

# OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

## REGULAR MEETING OF AUGUST 15, 2014

(Published August 23, 2014, in *Finance and Commerce*)

Council President Johnson called the meeting to order at 9:30 a.m. in the Council Chamber, a quorum being present.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey, Blong Yang, Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

Absent – Council Member Abdi Warsame.

On motion by Glidden, seconded, the agenda was adopted.

On motion by Glidden, seconded, the minutes of the regular meeting of August 1, 2014, were adopted.

On motion by Glidden, seconded, the petitions, communications, and reports of the City officers were referred to the proper Council committees and departments.

The following reports were signed by Mayor Betsy Hodges on August 19, 2014. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the office of the City Clerk.

### REPORTS OF STANDING COMMITTEES

**The COMMITTEE OF THE WHOLE submitted the following report:**

**COW** – Your Committee, having under consideration the Executive Committee’s appointment of Spencer Cronk to the appointed position of City Coordinator for a two-year term beginning January 2, 2014, and ending January 2, 2016, and having conducted a public hearing on the same, now recommends approval of said appointment.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**The COMMITTEE OF THE WHOLE and WAYS & MEANS Committees submitted the following report:**

**COW & W&M** – Your Committee recommends that the proper City officers be authorized to execute a fully insured contract with Medica as the selected provider of City of Minneapolis Medical Plan benefits for a period of three years starting January 1, 2015, with an option to extend the contract for up to two additional one-year periods.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**The COMMUNITY DEVELOPMENT & REGULATORY SERVICES Committee submitted the following reports:**

**CD&RS** – Your Committee recommends approval of the Department of Licenses and Consumer Services Agenda recommendations granting Liquor, Business and Gambling licenses as set forth in Petition No 277395 on file in the office of the City Clerk, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

Approved by Mayor Betsy Hodges 8/15/2014.

(Published 8/19/2014)

**CD&RS** - Your Committee recommends passage of Resolution 2014R-345 approving Business License Operating Conditions relating to the On Sale Liquor Class C-2 with Sunday Sales License held by Cassandra Smith, d/b/a Scratch Bar & Grill LLC, 408 3rd Ave N, Minneapolis.

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

**RESOLUTION 2014R-345**

**By Goodman**

**Approving Business License Operating Conditions relating to the On Sale Liquor Class C-2 with Sunday Sales License held by Cassandra Smith, d/b/a Scratch Bar & Grill LLC, 408 3rd Ave N, Minneapolis.**

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 C-2 with Sunday Sales License held by Cassandra Smith, d/b/a Scratch Bar & Grill LLC, 408 3rd Ave N, Minneapolis:

## AUGUST 15, 2014

---

1. Scratch Bar & Grill will be licensed as and will operate under the category of restaurant, as set forth in Minnesota Statute chapter 340A.404, and maintaining seating at all times for at least 50 guests and serving food for a substantial portion of the hours of operation. Entertainment shall be incidental to the primary purpose and function of Scratch Bar & Grill as a restaurant. In the event that Scratch Bar & Grill converts the use or advertises as a nightclub use, the City may require that a new business plan be submitted and that new conditions of license be effectuated.
2. The establishment will not be open until 2:00 a.m.
3. The licensee shall email their live band event schedule and advertisements to the Minneapolis Police 1st Precinct and Business Licensing every two weeks for the purpose of assessing Scratch Bar & Grill's security and staffing needs based on the potential event draw of patron numbers in excess of regular business operations.
4. The licensee shall take all necessary and prudent steps to avoid violent incidents from occurring at their establishment during events by assessing the reasonably foreseeable risks associated with the nature of the event(s), the history of the performer(s), and the anticipated number of attendees.
5. No glass bottles will be served to patrons.
6. The licensee must verify the age of all persons seeking to purchase beverage alcohol.
7. The licensee will not provide outdoor speakers.
8. To assist in the prevention of reoccurring disturbances by known persons, the licensee shall compile, maintain and share with the 1st Precinct a "Do Not Admit/86" list of persons who have been trespassed and/or refused service per Minnesota Administrative Rule 7515.0590.Subp.3.
9. The licensee shall utilize a metal detector to wand persons seeking to gain entrance to the establishment as needed or as determined by Minneapolis Police.
10. Each bar area in the establishment will have a staff person assigned as the "controller" with the duties to oversee the amount of alcohol being served to reduce the potential of over serving patrons.
11. Dedicated security staff will monitor the activity in the establishment and if any criminal activity is observed, security must escort the customer from the premises and request Minneapolis Police assistance at the exit of the business.
12. Dedicated security staff shall not allow customers or passersby to loiter for any purpose near the establishment during business hours.
13. Dedicated security staff shall assist in crowd dispersal for at least one half hour after closing of the establishment to prevent loitering.
14. The licensee will not distribute hand-bills advertising promotions to anyone walking on city sidewalks, streets, or alleys; nor place any on parked motor vehicles.
15. The licensee will participate in the 1st Police Precinct off duty Bar Beat program.
16. The licensee shall send a representative to monthly LINC meetings.

17. The licensee will collect all litter within 100 feet of the exterior of the building housing the licensed premises on a daily basis.

18. The licensee shall not advertise nor promote "18 plus/all ages" events on the premises. For purposes of this agreement, "18 plus/all ages" events shall be defined as an event that is advertised as an 18 plus/all ages event that offers live entertainment or a DJ in a nightclub type setting.

19. All persons seeking to gain entrance to the establishment who appear to be under the age of 21 shall be required to present legitimate identification as a condition of entrance except during private events that are not open to the public. No minors will be allowed to remain on the premises unless as otherwise allowed under State Statute 340A.503.

20. The licensee shall provide food service in all outdoor areas during a substantial portion of the hours of operation. Food service may consist of less than the full menu, but shall at all times offer a substantial choice of main courses, other food items, and nonalcoholic beverages.

21. The licensee is prohibited from serving any alcoholic malt beverage or non-alcoholic beverage in an original container manufactured from glass after 11:00 p.m. in the outdoor area. In addition to the prohibition on serving alcoholic malt beverages or non-alcoholic beverages in original containers manufactured from glass, the licensee shall not allow patrons to carry such beverage containers from an indoor area into an outdoor area.

22. The patio area shall be restricted to the approved plan. The number of patron's on the patio should not exceed the number of seats. Noise coming from patrons in all outdoor areas will be managed consistent with the requirements of Chapter 389 of the Minneapolis Code of Ordinances.

23. The City Council may review the operation of any outdoor area in connection with the renewal of the on-sale license for the establishment or at any other time for good cause. Violation of the terms and conditions of this section shall be grounds for revocation, suspension, or refusal to renew the on-sale license for that portion of the licensed premises pertaining to the outside area.

24. During live performances and special events, Scratch Bar & Grill will keep an accurate occupancy count and immediately share such figures upon the request of any official or officer of the City of Minneapolis. Scratch Bar & Grill shall not let more patrons into the establishment than is legally allowed, with the occupancy number posted in plain sight near the main entrance of the establishment.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**CD&RS** – Your Committee, to whom was referred 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 existing provisions related to commercial hood and exhaust cleaning, now recommends that Ordinance 2014-Or-045 be given its second reading for amendment and passage.

AUGUST 15, 2014

---

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

**ORDINANCE 2014-Or-045**  
**By Frey**  
**Intro & 1st Reading: 8/1/2014**  
**Ref to: CD&RS**  
**2nd Reading: 8/15/2014**

**Amending Title 9, Chapter 174 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Minneapolis Fire Department; Fire Prevention Bureau.**

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

That Section 174.500 of the above-entitled ordinance be amended to read as follows:

**174.500. Commercial hood and exhaust cleaning program.** (a) *Permit fees authorized.* Minneapolis Fire Inspection Services, based on authority granted to it by the Minnesota State Fire Code, Section 104.3 and state amendment 101.6, is hereby authorized to issue a commercial hood and exhaust cleaning permit for any commercial hood and exhaust cleaning required hereunder. The permit requirement imposed by this section shall be required every six (6) months, or upon system activation and apply to all commercial cooking and food service establishments utilizing Type-I and Type-II exhaust hoods ~~that have been contaminated by grease laden vapors~~ inside any building or portion thereof; portable and/or stationary, or equipped motorized mobile food service vehicles conducting business within City of Minneapolis limits for the preparation and serving of food ~~that produces grease laden vapors~~. The term "food service" shall include operations such as preparing, handling, cleaning, cooking, and packaging food items of any kind.

(b) *Hood cleaning/testing permit.* A permit is required every six (6) months to conduct hood cleaning and/or testing of all Type-I and Type-II hoods ~~that have been contaminated with grease laden vapors~~ to coincide with Minnesota State Fire Code Sections 904.11.6 to 904.11.6.5. Every application for such a permit shall be made in writing to Minneapolis Fire Inspection Services at least five (5) working days in advance of the proposed cleaning/testing date. Cleaning shall be required when exhaust systems contain combustible contaminate levels that exceed 0.002 microns upon examination by a city approved licensed contractor. All exhaust systems that fall below this measurable limit shall be exempt from the immediate cleaning cycle provided sufficient documentation is provided to Fire Inspection Services of such condition by the licensed contractor and Fire Inspection Services approves the same. Permits shall be obtained every six (6) months to correspond with Minnesota State Fire Code Section 904.11.6.4 and shall only be issued to approved City of Minneapolis licensed kitchen exhaust contractors after the fire code official or the fire code official's designee have reviewed and approved the application and the applicant has paid the required fee. Businesses and establishments with commercial hood systems that require quarterly or more frequent cleanings shall only be subject to the six-month permit requirements and fees.

