

# OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

## REGULAR MEETING OF APRIL 12, 2013

(Published April 20, 2013, in *Finance and Commerce*)

Council Chamber  
350 South 5th Street  
Minneapolis, Minnesota  
April 12, 2013 - 9:30 a.m.

Council President Johnson in the Chair.

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

Lilligren moved adoption of the agenda. Seconded.

Glidden moved to amend the agenda to include under "Resolutions" a resolution approving the One Minneapolis One Read 2013 Book Selection: A Choice of Weapons by Gordon Parks. Seconded.

Adopted upon a voice vote.

Johnson moved to amend the agenda to include under "New Business" a notice of intent to introduce ordinances amending the *Zoning Code* to amend regulations for new residential structures with four units or less. Seconded.

Adopted upon a voice vote.

The agenda, was amended, was adopted upon a voice vote.

Lilligren moved acceptance of the minutes of the regular meeting of March 29, 2013 and the adjourned session held March 29, 2013. Seconded.

Adopted upon a voice vote.

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

Adopted upon a voice vote.

## PETITIONS AND COMMUNICATIONS

### CLAIMS:

RISK MANAGEMENT (276407)  
Tort Claims Summary Report.

### CLAIMS (See Rep):

RISK MANAGEMENT (276408)  
Appeals Filed:  
Jeffrey Willaert, Ronald LeCuyer, Jessica Condon, Maria Knight, Gautam Manak.

**COMMITTEE OF THE WHOLE:**

INTERGOVERNMENTAL RELATIONS (276409)  
State Legislative Update: Status of 2013 legislation.  
Utility Franchise: Report relating to 2013 energy legislation.

**COMMUNITY DEVELOPMENT (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276410)  
Land Sale (2803 Polk St NE): To Timothy & Carolyn Rysgaard.  
2013 MN Home Ownership Center: Approval of exception to procurement policy;  
Authorizing new contract.  
Classification of Tax-Forfeited Land: Technical correction to Resolution 2013R-021,  
passed 1/25/2013.  
2013 Hennepin County Transit-Oriented Development Grant Applications.  
NEIGHBORHOOD AND COMMUNITY RELATIONS (276411)  
Fulton Neighborhood Association Neighborhood Priority Plan: Approval of Fulton  
Farmers Market NPP.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276412)  
2013 Metropolitan Council Livable Communities Demonstration Account & Livable  
Communities Demonstration Account Transit Oriented Development Grant Applications.  
GRANTS AND SPECIAL PROJECTS (276413)  
2013 Consolidated Plan.

**PUBLIC SAFETY, CIVIL RIGHTS & HEALTH:**

FIRE DEPARTMENT (276414)  
Cadet Firefighters: Report on hiring of new class.  
HEALTH DEPARTMENT (276415)  
Community Health Improvement Plan Report.

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

REGULATORY SERVICES (276416)  
Honeybees: Ordinance amending Title 4, Ch 74 of the Mpls Code of Ordinances, amending  
provisions regulating keeping of honeybees on rooftops.

**PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and T&PW and W&M/Budget (See Rep):**

HEALTH AND FAMILY SUPPORT (276417)  
North Mpls Greenway Project: Authorize application for grant funds from Blue Cross  
Blue Shield of MN.

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

HEALTH DEPARTMENT (276418)  
Marla Becker Scholarship Award: Accept grant funds from Youth ALIVE! for training on  
youth violence prevention.

POLICE DEPARTMENT (276419)

2012 Homeland Security Grant Program: Authorize agreement with MN Homeland Security & Emergency Management for the Bomb Disposal Unit.

Women's Foundation of MN: Accept grant for expansion of work in investigation of sex trafficking crimes.

PURCHASING (276420)

Conducted Energy Device/Taser Bid: Accept low bid of Uniforms Unlimited, for Mpls Police Dept.

REGULATORY SERVICES (276421)

Minneapolis Animal Care & Control: Accept in-kind donations of dog & cat food & supplies.

**REGULATORY, ENERGY AND ENVIRONMENT:**

HEALTH DEPARTMENT (276422)

2013 Minneapolis Green Business Awards for Pollution Reduction for Perc-Free Dry Cleaners.

**REGULATORY, ENERGY AND ENVIRONMENT (See Rep):**

LICENSES AND CONSUMER SERVICES (276423)

DJ Foreign Auto Care, 2626 University Ave NE: Approve Business License Operating Conditions.

LICENSES AND CONSUMER SERVICES (276424)

Le Meridien Chambers Minneapolis, 901 Hennepin Ave: Grant On-Sale Liquor Class B with Sunday Sales License.

T's Place, 2713 E Lake St: Grant Class B On-Sale Liquor with Sunday Sales License; Comments.

Terzo, 2221 W 50th St: Grant On-Sale Wine Class E with Strong Beer License.

Amore Victoria, 1601 W Lake St: Amend conditions to increase rooftop dining area from 88 to 108 patrons.

CC Club, 2600 Lyndale Ave S: Grant On-Sale Liquor Class E with Sunday Sales License.

The Kenwood, 2115 21st St W: Grant Permanent Expansion of Premises License/Sidewalk Cafe; Comments.

The Soap Factory, 514 2nd St SE, Grant Rental Hall License; Comments.

LICENSES AND CONSUMER SERVICES (276425)

Licenses: Grant licenses recommended for approval.

LICENSES AND CONSUMER SERVICES (276426)

Toppers Pizza, 5447 Nicollet Ave: Grant Extended Hours License; Comments.

REGULATORY SERVICES (276427)

Rental Dwelling License Conditions: a) Ordinance allowing for imposition of reasonable conditions or restrictions upon rental licenses; and b) Standard Operating Procedures; Comments.

Exhibition and Temporary Markets: Ordinance allowing temporary markets/flea markets licensed by the City; Comments.

REGULATORY SERVICES (276428)

Rental Dwelling License at 1918 Golden Valley Rd: Revoke license held by One Zero, LLC - Arriel McDonald.

Rental Dwelling License at 900 - 26th Ave NE: Revoke license held by John Egelkrout.

**REGULATORY, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):**  
COORDINATOR (276429)

Energy System Pathways Study: Staff directions to draft energy vision and complete study of potential options; and allocate funds; Comments.

**TRANSPORTATION AND PUBLIC WORKS:**

PUBLIC WORKS AND ENGINEERING (276430)  
One-Sort Recycling: PowerPoint update.

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

PUBLIC WORKS AND ENGINEERING (276431)  
Areaway Abandonment and Removal Project No 4459 at 3022 Hennepin Ave S: Receive final cost and set public hearing.  
Dorman N Area, 25th St E and 31st Ave S Street Resurfacing Project No 5252: Project designation.  
28th Ave S Phase 2 Street Resurfacing Project No 5242: Project designation.  
Lyndale Ave S and 58th St W Street Resurfacing Project No 5253: Project designation.  
Public Works Assessment Rolls Payable 2013: Cancellation of assessments.  
Activated Carbon Tank at Fridley Softening Plant: Contract amendment with Marge Magnuson Construction.

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

PUBLIC WORKS AND ENGINEERING (276432)  
Cooper Area, 42nd and 46th Ave S Street Resurfacing Project No 5250: Project approval and assessment public hearing; Comments.  
Lease of State-Owned Property Under I-94 Bridge near 2nd Ave N and Lyndale Ave N: Two year contract extension.  
Parking Ramp Rain Leader Disconnect Project: Change order to contract with US Mechanical.  
2013 Parkway Paving and Parkway Lighting Improvements: Agreement with Minneapolis Park and Recreation Board; and increase appropriation.  
14th Ave SE Sanitary Sewer Project No 4518: Project designation; acceptance of petitions; and increase appropriation.  
Bids: a) OP 7725, Single bid of Don Harstad Company, Inc (d/b/a Harstad Controls) for the Parking Control and Security Automation at Federal Courthouse Ramp; b) OP 7750, Low bid of Minger Construction, Inc for Sanitary Lift Station Rehabilitation; c) OP 7752, Low bid of Meyer Contracting, Inc for Winter Street Paving Project; d) OP 7757, Single bid of Cemstone Products Company for Ready Mix Concrete Equipment; and e) OP 7758, Low bid of A & M Construction, Inc for Fridley Softening Plant Exterior Stabilization Project Phase 2.

**WAYS AND MEANS BUDGET:**

ETHICAL PRACTICES BOARD (276433)  
2012 Annual Report: Receive and file the 2012 Annual Report of the Minneapolis Ethical Practices Board.  
FINANCE DEPARTMENT (276434)  
2014 Initial budget schedule: Receive and file.  
2012 4th Quarter Financial Report: Receive and file.

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

ATTORNEY (276435)

Legal Settlement: Mohammed Shahidullah v. City of Minneapolis, regarding the property at 607 Erie St SE.

Minneapolis Downtown Improvement District Grant: Authorize grant acceptance and agreement amendment to extend through December 31, 2013 for the Downtown 100 chronic offender prosecution program and initiation of Focus 18/24.

EXECUTIVE COMMITTEE (276436)

Civil Service Commissioner Reappointment: Public hearing and approval of reappointment of Ellen McVeigh to three year term from 3/1/2013 through 2/28/2016.

EXECUTIVE COMMITTEE (276437)

Collective bargaining agreements: Authorize execution of agreements between the City of Minneapolis and a) MECC Supervisors bargaining unit, Teamsters Local 320; and b) International Association of Fire Fighters Local 82.

FINANCE DEPARTMENT (276438)

2013 1st Quarter Gift Acceptance: Passage of Resolution accepting gifts to the City.

Metrodome Sign Lease: Authorize amendment and extension to the current lease with the Metropolitan Sports Facilities Commission for an additional three years through August 31, 2014.

INFORMATION TECHNOLOGY (276439)

Wireless Minneapolis Community Benefits Accounts: Approve free accounts for CrossRoads Panorama Youth Program at Sabathani Community Center and Friends of Peavey Park.

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

PLANNING COMMISSION/DEPARTMENT (276440)

Rezoning:

BBS Family LLC (5953 Penn Ave S).

W. George Lang (2601 Colfax Ave N).

**FILED:**

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION (276441)

September 2004 Watershed Management Plan: Public hearing notice relating to a proposed major plan amendment.

FOUNTAIN RESIDENTIAL PARTNERS (276442)

Vacate drainage and utility easement at 2635 - 4th Street SE.

*The following reports were signed by Mayor Rybak on April 17, 2013, 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 CLAIMS Committee submitted the following reports:**

**Claims** - Your Committee, having under consideration the appeal filed by Jeffrey Willaert, 2067 Roe Crest, N Mankato, MN, from the decision of the Staff Claims Committee denying a claim in the amount of \$188.00 relating to a towed vehicle, now recommends that said appeal be denied.

Adopted.

**Claims** - Your Committee, having under consideration the appeal filed by Ronald LeCuyer, 2924 Pierce St NE, Minneapolis, MN, from the decision of the Staff Claims Committee denying a claim in the amount of \$179.13 relating to property damage, now recommends that said appeal be denied.

Adopted.

**Claims** - Your Committee, having under consideration the appeal filed by Jessica Condon, 874 Selby Ave #2, St. Paul, MN, from the decision of the Staff Claims Committee denying a claim in the amount of \$1,295.00 relating to a towed vehicle, now recommends that said appeal be denied.

Adopted.

**Claims** - Your Committee, having under consideration the appeal filed by Maria Knight, 3605 Red Cedar Pt, Excelsior, MN, from the decision of the Staff Claims Committee denying a claim in the amount of \$1,004.50 relating to a towed vehicle and vehicle damage, now recommends that said appeal be denied.

Adopted.

**Claims** - Your Committee, having under consideration the appeal filed by Gautam Manak, 3307 Washburn Ave N, Minneapolis, MN, from the decision of the Staff Claims Committee denying a claim in the amount of \$3,562.00 relating to vehicle damage, now recommends that said appeal be denied.

Adopted.

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

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 2803 Polk St NE to Timothy and Carolyn Rysgaard for \$14,100, subject to the following conditions:

a) Land sale closing must occur on or before 90 days from the date of City Council approval; and

b) Payment of holding costs of \$300 per month (or portion thereof) if land sale closing does not occur on or before the closing deadline.

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

Adopted.

Resolution 2013R-129, authorizing sale of land Vacant Housing Recycling Program Disposition Parcel VH-381 at 2803 Polk St NE, was adopted 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 2013R-129**  
**By Goodman**

**Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel VH-381 at 2803 Polk St NE.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel VH-381, in the Audubon Park neighborhood, from Timothy Rysgaard and Carolyn Rysgaard, hereinafter known as the Redeveloper, the Parcel VH-381, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of VH-381; 2803 Polk Street NE: The West or Front 100 feet of Lot 14, Block 2, Menage's Supplement to East Side Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$14,100, for Parcel VH-381 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

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

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 22, 2013, a public hearing on the proposed sale was duly held on April 2, 2013, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$14,100 for Parcel VH-381.

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

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$300.00 per month (or portion thereof) if the land sale closing does not occur on or before the closing deadline.

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

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

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

Adopted.

**Comm Dev** - Your Committee, having under consideration the 2013 Minnesota Home Ownership Center (MHOC) contract, now recommends:

a) Approval of an exception to the procurement policy to allow the City to contract with the MHOC without following a Request For Proposals process;

b) That the proper City officers be authorized to enter into a contract with the MHOC in the amount of \$360,000 for 1) homeownership counseling (\$95,000); 2) foreclosure prevention counseling (\$265,000); and 3) approval of the transfer of any unspent funds, if any, from their 2012 contract to this new contract;

c) That the proper City officers be authorized to enter into a new contract or contract extension with MHOC and to sign necessary documents.

Adopted.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution correcting Resolution 2013R-021, passed January 25, 2013, by changing reference to the parcels listed on the 1606 Conservation/Non Conservation list to the parcels listed on the 1624 Conservation/Non Conservation list.

Adopted.

Resolution 2013R-130, correcting Resolution 2013R-021, requesting actions with respect to the conveyance of certain tax-forfeited land located in the City of Minneapolis, Hennepin County, MN, which corrections change reference to the parcels listed on the 1606 Conservation/Non Conservation list to the parcels listed on the 1624 Conservation/Non Conservation list, was adopted 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 2013R-130  
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 contained on the ~~4606~~ 1624 Conservation/Non Conservation list 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:

<u>PID Number</u>	<u>Target Forfeit Date</u>	<u>Ward</u>	<u>Lot Size</u>	<u>Legal Description</u>	<u>Current Use</u>
<u>Address</u>	<u>Zoning</u>		<u>Sq. Feet</u>		
<b>12 028 24 21 0033</b>	Y	12		LOT 028 BLOCK 002 "BYRONA ADDITION TO THE CITY OF MINNEAPOLIS"	VACANT LAND
3901 22ND AVE S	7/26/2012	41X134			
NON-CONSERVATION	R1A	5,360			
<b>10 029 24 32 0154</b>	Y	3		LOT 025 "PAYNE AND HENDERSON'S SUBDIVISION IN BLOCKS 24 AND 25 OF MORRISON'S ADDITION TO NORTH MINNEAPOLIS"	VACANT LAND
423 30TH AVE N	7/26/2012	41X116			
NON-CONSERVATION	R2B	4,756			
<b>16 029 24 42 0068</b>	Y	5		BLOCK 015 E 33 FT OF W 65 FT OF LOT 10 AND S 24 FT OF E 33 FT OF W 65 FT OF LOT 9 LOTS 9 AND 10 "GALES SUBDIVISIONS IN SHERBURNE & BEEBE'S ADDITION TO MINNEAPOLIS"	VACANT LAND
1110 18TH AVE N	8/9/2012	33X68			
NON-CONSERVATION	R3	2,244			
<b>17 029 24 42 0014</b>	Y	5		LOT 014 BLOCK 002 FAIRLAWN ADDITION	VACANT LAND
1701 THOMAS AVE N	8/9/2012	42X130			
NON-CONSERVATION	R1A	5,418			
<b>20 029 24 41 0134</b>	Y	5		LOT 9 AND E 6 FT OF LOT 10 EX ALLEY BLOCK 002 MORRISON AND RUSSELL'S ADDITION TO THE CITY OF MINNEAPOLIS	VACANT LAND APARTMENT
2214 4TH AVE N	8/9/2012	42.9X164.7			
NON-CONSERVATION	R1A	7,035			

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<b>34 029 24 42 0157</b>	Y	6	N 37 FT LOT 004 BLOCK 003 CRIM'S ADDITION TO MINNEAPOLIS	VACANT LAND APARTMENT
2726 STEVENS AVE S	8/9/2012	37X126		
NON- CONSERVATION	R2B	4,677		

<b>35 029 24 24 0026</b>	Y	9	LOT 002 BLOCK 002 COLE AND WEEKS RE-ARRANGEMENT OF A PART OF BRACKETT AND BOVEY'S ADDITION TO MINNEAPOLIS	VACANT LAND
2406 11TH AVE S		41X127		
NON- CONSERVATION	R2B	5,213		

<b>09 029 24 33 0109</b>	Y	5	LOT 013 BLOCK 004 "SUPPLEMENT TO FOREST HEIGHTS MINNEAPOLIS"	VACANT LAND
2720 PENN AVE N	8/23/2012	43X125		
NON- CONSERVATION	R1A	5,365		

<b>01 028 24 13 0048</b>	Y	9	S 30 FT OF LOT 5 AND N 10 FT OF LOT 6 BLK 4 PARKERS ADDN AND S 30 FT OF LOT 19 AND N 10 FT OF LOT 18 BLK 2 CATH A PERKINS ADDN TO MPLS BLOCK 004 PARKERS ADDITION TO MINNEAPOLIS	VACANT LAND
3321 25TH AVE S	9/13/2012	40X110		
NON- CONSERVATION	R1A	4,400		

<b>08 029 24 44 0052</b>	Y	4	LOT 014 BLOCK 002 "NICHOLS- FRISSELL CO.'S PENN-LAWN ADDITION TO MINNEAPOLIS"	VACANT LAND
2707 RUSSELL AVE N	9/13/2012	40X128		
NON- CONSERVATION	R1A	5,132		

<b>09 029 24 42 0174</b>	Y	3	N 40 FT LOT 012 BLOCK 016 "SILVER LAKE ADDITION" TO MINNEAPOLIS	VACANT LAND
2905 DUPONT AVE N	9/13/2012	50X127		
NON- CONSERVATION	R2B	5,084		

<b>10 029 24 32 0077</b>	Y	3	N 39.25 FT OF S 41.25 FT LOT 012 BLOCK 010 MORRISONS ADDITION TO NORTH MINNEAPOLIS	VACANT LAND
3020 6TH ST N	9/13/2012	39X165		
NON- CONSERVATION	R3	6,476		

