab driver shall also indicate on the trip sheet which runs included wheelchair accessible fares and shall indicate such fares with the letters "WC" by that run on the trip sheet. Such sheet shall be filed with and as part of the records of the taxicab vehicle licensee, and at the office of the service company with which the taxicab vehicle is associated. Trip sheets shall be filed not later than seventy-two (72) hours after the completion of the driver's shift, or immediately on demand of a police officer, traffic control officer or license inspector. The trip sheets shall be open to inspection by the chief of police, director, or their representatives at all times, and failure to so make and keep such trip sheets or the falsification of such trip sheets shall constitute a violation of this chapter and shall be cause for the revocation of the driver's taxicab license or, in the event such failure is by the vehicle licensee, shall be cause for the revocation of the taxicab license of such licensee. Each taxicab service company shall preserve trip sheets for a period of six (6) months, and submit upon request of the city council or department, any information contained in the driver's trip sheets, together with the true and correct information as to the orders or calls for taxicabs and the disposition of same. Service companies shall file trip sheets by cab number, chronologically. ~~On the first of each month, every taxicab service licensee shall provide to the department the number of runs each vehicle has made, in the preceding month, and how many of those runs included a wheelchair accessible fare.~~

Section 15. That Section 341.250 of the above-entitled ordinance be amended to read as follows:

341.250. Prohibited acts. No taxicab driver shall:

- (a1) Operate a taxicab in violation of state or local traffic regulations, or in any event without proper regard for the traffic, surface, and width of the street or highway and the hazards at intersections and any other conditions then existing, nor in such a manner or condition as to endanger or to be likely to endanger the safety of passengers, pedestrians, vehicles or the persons and property of others;
- (b2) Interfere with, impede, obstruct the legal operation of, or intentionally damage any vehicle or its equipment;
- (e3) Threaten, abuse, insult, provoke, interfere with, detain, impede or obstruct any other licensed driver, any passenger, prospective passenger or any other person in connection with operations under this chapter;
- (d4) ~~Have in his or her possession a lighted cigarette, cigar, pipe, or light or smoke same while driving a taxicab which is occupied by a passenger, unless such passenger shall have first granted such driver permission to do so~~ Operate a taxicab in violation of the Minnesota Clean Indoor Air Act;
- (e5) Have in his or her possession while operating a taxicab, any firearm, knife with a blade length in excess of four (4) inches, or any assault weapon, as defined in section 393.85;
- (f6) Provide any payment to any doorman, bellhop, taxicab starter, bartender or any other person within the City of Minneapolis in return for the referral of passengers;
- (g7) Block the normal flow of traffic, except while parallel parking or actively and lawfully loading and unloading passengers;
- (h8) Knowingly and with intent to disrupt communication on a two-way radio system, manipulate a microphone switch or other jamming device;
- (i9) ~~Refuse~~ Provide false information to or refuse to obey or to comply with any lawful order or direction of any police officer, traffic-control officer, or duly appointed inspector of

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- the department, nor shall any licensee use profane language or otherwise interfere with such officials while in the performance of their duties;
- (j~~10~~) Report a false location ~~over a two-way radio~~ for purposes of gaining an unfair advantage in bidding to provide service;
 - (k~~11~~) Fail to engage the taximeter when the taxicab is in motion and a passenger is present, unless a method of computing the fare without use of the meter is expressly authorized by a provision of this chapter;
 - (l~~12~~) Solicit passengers in the City of Minneapolis, or lay hands upon the person or baggage of any person without the express consent of that person, or obstruct the movement of any persons, or follow any person for the purpose of soliciting business. Display of a sign on the taxicab to indicate that it is not engaged shall not be considered solicitation;
 - (m~~13~~) Deceive any person as to destination, route, authorized taxicab rates, or fare;
 - (n~~14~~) Overcharge;
 - (o~~15~~) Take a circuitous route to a destination, or any route other than the most direct route, without the express consent of the passenger;
 - (p~~16~~) Drop a passenger at a location other than the location requested unless prohibited by law;
 - (q~~17~~) Refuse to convey an orderly passenger;
 - (r~~18~~) Report for another driver's order;
 - (s~~19~~) Fail to provide a receipt upon request;
 - (t~~20~~) Play a radio or tape player without the consent of the passengers, with the exception of the vehicle's two way radio;
 - (u~~21~~) Engage in, or permit the use of a taxicab for, illegal gambling, prostitution, or trafficking in alcoholic beverages or controlled substances;
 - (v~~22~~) Be in possession of or consume any alcoholic beverage or controlled substance while on duty; consume any alcoholic beverage or controlled substance within four (4) hours before beginning a shift;
 - (w~~)~~ ~~Use a taxicab for private use at any time, including conveying passengers who are not customers;~~
 - (x~~23~~) Drive a taxicab for more than twelve (12) hours in any twenty-four-hour period or for more than seventy-two (72) hours in any seven-day period;
 - (y~~24~~) Park a taxicab in a residential area in violation of section 478.240 of this Code;
 - (z~~25~~) Allow more passengers to occupy the vehicle than is provided for by its normal seating capacity, as indicated on the vehicle application. In no event shall more than two (2) persons in addition to the driver be permitted in the front seat of such vehicle.;

- (26) Lock, disable or refuse to unlock any taxicab door for the purpose of detaining or impeding a passenger;
- (27) Operate a taxicab while using an electronic wireless communications device to write, send or read a text-based communication, unless such taxicab shall be lawfully standing or parked;
- (28) Operate a taxicab while using a wireless telephone, including a wireless telephone equipped with hands-free technology, when a passenger is present, except for emergency purposes;
- (29) Knowingly continue to operate a taxicab for hire when the condition of the vehicle is in violation of section 341.590, or otherwise detrimental to public safety;
- (30) Knowingly disable, alter, damage or otherwise render inoperable any mandatory safety equipment required pursuant to section 341.597.

Section 16. That Section 341.695 of the above-entitled ordinance be amended to read as follows:

341.695. Contracts with taxicab drivers. A taxicab vehicle licensee may enter into an agreement with a licensed taxicab driver to drive a licensed taxicab, and the agreement may provide for a per shift payment by the driver. Provided, however:

- (a1) No agreement may provide for services in excess of the shift limitations in subsection 341.250(~~x23~~).
- (b2) No agreement shall exceed one (1) week in duration, nor require a driver to post any deposit or advance in an amount greater than one (1) week's shift payment.
- (e3) No agreement shall require a driver to pay any vehicle operating costs except for gas.
- (d4) No taxicab vehicle licensee shall enter an agreement allowing the use of his or her taxicab except directly with a driver who actually operates the vehicle; nor shall any licensee enter an agreement delegating to another the right to manage the vehicle and employ drivers.
- (e5) An owner or service company who leases a taxicab must make shift rates available to all qualified drivers without regard to race, creed, sex, age, sexual orientation, or religion. Owners who offer different lease rates during different times of the day must make those rates available to all drivers qualified by this chapter.
- (f6) An owner or service company shall not charge any driver more than eighty-five dollars (\$85.00) per twelve-hour shift for use of a vehicle.

Adopted 12/9/2011.

RE&E - Your Committee recommends passage of the accompanying resolution granting Liquor and Wine Licenses to the following businesses:

- a) Mourado's Liquors, 2426 2nd St NE
- b) Crave, 528 Hennepin Av.

Adopted 12/9/2011.