(c) *Cleaning.* All hoods, grease-removal devices, fans, ducts and other appurtenances shall be cleaned at intervals necessary to prevent the accumulation of grease, as specified by Minnesota State Fire Code Section 904.11.6.3 and NFPA-96 and 17A. Upon inspection, if exhaust system(s) are found to be contaminated with grease laden vapor deposits, the entire exhaust system shall be cleaned.

(d) *Type I and II exhaust systems.* Type I and Type II exhaust systems shall only be cleaned by approved/certified City of Minneapolis licensed kitchen exhaust contractors.

(e) *Fee.* The fee for any permit required by this section shall be as established in the director's fee schedule pursuant to section 91.70.

(f) *Required conditions authorized.* The fire code official is authorized to place conditions upon kitchen exhaust contractor applicants requesting hood cleaning permits, including but not limited to the following:

- (1) The entire exhaust system shall be inspected for grease and residue buildup by an approved/certified City of Minneapolis licensed kitchen exhaust contractor.
- (2) Inspection and servicing of cooking equipment shall be completed at least annually. Cooking equipment that collects grease below the surface or behind the equipment, such as griddles or char broilers, shall be inspected and, if found with grease accumulation, cleaned to the manufacturer's recommendations.
- (3) Hoods, grease removal devices, fans, ducts, and other appurtenances shall be cleaned to remove combustible contaminants to a minimum of 0.002 inches pursuant to NFPA-96 Section 11.6.2
- (4) There shall be no grease or carbonized grease left in the hood, duct system, filters, or fan assemblies.
- (5) No coatings shall be sprayed or applied on the clean ductwork.
- (6) All exhaust/ductwork access panels/doors shall be properly reassembled and secured after cleaning.
- (7) Any portion of the exhaust hardware/appurtenances removed for cleaning and/or maintenance shall be reinstalled to code specifications.
- (8) Kitchen exhaust contractors shall identify all damaged equipment, deficiencies, missing parts, or lack of necessary access panels and notify in writing the tenant and owner and the fire code official upon completion.
- (9) Upon completion and submittal of each job, any portion of the hood, plenum, exhaust duct and associated building trunk-line system(s) found contaminated with grease-residue the entire system fails and shall not be approved.
- (10) Upon completion, and within thirty (30) days, kitchen exhaust contractors shall submit to fire inspection services cleaning photographs of the entire hood, plenum, exhaust duct, including associated building trunk-line system(s) and appurtenances in a format and specification designated by the fire code official.

(11) At the discretion of the fire code official, periodic fire inspections shall be conducted. Each permitted cleaning shall only be approved pursuant to kitchen exhaust contractors submittal of documented photographs to fire inspection services.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The ordinance was adopted.

**CD&RS** - Your Committee, having under consideration the 800 W Broadway Redevelopment Project at 800 W Broadway Ave and 2019 Aldrich Ave N, now recommends that the proper City officers be authorized to continue analysis of said project proposal; negotiate terms and conditions of a redevelopment contract; and prepare redevelopment and TIF plans for the project as needed, with the TIF amount not to exceed \$500,000. All such terms and conditions, plans, and other provisions are subject to future City Council review, discussion, and approval or denial.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**The COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS Committees submitted the following report:**

**CD&RS & W&M** – Your Committee recommends passage of Resolution 2014R-346 amending Resolution 2012R-035 entitled, “Approving the adoption of a consolidated and amended schedule of civil fines for administrative offenses”, passed January 27, 2012, to add fines relating to commercial pedal cars and transportation network companies.

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

**RESOLUTION 2014R-346**  
**By Goodman**

**Amending Resolution 2012R-035, “Approving the adoption of a consolidated and amended schedule of civil fines for administrative offenses”, passed January 27, 2012.**

Whereas, the City Council has enacted Chapter 2 of the Minneapolis Code of Ordinances (hereinafter “Code”) which establishes an administrative enforcement and hearing process for certain violations of the Code; and

Whereas, Section 2.40 of the Code provides that violations of certain provisions of the Code are administrative offenses that may be subject to the administrative enforcement and hearing process; and

# AUGUST 15, 2014

---

Whereas, Section 2.60 of the Code provides for the imposition of a civil fine for administrative offenses; and

Whereas Section 2.70 of the Code provides that the City Council will adopt by Resolution a schedule of civil fines for administrative offenses;

Whereas Resolution 2004R-367 of this Council established a fine schedule for administrative offenses;

Whereas this Council has previously amended that fine schedule according to the authority it is granted to it in Section 2.70 of the Code; and

Whereas the Licenses and Consumer Services Division has submitted a proposed civil fine schedule for consideration by the City Council:

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

That the updated Schedule of Civil Fines, as herein amended, be adopted, to read as follows:

<b>SCHEDULE OF CIVIL FINES FOR ADMINISTRATIVE OFFENSES</b>		
Unless otherwise specified in the following schedule, the civil fine for an administrative offense enforced pursuant to Chapter 2 of the Minneapolis Code of Ordinances is \$250 for an offense of a provision of Title 12 of the Code of Ordinances and \$200 for an offense of any other title there under.		
A second or subsequent violation of the same type by the same person or entity in a twenty-four (24) month period of time shall be subject to a fine that is double the amount of the fine imposed for the previous violation, up to a maximum of \$2000 per violation.		
<b>Description of Violation</b>	<b>Code Citation</b>	<b>Fine</b>
<b><u>Title 3 – Air Pollution and Environmental Protection</u></b>		
Prohibited connections	56.70	\$750
<b><u>Title 4 – Animals and Fowl</u></b>		
License Required (dogs and cats)	64.10	\$100
Collars and Tags Required	64.20	\$25
Leashing and tethers	64.50(a) & 64.50(b)	\$75
Feces clean up	64.50(c)	\$100
Off leash dog areas; permits and regulations	64.55	\$100
Dogs and cats in heat	64.60	\$75
Maximum number animals of the dog, cat, ferret, or rabbit kind	64.100	\$50
License required (ferrets)	65.10	\$50
Vaccinations of dogs required	66.10	\$100
Vaccination of cats required	66.20	\$100
Vaccinations of ferrets required	66.25	\$50
Permit required (Fowl, pigeons, and other small animals)	70.10	\$50
Unattended animals in streets, alleys, sidewalks, public places	74.10	\$50

## AUGUST 15, 2014

---

Attachment of animals to trees, posts prohibited	74.20	\$50
Failure to provide adequate feed, shelter, exercise and space	74.60	\$500
Failure to provide adequate veterinarian care	74.60	\$1,000
Failure to follow security plan	74.60	\$500
Failure to provide required information	74.60	\$500
Keeping of honeybees	74.80	\$50
Animal Cruelty	64.170	\$500
<b>Title 10 – Food Code</b>		
Conducting or Operating a Food Establishment without a License	188.160	\$250
No Glass Outside After 11 PM in Downtown	188.540 (9)	\$100
<b>Title 11 – Health and Sanitation</b>		
Dumping debris on the property of another	225.100	\$1,000
Possessing Drug Paraphernalia in a Public Place	223.235	\$240
Public Urination	227.180	\$80
<b>Title 12 – Housing</b>		
Graffiti – Defacement of Property	244.495 (a)	\$240
Light and ventilation	244.410	\$500
Prohibited uses	244.640	\$500
Required space in dwelling units	244.810	\$500
Dwelling unit to be occupied by one family	244.820	\$500
Basement space may be habitable	244.850	\$500
Attic rooms	244.940	\$500
Restricted attic use	244.945	\$500
Condemnation authorized; requiring vacating	244.1450	\$1,000
Operating a rental property without a rental license	244.1840(1)(a)	\$500
Second Offense Operating a rental without a license	244.1840 (1)(a)	\$2,000
Occupy property after rental license revocation without approval	244.197	\$2,000
<b>Title 13 – Licenses and Business Regulations</b>		
Operating a Business without a Required License (excluding Pawnshops and Precious Metal Dealers)	Chapters 266-350 excluding Chapters 322, 324	\$250
Commercial Pedal Car - Violation of Operating Restrictions	306.120	\$500
Operating as a Precious Metal Dealer without a Required License	322.20	\$500
Operating as a Pawnshop without a Required License	324.30	\$500
Taxi – Violation of Driver Prohibited Acts	341.250	\$250
Taxi – No Driver’s Licenses	341.340	\$250
Taxi – Operate a Taxi without a License	341.480	\$250
Taxi – Defective / Unsealed Meter	341.790	\$250