<b>16 029 24 21 0037</b>	Y	5	LOT 004 BLOCK 003 "FOREST HEIGHTS"	VACANT GARAGE ONLY
2517 JAMES AVE N	9/13/2012	50X135		
NON- CONSERVATION	R1A	6,710		

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<b>35 029 24 34 0071</b>	Y	9	W 42 48/100 FT OF E 84 48/100 FT LOTS 30 31 AND 32 BLOCK 001 AVERY'S CHICAGO AVENUE ADDITION TO MINNEAPOLIS	VACANT LAND
1105 28TH ST E	9/13/2012	43X100		
NON- CONSERVATION	R2B	4,278		

<b>03 028 24 11 0233</b>	Y	8	LOT 012 BLOCK 001 HOBARTS ADDITION TO MINNEAPOLIS	VACANT LAND
3029 CLINTON AVE S	9/27/2012	40X128		
NON- CONSERVATION	R2B	5,100		

<b>09 029 24 43 0047</b>	Y	3	LOT 004 BLOCK 020 FAIRMOUNT PARK ADDITION TO MINNEAPOLIS	VACANT GARAGE ONLY
2615 DUPONT AVE N	8/23/2012	43X127		
NON- CONSERVATION	R2B	5,432		

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 Forfeit Date</u>	<u>Ward Lot Size Sq. Feet</u>	<u>Legal Description</u>	<u>Current Use</u>
<b>04 029 24 43 0200</b>	Y	4	LOT 005 BLOCK 012 "WALTON PARK"	VACANT NON COMPLIANT BLDG
3643 DUPONT AVE N	7/12/2012	40X126		
NON- CONSERVATION	R2B	5,041		
<b>04 029 24 42 0197</b>	N	4	LOT 011 BLOCK 003 NORTH SIDE PARK ADDITION TO MINNEAPOLIS	VACANT LAND
3814 FREMONT AVE N	7/26/2012	40X127		
NON- CONSERVATION	R2B	5,095		
<b>04 029 24 43 0053</b>	N	4	LOT 026 BLOCK 006 "WALTON PARK"	VACANT LAND
3742 FREMONT AVE N	9/13/2012	40X126		
NON- CONSERVATION	R2B	5,052		
<b>20 028 24 42 0069</b>	N	13	LOT 016 BLOCK 015 "HARRIET MANOR"	VACANT LAND
5857 WASHBURN AVE S	7/26/2012	36X128		
NON- CONSERVATION	R1A	4,572		

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<b>09 029 24 12 0006</b>	N	4	LOT 006 BLOCK 001 "DEAN PARK"	VACANT LAND
3539 FREMONT AVE N	7/26/2012	40X126		
NON-CONSERVATION	R2B	5,072		
<b>09 029 24 13 0052</b>	N	4	LOT 002 BLOCK 003 "SILVER LAKE ADDITION" TO MINNEAPOLIS	VACANT LAND
3347 FREMONT AVE N	7/26/2012	45X127		
NON-CONSERVATION	R2B	5,715		
<b>09 029 24 22 0039</b>	N	4	LOT 009 BLOCK 002 EGBERT'S ADDITION TO MINNEAPOLIS	VACANT LAND
3427 MORGAN AVE N	7/26/2012	40X127		
NON-CONSERVATION	R1A	5,052		
<b>10 029 24 22 0167</b>	N	3	LOT 006 BLOCK 007 "NICHOLS-FRISSELL CO.'S STEWART HEIGHTS ADDITION TO MINNEAPOLIS"	VACANT LAND
3438 6TH ST N	7/26/2012	40X157		
NON-CONSERVATION	R1A	6,280		
<b>16 029 24 11 0075</b>	Y	3	E 95 FT LOT 001 BLOCK 013 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS	VACANT LAND
2429 ALDRICH AVE N	7/26/2012	44X95		
NON-CONSERVATION	R2B	4,180		
<b>16 029 24 34 0044</b>	Y	5	LOT 005 BLOCK 003 "CREPEAU'S ADDITION TO MINNEAPOLIS"	VACANT, BOARDED, CONDEMNED
1324 IRVING AVE N	8/9/2012	41X140		
NON-CONSERVATION	R2B	5,600		
<b>17 029 24 11 0010</b>	Y	5	EX ST LOT 008 AUDITOR'S SUBDIVISION NO. 150 HENNEPIN COUNTY, MINN	VACANT, BOARDED, CONDEMNED
2321 WEST BROADWAY	8/9/2012	44X128		
NON-CONSERVATION	OR2	5,504		
<b>17 029 24 41 0034</b>	Y	5	LOT 007 BLOCK 002 EASTLAWN ADDITION TO MINNEAPOLIS	VACANT, BOARDED, CONDEMNED
2327 GOLDEN VALLEY	8/9/2012	38X126		
NON-CONSERVATION	R1A	4,788		

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<b>17 029 24 41 0056</b>	Y	5	LOT 029 BLOCK 002 EASTLAWN ADDITION TO MINNEAPOLIS	VACANT, BOARDED
1819 QUEEN AVE N	8/9/2012	42X129		SINGLE FAMILY
NON- CONSERVATION	R1A/	5,418		
<b>17 029 24 44 0056</b>	Y	5	LOT 020 BLOCK 003 "SOUTH LAWN ADDITION TO MINNEAPOLIS"	VACANT, BOARDED,
1418 SHERIDAN AVE N	8/9/2012	40X128		CONDEMNED
NON- CONSERVATION	R1A	5,120		
<b>17 029 24 44 0178</b>	Y	5	LOT 029 BLOCK 001 "W H LAUDERDALES ADDITION TO MINNEAPOLIS"	VACANT SINGLE
1526 THOMAS AVE N	8/9/2012	40X128		FAMILY
NON- CONSERVATION	R1A	5,120		
<b>09 029 24 33 0152</b>	Y	5	LOT 014 BLOCK 007 "SUPPLEMENT TO FOREST HEIGHTS MINNEAPOLIS"	VACANT SINGLE
2654 NEWTON AVE N	8/9/2012	43X128		FAMILY
NON- CONSERVATION	R1A	5,534		
<b>35 029 24 11 0018</b>	Y	9	LOT 009 BLOCK 004 FOSTER'S ADDITION TO MINNEAPOLIS	VACANT,
2103 BLOOMINGTON AV	8/23/2012	59X123		BOARDED, CONDEMNED
NON- CONSERVATION	R2B	7,292		
<b>07 028 23 22 0029</b>	N	12	LOT 022 BLOCK 023 PALMER'S ADDITION TO MINNEAPOLIS	VACANT SINGLE
3839 SNELLING AVE	9/13/2012	40X150		FAMILY
NON- CONSERVATION	R1A	6,000		
<b>01 028 24 22 0023</b>	Y	9	LOTS 11 AND 12 BLOCK 002 MINNEHAHA ADDITION TO MINNEAPOLIS	VACANT COMMERCIAL
1901 LAKE ST E	9/13/2012	125X100		LAND
NON- CONSERVATION	C1	12,510		
<b>02 028 24 14 0165</b>	Y	9	S 2 FT OF LOT 11 AND N 40 FT OF LOT 12 LOTS 11 AND 12 BLOCK 005 "POWDER HORN PARK ADDITION TO MINNEAPOLIS"	VACANT,
3245 BLOOMINGTON AV	9/13/2012	42X122		BOARDED, CONDEMNED
NON- CONSERVATION	R2B	5,137		DUPLEX

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<b>02 028 24 23 0069</b>	Y	8	LOT 001 BLOCK 002 D. W. ELLIS' ADDITION TO MINNEAPOLIS	VACANT LAND
3306 COLUMBUS AVE S	9/13/2012	33X128		
NON- CONSERVATION	R2B	3,894		
<b>03 028 24 13 0162</b>	Y	8	THAT PART OF LOT 16 LYING N OF SLY 0.5 FT THOF BLOCK 016 BAKER'S 2ND ADDITION TO MINNEAPOLIS	VACANT LAND
3341 2ND AVE S	9/13/2012	45X128		
NON- CONSERVATION	R2B	5,774		
<b>09 029 24 14 0183</b>	N	3	SUBJECT TO ROAD LOT 007 BLOCK 039 "BAKER'S 4TH ADDITION TO MINNEAPOLIS"	VACANT LAND
3200 COLFAX AVE N	9/13/2012	42X126		
NON- CONSERVATION	R4	5,695		
<b>16 029 24 23 0108</b>	Y	5	LOT 019 BLOCK 023 "FOREST HEIGHTS"	VACANT LAND
2016 21ST AVE N	9/13/2012	60X137		
NON- CONSERVATION	R4	5,630		
<b>16 029 24 43 0189</b>	Y	5	LOT 015 BLOCK 023 "GALES SUBDIVISIONS IN SHERBURNE & BEEBE'S ADDITION TO MINNEAPOLIS"	VACANT LAND
1316 EMERSON AVE N		41X155		
NON- CONSERVATION	R2B	6,352		
<b>17 029 24 14 0082</b>	Y	5	LOT 016 BLOCK 003 "NICHOLS- FRISSELL CO.'S SHADY OAKS ADDITION TO MINNEAPOLIS"	VACANT LAND
2420 GOLDEN VALLEY	9/13/2012	36X129		
NON- CONSERVATION	R1A	4,658		
<b>17 029 24 14 0231</b>	Y	5	LOTS 14 AND 15 BLOCK 004 "NICHOLS-FRISSELL CO.'S SHADY OAKS ADDITION TO MINNEAPOLIS"	VACANT COMMERCIAL LAND
2508 GOLDEN VALLEY	9/13/2012	128.9X76.1		
NON- CONSERVATION	R1A	9,812		
<b>34 029 24 44 0060</b>	Y	6	LOT 001 BLOCK 001 HANCES ADDITION TO MINNEAPOLIS	VACANT LAND APARTMENT
2900 PORTLAND AVE S	9/13/2012	40X118		
NON- CONSERVATION	R4	4,731		

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<b>35 029 24 34 0071</b>	Y	9	W 42 48/100 FT OF E 84 48/100 FT LOTS 30 31 AND 32 BLOCK 001 AVERY'S CHICAGO AVENUE ADDITION TO MINNEAPOLIS	VACANT LAND
1105 28TH ST E	9/13/2012	43X100		
NON-CONSERVATION	R2B	4,278		

<b>19 028 23 11 0163</b>	N	12	LOT 018 BLOCK 006 "MORRIS PARK ADDITION TO MINNEAPOLIS"	VACANT	SINGLE
5549 43RD AVE S	9/27/2012	40X128		FAMILY	
NON-CONSERVATION	R1A	5,120			

<b>02 028 24 33 0235</b>	Y	8	THOSE PARTS OF LOTS 1 2 AND 3 AND OF N 18 FT OF LOT 4 WHICH LIE W OF E 59.5 FT THOF BLOCK 002 "VEAZIE ADDITION TO MINNEAPOLIS"	VACANT LAND
611 36TH ST E		58X85		
NON-CONSERVATION	R1A	4,943		

<b>03 028 24 11 0193</b>	Y	8	LOT 010 BLOCK 006 THIRD AVE. ADDITION TO MINNEAPOLIS	OCCUPIED	SINGLE
3133 5TH AVE S	9/27/2012	45X119		FAMILY	
NON-CONSERVATION	R2B	5,355			

<b>10 028 24 11 0133</b>	N	8	N 90 FT OF LOT 1 AND N 90 FT OF E 5 FT OF LOT 2 LOTS 1 AND 2 RIDGEWAYS FIRST ADDITION TO MINNEAPOLIS	VACANT	COMMERCIAL
3800 4TH AVE S	10/25/2012	41X90		LAND	
NON-CONSERVATION	C1	3,686			

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 Forfeit Date</u>	<u>Ward</u>	<u>Lot Size Sq. Feet</u>	<u>Legal Description</u>	<u>Current Use</u>
<b>09 029 24 23 0090</b>	N	4	39X127	LOT 007 BLOCK 002 LATIMER'S ADDITION TO MINNEAPOLIS	OCCUPIED
3335 OLIVER AVE N	7/26/2012				SINGLE
NON-CONSERVATION	R1A	4,985			FAMILY

<b>16 029 24 22 0193</b>	Y	5	25X132	THAT PART OF LOT 79 LYING NELY OF A LINE DRAWN SELY FROM A PT ON NWLY LINE THOF DIST 25.28 FT NELY OF MOST WLY COR THOF TO A PT ON SELY LINE THOF DIST 21.96 FT NELY OF MOST SLY COR THOF LOT 079 BLOCK 019 "FOREST HEIGHTS"	OCCUPIED	
2324 LOGAN AVE N	7/26/2012				ZERO	LOT
NON-CONSERVATION	R2B	3,091			LINE	DUPLEX

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<b>03 028 24 13 0055</b>	Y	10	LOT 014 BLOCK 012 BAKER'S 2ND ADDITION TO MINNEAPOLIS	OCCUPIED
3249 NICOLLET AVE	7/26/2012	46X125		DUPLEX
NON- CONSERVATION	C1	5,730		

<b>17 029 24 14 0221</b>	Y	5	LOT 022 BLOCK 007 "WYANT & KIICHLI'S ADDITION TO MINNEAPOLIS"	OCCUPIED
2130 QUEEN AVE N	8/9/2012	43X128		SINGLE FAMILY
NON- CONSERVATION	R1A	5,504		

<b>17 029 24 41 0159</b>	Y	5	LOT 019 BLOCK 004 FAIRLAWN ADDITION	OCCUPIED
1614 THOMAS AVE N	4/19/2011	40X129		SINGLE FAMILY
NON- CONSERVATION	R1A	5,160		

<b>20 029 24 14 0041</b>	Y	5	LOT 005 BLOCK 002 "BRODERICK'S ADDITION TO MINNEAPOLIS"	OCCUPIED
815 SHERIDAN AVE N	8/9/2012	40X129		SINGLE FAMILY
NON- CONSERVATION		5,160		

<b>21 029 24 23 0061</b>	Y	5	LOT 030 BLOCK 018 "OAK PARK ADDITION TO MINNEAPOLIS"	OCCUPIED
710 OLIVER AVE N	8/9/2012	42X127		SINGLE FAMILY
NON- CONSERVATION	R2B	5,334		

<b>34 029 24 43 0098</b>	Y	6	S 30 FT OF LOT 2 AND N 7 1/2 FT OF LOT 3 BLOCK 002 "STILLMAN'S ADDITION TO MINNEAPOLIS"	VACANT
2808 STEVENS AVE S	8/9/2012	38X126		DUPLEX
NON- CONSERVATION	R5	4,744		

<b>17 029 24 42 0165</b>		5	LOT 004 BLOCK 001 "MCNAIR HEIGHTS ADDITION TO MINNEAPOLIS"	OCCUPIED
2813 GOLDEN VALLEY	8/23/2012	40X120		APARTMENT BUILDING
NON- CONSERVATION		4,800		

<b>35 029 24 12 0108</b>	Y	6	LOT 006 BLOCK 009 ELIOT'S ADDITION TO MINNEAPOLIS	OCCUPIED
2221 15TH AVE S	8/23/2012	56X133		APARTMENT BUILDING
NON- CONSERVATION	R5	7,468		

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<b>09 029 24 14 0064</b>	N	3	E 90 4/10 FT LOT 006 BLOCK 013 "BAKER'S 4TH ADDITION TO MINNEAPOLIS"	VACANT LAND
3301 COLFAX AVE N	9/13/2012	46X90		
NON- CONSERVATION	R2B	4,158		
<b>09 029 24 32 0148</b>	Y	4	LOT 024 BLOCK 001 "HAMISCH'S 3D ADDITION TO MINNEAPOLIS"	VACANT SINGLE FAMILY
3110 NEWTON AVE N	9/13/2012	41X127		
NON- CONSERVATION	R2B	5,242		
<b>15 029 24 22 0002</b>	Y	3	W 40 FT OF E 77 FT OF LOT 1 AND W 40 FT OF E 77 FT OF N 42 FT OF LOT 2 BLOCK 007 COBB'S ADDITION TO NORTH MINNEAPOLIS	VACANT LAND
305 24TH AVE N	9/13/2012	40X90		
NON- CONSERVATION	R2B	3,600		
<b>16 029 24 11 0009</b>	Y	3	LOT 005 BLOCK 001 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS	VACANT LAND
2511 LYNDALE AVE N	9/13/2012	50X157		
NON- CONSERVATION	R2B	7,850		
<b>21 029 24 22 0036</b>	Y	5	LOT 020 BLOCK 025 "OAK PARK ADDITION TO MINNEAPOLIS"	VACANT LAND APARTMENT
1020 NEWTON AVE N	9/13/2012	42X126		
NON- CONSERVATION	R2B	5,292		
<b>35 029 24 42 0229</b>	Y	9	N 23 FT OF LOT 8 AND S 28 FT OF LOT 9 BLOCK 009 WRIGHT'S ADDITION TO MINNEAPOLIS	OCCUPIED SINGLE FAMILY
2735 13TH AVE S	9/13/2012	51X127		
NON- CONSERVATION	R2B	6,502		
<b>35 029 24 13 0240</b>	Y	9	W 43 FT LOT 006 BLOCK 016 "GALES 1ST ADDITION TO MINNEAPOLIS"	OCCUPIED SINGLE FAMILY
1500 26TH ST E	9/13/2012	43X58		
NON- CONSERVATION	R2B	2,494		
<b>08 028 24 41 0325</b>	N	13	GAR UNIT NO 36 APARTMENT OWNERSHIP NO. 0239 LAKE HARRIET CONDOMINIUM	VACANT CONDO GARAGE
2700 44TH ST W #36	9/27/2012	CONDO		
NON- CONSERVATION	R6	GARAGE		

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<b>04 029 24 42 0004</b>	N	4	LOT 4 AND N 16 2/3 FT OF LOT 5 BLOCK 001 "CALIFORNIA PARK ADDITION TO MINNEAPOLIS"	OCCUPIED SINGLE FAMILY
3847 FREMONT AVE N	9/27/2012	57X126		
NON- CONSERVATION	R2B	7,184		

<b>23 029 24 33 0825</b>	Y	7	SIGN UNIT NO S-237 CONDOMINIUM NO. 0286 COMMERCE AT THE CROSSINGS, A CONDOMINIUM	VACANT COMMERCIAL SIGN
121 WASHINGTON AVE S #237	9/27/2012	CONDO		
NON- CONSERVATION				