Resolution 2011R-639, granting Liquor and Wine Licenses to Mourado's Liquors, 2426 2nd St NE and Crave, 528 Hennepin Av, was adopted 12/9/2011 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-639

By Glidden

Granting Liquor and Wine Licenses.

Resolved by The City Council of The City of Minneapolis:

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

Off-Sale Liquor, to expire October 1, 2012

Mourado's Liquors Inc, dba Mourado's Liquors, 2426 2nd St NE (permanent expansion of premises)

On-Sale Wine Class A with Strong Beer, to expire April 1, 2012

Crave Hospitality MOA LLC, dba Crave, 528 Hennepin Av (new business).

Adopted 12/9/2011.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the following Motor Vehicle Repair Garage Licenses located at 2929 University Av SE:

- a) Awash Auto Repair, #A3
- b) Auto Techs Masters, #A9
- c) Barona Autoshop, #B11
- d) Chris Auto Body & Frame, #A-7
- e) Diara Auto Body, #B-9
- f) Gacal Auto Body, #A1
- g) Jeff's Auto Body, #B-5
- h) Niklas Auto Body, #B-19
- i) M Auto Service, #A5
- j) Self Made Autos, #B5
- k) Shine Auto Body, #A4
- l) Ted's Auto Body, #B4
- m) TIB Service Plus, #B-8
- n) Titan Auto & Tire Repair, #A10
- o) United Auto Repair Services, #A6
- p) Vans Automotive Service, #A8.

Adopted 12/9/2011.

Resolution 2011R-640, approving Business License Operating Conditions relating to the Motor Vehicle Repair Garage Licenses located at 2929 University Av SE for Awash Auto Repair, Auto Techs Masters, Barona Autoshop, Chris Auto Body & Frame, Diara Auto Body, Gacal Auto Body, Jeff's Auto Body, Niklas Auto Body, M Auto Service, Self Made Autos, Shine Auto Body, Ted's Auto Body, TIB Service Plus, Titan Auto & Tire Repair, United Auto Repair Services, Vans Automotive Service, was adopted 12/9/2011 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-640

By Glidden

Approving Business License Operating Conditions relating to Motor Vehicle Repair Garage Licenses located at 2929 University Av SE.

Resolved by The City Council of The City of Minneapolis:

That Business License Operating Conditions be approved for the following businesses relating to their Motor Vehicle Repair Garage Licenses located at 2929 University Av SE — Awash Auto Repair, #A3; Auto Techs Masters, #A9; Barona Autoshop, #B11; Chris Auto Body & Frame, #A-7; Diara Auto Body, #B-9; Gacal Auto Body, #A1; Jeff's Auto Body, #B-5; Niklas Auto Body, #B-19; M Auto Service, #A5; Self Made Autos, #B5; Shine Auto Body, #A4; Ted's Auto Body, #B4; TIB Service Plus, #B-8; Titan Auto & Tire Repair, #A10; United Auto Repair Services, #A6; and Vans Automotive Service, #A8:

1. The business will maintain a placard system to control the number of vehicles maintained by the business at any one time. The total number of placards is detailed in the lease. Placards will be placed on all vehicles parked outside of the enclosed service garage.

2. The business will not store inoperable vehicles or any vehicle parts outside of enclosed service garage.

3. The business will ensure all owners and employees wear name tags that will include the name of the company and the garage stall designator assigned to that business.

4. The business will adhere to Minneapolis Code of Ordinances 317.160 (e) that states the use of the City right-of-way to park, store, or repair customer motor vehicles is cause for adverse license action.

Adopted 12/9/2011.

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

Adopted 12/9/2011.

Resolution 2011R-641, granting applications for Liquor, Wine and Beer Licenses, was adopted 12/9/2011 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-641

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 275363):

Off-Sale Liquor, to expire January 1, 2013

RWB Minneapolis Catering LLC, dba A Chefs Production, 600 1st Av N

Off-Sale Liquor, to expire October 1, 2012

Aramark Food Service LLC, dba Aramark Food Service LLC, 500 11th Av S

Skyway Wine & Spirits LLC, dba Skyway Wine and Spirits, 601 Marquette Av #218

Wallis Inc, dba Ken and Norm's Liquor, 4801 Chicago Av

Off-Sale Malt Liquor, to expire October 1, 2012

Harriet Brewing Company LLC, dba Harriet Brewing, 3036 Minnehaha Av

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2013

331 Club Inc, dba 331 Club, 331 13th Av NE

RWB Minneapolis Catering LLC, dba Chefs Production, 600 1st Av N

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

Epic Entertainment LLC, dba Epic, 110 5th St N

80 S 8th St Hotel Operations Inc, dba Windows on Minnesota, 701 Nicollet Mall, 50th floor

Seven Corners Hotel Partners Ltd, dba Holiday Inn Metrodome, 1500 Washington Av S

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2013

RWB Minneapolis LLC, dba Hubert's, 600 1st Av N

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Lakes Restaurant Inc, dba Stella's Fish Cafe & Prestige Oyster Bar, 1402 W Lake St

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

Hard Knocks Holdings LLC, dba Ugly Mug, 106 3rd St N

On-Sale Liquor Class B with Sunday Sales, to expire November 12, 2011

Campus Partners Inc, dba Sally's Saloon & Eatery, 712 Washington Av SE (temporary expansion of premises for Gopher Game November 12, 2011)

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

Restaurant Events LLC, dba Solera, 900 Hennepin Av

Whiskey Entertainment Corp, dba Whiskey Junction, 901 Cedar Av S

Reyes Romero Inc, dba Restaurante Las Mojarras, 1507 E Lake St

Minneapolis Aerie #34 F O E, dba Minneapolis Aerie #34, FOE, 2507 E 25th St

On-Sale Liquor Class C-1 with Sunday Sales, to expire January 1, 2013

Rainbow Restaurant Properties Inc, dba Chino Latino, 2916 Hennepin Av

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

O'Donovan's Irish Pub LLC, dba O'Donovans Irish Pub, 700 1st Av N

Brit's Ltd, dba Brit's Pub & Eating Establishment, 1110 Nicollet Mall

On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 2012

Los Compadres Bar & Grill LLC, dba Los Compadres Bar & Grill, 1032 3rd Av NE

On-Sale Liquor Class D with Sunday Sales, to expire October 1, 2012

Johnnie Entertainment LLC, dba Sporty's Pub & Grill, 2124 Como Av SE

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2013

OSF International Inc, dba Old Spaghetti Factory, 233 Park Av

Fogo De Chao Churrascaria (Mpls) LLC, dba Fogo De Chao, 645 Hennepin Av, 1st floor

Asian Mill Inc, dba Tea House Chinese Restaurant, 2425 University Av SE

Restaurant Properties Inc, dba Il Gatto Uptown Italian, 3001 Hennepin Av, #301A

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

Haracz Inc, dba Jimmy's Bar & Lounge, 1828 4th St NE

Uptown Brewing Company LLC, dba Herkimer Pub & Brewery, 2922 Lyndale Av S

Temporary On-Sale Liquor

City of Lakes Nordic Ski Foundation, dba City of Lakes Nordic Ski Foundation, 1301 Theodore Wirth Pkwy (February 4 & 5, 2012, Calhoun Square)

Liquor Catering Services, to expire August 1, 2012

Modern Cafe Inc, dba Modern Cafe, 337 13th Av NE (new business)

Create Catering and Consulting LLC, dba Create Catering & Consulting, 1121 Jackson St NE (new business)

Chowgirls Inc, dba Chowgirls, 1222 2nd St NE (new business)

Koch Group Mpls LLC, dba 7 Seven, 700 Hennepin Av

On-Sale Wine Class D with Strong Beer, to expire April 1, 2012

The Lowry Cafe Inc, dba The Lowry Cafe, 2207 Lowry Av N

Temporary On-Sale Wine

Boundary Waters Advisory Committee, dba Boundary Waters Advisory Committee, 309 Cedar Av S (Outdoor Adventure Expo, November 18, 2:00 p.m. to 9:00 p.m.; November 19, 9:00 a.m. to 6:30 p.m.; and November 20, 10:00 a.m. to 5:00 p.m.).