## AUGUST 15, 2014

<u>Operate a TNC with a license</u>	343.20	\$1000
<u>Allow an unauthorized driver to operate</u>	343.20(b)	\$500
<u>Allow TNC driver to operate unauthorized vehicle</u>	343.80	\$500
<u>Operate as a TNC driver without authorization</u>	343.120	\$250
<u>Operate as a TNC driver in unauthorized vehicle</u>	343.150(5)	\$250
<u>Operate as a TNC driver w/o prearrangement</u>	343.150(6)(e)	\$250
<u>Sell tobacco to minor by a Tobacco Dealer establishment</u>	281.500	\$200
<u>Sell tobacco to minor by an individual</u>	281.500	\$50
<u>Gambling</u>		
<u>Failure to display ID tag by employee</u>	268.80(s)	\$100
<u>Failure to display compulsive gambling hotline</u>	268.80(bb)	\$100
<u>Failure to display statement "Illegal Gambling is Prohibited"</u>	268.80(cc)	\$100
<u>Failure to accurately complete prize receipt</u>	268.80(t)	\$100
<u>Failure to deface winning pull tab tickets</u>	268.80(u)	\$100
<u>Mechanical meter in dispensing device not displaying current or accurate information</u>	268.80(ii)	\$500
<u>The lessor and/or immediate family prohibited from purchasing pull tabs on site</u>	268.80(y)	\$500
<u>Lawful gambling prohibited at any times other than during lawful business hours</u>	268.80(n)	\$500
<u>Gambling employees prohibited from purchasing pull tabs on site</u>	268.80(x)	\$500
<u>Persons under 18 prohibited from lawful gambling</u>	268.80(jj)	\$500
<u>Sale of pull tabs for cash only</u>	268.80(nn)	\$500
<u>Prohibited activities during operating times of lawful gambling</u>	268.80(dd)	\$500
<u>Serial numbers of the game in play must match the game flare</u>	268.80(kk)	\$500
<u>All last sale prizes offered are posted, by the distributor, on the game flare</u>	260.80(mm)	\$500
<u>The game flare does not display the State of Minnesota symbol or bar code is not displayed</u>	268.80(ll)	\$500
<u>All fines to be paid must originate from the gambling organization's general fund</u>	268.80(pp)	\$500
<u>Failure to maintain a valid gambling manager's license</u>	268.80(z)	\$500
<u>Refuse inspection by police</u>	268.80(oo)	\$500
<u>Fail to display state registration stamp dispensing device</u>	268..80 (qq)	\$500
<u>Failure to maintain lease for dispensing device on site</u>	268.80 (rr)	\$500
<b>Title 14 – Liquor and Beer</b>		
<u>No Business License – License Required</u>		\$500
<u>Liquor License Required</u>	362.100	
<u>Wine License Required</u>	363.200	
<u>Beer License Required</u>	366.100	
<u>Premises to be Open to Inspection</u>	362.490	\$500
<u>Furnishing Liquor to Minors, not Large Venues or Special Events</u>	364.100	\$500

## AUGUST 15, 2014

Sales to Obviously Intoxicated Parties	364.300	\$500
Consumption in Public	364.400	\$80
Loitering in Possession of an Open Bottle	364.450	\$80
Consumption in on sale -hours regulated	364.850	\$500
Unauthorized Persons on Premises between 2:30 and 5:00 a.m.		\$500
"On Sale" Liquor License	364.100	
Wine or Beer License	368.700	
"Spiking" Prohibited	368.200	\$250
Club Sales to Non-Members	368.500	\$250
Sale of Liquor to a Minor	370.10 and 364.10	\$500
Sales or Service by a Minor	370.200	\$500
Possession/Consumption by a Minor	370.400	\$160
Large Venues and Special Events		
Special Events: 1 to 10 points of sale (1 incident/sale to minor to be a violation/compliance failure)	370.1	\$500
Special Events: 11 or more points of sale (2 incidents/sales to minor to be a violation/compliance failure)	370.1	\$500 x I
Large Venues: 30 to 50 points of sale (2 incidents/sales to minor to be a violation/compliance failure)	370.1	\$500 x I
Large Venues: 51 to 75 points of sale (3 incidents/sales to minor to be a violation/compliance failure)	370.1	\$500 x I
Large Venues: 76 to 100 points of sale (4 incidents/sales to minor to be a violation/compliance failure)	370.1	\$500 x I
Large Venues: 101 to 150 points of sale (5 incidents/sales to minor to be a violation/compliance failure)	370.1	\$500 x I
Large Venues: 151 to 200 points of sale (6 incidents/sales to minor to be a violation/compliance failure)	370.1	\$500 x I
Large Venues: 201 or more points of sale (7 incidents/sales to minor to be a violation/compliance failure)	370.1	\$500 x I
<b>Title 15 – Offenses – Miscellaneous</b>		
Loitering	385.500	\$240
Aggressive Solicitation	385.600	\$80
Lurking	385.800	\$240
Noise – Amplified Sound from Vehicles	389.65 (c)(6)	\$80
Noisy/Unruly Assembly; Participating in, Conducting, Visiting, Remaining at or Permitting	389.65(c)(1)	\$150
Noisy/Unruly Assembly; Owner, Rental License Holder or Landlord	389.65(c)(1)(c)	\$200
Noise – No Amplified Sound Permit	389.105	\$250
<b>Title 17 – Streets and Sidewalks</b>		
Littering	427.300	\$80

AUGUST 15, 2014

---

<b>Title 18 – Traffic Code</b>		
Vehicles Displayed for Sale on Public Street	478.700	\$50
Violations as found in Chapter 478 and Chapter 482		Fees as approved by 4th Court District, including surcharges. All other violations \$42
<b>Title 20 - Zoning Code</b>		
Prohibited Home Occupation	535.460	\$250
Commercial Vehicle Parked in Residential Zone	546.800	\$50
Business Open After Hours		\$250
Residence Districts	546.600	
<b>Office Residence Districts</b>	547.600	
C1 Neighborhood Commercial Districts	548.240	
C2 Neighborhood Corridor Commercial Districts	548.300	
C3A Community Activity Center District	548.360	
C3S Community Shopping Center District	548.420	
C4 General Commercial District	548.480	
Downtown Districts	549.600	
Industrial Districts	550.900	

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**The ELECTIONS & RULES Committee submitted the following report:**

**E&R** - Your Committee recommends passage of Resolution 2014R-347 authorizing an increase in pay rates for Election Judges.

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

**RESOLUTION 2014R-347**

**By Frey**

**Authorizing an increase in pay rates for election judges.**

Whereas, City Charter, Chapter 2, Section 6 provides that the compensation of election judges shall be forty (40) percent greater than the prevailing minimum wage as defined by state law unless the City Council sets a different rate; and

Whereas, the City Council, by adoption of Resolution 2007R-311, previously set election judge pay rates based on assigned position and authorized staff to determine pay rates for election judges through the annual budget process; and

## AUGUST 15, 2014

---

Whereas, in its 2014 Session, the Minnesota Legislature increased the statewide minimum wage, to be effective August 1, 2014, and this change impacts pay rates for election judges in Minneapolis;

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

That an increase of \$2.45 is hereby authorized in all election judge pay rate categories to be effective August 1, 2014, consistent with state policy and Minneapolis City Charter. The new election judge pay rates, by position type, shall hereafter be as follows:

ELECTION JUDGE TYPE – BY POSITION	NEW PAY RATE – EFFECTIVE AUGUST 1,
Base Judge Pay (Team Judge)	\$11.20
Head Judge	\$12.95
Assistant Head Judge	\$11.95
Precinct Support Judge	\$17.45
Health Care Judge	\$17.45

Be It Further Resolved that staff is further directed to address future election judge pay rates as part of the City's annual budget process, subject to confirmation by the City Council.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (11)

Noes: (0)

Abstain: Goodman (1)

Absent: Warsame (1)

The resolution was adopted.

### **The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT Committee submitted the following reports:**

**HE&CE** - Your Committee, to whom was referred the following ordinances amending Title 10 of the Minneapolis Code of Ordinances relating to Food Code, repealing three chapters regulating bread, eggs, and water, and having held a public hearing thereon, now recommends that said ordinances be given their second reading for amendment and passage:

- a) Ordinance 2014-Or-046 repealing Chapter 192 relating to Bread;
- b) Ordinance 2014-Or-047 repealing Chapter 194 relating to Eggs; and
- c) Ordinance 2014-Or-048 repealing Chapter 196 relating to Water for Drinking and Domestic Purposes.

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

**ORDINANCE 2014-Or-046**  
**By A. Johnson**  
**Intro & 1st Reading: 5/23/2014**  
**Ref to: HE&CE**  
**2nd Reading: 8/15/2014**

### **Amending Title 10, Chapter 192 of the Minneapolis Code of Ordinances relating to Food Code: Bread.**

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

Section 1. That Chapter 192 of the above-entitled ordinance be and is hereby repealed.