<b>26 029 24 32 0140</b>	Y	7	LOT 003 BLOCK 002 SMITHS ADDITION TO MINNEAPOLIS	OCCUPIED COMMERCIAL BUILDING
737 14TH ST E	9/27/2012	52X139		
NON- CONSERVATION	C1	7,222		

<b>26 029 24 32 0141</b>	Y	7	E 41 78/100 FT LOT 004 BLOCK 002 SMITHS ADDITION TO MINNEAPOLIS	OCCUPIED COMMERCIAL BUILDING
731 14TH ST E	9/27/2012	42X139		
NON- CONSERVATION	C1	5,827		

<b>27 029 24 33 0813</b>	Y	6	UNIT NO 12 CIC NO. 1392 HISTORIC RIDGWOOD CONDOMINIUM	VACANT CONDO STORAGE UNIT
522 RIDGWOOD AVE #12		CONDO		
NON- CONSERVATION	OR2	STORAGE		

<b>10 029 24 24 0021</b>	N	3	W 1/2 LOT 006 BLOCK 021 "BAKER'S 4TH ADDITION TO MINNEAPOLIS"	OCCUPIED SINGLE FAMILY
3302 WASHINGTON AV N	9/27/2012	46X92		
NON- CONSERVATION	I2	4,230		

<b>22 029 24 24 0075</b>	Y	5	SELY 65 FT LOTS 40 41 AND 42 INCLUDING ADJOINING 1/2 OF VACATED ALLEY BLOCK 016 BRADFORD AND LEWIS'S ADDITION TO MINNEAPOLIS	OCCUPIED COMMERCIAL BUILDING
701 3RD ST N	10/25/2012	65X160		
NON- CONSERVATION	B4N	10,400		

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:

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<u>PID Number</u>	<u>Target Forfeit Date</u>	<u>Ward</u>	<u>Lot Size</u>	<u>Legal Description</u>	<u>Current Use</u>
<u>Address</u>	<u>Zoning</u>		<u>Sq. Feet</u>		
<b>11 029 24 34 0186</b>	Y		1	THE SOUTH 26 FEET OF LOT 7, BLOCK 4, ALSO THAT PART OF THE NORTH 4 FEET OF THE SOUTH 30 FEET OF SAID LOT 7 WHICH LIES EAST OF THE WEST 100 FEET OF SAID LOT 7 COBB'S ADDITION TO ST. ANTHONY	VACANT NON COMPLIANT BLDG
2105 4TH ST N E	7/12/2012		20X165		
NON-CONSERVATION	R2B		4,550		
<b>12 028 24 42 0032</b>	N		12	S 4 FT OF N 416 FT OF W 110 FT LOT 007 EXHIBIT D. SHOWING SUBDIVISION OF LAND BELONGING TO ESTATE OF ESTHER OSMER (DECEASED) IN GOV'T LOT 2 IN SECTION 12 IN TOWNSHIP 28 NORTH RANGE 24 WEST OF THE 4TH PRINCIPAL MERIDIAN	VACANT LAND
4238 27TH AVE S	9/13/2012		4X100		
NON-CONSERVATION	R1A		440		
<b>13 029 24 31 0173</b>	Y		3	EX HWY LOT 030 BLOCK 011 "RAMSEY, LOCKWOOD & OTHERS ADDITION" TO ST. ANTHONY	VACANT LAND
601 BUCHANAN ST N E	9/13/2012		39X75		
NON-CONSERVATION	R1A		2,925		
<b>14 029 24 22 0177</b>	Y		3	THE WEST 41 FEET OF THE EAST 82.5 FEET OF LOT 10 BLOCK 21 BOTTINEAU'S SECOND ADDITION TO TOWN OF ST ANTHONY LOT 010 BLOCK 021 BOTTINEAUS SECOND ADDITION TO THE TOWN OF SAINT ANTHONY	VACANT LAND
159 15TH AVE N E	9/13/2012		41X66		
NON-CONSERVATION	R2B		2,706		
<b>15 029 24 22 0147</b>	Y		3	W 31 FT OF E 93 FT OF LOTS 9 AND 10 BLOCK 003 WOODLAND PARK	VACANT LAND
620 25TH AVE N	9/13/2012		31X86		
NON-CONSERVATION	R2B		2,666		
<b>17 029 24 41 0207</b>	Y		5	SOUTH 21 FEET OF LOT 26, BLOCK 1, EASTLAWN ADDITION TO MINNEAPOLIS.	VACANT LAND
1805 PENN AVE N	9/13/2012		21X128		
NON-CONSERVATION	R1A		2,696		
<b>35 029 24 21 0161</b>	Y		6	W 1/2 LOT 001 SCHULTZ' ADDITION TO MINNEAPOLIS	VACANT LAND
1015 21ST ST E	9/13/2012		23X134		
NON-CONSERVATION	R4		2,948		

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<b>35 029 24 44 0162</b>	Y	9	N 26 FT OF S 39 24/100 FT OF E 124 FT LOT 001 BLOCK 001 "LAYMAN AND COLBURNS ADDITION TO MINNEAPOLIS"	VACANT LAND APARTMENT
2804 CEDAR AVE S	9/13/2012	26X124		
NON-CONSERVATION	R5	3,224		

<b>16 029 24 11 0132</b>	Y	3	S 1/2 LOT 009 BLOCK 016 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS	VACANT LAND
2404 DUPONT AVE N	7/26/2012	25X157		
NON-CONSERVATION	R2B	3,925		

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.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution granting multi-jurisdictional program approval for the submission of 2013 Hennepin County Transit-Oriented Development (TOD) Program grant applications for the following projects within the City of Minneapolis and authorizing the proper City officers to execute cooperative agreements for the County funded projects:

1. Broadway Flats, 2201 W Broadway, by Rose Development LLC
  2. Commons at Penn, 1823 Penn Ave N, by Building Blocks
  3. Corcoran Triangle, 31xx - 24th Ave S, by Wellington Management
  4. Destination Brewery, 5th & Malcolm SE, by Surley Brewing Company
  5. Greenway Heights, 2845 Bloomington Ave S, by Phoenix Development Company and PRG
  6. Mill City Quarter, 3rd Ave S & 2nd St S, by Eagle Iron Partners LLC
  7. MoZaic Phase II, 1350 Lagoon Ave S, by the Ackerberg Group
  8. Strategic Acquisition Holding Cost Fund, location to be determined, by Twin Cities Community Land Bank
  9. West Broadway Curve, 1926-2022 W Broadway, by CommonBond Communities
- Adopted.

Resolution 2013R-131, granting multi-jurisdictional program approval for the submission of 2013 Hennepin County Transit-Oriented Development Program grant applications for projects named Broadway Flats, Commons at Penn, Corcoran Triangle, Destination Brewery, Greenway Heights, Mill City Quarter, MoZaic Phase II, Strategic Acquisition Holding Cost Fund, and West Broadway Curve, was adopted 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 2013R-131  
By Goodman**

**Approving funding of various transit-oriented development projects.**

Whereas, Hennepin County has established a transit-oriented development loan/grant program (TOD Program) which it intends to undertake as a multi-jurisdictional reinvestment program under Minnesota Statutes, section 383B.79, and housing or redevelopment project under Minnesota Statutes, section 383B.77; and

Whereas, nine applications were submitted to the Hennepin County Housing and Redevelopment Authority (HRA) for projects located within the City of Minneapolis (City) in response to the 2013 TOD Program solicitation; and

Whereas, Hennepin County has requested that the City approve the nine projects located in the City prior to consideration for funding under the 2013 TOD Program; and

Whereas, City approval is necessary in order to satisfy the requirements of a multijurisdictional reinvestment program and authorize Hennepin County or the Hennepin County HRA to undertake project activities within the jurisdiction of the City;

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

That pursuant to Minnesota Statutes, sections 383B.77 and 383B.79, the City supports the transit-oriented development loan/grant applications submitted to the Hennepin County HRA by and for the following projects:

Rose Development LLC for The Broadway Flats project at 2201 West Broadway;  
Building Blocks for The Commons at Penn project at 1823 Penn Avenue North;  
Wellington Management for The Corcoran Triangle project at 31xx 24th Avenue South;  
Surlly Brewing Company for The Destination Brewery project at 5th and Malcolm SE;  
Phoenix Development Company and PRG, Inc. for The Greenway Heights project at 2845 Bloomington Avenue South;  
Eagle Iron Partners LLC for The Mill City Quarter project at 3rd Avenue South and 2nd Street South;  
The Ackerberg Group for The MoZaic Phase II project at 1350 Lagoon Avenue South;  
Twin Cities Community Land Bank for their Strategic Acquisition Holding Cost Fund;  
CommonBond Communities for The West Broadway Curve project at 1926-2022 West Broadway Avenue.

Be It Further Resolved that the appropriate City staff may execute one or more cooperative agreements authorizing Hennepin County or the Hennepin County HRA to undertake the foregoing multijurisdictional reinvestment program projects in Minneapolis.

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

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

Adopted.

**Comm Dev** - Your Committee, having under consideration a Neighborhood Priority Plan (NPP) submitted by the Fulton Neighborhood Association, now recommends approval of the Fulton Farmers Market NPP and that the proper City officers be authorized to enter into any contracts or agreements necessary to implement this request.

Adopted.

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

**Comm Dev & W&M/Budget** – Your Committee, having under consideration the City's application to the U.S. Department of Housing and Urban Development (HUD) for 2013 Community Development Block Grant, Home Investment Partnerships, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS funding, now recommends approval of the Plan as reflected by public comment draft of 3/15/2013 and that the proper City officers be authorized to submit the 2013 Consolidated Plan, which updates the Five-year Strategy 2010-2014, to HUD on 4/17/2013, and to receive and file all comments received during the public comment period and record the same in the 2013 Consolidated Plan.

Adopted.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration applications for grant funding from the 2013 Metropolitan Council Livable Communities Demonstration Account (LCDA) and LCDA Transit Oriented Development (LCDA TOD) Grant Programs, now recommends passage of the accompanying resolutions authorizing submission and priority ranking of grant applications to the Metropolitan Council LCDA and LCDA TOD grant programs.

Adopted.

Resolution 2013R-132, identifying the need for Metropolitan Council Livable Communities Demonstration Account funding and authorizing applications for grant funds for projects named Commons at Penn Ave, Hawthorne Eco Village and MoZaic Phase II, was adopted 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 2013R-132  
By Goodman and Hodges**

**Identifying the Need for Livable Communities Demonstration Account Funding and Authorizing Applications for Grant Funds.**

Whereas, the City of Minneapolis is a participant in the Livable Communities Act's Housing Incentives Program for 2013 as determined by the Metropolitan Council, and is therefore eligible to apply for Livable Communities Demonstration Account funds; and

Whereas, the City has identified proposed projects within the City that meet the Demonstration Account's purposes and criteria and are consistent with and promote the purposes of the Metropolitan Livable Communities Act and the policies of the Metropolitan Council's adopted metropolitan development guide; and

Whereas, the City has the institutional, managerial and financial capability to ensure adequate project administration; and

Whereas, the City certifies that it will comply with all applicable laws and regulations as stated in the grant agreements; and

Whereas, the City agrees to act as legal sponsor for the projects contained in the grant applications to be submitted by July 2013; and

Whereas, the City acknowledges Livable Communities Demonstration Account grants are intended to fund projects or project components that can serve as models, examples or prototypes for development or redevelopment projects elsewhere in the region, and therefore represents that the proposed projects or key components of the proposed projects can be replicated in other metropolitan-area communities; and

Whereas, only a limited amount of grant funding is available through the Metropolitan Council's Livable Communities Demonstration Account during each funding cycle and the Metropolitan Council has determined it is appropriate to allocate those scarce grant funds only to eligible projects that would not occur without the availability of Demonstration Account grant funding; and

Whereas, cities may submit grant applications for up to three projects during each funding cycle for LCDA Development Grants and Pre-Development Grants combined, but, using the cities' own internal ranking processes, must rank their projects by priority so the Metropolitan Council may consider those priority rankings as it reviews applications and makes grant awards;

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

That, after appropriate examination and consideration, the City Council of the City of Minneapolis:

1. Finds that it is in the best interests of the City's development goals and priorities for the proposed projects to occur at these particular sites at this particular time.

2. Finds that the project components for which Livable Communities Demonstration Account funding is sought:

(a) will not occur solely through private or other public investment within the reasonably foreseeable future; and

(b) will occur within three years after the grant award only if Livable Communities Demonstration Account funding is made available for these projects at this time.

3. Ranks the project funding applications, according to the City's own internal priorities, in the following order:

**Development Grants**

<u>Priority Ranking</u>	<u>Project Name</u>	<u>Grant Amount Requested</u>
(1)	Commons at Penn Ave	\$1,000,000
(2)	Hawthorne Eco Village	\$1,000,000
(3)	MoZaic Phase II	\$750,000

4. Represents that the City has undertaken reasonable and good faith efforts to procure funding for the project components for which Livable Communities Demonstration Account funding is sought but was not able to find or secure from other sources funding that is necessary for project component completion within three years and states that this representation is based on the following reasons and supporting facts:

Commons at Penn Avenue: Funding already committed to the project (various public affordable housing sources) cannot typically be used for the infrastructure/site improvements described in the application.

Hawthorne Eco Village: Funding being considered for the project (various public affordable housing sources) cannot typically be used for the infrastructure/site improvements described in the application.

MoZaic Phase II: LCDA is a primary funding source for the uses requested in the application. The requested elements may not be of the quality or demonstration value possible, without an award of LCDA funds.

5. Authorizes its Director of Community Planning and Economic Development to submit on behalf of the City applications for Metropolitan Council Livable Communities Demonstration Account grant funds for the project components identified in the applications, and upon acceptance of any awards by the City Council its Finance Officer or designee to execute such agreements as may be necessary to implement the projects on behalf of the City.

Adopted.

Resolution 2013R-133, identifying the need for Metropolitan Council livable communities transit oriented development funding and authorizing applications for grant funds for projects named Boeser site/4th St SE infrastructure, Anishinabe Bii Gii Wiin, 8th Avenue Pocket Park and Bassett Creek North, was adopted 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 2013R-133  
By Goodman and Hodges**

**Identifying the need for livable communities transit oriented development funding and authorizing applications for grant funds.**

Whereas, the City of Minneapolis (“City”) is a participant in the Metropolitan Livable Communities Act (“LCA”) Local Housing Incentives Program for 2013 as determined by the Metropolitan Council, and is therefore eligible to apply for LCA Livable Communities Demonstration Account and Tax Base Revitalization Account Transit Oriented Development (collectively, “TOD”) funds; and

Whereas, the City has identified proposed projects within the City that meet TOD purposes and criteria and are consistent with and promote the purposes of the Metropolitan Livable Communities Act and the policies of the Metropolitan Council’s adopted metropolitan development guide; and

Whereas, the City has the institutional, managerial and financial capability to adequately manage an LCA TOD grant; and

Whereas, the City certifies that it will comply with all applicable laws and regulations as stated in the grant agreement; and

Whereas, the City acknowledges Livable Communities TOD grants are intended to fund projects or project components that can serve as models, examples or prototypes for TOD development or redevelopment elsewhere in the region, and therefore represents that the proposed projects or key components of the proposed projects can be replicated in other metropolitan-area communities; and

Whereas, only a limited amount of grant funding is available through the Metropolitan Council’s Livable Communities TOD initiative during each funding cycle and the Metropolitan Council has determined it is appropriate to allocate those scarce grant funds only to eligible projects that would not occur without the availability of TOD grant funding; and

Whereas, cities may submit grant applications for up to three TOD Demonstration Account projects during each funding cycle, but, using the City’s own internal ranking processes, must rank their projects by priority so the Metropolitan Council may consider those priority rankings as it reviews applications and makes grant awards;

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

That the City finds that it is in the best interests of the City’s development goals and priorities for the proposed projects to occur at the sites indicated in the grant applications at this particular time.

Be It Further Resolved that the City finds that the TOD project components for which Livable Communities TOD funding is sought (a) will not occur solely through private or other public investment within the reasonably foreseeable future; and (b) will occur within the term of the grant award (two years for Pre-Development grants, and three years for Development grants) only if Livable Communities TOD funding is made available for these projects at this time.

Be It Further Resolved that the City ranks the TOD project funding applications according to the City’s own internal priorities in the following order:

Priority	LCDA TOD Project Names	Grant Amount Requested
1	Boeser site/4th St SE Infrastructure	\$1,000,000
2	Anishinabe Bii Gii Wiin	\$1,000,000
3	8th Avenue Pocket Park	\$ 370,500

Priority	LCDA TOD Pre-Development Project Names	Grant Amount Requested
1	Bassett Creek North	\$ 90,000

Be It Further Resolved that the City authorizes its Department of Community Planning and Economic Development to submit on behalf of the City applications for Metropolitan Council Livable Communities TOD grant funds for the TOD project components identified in the applications and upon acceptance of any awards by the City Council its Finance Officer or designee to execute such agreements as may be necessary to implement the projects on behalf of the City.

Adopted.

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

**PSC&H** - Your Committee, to whom was referred an ordinance amending Title 4, Chapter 74 of the Minneapolis Code of Ordinances relating to *Animals and Fowl: Miscellaneous Regulations*, amending provisions regulating the keeping of honeybees on rooftops over one story, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted.

Ordinance 2013-Or-039 amending Title 4, Chapter 74 of the Minneapolis Code of Ordinances relating to *Animals and Fowl: Miscellaneous Regulations*, amending Section 74.80 amending provisions relating to the keeping of honeybees on rooftops over one story, was adopted 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 2013-Or-039**  
**By Goodman, Samuels and Hofstede**  
**Intro & 1st Reading: 3/7/2013**  
**Ref to: PSC&H**  
**2nd Reading: 4/12/2013**

**Amending Title 4, Chapter 74 of the Minneapolis Code of Ordinances relating to Animals and Fowl: Miscellaneous Regulations.**

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

Section 1. That Section 74.80 of the above-entitled ordinance be amended to read as follows:

**74.80. Keeping of honeybees.** (a) No person shall keep, maintain, or allow to be kept any hive or other facility for the housing of honeybees on or in any property in the City of Minneapolis without a permit.