Adopted 12/9/2011.

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

Adopted 12/9/2011.

Resolution 2011R-642, granting applications for Business Licenses, was adopted 12/9/2011 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-642
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 December 9, 2011 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 275363):

Bed & Breakfast Facility; Christmas Tree; Restaurant; Short-Term Food Permit; Sidewalk Cafe; Gas Fitter Class A; Gasoline Filling Station; Heating, Air Conditioning & Ventilating Class A; Heating, Air Conditioning & Ventilating Class B; Hotel/Motel; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Commercial Parking Lot Class A; Plumber; Precious Metal Dealer; Refrigeration Systems Installer; Residential Specialty Contractor; Secondhand Goods Class B; Sign Hanger; Steam & Hot Water Systems Installer; Suntanning Facility; Taxicab Vehicle Fuel Efficient; Taxicab Vehicle Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Tobacco Dealer; Combined Trades; Wrecker of Buildings Class A; and Wrecker of Buildings Class B.

Adopted 12/9/2011.

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

Adopted 12/9/2011.

Resolution 2011R-643, granting applications for Gambling Licenses, was adopted 12/9/2011 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-643
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 275363):

Gambling Exempt

H20 for Life, dba H20 for Life, 1310 E Hwy 96, White Bear Lake (Raffle November 19, 2011, Target Field)

Fast Break Club, dba Fast Break Club, PO Box 41995 (Raffle December 4, 2011, Williams Arena)

Bobby & Steve's Auto World Youth Foundation, dba Bobby & Steve's Auto World Youth Foundation, 4445 W 77th St, Edina (Raffle December 11, 2011, Hilton)

Our Lady of Lourdes Church, dba Our Lady of Lourdes Church, 1 Lourdes Pl (Raffle December 11, 2011, Our Lady of Lourdes Church).

Adopted 12/9/2011.

RE&E - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Liquor Class C-1 with Sunday Sales License held by Fusion, 2919 Hennepin Av.

Adopted 12/9/2011.

Resolution 2011R-644, approving License Settlement Conference recommendations relating to the On-Sale Liquor Class C-1 with Sunday Sales License held by Fusion, 2919 Hennepin Av, was adopted 12/9/2011 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-644

By Glidden

Approving License Settlement Conference recommendations relating to the On-Sale Liquor Class C-1 with Sunday Sales License held by Fusion, 2919 Hennepin Av.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on November 2, 2011 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded the following:

a) On two separate occasions inspectors conducted inspections at Fusion which revealed that product that had a production or "born on" date after April 21, 2011 was being stored and available for sale. Alcoholic beverages were, therefore, purchased from a retailer rather than a wholesaler, as required, in violation of the Minneapolis Code of Ordinances and State Statutes requiring all retailers of beverage alcohol for resale to be purchase alcohol only from a licensed Minnesota manufacturer, brewer, or wholesaler;

b) The licensee has not paid the \$400 administrative fine related to the above incident on October 5, 2011; and

c) The business could not provide receipts for alcoholic beverages that were on the premises;

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 ownership of Fusion agrees to pay the \$400 administrative fine issued for the October 5, 2011 inspection violation.

2. The ownership of Fusion agrees to pay a \$2,000 imposed fine for the violations from August 5, 2011 and October 5, 2011.

3. The ownership of Fusion agrees to a seven day suspension of their liquor license, which will be stayed provided there are no same or similar violations for a one-year period beginning on the effective date of this agreement.

Adopted 12/9/2011.

RE&E - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Liquor Class E with Sunday Sales License held by Uptown Drink, 1400 Lagoon Av.

Adopted 12/9/2011.

Resolution 2011R-645, approving License Settlement Conference recommendations relating to the On-Sale Liquor Class E with Sunday Sales License held by Uptown Drink, 1400 Lagoon Av, was adopted 12/9/2011 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-645
By Glidden

Approving License Settlement Conference recommendations relating to the On-Sale Liquor Class E with Sunday Sales License held by Uptown Drink, 1400 Lagoon Av.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on November 2, 2011 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded the following:

a) On October 5, 2011 when an inspection of Fusion was conducted, several cases of Tyku sake were found in the liquor storeroom. One box had a shipping label from Wirtz Beverage to be shipped to Uptown Drink, 1400 Lagoon Avenue. In subsequent interviews with staff members of Fusion, Uptown Drink and Wirtz Beverage it was learned that an order was placed by Uptown Drink, and an invoice was generated by Wirtz. The shipment of several cases of various sake products were delivered by Wirtz salesman Jeff Van Someren to Uptown Drink Manager Rob Germano. Mr. Germano has stated he did not know how the product got to Fusion; and

b) The business could not provide receipts for alcoholic beverages that were on the premises;
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 ownership of Uptown Drink does not admit to the alleged violation of furnishing alcoholic beverages to Fusion but agrees to pay a \$2,000 imposed fine for this alleged violation.

Adopted 12/9/2011.

RE&E - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Liquor Class C-2 with Sunday Sales License held by El Paraiso Restaurant, 3501 Nicollet Av.

Adopted 12/9/2011.

Resolution 2011R-646, approving License Settlement Conference recommendations relating to the On-Sale Liquor Class C-2 with Sunday Sales License held by El Paraiso Restaurant, 3501 Nicollet Av, was adopted 12/9/2011 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-646
By Glidden

Approving License Settlement Conference recommendations relating to the On-Sale Liquor Class C-2 with Sunday Sales License held by El Paraiso Restaurant, 3501 Nicollet Av.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on November 8, 2011 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded the following:

a) On two separate occasions within a period of less than 24 months, employees of El Paraiso Restaurant sold alcohol to persons under the age of 21 in violation of the Minneapolis Code of Ordinances, State Statutes, and the established compliance check policy and procedures of the City of Minneapolis; and

b) The licensee has paid the \$500 and \$1,000 administrative fines related to the compliance check failures;

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 ownership of El Paraiso post a sign for their employees which tells them the correct age of consumption for patrons who order alcoholic beverages.
2. The ownership of El Paraiso continues to implement a policy of putting dates of birth on meal tickets of those who order alcoholic beverages.
3. The ownership of El Paraiso agrees to have an on-duty manager at all times.
4. The ownership of El Paraiso agrees to implement a policy of checking for proper identification from patrons who appear to be under 40 years of age and order alcoholic beverages.
5. The ownership of El Paraiso agrees to conduct self-audits with their staff to ensure that checking of identification of patrons is done properly.
6. The ownership of El Paraiso agrees to pay a \$1,500 imposed fine of which \$1,000 will be stayed provided there are no same or similar violations within a one-year period starting on the effective date of this agreement.

Adopted 12/9/2011.