**CHAPTER 192. BREAD.**

~~**192.10. Wholesome conditions and ingredients.** All bread made or procured for the purpose of sale, sold, offered or exposed for sale in the city shall be made in a clean and sanitary place, of good and wholesome flour or meal, and shall contain no deleterious substance or material.~~

~~**192.20. Size of loaves.** Every loaf of bread made or procured for the purpose of sale, sold, offered or exposed for sale in the city shall weigh one pound avoirdupois, and such loaf shall be considered to be the standard loaf in the city. Bread may also be made or procured for the purpose of sale, sold, offered or exposed for sale in half, double, triple, quadruple, quintuple or sextuple loaves, and in no other way.~~

~~**192.30. Marking of loaves.** Every loaf of bread made or procured for the purpose of sale, sold, offered or exposed for sale in the city shall have affixed thereon in a conspicuous place a white paper label at least one inch square and not to exceed one and one-half (1 1/2) inches square, or, if round, at least one inch in diameter and not to exceed one and one-half (1 1/2) inches in diameter, upon which label there shall be printed, in plain black type the letters and figures of which shall not be smaller than twelve-point Lining Gothic No. 520, capital letters and figures, the weight of the loaf in pound, pounds or fraction of a pound avoirdupois, whether the loaf is a standard loaf or not, and the business name and address of the maker, baker or manufacturer of the loaf.~~

~~**192.40. Right to demand weighing; exemptions to chapter.** Every maker, baker or manufacturer of bread, every proprietor of a bakery or bakeshop and every seller of bread shall keep scales and weights suitable for the weighing of bread, in a conspicuous and convenient place in his bakery, bakeshop or store, and shall, whenever requested by the buyer and in the buyer's presence, weigh the loaf or loaves of bread sold or offered for sale. The provisions of this chapter shall not apply to crackers, pretzels, biscuits, buns, scones, rolls or loaves of fancy bread weighing less than one-fourth of a pound avoirdupois, or to what is commonly known as "stale bread," provided the seller shall at the time of sale expressly state to the buyer that the bread so sold is stale bread.~~

~~**192.50. Responsibility for enforcement.** It shall be the responsibility of the Minneapolis Health Department to enforce the provisions of this chapter.~~

~~**192.60. Confiscation of loaves.** Any loaf or loaves of bread made, baked or offered or exposed for sale contrary to the provisions of this chapter shall be subject to confiscation, and the inspector or other officer of the city who discovers any violation of any of the provisions of this chapter shall order and cause all such bread to be confiscated and turned over to the proper authorities to be used for the benefit of the poor of the city.~~

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The ordinance was adopted.

AUGUST 15, 2014

---

**ORDINANCE 2014-Or-047**  
**By A. Johnson**  
**Intro & 1st Reading: 6/13/2014**  
**Ref to HE&CE**  
**2nd Reading: 8/15/2014**

**Amending Title 10, Chapter 194 of the Minneapolis Code of Ordinances relating to Food Code: Eggs.**

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

Section 1. That Chapter 194 of the above-entitled ordinance be and is hereby repealed.

**~~CHAPTER 194. EGGS~~**

~~**194.10. Sale of unfit eggs prohibited.** No person shall sell, offer or expose for sale, or have in his possession for sale, eggs for human consumption that are inedible or adulterated. Eggs that are filthy, putrid, decomposed or otherwise unfit for food in whole or in part shall be deemed to be adulterated. Eggs which contain black rots, white rots, mixed rots (addled eggs, sour eggs with green white, eggs with stuck yolks, moldy eggs, musty eggs, eggs showing blood rings, eggs containing embryo chicks at or beyond the blood ring stage), or any other eggs that are filthy, decomposed or putrid shall be deemed to be inedible.~~

~~**194.20. Candling required.** Every person who purchases eggs from the producer for sale at retail or wholesale shall candle all eggs offered to him, and shall refuse to buy eggs that are inedible or adulterated as defined above. Before sales are made to either retailers or consumers, the vendor or handler of eggs negotiating or transacting such sales to said parties shall candle his eggs, and in the process of so doing eliminate all inedible and adulterated eggs. No tolerance of inedible or adulterated eggs shall be permitted in the sale of eggs to retailers or to consumers.~~

~~**194.30. Invoices required.** Every person selling eggs to retailers shall furnish to such retailers an invoice showing his name and address, date of sale and grade of eggs, if officially graded, or words "Ungraded Eggs" if not officially graded. A copy of such invoice shall be kept on file by the person selling, and the retailer, in their respective places of business for a period of sixty (60) days, and shall be available and open for inspection at all reasonable times to the inspectors of the licensing official.~~

~~**194.40. Sale of graded eggs; marking.** Any person exposing or offering for sale to a consumer graded eggs, other than his own production, shall give notice of the grade of eggs in the following manner:~~

~~(a) If graded eggs are exposed or offered for sale in cartons, bags or other containers, such cartons, bags or other containers shall be plainly and conspicuously marked in type not smaller than one-half inch in height, with the exact grade.~~

~~(b) If graded eggs are offered or exposed for sale in bulk, there shall be placed among or adjacent to such eggs a placard bearing the grade of such eggs in type not smaller than one-half inch in height.~~

~~**194.50. Sale of ungraded eggs; marking.** Any person exposing or offering for sale to a consumer eggs, other than his own production, which are not sold under grade, shall label the same "Ungraded Eggs."~~

~~(a) If ungraded eggs are offered for sale in cartons, bags or other containers, there shall be plainly and conspicuously marked on each carton, bag or other container the words "Ungraded Eggs" which shall be in type not smaller than one-half inch in height.~~

~~(b) If ungraded eggs are offered or exposed for sale in bulk, there shall be plainly and conspicuously among or closely adjacent to such eggs a placard which shall bear the words "Ungraded Eggs" in type not smaller than one-half inch in height.~~

~~**194.60. Advertisement of grade.** Any advertisement of eggs by grade, or as "Ungraded Eggs," at a given price shall plainly and conspicuously indicate the grade or the words "Ungraded Eggs." The grade designation, or the words "Ungraded Eggs" shall not be abbreviated. The use of the term "fresh" or any other term of similar import shall not be deemed to be a substitute for grade designation.~~

~~**194.70. Misleading advertisements.** No person shall sell, offer for sale, or advertise for sale, eggs for human consumption if the package containing them, or the label thereon, or any advertising accompanying them, shall bear any statement or device which may be false or misleading in any particular.~~

~~**194.80. False statement as to freshness.** No person shall sell, offer for sale, or advertise for sale, any lot of eggs under the term "Fresh Eggs," or any other word or description of similar import, if such statement or term is false or misleading.~~

~~**194.90. Official grades declared.** The official consumer grades of eggs sold, or offered for sale, or advertised for sale, for human consumption shall be as follows:~~

~~(a) Consumer Grade A Jumbo. Eggs of which at least eighty (80) per cent are Grade A quality, and the balance Grade B quality. Minimum net weight per dozen of this grade shall be thirty (30) ounces; minimum net weight per thirty (30) dozen, fifty-six (56) pounds; minimum net weight for individual eggs at rate per dozen, twenty-nine (29) ounces. This shall be an optional grade provided the eggs were graded "Grade A Jumbo" as a purchase grade, and such eggs may also be graded "Grade A Large."~~

~~(b) Consumer Grade A Large. Eggs of which at least eighty (80) per cent are A quality, and the balance B quality. Minimum net weight per dozen for this grade shall be twenty-four (24) ounces; minimum net weight per three hundred (300) dozen, forty-five (45) pounds; minimum net weight for individual eggs at rate per dozen, twenty-three (23) ounces.~~

~~(c) Consumer Grade A Medium. Eggs of which at least eighty (80) per cent are A quality, and the balance B quality. Minimum net weight per dozen for this grade shall be twenty-one (21) ounces; minimum net weight per thirty (30) dozen, forty (40) pounds; minimum net weight for individual eggs at rate per dozen, twenty (20) ounces.~~

~~(d) Consumer Grade A Small. Eggs of which at least eighty (80) per cent are A quality, and the balance B quality. Minimum net weight per dozen for this grade shall be eighteen (18) ounces; minimum net weight per thirty (30) dozen, thirty-four (34) pounds; minimum net weight for individual eggs at rate per dozen, fifteen (15) ounces.~~

~~(e) Consumer Grade B. Eggs of which at least eighty (80) per cent are B quality, and the balance C quality. Minimum net weight per dozen for this grade shall be twenty-four (24) ounces; minimum net weight per thirty (30) dozen, forty-five (45) pounds; minimum net weight for individual eggs at rate per dozen, twenty-three (23) ounces.~~

~~(f) Consumer Grade C. Eggs which are C quality. Minimum net weight per dozen for this grade shall be eighteen (18) ounces; minimum net weight per thirty (30) dozen, thirty-four (34) pounds; minimum net weight for individual eggs at rate per dozen, fifteen (15) ounces.~~

~~**194.100. Grading not required.** Nothing in this article shall be construed to require the grading of eggs.~~

~~**194.110. Enforcement of article.** The licensing official shall enforce the provisions of this chapter.~~

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The ordinance was adopted.

**ORDINANCE 2014-Or-048**  
**By A. Johnson**  
**Intro & 1st Reading: 5/23/2014**  
**Ref to: HE&CE**  
**2nd Reading: 8/15/2014**

**Amending Title 10, Chapter 196 of the Minneapolis Code of Ordinances relating to Food Code: Water for Drinking and Domestic Purposes.**

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

Section 1. That Chapter 196 of the above-entitled ordinance be and is hereby repealed.

**~~CHAPTER 196. WATER FOR DRINKING AND DOMESTIC PURPOSES~~**

~~**196.10. Standard of purity required.** All water furnished for sale or sold for drinking, household or domestic uses and purposes shall be of the standard of purity, both chemical and bacteriological, adopted by the Minneapolis Health Department, to wit: All well, spring, distilled and artesian well water shall be free from the presence of the colon bacillus and all other pathogenic bacteria; and the composition of all said waters shall be substantially as follows:~~

	Parts per 100,000	
Total solid residue .....	20.	60
Chlorine .....	0.2	0.5
Free ammonia .....	.003	.005
Albuminoid ammonia .....	.002	.006

Oxygen absorbed in 10 minutes at 100 degrees C. ....	.010	.050
Nitrogen as nitrates .....	None	.100
Nitrogen as nitrites .....	None	

**196.20. Furnishing nonconforming water.** No person shall furnish for sale or sell any water or waters for drinking, household or domestic purposes that is not of the standard of purity, both chemical and bacteriological, hereinabove required.

