

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

MARCH 28, 1997

(Published April 5, 1997,
in Finance and Commerce)

Council Chamber
Minneapolis, Minnesota
March 28, 1997 – 9:30 a.m.

President Cherryhomes in the Chair.

Present – Council Members Schulstad, Herron, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, McDonald, Minn, Mead, Scott, President Cherryhomes.

Campbell moved approval of the minutes of the regular meeting of March 7, 1997. Seconded.

Adopted upon a voice vote.

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

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

CLAIMS:

CITY CLERK (262564)

Adams, Russell B; Bates, Jimmie; Blaisdell, Curtiss G & Atty George M Roehrdanz; Bouges, William; Bouges, Williams; Browne, Eric T; Buford-Holmes, Rhonda; Cap, Wendy; Cheney, Alicia; Cosgrove, Michael; Crowley, Michael; Crozier, Elizabeth; Daun, Karen M; Demopoulos, Christina; Dunning, Stephan C; Erickson, Heidi; Fhima, David; Foley, Patrick E; Forester, Jeffery Edward; Frias, Maria & Atty Mullen J Dowdal; Garvis, Trissa; Garza, Mamie & Atty John J Carlson; Greenlaw, Denise & Atty Stephen W Hance; Grussing, Kay; Hahn, Arthur A; Hampton, Ira L Jr; Hargitai, Csaba; Huebschen, James & Atty Gary Stoneking; Jacox, Norma DaNette; Johnson, Bethel Laura; Johnson, Nicole L; Jones,

Ronald; Knutson, Rodney K; Kuboy, Amy Jeanne; Larson, Angela; Leoni, John V; Lingle, Clifton G; Long, Connie L & Atty Leo F Feeney; Loudon, Thomas R; Martin, Jackie; Maxey, Veronica; McCannon, Darren J; Mellang, Patricia A; Mercado, Margarito Joseph; Munch, Andrew; Norvoll, Bilten; Precnade, Anthony; Riesberg, Jeff & Melanie; Ritter, Amy; Riverview Sports & Marine; Robinson, Lorena Mae & Atty Peter W Riley; Rodquist, David; Rudin, Alexander; Schmidt, Wayne; Schneider, Janet M; Siegel, Libby E; Simmons, Semaj; Slothouber, Steven J; Steege, John L; Storey, Jan; Thies, Carrie & Atty Gordon W Solo; Thomas, James & Steven Agliand; Trinh, Rose; Wanner Engineering/sub Kemper Ins Co; Williams, Kathleen Mary; Williams, Maurice A; and Williams, Wanda.

CITY CLERK (262565)

Wilson, Alice, Queen Ester & Sylvester & Atty Scott W Swanson; Witta, Anita M; Wittig, Frank James; and Zaic, Theresa L.

CLAIMS (See Rep):

NORTHERN STATES POWER (NSP)
(262566)

Damage to Underground Facilities: Apprv pmt for damages that occurred during 1996/97 snow removal season.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (262567)

Lot Division (3804 30th Av S): Apprv division & waive subdivision plat requirement w/attached drawing & map.

Single Family Mortgage Revenue Bonds: Apprv issue Refunding Bonds jointly w/St Paul, to support St Paul housing mortgage prog.

Tax Forfeited Land: Pass resl designating properties as non-classified for conveyance to MCDA, etc.

PLANNING COMMISSION/DEPARTMENT
(262568)

Linden Hills Neighborhood NRP Plan: Apprv contr w/BRW, Inc for services re Comprehensive Study.

Harrison Neighborhood NRP Plan: Apprv contr w/SRF Consulting Group for services re Glenwood Av Streetscape Design.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (262569)

Target Ctr (NBA Arena): Status rep re finance plan & capital improvement expenditures & reserve accumulation.

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (262570)

A Chance To Grow (1814 2nd Av NE): MCDA: Apprv Leveraged Investment Fund (LIF) loan & approp funds; Update on LIF investment strategy; Statement re capital campaign. Development Finance Cmte: Comments. planning Comsn: Comments.

Artspace/Calhoun Bldg Proj (711 W LakeSt): Correct previous approp.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (262571)

St Anthony East Neighborhood: Apprv NRP First Step Plan, approp funds, w/attached First Step Plan; Apprv Early Access request for funds to remove or rehab targeted homes; Summaries of funding to date.

Marshall Terrace Neighborhood: Apprv NRP First Step Plan, approp funds, w/attached summary of funding to date, First Step Plan.

Logan Park Neighborhood: Apprv Early Access request for funds for Central Av corridor study & approp funds, w/attached summary of funding to date, request, RFP for corridor study, map.

Elliot Park Neighborhood: Apprv NRP Action Plan, approp funds w/attached summary of funding to date, financial summary of Plan; Strategic Action Plan; Other Strategies.

COMMUNITY DEVELOPMENT and ZONING AND PLANNING (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (262572)

Northside Jobs Park Design Guidelines & Development Framework: MCDA: Adopt staff rep & Guidelines. Planning Comsn: Comments.

INTERGOVERNMENTAL RELATIONS

(See Rep):

LIAISON/FEDERAL, LOCAL AND STATE (262573)

Prearrestment Detention & Transportation Initiative: Incl in 1997 Legis Prog & endorse w/top priority.

LIAISON/FEDERAL, LOCAL AND STATE (262574)

Youth Gun Trafficking Initiative: Endorse.

PUBLIC WORKS AND ENGINEERING (262575)

Federal Waste Flow Control: Send letter of opposition to Senator Chafee.

INTERGOVERNMENTAL RELATIONS and TRANSPORTATION & PUBLIC WORKS

(See Rep):

PUBLIC WORKS AND ENGINEERING (262583)

Hiawatha Av: Resl expressing opposition to reintroduction of rail traffic to the Kenilworth Corridor in S Mpls & rescinding Resl #97R-011.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

COUNCIL MEMBER MEAD (262576)

Special Assmts: Remove assmt from 5124 11th Av S.

HEALTH AND FAMILY SUPPORT SERVICES (262577)

Comm Nursing & Home Health Servs: Amend #2 to Contr #10041 w/MVNA. Public Health Advisory Cmte: Apprv reappt.

INSPECTIONS DEPARTMENT (262578)

Inspections Graffiti Prog: Auth issue RFP. Plumbers - Gasfitters, Examining Bd: Apprv appt.

Raze Bldgs: Apprv razing 3102 Russell Av N, 2821 37th St E, & 3314 Thomas Av N.

LICENSES AND CONSUMER SERVICES (262579)

Lics: Appls.

POLICE DEPARTMENT (262580)

14th Annual National Night Out: Re Block Event Fees.

POLICE DEPARTMENT (262581)

Office Space: Agrmt w/mgmt of undisclosed property for space for Special Investigations Division.

McGruff Truck Prog: Auth participate in prog.

RAINBOW TAXI CORPORATION (262582)

Wheelchair-Accessible Taxi Service: Apprv pilot thru 12/31/97.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/ BUDGET:

POLICE DEPARTMENT (262584)

Local Law Enforcement Block Grant: Receive & File.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/ BUDGET (See Rep):

PURCHASING (262585)

Bids: OP #4529, Accept low bid of Over the Top.

TRANSPORTATION AND PUBLIC WORKS:

ATTORNEY (262586)

Collection of Solid Waste: Opinions re Interpretation of existing contract re Section V(11) re minimum number of shareholders requirement of contract w/MRI; Interpretation of City Council's living wage policy as applied to a proposed contract for combined collection for that part of the City not serviced by City forces.

BUDGET AND EVALUATION (262587)

Montreal Snow Removal Budget: Report.

PUBLIC WORKS AND ENGINEERING (262588)

Erosion & Sedimentation Control Ordinance: Status Report; Direct staff to draft amendments to Ordn.

Tax Forfeited Land List: Report that no parcels are being acquired.

MINNEAPOLIS REFUSE INC (262589)

Collection of Solid Waste: Response to Committee's request for information re wage and benefit packages for Shareholders' employees of MRI; and which MRI shareholders haul or subcontract work.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (262590)

Minneapolis Clean Water Partnership - Lake Calhoun: Accept findings of Environmental Assessment Worksheet; and Support Minnehaha Creek Watershed District and Chain of Lakes

Clean Water Partnership in efforts to construct stormwater wetland at southwest corner of Lake Calhoun.

U.S. Courthouse Pedestrian System

Improvement Proj: Appl for waiver from Interim Ordn providing for moratorium on construction of underground facilities in public streets of Central Business District.

PUBLIC WORKS AND ENGINEERING (262591)

No Parking Zones (University Av SE & 4th St SE): Restore parking on Sundays.

No Parking Zones (Commercial Vehicles): Ordn amending Title 18, Chap 478 of Mpls Code to allow commercial vehicles, except taxis, to use no parking zones for loading & unloading for 30-min period.

Fourth Avenue South Bridge Construction Proj: Incr consultant contr w/HDR Engineering for changes in scope of services.

Nicollet Avenue South Streetscape Revitalization Proj: Designate locations, streets & improvements proposed for proj; and Recv cost estimate & list of benefited properties; Direct City Engineer to prepare proposed Special Improvement Assessment.