RE&E – Your Committee recommends approval of the following City Council reappointments to the Housing Board of Appeals for terms to expire December 31, 2013:

Anne Gilbertson-Seeling, Ward 1, public member
Karen Barton, Ward 11, public member
Beth Hart, Ward 9, public member
Sandy Loescher, Ward 5, public member
Kristen Cici, Ward 12, public member
Lauren Maker, Ward 4, public member
David Fridgen, Ward 4, public member
Jorge Eduardo Grauvilardell, Ward 4, public member
Steven Leventhal, Ward 6 (work), public member.

Your Committee further recommends approval of the following staff and ex-officio members, for terms to expire December 31, 2013:

JoAnn Velde, Director of Inspections designee
Brad Schmoll, Fire Department designee
Ruth Kildow, Environmental Health designee
Geri Meyer, Community Planning & Economic Development designee and ex-officio member
Lee Wolf, City Attorney's Office, ex-officio member.

Glidden moved to amend the second paragraph of the report to read as follows:

“Your Committee further recommends approval of the following staff and ex-officio members, for terms to expire December 31, 2013:

JoAnn Velde, Director of Inspections designee
Brad Schmoll, Fire Department designee
Ruth Kildow, Environmental Health designee
Becky McIntosh, Commissioner of Health designee
Geri Meyer, Community Planning & Economic Development designee and ex-officio member
Lee Wolf, City Attorney's Office, ex-officio member.” Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 12/9/2011.

RE&E - Your Committee, having under consideration the Rental Dwelling License for the property located at 2600 Morgan Av N, 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 Raymond and Cindy L. Scherbing.

Adopted 12/9/2011.

RE&E - Your Committee, having under consideration the Rental Dwelling License for the property located at 2523 Logan Av N, 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 Martin Koep.

Adopted 12/9/2011.

RE&E - Your Committee, having under consideration the Rental Dwelling License for the property located at 713 19th Av NE, 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 Michael Kampmeyer.

Adopted 12/9/2011.

The REGULATORY, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following report:

RE&E & W&M/Budget - Your Committee recommends that the proper City officers be authorized to negotiate and execute documents with Hennepin County for disbursement of an amount not to exceed \$117,000 in federal Energy Efficiency and Conservation Block Grant (EECBG) funds for energy retrofits at the Hennepin County Minneapolis Central Library, 300 Nicollet Mall.

Adopted 12/9/2011.

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 33rd Ave SE Street Reconstruction Project (Como Ave SE to E Hennepin Ave), Special Improvement of Existing Street No 2225.

Adopted 12/9/2011.

Resolution 2011R-647, designating the improvement of existing streets in the 33rd Ave SE Street Reconstruction Project No 2225, was adopted 12/9/2011 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-647

By Colvin Roy

**33RD AVE SE STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 2225**

Designating the improvement of certain existing streets 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 6 of the Minneapolis City Charter, by paving with concrete, with concrete curb and gutter all on a stabilized base and including other street paving-related improvements as needed:

33rd Ave SE from approximately Como Ave SE to E Hennepin Ave.

Adopted 12/9/2011.

T&PW - Your Committee, having received a cost estimate of \$2,054,000 for street reconstruction improvements and a list of benefited properties for certain locations in the 33rd Ave SE Street Reconstruction Project (Como Ave SE to E Hennepin Ave), Special Improvement of Existing Street No 2225, as designated by Resolution 2011R-647, passed December 9, 2011, now recommends that the City Engineer be directed to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2012 Uniform Assessment Rates as per Resolution 2011R-571, passed November 4, 2011.

Your Committee further recommends that a public hearing be held on February 14, 2012, 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 construction of the above-designated street location and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 12/9/2011.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the Nicollet Ave Street Reconstruction Project (Lake St to 40th St), Special Improvement of Existing Street No 6713.

Adopted 12/9/2011.

Resolution 2011R-648, designating the improvement of existing streets in the Nicollet Ave S Street Reconstruction Project No 6713, was adopted 12/9/2011 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-648

By Colvin Roy

**NICOLLET AVE STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6713**

Designating the improvement of certain existing streets 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 6 of the Minneapolis City Charter, by paving with plant mix asphalt and concrete, with concrete curb and gutter all on a stabilized base and including other street paving-related improvements as needed:

Nicollet Ave from approximately Lake St to 40th St.

Adopted 12/9/2011.

T&PW - Your Committee, having received a cost estimate of \$12,460,000 for street reconstruction improvements and a list of benefited properties for certain locations in the Nicollet Ave Street Reconstruction Project (Lake St to 40th St), Special Improvement of Existing Street No 6713, as designated by Resolution 2011R-648, passed December 9, 2011, now recommends that the City Engineer be directed to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2012 Uniform Assessment Rates as per Resolution 2011R-571, passed November 4, 2011.

Your Committee further recommends that a public hearing be held on January 17, 2012, 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 construction of the above-designated street location and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 12/9/2011.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the Nicollet Ave Street Lighting Project, Special Improvement of Existing Street No 6713L.

Adopted 12/9/2011.

Resolution 2011R-649, designating the improvement of existing streets in the Nicollet Ave S Street Lighting Project No 6713L, was adopted 12/9/2011 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-649

By Colvin Roy

**NICOLLET AVE STREET LIGHTING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6713L**

Designating the improvement of certain existing streets 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 6 of the Minneapolis City Charter, by installing a lighting system consisting of fifteen foot tall lights along with all the necessary appurtenances and work related to the above-described improvements:

Nicollet Ave from approximately Lake St to 36th St.

Adopted 12/9/2011.

T&PW - Your Committee, having received a cost estimate of \$329,000 for street lighting improvements and a list of benefited properties for certain locations in the Nicollet Ave Street Lighting Project, Special Improvement of Existing Street No 6713L, as designated by Resolution 2011R-649, passed December 9, 2011, now recommends that the City Engineer be directed to prepare proposed assessments against the list of benefited properties.

Your Committee further recommends that a public hearing be held on January 17, 2012, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above-designated street lighting project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 12/9/2011.

T&PW - Your Committee, having under consideration the Nicollet Ave Street Reconstruction Project (Lake St to 40th St), Special Improvement of Existing Street No 6713, and having held a public hearing thereon, now recommends passage of the accompanying resolution ordering the City Engineer to abandon and remove areaways located in the public right-of-way in conflict with the project.

Adopted 12/9/2011.

Resolution 2011R-650, ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way in conflict with the Nicollet Ave S Street Reconstruction Project No 6713, was adopted 12/9/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

DECEMBER 9, 2011

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

RESOLUTION 2011R-650
By Colvin Roy

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way in conflict with the street reconstruction project in the Nicollet Ave area.

Whereas, the City of Minneapolis has scheduled street reconstruction improvements starting in 2012 in the Nicollet Ave (Lake St to 40th St) area of Minneapolis; and

Whereas, there are areaways located in the public street right-of-way that are in conflict with said reconstruction; and

Whereas, a public hearing was held on November 29, 2011 in accordance with Chapter 10, Section 8 of the Minneapolis Code of Ordinances to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

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

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street right-of-way adjoining the properties along Nicollet Ave (both sides) from Lake St to 40th St.

Adopted 12/9/2011.

T&PW - Your Committee, having under consideration the Riverside Ave Street Reconstruction Project (Cedar Ave S to Franklin Ave E), now recommends that the proper City officers be authorized to amend Contract No C-31040 with Thomas and Sons Construction, Inc., increasing the contract by \$304,123.40, for a revised contract total of \$1,229,057.46, to allow for construction contingencies provided as part of the original project budget.

Adopted 12/9/2011.