**196.30. Materials for delivery containers.** All containers in which water is furnished and sold for drinking, household and domestic purposes shall be of stainless steel, monel metal, glass, plastic, coated paper cartons or such other container material or lining as may be approved by the Minneapolis Health Department. Surfaces in contact with water shall be of a nontoxic material and shall not contribute to the adulteration of the water itself.

**196.40. Cleansing of containers.** All tanks, pails and bottles used in the sale and delivery of water as aforesaid shall be cleansed at the place of business of the person using the same, with hot water or steam each and every time they are used or refilled, and no corks shall be used a second time in any of such bottles; and all such tanks and bottles shall be filled and refilled at the spring or central plant of the person using the same for the purposes aforesaid, and no such bottles shall be filled or refilled from any delivery vehicle or tank thereon until such bottles have been first cleaned with hot water or steam.

**196.50. Bottle cases to be covered; labeling.** All bottle cases used in such delivery of water shall be covered, and all such cases and bottles shall be marked with a legible stamp, tag or impression bearing the name of the person using and distributing the same and his place of business, including the name of street and street number.

**196.60. Sanitary requirements.** All persons engaged in the sale and delivery of water for drinking, household and domestic uses shall keep their respective bottling works, buildings or other places of business wherein water is bottled or kept for sale, and any and all coolers so-called furnished to customers, in a clean, wholesome and sanitary condition; and no person shall use any of the bottles so used in such sale and delivery of water for any other purpose whatever.

**196.70. Inspections.** The Minneapolis Health Department may stop and inspect or cause to be inspected any vehicle or tank thereon used by any person in delivering water for drinking, household or domestic purposes for the purpose of enforcing the provisions of this chapter and may inspect any and all buildings and plants where water is prepared, distilled or bottled for the uses and purposes hereinabove mentioned.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The ordinance was adopted.

**HE&CE** - Your Committee recommends approval of the City Council appointment of Margaret (Peggy) Reinhardt (Ward 10) to the Minneapolis Public Health Advisory Committee for a two-year term to expire December 31, 2015.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS Committees submitted the following report:**

**HE&CE & W&M** - Your Committee, having under consideration contracts with partner agencies to implement low-cost healthy home improvements in low-income housing in conjunction with the Federal Housing and Urban Development (HUD) Healthy Homes Grant Program, now recommends amending the following Healthy Homes Project contracts:

a) Increasing Contract No 35804 with Community Action of Minneapolis by \$70,000, for a revised contract total of \$170,000, and extending the termination date to June 30, 2015, for a new contract period of June 25, 2012, through June 30, 2015, from fund/department 01300-8600122; and

b) Increasing Contract No 35940 with Project for Pride in Living, Inc. by \$80,000, for a revised contract total of \$480,000, and extending the termination date to June 30, 2015, for a new contract period of August 1, 2012, through June 30, 2015, from fund/department 01300-8600122.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

Approved by Mayor Betsy Hodges 8/15/2014.

(Published 8/19/2014)

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

**IGR** – Your Committee recommends passage of Resolution 2014R-348 adopting title and ballot language pertaining to a proposed amendment to the Minneapolis City Charter, Plain Language Revision, regarding the sale of wine and beer in certain establishments to be submitted to the qualified voters of the City of Minneapolis at the Gubernatorial General Election on November 4, 2014.

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

**RESOLUTION 2014R-348**  
**By Glidden**

**Adopting title and ballot language pertaining to a proposed amendment to the Minneapolis City Charter, Plain Language Revision, regarding the sale of wine and beer in certain establishments to be submitted to the qualified voters of the City of Minneapolis at the Gubernatorial General Election on November 4, 2014.**

Whereas, on June 4, 2014, the Minneapolis Charter Commission, after having conducted a public hearing on the same, did authorize the submission of an amendment to the City Charter, Plain Language Revision, relating to the sale of wine and beer in certain establishments; and

Whereas, the proposed amendment submitted by the Charter Commission would, if approved, amend the Minneapolis City Charter, Plain Language Revision, as follows:

Section 1. Amending Article IV, Sections 4.1 (f)(2) and (f)(3) of the Minneapolis City Charter, Plain Language Revision, to read as follows:

**4.1. Function.**

(f) **Liquor licenses.** Subject to any other applicable law, the Council may grant a license for the sale of liquor.

(2) Wine licenses. The Council may grant a license for the on-sale of wine, which may include the on-sale of intoxicating malt beverages, to a restaurant ~~whose gross receipts are at least 70 percent attributable to the sale of food, if the restaurant~~ which otherwise qualifies for the license under each applicable law or ordinance.

(3) On-site consumption. The Council must by ordinance establish standards ~~so that for a restaurant a business~~ holding a liquor license in ~~an~~ areas smaller than seven acres –

~~(A) does not sell, serve, or permit to be consumed any wine or intoxicating malt beverage, unless the buyer orders a meal; and~~

~~(B) does not have a bar or bar area.~~

Section 2. This amendment is effective January 16, 2015.; and

Whereas, the Charter Commission transmitted that proposed amendment to the City Council, the subject of which was referred to its standing committee on Intergovernmental Relations on June 13, 2014; and

Whereas, the Intergovernmental Relations Committee considered the proposed amendment and prepared recommended ballot language to submit the question to the qualified voters of the City of Minneapolis pursuant to Minnesota Statutes Section 410.12, Subdivision 4;

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

That the proposed amendment related to the sale of wine and beer in certain establishments be submitted to the qualified voters of the City for adoption or rejection at the 2014 Gubernatorial General Election to be held November 4, 2014, and that notice of such submission be given by the City Clerk by publication of such notice and amendment, in full, once a week for two

successive weeks prior to November 4, 2014, in the *Star Tribune*, a newspaper of general circulation in the City of Minneapolis, and in *Finance and Commerce*, the official newspaper of the City of Minneapolis.

Be It Further Resolved that in submitting the proposed amendment for adoption or rejection by the qualified voters, the title and language of the question shall be presented as follows:

**“Remove Mandatory Food Requirements for Wine Licenses**

Shall the Minneapolis City Charter be amended to remove the requirement that businesses holding on-sale wine licenses in the City must serve food with every order of wine or beer and to remove mandatory food to wine and beer sales ratios?

Yes \_\_\_\_\_

No \_\_\_\_\_.”

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

Approved by Mayor Betsy Hodges 8/15/2014.

(Published 8/19/2014)

**IGR** - Your Committee recommends approval of the Fiscal Year 2015 Federal Policies Agenda for the City of Minneapolis, as set forth and described in Petition No 277408 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

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

**PSCR&EM** – Your Committee recommends that the proper City officers be authorized to enter into a contract agreement with The First 48 television documentary series producers to allow the Minneapolis Police Department to be highlighted in television series episodes, at no monetary cost to the Police Department, nor additional department or City expense.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS Committees submitted the following reports:**

**PSCR&EM & W&M** – Your Committee recommends that the proper City officers be authorized to execute a Joint Powers Agreement with the Minnesota Bureau of Criminal Apprehension, in an amount not to exceed \$714,000, for the Minneapolis Police Department (MPD) to fund four DNA analysts to work on MPD cases.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**PSCR&EM & W&M** – Your Committee recommends that the proper City officers be authorized to execute an agreement with the Minnesota Vikings Football, LLC, for the Minneapolis Police Department to provide law enforcement services in the neighborhoods adjacent to the TCF Stadium during the 2014 Minnesota Vikings football season games, with expenses being reimbursed by the Minnesota Vikings.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

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

**T&PW** - Your Committee recommends that the proper City officers be authorized to execute a second amendment to an Agreement for Skyway Construction, Operation, Maintenance and Easements (C97-11398) by and among FSP 50 South Tenth Street Corp., a Delaware corporation ("FSP"), as successor in interest to Ryan 900, LLC and RC-NRI, LLC as to the Additional Retail Parcel and as successor in interest to MCDA and RC-NRI, LLC as to the Office Tower Parcel; Y-Q Associates Limited Partnership, a Minnesota limited partnership ("Y-Q"); the City of Minneapolis, a Minnesota municipal corporation (the "CITY"); Target Corporation, a Minnesota corporation ("Target"); and 9's on the Mall, LLC, a Minnesota limited liability company ("9's") in order to allow The 9's, located at 917-927 Nicollet Mall, to connect to the existing skyway system.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**T&PW** - Your Committee, having under consideration the LynLake Municipal Parking Lots and an operating profit that exceeds the 2014 assessment and the establishment of impact fees for businesses that have bought into the lots to meet parking requirements, now recommends:

- a) Determining that no special assessment proceeding is necessary for payable 2015 for the LynLake Parking Facilities; and
- b) Establishing impact fees for the LynLake Lots for the period of September 1, 2014 through August 31, 2015 at \$940.00 per stall for businesses that had licenses or permits to expand their businesses or approved plans by the City to expand their businesses as of September 1, 1998, and \$1,885.00 per stall for new businesses.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**T&PW** - Your Committee recommends passage of Resolution 2014R-349 authorizing execution of an Interagency Agreement with the Minnesota Department of Transportation for participation in a force account and advance construction for the St. Anthony Parkway Bridge.