21st Avenue South (28th to 29th Sts): Hold harmless State of Minnesota from granting variance to permit reconstruction of roadway at r/w width of 50 feet rather than 60 feet, as required by State Rules.

Public Works Facilities: Issue RFPs for architectural/engineering services for Public Service Node #1 - Phase II.

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

PUBLIC WORKS AND ENGINEERING (262592)

Fourth Avenue South Bridge Construction Proj: Agree to finance any amount in excess of Minnesota State Transportation Grant Funds and return any moneys not needed for construction; and Apprv capital approp.

4th Street SE and 15th Avenue SE Roadway Construction Proj: Execute Construction Cooperative Agrmt w/Henn Cty for roadway reconstruction in Dinkytown area.

PURCHASING (262593)

Bids: Accept OP #4550, Layne Minnesota Co for 24" lined drill hole vic of Main St SE near 3rd Av SE; OP #4556, Lunda Construction Co for construction of Fourth Av S Bridge; OP #4547,

Camas Model Ready Mix Division for Ready Mix Concrete; and Holnam Inc for Bulk Portland Cement; OP #4555, E. H. Renner and Sons Inc for well capping and abandonment at 7th Street Business Center; OP #4548, CAMAS Inc/Shiely Division for fine aggregate and mineral filler; OP #4532, Ceres Environmental Services Inc for Fifth Precinct Building site demolition; OP #4543, Koch Materials Co for emulsified asphalt; OP #4544, Dresser Trap Rock for graded aggregate and steel slag; OP #4545, Dresser Trap Rock Co and Barton Sand and Gravel Co for coarse aggregate; OP #4542, Koch Materials Co for asphalt cement; OP #4437, incr bid & contr w/Custom Products and Services for addnl snow removal services in Hennepin-Lake Service District.

UTILITY BILLING (262594)

Utility Billing Insert: Grant request of Park & Recreation Bd to place educational flyer Announcing "Spring Cleaning for Minneapolis Lakes, Creeks and Rivers" with bills mailed during month of April 1997.

WATER DEPARTMENT (262595)

Lagoon Overflow Treatment Plant: Incr "not to exceed" cost for contr w/Black & Veatch to reflect previously aprv'd contr amendments.

WAYS AND MEANS BUDGET:

HUMAN RESOURCES (262596)

Human Resources Reform Proj: Update.
Affirmative Action Rep: 4th Quarter of 1996.

OPERATIONS & REGULATORY SERVICES (262597)

Gtr Mpls Convention & Visitors Assn (GMCVA): Quarterly Performance Rep, 4th Quarter of 1996.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (262598)

Federal Courts Proj: Retain firm of Doherty Rumble & Butler to represent City interests.

Settlements: Claims of Lavera Davenport, Ray Gross (B&R Rental Properties), Mark Koscielski, Cal Jack Mattson, G. Jeanne Larson & Tom Dolan.

CONVENTION CENTER (262599)

Compensatory Time Pmt: Auth straight time pay for Event Coordinator comp time over 50 hrs in 1996.

ESTIMATE AND TAXATION (262600)

Capital Long-Range Improvements Committee (CLIC) Process: Apprv guidelines & directions for 1997 process.

FINANCE DEPARTMENT (262601)

1996 Year End Budget Status Rep.

Financial Operations: Reorg plan for Pub Wks Finance Operations Div.

GRANTS AND SPECIAL PROJECTS (262602)

Federal Telecommunications & Info Infrastructure Assistance Prog (TIIAP): Submit applications to receive funds for Multiple Jurisdiction Network Proj (law enforcement data network) & CityNET/MinneNET Info System proj.

HEALTH AND FAMILY SUPPORT SERVICES (262603)

Community Health Assessment Survey: Auth issue RFQ & negotiate contr for survey assistance; Comments: Permanent Review Committee.

HUMAN RESOURCES (262604)

Union Mtgs: Allow AFSCME employees to utilize existing "flex" time options to attend noon-hour membership mtgs, with conditions.

Director of Labor Relations Position: Request second step for selected candidate.

MAYOR (262605)

Public Information Officer Position: Set salary for Mayor's Office position.

MAYOR & COUNCIL PRESIDENT (262606)

Appts/Reappts to Senior Citizen Advisory Committee: Recmds.

NEIGHBORHOOD SERVICES DEPARTMENT (262607)

School-To-Work Prog: Issue Fund Avail Notice to American Indian OIC for summer internship prog.

YouthWorks/Americorps Prog: Receive grant from MN Dept of Economic Security & issue Fund Avail Notice to Loring Nicollet Bethlehem Community Ctrs, Inc. for prog operation.

Neighborhood Employment Network: Issue Fund Avail Notices to provide remaining Year of the Cities and grant funds.

ZONING AND PLANNING:

INSPECTIONS/BOARD OF ADJUSTMENT (262608)

Exception filed: John Blumentritt, for New Cities Building & Development: Appeal filed from decn denying variation at 4420 Thomas Av S, w/Attachment.

ZONING AND PLANNING (See Rep):

MAYOR (262609)

City Planning Comsn: Appts of Richard Little and Randall Bradley.

PLANNING COMMISSION/DEPARTMENT (262610)

Rezoning: Eighth Street Development Corp: 1000 Nicollet Mall from B4S-2 to the B4-2 Dist, w/Attachment.

Alternative Urban Areawide Review: Ryan Companies of MN: Environmental review process for 800 & 900 blks of Nicollet Mall.

COMMITTEE OF THE WHOLE (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (262610.1)

Target Store/Ryan Properties, Inc Proj/Opus Northwest, LLC Land Swap (Blks 33 & 34, bounded by LaSalle & Marquette Avs & 9th & 10th Sts): Land swap concept; Reject Opus terms for land swap & reaffirm Ryan Redevelopment Agreement for Blk 34.

PLANNING COMMISSION:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (262611)

Permsn to vacate alley in vic of Webber Pkwy & 42nd Av N; alley in vic of W Broadway & 21st Av N.

ST CROIX PARTNERS (262612)

Vac of 4th St SE betw Bedford St & Mpls-St Paul boundary.

FILED:

CITY CLERK/SPECIAL PERMITS (262613)

33rd Av S, 4429 (Karl John Bock) move a house; Franklin Av E, 22 (Suburban Lighting Inc) sign; Grand Av S, 3542-3548 (Present Moment) sidewalk sale; Lake St E, 601 (Universal Signs Inc) sign; Lyndale Av S, 6010 (Nordquist Sign Co) sign; Nicollet Av S, 4201 (Nordquist Sign Co Inc) sign; Riverfront at Fr Hennepin Bluffs Park (St Anthony Main) 3rd Annual Stone Arch Festival of the Arts.

FINANCE DEPARTMENT (262614)

Investment Management System & Reconciliation Reports thru 2/28/97.

HENNEPIN COUNTY REGISTER OF DEEDS (262615)

Notice of filing Resl 96R-322 Designating the Hennepin (Orpheum) Theatre, YMCA Central Bldg, Lena O Smith House & First National/Soo Line Bldg for heritage preservation.

NORTHERN STATES POWER (NSP) (262616)

Utilities: Auth place poles at various locations.

**REPORTS OF
STANDING COMMITTEES**

The **CLAIMS** Committee submitted the following report:

CLAIMS – Your Committee recommends that the claims filed against the City by the following individuals be settled as follows:

690-150 Kenneth Blumberg, \$2,798.98; Deborah Brawley, \$3,579.06; Budget Rent-A-Car, \$1,329.36; Lloyd Patterson, \$1,617.98; Richard Thompson, \$1,092; Xiangyang Guan, \$1,400; Donovan Diver, \$1,735; Davie Cole, \$1,500; Semaj Simmons, \$7,032.50; Northern States Power, \$8,327.25; Francis Paul Melchow, up to \$5,000 (medical only); Davon Jackson, \$1,038.23 (or lowest repair estimate).

Herron moved to amend the report to revise the payment to Davon Jackson from \$1,038.23 to the lowest repair estimate of \$842.17. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Declining to Vote – Cherryhomes.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

Comm Dev – Your Committee, having under consideration the division of the lot at 3804 30th Av S, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division and waiving the requirement of a subdivision plat. (Petn No 262567)

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

RESOLUTION 97R-054

By Niland

Approving the subdivision of a lot at 3804 – 30th Avenue South, Minneapolis, Minnesota.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that

a parcel of land located at 3804 – 30th Avenue South, and legally described as:

Lot 2, Block 2, W.L. Badger’s First Addition to Minneapolis,

be subdivided as follows:

Parcel A:

The North 30 feet of Lot 2, Block 2, W.L. Badger’s First Addition to Minneapolis.

Parcel B:

Lot 2 except the North 30 feet thereof, Block 2, W.L. Badger’s First Addition to Minneapolis.

Whereas, the MCDA intends to convey the subdivided parcels to create the following combined parcels:

Parcel A:

Lot 1 and the North 30 feet of Lot 2, Block 2, W.L. Badger’s First Addition to Minneapolis.