- (b) The number and location of hives, colonies and/or facilities for the housing of honeybees permitted by this section shall be determined by a permit issued by Minneapolis Animal Care and Control. The permit shall specify any restrictions, limitations, conditions or prohibitions required by the manager of animal care and control as necessary to safeguard public health and the general welfare. Subject to a hearing to be held by a committee of the council or other designated hearing examiner, if requested within five (5) days of the notification, the manager of animal care and control may deny, suspend or revoke any permit applied for or granted pursuant to this section if any condition or requirement is violated or if the keeping of honeybees becomes a public nuisance.
- (c) The manager of Minneapolis Animal Care and Control may grant a permit pursuant to this section only after the applicant has met any educational requirements as established and published by the manager and received the written consent of at least eighty (80) percent of the occupants of the several descriptions of real estate situated within one hundred (100) feet of the applicant's real estate and one hundred (100) percent of the signatures of occupants of properties immediately adjacent to the applicant's real estate. When the proposed location of the hives, colonies and facilities is within a large real estate parcel greater than four (4) acres in size, the applicant must receive approval from eighty (80) percent of the occupants of the several descriptions of real estate situated within two hundred fifty (250) feet of the hives and one hundred (100) percent of the occupants of the several descriptions of real estate situated within one hundred fifty (150) feet of the hives. For the purposes of this subsection, the term "occupant" refers to any one (1) occupant for each of the real estate properties referenced. When the proposed location of the hives, colonies and facilities is located on a rooftop on a second or higher story of any building or structure and the proposed hives are at least five (5) feet from the nearest side of the building or structure and at least fifteen (15) feet from the nearest adjacent and occupied building or structure not owned or operated by the applicant, the written consent requirements imposed by this subsection shall not be required.
- (d) Any person desiring a permit for the keeping of honeybees shall make application to Minneapolis Animal Care and Control. Approval of the application is subject to reasonable conditions prescribed by the manager of Minneapolis Animal Care and Control. All permits issued shall expire on January thirty-first of the year following issuance unless sooner revoked. The application fee for such permit shall be one hundred dollars (\$100.00) which shall be paid at the time of application. ~~The annual renewal fee thereafter for such permit shall be fifty dollars (\$50.00).~~ There shall be no fee for annual renewal. Minneapolis Animal Care and Control shall inspect

the premises ~~annually~~ or as deemed necessary. Should the permit be refused, denied or revoked, the fee paid with the application shall be retained by Minneapolis Animal Care and Control.

- (e) Minneapolis Animal Care and Control shall enforce the provisions of this section.
- (f) Definitions. As used in this section:
  - (1) *Apiary* means the assembly of one (1) or more colonies of honeybees at a single location.
  - (2) *Beekeeper* means a person who owns or has charge of one (1) or more colonies of honeybees.
  - (3) *Beekeeping equipment* means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.
  - (4) *Colony* means an aggregate of honeybees consisting principally of workers, but having, when perfect, one (1) queen and at times drones, brood, combs, and honey.
  - (5) *Hive* means the receptacle inhabited by a colony that is manufactured for that purpose.
  - (6) *Honeybee* means all life stages of the common domestic honeybee, *Apis mellifera* species of European origin.
  - (7) *Lot* means a contiguous parcel of land under common ownership.
  - (8) *Nucleus colony* means a small quantity of honeybees with a queen housed in a smaller than usual hive box designed for a particular purpose.
  - (9) *Undeveloped property* means any idle land that is not improved or actually in the process of being improved with residential, commercial, industrial, church, park, school or governmental facilities or other structures or improvements intended for human occupancy and the grounds maintained in associations therewith. The term shall be deemed to include property developed exclusively as a street or highway or property used for commercial agricultural purposes.
- (g) Standards of practice. Any person obtaining a permit pursuant to this comply with the following standards of practice:
  - (1) Honeybee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.

- (2) Each beekeeper shall ensure that a convenient source of water is available to the colony prior to and so long as colonies remain active outside of the hive.
  - (3) Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees are left upon the grounds of the apiary lot. Such materials once removed from the site shall be handled and stored in sealed containers, or placed within a building or other insect-proof container.
  - (4) For each colony permitted to be maintained under this ordinance, there may also be maintained upon the same apiary lot, one (1) nucleus colony in a hive structure not to exceed one (1) standard nine and five-eighths (9 5/8) inch depth ten-frame hive body with no supers.
  - (5) Each beekeeper shall maintain his beekeeping equipment in good condition, including keeping the hives painted, and securing unused equipment from weather, potential theft or vandalism and occupancy by swarms. It shall be a violation of this section for any beekeeper's unused equipment to attract a swarm, even if the beekeeper is not intentionally keeping honeybees.
  - (6) Each beekeeper shall enclose their property and/or the apiary with a latching fence. A fence shall not be required if the hives are approved to be located on a rooftop on a second or higher story so as to be inaccessible to the general public so that bee movements to and from the hive do not interfere with the ordinary movements of persons on adjacent properties or the public right of way.
- (h) Colony density. Any person obtaining a permit pursuant to this section shall comply with the following restrictions on colony density:
- (1) Except as otherwise provided in this ordinance, in each instance where a colony is kept less than twenty-five (25) feet from a property line of the lot upon which the apiary is located, as measured from the nearest point on the hive to the property line, and any entrances to the hive faces that lot line, the beekeeper shall establish and maintain a flyway barrier at least six (6) feet in height. The flyway barrier may consist of a wall, fence, dense vegetation or a combination thereof, such that honeybees will fly over rather than through the material to reach the colony. If a flyway barrier of dense vegetation is used, the initial planting may be four (4) feet in height, so long as the vegetation normally reaches six (6) feet in height or higher. The flyway barrier must continue parallel to the apiary lot line for ten (10) feet in either direction from the hive. All other sides of the area encompassing the colonies shall consist of fencing, a wall, dense vegetation or combination of at least four (4) feet tall. The area encompassing the colonies need not entail the entire property. A flyway barrier is not required if the property adjoining the apiary lot line is undeveloped, or is zoned agricultural or industrial, or is a

wildlife management area or naturalistic park land with no horse or foot trails located within twenty-five (25) feet of the apiary lot line. A flyway barrier is not required if the hives are located on the roof of a structure containing at least one (1) full story if all hives are located at least five (5) feet from the side of the structure and at least fifteen (15) feet from any adjacent and occupied structure.

- (2) No person is permitted to keep more than the following numbers of colonies on any lot within the city, based upon the size or configuration of the apiary lot:
  - a. One-half (1/2) acre or smaller lot: Two (2) colonies;
  - b. Larger than one-half (1/2) acre but smaller than three-quarter (3/4) acre lot: Four (4) colonies;
  - c. Larger than three-quarter (3/4) acre lot but smaller than one (1) acre lot: Six (6) colonies;
  - d. One (1) acre but smaller than Five (5) acres: Eight (8) colonies;
  - e. Larger than Five (5) acres: As determined by the manager of Minneapolis Animal Care and Control.
- (3) Regardless of lot size, so long as all lots within a radius of at least two hundred (200) feet from any hive, measured from any point on the front of the hive, remain undeveloped, the maximum number of colonies may be increased by the manager of Minneapolis Animal Care and Control. No grandfathering rights shall accrue under this subsection.
- (4) If a beekeeper serves the community by removing a swarm or swarms of honeybees from locations where they are not desired, a beekeeper shall not be considered in violation of the portion of this section limiting the number of colonies while temporarily housing the swarm on the apiary lot in compliance with the standards of practice established pursuant to this section if the swarm is so housed for no more than thirty (30) days from the date acquired.

Adopted.

**The PUBLIC SAFETY, CIVIL RIGHTS & HEALTH, TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following report:**

**PSC&H, T&PW & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to apply for a three-year grant from Blue Cross Blue Shield of Minnesota for an amount not to exceed \$450,000, beginning 7/1/2013, to develop more detailed plans for the North Minneapolis Greenway Project.

Adopted.

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

**PSC&H & W&M/Budget** - Your Committee recommends acceptance of the single bid submitted to the Department of Procurement on OP No. 7765 from Uniforms Unlimited for an estimated annual expenditure of \$130,000 to furnish and deliver Conducted Energy Device/Tasers to the Minneapolis Police Department, as per specifications.

Adopted.

**PSC&H & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to accept grant funds from the 2012 Homeland Security Grant Program in the amount of \$27,951 and to execute a contract with Minnesota Homeland Security and Emergency Management for the same amount for the Minneapolis Police Department Bomb Disposal Unit. Further, passage of the accompanying resolution appropriating said funds to the Police Department.

Adopted.

**RESOLUTION 2013R-134  
By Samuels and Hodges**

**Amending the 2013 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 Federal Fund (01300-4002700) by \$27,951 and increasing the revenue source (01300-4002700-321010) by \$27,951.

Adopted.

**PSC&H & W&M/Budget** - Your Committee recommends passage of the accompanying resolution accepting in-kind donations of dog and cat food and supplies from Matthew Allen, Nancy Driver, Cheryl Anderson and Gerry Rosenberg.

Adopted.

Resolution 2013R-135, approving donations of dog and cat food and treats from Matthew Allen, Nancy Driver, Cheryl Anderson and Gerry Rosenberg, was adopted 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 2013R-135  
By Samuels and Hodges**

**Approving donations of dog and cat food and treats.**

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:

Matthew Allen	5 lb bag Royal Canine cat food, 17 lb bag Royal Canine cat food, 3 cases Royal Canine Dog Food, 2 cases Fancy east cat food
Nancy Driver	20 clickers for animal training
Cheryl Anderson	2 boxes dog biscuits
Gerry Rosenberg	Dog supplies (grooming, vitamins, shampoo), 2 bag dog treats, heartgard, toothpaste for dogs

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.

**PSC&H & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to accept grant funds from Youth ALIVE! in the amount of \$1,250 for the Marla Becker Scholarship for training on youth violence prevention. Further, passage of the accompanying resolution appropriating said funds to the Police Department.

Adopted.

**RESOLUTION 2013R-136  
By Samuels and Hodges**

**Amending the 2013 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 Agency in the Grants Other Fund (01600-8600111) by \$1,250 and increasing the revenue source (01600-8600111-372001) by \$1,250.

Adopted.

**PSC&H & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to accept grant funds from the Women's Foundation of Minnesota in the amount of \$47,500 for the expansion for work in the investigation of sex trafficking crimes, and that the proper City officers be authorized to sign the grant award. Further, passage of the accompanying resolution appropriating said funds to the Police Department.

Adopted.

APRIL 12, 2013

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**RESOLUTION 2013R-137  
By Samuels and Hodges**

**Amending the 2013 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 Agency in the Grants Other Fund (01600-4003500) by \$47,500 and increasing the revenue source (01600-4003500-372001) by \$47,500.

Adopted.

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

**RE&E** - Your Committee, to whom was referred an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, adding language for the imposition of reasonable conditions or restrictions upon a rental license pursuant to Section 259.165 and adding clarifying language relating to appeal rights, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends approval of the Standard Operating Procedures on the process for imposing conditions on rental licenses, as set forth in Petn No 276427 on file in the office of the Clerk.

Adopted.

Ordinance 2013-Or-040 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, adding language for the imposition of reasonable conditions or restrictions upon a rental license pursuant to Section 259.165 and adding clarifying language relating to appeal rights, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

**ORDINANCE 2013-Or-040  
By Glidden  
Intro & 1st Reading: 3/30/2012  
Ref to: RE&E  
2nd Reading: 4/12/2013**

**Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.**

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

Section 1. That Section 244.1910 (a) of the above-entitled ordinance be amended to read as follows:

**244.1910. Licensing standards.** (a) The following minimum standards and conditions shall be met in order to hold a rental dwelling license under this article. Failure to comply with any of these standards and conditions shall be adequate grounds for the denial, refusal to renew, revocation, or suspension of a rental dwelling license or provisional license, or for the

imposition of reasonable conditions or restrictions upon such a license pursuant to section 259.165.

Section 2. That Section 244.1960 (a) of the above-entitled ordinance be amended to read as follows:

**244.1960. Appeals procedure.** (a) Any person wishing to appeal a determination of the director recommending denial, nonrenewal, revocation, or suspension of a license or provisional license, or that conditions or restrictions be placed on a license or provisional license, shall file a written notice of appeal with the department of inspections within fifteen (15) days after receipt of the notice of denial, nonrenewal, revocation, ~~or~~ suspension, or determination recommending conditions or restrictions. The notice shall contain a statement of the grounds for the appeal. The notice of appeal shall be accompanied by a fee of three hundred dollars (\$300.00). All appeals shall be heard by an administrative hearing officer pursuant to Title 1, Chapter 2 of this code.

Adopted.

**RE&E** - Your Committee, to whom was referred an ordinance amending Title 13, Chapter 321 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Second Hand Dealers*, allowing temporary markets/flea markets for the sale of arts, crafts, antiques, and/or secondhand goods to be sold at tables, stalls, or booths at a fixed location and licensed by the City of Minneapolis, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted.

Ordinance 2013-Or-041 amending Title 13, Chapter 321 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Second Hand Dealers*, allowing temporary markets/flea markets for the sale of arts, crafts, antiques, and/or secondhand goods to be sold at tables, stalls, or booths at a fixed location and licensed by the City of Minneapolis, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

**ORDINANCE 2013-Or-041**

**By Schiff**

**Intro & 1st Reading: 8/17/2012**

**Ref to: RE&E**

**2nd Reading: 4/12/2013**

**Amending Title 13, Chapter 321 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Secondhand Dealers.**

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

Section 1. That the title of Article III, Chapter 321 of the Minneapolis Code of Ordinances be amended to read as follows:

**ARTICLE III. EXHIBITIONS AND TEMPORARY MARKETS**

Section 2. That Section 321.430 of the above-entitled ordinance be amended to read as follows:

**321.430. Definitions.** As used in this article:

Exhibition or temporary market shall mean a temporary exhibition, ~~convention, sale, flea market, show or exposition of arts, crafts, antiques, or secondhand goods by any person, partnership, corporation or association sold at tables, stalls, or booths at a fixed location.~~ No exhibition shall be held for more than five (5) consecutive calendar days. No more than twelve (12) exhibitions may be held at a single location, other than the Minneapolis Convention Center, in a calendar year.

Exhibition or temporary market operator shall mean any natural person, partnership, corporation or association, either as principal or agent or employee thereof, who organizes, promotes or conducts an temporary exhibition, sale, flea market, show or exhibition for the sale of secondhand goods, arts, crafts or antiques.

Exhibitor or temporary market exhibitor shall mean any natural person, partnership, corporation or association, either as principal or agent or employee thereof, whom offers used or previously owned merchandise, arts and crafts produced by the exhibitor, antiques, or secondhand goods for sale at an exhibition or temporary market.

Section 3. That Section 321.440 of the above-entitled ordinance be amended to read as follows:

**321.440. Permit License required.** (a) No person, partnership, corporation or association shall hold a temporary market or an exhibition without first obtaining a temporary market or an exhibition operator license permit. ~~No person, partnership, corporation or association shall sell, or offer for sale, used, or previously owned merchandise, at an exhibition, without first obtaining a an exhibitor permit. Applications for exhibitor permits will not be accepted prior to receipt of the application from the exhibition operator.~~

~~Exhibition operator permits shall only be valid for the dates and location of a single, specific exhibition, and for a maximum of five (5) consecutive days.~~

~~Exhibitor Temporary market and exhibitor operator~~ licenses shall expire annually on December 31st or the last day of the exhibition if it includes both December 31st and January 1st of consecutive years.

- (b) Exhibitors shall post their permit vendor lease in a conspicuous manner in their display or sales area of the exhibition, and shall maintain such posting for the duration of the exhibition.
- (c) ~~Whenever two (2) or more exhibitors share a common display area at an exhibition, each is required to have a valid exhibitor license.~~
- (~~d~~c) ~~Exhibition Temporary market or exhibition operator and exhibitor~~ permits shall be reviewed and approved, or denied, by the issuing authority director of licenses and consumer services, in accordance with section 259.30 and all other provisions of this Code section 321.530 of this article.

Section 4. That Section 321.450 of the above-entitled ordinance be amended to read as follows:

**321.450. Exceptions.** The following transactions shall not require a permit under this article:

- (a) The sale or receipt of used merchandise donated to recognized non-profit organizations and for which no compensation is paid.
- (b) The sale of secondhand books, magazines or postage stamps.
- (c) Goods sold at the public market and farmer's markets pursuant to the provisions of Chapter 202 of the Minneapolis Code of Ordinances.
- (d) The sale used motor vehicles by licensed dealers.
- (e) The sale of numismatic related articles, including but not limited to, coins, currency, tokens, medals and other such related collectibles if the temporary market exhibition operator is a nationally recognized non-profit numismatic society or association and the temporary market or exhibition is held at the Minneapolis Convention Center.
- (f) An exclusive sale of arts and crafts where a commercial block event permit or Park Board permit has been issued for the event, and no second hand goods are displayed for sale.

Section 5. That Section 321.460 of the above-entitled ordinance be amended to read as follows:

**321.460. ~~Exhibition~~ Temporary market or exhibition operator permit license classification.** (a) Temporary market or exhibition ~~Exhibition operator licenses permits~~ issued under this article shall be classified by the number of exhibitors that participate in the exhibition.

- (1) Class A temporary market or exhibition operator licenses ~~permits~~ shall be required for any temporary market or exhibition with more than seventy-five (75) exhibitors.
- (2) Class B temporary market or exhibition operator licenses ~~permits~~ shall be required for any temporary market or exhibition with fifty (50) to seventy-four (74) exhibitors.
- (3) Class C temporary market or exhibition operator licenses ~~permits~~ shall be required for any temporary market or exhibition with fewer than fifty (50) exhibitors.

Section 6. That Section 321.470 of the above-entitled ordinance be amended to read as follows:

**321.470. License Permit fees.** The fees for licenses ~~permits~~ issued under this article shall be as established in the license fee schedule.