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

**RESOLUTION 2014R-349**

**By Reich**

**Authorizing the execution of an Interagency Agreement with the Minnesota Department of Transportation (MnDOT) for participation in Force Account and Advance Construction Agreement No 06259 relating to the St. Anthony Parkway Bridge over the Burlington Northern Santa Fe (BNSF) Northtown Yard (City Project No 9698).**

Whereas, the St. Anthony Parkway Bridge over the BNSF Northtown Yard Project was selected to receive \$8,960,000 dollars in federal aid funds for the reconstruction of the bridge; and

Whereas, a replacement bridge is slated to be constructed over the BNSF Northtown Yard beginning in 2015; and

Whereas, BNSF Railroad has required railroad flagging and coordination during construction which shall be paid by the City of Minneapolis; and

Whereas, the City of Minneapolis requests federal force account reimbursement for railroad flagging and coordination expenses; and

Whereas, the federal aid funds are programmed for the 2017 federal fiscal year; and

Whereas, the City of Minneapolis desires to begin construction prior to the federal aid programmed year; and

Whereas, the City of Minneapolis and MnDOT desire to enter into an agreement allowing for advance construction of a federal aid project and approving force account for railroad flagging and coordination;

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

That pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the City of Minneapolis to accept as its Agent federal aid funds which may be made available for eligible transportation projects.

Be It Further Resolved that the proper City officers are hereby authorized and directed on behalf of the City to execute and enter into an agreement with the Commissioner of Transportation as set forth and contained in the Minnesota Department of Transportation Agency Agreement Number 06259 which is made a part hereof by reference.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**T&PW** - Your Committee recommends approval of a Large Block Event Permit for the Minneapolis Bicycle Coalition "Nicollet Avenue Open Streets" event to be held on September 14, 2014, on Nicollet Ave from Lake St to 46th St, allowing the block event to operate outside the requirements set forth in Title 17, Chapter 455.30(g) of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: Block Events.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**T&PW** - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) to solicit proposals from qualified vendors for construction management services for the Nicollet Mall Redesign and Reconstruction Project.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

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

**T&PW & W&M** - Your Committee, having under consideration the W 36th St Bikeway Project, now recommends:

a) That the proper City officers be authorized to accept a grant award in the amount of \$55,450 from Hennepin County Bicycle Improvement Funds covering 50% of the cost for the W 36th St Bikeway Project;

- b) That the proper City officers be authorized to execute Cooperative Agreement No PW 42-20-12 (CP 1222) with Hennepin County relating to the project; and
- c) Passage of Resolution 2014R-350 amending the 2014 adopted Capital Budget to establish the W 36th St Bikeway Project and increasing the appropriation for the project by \$55,450 from the Hennepin County grant and \$55,450 from City matching funds from the Public Works Capital Improvements Fund.

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

**RESOLUTION 2014R-350**  
**By Reich and Quincy**

**Resolved by The City Council of The City of Minneapolis:**

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

- a) Establishing the W 36th St Bikeway Project utilizing Capital Project No CBIK27; and
- b) Increasing the appropriation and revenue estimate for the W 36th St Bikeway Project (04100-9010943-CBIK27 - Source 322002) by \$55,450 to reflect receipt of a Hennepin County grant and \$55,450 in City matching funds (currently appropriated in 04100-9010937-CPV1274).

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report and resolution were adopted.

**T&PW & W&M** - Your Committee recommends acceptance of the following low bids submitted to the Public Works Department on OP No 7924, for a total estimated annual expenditure of \$1,975,140.33, to furnish public impound towing for the Public Works Transportation Division through June 30, 2016, with the option of extending through June 30, 2018, and June 30, 2020, at the sole option of the City of Minneapolis:

<u>Bidder</u>	<u>District/Zone</u>	<u>Estimated Annual Expenditure</u>
Wrecker Services, Inc.	District A/Zone 3	\$666,490.55
Rapid Recovery, Inc.	District B/Zone 5	\$632,838.78
Corky's Towing, Inc.	Zone 1 & Zone 4	\$415,120.00
Twin Cities Transport and Recovery	Zone 2	\$141,000.00
Williams Towing, Inc.	Zone 6	\$119,691.00

Further, that the proper City officers be authorized to execute contracts for said services in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**T&PW & W&M** - Your Committee recommends acceptance of the low bid (re-bid) submitted to the Public Works Department on OP No 7947 from Trane US, Inc., for an estimated expenditure of \$377,500.00, to furnish and deliver all labor, materials, and incidentals necessary for the Skyway Air Handler Unit Replacement Project for the Public Works Transportation Division. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**T&PW & W&M** - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7973 from Killmer Electric Company, Inc., for an estimated expenditure of \$517,812.00, to furnish and deliver all labor, materials, and incidentals necessary for the Hiawatha Light Rail Transit (LRT) Trail Lighting Project for the Public Works Traffic and Parking Services Division. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

Approved by Mayor Betsy Hodges 8/15/2014.

(Published 8/19/2014)

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

**W&M** - Your Committee recommends passage of Resolution 2014R-351 authorizing settlement of a legal matter, as recommended by the City Attorney.

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

**RESOLUTION 2014R-351**

**By Quincy**

**Authorizing legal settlements.**

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with settlement in the matter of Richard M. Murphy v. City of Minneapolis, by payment of \$113,000.00 to Mr. Murphy; and his attorneys, Sommerer & Schultz, from Fund/Org. 06900-1500100-145685.

Be It Further Resolved that the proper City officers be authorized to execute any documents necessary to effectuate said settlements.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to execute an agreement with property owners/partners for Nicollet Avenue Public Art outlining details regarding maintenance, liability, and permission for placing artworks on private property.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** – Your Committee, having under consideration an existing Allied Waste Service of North America (d/b/a Republic Services of the Twin Cities) contract (C-37095), now recommends increasing said contract amount by \$95,000 for a new contract estimated expenditure of \$190,000 to provide waste hauling services for the Minneapolis Convention Center.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** – Your Committee, having under consideration an existing Halogen Software Inc. contract (C-32017), now recommends increasing said contract amount by \$125,921.25 for a new not-to-exceed total of \$425,921.25 for the Enterprise Performance Management System.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** - Your Committee, having under consideration an existing Environmental Systems Research Institute contract (C-37215), now recommends increasing said contract by \$50,000 for a new not-to-exceed total of \$100,000 for hosting Geographical Information System (GIS) Data Services.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to:

a) Execute a three-year contract to run through September 29, 2017, with Corporate Executive Board Company (CEB) for subscription-based Information Technology (IT) membership, in an amount not-to-exceed \$263,700; and

b) Direct the City to use CEB's contract agreement instead of the City's Professional Services Agreement.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** - Your Committee, having under consideration an existing contract (C-38092) with iLynx, Inc. for Senior Project Management Services, PeopleSoft Financials (COMPASS) Upgrade, now recommends increasing said contract by \$540,000, for a new not-to-exceed total of \$760,000 over the life of the contract.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to accept a grant award from The American Society for the Prevention of Cruelty of Animals (ASPCA), in the amount of \$5,500, to provide funds for the purchase of three pieces of equipment associated with Minneapolis Animal Care & Control's new Adoption Initiative. Further, passage of Resolution 2014R-352 appropriating \$5,500 to Animal Care & Control.

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

**RESOLUTION 2014R-352**

**By Quincy**

**Amending The 2014 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Department of Regulatory Services Agency in the Grants - Other Fund (01600-8350500) by \$5,500, and increasing the Department of Regulatory Services revenue estimate (01600-8350500-372001) by \$5,500.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report and resolution were adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to execute a contract with Stream Integration, a Division of Xteoma Corporation, for three years through August 10, 2017, in an amount not to exceed \$300,000 for professional services involved in the implementation of the Enterprise Data Strategy.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

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

**Z&P** – Your Committee, having under consideration an appeal filed by Jane Prince, on behalf of Linden Hills Residents for Responsible Development, of the City Planning Commission's decision to approve the following applications for the proposed Linden Crossing four-story, mixed-use building located at 4250 and 4264 Upton Ave S:

- a) Conditional Use Permit to increase the maximum allowed height to 4 stories/56 feet;
- b) Variance to reduce the north interior side yard setback to five feet for two balconies with awnings and to two feet for a terrace;
- c) Variance to reduce the west interior side yard setback to ten feet for the building wall and terrace, to six feet for the balconies with awnings, to five feet for two balconies with awnings, and to four feet for a terrace;
- d) Site Plan Review to allow a new mixed-use building with 20 residential dwelling units and approximately 6,155 sq ft of commercial space,

now recommends that said appeal be Denied, the applications Approved, and the related Findings of Fact as prepared by the City Attorney and on file as FOF-2014-05-Z&P in the Office of the City Clerk, be Adopted.

On motion by Palmisano, seconded, the report was amended as follows:

The appeal be denied and the staff findings adopted with an additional condition of approval imposed on the conditional use permit stating that “[t]he fourth story shall be stepped back twelve (12) feet or more from all of the exterior building walls of the third story and shall not cover more than fifty (50) percent of the third story roof.”

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report, as amended, was adopted.

**Z&P** – Your Committee recommends approval of the following two-year appointments to the Minneapolis Arts Commission:

- a) Ashley Fairbanks (Ward 2), for a two-year term to expire December 31, 2015; and
- b) Tom Loftus (Ward 1), for a two-year term to expire December 31, 2015.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**Z&P** – Your Committee concurs in the recommendations of the Planning Commission in granting the petition filed by Mary Novak, with Project for Pride in Living, on behalf of Riverton Community Housing, to rezone the Riverton Community Housing located at 1227 4th St SE to the OR3 High Institutional Office Residence District, to allow for construction of a new 66-unit residential building with ground floor commercial space. Further, passage of Ordinance 2014-Or-049 amending the Zoning Code.