Parcel B:

Lot 2 except the North 30 feet thereof, Block 2, W.L. Badger’s First Addition to Minneapolis; and that part of Lot 3, said Block 2 lying Northeasterly of a line drawn from a point on the East line of said Lot 3 distant 15 feet North of the Southeast corner of said Lot 3 to a point on the North line of said Lot 3 distant 115.00 feet East of the Northwest corner of said Lot 3.

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis Planning Commission on May 27, 1981; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on March 7, 1997, a public hearing on said subdivision and proposed sale was duly held in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA on March 17, 1997, in Room 319, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the division of the above described property be approved and the requirement of a subdivision plat be waived.

Adopted. Yeas, 12; Nays, none.

Absent - Thurber.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev – Your Committee recommends passage of the accompanying resolution authorizing the joint issuance by the City of Minneapolis and the Redevelopment Authority of the City of St Paul of up to \$20,335,000 of Single Family Mortgage Revenue Refunding Bonds. The bonds are repayable solely from mortgages originated under St Paul’s housing mortgage program, and Minneapolis is not obligated to repay them. (Petn No 262567)

Your Committee further recommends summary publication of the above-described resolution.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (MCDA).

Adopted. Yeas, 12; Nays, none.

Absent - Thurber.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Resolution 97R-055, entitled “Authorizing the Joint Issuance by The City of Minneapolis and the Housing and Redevelopment Authority of The City of Saint Paul, Minnesota of \$20,335,000 Single Family Mortgage Revenue Variable Rate Refunding Bonds (FHLMC and GNMA Mortgage Backed Securities Program -Saint Paul Middle Income Program – Stage III), Series 1997 and the execution and delivery of documents in connection therewith,” was passed March 28, 1997 by the City Council and approved April 3, 1997 by the Mayor. It authorizes the proper City officers to execute the Refunding Indenture and other documents necessary for the issuance of the Refunding Bonds. The full text of the resolution is available for public inspection in the Office of the City Clerk.

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

RESOLUTION 97R-055

By Niland

Authorizing the Joint Issuance by The City of Minneapolis and the Housing and Redevelopment Authority of The City of Saint

Paul, Minnesota of \$20,335,000 Single Family Mortgage Revenue Variable Rate Refunding Bonds (FHLMC and GNMA Mortgage Backed Securities Program - Saint Paul Middle Income Program - Stage III), Series 1997 and the execution and delivery of documents in connection therewith.

Whereas, the City of Minneapolis (the City) and the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (the HRA, and, together with the City, the Issuers) have previously issued their Single Family Mortgage Revenue Refunding Bonds (FNMA and GNMA Mortgage-backed Securities Program-Home Ownership Program, Phase II), Series 1996A and Series 1996B (together, the Prior Bonds) to refund certain other bonds and thereby make available moneys to make below market interest rate mortgage loan financing primarily to persons of low or moderate income purchasing single family homes to be used as their principal places of residence and which were located within the geographic limits of the City of Minneapolis or the City of Saint Paul; and

Whereas, Minnesota Statutes, Chapter 462C (the Housing Act) and Section 471.59, and that certain Joint Powers Agreement, as amended from time to time (the JPA), by and between the Minneapolis Community Development Agency (the MCDA), the HRA, the City and the City of Saint Paul (Saint Paul), authorize Minneapolis and the HRA to jointly issue single family mortgage revenue bonds and refunding bonds with the approval of the MCDA and Saint Paul; and

Whereas, the entire principal amount of the Prior Bonds is now outstanding; and

Whereas, in order to finance the HRA's Middle Income Program - Stage III, the HRA has proposed that the Issuers issue their \$20,335,000 Single Family Mortgage Revenue Variable Rate Refunding Bonds (FHLMC and GNMA Mortgage-Backed Securities Program - Saint Paul Middle Income Program - Stage III), Series 1997 (the Refunding Bonds) pursuant to the Housing Act and a Trust Indenture, dated as of April 1, 1997 (the Refunding Indenture) by and between the Issuers and the Trustee named therein (the Trustee) in the aggregate principal amount not to exceed \$20,335,000, and use proceeds thereof exclusively to refund approximately one-half of each series of the Prior Bonds; and

Whereas, the Refunding Bonds are to be secured by a pledge of certain moneys, mortgage-backed securities and other assets in accordance

with the terms of the Refunding Indenture, and the principal, premium, if any, and interest on the Refunding Bonds shall be payable solely from such pledged revenues and assets; and

Whereas, the Refunding Bonds shall be special limited obligations of the Issuers; Neither the Issuers, the MCDA, Saint Paul, the State of Minnesota nor any political subdivision of the State of Minnesota shall be liable on the Refunding Bonds except from the trust estate pledged to the payment thereof by the Refunding Indenture, and the Refunding Bonds shall not be a debt of the Issuers, the MCDA, Saint Paul, the State of Minnesota nor any political subdivision thereof within the meaning of any constitutional or statutory debt limitation, nor shall the Refunding Bonds give rise to a charge against the general credit or taxing power of the Issuers, the MCDA, Saint Paul, the State of Minnesota or any political subdivision of the State of Minnesota, nor shall the Refunding Bonds be payable out of any funds or properties of the Issuers, other than those provided as security by the Refunding Indenture;

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

1. The Mayor, Finance Officer and City Clerk (the Authorized Officers) are hereby authorized and directed to execute and deliver on behalf of the City the Refunding Indenture and such other documents as may be necessary or convenient to provide for the issuance of the Refunding Bonds and the implementation by the HRA of the Program, each in a form approved by the Director of Housing for the MCDA and the Finance Officer.

2. The Authorized Officers and other officers of the City are hereby authorized and directed to prepare and furnish when the Refunding Bonds are issued, certified copies of all proceedings and records of the City relating to the Refunding Bonds and such other affidavits and certificates (including but not limited to those required by bond counsel) as may be required to show the facts relating to the legality, tax exemption and marketability of the Refunding Bonds as such facts appear from the books and records in said officer's custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements made on behalf of the City and contained therein. The Authorized Officers and said other officers are further authorized to execute

such additional documents as shall be determined to be necessary and desirable to provide for the issuance of the Refunding Bonds and the transactions related thereto.

3. In the event any of the officers of the City authorized to execute documents on behalf of the City under this resolution shall for any reason be unable to do so, any member of the City Council of the City, or any other officer of the City, is hereby directed and authorized to do so on behalf of the City, with the same effect as if executed by the officer authorized to do so in this resolution.

Adopted. Yeas, 12; Nays, none.

Absent -Thurber.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev – Your Committee recommends that the proper City officers be authorized to execute a contract with BRW, Inc, for consultant services relating to the Comprehensive Study in the Linden Hill’s NRP Plan, in the amount of \$30,000, payable from Planning Department (010-380-3820-GA42), pending approval by the City Attorney’s Office. (Petn No 262568)

Adopted. Yeas, 12; Nays, none.

Absent - Thurber.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev – Your Committee recommends that the proper City officers be authorized to execute a contract with SRF Consulting Group, Inc, for services relating to the Glenwood Avenue Streetscape Design in the Harrison NRP Plan, in the amount of \$30,000, payable from Planning Department (010-380-3820-GA42), pending approval by the City Attorney’s Office. (Petn No 262568)

Adopted. Yeas, 12; Nays, none.

Absent - Thurber.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev - Your Committee, having under consideration a review of tax-forfeited properties, now recommends passage of the accompanying

resolution approving the classification of approximately 46 of those properties as non-conservation for various disposition; including withholding from public and private sale and conveyance to the Minneapolis Community Development Agency (MCDA), withholding properties in non-target neighborhoods from public and private sale for sale to the MCDA, release for private sale as side yards, release for public sale, and withholding from public and private sale and holding for one year by the MCDA. (Petn No 262567)

Your Committee further recommends that the proper City officers be authorized to execute all necessary documents.

Your Committee further recommends summary publication of the above-described resolution.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA for adoption of a resolution authorizing the submission of an application to the Commissioner of Revenue and Hennepin County for the conveyance of said property.

Adopted. Yeas, 12; Nays, none.

Absent -Thurber.

Passed March 28, 1997.

Approved March 28, 1997. J. Cherryhomes, Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published April 2, 1997).

Resolution 97R-056, entitled “Approving the classification of certain forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non-conservation and the conveyance thereof,” was passed March 28, 1997 by the City Council and approved March 28, 1997 by the Acting Mayor. The full text of the resolution is available for public inspection in the Office of the City Clerk. The provisions of said resolution are summarized below.

That the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below be withheld from public and private sale and conveyed to the Minneapolis Community Development Agency:

3121 Oakland Av. S., 3033 Columbus Av., 3225 2nd Av. S., 3312 1st Av. S., 3533 3rd Av. S., 3625 3rd Av. S., 2930 Russell Av. N., 2521 27th Av. N., 3128 Knox Av. N., 2950 Aldrich Av. N., 1131 4th St. N.E., 2425 Bryant Av. N.,

2513 Dupont Av. N., 1515 Logan Av. N., 1325 Knox Av. N., 2127 Penn Av. N., 1131 Humboldt Av. N., 907 Morgan Av. N., 616 Franklin Av. E., 2428 17th Av. S., 2441 10th Av. S., 2642 14th Av. S., 2629 13th Av. S., 2841 16th Av. S.