- ~~(a) — *Class A exhibition operator.* For complete and accurate applications received by the department of licenses and consumer services at least thirty (30) days prior to the first day of the exhibition, the permit fee shall be as established in Appendix J, License Fee Schedule.~~
- ~~(1) — If the application is received, or remains incomplete or inaccurate, less than thirty (30) days prior to the first day of the exhibition, a seventy-five dollar (\$75.00) late fee will be assessed.~~
- ~~(b) — *Class B exhibition operator.* For complete and accurate applications received by the department of licenses and consumer services at least thirty (30) days prior to the first day of the exhibition, the permit fee shall be as established in Appendix J, License Fee Schedule.~~
- ~~(1) — If the application is received, or remains incomplete or inaccurate, less than thirty (30) days prior to the first day of the exhibition, a fifty dollar (\$50.00) late fee will be assessed.~~
- ~~(c) — *Class C exhibition operator.* For complete and accurate applications received by the department of licenses and consumer services at least thirty (30) days prior to the first day of the exhibition, the permit fee shall be as established in Appendix J, License Fee Schedule.~~
- ~~(1) — If the application is received, or remains incomplete or inaccurate, less than thirty (30) days prior to the first day of the exhibition, a twenty-five dollar (\$25.00) late fee will be assessed.~~
- ~~(d) — If the total number of exhibitors at an exhibition exceeds the number allowed under the exhibition operator's permit, a new permit for the correct classification will be issued and any additional fees will be due and payable prior to the opening of the exhibition.~~
- ~~(e) — *Exhibitor.* For complete and accurate applications received by the department of licenses and consumer services at least seven (7) business days prior to the first day of the first exhibition the exhibitor participates in on or after January 1st each year, the permit fee shall be as established in Appendix J, License Fee Schedule. If the applicant is currently licensed under Chapter 321 Article I, II or III, Chapter 322 or Chapter 324, no permit fee shall be required.~~
- ~~(1) — If the application is received, or remains incomplete or inaccurate, less than seven (7) business days prior to the first day of the first exhibition the exhibitor participates in, on or after January 1st each year, a fifteen dollar (\$15.00) late fee will be assessed.~~
- ~~(2) — Section 321.470 (e)(1) notwithstanding, all applications must be submitted, completely and accurately, to the department of licenses and consumer services, prior to 3:00 p.m. of the second business day prior to opening of the first exhibition the exhibitor participates in, on or after January 1st each year.~~

Section 7. That Section 321.480 of the above-entitled ordinance be amended to read as follows:

**321.480. Application required.** (a) *Contents.* Every applicant for a ~~permit or~~ license defined in this article must submit a complete and accurate application on forms provided by the department of licenses and consumer services. All applicants, in addition to a general personal and penal history, shall be required to submit adequate information to enable a fair determination of their eligibility to hold the permit for which they are applying, including:

- (1) For temporary market or exhibition operator license ~~permit~~ applicants, the location, dates and times of the proposed temporary market exhibition.
- (2) Whether the applicant holds a current secondhand dealer, precious metal dealer, antique dealer or pawnbroker license from this or any other governmental unit.
- (3) Whether the applicant has previously been denied, or had revoked or suspended, a secondhand dealer, precious metal dealer, antique dealer, pawnbroker license, temporary market or exhibition license or permit from this or any other governmental unit.
- (4) The location at which the applicant's business records are maintained.
- (5) An executed data privacy advisory and consent form authorizing the release of criminal history information.
- ~~(6) Applicants for or exhibition operator permits must include a complete list of all exhibitors known to them at the time that they make application, including their business name, complete address, phone number and whether they are currently licensed as an exhibitor.
  - a. ~~If or exhibition operator is granted, fifteen (15) days prior to the first day of the exhibition, the operator must submit an updated list to the department of licenses and consumer services of all changes, corrections and additions to the list of known exhibitors submitted with their initial application.~~
  - b. ~~Exhibition operators must provide a final and complete list of all exhibitors by 3:00 p.m. of the last business day prior to the opening date of the or exhibition.~~~~
- (6) Provide a scaled and dimensioned site plan of the property indicating the entire market layout including onsite placement of booths, tables, loading and unloading zones, trash receptacles, sanitary toilets, parking areas for vendors and market attendees (on or off-site), signage including location, type, dimension, and other relevant information.
- (7) Such other application information as the city council or issuing authority may require.

- (b) *Application execution.* All applications for a license permit under this ordinance must be signed ~~and sworn to under oath or affirmation~~ by the applicant. If the application is that of a natural person, it must be signed ~~and sworn to~~ by such person; if that of a corporation, by an officer thereof; if that of a partnership, by one (1) of the general partners; and if that of an unincorporated association, by the manager or managing officer thereof.
- (c) *Investigation.* The police license inspector shall investigate into the truthfulness of the statements set forth in the application and shall endorse the findings thereon. The applicant must furnish to the police license inspector such evidence as the inspector may reasonably require in support of the statements set forth in the application, or in answer to any questions raised by the investigation.

Section 8. That Section 321.490 of the above-entitled ordinance be amended to read as follows:

**321.490. Bond required.** ~~(a) Exhibition operator. Before a permit will be issued for an exhibition operator, every applicant must submit a ten thousand dollar (\$10,000.00) exhibition operator bond on forms provided by the department of license and consumer services. All exhibition operator bonds must be conditioned that the operator, and all exhibitors permitted to conduct business at the or exhibition, will observe all laws in relation to exhibition operators and exhibitors, will conduct business in conformity thereto, and that the operator will account for and deliver to any person legally entitled, any goods which have come into the hands of the operator, or the hands of any of its exhibitors, through their business as an exhibition operators or exhibitors, or in lieu thereof, will pay the reasonable value in money to the person. The bond shall contain a provision that no bond may be canceled except upon thirty (30) days written notice to the city, which shall be served upon the department of licenses and consumer services.~~

- ~~(b) Exhibitor. Before a permit will be issued for an exhibitor, the department of licenses and consumer services must have in its possession a valid exhibition operator bond issued to the exhibition operator permitted at the location for which the applicant is applying.~~ **Insurance required.** No exhibition operator license authorized by this article shall be effective until the applicant therefor has filed with the issuing authority evidence of insurance insuring the applicant against liability imposed by law arising out of the ownership, maintenance or operation of such exhibition and temporary market in amounts of at least fifty thousand dollars (\$50,000.00) for the injury or death of one person, three hundred thousand dollars (\$300,000.00) for the injury or death of two (2) or more persons, and twenty five thousand dollars (\$25,000.00) for damage to property. The city shall be named as an additional named insured in the policy providing such insurance, and such policy shall further provide that it may not be canceled except upon ten (10) days written notice filed with the issuing authority. No license issued pursuant to the provisions of this article shall be valid at any time the insurance required herein is not maintained and evidence of its continuance filed with the issuing authority.

Section 9. That Chapter 321 of the above-entitled ordinance be amended by adding thereto a new Section 321.495 to read as follows:

**321.495. Requirements.** The temporary market exhibition operator shall:

- (1) Comply with the physical site plan submitted with the license application as approved by the City of Minneapolis.
- (2) Meet all requirements concerning the placement of temporary structures, and comply with all building, electrical, mechanical and fire code laws and ordinances.
- (3) Operate on an improved surface free of dust, mud, standing water and is capable of supporting a wheel load of 4000 lbs.
- (4) Provide adequate and sufficient solid waste and recycling receptacles at all points of egress, and additionally as needed, and shall further provide portable sanitary toilets in a number and type as determined by the Minneapolis Environmental Health Division in accordance with the Portable Sanitation Association guidelines.
- (5) Limit food vendors and agricultural products to less than 25% of all vendors, up to a maximum of ten (10) food vendors, at the temporary market or exhibition.
- (6) The use shall comply with all applicable requirements of Title 20, Zoning Code, of the Minneapolis Code of Ordinances.
- (7) Obtain an amplified sound permit if noise above ambient sound levels are anticipated.
- (8) Refrain from operating beyond the maximum hours of operation of 6 a.m. to 10:00 p.m. unless an extended hours license has been obtained.
- (9) Maintain a lease with all temporary market or exhibition vendors outlining all regulations under this chapter. Leases shall be maintained for a period of one (1) year and made available upon request to the director of licenses and consumer services, the chief of police, or their designee.
- (10) Maintain a minimum of ten (10) temporary market exhibitors under lease to qualify for a license.
- (11) Remove trash, litter and debris from the event site within four (4) hours of close of the event.
- (12) Equipment storage. Equipment used at an exhibition or temporary market including tables, tents, signs, merchandise, solid waste containers, or other non-permanent fixtures may only be stored in an enclosed building when sales are not occurring.

Section 10. That Section 321.500 of the above-entitled ordinance be and is hereby repealed.

**321.500. Records required.** ~~Every exhibitor at an exhibition shall maintain a permanent record of the following information for all goods exhibited:~~

- ~~(a) — An accurate description of the item; including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying mark on such item.~~
- ~~(b) — Purchase price.~~
- ~~(c) — Date, time and place of receipt.~~
- ~~(d) — Name and residence address of the person from whom the item was received.~~

~~The records required under this section shall be made available for inspection upon request by the police department or the department of licenses and consumer services. Entries shall be maintained for at least three (3) years.~~

Section 11. That Section 321.510 of the above-entitled ordinance be amended to read as follows:

**321.510. Prohibited acts.** No temporary market exhibition operator shall:

- (1) Allow an exhibitor ~~No exhibitor may to~~ purchase or otherwise receive any ~~secondhand goods or items~~ at a temporary market or an exhibition ~~except from another licensed exhibitor at the exhibition.~~
- (2) Sell guns, ammunition, explosive materials, dangerous, hazardous, flammable substances, alcohol, illegal drugs, drug paraphernalia, stolen property or trademark infringements or counterfeit logos or labels on apparel or electronic equipment with a unique identifier, such as, but not limited to cellphones, audio visual equipment, vehicle stereos, home stereo systems, computer and computer related electronic equipment.
- (3) Create amplified sounds, or loud or boisterous noises in violation of any applicable requirement.
- (4) Allow structures, mechanical, electricity or water to be placed without the approval of the City of Minneapolis.
- (5) Commit criminal acts on the temporary market exhibition property.
- (6) Set up on public property without the permission of the City of Minneapolis.
- (7) Allow an exhibitor to obtain a lease or participate in a sale after the issuing authority has provided evidence establishing a violation of any portion of this article within the past twenty-four (24) months.
- (8) Offer or allow an exhibitor to offer new merchandise for sale unless the items are handcrafted by the exhibitor.

Section 12. That Section 321.520 of the above-entitled ordinance be amended to read as follows:

**321.520. Police order to hold property.** Whenever the chief of police or the chief's designee notifies a temporary market or an exhibition operator or exhibitor not to sell an item, the item shall not be sold or removed from the temporary market or exhibition. The chief of

police or the chief's designee shall confiscate or release the item prior to the close of the temporary market or exhibition.

Section 13. That Section 321.530 of the above-entitled ordinance be and is hereby repealed.

~~**321.530. Denial, suspension or revocation.** Any permit under this article may be denied, suspended or revoked for one (1) or more of the following reasons:~~

- ~~(a) The proposed use does not comply with the Minneapolis Zoning Code.~~
- ~~(b) The proposed use does not comply with any health, building, building maintenance or other provisions of this Code of Ordinances or state law.~~
- ~~(c) The applicant, exhibition operator or exhibitor has failed to comply with one (1) or more provisions of this article.~~
- ~~(d) The applicant is not a citizen of the United States or a resident alien, or upon whom it is impractical or impossible to conduct a background or financial investigation due to the unavailability of information.~~
- ~~(e) Fraud, misrepresentation, or bribery in securing or renewing a license.~~
- ~~(f) Fraud, misrepresentation or false statements made in the application and investigation for, or in the course of, the applicant's business.~~
- ~~(g) Business practices, or conduct, deemed by the issuing authority to be contrary to the best interests, or safety, of the public.~~
- ~~(h) Violation within the preceding five (5) years, of any law relating to theft, damage or trespass to property, sale of a controlled substance, or operation of a business.~~
- ~~(i) The owner of the premises where the exhibition is planned would not qualify for a license under the terms of this article.~~

Adopted.

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

- a) Le Meridien Chambers Minneapolis, 901 Hennepin Ave;
- b) T's Place, 2713 E Lake St;
- c) The Kenwood, 2115 21st St W; and
- d) Broders Terzo, 2221 W 50th St.

Adopted.

Approved by Mayor Rybak 4/12/2013.

(Published 4/16/2013)

Resolution 2013R-138, granting Liquor, Wine, and Beer Licenses, was adopted 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 2013R-138  
By Glidden**

**Granting Liquor, Wine and Beer 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:

**On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2014**

RWB Development Company LLC, dba Le Meridien Chambers Minneapolis, 901 Hennepin Ave (New Proprietor, to include 2:00 a.m. License issued by the State of Minnesota)

**On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2014**

Tees Ethioasian Cuisine LLC, dba T's Place, 2713 E Lake St (Upgrade from Class C-2)

**On-Sale Wine Class E with Strong Beer, to expire April 1, 2014**

Kenwood Place LLC, dba The Kenwood, 2115 21st St W (Permanent Expansion of Premises/Sidewalk Cafe)

Molly's Incorporated, dba Broders Terzo, 2221 W 50th St (New Owner).

Adopted.

Approved by Mayor Rybak 4/12/2013.

**RE&E** - Your Committee recommends passage of the accompanying resolution granting a Rental Hall License to The Soap Factory, 514 2nd St SE.

Adopted.

Resolution 2013R-139, granting a Rental Hall License to The Soap Factory, 514 2nd St SE, was adopted 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 2013R-139  
By Glidden**

**Granting a Rental Hall License.**

Resolved by The City Council of The City of Minneapolis:

That the following Rental Hall License application be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

**Rental Hall License, to expire February 1, 2014**

The Soap Factory, dba The Soap Factory, 514 2nd St SE.

Adopted.

**RE&E** - Your Committee recommends passage of the accompanying resolution approving amended Business License Operating Conditions relating to the On-Sale Liquor Class E with Sunday Sales License held by Amore Victoria, 1601 W Lake St, increasing the rooftop dining area from 88 to 108 patrons, including eight seats for customer waiting.

Adopted.

Resolution 2013R-140, approving amended Business License Operating Conditions relating to the On-Sale Liquor Class E with Sunday Sales License held by Amore Victoria, 1601 W Lake St, was adopted 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 2013R-140**

**By Glidden**

**Approving amended Business License Operating Conditions relating to the On-Sale Liquor Class E with Sunday Sales License held by Amore Victoria, 1601 W Lake St.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the On-Sale Liquor Class E with Sunday Sales License held by Victoria Enterprises, dba Amore Victoria, 1601 W Lake St:

1. Amore Victoria's hours of operation for the outdoor rooftop dining area will be 11:00 a.m. to 10:30 p.m. Monday thru Thursday. Patrons must leave the rooftop dining area by 11:00 p.m. Hours of operation for the rooftop dining area on Friday's will be 11:00 a.m. to 11:00 p.m. Patrons must leave the rooftop dining area by 11:30 p.m. On Saturday and Sunday the rooftop dining area may be open at 9:30 a.m. Food and beverage service must stop by 11:00 p.m. on Saturday and all patrons must leave the rooftop area by 11:30 p.m. On Sunday food and beverage service must stop by 10:30 p.m. and patrons must leave the rooftop dining area by 11:00 p.m.
2. The rooftop dining area cannot have any radio, TV, stereo, CD player or any other type of amplified device or live entertainment.
3. The rooftop area will have maximum premise occupancy of 108 patrons as per the business plan, including 8 seats for a waiting area.
4. There will be no smoking permitted on the rooftop dining area.
5. There will be no obtrusive lighting on the rooftop dining area.
6. Amore Victoria will post signage in a conspicuous location to inform patrons to be quiet and respectful due to the location in proximity to the residential area as they are leaving and going to their vehicles.

7. There will be screening constructed on the south side of the rooftop dining area which will conform to City of Minneapolis and State of Minnesota building codes and must be a minimum of six feet in height.

Adopted.

**RE&E** - Your Committee recommends passage of the accompanying resolution granting the application of CC Club, 2600 Lyndale Ave S, for an On-Sale Liquor Class E with Sunday Sales License with a private outdoor deck, subject to conditions.

Adopted.

Resolution 2013R-141, granting the application of CC Club, 2600 Lyndale Ave S, for an On-Sale Liquor Class E with Sunday Sales License, subject to conditions, was adopted 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 2013R-141  
By Glidden**

**Granting the application of CC Club, 2600 Lyndale Ave S, for an On-Sale Liquor Class E with Sunday Sales License, subject to conditions.**

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by SALEA, dba CC Club, 2600 Lyndale Ave S, for an On-Sale Liquor Class E with Sunday Sales License, to expire April 1, 2014, subject to the following conditions:

1. The canopy tree installed by the former owner of the CC Club must be maintained to provide a buffer from the outdoor deck for noise.
2. All lighting previously installed for the outdoor deck must be hooded and project downward, thereby reducing glare and minimizing disturbance to adjacent uses.
3. No outdoor music shall be played in or projected into the outdoor area.
4. All exiting and entering from the outdoor deck, with the exception of handicapped individuals and in emergency situations, must be through the entrance on 26th St W, and signs will be posted near both the handicap entrance on the deck and at 26th St W.
5. The licensee will ensure that all trash and recycling pickups must occur after 7:00 a.m.
6. The outdoor deck will close no later than 11:00 p.m. Sunday through Thursday, and midnight on Friday and Saturday.
7. Seating for all new customers to the outdoor deck will cease no later than 10:30 p.m. Sunday through Thursday and 11:30 p.m. Friday and Saturday.

8. After the hour of closing, no more than 20 persons will be allowed to occupy the outdoor deck area for purposes of smoking. The licensee will be responsible for posting one employee at or on the deck area during the time that smoking is allowed after regular operating hours of the deck area and for ensuring that patrons do not create disturbances for the surrounding area and are not seated while smoking. All smoking on the outdoor deck area must cease no later than 1:30 a.m. daily.

Adopted.

**RE&E** - Your Committee, having under consideration the application of Deron LLC, dba Toppers Pizza, 5447 Nicollet Ave, for an Extended Hours License to operate until 3:00 a.m. daily, and having held a public hearing thereon, now recommends passage of the accompanying resolution granting an Extended Hours License, subject to conditions.

Adopted.

Resolution 2013R-142, granting the application of Toppers Pizza, 5447 Nicollet Ave S, for an Extended Hours License, subject to amended conditions, was adopted 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 2013R-142**  
**By Glidden**

**Granting the application of Toppers Pizza, 5447 Nicollet Ave S, for an Extended Hours License, subject to amended conditions.**

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Deron LLC, dba Toppers Pizza, 5447 Nicollet Ave, for an Extended Hours License (Lobby Hours) to operate until 3:00 a.m. daily to expire May 1, 2014, subject to the following amended conditions:

1. Management at Toppers Pizza at 5447 Nicollet Ave shall monitor that delivery drivers follow a written policy designed for this location. This policy shall be signed by each driver and shall include the following:

- a) Drivers will refrain from playing their vehicles' stereos at excessive volumes while on-duty. Excessive volume shall be defined as sound that carries outside the vehicle.
- b) Drivers must obey traffic laws. The store manager will perform periodic checks of drivers' records in order to confirm this. Disciplinary action shall be established by Toppers Pizza for any driver cited for a traffic law violation while working for Toppers Pizza.
- c) Drivers shall conduct themselves in a respectful and quiet manner while on-duty near residences.
- d) Drivers will not use the door adjacent to the alley after 9:00 p.m. daily.