Approved by Mayor Rybak 12/12/2011.

(Published 12/13/2011)

T&PW - Your Committee, having under consideration the special assessment deferment application submitted by Barbara P. Boughton (Senior Citizen) to defer the special assessment (Levy 01052, Project 12S05) for sidewalk repair in the original principal amount of \$1,200.91, for payable 2012 and subsequent years, on the property located at 4140 Ewing Ave S, PID 08-028-24-23-0049, legal description:

Lot 35 except alley, Auditor's Subd No 131, Hennepin County, Minn, now recommends that the application be approved as provided for in Minnesota Statutes, Sections 435.193 through 435.195 and Minneapolis City Council Resolutions 80R-365 passed August 8, 1980 and 93R-134 passed April 16, 1993.

Adopted 12/9/2011.

T&PW - Your Committee recommends passage of the accompanying resolution directing the Hennepin County Auditor to cancel the levied five-year sidewalk repair assessment on the property located at 5041 Washburn Ave N for taxes payable in 2012 and subsequent years.

Adopted 12/9/2011.

Resolution 2011R-651, directing the Hennepin County Auditor to cancel the levied five-year sidewalk repair assessment on the property located at 5041 Washburn Ave N, was adopted 12/9/2011 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-651

By Colvin Roy

**CANCELLATION OF MINNEAPOLIS PUBLIC WORKS
SIDEWALK REPAIR SPECIAL ASSESSMENT**

Directing the Hennepin County Auditor to cancel a special assessment for sidewalk repair improvements for the payable 2012 and subsequent years' tax files described hereinafter.

Whereas, in accordance with Chapter 10 of the Minneapolis City Charter, the City Council of the City of Minneapolis passed Resolutions in 2009 adopting the assessment rolls as prepared by the City Engineer and ordered the transmittal of certified copies of the assessment rolls to the Hennepin County Auditor for collection to begin on the 2010 real estate tax statements; and

Whereas, there is the following described assessment that is erroneously being carried on the real estate tax statement due to a full prepayment of the assessment;

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

That pursuant to the provisions of Chapter 10, Section 15 of the Minneapolis City Charter, the Hennepin County Auditor is hereby directed to cancel the following levied 5-year term special assessments from the 2012 and subsequent years' tax statements:

<u>LEVY</u>	<u>PROJECT</u>	<u>PROPERTY ID</u>	<u>ORIGINAL AMT</u>
01052	10S05	11-118-21-23-0096	\$832.08

Adopted 12/9/2011.

T&PW - Your Committee recommends passage of the accompanying resolution re-appointing members to the Bassett Creek Watershed Management Commission.

Adopted 12/9/2011.

Resolution 2011R-652, re-appointing members to the Bassett Creek Watershed Management Commission, was adopted 12/9/2011 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-652

By Colvin Roy

Reappointing members to the Bassett Creek Watershed Management Commission.

Resolved by The City Council of The City of Minneapolis:

That the following individuals be reappointed to serve on the Bassett Creek Watershed Management Commission for terms expiring January 31, 2013:

- Michael Welch, Commissioner;
- Lisa Goddard, Alternate Commissioner; and
- Lois Eberhart, Technical Advisory Committee.

Adopted 12/9/2011.

T&PW - Your Committee recommends that the proper City officers be authorized to negotiate and execute an access easement agreement with Riverview Apartments Senior Housing, LLC, for a Perpetual Easement and a Temporary Easement to allow for the development of a site located at 54th St E and Riverview Rd, as set forth in Petn No 275369.

Adopted 12/9/2011.

T&PW - Your Committee, having under consideration the City of Minneapolis Recycling Program, now recommends that Public Works staff be directed to return to the Transportation and Public Works Committee with a recommendation on a new recycling program that best balances the values of cost effectiveness, convenience for customers, and reducing total environmental impact, as well as a capital budget plan for such a change.

Adopted 12/9/2011.

T&PW - Your Committee, having under consideration the *Bicycle Advisory Committee Recommendations for Implementation of the Minneapolis Bicycle Master Plan*, as set forth in Petn No 275369, now recommends:

- a) The referral of Section 2 to the Intergovernmental Relations Committee; and
- b) Approval of the *Bicycle Advisory Committee Recommendations for Implementation of the Minneapolis Bicycle Master Plan*.

Colvin Roy moved to amend recommendation (b) in the report as follows:

"b) Approval of the remainder of the *Bicycle Advisory Committee Recommendations for Implementation of the Minneapolis Bicycle Master Plan*." Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 12/9/2011.

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

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to negotiate and execute Cooperative Agreement No PW 46-20-11 with Hennepin County, for an estimated amount of \$1,044,753, to fund a portion of the construction and implementation of the Traffic Signal Infrastructure and Traffic Flow Improvement projects.

Adopted 12/9/2011.

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

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the settlement of legal matters, as recommended by the City Attorney.

Adopted 12/9/2011.

Resolution 2011R-653, authorizing the settlements of *Darrell Williams, Malcolm Labon, Patricia Knapp*, was adopted 12/9/2011 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-653

By Hodges

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of:

- a) *Darrell Williams v. Mark Durand and City of Minneapolis*, by payment of \$24,500 to Darrell Williams and his attorneys, from the Internal Service Self Insurance Fund (06900-1500100-145400);
- b) *Malcolm Labon v. City of Minneapolis, et al.*, by payment of \$45,000 to Malcolm Labon and his attorney at The Law Firm of Stephen L. Smith, PLLC, from the Internal Service Self Insurance Fund (06900-1500100-145400); and

- c) *Patricia Knapp v. City of Minneapolis, et al.*, by payment of \$1,500 to Patricia Knapp, from the Internal Service Self Insurance Fund (06900-1500100-145400).

Further, authorize the City Attorney's Office to execute any documents necessary to effectuate the above settlements.

Adopted 12/9/2011.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a one-year contract with Benco Delivery Service, with the option to extend for an additional 24 months at the discretion of the City for a total contract amount of \$90,000 for the service of legal process. No additional appropriation is required.

Adopted 12/9/2011.

W&M/Budget - Your Committee, having under consideration the City's Computer-Aided Dispatch (CAD) System and Mobile Equipment Support Services, now recommends that the proper City officers be authorized as follows:

a) Execute agreements with the following parties to provide Computer-Aided Dispatch and related mobile equipment support services for four years (2012 – 2015):

<u>AGENCY</u>	<u>SERVICES</u>	<u>2012 – 2015</u>
Hennepin County Medical Center	CAD Support	\$465,964
Hennepin County Medical Center	Mobile Equipment Support	\$124,679
Mpls Park and Recreation Board	Mobile Equipment Support	\$253,620
University of Minnesota	CAD Support	\$142,682
University of Minnesota	Mobile Equipment Support	\$28,748
Total		\$1,015,693

; and

b) Accept revenue for these services in the amount of \$1,015,693.

Adopted 12/9/2011.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to procure and use a self-inking, rubber stamp version of the City Seal to certify, attest, and mark documents with the City Seal.

Adopted 12/9/2011.

W&M/Budget - Your Committee recommends approval of the January 2012 utility billing insert on behalf of the Finance - Utility Billing providing information about the services people receive for their utility bill, encouraging people to sign up to get their bill electronically, and listing the ways they can pay their utility bill.

Adopted 12/9/2011.