That the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below which are located in non target neighborhoods be withheld from public and private sale and sold to the Minneapolis Community Development Agency.

3408 Girard Av. N., 3407 Knox Av. N., 3215 Logan Av. N.

That the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below be released for private sale to be sold to adjacent property owners only.

739 27th Av. S.E., 2224 38th St. E., 3128 Knox Av. N., 914 25th Av. N., 2420 Golden Valley Rd., 340 Morgan Av. N., 1800 14th Av. S., 2817 11th Av. S., 2632 17th Av. S., 2736 13th Av. S., 1413 28th St. E.

That the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below be released for public auction.

3024 Cedar Av. S., 3308 Blaisdell Av. S., 4617 Portland Av. S., 942 Lowry Av. N.E., 2015 West Broadway, 2300 Plymouth Av., 2457 Elliot Av. S.

That the parcel located at 2034 West Broadway be withheld from public and private sale and held for one year for the Minneapolis Community Development Agency.

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

RESOLUTION 97R-056

By Niland

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

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

Now, Therefore, Be It Resolved by the City Council of The City of Minneapolis, that the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below be withheld from public and private sale and conveyed to the Minneapolis Community Development Agency.

TAX FORFEITED PROPERTIES TO BE ACQUIRED BY THE MCDA

<u>PIN NUMBER</u>	<u>ADDRESS</u>	<u>Target Area</u>	<u>LEGAL DESCRIPTION</u>	<u>FORFEIT DATE</u>
02-028-24-22-0095	3121 Oakland Av. S.	Y	Lots 9 and 10 "Farrington's Addition to Minneapolis"	9/19/96
02-028-24-22-0164	3033 Columbus Av.	Y	Lot 12 "Supplement to Chicago Lake Park Addition to Minneapolis"	9/19/96
03-028-24-13-0021	3225 2nd Av. S.	Y	Lot 20 Block 9 Baker's 2nd Addition to Minneapolis	12/6/96
03-028-24-13-0072	3312 1st Av. S.	Y	Lot 4, Block 13 Baker's 2nd Addition to Minneapolis	10/17/96
03-028-24-41-0092	3533 3rd Av. S.	Y	Lot 20, Block 5 Clinton Avenue Addition to Minneapolis	9/19/96
03-028-24-44-0046	3625 3rd Av. S.	Y	Lot 8, Block 4 Vinton Park Addition to Minneapolis	10/17/96

08-029-24-41-0168	2930 Russell Av. N.	Y	Lot 23, Block 2 "Queen Avenue Addition to Minneapolis"	9/19/96
08-029-24-44-0103	2521 27th Av. N.	Y	Lot 6, Block 4 "Nichols-Frissell Co.'s Penn Lawn Addition to Minneapolis"	10/17/96
09-029-24-31-0103	3128 Knox Av. N.	Y	Lot 30, Block 1 Lauderdale's Sub'd of Lots I, J, K & L Babbitts Outlots	12/20/96
09-029-24-41-0026	2950 Aldrich Av. N.	Y	Lot 28, Block 1 "Harmony Terrace"	8/15/96
14-029-24-24-0031	1131 4th St. N.E.	Y	Lot 30, Block 3 Cutters Addition to Minneapolis	8/15/96
16-029-24-11-0119	2425 Bryant Av. N.	Y	E 97 2/10 feet of Lot 1 and the East 97 2/10 feet of North 6 feet of Lot 2, Lots 1 and 2, Block 16 Highland Park Addition to the City of Minneapolis	10/14/96
16-029-24-11-0179	2513 Dupont Av. N.	Y	Lot 4, Block 28 Highland Park Addition to the City of Minneapolis	12/6/96
16-029-24-33-0088	1515 Logan Av. N.	Y	Lot 5, Block 1 "Rosedale Park"	9/19/96
16-029-24-34-0109	1325 Knox Av. N.	Y	Lot 6, Block 3 Crepeaus Fourth Addition to Minneapolis	8/15/96
17-029-24-14-0206	2127 Penn Av. N.	Y	Lot 8, Block 7 "Wyant & Kuchli's Addition to Minneapolis"	9/19/96
21-029-24-21-0029	1131 Humboldt Av. N.	Y	Lot 33, Block 1 "Oak Park Addition to Minneapolis"	10/17/96
21-029-24-23-0148	907 Morgan Av. N.	Y	Lot 6, Block 22 "Oak Park Addition to Minneapolis"	10/18/96
26-029-24-33-0073	616 Franklin Av. E.	Y	Lot 5 "Hamlin's Addition to Minneapolis"	9/19/96
35-029-24-14-0052	2428 17th Av. S.	Y	N 19 7/10 feet of Lot 17 and South 2 343/1000 feet of Lot 18, Block 3 Gilpatrick's Addition to Minneapolis	10/17/96
35-029-24-24-0052	2441 10th Av. S.	Y	Lot 11, Block 7 Cole and Weeks rearrangement of a part of Brackett and Bovey's Addition to Minneapolis	10/17/96
35-029-24-42-0008	2642 14th Av. S.	Y	North 28 feet of Lot 8, Block 1 Barnes' Rearrangement of Block One (1) Wright's Addition	8/15/96
35-029-24-42-0020	2629 13th Av. S.	Y	Lot 20, Block 1 Barnes' Rearrangement of Block One (1) Wright's Addition	8/15/96
35-029-24-44-0016	2841 16th Av. S.	Y	Lot 7, Block 1 Allan & Andersons Addition	10/17/96

Be It Further Resolved that the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below which are located in non target neighborhoods be withheld from public and private sale and sold to the Minneapolis Community Development Agency.

09-029-24-12-0107	3408 Girard Av. N.	N	Lot 18, Block 4 "Dean Park"	10/17/96
09-029-24-21-0190	3407 Knox Av. N.	N	Lot 6, Block 7 "Nimmons and Pratts Addition to Minneapolis"	10/17/96
09-029-24-23-0120	3215 Logan Av. N.	N	Lot 12, Block 1 "Mabie & Hayden's Addition to Minneapolis"	12/6/96

Be It Further Resolved that the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below be released for private sale to be sold to adjacent property owners only.

30-029-23-31-0027	739 27th Av. S.E.
01-028-24-34-0031	2224 38th St. E.
09-029-24-31-0103	3128 Knox Av. N.
16-029-24-11-0108	914 25th Av. N.
17-029-24-14-0082	2420 Golden Valley Rd.
21-029-24-32-0105	340 Morgan Av. N.
26-029-24-43-0039	1800 14th Av. S.
35-029-24-34-0068	2817 11th Av. S.
35-029-24-41-0201	2632 17th Av. S.
35-029-24-42-0288	2736 13th Av. S.
35-029-24-43-0058	1413 28th St. E.

Be It Further Resolved that the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the property listed below be released for public auction.

02-028-24-11-0015	3024 Cedar Av. S.
03-028-24-24-0189	3308 Blaisdell Av. S.
14-028-24-22-0217	4617 Portland Av. S.
12-029-24-32-0077	942 Lowry Av. N.E.
16-029-24-23-0093	2015 West Broadway
17-029-24-44-0105	2300 Plymouth Av.
35-029-24-24-0224	2457 Elliot Av. S.

Be It Further Resolved that the parcel located at 2034 West Broadway (16-029-24-22-0175) be withheld from public and private sale and held for one year for the Minneapolis Community Development Agency.

Be It Further Resolved that this matter be referred to the Minneapolis Community Development Agency for authorization to submit an application to the Commissioner of Revenue and the County of Hennepin for the conveyance of said property pursuant to the provisions of Minnesota Statutes 282.01, Subd. 1 and Subd. 1a, as amended by Laws 1990. Chapter 604, Article 3, Section 37.

Adopted. Yeas, 12; Nays, none.