- e) Drivers will park in the parking lot adjacent to Nicollet Ave after 9:00 p.m. daily.
- f) Drivers will not drive down the alley behind 5447 Nicollet Ave.
- g) When returning to the store, drivers will not park adjacent to single family residential properties. Minneapolis ordinance prohibits commercial vehicles from parking on residential streets. Citations may be issued by the Business License Department for violation of this ordinance.

2. Toppers Pizza shall remove litter from their premises and within 100 feet of their premises twice daily (once before 6 p.m. and once after 6 p.m.). A log of the date and time of the litter removal shall be kept at the store. This log shall be made available to Regulatory agents upon request.

3. Smoking cigarettes is not allowed at the alley or door adjacent.

4. Toppers Pizza shall make the store manager's phone number available to nearby residents to address concerns. The manager shall respectfully and promptly address the concerns.

5. Toppers Pizza at 5447 Nicollet Ave shall not allow delivery trucks to block any residential driveway.

Adopted.

**RE&E** - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Motor Vehicle Repair Garage License held by DJ Foreign Auto Care, 2626 University Ave NE.

Adopted.

Resolution 2013R-143, approving Business License Operating Conditions relating to the Motor Vehicle Repair Garage License held by DJ Foreign Auto Care, 2626 University Ave NE, was adopted 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 2013R-143**  
**By Glidden**

**Approving Business License Operating Conditions relating to the Motor Vehicle Repair Garage License held by DJ Foreign Auto Care, 2626 University Ave NE.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Condition relating to the Motor Vehicle Repair Garage License held by DJ Foreign Auto Care LLC, dba DJ Foreign Auto Care, 2626 University Ave NE:

1. The business may not perform repairs that include bodywork or painting of motor vehicles.

Adopted.

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

Adopted.

Resolution 2013R-144, granting applications for Liquor, Wine and Beer Licenses, was adopted 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 2013R-144**  
**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 276425):

**Off-Sale Liquor, to expire April 1, 2014**

Washington Avenue Liquors LLC, dba North Loop Wine and Spirits, 218 Washington Ave N

R H M Inc, dba Gopher Liquor Store, 335 Monroe St NE

Cedar Riverside Liquor Store Inc, dba Cedar Riverside Liquor Store, 619 Cedar Ave S

John Wolf Enterprises Inc, dba Chicago Lake Liquor Store, 825 E Lake St

Old Arizona Studios Inc, dba Old Arizona Studios, 2821 Nicollet Ave

**Off-Sale Malt Liquor, to expire April 1, 2014**

Town Hall Brewery LTD PTN, dba Minneapolis Town Hall Brewery, 1430 Washington Ave S

Boom Island Brewing Co LLC, dba Boom Island Brewing Co, 2207 2nd St N

**On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2014**

Davenport Inc, dba 400 Sound Bar, 400 3rd Ave N

Yendor Corp, dba Augies Cabaret, 424 Hennepin Ave

Kelber Catering Inc, dba Kelber Catering Inc, 1301 2nd Ave

Trimark Hotel Corporation, dba Millenium Hotel, 1313 Nicollet Mall

Scalzo Hospitality Inc, dba Ramada Plaza Minneapolis, 1330 Industrial Blvd

Minneapolis Society of Fine Arts, dba Artscafe, 2400 3rd Ave S

**On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2014**

D'Amico Catering LLC, dba D'Amico Catering at the Atrium, 275 Market St

Russel-Harris Enterprises Inc, dba Annies Kitty Kat Klub, 313 14th Ave SE

Twin Cities Entertainment Inc, dba Aqua Nightclub, 400 1st Ave N

Crowne Plaza Northstar, dba Crowne Plaza Northstar, 618 2nd Ave S

Damico Catering LLC, dba Damico Catering at the Walker, 1750 Hennepin Ave

**On-Sale Liquor Class C-1 with Sunday Sales, to expire April 1, 2014**

Fransen Inc, dba Glueks Restaurant, 16 N 6th St  
Smith Entertainment Inc, dba Nomad World Pub, 501 Cedar Ave S  
It's Greek To Me Inc, dba It's Greek To Me, 626 W Lake St  
Rudolph's Bar B Que Inc, dba Rudolphs Bar B-Que, 1933 Lyndale Ave S

**On-Sale Liquor Class C-2 with Sunday Sales, to expire April 1, 2014**

Monte Carlo Restaurant Inc, dba Monte Carlo, 219 3rd Ave N  
Town Hall Brewery Limited Ptnsp, dba Minneapolis Town Hall Brewery, 1430  
Washington Ave S  
El Paraiso Restaurant Inc, dba El Paraiso Restaurant, 3501 Nicollet Ave

**On-Sale Liquor Class D with Sunday Sales, to expire April 1, 2014**

Black Forest Inn Inc, dba Black Forest Inn, 1 26th St E

**On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2014**

Jetset Inc, dba Jetset Bar, 115 N 1st St  
Dan Kelly's Corporation, dba Dan Kelly's Bar & Grill, 212 7th St S  
Bev's Inc, dba Bev's Wine Bar, 250 3rd Ave N  
Sawatdee Inc, dba Sawatdee Restaurant, 607 Washington Ave S  
ZHC Inc, dba Wasabi Fusion Cuisine, 903 Washington Ave S  
Somsap Enterprises, dba Tum Rup Thai, 1221 W Lake St  
DCJ LLC, dba The Sample Room, 2124 Marshall St NE  
NE Palace Inc, dba NE Palace, 2500 4th St NE  
State Street Hospitality LLC, dba Birdhouse on Hennepin, 2516 Hennepin Ave  
HJH Inc, dba Roat Osha, 2650 Hennepin Ave  
Win-Vee Inc, dba Country Bar & Grill, 3006 Lyndale Ave S

**On-Sale Liquor Class E, to expire April 1, 2014**

Mona Lisa Hospitality LLC, dba Mona Restaurant & Bar, 333 7th St S  
Sapor Inc, dba Sapor, 428 Washington Ave N

**Liquor Catering Services, to expire August 1, 2013**

RWB Development Company LLC, dba Le Meridien Chambers Minneapolis, 901  
Hennepin Ave (New Proprietor)  
Salea LLC, dba CC Club, 2600 Lyndale Ave (New Proprietor)

**On-Sale Wine Class A with Strong Beer, to expire April 1, 2014**

Cedar Cultural Center Inc, dba Cedar Cultural Center, 416 Cedar Ave S  
Anderson Restaurant Corporation, dba Dulono's Pizza, 607 W Lake St  
Lab Productions LLC, dba Lab Theater, 700 1st St N  
Old Arizona Studio Inc, dba Old Arizona, 2821 Nicollet Ave  
Tag Line Productions Inc, dba Comedy Sportz, 3001 Hennepin Ave  
Huge Improv Theater, dba Huge Improv Theater, 3037 Lyndale Ave S

**On-Sale Wine Class C-1 with Strong Beer, to expire April 1, 2014**

Brasa Rotisserie, LLC, dba Brasa Rotisserie, 600 Hennepin Ave E

**On-Sale Wine Class C-2 with Strong Beer, to expire April 1, 2014**

Inversiones Pinguil LLC, dba Chimborazo Restaurant, 2851 Central Ave NE  
EM Company Services Inc, dba Driftwood, 4415 Nicollet Ave

**On-Sale Wine Class D with Strong Beer, to expire April 1, 2014**

Nunez Investments Inc, dba Mi Sinaloa Restaurant, 805 38th St E  
Chatterbox Enterprises Inc, dba Chatterbox Pub, 2229 35th St E  
McLain Inc, dba Tosca/Turtle Bread, 3421 44th St W  
El Norteno Market & Deli Inc, dba El Norteno Market & Deli, 4000 E Lake St  
Chatterbox Enterprises Inc, dba Chatterbox Pub, 4501 France Ave S  
Henpecked LLC, dba Kings, 4555 Grand Ave S  
S&D Partners LLC, dba Tangletowns Wise Acre Eatery, 5401 Nicollet Ave

**On-Sale Wine Class E with Strong Beer, to expire April 1, 2014**

Boughatsa Inc, dba Gardens of Salonica New Greek Cafe & Deli, 19 5th St NE  
Learn 2 Eat Inc, dba Signature Cafe, 130 Warwick St SE  
Pizza Nea Inc, dba Pizza Nea, 300 Hennepin Ave E  
Naughty Dog Enterprises Inc, dba Cuppa Java, 400 Penn Ave S  
Alma Tierra Inc, dba Alma, 528 University Ave SE  
The Gray House LLP, dba Gray House, 610 W Lake St  
Kindee Inc, dba Kindee, 719 2nd St S  
Be'Wiched Deli Inc, dba Be'Wiched Deli, 800 Washington Ave N  
Yellow Lantern, dba Tony's Diner, 1327 4th St SE  
Kenwood Place LLC, dba The Kenwood, 2115 21st St W  
TAO Enterprises Inc, dba TAO Natural Foods, 2200 Dupont Ave S  
D'Amico & Sons LLC, dba D'Amico & Sons, 2210 Hennepin Ave  
Himalayan Restaurant LLC, dba Himalayan Restaurant, 2401 Franklin Ave E  
Sen Yai Sen Lek LLC, dba Sen Yai Sen Lek, 2424 Central Ave NE  
Krungthep Thai Cuisine Inc, dba Krungthep Thai Cuisine, 2521 Nicollet Ave  
True Thai Restaurant Ltd, dba True Thai Restaurant, 2627 Franklin Ave E  
Floating World Cafe LLC, dba Floating World Cafe, 2629 E Lake St  
Lili-Nick Inc, dba Tooties on Lowry, 2706 Lowry Ave N  
Quang Oriental Pastry & Deli Inc, dba Quang Restaurant, 2719 Nicollet Ave  
Tilia LLC, dba Tilia, 2726 43rd St W  
KB Restaurant Inc, dba Naviya's Thai Brasserie, 2812 43rd St W  
SNP Enterprises LLC, dba Tin Fish, 3006 E Lake Calhoun Pkwy  
Lucy's Ethiopian Restaurant LLC, dba Lucys Restaurant, 3025 Franklin Ave E  
Familia Dominguez Inc, dba Dominguez Family Restaurant, 3313 50th St E  
Sacre Bleu Enterprises LLC, dba Blue Door - Longfellow, 3448 42nd Ave S  
Double Black Diamond Inc, dba Red Cow, 3624 50th St W  
Twist Davis LLC, dba Corner Table, 4257 Nicollet Ave  
Old School BBQ Inc, dba Famous Daves, 4264 Upton Ave S  
Grace Lane Inc, dba Carbones Pizza on the Parkway, 4724 Cedar Ave S  
Turtle Bread Company, dba Restaurant Levain-Pizza Biga, 4762 Chicago Ave  
Serve It Forth LLC, dba Lynn on Bryant, 5003 Bryant Ave S  
3 Tiers Inc, dba 3 Tiers, 5011 34th Ave S  
Food Forward Inc, dba Cave Vin, 5555 Xerxes Ave S  
Papago Inc, dba Fat Lorenzo's, 5600 Cedar Ave S

**On-Sale Wine Class E, to expire April 1, 2014**

MDCA, dba Ecopolitan, 2409 Lyndale Ave S  
Patrick's French Bakery Inc, dba Patrick's Bakery & Cafe, 6010 Lyndale Ave S

**Off-Sale Beer, to expire April 1, 2014**

961 Group Inc, dba Winner on 46, 400 46th St E  
Las Petacas Market LLC, dba Las Petacas Market, 419 E Lake St  
Dawood Lalji Inc, dba Centre Village Shop, 700 5th Ave S  
Aldi Inc, dba Aldi Foods #67, 1311 Franklin Ave E  
Banat Inc, dba Bobby's Corner Market, 1523 Como Ave SE  
Cedar Petroleum Inc, dba Stop-N-Shop, 1700 E Lake St  
Aldi Inc, dba Aldi Foods #72, 2100 E Lake St  
Twin Cities Gas Inc, dba Riverside Winner, 2517 Riverside Ave  
3N Investments Inc, dba Dokken's Superette, 2809 42nd St E  
Easy Way Food Inc, dba Easy Way Food, 2820 Johnson St NE  
Jerry's Enterprises Inc, dba Cub Foods-Lake Street, 2850 26th Ave S  
A To Z Gas Stop Inc, dba Stop-N-Shop #1, 3050 1st Ave S  
Aldi Foods, dba Aldi Foods #68, 3120 Penn Ave N  
Northern Tier Retail LLC (Superamerica), dba Superamerica #4173, 3357 University Ave SE  
Kwik Mart Inc, dba Kwik Mark Inc, 3652 Cedar Ave S  
Reidy Company, dba Reidy's Country Boy, 3904 42nd Ave S  
Camden Grocery & Tobacco LLC, dba Camden Grocery & Tobacco, 4151 Fremont Ave N  
Paul's Bobby & Steve's Auto World LLC, dba Paul's Bobby & Steve's Auto World, 5801 Nicollet Ave

**On-Sale Beer Class E, to expire April 1, 2014**

Village Wok Restaurant Inc, dba Village Wok Restaurant, 610 Washington Ave SE  
Minh Le Corp, dba Bona Restaurant, 815 Washington Ave S  
Lemanczik Enterprises Inc, dba T-Shoppe Bar, 4151 Fremont Ave N  
Minneapolis Park and Recreation Board, dba Hiawatha Golf Course, 4553 Longfellow Ave  
Jon-Fred Co Inc, dba Sunrise Inn, 4563 34th Ave

**On-Sale Beer Bottle Club**

Vincent L Giantvalley Post #234, dba American Legion, 3751 Minnehaha

**Temporary On-Sale Liquor**

Hale-Field School Foundation, dba Hale Field School Foundation, 4645 4th Ave S (Fundraiser March 9, 2013)  
Kingfield Farmers Market, dba Kingfield Farmers Market, 3754 Pleasant Ave (Bachman's, 6010 Lyndale Ave, March 23, 2013).  
Adopted.

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

Resolution 2013R-145, granting applications for business licenses, was adopted 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 2013R-145**  
**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 April 12, 2013 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 276425):

Bowling Alley; Bowling, Pool & Billiard All Night Special; Dance Hall; Laundry; Place of Entertainment; Extended Hours; Fire Extinguisher Servicing - Class A; Flower Cart Vendor; Food All Night Special; Food Caterers; Food Confectionery; Food Distributor; Food Market Distributor; Farm - Produce Permits; Food Grocery; Ice Producer - Dealer/Wholesale; Indoor Food Cart; Institutional Food Service; Mobile Food Vehicle Vendor; Food Manufacturer; Food Market Manufacturer; Food Mobile Vendor; Food Drive-In Restricted; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short-Term Food Permit; Sidewalk Cafe; Sidewalk Cart Food Vendor; Gasoline Filling Station; Heating, Air Conditioning & Ventilating Class A; Horse and Carriage; Motor Vehicle Repair Garage; Towing Class B; Municipal Market; Parking Lot Commercial Class A; Plumber; Pool Table; Public Market; Rental Halls; Residential Specialty Contractor; Second Hand Goods B; Sign Hanger; Solid Waste Hauler; Swimming Pool - Public; Tattooist/Body Piercer Establishment; Taxicab Vehicle - Fuel Efficient; Taxicab Vehicle - Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Theater Zone 1; Combined Trades; Tree Servicing; Valet Parking; Wrecker of Buildings Class A; Tobacco Dealer.

Adopted.

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

Adopted.

Resolution 2013R-146, granting applications for Gambling Licenses, was adopted 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 2013R-146**  
**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 276425):

**Gambling Exempt**

Twins Community Fund, dba Twins Community Fund, 1 Twins Way (Raffle April 13, 2013, Target Field)

S.E. Region Chapter of Delta Waterfowl Foundation, dba S.E. Region Chapter of Delta Waterfowl Foundation, 1238 Larkspur Ln, Waconia (Raffle April 25, 2013, Hilton Minneapolis)

Twin Cities Gay Men's Chorus, dba Twin Cities Gay Men's Chorus, 528 Hennepin Ave (Bingo/Raffle April 27, 2013, Hyatt Regency Hotel)

Twins Community Fund, dba Twins Community Fund, 1 Twins Way (Raffle April 27, 2013, Target Field)

Domestic Abuse Project, dba Domestic Abuse Project, 204 W Franklin Ave (Raffle May 4, 2013, Famous Daves, Linden Hills)

Edit, dba Edit, 2608 Blaisdell Ave S (Raffle May 4, 2013, Rare Steak and Sushi)

Lake Nokomis Lutheran Church, dba Lake Nokomis Lutheran Church, 5011 31st Ave S (Raffle May 4, 2013)

East Side Neighborhood Services, dba East Side Neighborhood Services, 1700 2nd St NE (Raffle May 9, 2013, Nicollet Island Pavillion)

Open Arms of Minnesota, dba Open Arms of Minnesota, 2500 Bloomington Ave S (Raffle May 16, 2013, Aria@Juene Lune)

The Church of the Ascension, dba The Church of the Ascension, 1723 Bryant Ave N (Raffle May 17, 2013)

The Leukemia & Lymphoma Society, dba The Leukemia & Lymphoma Society, 1711 Broadway St NE (Raffle May 17, 2013, Graves 601 Hotel)

Whittier PTA, dba Whittier PTA, 4429 18th Ave S (Raffle May 17, 2013, Whittier International Elementary School)

City Heat Charities, dba City Heat Charities, 9336 Homestead Cir, Monticello (Raffle May 19, 2013, 1029 Bar)

Church of St. Hedwig, dba Church of St. Hedwig, 129 29th Ave NE (Bingo/Raffle/Paddlewheel/Pull-Tabs/Tipboards June 2, 2013)

Jewish Family Children's Service, dba Jewish Family Children's Service, 13100 Wayzata Blvd, Minnetonka (Raffle, December 7, 2013, Hilton Minneapolis).

Adopted.

**RE&E** - Your Committee, having under consideration the Rental Dwelling License held by One Zero LLC - Arriel McDonald for the property located at 1918 Golden Valley Rd, and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends approval of the recommendation of the Interim Director of Regulatory Services that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 of the Minneapolis Code of Ordinances, as more fully set forth in the Findings of Fact on file in the office of the City Clerk as FOF-2013-018 which are hereby made a part of this report by reference.

Adopted.

**RE&E** - Your Committee, having under consideration the Rental Dwelling License held by John Egelkrout for the property located at 900 26th Ave NE, and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends approval of the recommendation of the Interim Director of Regulatory Services that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 of the Minneapolis Code of Ordinances, as more fully set forth in the Findings of Fact on file in the office of the City Clerk as FOF-2013-019 which are hereby made a part of this report by reference.