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

**ORDINANCE 2014-Or-049**  
**By Bender**  
**Intro & 1st Reading: 1/6/2014**  
**Ref to: Z&P**  
**2nd Reading: 10/15/2014**

**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 10, all in Block Q of Tuttle's Addition to St. Anthony (1227 4th Street Southeast - Plate #15) to the OR3 High Institutional Office Residence District.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report and ordinance were adopted.

**Z&P** – Your Committee recommends approval of the Marcy Holmes Master Plan and Dinkytown Business District Plan documents as amended by adding the following language to the plan (approximately page 26):

“The area within the regional park boundary contains several inholdings owned by private entities. While it is anticipated that these may remain as non-park uses for the time being, the current Regional Parks Policy Plan guides them for park or park-supportive development over the long term.”

Your Committee further recommends that the policy guidance for the area be amended into the City’s comprehensive plan subject to final review and approval by the Metropolitan Council.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**Z&P** – Your Committee recommends approval of the following directions as a response to the Minneapolis Department of Natural Resources’ (DNR) request for comments on Mississippi River Corridor Critical Area (MRCCA) Draft Rules.

- a) Directing staff to draft a letter in response to the Minneapolis Department of Natural Resources’ (DNR) request for comments on Mississippi River Corridor Critical Area (MRCCA) Draft Rules;
- b) Directing staff to continue to work with the DNR on the rulemaking process to ensure that City interests are addressed; and
- c) Directing that future Council actions in response to changes to the critical area rules, including ordinance amendments, will continue to occur in the regular reporting committees of responsible departments.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

## RESOLUTIONS

Resolution 2014R-353 honoring the Lake Harriet Elf for 20 Years of Building Community was adopted.

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

### RESOLUTION 2014R-353

**By Palmisano, Reich, Gordon, Frey, B. Johnson, Yang,  
Warsame, Goodman, Glidden, Cano, Bender, Quincy, and A. Johnson**

#### **Honoring the Lake Harriet Elf for 20 Years of Building Community.**

Whereas, there are many ways to be engaged in and become a part of the communities that make up the City of Minneapolis; and

Whereas, community participation and engagement does not come with particular age or size requirements; and

Whereas, for twenty years, Thom, the Lake Harriet elf, also known as Mr. Little Guy, has brought joy to children of all ages, from two to ninety-two by enchanting us all with his stories of elfball, minnow cakes, rides on Nickerson the cat, blue ice cream, great elf Martha, and princess elf Alta Lucia; and

Whereas, the Lake Harriet elf is not a gnome, not a troll, and not a fairy, but an elf who has contributed mightily to making Minneapolis a special place and brought national acclaim to our City; and

Whereas, the Lake Harriet elf has sought neither fame nor fortune by revealing his identity, resisting continual pleas for him to show himself while teaching us about life and love and caring and joy; and

Whereas, the Lake Harriet elf believes in our City and lives in the hearts and minds and souls of those who believe in him while showing all of us everyone has a role to play in making Minneapolis a great place to live; and

Whereas, the elf hopes for the City to continue to be a haven for dreamers, artists, and visionaries; and

Whereas, though of undetermined age in human years or in elf years, August 15 is the Lake Harriet elf's birthday;

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

That we honor Thom, the Lake Harriet elf, for his twenty years of unique service to Minneapolis and commitment to children of all ages, and proclaim August 15, 2014, LAKE HARRIET ELF DAY.

Resolution 2014R-354 recognizing August 16, 2014, as Emiliano Zapata Day was adopted.

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

**RESOLUTION 2014R-354**

**By Cano, Bender, Frey, Glidden, Goodman, Gordon,  
A. Johnson, B. Johnson, Palmisano, Quincy, Reich, Warsame, Yang**

**Recognizing August 16, 2014, as Emiliano Zapata Day.**

Whereas, Emiliano Zapata Salazar, born to a mixed Indigenous Nahua and Spanish family in the State of Morelos, Mexico, in 1879, is recognized as a national hero of the Mexican Revolution 1910 to 1920; and

## AUGUST 15, 2014

---

Whereas, Zapata captured the sympathy and support of the Mexican people and mobilized against the harsh dictator Porfirio Diaz after more than three decades of repression, severe poverty, and social injustices; and

Whereas, Zapata himself was a farmer who fought for social and agrarian land reform until he was assassinated in 1919; and

Whereas, Zapata's iconic image, including a huge black mustache and traditional *charro* style-- a broad sombrero, fitted pants with silver buttons, a scarf around his neck, and cartridge belts across his chest-- has become a potent symbol of social justice and his legacy continues to be acknowledged and celebrated in Mexico because of his bravery in defending the peasants and indigenous people; and

Whereas, Minneapolis has become home to many people from Morelos, especially the city of Axochiapan; and

Whereas, Cuernavaca, the Capitol of Morelos, became a sister city to Minneapolis in 2008; and

Whereas, Plaza Centenario on Lake Street and 12th Avenue houses a bronze sculpture of Emiliano Zapata, which was a gift from the government of Morelos and is an important landmark for the Latino community that celebrates the relationship between Mexico and Minnesota generally and Minneapolis and Cuernavaca specifically; and

Whereas, the presence of Plaza Centenario on Lake Street in a highly concentrated Latino community in South Minneapolis brings awareness of what the revolution means to Mexican people and provides the opportunity for all residents to learn about the history and importance of Emiliano Zapata; and

Whereas, Mercado Central, established in 1999, is a thriving Latino marketplace at the corner of Lake Street and Bloomington Avenue in Minneapolis and is based on a cooperative model of fostering small business development; and

Whereas, on Saturday, August 16, 2014, the Mexican Consulate and the cooperative merchants of Mercado Central will cohost a community-wide celebration of what would have been Emiliano Zapata's 135th birthday and the 15th anniversary of the opening of Mercado Central with a festival at Mercado Central and a procession to Plaza Centenario;

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

That August 16, 2014, shall be known as Emiliano Zapata Day.

### **UNFINISHED BUSINESS**

Pursuant to notice, on motion by Bender, seconded, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Zoning & Planning Committee:

Amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to Zoning Code: Commercial Districts (amending regulations for secondhand goods stores).

AUGUST 15, 2014

---

On motion by Yang, seconded, the following notice of intent was deleted:  
Subject matter of an ordinance amending Title 7 of the Minneapolis Code of Ordinances relating to Civil Rights by adding a new Chapter 143 entitled Target Market Program (amending to provide a new race-and-gender-neutral Target Market Program).

### NEW BUSINESS

On motion by Quincy, seconded, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Committee of the Whole:

Amending Title 16, Chapter 420 of the Minneapolis Code of Ordinances relating to Planning and Development: Public Housing Authority (amending sections related to the Minneapolis Public Housing Authority's transition to their own benefit plans and administrative services).

On motion by Glidden, seconded, the meeting was adjourned to Room 315, City Hall, for the purpose of discussing the matter of *City of Minneapolis v. Landmark 201 West Broadway LLC and Master Properties Minnesota LLC*.

### ADJOURNED SESSION

Council President Johnson called the adjourned session to order at 10:50 a.m. in Room 315, a quorum being present.

Deputy City Attorney, Peter Ginder, stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving *City of Minneapolis v. Landmark 201 West Broadway LLC and Master Properties Minnesota LLC*.

At 10:51 a.m., on motion by Glidden, seconded, the meeting was closed.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey (In at 10:58 a.m.), Blong Yang, Lisa Goodman, Elizabeth Glidden (Out at 11:32 a.m.), Alondra Cano, Lisa Bender, John Quincy (In at 10:54 a.m.), Andrew Johnson, Linea Palmisano, President Barbara Johnson.  
Absent: Council Member Abdi Warsame.

Also Present - Susan Segal, City Attorney, Peter Ginder, Deputy City Attorney, Assistant City Attorney Gary Winter; Kevin Carpenter, Chief Financial Officer; Cathy Polaski and Erik Hansen, Department of Community Planning & Economic Development; John Stiles, Mayor's Chief of Staff; Casey Joe Carl, City Clerk; and Jackie Hanson, City Clerk's Office.

Winter summarized the *City of Minneapolis v. Landmark 201 West Broadway LLC and Master Properties Minnesota LLC* matter from 10:52 a.m. to 11:35 a.m.

At 11:35 a.m., on motion by Quincy, seconded, the meeting was opened.

On motion by Goodman, seconded, the City Attorney was authorized to initiate a foreclosure action, initiate a lawsuit, or take any other reasonable actions against Landmark 201 West Broadway LLC, Master Properties Minnesota LLC, and any other necessary or related entities or individuals, to enforce the City's claims against Landmark 201 West Broadway LLC and Master Properties

Minnesota LLC arising from the default in the repayment of a \$350,000 loan originated by the City to Landmark 201 West Broadway LLC.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (11)

Noes: (0)

Absent: Warsame, Glidden (2)

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

On motion by Quincy, seconded, the meeting was adjourned.

Casey Joe Carl,  
City Clerk

## INDEX

### **COMMITTEE OF THE WHOLE (See Rep):**

EXECUTIVE COMMITTEE (277392)

Appointment of Spencer Cronk as City Coordinator.