Absent -Thurber.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved March 28, 1997. J. Cherryhomes, Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

Comm Dev & W&M Budget – Your Committee recommends passage of the accompanying resolution increasing the Neighborhood Development Account Fund (FNA) appropriation by \$620,000, reflecting a Leveraged Investment Fund loan for the Artspace/Calhoun Building project at 711 W Lake St, from the current projected fund balance. This appropriation will correct the previous appropriation in the Development Account (Fund SDA) of \$620,000 approved by Council action of September 13, 1996. (Petn No 262570)

RESOLUTION 97R-057

By Niland and Campbell

Amending The 1997 Minneapolis Comm-unity Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund FNA-Neighborhood Development Account by \$620,000 from the current projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent - Thurber.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the St Anthony East Neighborhood NRP First Step Plan (the Plan) as set forth in Petn No 262571, now recommends:

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$444,300;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said Plan; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent - Thurber.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-058

By Niland and Campbell

Amending The 1997 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$444,300 from projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent - Thurber.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the St Anthony East Neighborhood's request for \$130,800 of NRP early access funds to augment its First Step Plan Home Improvement Program, with said funds to be used to remove or rehabilitate targeted homes (Petn No 262571), now recommends:

1. That said early access request, and specifically those parts of the request which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$130,800;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent - Thurber.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-059

By Niland and Campbell

Amending The 1997 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$130,800 from projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent - Thurber.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Marshall Terrace Neighborhood NRP First Step Plan (the Plan) as set forth in Petn No 262571, now recommends:

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$250,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said Plan; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent - Thurber.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-060

By Niland and Campbell

Amending The 1997 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$250,000 from projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent - Thurber.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Logan Park Neighborhood's request for \$10,000 of NRP early access funds for Logan Park's contribution to the Central Avenue corridor study, as set forth in Petn No 262571, now recommends:

1. That said early access request, and specifically those parts of the request which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$10,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent - Thurber.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-061

By Niland and Campbell

Amending The 1997 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$10,000 from projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent - Thurber.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the request of A Chance To Grow for a \$500,000 Leveraged Investment Fund loan to renovate the building at 1814 Second St NE for use as a school for learning disabled children, now recommends that the proper City officers and the Executive Director of the Minneapolis Community Development Agency be authorized to execute loan agreement documents consistent with the approved loan terms set forth in Petn No 262570.

Your Committee further recommends passage of the accompanying resolution increasing the Neighborhood Development Account Fund (FNA) appropriation by \$500,000 for said loan from available fund balances.

Adopted. Yeas, 12; Nays, none.
Absent - Thurber.
Passed March 28, 1997.
Approved April 3, 1997. S. Sayles Belton,
Mayor.
Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 97R-062
By Niland and Campbell**

**Amending The 1997 Minneapolis Community
Development Agency Appropriation Resolution.**

Resolved by The City Council of The City of
Minneapolis:
That the above-entitled resolution, as amended,
be further amended by increasing the appropriation
in Fund FNA-Neighborhood Development Account
by \$500,000 from available fund balances.
Adopted. Yeas, 12; Nays, none.
Absent - Thurber.
Passed March 28, 1997. J. Cherryhomes,
President of Council.
Approved April 3, 1997. S. Sayles Belton,
Mayor.
Attest: S. Ristuben, Asst City Clerk.

Comm Dev & W&M/Budget – Your
Committee, having under consideration the action
of the Neighborhood Revitalization Program (NRP)
Policy Board approving the Elliot Park
Neighborhood Action Plan (the Plan) in the total
amount of \$4,474,701, as set forth in Petn
No 262571, now recommends:

1. That said Plan, and specifically those parts
of the Plan which fall under City jurisdiction, be
approved;
 2. Passage of the accompanying resolution
increasing the NRP Program Fund (CNR) by
\$611,100;
 3. That the Minneapolis Community
Development Agency (MCDA) staff be directed to
establish dedicated reserve funds for the Plan within
Fund (CNR) and to assign \$3,303,601 to such
reserve fund for future year expenditures on the
approved Plan;
 4. That the proper City officers be authorized
to execute any agreements needed to implement
activities set forth in the Plan; and
 5. That this action be transmitted to the Board
of Commissioners of the MCDA.
- Adopted. Yeas, 12; Nays, none.
Absent - Thurber.
Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton,
Mayor.
Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 97R-063
By Niland and Campbell**

**Amending The 1997 Minneapolis Commu-
nity Development Agency Appropriation
Resolution.**

Resolved by The City Council of The City of
Minneapolis:
That the above-entitled resolution, as amended,
be further amended by increasing Fund CNR-NRP
Program by \$611,100 from projected fund balance.
Adopted. Yeas, 12; Nays, none.
Absent - Thurber.
Passed March 28, 1997. J. Cherryhomes,
President of Council.
Approved April 3, 1997. S. Sayles Belton,
Mayor.
Attest: S. Ristuben, Asst City Clerk.

Comm Dev & Z&P – Your Committee,
having under consideration the Northside Jobs Park
Design Guidelines and Development Framework,
now recommends:

1. Approval of the staff report relating thereto
and set forth in Petn No 262572;
 2. Approval of said Design Guidelines and
Development Framework;
 3. That City departments and other
governmental units be encouraged to cooperate in
the implementation of the Design Guidelines and
Development Framework; and
 4. Transmittal of this report to the Board of
Commissioners of the Minneapolis Community
Development Agency (MCDA), recognizing that
MCDA efforts are currently being concentrated on
a) acquisition, b) soil correction/contamination
cleanup, and c) job creation purposes.
- Adopted. Yeas, 12; Nays, none.
Absent - Thurber.
Passed March 28, 1997.
Approved April 3, 1997. S. Sayles Belton,
Mayor.
Attest: S. Ristuben, Asst City Clerk.

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

IGR – Your Committee, having under
consideration federal waste flow control

legislation, now recommends approval for appropriate City staff to forward a letter to Senator Chafee, expressing the City's opposition to said federal waste flow control legislation and citing specific reasons for said opposition.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

IGR – Your Committee recommends approval to include in the 1997 Legislative Program the concept of authorizing individual rail authorities to build one demonstration Light Rail Transit (LRT) line on a dedicated transitway, utilizing any funding stream available, and that lobbying services relating to said LRT concept shall be consistent with the City's highest priority issues.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

IGR – Your Committee, having under consideration proposed legislation relating to a transportation and detention initiative that would seek State funding for the purchase of two arrest and transport vehicles and for payment of per diem charges from outlying counties that would provide additional jail space for prisoners awaiting trial, now recommends approval to initiate said proposed legislation for inclusion in the City's 1997 Legislative Program and to provide a level of lobbying services consistent with the City's highest priority concerns.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

IGR – Your Committee, having under consideration Senate File #1481 and House File #1839, relative to regulating transfers or purchases of pistols or semi-automatic military-style assault weapons, prohibiting transporting said firearms in the state for the purpose of transferring them to persons ineligible to possess them, prohibiting certain convicted felons from ever possessing said firearms and requiring the Commissioner of Public Safety to establish a computerized central reporting system and to maintain certain databases related to

firearms, now recommends that the City endorse said proposed legislation, as more fully set forth in Petn No 262574 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

The **INTERGOVERNMENTAL RELATIONS** and **TRANSPORTATION & PUBLIC WORKS** Committees submitted the following report:

IGR & T&PW – Your Committee recommends passage of the accompanying Resolution expressing opposition to the reintroduction of rail traffic to the Kenilworth Corridor in South Minneapolis and rescinding Resolution 97R-011. Said resolution restates the City's strong opposition to the Kenilworth Rail Corridor becoming a permanent alternate route for railroad traffic being diverted from the 29th Street Rail Corridor due to severance of rail traffic at the Hiawatha crossing.

Your Committee further recommends that the City support the efforts of the Minnesota Department of Transportation (MnDOT) to sever the rail line at E 28th St, enabling MnDOT to complete Hiawatha Av between I-94 and E 31st St.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-064

By Scott

Expressing opposition to the reintroduction of rail traffic to the Kenilworth Corridor in South Minneapolis and rescinding Resolution 97R-011.

Whereas, the Minnesota Department of Transportation (MnDOT) intends to close the 29th Street Rail Corridor permanently because of highway construction; and

Whereas, the closing of this route will cause the Twin Cities and Western (TC&W) Railroad to need an alternate route across the Twin Cities; and

Whereas, rail traffic on the Kenilworth Corridor was discontinued three years ago, and

residents have reasonably assumed that complete abandonment by the railroads would be the next step; and

Whereas, Minneapolis homeowners in the Kenilworth Corridor area have met with Hennepin County officials and staff for more than two years, and have also met with State Legislators, expecting that the alternate rail connection would utilize an existing, active Canadian Pacific/Soo rail line west of Highway 100 which is preferred by the TC&W Railroad; and

Whereas, MnDOT has recently stated its intention to reroute train traffic from the 29th Street Corridor to the Kenilworth Corridor, which is owned by the Hennepin County Regional Railroad Authority (HCRRA); and

Whereas, the reintroduction of rail traffic to the Kenilworth Corridor would cause numerous problems of safety; access to, and enjoyment of parks; noise; traffic delays; and property values, as indicated by the following facts:

1. That the (new) Park Siding Park was reopened in September 1996 after major costly renovations, as a part of implementing the Cedar-Isles-Dean Neighborhood Association (CIDNA) Neighborhood Revitalization Program (NRP) Action Plan, and now has a well-equipped new playground that will attract children from throughout the area. This park is only 25 yards from the Kenilworth tracks;

2. That the Kenilworth tracks cut through Cedar Lake Park and cross the new Cedar Lake Trail Bikeway and Pedestrian Path, and the reintroduction of trains in this location would disrupt bicycle and pedestrian traffic, causing serious safety problems. And trains would also disrupt the tranquility and unspoiled natural beauty of Cedar Lake Park.

3. That the Kenilworth Bicycle and Pedestrian Trail is scheduled to be constructed in the Kenilworth Corridor in 1997, yet the Corridor is too narrow at some points to accommodate both the trail and railroad tracks safely, and the beauty and value of the trail would be greatly diminished by the close proximity of an active rail line.