Adopted.

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

**RE&E & W&M/Budget** - Your Committee, having under consideration an Energy System Pathways Study to explore options for the City to achieve its energy goals outside the existing utility franchise agreement structure, now recommends:

- a) That City Coordinator staff be directed to complete a draft Energy Vision by August 2013 that establishes goals for future performance of the energy system serving Minneapolis;
- b) That City Coordinator staff be directed to complete a study by January 2014 of the potential options to meet Minneapolis' Energy Vision; and
- c) That \$250,000 in funds from the City Coordinator Administration Department in the General Fund (00100-8400100) be allocated for this work through January 2014.

Adopted.

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

**T&PW** - Your Committee, having received final costs for the Areaway Abandonment and Removal at 3022 Hennepin Ave (PID 04-028-24-21-0007) legally described as Lot 6, Block 16, "Calhoun Park", in the total amount of \$97,741.75, that is in conflict with Storm Sewer Construction/Rainleader Disconnect Project No 4459, as ordered by Resolution 2009R-349, passed July 31, 2009, now recommends that the City Engineer be directed to prepare an Areaway Abandonment and Removal Assessment against the benefited properties.

Your Committee further recommends that a public hearing be held June 4, 2013 in accordance with Chapter 8, Sections 12 and 13, of the Minneapolis City Charter, to consider the amount proposed to be assessed to the benefited properties.

Adopted.

**T&PW** - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 2013 Street Resurfacing Program, Dorman N Area, 25th St E, and 31st Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5252.

Adopted.

Resolution 2013R-147, designating the locations and streets to be improved in the Dorman N Area, 25th St E, and 31st Ave S Street Resurfacing Project No 5252, was adopted 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 2013R-147**

**By Colvin Roy**

**DORMAN N AREA, 25TH ST E, AND 31ST AVE S  
STREET RESURFACING PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5252**

**Designating the improvement of certain existing streets in the 2013 Street Resurfacing Program at the locations described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

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

**Dorman N**

Seabury Ave from Franklin Ave E to 26th St E;  
Minneapolis Ave from 22nd St E to 24th St E;  
28th Ave S from 25th St E to 26th St E;  
29th Ave S from 25th St E to 27th St E;  
30th, 34th and 35th Ave S from 24th St E to 27th St E;  
32nd Ave S between Seabury Ave and Minneapolis Ave;  
33rd Ave S from Seabury Ave to 24th St E;  
32nd and 33rd Aves S from 24th St E to 26th St E;  
37th and 38th Aves S from Seabury Ave to 27th St E;  
39th and 40th Aves S from Seabury Ave to their terminus at the N RR right-of-way;  
24th St E from 32nd Ave S to Seabury Ave;  
26th St E from 36th Ave S to Seabury Ave; and  
27th St E between 29th Ave S and 30th Ave S and from 38th Ave S to its terminus between 34th and 33rd Aves S;

25th St E from 36th Ave S to West River Parkway S; and

31st Ave S from 28th St E to Franklin Ave E.  
Adopted.

**T&PW** - Your Committee, having received a cost estimate of \$1,419,110 for street resurfacing improvements and a list of benefited properties for certain locations in the Dorman N Area, 25th St E, and 31st Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5252, as designated by Resolution 2013R-147 passed April 12, 2013, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2013 Uniform Assessment Rates as per Resolution 2012R-605, passed November 16, 2012.

Your Committee further recommends that a public hearing be held on May 14, 2013 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted.

**T&PW** - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 2013 Street Resurfacing Program, 28th Ave S, Phase 2, Street Resurfacing Project, Special Improvement of Existing Street No 5242.

Adopted.

Resolution 2013R-148, designating the locations and streets to be improved in the 28th Ave S, Phase 2, Street Resurfacing Project No 5242, was adopted 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 2013R-148  
By Colvin Roy**

**2013 STREET RESURFACING PROGRAM  
28TH AVE S, PHASE 2, STREET RESURFACING PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5242**

**Designating the improvement of certain existing streets in the 2013 Street Resurfacing Program at the locations described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

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

28th Ave S from 40th St E to 50th St E and 55th St E to 56th St E.  
Adopted.

**T&PW** - Your Committee, having received a cost estimate of \$1,550,000 for street resurfacing improvements and a list of benefited properties for certain locations in the 28th Ave S, Phase 2 (40th St E to 50th St E and 55th St E to 56th St E) Street Resurfacing Project, Special Improvement of Existing Street No 5242, as designated by Resolution 2013R-148 passed April 12, 2013, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2013 Uniform Assessment Rates as per Resolution 2012R-605, passed November 16, 2012.

Your Committee further recommends that a public hearing be held on May 14, 2013 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted.

**T&PW** - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 2013 Street Resurfacing Program, Lyndale Ave S and 58th St W Street Resurfacing Project, Special Improvement of Existing Street No 5253.

Adopted.

Resolution 2013R-149, designating the locations and streets to be improved in the Lyndale Ave S and 58th St W Street Resurfacing Project No 5253, was adopted 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 2013R-149**  
**By Colvin Roy**

**2013 STREET RESURFACING PROGRAM**  
**LYNDALE AVE S AND 58TH ST W STREET RESURFACING PROJECT**  
**SPECIAL IMPROVEMENT OF EXISTING STREET NO 5253**

**Designating the improvement of certain existing streets in the 2013 Street Resurfacing Program at the locations described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

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

Lyndale Ave S from approximately 337 feet south of 56th St W (at merge with TH121) to approximately 210 feet south of 61st St W; and

58th St W from TH121 to Lyndale Ave S.  
Adopted.

**T&PW** - Your Committee, having received a cost estimate of \$400,000 for street resurfacing improvements and a list of benefited properties for certain locations in the Lyndale Ave S and 58th St W Street Resurfacing Project, Special Improvement of Existing Street No 5253, as designated by Resolution 2013R-149 passed April 12, 2013, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2013 Uniform Assessment Rates as per Resolution 2012R-605, passed November 16, 2012.

Your Committee further recommends that a public hearing be held on May 14, 2013 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted.

**T&PW** - Your Committee recommends passage of the accompanying resolution directing the Hennepin County Auditor to cancel levied Public Works special assessments on the identified parcels for taxes payable in 2013 and subsequent years.

Adopted.

Resolution 2013R-150, directing the Hennepin County Auditor to cancel levied Public Works special assessments on the identified parcels for taxes payable in 2013 and subsequent years, was adopted 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 2013R-150  
By Colvin Roy**

**CANCELING MINNEAPOLIS PUBLIC WORKS SPECIAL ASSESSMENTS**

**Directing the Hennepin County Auditor to cancel special assessments for Public Works improvements for the payable 2013 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 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 on real estate tax statements; and

Whereas, there are the following described assessments that are erroneously being carried on the 2013 real estate tax statements due to a full prepayment of the assessment or payment of the balance remaining;

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 special assessments from the 2013 and subsequent years' tax statements:

**NEW LEVIED PROJECTS**

<u>PROPERTY ID</u>	<u>LEVY NO</u>	<u>PROJECT NO</u>	<u>ORIGINAL AMT</u>
04-028-24-11-0151	01028	13WTR	\$3000.00
10-028-24-41-0063	01052	13S01	140.11
15-028-24-14-0030	01052	13S05	1092.26
20-028-24-13-0169	01027	52292	1320.80
23-028-24-32-0055	01052	13S05	814.90
01-029-24-21-0016	01013	AL012	421.82
01-029-24-31-0034	01013	AL012	407.55
21-029-24-23-0022	01027	29902	1071.91
21-029-24-23-0051	01027	29902	1054.66
21-029-24-24-0016	01027	29902	1435.89
23-029-24-32-0192	01027	52332	13.68
33-029-24-11-0126	01052	13S05	280.21
33-029-24-14-0034	01052	13S05	320.69

**PAYMENT OF EXISTING PROJECTS**

<u>PROPERTY ID</u>	<u>LEVY NO</u>	<u>PROJECT NO</u>	<u>ORIGINAL AMT</u>
18-028-23-33-0114	01052	11S10	\$1548.84
08-028-24-42-0113	01027	52039	508.26
08-028-24-42-0113	01052	04S10	1761.18
13-028-24-41-0060	01026	6732C	872.53
13-028-24-41-0060	01052	10S05	534.97

<u>PROPERTY ID</u>	<u>LEVY NO</u>	<u>PROJECT NO</u>	<u>ORIGINAL AMT</u>
15-028-24-22-0157	01027	22708	\$873.60
22-028-24-22-0017	01027	51939	1051.56
22-028-24-23-0092	01027	51939	1152.00
24-028-24-12-0028	01027	52171	496.04
24-028-24-23-0134	01027	52171	1029.97
24-028-24-24-0069	01027	52171	997.06
24-029-24-31-0050	01027	98890	2540.65

Adopted.

**T&PW** - Your Committee, having under consideration the removal and replacement of damaged concrete slabs and steel on the activated carbon tank at the Fridley Softening Plant, now recommends that the proper City officers be authorized to execute Amendment #1 to Contract No C-36561 (OP 7738) with Marge Magnuson Construction, increasing the contract by \$19,035, for a revised contract total of \$70,059, to allow for additional work not included in the original scope of the contract using the same unit cost submitted during bid process.

Adopted.

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

**T&PW & W&M/Budget** - Your Committee, having under consideration the 2013 Street Resurfacing Program, Cooper Area, 42nd and 46th Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5250, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project; and
- b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the project.

Your Committee further recommends that the assessment term for the following properties be extended from five (5) years to seven (7) years:

- 3106 47th Ave S (PID No 05-028-23-22-0018)
- 3100 River Parkway W (PID No 05-028-23-22-0054).

Adopted.

Resolution 2013R-151, ordering the work to proceed and adopting the special assessments for the Cooper Area, 42nd and 46th Ave S Street Resurfacing Project No 5250, was adopted 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 2013R-151  
By Colvin Roy and Hodges**

**2013 STREET RESURFACING PROGRAM  
COOPER AREA, 42ND AND 46TH AVE S STREET RESURFACING PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5250**

**Ordering the work to proceed and adopting the special assessments for the Cooper Area, 42nd and 46th Ave S Street Resurfacing Project.**

Whereas, a public hearing was held on April 2, 2013 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2013R-079, passed February 22, 2013 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2013R-079, passed February 22, 2013.

Be It Further Resolved that the proposed special assessments in the total amount of \$1,617,488.51 for the Cooper Area, 42nd and 46th Ave S Project No 5250 Street Resurfacing Project, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2014 real estate tax statements, except for properties identified by PID Nos 05-028-23-22-0018 at 3106 47th Ave S and 05-028-23-22-0054 at 3100 River Parkway W shall be fixed at seven (7) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2014 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2014 real estate tax statements.

Adopted.

Resolution 2013R-152, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the purpose of paying the assessed costs of street improvements in the Cooper Area, 42nd and 46th Ave S Street Resurfacing Project No 5250, was adopted 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 2013R-152  
By Colvin Roy and Hodges**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$1,617,500 for certain purposes other than the purchase of public utilities.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed costs of street improvements in the Cooper Area, 42nd and 46th Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5250, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collected in five (5) successive annual installments, payable in the same manner as real estate taxes.

Adopted.

**T&PW & W&M/Budget** - Your Committee, having under consideration the lease of State-owned property under the I-94 Bridge in the vicinity of 2nd Ave N and Lyndale Ave for the storage of equipment and materials necessary to maintain and repair the City's transportation infrastructure, now recommends that the proper City officers be authorized to execute Amendment No 6 to Minnesota Department of Transportation Lease 27702 (formerly H-05829; City Contract 11608) providing for the continuance of said lease for an additional two years, commencing May 1, 2013 through April 30, 2015 with rental rates remaining at \$1,725 per month for the term of the lease.

Adopted.

**T&PW & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to amend Contract C-36139 with US Mechanical, executing Change Order Package No 1 for rain leader disconnect at four parking ramps to allow for seven (7) additional work items and one (1) work item deleted from the original scope of the contract for a total change order amount of (\$160). The final contract total is \$192,720.

Adopted.

**T&PW & W&M/Budget** - Your Committee recommends passage of the accompanying resolution authorizing execution of a 2013 Parkway Paving and Parkway Lighting Improvement Agreement between the Minneapolis Park and Recreation Board (MPRB) and the City of Minneapolis.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation for concrete sidewalk renovation work on sidewalks surrounding MPRB properties in the public right-of-way by \$100,000 and increasing the appropriation for Victory Memorial Parkway paving and seal coating by \$60,000, both to be funded with MPRB funds.

Adopted.

Resolution 2013R-153, authorizing execution of a 2013 Parkway Paving and Parkway Lighting Improvement Agreement between the Minneapolis Park and Recreation Board and the City of Minneapolis, was adopted 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 2013R-153**  
**By Colvin Roy and Hodges**

**Authorizing execution of a 2013 Parkway Paving and Parkway Lighting Improvement Agreement between the Minneapolis Park and Recreation Board and the City of Minneapolis.**

Whereas, dating back to approximately 1994, the Minneapolis Public Works Department (MPW) has worked cooperatively with the Minneapolis Park and Recreation Board (MPRB) with regards to the rehabilitation of the Park Board Parkway Pavement and the Parkway Lighting system; and

Whereas, the MPRB has completed an "Infrastructure Needs Study" of the Parkway pavement and lighting system; and

Whereas, included in the study the following benchmark (a) To achieve and maintain an average Pavement Condition Index (PCI) of 75 in 10 years; (b) To include in the techniques to achieve this PCI: seal coating, renovation, resurfacing, and reconstruction; (c) To replace, on average, 104 street lights per year for 10 years; (d) To seriously explore the ability to achieve a "red-colored" Parkway again, so that the public can recognize the Parkways by their color; and

Whereas, MPW and MPRB staff has been meeting to prepare a 5 year plan and exploring options to achieve the stated benchmarks; and

Whereas, the plan has been completed and was presented to the MPRB in March 2012; and

Whereas, the MPRB is in the process and has secured additional funds to enhance the program financially to achieve their objectives; and

Whereas, currently the agreement identifies a total amount of \$2,570,000, but also provides flexibility to reduce the amount and extent of work completed should the budget need to be decreased due to the possible reduction in Metropolitan Council Regional Park Funding;

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

That upon approval of the proposed Parkway Paving and Parkway Lighting Agreement by the City Attorney, the City Contracting Officer is authorized to execute the Agreement on behalf of the City and, upon execution and delivery of the Agreement by authorized representatives of the Minneapolis Park and Recreation Board, the Director of Public Works is authorized to undertake the street improvement and parkway lighting improvement on select parkways in Minneapolis in accordance with the terms of the Parkway Paving and Parkway Lighting Agreement.

Adopted.

**RESOLUTION 2013R-154  
By Colvin Roy and Hodges**

**Amending The 2013 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

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

a) Increasing the appropriation for the Sidewalk Section of the Transportation Maintenance and Repair Division (04100-9010939-SWK1302) by \$100,000 and increasing the revenue source (04100-9010939-SWK1302 - Revenue Source 375504) by \$100,000 to be funded with Minneapolis Park and Recreational Board (MPRB) funds; and

b) Increasing the appropriation for the Victory Memorial Parkway Paving and Seal Coating Project (04100-9010937 - CPV 1301SVMEM) by \$60,000 and increasing the revenue source (04100-9010937 - CPV 1301SVMEM - Revenue Source 375504) by \$60,000 to be funded with MPRB funds.

Adopted.

**T&PW & W&M/Budget** - Your Committee, having under consideration the 14th Ave SE Sanitary Sewer Project No 4518, now recommends:

a) Passage of the accompanying resolution designating the location and improvements proposed to be made in the project;

b) Receiving the cost estimate of \$129,000 for the project, the list of benefited properties, directing the City Engineer to prepare proposed Sanitary Sewer Assessments against the list of benefited properties, and setting a project approval and assessment public hearing for May 14, 2013;

c) Acceptance of the petitions and appeal waivers from the assessed property owners, as set forth in Petn No 276432; and

d) Passage of the accompanying resolution increasing the appropriation for the project by \$129,000 and increasing the revenue source \$91,884.

Adopted.

Resolution 2013R-155, designating the location and improvements proposed to be made in the 14th Ave SE Sanitary Sewer Project No 4518, was adopted 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 2013R-155  
By Colvin Roy and Hodges**

**FOURTEENTH AVE SE SANITARY SEWER PROJECT NO 4518**

**Designating the sanitary sewer work at the location described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

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

14th Ave SE from approximately the centerline of 4th St SE southwesterly approximately 167 feet to the bridge abutment over 14th Ave SE (as more particularly described and shown in the plans on file in the office of the City Engineer).

Adopted.

**RESOLUTION 2013R-156**  
**By Colvin Roy and Hodges**

**Amending The 2013 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the PW-Capital Improvement Program Fund (07100-9010932 CSA1301) by \$129,000 and increasing the revenue source (07100-9010932-Revenue Source 365000) by \$91,884.

Adopted.

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the single bid submitted to the Public Works Department on OP No 7725 from Don Harstad Company, Inc. (d/b/a Harstad Controls), in the amount of \$479,598.00, to furnish and deliver all equipment, labor, and incidentals necessary for the Parking Control and Security Automation at the Federal Courthouse Parking Ramp.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service in accordance with City specifications.

Adopted.

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7750 from Minger Construction, Inc., for an estimated expenditure of \$3,160,000.00, to furnish and deliver all labor, materials, equipment, and incidentals necessary for the Sanitary Lift Station Rehabilitation.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service in accordance with City specifications.

Adopted.

Approved by Mayor Rybak 4/12/2013.

(Published 4/16/2013)

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7752 from Meyer Contracting, Inc., in the amount of \$1,258,333.50, to furnish and deliver all labor, materials, and incidentals necessary for the construction of the Winter Street Paving Project.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service in accordance with City specifications.

Adopted.

Approved by Mayor Rybak 4/12/2013.

(Published 4/16/2013)

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the single bid submitted to the Public Works Department on OP No 7757 from Cemstone Products Company, for an estimated expenditure of \$58,537.00, to furnish and deliver Ready Mix Concrete Equipment as needed to various City of Minneapolis departments and boards through March 31, 2014.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service in accordance with City specifications.

Adopted.

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7758 from A & M Construction, Inc., for an estimated expenditure of \$554,998.00, to furnish and deliver all labor, materials, and incidentals necessary for the Fridley Softening Plant Exterior Stabilization Project Phase 2.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service in accordance with City specifications.

Adopted.