W&M/Budget – Your Committee, having under consideration one (1) City Council appointment and two (2) Mayoral with City Council approval appointments to the Minneapolis Television Network (MTN) Board of Directors, for terms to expire as specified, now recommends the following:

Council Re-appointment

John Gwinn

Term Ending

December 31, 2015

Mayor/Council Re-appointment

Barbra Nei

Term Ending

December 31, 2015

Mayor/Council Appointment

David Lee

Remaining Term of Ben Weeks, Ending

January 13, 2013

Adopted 12/9/2011.

W&M/Budget - Your Committee recommends approval of payment of the 2010 proceeds of the 1% City lodging tax increase to Meet Minneapolis in the amount of \$19,728.70 as part of their 2011 operating budget.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation to Meet Minneapolis in the Convention Center Operations Fund by \$19,728.70.

Adopted 12/9/2011.

RESOLUTION 2011R-654
By 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 Meet Minneapolis in the Convention Center Operations Fund (01760-8650200) by \$19,728.70.

Adopted 12/9/2011.

W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Minneapolis Convention Center on OP No 7523 from Morcon Construction Company, Inc., for an estimated expenditure of \$370,800 to furnish and deliver all labor, materials, equipment, and incidentals necessary to upgrade seven (7) exterior roll up doors for the Minneapolis Convention Center.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for this project, all in accordance with City specifications.

Adopted 12/9/2011.

W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Minneapolis Convention Center on OP No 7546 from Construction Results Corporation, in the amount of \$246,989 to furnish and deliver all labor, materials, equipment, and incidentals necessary to complete the west stairs renovation project at the Minneapolis Convention Center.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for this project, all in accordance with City specifications.

Adopted 12/9/2011.

W&M/Budget – Your Committee, having under consideration renovations to the Hamilton School Fields at 4131 Dupont Avenue North, now recommends that the proper City officers be authorized as follows:

a) Apply for grant funding through the Hennepin Youth Sports Program and the Minnesota Twins Community Fund to complete renovation of the field area on the North side of the Hamilton School Facility;

b) Upon approval of the grant application, to accept, negotiate, and execute agreements associated with the grant funding with Hennepin County, via the Hennepin Youth Sports Program, and the Minnesota Twins, via the Minnesota Twins Community Fund. Grant funding to be deposited into the Capital Improvements Fund (04100);

c) Passage of the accompanying resolution approving appropriation of grant funds and the transfer of funds from the Property – Internal Service Fund as a match to the Hennepin Youth Sports Program in the amount of \$30,000; and if the grant application is not approved, this appropriation will automatically lapse; and

d) Property Services to execute the project, if the City's application is selected.

Adopted 12/9/2011.

RESOLUTION 2011R-655
By 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 as follows:

a) Increasing the appropriation in the 2011 Capital Improvements project PSD01 (04100-9010923) by \$300,000, and the revenue budget (04100-9010923-3220) by \$300,000 to be reimbursed by grant funding from Hennepin County, via the Hennepin Youth Sports Program, and the Minnesota Twins, via the Minnesota Twins Community Fund;

b) Increasing the appropriation in the Capital Improvements PSD01 2011 Fund (04100-9010923) by \$30,000 for the City match;

c) Increase a transfer of \$30,000 from the Property – Internal Services Fund (06200-1270100-9041) to the Capital Improvements fund (04100-1270100-3862) to fund the City match; and

d) If the grant application is not approved, all appropriation increases will be cancelled and the transfer will be reversed in 2012.

Adopted 12/9/2011.

W&M/Budget - Your Committee, having under consideration the Annual Property Insurance Premium for the Minneapolis Convention Center (MCC), Tallmadge Building, and Parking Ramp, now recommends:

a) Authorizing the City's Finance Officer to review options for property insurance for the Minneapolis Convention Center, including the Tallmadge Building, and Parking Ramp for January 1, 2011 coverage;

b) Acceptance of the XL Insurance quote of \$256,161, plus taxes and surcharges and lock in the binder for the 2012 property coverage; and

c) Acceptance of the quote for additional terrorism coverage.

Adopted 12/9/2011.

W&M/Budget - Your Committee, to whom was referred an ordinance amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, by amending section 20.440(b) related to contributions of accrued vacation leave to remove the references to pension plans no longer in existence and standardize the contribution; and repealing section 20.440(c) to eliminate the HCSP percentage of annual salary adjustment contribution; and having held a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 12/9/2011.

Ordinance 2011-Or-113 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, by amending section 20.440(b) and repealing section 20.440(c), was adopted 12/9/2011 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-113
By Hodges
Intro & 1st Reading: 11/18/2011
Ref to: W&M/Budget
2nd Reading: 12/9/2011

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

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

Section 1. That Section 20.440(b) of the above entitled ordinance be amended to read as follows:

(b) *Accrued vacation leave.*

- (1) Appointed employees participating in the Minneapolis Employees Retirement Fund and Union Central Pension Plan who retire or terminate employment with accrued vacation leave will have one hundred (100) percent of the accrued vacation hours or days converted into cash at an hourly or daily rate of pay for the position held by the employee on the day of retirement or termination, notwithstanding subsequent retroactive pay increases and deposited into their health care savings account. The conversion and deposit shall occur within thirty (30) days of the date of the retirement or termination Appointed and non-represented employees who retire, or terminate employment with accrued vacation leave will have fifty (50) percent of the accrued vacation hours or days converted into cash at an hourly or daily rate of pay for the position held by the employee on the day of retirement or termination, notwithstanding subsequent retroactive pay increases and deposited into their health care savings account. The conversion and deposit shall occur within thirty (30) days of the date of the retirement. The remaining fifty (50) percent of the accrued vacation hours shall be converted into cash at a daily rate of pay for the position held by the employee on the day of retirement or termination, notwithstanding subsequent retroactive pay increases and shall be paid to the employee within thirty (30) days of retirement.
- (2) Appointed employees participating in the Minneapolis Police Relief Association and the Minneapolis Fire Relief Association who retire or terminate employment with accrued vacation leave will have one hundred (100) percent of the accrued vacation hours or days converted into cash at an hourly or daily rate of pay for the position held by the employee on the day of retirement or termination, notwithstanding subsequent retroactive pay increases and deposited into their health care savings account. The conversion and deposit shall occur within thirty (30) days of the date of the retirement or termination This subsection shall become effective on January 1, 2012.
- (3) Non-represented employees participating in the Minneapolis Employees Retirement Fund who retire or terminate employment with accrued vacation leave will have fifty (50) percent of the accrued vacation hours or days converted into cash at an hourly or daily rate of pay for the position held by the employee on the day of retirement or termination, notwithstanding subsequent retroactive pay increases and deposited into their health care savings account. The conversion and deposit shall occur within thirty (30) days of the date of the retirement or termination. The remaining fifty (50) percent of the accrued vacation hours shall be converted into cash at a daily rate of pay for the position held by the employee on the day of retirement or termination, notwithstanding subsequent retroactive pay increases and shall be paid to the employee within thirty (30) days of retirement.
- (4) Appointed employees participating in the Public Employees Retirement Association who retire or terminate employment with accrued vacation leave will have fifty (50) percent of the accrued vacation hours or days converted into cash at an hourly or daily rate of pay for the position held by the employee on the day of retirement or termination, notwithstanding subsequent retroactive pay increases and deposited into their health care savings account. The conversion and deposit shall occur within thirty (30) days of the date of the retirement or termination. The remaining fifty (50) percent of the accrued vacation hours shall be converted into cash at a daily rate of pay for the position held by the employee on the day of retirement or termination, notwithstanding subsequent retroactive pay increases and shall be paid to the employee within thirty (30) days of retirement.
- (5) Non-represented employees participating in the Public Employees Retirement Association and Union Central Pension Plan who retire, or terminate employment with accrued vacation leave will have fifty (50) percent of the accrued vacation hours or days converted into cash at an hourly or daily rate of pay for the position held by the employee on the day of retirement or termination, notwithstanding subsequent retroactive pay increases and deposited into their health care savings account. The conversion and deposit shall occur within thirty (30) days of the date of the retirement. The remaining fifty (50) percent of the accrued vacation hours shall be converted into cash at a daily rate of pay for the position held by the employee on the day of retirement or termination, notwithstanding subsequent

retroactive pay increases and shall be paid to the employee within thirty (30) days of retirement.