4. That since the projected level of train traffic is four to six trains per day, each consisting of 25 to 80 freight cars, the resulting traffic delays (affecting cars and emergency vehicles at the major grade level crossing on Cedar Lake Parkway) would be significant.

5. That over 20 million dollars worth of new homes have been built adjacent to the rail line in the last 12 years, that some of these homes are

within 30 feet of the tracks, and that real estate taxes generated by these homes, as well as by other homes in the area, are significant and would decline in value significantly if rail traffic were reintroduced.

6. That the noise and general disruption of life that would accompany the reintroduction of train traffic would significantly degrade the quality of life in the valuable residential area immediately adjacent to Minneapolis' Chain of Lakes;

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

That the City Council strongly opposes the resumption of **any** train traffic on the Kenilworth Corridor on a permanent basis, and that the City Council calls upon MnDOT, HCRRA, State Legislators, and all other public and private parties who have authority over (or an interest in) this matter to work together constructively and expeditiously to identify and implement an alternate solution.

Be It Further Resolved that the Minneapolis City Council will support our Legislators' efforts on behalf of Minneapolis residents in the Kenilworth Corridor area in developing a permanent alternate route to the Kenilworth Corridor, recognizing that through rail traffic on the 29th St Corridor must be discontinued by late fall, 1997.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS – Your Committee, having under consideration the Taxicab Driver's License #04064 held by Mohamed Omar Mohamed, 500 S 10th St, #303, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing thereon, and taking into consideration that the offense was Mr. Mohamed's first offense, now recommends adoption of the following TAC recommendations, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference:

1) That said licensee pay a fine of \$200 to the City of Minneapolis, \$100 to be due upon signing

the TAC agreement and \$100 to be stayed for a period of 1 year, providing that no same or similar offenses occur; and

2) That said licensee be awarded a permanent Minneapolis Taxicab Driver's License after payment of the fine has been received and with the understanding that no same or similar act will ever again be committed.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration the Taxicab Owner and Driver's License held by Mohinderjit Singh Sahi, 5909 France Av S, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing thereon, now recommends adoption of the TAC recommendations, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

Off-Sale Liquor, to expire April 1, 1998

Skelly's Liquor Store, Inc, 700 W Broadway;
Micky's Liquor Store, Inc, 1100 Plymouth Av;

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 1998

Grandma's of Minneapolis, Inc, dba
Grandma's, 1810 Washington Av S, new corporate officers;

Grandma's of Minneapolis, Inc, dba
Grandma's Saloon & Deli, 1810 Washington Av S;

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 1998

80 S 8th St Hotel Operations, Inc, dba Vista
Marquette Hotel, 701 Nicollet Mall, 3rd floor;

Skyway Lounge, Inc, dba Skyway Show
Lounge, 723-25 Hennepin Av;

Kelber Catering, Inc, dba Convention Center
Food Service, 1301 2nd Av S;

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1997

Minneapolis Hotel Ventures, Inc, dba Sheraton
Minneapolis Metrodome, 1330 Industrial
Boulevard;

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 1998

Sun Saloon, Inc, dba Sun Saloon & Restaurant,
1528 University NE;

On-Sale Liquor Class C-1, with Sunday Sales, to expire October 1, 1997

NSR Corporation, dba Nikki's Cafe & Bar,
107 3rd Av N, internal transfer of shares;

NSR Corporation, dba Nikki's Cafe & Bar,
107 3rd Av N;

On-Sale Liquor Class D with Sunday Sales, to expire April 1, 1998

Pacific Asian Restaurants, Inc, dba Kikugawa,
43 Main St SE;

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 1998

Two Wise Guy's, Inc, dba Origami, 30 N 1st
St, regular expansion of premises;

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 1998

BB&D, Inc, dba Leaning Tower of Pizza, 2324
Lyndale Av S;

Win-Vee, Inc, dba Shorty & Wags Country
Bar & Grill, 3006 Lyndale Av S;

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 1997

Atlas One Corporation, dba Sea Gull
Restaurant, 200 S 6th St, change in ownership
from SeaGull Restaurant, Inc;

On-Sale Wine Class B with Strong Beer, to expire April 1, 1998

Balcony, Inc, dba Gus Lucky's Art Cafe, 1628
E Lake St;

On-Sale Wine Class E with Strong Beer, to expire April 1, 1997

KPL, Inc, dba Sobas, 2558 Lyndale Av S, new
shareholder/corporate officer, internal transfer of
shares;

On-Sale Wine Class E with Strong Beer, to expire April 1, 1998

Mindwalk Enterprises, Inc, dba Bobino Cafe
and Wine Bar, 222 E Hennepin Av;

Russell-Harris Enterprises, Inc, dba Annie's
Parlour, 313 14th Av SE;

Rocky Rococo Corporation, dba Rocky
Rococo, 405-407 14th Av SE;

Taste of Africa, Inc, dba Odaa Restaurant, 408
Cedar Av;

Bon Appetit, Inc, dba Bon Appetit, 421 14th Av SE;
Take One Enterprises, Inc, dba Big Ten Restaurant & Bar, 606 Washington Av SE;
Symphony Edwardo's, Inc, dba Edwardo's Natural Pizza Restaurant, 1125 Marquette Av;
Restaurant Ventures Unlimited, Inc, dba Lunds, 1450 W Lake St;
Royal Orchid, Inc, dba Royal Orchid Restaurant, 1835 Nicollet Av;
Manning's Cafe, Inc, 2200 Como Av;
D'Amico Catering, Inc, dba D'Amico & Sons, 2210 Hennepin Av;
Hop Lee, Inc, dba Peking Garden Restaurant, 2324 University Av SE;
KPL, Inc, dba Soba's, 2558 Lyndale Av S;
Lotus Restaurant, Inc, dba Lotus Restaurant Uptown, 3037 Hennepin Av;
Far-Cas, Inc, dba Casalenda's, 3748 23rd Av S;
Minnehaha Falls Corporation, dba Pearson's Edina Restaurant, 3808 W 50th St;
Molly's, Inc, dba Broders Southside Pasta Bar, 5000 Penn Av S
On-Sale Beer Class D, to expire April 1, 1998
Sanmar, Inc, dba Roundup Beer Hall, 201 E Lake St;
On-Sale Beer Class E, to expire April 1, 1998
WJ. Associates, Inc, dba Joe's Tavern, 109-111 E 26th St;
Lotus of Campus, Inc, dba Lotus Restaurant, 313 Oak St;
Yukon Club, Inc, dba Yukon Club, 320 W Lake St;
Minh Le Corporation, dba Bona Restaurant, 802 Washington Av SE;
Vina Cafe Company, dba Vina Cafe, 1015 W Lake St;
Davanni's, Inc, dba Davanni's Pizza & Hot Hoagies, 1138 Hennepin Av;
Davanni's, Inc, dba Davanni's Pizza & Hot Hoagies, 1414 W Lake St;
Goal Line, Inc, dba Goal Line Cafe, 1506-08 E Hennepin Av;
Official All Star Cafe, Inc, dba Senior G's, 1831 E Lake St;
Davanni's, Inc, dba Davanni's Pizza & Hot Hoagies, 2500-02 Riverside Av;
Captains Choice, Inc, dba Commodore, 2500 Bloomington Av;
C&H, Inc, dba U Garden Restaurant, 2725 University SE;

Minneapolis Park & Recreation Board, 3300 Central Av NE;
Chermatt, Inc, dba Matt's Bar, 3500 Cedar Av;
Nokomis Lanes, Inc, dba Nokomis Lanes, 4040 Bloomington Av;
Lemanczik Enterprises, Inc, dba T-Shoppe Bar, 4154 Fremont Av N, Thomas Rosen, Inc, dba Cedar Inn, 4155 Cedar Av;
Dennis Schuldt, dba Lake Inn, 4204 28th Av S;
Minneapolis Park & Recreation Board, 4553 Longfellow Av;
Pizza on the Parkway, Inc, dba Carbone's Pizza on the Parkway, 4724 Cedar Av;
Karim, Inc, dba Adrian's Tavern, 4812 Chicago Av;
Skylane Bowling Center, Inc, dba SkyLANES, 5019 34th Av S;
Temporary On-Sale Beer
Gada Oromia Soccer Team, 2337 Central Av NE, 3/29/97, 6PM-1AM;
Church of the Ascension, dba Church of the Ascension, 1723 Bryant Av N, 5/8/97, 7PM-10:30PM;
Church of the Ascension, dba Church of the Ascension, 1723 Bryant Av N, 4/10/97-4/11/97, 6-11PM; 4/12/97, Noon-6PM; 4/13/97, 1-5PM; and
Church of St. Bridget, dba Parish Summer Fest, 3811 Emerson Av N, 5/31/97 & 6/1/97.
Scott moved to divide the report so as to consider separately the application of Atlas One Corporation, dba Sea Gull Restaurant, 200 S 6th St, for an On-Sale Liquor Class E with Sunday Sales License, to expire July 1, 1997. Seconded.
Adopted by unanimous consent.
Scott moved adoption of the balance of the report. Seconded.
Adopted. Yeas, 13; Nays none.
Passed March 28, 1997.
Approved April 3, 1997. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.
PS&RS – Your Committee recommends approval of the application of Atlas One Corporation, dba Sea Gull Restaurant, 200 S 6th St, for an On-Sale Liquor Class E with Sunday Sales license, to expire July 1, 1997 (change in ownership from SeaGull Restaurant, Inc), subject to final inspection and compliance with all provisions of applicable codes and ordinances.
Adopted. Yeas, 13; Nays none.
Passed March 28, 1997.