HUMAN RESOURCES (277393)

Authorize Medica as the City of Minneapolis Medical Benefits Provider for 2015.

### **COMMUNITY DEVELOPMENT & REGULATORY SERVICES (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277394)

800 W Broadway Redevelopment (800 W Broadway Ave & 2019 Aldrich Ave N): Authorize staff to continue analysis of project proposal.

LICENSES AND CONSUMER SERVICES (277395)

Liquor, Business & Gambling License Applications: Approve Department of Licenses & Consumer Services agenda recommendations for Liquor, Business & Gambling licenses.

LICENSES AND CONSUMER SERVICES (277396)

Scratch Bar & Grill LLC (408 3rd Ave N): Business License Operating Conditions relating to On Sale Liquor Class C-2 with Sunday Sales License.

REGULATORY SERVICES (277397)

Commercial Hood and Exhaust Cleaning: Ordinance amending Title 9, Chapter 174, amending existing provisions related to commercial hood and exhaust cleaning.

### **COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS:**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277398)

2013 Annual Tax Increment Reports.

FINANCE DEPARTMENT (277399)

Community Planning and Economic Development (CPED) Projects & Programs: 2013 Financial Status Report.

**COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS (See Rep):**

LICENSES AND CONSUMER SERVICES (277400)

Administrative Fine Schedule: Resolution revising the schedule of civil fines for administrative offenses, adding fines relating to commercial pedal cards and transportation network companies.

**ELECTIONS & RULES:**

CITY CLERK (277401)

Primary Election August 12, 2014: Summary

**ELECTIONS & RULES (See Rep):**

CITY CLERK (277402)

Election Judge Pay: Increase hourly pay rates effective August 1, 2014.

**HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT:**

NEIGHBORHOOD AND COMMUNITY RELATIONS (277403)

Tree Stump Removal on Private Property: Recommendations.

**HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT (See Rep):**

HEALTH DEPARTMENT (277404)

Amendments to Title 10 of Code repealing Chapters 192, 194, and 196 relating to Bread, Eggs, and Water for Drinking and Domestic Purposes.

HEALTH DEPARTMENT (277405)

Minneapolis Public Health Advisory Committee: Appointment of Margaret (Peggy) Reinhardt.

**HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS (See Rep):**

HEALTH DEPARTMENT (277406)

Healthy Homes Project: Amend contracts with Community Action of Minneapolis and Project for Pride in Living, Inc.

**INTERGOVERNMENTAL RELATIONS (See Rep):**

ATTORNEY (277407)

Proposed Charter Amendment regarding the Sale of Wine and Beer in Certain Establishments: Adopt title and ballot language pertaining to a proposed amendment to the Minneapolis City Charter, Plain Language Revision, to be submitted to the qualified voters of the City of Minneapolis at the Gubernatorial General Election on November 4, 2014.

INTERGOVERNMENTAL RELATIONS (277408)

2015 Fiscal Year Federal Policies Agenda: Adopt Federal Legislative Agenda.

**PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT (See Rep):**

POLICE DEPARTMENT (277409)

The First 48 Television Documentary Series: Authorize contract agreement with The First 48

television documentary series producers for Minneapolis Police Department to be highlighted in television series episodes.

**PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS (See Rep):**

**POLICE DEPARTMENT (277410)**

DNA Analysts: Authorize a Joint Powers Agreement with the Minnesota Bureau of Criminal Apprehension, not to exceed \$714,000, for the Minneapolis Police Department to support four DNA analysts to work on MPD cases.

**POLICE DEPARTMENT (277411)**

Law Enforcement Services in the Neighborhoods Adjacent the TCF Bank Stadium: Authorize an agreement with the Minnesota Vikings Football, LLC, for law enforcement services in the neighborhoods adjacent to the TCF Stadium by the Police Department during the 2014 Minnesota Vikings football season games.

**TRANSPORTATION AND PUBLIC WORKS:**

**PUBLIC WORKS AND ENGINEERING (277412)**

Downtown Business Improvement Special Service District: Set public hearing to consider proposed services and service charges for 2015.

**PUBLIC WORKS AND ENGINEERING (277413)**

Ewing Municipal Parking Facility: Set public hearing to consider proposed assessments for 2013 operation and maintenance costs.

**PUBLIC WORKS AND ENGINEERING (277414)**

Special Service Districts (SSDs): Set public hearing to consider proposed services and service charges for 2015 for Bloomington-Lake, Chicago-Lake, East Lake, Lyndale-Lake, 54th & Lyndale, and W Broadway Improvement SSDs.

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

**PUBLIC WORKS AND ENGINEERING (277415)**

LynLake Municipal Parking Lots: Set 2015 impact fees.

**PUBLIC WORKS AND ENGINEERING (277416)**

Nicollet Ave Open Streets: Minneapolis Bicycle Coalition Block Event Permit for September 14, 2014.

**PUBLIC WORKS AND ENGINEERING (277417)**

Nicollet Mall Construction Management Services: Issue Request for Proposals (RFP).

**PUBLIC WORKS AND ENGINEERING (277418)**

Skyway Construction Agreement: Amendment to allow The 9's at 917-927 Nicollet Mall to connect to existing skyway.

**PUBLIC WORKS AND ENGINEERING (277419)**

St. Anthony Parkway Bridge: Interagency agreement with Minnesota Department of Transportation.

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

**PUBLIC WORKS AND ENGINEERING (277420)**

OP 7947, Low re-bid of Trane US, Inc. for Skyway Air Handler Unit Replacement Project.

**PUBLIC WORKS AND ENGINEERING (277421)**

OP 7973, Low bid of Killmer Electric Company, Inc. for Hiawatha LRT Trail Lighting Project.

**PUBLIC WORKS AND ENGINEERING (277422)**

Public Impound Towing Bids: OP 7924, Low bids of Wrecker Services, Inc., Rapid Recovery, Inc., Corky's Towing, Inc., Twin Cities Transport and Recovery, and Williams Towing, Inc.

**PUBLIC WORKS AND ENGINEERING (277423)**

West 36th St Bikeway Project: a) Accept grant; b) Cooperative Agreement with Hennepin County; and c) Establish W 36th St Bikeway Project and increase appropriation.

**WAYS AND MEANS:**

**FINANCE DEPARTMENT (277424)**

City Charges for Services and Fees Presentation: Receive and file.

**FINANCE DEPARTMENT (277425)**

Tax Increment Financing (TIF) Overview Presentation: Receive and File.

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

**ATTORNEY (277426)**

Legal Settlement: Richard M. Murphy v. City of Minneapolis, \$113,000.

**COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277427)**

Nicollet Avenue Public Art Agreement: Enter into agreement with property owners/partners for Nicollet Avenue Public Art outlining details regarding maintenance, liability and permission to place the artworks on private property.

**CONVENTION CENTER (277428)**

Waste Hauling Bid: Extend increase contract with Allied Waste Service of North America (dba Republic Services of the Twin Cities) for year two of the three year contract in the amount of \$95,000 for a new amount of \$190,000.

**INFORMATION AND TECHNOLOGY SERVICES (ITS) (277429)**

COMPASS Financial System Upgrade: Authorize increase to contract C-38092 with iLynx, Inc., for the Senior Project Management Services, PeopleSoft Financials (COMPASS) Upgrade by \$540,000 for a not-to-exceed total of \$760,000 over the life of the contract.

**INFORMATION AND TECHNOLOGY SERVICES (ITS) (277430)**

Corporate Executive Board Company (CEB): Execute three-year contract through September 29, 2017 for subscription-based IT membership in an amount not-to-exceed \$263,700; and use CEB's contract agreement.

**INFORMATION AND TECHNOLOGY SERVICES (ITS) (277431)**

Enterprise Data Strategy Implementation: Execute three-year contract through August 10, 2017 for Professional Services with Stream Integration, a Division of Xteoma Corporation in an amount not-to-exceed \$300,000.

**INFORMATION AND TECHNOLOGY SERVICES (ITS) (277432)**

Enterprise Performance Management System: Increase contract with Halogen Software Inc. for \$125,921.25 for new total of \$425,921.25.

## AUGUST 15, 2014

---

### INFORMATION AND TECHNOLOGY SERVICES (ITS) (277433)

Environmental Systems Research Institute Contract: Authorize increase by, \$50,000 for a new total of \$100,000 for hosting Geographical Information System (GIS) Data Services.

### REGULATORY SERVICES (277434)

Animal Care and Control Grant (MACC): Accept grant for \$5,500 from The American Society for Prevention of Cruelty of Animals (ASPCA) to fund three pieces of equipment associated with MACC's new Adoption Initiative.

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

#### COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277435)

Minneapolis Arts Commission Appointments: Ashley Fairbanks and Tom Loftus.

#### PLANNING COMMISSION/DEPARTMENT (277436)

Linden Crossing (4250 and 4264 Upton Ave S) appeal filed by Jane L. Prince.

#### PLANNING COMMISSION/DEPARTMENT (277437)

Marcy Holmes Neighborhood Master Plan and Dinkytown Business District Plan.

#### PLANNING COMMISSION/DEPARTMENT (277438)

Mississippi River Corridor Critical Area (MRCCA) Draft Rules response to request from the Department of Natural Resources.

#### PLANNING COMMISSION/DEPARTMENT (277439)

Riverton Community Housing, 1227 4th St SE and 425 13th Ave SE, rezoning.

Official Posting: 8/22/2014