Section 2. That Section 20.440(c) of the above entitled ordinance be and is hereby repealed effective December 31, 2011.

(e) *Percentage of the annual salary adjustment.*

- (1) Appointed employees who are members of the Minneapolis Employees Retirement Fund and Union Central Pension Plan shall contribute sixty-six and two-thirds (66 2/3) percent of their annual salary adjustment. The contributions will be made to the employee's health care savings account each pay period.
- (2) Appointed employees who are members of the Minneapolis Police Relief Association and the Minneapolis Fire Relief Association shall contribute sixty-six and two-thirds (66 2/3) percent of their annual salary adjustment. The contributions will be made to the employee's health care savings account each pay period.
- (3) Non-represented employees who are members of the Minneapolis Employees Retirement Fund shall contribute thirty-three and one-third (33 1/3) percent of their annual salary adjustment. The contributions will be made to the employee's health care savings account each pay period.
- (4) Appointed employees who are members of the Public Employees Retirement Association shall contribute thirty-three and one-third (33 1/3) percent of their annual salary adjustment. The contributions will be made to the employee's health care savings account each pay period.
- (5) Non-represented employees who are members of the Public Employees Retirement Association and Union Central Pension Plan shall contribute thirty-three and one-third (33 1/3) percent of their annual salary adjustment. The contributions will be made to the employee's health care savings account each pay period.

Adopted 12/9/2011.

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 Emerge Community Development (BZZ-5366) to rezone the property at 1830 Emerson Ave N from R4 to the OR2 District to permit a community center 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 12/9/2011.

Ordinance 2011-Or-114 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 1830 Emerson Ave N to the OR2 District, was adopted 12/9/2011 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-114
By Schiff
1st & 2nd Readings: 12/9/2011

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 Lot 18, Block 28, Gales Subdivision in Sherburne & Beebes Addition to Minneapolis, Hennepin County, Minnesota (1830 Emerson Ave N- Plate 8) to the OR2 District.

Adopted 12/9/2011.

Z&P - Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Kolar Center, LLC, Birrell Center, LLC, and Nancy Hirshfield, et al, (BZZ-5391) to rezone the property at 325, 331 & 341 E Lake St & 3009 & 3013 Clinton Ave from C1 to the C2 District to permit establishing an adult day care/development center known as Kaah Adult Daycare and adopting the related findings prepared by the Department of Community Planning & Economic Development.

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

Adopted 12/9/2011.

Ordinance 2011-Or-115 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 325 E Lake St to the C2 District, was adopted 12/9/2011 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-115

By Schiff

1st & 2nd Readings: 12/9/2011

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 34 and 35 including adjacent 1/2 of vacated alley, State Addition to Minneapolis, Hennepin County, Minnesota (325 E Lake St - Plate 25) to the C2 District.

Adopted 12/9/2011.

Ordinance 2011-Or-116 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 331 E Lake St to the C2 District, was adopted 12/9/2011 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-116

By Schiff

1st & 2nd Readings: 12/9/2011

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 32 and 33 including adjacent 1/2 of vacated alley, State Addition to Minneapolis, Hennepin County, Minnesota (331 E Lake St - Plate 25) to the C2 District.
Adopted 12/9/2011.

Ordinance 2011-Or-117 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 341 E Lake St to the C2 District, was adopted 12/9/2011 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-117
By Schiff
1st & 2nd Readings: 12/9/2011

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 24 through 31 inclusive also including adjacent vacated alley, State Addition to Minneapolis, Hennepin County, Minnesota (341 E Lake St - Plate 25) to the C2 District.
Adopted 12/9/2011.

Ordinance 2011-Or-118 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 3009 Clinton Ave to the C2 District, was adopted 12/9/2011 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-118
By Schiff
1st & 2nd Readings: 12/9/2011

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 Lot 56 including adjacent 1/2 of vacated alley, State Addition to Minneapolis, Hennepin County, Minnesota (3009 Clinton Ave - Plate 25) to the C2 District.
Adopted 12/9/2011.

Ordinance 2011-Or-119 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 3013 Clinton Ave to the C2 District, was adopted 12/9/2011 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2011-Or-119
By Schiff
1st & 2nd Readings: 12/9/2011

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 Lot 57, State Addition to Minneapolis, Hennepin County, Minnesota (3013 Clinton Ave - Plate 25) to the C2 District.

Adopted 12/9/2011.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Artspace Projects Inc. to vacate the east/west portion of the alley for the properties located at 901, 905, 907, 907 1/2, 911, 911 1/2, & 913 18 1/2 Ave NE and 1839, 1843, & 1847 Jackson St NE (#1545), and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said alley.
Adopted 12/9/2011.

Resolution 2011R-656, vacating the east-west alley on the block bound by 18 1/2 Ave NE, Jackson St NE, 19th Ave NE, and Central Ave NE (Vacation File No. 1545), was adopted 12/9/2011 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-656
By Schiff

Vacating the east-west alley on the block bound by 18 1/2 Ave NE, Jackson St NE, 19th Ave NE, and Central Ave NE (Vacation File No. 1545).

Resolved by The City Council of The City of Minneapolis:

All of the East-West Alley as dedicated in JOHNSONS SUBDIVISION OF LOTS 8 AND 9 IN BLOCK 33 WILSONS REARRANGEMENT OF CERTAIN BLOCKS IN EAST SIDE ADDITION TO MINNEAPOLIS, as follows: Beginning at the northeast corner of Lot 1, said JOHNSONS SUBDIVISION, thence west to the northwest corner of Lot 5, said JOHNSONS SUBDIVISION, thence north 12 feet to the southwest corner of Lot 10, Block 33, WILSON'S RE-ARRANGEMENT OF BLOCKS: 2, 3, 6, 7, 9, 10, 11, 14, 15, 19, 20, 21, 24, 26, 29, 31, 33, 35, 37, 39, 41 OF EAST-SIDE ADDITION TO CITY OF MINNEAPOLIS, thence east to the southeast corner of Lot 10, said WILSON'S RE-ARRANGEMENT, thence south 12 feet, to the point of beginning. All as of record at the Hennepin County Recorders office, Minneapolis, Minnesota is hereby vacated.

Adopted 12/9/2011.

Z&P - Your Committee, to whom was referred an ordinance amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to *Zoning Code: Overlay Districts*, (to classify additional Pedestrian Oriented Overlay Districts as transit station areas) now concurs in the recommendation of the Planning Commission that the related findings be adopted and that said ordinance be given its second reading for amendment and passage.

Adopted 12/9/2011.