Approved March 28, 1997. J. Cherryhomes,
Acting Mayor.
Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of March 28, 1997, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 262579):

Bowling Alleys; Building Contractor Class A; Building Contractor Class B; Cement Finisher; Contractor/Masonry Class A; Contractor/Masonry Class B; Laundry; Dry-Wall Contractor; All-Night Special Food; Caterers; Confectionery; Food Distributor; Grocery; Ice Peddler; Ice Producer; Food Manufacturer; Meat Markets; Restaurant Drive-In; Restaurant; Short-Term Food Permit; Seasonal Short-Term Food Establishment; Sidewalk Cafe Permit; Soft Drinks; Vending Machines; Fuel Dealer-Cash & Carry Only; Heating, Air Conditioning, Vent Installer Class A; Heating, Air Conditioning, Vent Installer Class B; Hotel; Lodging House; Motor Vehicle Repair Garage; Plumber; Multiple Second-Hand Goods Dealer; Skating Rink-Roller & Ice; Solicitor-Individual; Solid Waste Hauler; Swimming Pools; Tattooing; Taxicab Limited; Taxicab Service Company; Taxicab Vehicle; Taxicab Vehicle NT; Tobacco Dealers; Tradesman-Combination; and Tree Servicing.

Biernat moved that the application of Driverite, Inc, dba ABC Taxi, 2206 N 2nd St (Licenses & Consumer Services Agenda Item #806), for a Taxicab Service Company License and a change in corporate name from Cabs by ABC, as shown in Petition 262579, be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote.

Biernat moved adoption of the balance of the report. Seconded.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling-Lawful Class A

Edison Boosters Club, Inc, 522 36-1/2 Av NE,
site: Fraternal Order of Eagles Aerie 34, 2507 25th
St E;

Gambling-Lawful Class B

MLBA Children's Fund, 800 42nd Av N, site:
Vegas Lounge, 965 Central Av N; and

Gambling Lawful Exempt

Seward Neighborhood Group, 2600 E Franklin
Av, bingo, raffle at Kings Fair, Norwest Bank,
2600 E Franklin Av, 9/20/97.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration the application of Molly's, Inc, dba Broders Cucina Italiana, 2308 W 50th St, new business, for an On-Sale Wine Class E with Strong Beer License to expire April 1, 1998, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances, and further conditioned upon final approval from the Health Department.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved March 28, 1997. J. Cherryhomes,
Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration the application of Western Host, Inc, dba Sheraton Minneapolis Metrodome, 1330 Industrial Blvd, for an On-Sale Liquor Class A with Sunday Sales License, to expire October 1, 1997 and a change in ownership from Minneapolis Hotel Ventures, Inc, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends that the proper City officers be authorized to execute Amendment #2 to Contract #10041 with the Metropolitan Visiting Nurses Association (MVNA), for community and home health care

services, extending the contract period through September 30, 1997, for a total contract amount of \$812,000, with \$732,000 to be payable from General Fund – Health Department Agency – Contracts Management (010-440-4413) and \$80,000 to be payable from Federal Grants Fund – Health Department Agency – School-Based Clinics (030-440-4422).

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends concurrence with the recommendation of the City Council to reappoint Kay Hawbaker, 4229 Aldrich Av S, Ward 10, to serve on the Public Health Advisory Committee as a representative of the Third District Nurses, for a 2-year term to expire December 31, 1998.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration block event fees for the 14th annual National Night Out (NNO), now recommends: a) that the block event fee be waived for applications received by the close of business on Tuesday, July 8, 1997; b) that a \$15 block event fee be charged for applications received by the close of business on Tuesday, July 22, 1997; and c) that applications received after the close of business on July 22, 1997 be denied.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends that the proper City officers be authorized to execute an agreement with the management of an undisclosed property to provide covert office space for the Special Investigations Division, for the period from January 1, 1997 through December 31, 1997, at a rate of \$1,300 per month, for a total of \$15,600, payable from Federal Grants Fund – Police Department Agency – Narcotics (030-400-C003).

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends that the proper City officers be authorized to sign a Letter of Agreement with the National McGruff House Network to enable drivers of City vehicles from select departments, displaying McGruff decals for easy identification, to be screened through criminal history checks and trained to provide assistance to children in emergency situations, for a one-time fee of \$450, payable from General Fund – Police Department Agency – Community Crime Prevention (010-400-E003), with decals to be purchased by the department providing said McGruff vehicles.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends approval for the Inspections Division to issue a Request for Proposals (RFP) for an Inspections Graffiti Program to provide for removal of graffiti from sensitive surfaces, such as unpainted brick, stucco, concrete block, marble, etc., and to allow property owners to have building exteriors sprayed with a sacrificial coating that would prevent graffiti materials from penetrating porous surfaces, with the understanding that the property owner would be responsible for 50% of the cost and the City would be responsible for the remaining 50%.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved March 28, 1997. J. Cherryhomes, Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends concurrence with the recommendation of the Inspections Division to appoint Leon Katz, 300 Public Health Center, 250 S 4th St, to serve as the Inspections Division designee on the Plumbers – Gasfitters Examining Board, for the remainder of a 3-year term to expire October 31, 1998.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration the following properties creating nuisance conditions within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having determined that rehab of said properties is not feasible, and having received Findings of Fact, Conclusions and Recommendations arising from a Public Safety & Regulatory Services Committee hearing thereon, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference, now recommends that the proper City officers be authorized to raze the following properties:

- a) 3102 Russell Av N, Lot 24, Block 1, Queen Av Addition;
- b) 2821 37th St E, W 40' of E 86', Lots 1 & 2, Block 16, Palmer's Addition; and
- c) 3314 Thomas Av N, Lot 18, Thomas Av Addition.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends approval for Rainbow Taxi to operate and manage the wheelchair-accessible taxicab pilot program through December 31, 1997, with the understanding that Rainbow Taxi will purchase the vans previously used by Chair Cabs, Inc, to enable Rainbow to continue to provide wheelchair-accessible taxicab service, with the commitment that the City Council will work with and assist Rainbow in its efforts to provide meaningful transportation to the disabled community.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends that the proper City officers be authorized to remove a special assessment placed on the property located at 5124 11th Av S, in the amount of \$184.80, plus penalty and interest, since it appears that City-authorized yard clean-up occurred before the 3-day time limit had elapsed.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration the application of DT Management, Inc, An Arizona Corporation, dba Doubletree Guest Suites, Minneapolis, 1101 LaSalle Av, for a change in ownership from PRKM, Inc, dba Hotel Luxeford Suites, and an On-Sale Liquor Class A with Sunday Sales License to expire January 1, 1998, now recommends that said license and change of ownership be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved March 28, 1997. J. Cherryhomes, Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration an application from Pierre's Bistro, Inc, dba Pierre's Bistro, 2221 W 50th St, new business, for an On-Sale Wine Class E with Strong Beer License, to expire April 1, 1998, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved March 28, 1997. J. Cherryhomes, Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

PS&RS & W&M/Budget – Your Committee recommends acceptance of the low bid received on OP #4529, submitted by Over the Top, for furnishing all labor, tools, equipment and incidentals necessary to accomplish cutting and removal of weeds and/or plant growth for the Department of Inspections, for a two-year contract period through December 31, 1998, for an estimated expenditure of \$150,000, all in accordance with City specifications.

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

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

T&PW – Your Committee, having received a request from Lutheran Campus Ministry, The Newman Center, University Lutheran Chapel and other interested parties for the restoration of parking on Sundays on University Avenue SE, now recommends passage of the accompanying Ordinance establishing and amending No Parking Zones to allow parking on Sundays until 1:00 p.m. on University Avenue SE and 4th Street SE between I-35W and Oak Street.

ORDINANCE 97-Or-034
By Dziedzic
1st & 2nd Readings: 3/28/97

Amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Traffic Code: Parking, Stopping and Standing.

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

Section 1. That Section 478.560 of the above-entitled ordinance be amended by adding thereto the following Handicap Transfer Zone:

No. 1038 – NEly side of University Av SE beg 30' SEly of the SEly curb line of 17th Av SE & th extending 62' SEly (No Parking, Handicap Parking Zone, Sunday 6AM – 1PM).