**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.

Resolution 2013R-157, authorizing settlement of *Mohammed Shahidullah v. City of Minneapolis*, was adopted 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 2013R-157**

**By Hodges**

**Authorizing legal settlement.**

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of *Mohammed Shahidullah v. City of Minneapolis*, by non-monetary relief regarding the City's inspection and condemnation of 607 Erie St SE as set forth in the staff report.

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

Adopted.

**W&M/Budget** - Your Committee, having under consideration a grant from the Minneapolis Downtown Improvement District, now recommends the proper City officers be authorized to accept funds in the amount of \$175,000 and execute an amendment to the existing grant agreement to include these funds and extend the term of the agreement to December 31, 2013. The funds will be used for the continuation of the Downtown 100 chronic offender prosecution program and for Focus 18/24, a new initiative focused on young adults. Further, passage of the accompanying resolution appropriating funds.

Adopted.

**RESOLUTION 2013R-158  
By Hodges**

**Amending The 2013 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

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

a) Increasing the appropriation in the Attorney - Criminal Division in the Grants Federal Fund (01300-1400100) by \$175,000; and

b) Increasing the revenue source budget (01300-1400100) by \$175,000.  
Adopted.

**W&M/Budget** – Your Committee recommends passage of the accompanying resolution authorizing the acceptance of the list of donations valued under \$15,000 received in the 1st quarter of 2013.

Adopted.

Resolution 2013R-159, authorizing the acceptance of donations made to the City of Minneapolis in the 1st Quarter of 2013, valued under \$15,000, was adopted 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 2013R-159  
By Hodges**

**Authorizing the acceptance of donations made to the City of Minneapolis in the 1st Quarter of 2013, valued under \$15,000.**

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:

DONOR NAME	DONATION & RESTRICTIONS
Gifts to the Fire Department for its use in designated programs:	
ALERUS	\$100 for Refer a Friend
ALERUS	\$500 for Refer a Friend
TRACI & JASON REESE	\$75 For Donald Bethke
Gifts to the Health Department:	
WESTSIDE COMMUNITY HEALTH CENTER	Framed poster of a woman and a child

Gifts to the Information Technology Department for its use in designated programs:

UNISYS CORPORATION

Conference Registration, hotel, meals & ground transportation for Otto Doll to attend the Unisys Exchange Forum on May 6-7, 2013, in Las Vegas, Nevada.

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

Whereas, all such donations have been contributed to assist the city in the purposes stated, 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 Minneapolis:

That the donations described above are accepted and shall be used for public purposes.  
Adopted.

**W&M/Budget** - Your Committee, having under consideration the lease with the Metropolitan Sports Facilities Commission, for the "Metrodome Sign" marquee located at the corner of 6th Street and Chicago Avenue South, now recommends that the proper City officers be authorized to amend and extend the current lease for an additional three years from the expiration date of August 31, 2011 for a new expiration date of August 31, 2014.

Adopted.

**W&M/Budget** - Your Committee recommends approval of applications for free Wireless Community accounts for:

- a) CrossRoads Panorama Youth Program at Sabathani Community Center and
- b) Friends of Peavey Park.

Adopted.

**W&M/Budget** - Your Committee recommends passage of the accompanying resolutions approving terms of the collective bargaining agreements with: a) the MECC Supervisors Unit represented by Teamsters Local 320, AFL-CIO, effective January 1, 2012 through December 31, 2013; and b) the Fire Fighters Unit represented by I.A.F.F. Local 82, AFL-CIO, for two two-year agreements effective January 1, 2011 through December 31, 2012, and January 1, 2013 through December 31, 2014.

Adopted.

Resolution 2013R-160, approving a 24-month labor agreement with the MECC Supervisors Unit represented by Teamsters Local 320, AFL-CIO, was adopted 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 2013R-160**  
**By Hodges**

**Approving the terms of a collective bargaining agreement with the MECC Supervisors Unit represented by Teamsters Local 320, AFL-CIO, and authorizing execution and implementation of said agreement.**

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the MECC Supervisors Unit represented by Teamsters Local 320, AFL-CIO, (Petn No 276437), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted.

Resolution 2013R-161, approving two 24-month labor agreements with the Fire Fighters Unit represented by I.A.F.F. Local 82, AFL-CIO, was adopted 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 2013R-161**  
**By Hodges**

**Approving the terms of a collective bargaining agreement with the Fire Fighters Unit represented by I.A.F.F. Local 82, AFL-CIO, and authorizing execution and implementation of said agreement.**

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Fire Fighters Unit represented by I.A.F.F. Local 82, AFL-CIO, (Petn No 276437), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted.

**W&M/Budget** - Your Committee, having received the recommendation of the Executive Committee for the reappointment of Ellen McVeigh to serve on the Minneapolis Civil Service Commission, for a term ending February 28, 2016, and having held a public hearing thereon, now recommends approval of said reappointment.

Adopted.

**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 BBS Family LLC (BZZ-5885) to rezone the property at 5953 Penn Avenue South from R1 to the R3 Multiple-Family District to permit legalization of a 3-unit dwelling 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.

Ordinance 2013-Or-042 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 5953 Penn Ave S to the R3 Multiple-Family District, was adopted 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 2013-Or-042**  
**By Schiff**  
**1st & 2nd Readings: 4/12/2013**

**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 14, Block 2, McDonald-Hickey Realty Addition to Minneapolis, Hennepin County, Minneapolis (5953 Penn Avenue South - Plate 35) to the R3 District.

Adopted.

**Z&P** – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of W. George Lang (BZZ-5894) to rezone the property at 2601 Colfax Avenue North from R2B to the R3 Multiple-Family District to lawfully establish a two-family dwelling 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.

Ordinance 2013-Or-043 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 2601 Colfax Ave N to the R3 Multiple-Family District, was adopted 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 2013-Or-043**  
**By Schiff**  
**1st & 2nd Readings: 4/12/2013**

**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 7, Block 13, Fairmont Park Addition to Minneapolis (2601 Colfax Avenue North - Plate 08) to the R3 District.

Adopted.

**Z&P** - Your Committee, having under consideration the appeal filed by Mohamed Abdullahi from the decision of the Planning Commission granting the following applications:

a) Conditional use permit for Phase I of a two-phase Planned Unit Development with an alternative request for yards;

b) Variance of the interior/rear yard setbacks along the north property lines;

c) Variance of the interior/rear yard setbacks along the east property lines;

d) Variance to allow a child care center in excess of 2,000 square feet at approximately 3,000 square feet;

e) Variance of the Pedestrian-Oriented Overlay District standards pertaining to curb cut width from 20 feet to 24 feet;

f) Variance of the loading requirement to allow one small loading space;

g) Site Plan Review for a new six-story mixed-use development that includes 260 dwelling units with a total of 271 bedrooms and approximately 6,000 square feet of ground level neighborhood-serving retail spaces; and

h) Preliminary plat; all applications as part of the Five15 On the Park project (formerly known as Currie Park Lofts) for the properties at 1500, 1506 and 1514 6th Street North; 1500, 1501, 1506, 1507 and 1515 5th Street South; and 1505 and 1509 4th Street South; now recommends that said appeal be denied, and that the related findings prepared by the Community Planning & Economic Development staff be adopted.

Further, that the Findings of Fact and Recommendation in support of this decision and finding that 1509 4th Street South is not part of this project and associated approvals, as prepared by the City Attorney and on file as FoF2013-20 in the Office of the City Clerk be adopted and made a part of this report by reference

Schiff moved that the report be referred back to the Zoning & Planning Committee. Seconded.

Adopted.

**MOTIONS**

Hodges moved that the regular payrolls for all City employees under City Council jurisdiction for the month of May, 2013 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted.

**RESOLUTIONS**

Resolution 2013R-162, celebrating DeLaSalle High School Girls' Basketball 2013 Minnesota Class AAA State Champions, was adopted 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 2013R-162**

**By Johnson, Reich, Gordon, Hofstede, Samuels, Lilligren,  
Goodman, Glidden, Schiff, Tuthill, Quincy, Colvin Roy, and Hodges**

**Celebrating DeLaSalle High School Girls' Basketball 2013 Minnesota Class AAA State Champions.**

Whereas, DeLaSalle High School of Minneapolis won the 2013 Minnesota Class AAA State Championship on March 16, defeating an outstanding Red Wing team, 65-50 in the title game; and

Whereas, capturing the 2013 title makes it three state championships in a row for the DeLaSalle girls' basketball program, only the fourth time in history that a school has accomplished that feat; and

Whereas, going back to 1998, DeLaSalle girls' basketball teams have won 363 games (an average of 24.2 wins per season) and have qualified for seven state tournaments in the past eight years; and

Whereas, the 2012-13 team finished with a record of 28-4, shared the championship of the Tri-Metro Conference with an 13-1 record, and were champions of Section 3AAA prior to winning the State Tournament; and

Whereas, the academic record of the players and managers is compelling: Thirteen of the 18 members qualified for the fall semester Honor Roll, and four have earned a place in the DeLaSalle chapter of the National Honor Society; and

Whereas, Head coach Faith Johnson Patterson was elected to the Minnesota Coaches Hall of fame in the past year. She now has a career record of 416 wins and 90 losses. In her four years at DeLaSalle, her record is 114 wins and only twelve losses. In her 18 years as a Minnesota high school coach, her teams at DeLaSalle and Minneapolis North have won eight state titles and finished second four times; and

Whereas, in alphabetical order, the team's roster included Amanda Cline, Natalie Eull, Patiance Griffin, Tyseanna Johnson, Joi Jones, Ellen Leahy, Anna Podewils, Kat Podewils, Akeyvianna Rembert, Ana Schaff, Hazae'lee Sellers, Camryn Speese, Allina Starr, Claire Thomas, Taylor Toney, and Keyana Young. Student managers were Charnelle Snetter and John Patterson, Jr.

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

That all residents of the City are asked to join in congratulating the DeLaSalle High School Girls' Basketball 2013 Minnesota Class AAA State Champions.

Adopted.

Resolution 2013R-163, celebrating DeLaSalle High School Boys' Basketball 2013 Minnesota Class AAA Station Champions, was adopted 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 2013R-163**

**By Johnson, Reich, Gordon, Hofstede, Samuels, Lilligren,  
Goodman, Glidden, Schiff, Tuthill, Quincy, Colvin Roy, and Hodges**

**Celebrating DeLaSalle High School Boys' Basketball 2013 Minnesota Class AAA State Champions.**

Whereas, DeLaSalle High School of Minneapolis won the 2013 Minnesota Class AAA State Championship on March 23, defeating the previously undefeated Austin High School Packers, 50-33; and

Whereas, the 2012-13 team finished with a record of 30-1 and a 24-game winning streak, were champions of the Tri-Metro Conference with an 14-0 record, and champions of Section 3AAA prior to winning the State Tournament; and

Whereas, DeLaSalle was also recognized as the Academic Team Champion of Section 3AAA for outstanding academic performance. Eight of the players earned a place on the all semester Honor Roll, five have earned membership in DeLaSalle chapter of the National Honor Society, and senior Ben Albert is a National Merit Scholar; and

Whereas, going back to 1927, DeLaSalle boys' basketball teams have qualified for 44 state tournaments and won 19 state championships; and

Whereas, during the year, DeLaSalle won 13 games against teams from four different states that were ranked among their state's top ten teams at some point, and recorded eight victories against teams that competed in the Minnesota State Tournament; and

Whereas, Head coach Dave Thorson, named Section 3AAA Coach of the Year, now has a career record of 423-122. In his 19 years at DeLaSalle, the school has qualified for eleven state tournaments, won five titles and finished as runner-up twice; and

Whereas, in alphabetical order, the team's roster included Ben Albert, Sacar Anim, Drayton Carlberg, Geno Crandall, Jeffrey Daubanton, Cooper Doran, Jarvis Johnson, James Lawson, Mike Pucci, Luke Scott, Trey Shepherd, and Reid Travis. Student managers were Ivan Extrand, Jose Pecina and Jalen Wilson.

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

That all residents of the City are asked to join in congratulating the DeLaSalle High School Boys' Basketball 2013 Minnesota Class AAA State Champions.

Adopted.

Resolution 2013R-164, approving the One Minneapolis One Read 2013 Book Selection: A Choice of Weapons by Gordon Parks, was adopted 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 2013R-164**

**By Glidden, Reich, Gordon, Hofstede, Johnson, Samuels, Lilligren,  
Goodman, Schiff, Tuthill, Quincy, Colvin Roy, and Hodges**

**Approving the One Minneapolis One Read 2013 Book Selection: A Choice of Weapons by Gordon Parks.**

Whereas, One Minneapolis One Read, a community-wide read program, began in 2011; and

Whereas, the One Minneapolis One Read presenting jurisdictions are the City of Minneapolis, Hennepin County, and Minneapolis Public Schools; and

Whereas, One Minneapolis One Read leadership will also include representatives from higher education, the business community, the literary community, and the Minneapolis Park and Recreation Board; and

Whereas private financial support and in-kind contributions are sought to support One Minneapolis One Read; and

Whereas, a book has been selected to provide a vehicle for conversations on diversity, inclusiveness, integration and race; and

Whereas, the book corresponds with the One Minneapolis One Read goals:

- Bring family members and neighbors together around the joy of reading and discussion;
- Encourage conversation about race, family relationships and neighborhood history;
- Reconnect neighbors and family members separated by race, culture and generational divide; and
- Build a welcoming community that is willing to preserve and learn our history in the context of race;

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

That the City Council does hereby encourage all Minneapolis residents to read *A Choice of Weapons* by Gordon Parks as part of the 2013 One Minneapolis One Read.

Adopted.

### UNFINISHED BUSINESS

Pursuant to notice on March 29, 2013, Johnson moved to introduce the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, which was given its first reading and referred to the Regulatory, Energy & Environment Committee (amending requirements for rental property owner contact information and response). Seconded.

Adopted upon a voice vote.

### NEW BUSINESS

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code* (amending regulations for farmstands):

- a) Chapter 520 relating to *Introductory Provisions*.
- b) Chapter 535 relating to *Regulations of General Applicability*.
- c) Chapter 537 relating to *Accessory Uses and Structures*.

Lilligren gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code* (requiring applicants to be in compliance with all outstanding City requirements, obligations, and approvals):

- a) Chapter 520 relating to *Introductory Provisions*.
- b) Chapter 525 relating to *Administration and Enforcement*.

Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 9, Chapter 174 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Minneapolis Fire Department; Fire Prevention Bureau* (amending requirements related to commercial building registration).

Goodman moved to introduce the subject matter of an ordinance amending Title 17, Chapter 465 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Downtown Business Improvement Special Service District*, which was given its first reading and referred to the Transportation & Public Works Committee (renewing the Downtown Business Improvement Special Service District). Seconded.

Adopted upon a voice vote.

Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code* (amending regulations for new residential structures with four units or less):

- a. Chapter 520 relating to *Introductory Provisions*.
- b. Chapter 521 relating to *Zoning Districts and Maps Generally*.

- c. 530 relating to Site Plan Review.
- d. Chapter 535 relating to Regulations of General Applicability.
- e. Chapter 551 relating to Overlay Districts.

Lilligren moved to adjourn to Room 315 City Hall to consider the *Schaaron L. Martin v. City of Minneapolis, et al* and *Earnest Abbott v. Christopher Steward* lawsuits. Seconded.  
Adopted upon a voice vote.

### ADJOURNED SESSION

Room 315 City Hall  
Minneapolis, Minnesota  
April 12, 2013 – 10:50 a.m.

The Council met pursuant to adjournment.

Council President Johnson in the Chair.

Present – Council Members Samuels, Lilligren, Tuthill, Quincy, Goodman, Hodges, President Johnson.

Absent - Council Members Gordon, Reich, Hofstede, Schiff, Colvin Roy, Glidden.

Deputy City Attorney Peter Ginder stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the *Schaaron L. Martin v. City of Minneapolis, et al* and *Earnest Abbott v. Christopher Steward* lawsuits.

At 10:51 a.m., Lilligren moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Absent – Reich, Hofstede, Schiff, Colvin Roy, Glidden.

Present – Samuels, Gordon (In at 10:52 a.m.), Reich (In at 10:56 a.m.), Schiff (In at 10:54 a.m.), Lilligren (Out at 11:15 a.m.; In at 11:16 a.m.), Colvin Roy (In at 10:54 a.m.), Tuthill, Quincy, Glidden (In at 11:30 a.m.), Goodman, Hodges, President Johnson.

Absent - Hofstede.

Also present – Susan Segal, City Attorney; Peter Ginder, Deputy City Attorney; Burt Osborne and Sarah McLaren, Assistant City Attorneys; Travis Glampe, Deputy Police Chief; and Jackie Hanson, City Clerk's Office.

McLaren summarized the *Schaaron L. Martin v. City of Minneapolis, et al.* lawsuit from 10:52 a.m. to 11:21 a.m.

Osborne summarized the *Earnest Abbott v. Christopher Steward* lawsuit from 11:21 a.m. to 11:35 a.m.

At 11:35 a.m., Quincy moved that the meeting be opened. Seconded.

Adopted upon a voice vote.

Absent – Hofstede.

Schiff moved to settle the case of Martin v. Young, United States District Court file no. 12-1036, upon the following terms and conditions: payment in the amount of \$25,000 to Schaaron L. Martin and her attorneys Joshua Williams and Tim Phillips, and that the City

APRIL 12, 2013

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Attorney be authorized to execute any documents necessary to effectuate the settlement, payable from Fund/Org 06900-1500100-145400. Seconded.

Adopted. Yeas, 7; Nays, 4 as follows:

Yeas – Samuels, Gordon, Reich, Schiff, Lilligren, Hodges, Johnson.

Nays – Colvin Roy, Tuthill, Quincy, Goodman.

Declining to vote – Glidden.

Absent – Hofstede.

Lilligren moved to settle the case of Abbott v. Steward, United States District Court file no. 12-2646, upon the following terms and conditions: payment in the amount of \$70,000 to Ernest M. Abbott and his attorneys Madia Law LLC, and that the City Attorney be authorized to execute any documents necessary to effectuate the settlement, payable from Fund/Org 06900-1500100-145400. Seconded.

Adopted. Yeas, 9; Nays, 2 as follows:

Yeas – Samuels, Gordon, Schiff, Lilligren, Colvin Roy, Tuthill, Quincy, Hodges, Johnson.

Nays – Reich, Goodman.

Absent – Hofstede, Glidden.

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

Colvin Roy moved to adjourn. Seconded.

Adopted upon a voice vote.

Absent – Hofstede, Glidden.

Jackie Hanson  
Interim Assistant City Clerk

Official Posting: 4/19/2013