Ordinance 2011-Or-120 amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to *Zoning Code: Overlay* Districts, amending Section 551.175 to classify additional Pedestrian Oriented Overlay Districts as transit station areas, was adopted 12/9/2011 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-120
By Gordon
Intro & 1st Reading: 10/7/2011
2nd Reading: 12/9/2011

Amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Overlay Districts.

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

Section 1. That Section 551.175 of the above-entitled ordinance be amended to read as follows:

551.175. Transit Station areas. The following additional regulations shall govern development within PO Overlay Districts in and around the following existing or proposed transit stations, as shown on the official zoning maps:

Cedar-Riverside LRT Station

Franklin Avenue LRT Station

Lake Street/Midtown LRT Station

38th Street LRT Station

46th Street LRT Station

West Bank LRT Station

Stadium Village LRT Station

University Avenue Southeast and Prospect Park/29th Avenue Southeast LRT Station

- (1) *Prohibited uses.* The following uses shall be prohibited in the PO Overlay District:
 - a. Self service storage.
 - b. Commercial parking lots, including the expansion of any existing commercial parking lot.
 - c. The conversion of any accessory parking lot to a commercial parking lot.
- (2) *Wholesaling, warehousing and distribution; furniture moving and storage.* Uses shall be limited to thirty thousand (30,000) square feet of gross floor area.
- (3) *Density bonuses.* Where the primary zoning district or Industrial Living Overlay District provides a density bonus of twenty (20) percent, such bonus shall be thirty (30) percent.
- (4) *Minimum floor area.* New development shall be subject to a minimum floor area ratio requirement, as specified in Table 551-0, Transit Station Area Minimum Floor Area Ratio Requirements. Individual phases of a phased development may be less than this minimum,

provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this section.

Table 551-0 Transit Station Area Minimum Floor Area Ratio Requirements

<i>Transit Station Area</i>	<i>Minimum FAR</i>		
	<i>Commercial OR2 and OR3 Districts</i>	<i>Industrial Districts</i>	<i>Residence and OR1 Districts</i>
Cedar-Riverside	1.0	1.0	none
Franklin Avenue	1.0	1.0	none
Lake Street/Midtown	1.0	1.0	none
38th Street	1.0	1.0	none
46th Street	1.0	1.0	none
<u>West Bank</u>	<u>1.0</u>	<u>1.0</u>	<u>none</u>
<u>Stadium Village</u>	<u>1.0</u>	<u>1.0</u>	<u>none</u>
University Avenue			
<u>Southeast and Prospect Park/29th Avenue Southeast</u>	1.0	1.0	none

(5) *Off-street parking.*

a. *Multiple-family dwellings.* The minimum off-street parking requirement shall be ninety (90) percent of the number specified in Chapter 541, Off-Street Parking and Loading.

Adopted 12/9/2011.

MOTION

Hodges moved that the regular payrolls for all City employees under City Council jurisdiction for the month of January, 2012, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 12/9/2011.

RESOLUTION

Resolution 2011R-657, directing the submittal of comments to the Minnesota Pollution Control Agency regarding Northern Metals, LLC's application to amend its permit to operate a hammermill metal shredder at its Pacific Street scrapyard in Minneapolis, was adopted 12/9/2011 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-657

By Johnson, Hofstede, Reich and Samuels

Directing the submittal of comments to the Minnesota Pollution Control Agency regarding Northern Metals, LLC's application to amend its permit to operate a hammermill metal shredder at its Pacific Street scrapyard in Minneapolis.

Whereas, the Minneapolis lakes, rivers, waterways and riverfront are world class and are vitally important to Minneapolis' economy; and

Whereas, the City's lakes, rivers waterways and waterfront provide recreational pleasure and enjoyment to residents and visitors; and

Whereas, the City of Minneapolis takes its obligation to protect the public's health and the environment against pollutants very seriously; and

Whereas, the City of Minneapolis believes that it is important to protect these natural and built resources against pollutants and/or other hazards;

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

That the proper City officers be directed to submit comments to the Minnesota Pollution Control Agency (MPCA), no later than December 14, 2011, related to Northern Metals, LLC's application to amend its permit to operate a hammermill metal shredder at its Pacific Street scrapyards in Minneapolis, and those comments should reflect the environmental concerns that are addressed in the above recitals.

Adopted 12/9/2011.

UNFINISHED BUSINESS

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*, amending regulations applicable to outdoor areas and establishing capacity limits and specific hours of use, now recommends that said ordinance be sent forward without recommendation.

By unanimous consent, the report was postponed 12/9/2011.

Pursuant to notice, Reich moved to introduce the subject matter of ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code*, for first reading and referral to the Zoning & Planning Committee (to allow film, video and audio production as a conditional use in the C1, Neighborhood Commercial District), as follows:

- a) Amending Chapter 520 relating to *Provisions*;
- b) Amending Chapter 536 relating to *Specific Development Standards*;
- c) Amending Chapter 548 relating to *Commercial Districts*. Seconded.

Adopted upon a voice vote 12/9/2011.

Lilligren moved to adjourn to Room 315 City Hall for the purpose of discussing the matter of *Rickia Russell v. City of Minneapolis, et al*, and thereafter to adjourn to Wednesday, December 14, 2011, at 6:05 p.m. in the Council Chamber for the purpose of holding a public hearing and for adoption of the 2012 budget. Seconded.

Adopted upon a voice vote 12/9/2011.

Council Chamber

Room 315 City Hall

350 South 5th Street

Minneapolis, Minnesota

December 9, 2011 - 10:42 a.m.

The Council met pursuant to adjournment.

Council President Johnson in the Chair.

Present - Reich, Schiff, Lilligren, Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Johnson.

Absent - Council Members Hofstede, Colvin Roy, Gordon.

Ginder stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the *Rickia Russell v. City of Minneapolis, et al* lawsuit.

At 10:43 a.m., Lilligren moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Present - Reich, Hofstede (in at 10:45 a.m.), Schiff, Lilligren, Colvin Roy (in at 10:45 a.m.), Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Gordon (in at 10:44 a.m.), Johnson.

DECEMBER 9, 2011

Also Present - Susan Segal, City Attorney; Peter Ginder, Deputy City Attorney; Jim Moore, Assistant City Attorney; Tim Dolan, Police Chief; Jeremy Hanson Willis, Mayor's Office; Casey Carl, City Clerk; and Peggy Menshek, City Clerk's Office.

Moore, Assistant City Attorney, summarized the *Rickia Russell v. City of Minneapolis, et al.* lawsuit from 10:43 a.m. to 11:07 a.m.

At 11:07 a.m., Lilligren moved that the meeting be opened. Seconded.
Adopted upon a voice vote.

Schiff moved that all claims, including claims for attorney's fees and costs asserted in *Rickia Russell v. Craig Taylor, et al.*, Court File: 10-CV-4978 SRN/AJB, be settled in the amount of \$1,000,000.00, payable to Rickia Russell and her attorneys, Gaskins, Bennett, Birrell & Schupp, from Fund/Org. 06900 1500100 145400.

The City Attorney's Office is authorized to execute any documents necessary to effectuate this settlement.

Adopted 12/9/2011

Lilligren moved to adjourn to Wednesday, December 14, 2011, at 6:05 p.m. in the Council Chamber for the purpose of holding a public hearing and for adoption of the 2012 budget 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 December 9, 2011. Seconded.

Adopted upon a voice vote 12/9/2011.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

Casey Joe Carl,
City Clerk.

Unofficial Posting: 12/13/2011
Official Posting: 12/16/2011
Correction: 04/11/2012; 10/12/2012