Section 2. That Section 478.590 of the above-entitled ordinance be amended by adding thereto the following No Parking Zones:

No. 6605 – NEly side of University Av SE betw the limits of I35W and 10th Av SE (No Parking Anytime);

No. 6606 – NEly side of University Av SE betw the limits of 10th Av SE and 19th Av SE (No Parking Anytime);

No. 6607 – NEly side of University Av SE betw the limits of 19th Av SE and Oak St SE Left Turn Lane) (No Parking Anytime);

No. 6608 – SWly side of 4th St SE betw the limits of I35W and 10th Av SE (No Parking Anytime);

No. 6609 – SWly side of 4th St SE betw the limits of 10th Av SE and 13th Av SE (No Parking, Except Sunday 1AM-1PM);

No. 6610 – SWly side of 4th St SE betw the limits of 15th Av SE and Oak St SE (No Parking, Except Sunday 1AM-1PM).

Section 3. That Section 478.590 of the above-entitled ordinance be amended to change the following No Parking Zones to read:

No. 6546 – SWly side of University Av SE between the limits of I35W and Oak St SE (No Parking Anytime);

No. 6547 – NEly side of 4th St SE betw the limits of I35W and 13th Av SE (No Parking Anytime);

No. 6548 – NEly side of 4th St SE betw the limits of 15th Av SE and Oak St SE (No Parking Anytime).

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee, to whom was referred an ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to **Traffic Code: Parking, Stopping and Standing**, to permit commercial vehicles, except taxis, to use no parking zones for loading and unloading for a period not to exceed 30 minutes, now recommends that said ordinance be given its second reading for amendment and passage.

ORDINANCE 97-Or-035

By Dziedzic
Intro & 1st Reading: 3/7/97
Ref to: T&PW
2nd Reading: 3/28/97

Amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Traffic Code: Parking, Stopping and Standing.

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

Section 1. That Section 478.600 (b) of the above-entitled ordinance be amended to read as follows:

478.600. Parking prohibited; exceptions.

(b) Commercial trucks, commercial vehicles (excluding taxis) and commercial permit vehicles may stop in a no-parking zone while actually engaged in loading or unloading merchandise or freight for a period of time not to exceed thirty (30) minutes.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997. J. Cherryhomes,
President of Council.

Approved April 3, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.
(Republished May 3, 1997).

T&PW – Your Committee, having under consideration the Fourth Avenue South Bridge Construction Project (S.A.P. 141-211-07), now recommends that the proper City Officers be authorized to execute Supplemental Agreement #2 to Contract #C95-9249 with HDR Engineering, Inc., for an increase of \$3,119.34 and a new total contract not to exceed \$188,107.34, to reflect changes in the scope of services regarding retaining walls and the purchase of additional photographic images, payable from PW – Engineering Design (410-600-6025), which is reimbursable by Municipal State Aid funds.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved March 28, 1997. J. Cherryhomes,
Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution designating the location and streets to be improved in the Nicollet Av S Streetscape Revitalization Project (Pavers), Special Improvement of Existing Street No 2939.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

Resolution 97R-065, designating the improvement of certain existing streets at locations described in Resolution 97R-065, contained in the Nicollet Avenue South Streetscape Revitalization Project (Pavers), Special Improvement of Existing Street No 2939, was passed March 28, 1997 by the City Council and approved April 3, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 97R-065

By Dziedzic

**NICOLLET AV S STREETScape
REVITALIZATION PROJECT (PAVERS)
SPECIAL IMPROVEMENT OF EXISTING
STREET NO 2939**

**Designating the improvement of certain
existing streets at the location described
hereinafter.**

Whereas, the Nicollet Av S Streetscape Revitalization Project, Special Improvement of Existing Street No 2931, as approved in Resolution 96R-219 passed August 9, 1996, is located within the boundaries of the Nicollet Av S Special Service District as established in Chapter 448 of the Minneapolis Code of Ordinances; and

Whereas, the Nicollet Av S Streetscape Revitalization Project (Pavers), Special Improvement of Existing Street No 2939, is located within the boundaries of the aforementioned Nicollet Av S Special Service District;

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

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by upgrading the sidewalk construction from new concrete sidewalk to new sidewalk constructed with brick pavers placed on a compacted aggregate base together with all the necessary appurtenances and work related to the hereinabove described improvements:

Nicollet Av S (Wly side) from Sly r/w of I-94 to 29th St W;

Nicollet Av S (Ely side) from Sly r/w of I-94 to Cecil Newman Ln;

Franklin Av W (both sides) from Nicollet to LaSalle/Blaisdell Avs S;

Franklin Av E (both sides) from Nicollet to 1st Avs S;

26th St W (both sides) from Nicollet Av S to N-S alleys betw Nicollet and Blaisdell Avs S;

26th St E (Nly side) from Nicollet to 1st Avs S;

26th St E (Sly side) from Nicollet Av S to N-S alley betw Stevens and 2nd Avs S.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997. J. Cherryhomes,
President of Council.

Approved April 3, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee, having received a cost estimate of \$658,306 for improvements and a list of benefited properties for the Nicollet Av S Streetscape Revitalization Project (Pavers), Special Improvement of Existing Street No 2939, as designated by Resolution 97R-065 passed March 28, 1997, now recommends that the City Engineer be directed to prepare a proposed Special Improvement Assessment in the amount of \$658,306 against the list of benefited properties by using an abutting lineal footage method.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on May 15, 1997, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated pavers project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution holding harmless the State of Minnesota from actions that may arise from granting a variance to permit the reconstruction of 21st Av S betw 28th & 29th Sts with a right-of-way width of 50 feet rather than 60 feet as required by Municipal State Aid Rules.

RESOLUTION 97R-066

By Dziedzic

Holding harmless the State of Minnesota from actions that may arise from the reconstruction of MSA 326 (21st Av S) from 28th to 29th Sts at less than Municipal State-Aid Standards.

Whereas, the City Engineer has requested a variance from Minnesota Rules, Chapter

8820.2500 for the reconstruction of 21st Av S between 28th and 29th Sts in accordance with Resolution 97R-018 adopted by the Minneapolis City Council on February 14, 1997; and

Whereas, the Commissioner of Transportation did grant said variance with the condition that the City adopt a Resolution concerning legal responsibilities as a result of this granting of said variance at the City Council's request;

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

That it indemnifies, saves and holds harmless the State of Minnesota and all its agents and employees of and from any and all claims, demands, actions, or causes of actions of any nature or character arising out of or by reason of, in any manner the reconstruction of MSA 326 (21st Av S) between 28th and 29th Sts in any other manner than as in accordance with Minnesota Rule 8820.2500 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim of whatsoever Character arising as a result of the granting of this variance.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997. J. Cherryhomes,
President of Council.

Approved April 3, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee, having under consideration the Public Works Comprehensive Facility Study Master Plan, including two primary service nodes and two satellite service nodes, now recommends that the proper City Officers be authorized to issue a Request for Proposals for architectural and engineering services for Public Works Facilities – Public Service Node #1 (Phase II), to include street and bridge maintenance facilities and equipment services facilities in the vicinity of the existing Currie Yard.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee, to whom was referred back on February 7, 1997 a report relating to solid waste and recycling collection services, now recommends that the Public Works Department be directed to begin a Request for Proposal (RFP) process for collection services.

The proposals shall be for that part of the City not serviced by City forces, shall not exceed 50% of total municipal collection, and must clearly identify compensation details for all employees of the proposer, as part of the RFP response, including a prevailing wage provision as determined by the County.

Your Committee further recommends that no less than 50% of the collection and removal services for the City of Minneapolis shall be provided by City employees, and that cost analysis of city employee collection in excess of 50% of municipal collection be evaluated by Public Works staff.

The Department shall report back to Committee with a proposed schedule for proposal submission, staff review, committee deliberation and Council action within 30 days of passage of this action.

Campbell moved to substitute the following report for the above report. Seconded.

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

Yeas – Schulstad, Herron, Thurber, Campbell, Niland, Mead, Cherryhomes.

Nays – Rainville, Dziedzic, Biernat, McDonald, Minn, Scott.

T&PW – Your Committee recommends that the City’s existing contract with Minneapolis Refuse Inc (MRI) be amended to include the following items:

1. The rate per stop for the period January 1, 1997 to December 31, 1997 shall be reduced from the existing contracted rate of \$9.76 to \$8.25, or 98% of the City’s costs whichever is the lesser, in exchange for the two year contract extension.

2. The City grant a two-year extension of the current contract for the period beginning January 1, 1998 and ending December 31, 1999.

3. The extended contract rate shall be equal to 98% of the City’s cost of collection for the calendar year two years prior (e.g. 1998 rate based upon 1996 City costs).

The City costs shall be subject to independent review and include a fair allocation of administrative and supervisory costs to City collection functions that are similar to those of MRI. The City Engineer shall directly manage this issue and report to the T&PW and W&M/Budget Committees.

4. The contract extension contain an additional provision requiring that whether hauling services are performed by shareholders or by their subcontractors, that no fewer than 9 different

haulers are actually on the streets collecting the waste.

5. Through the balance of the current term and the contract extension, the concept of an equitable 50-50 split of collection services, between the City and MRI, as required by ordinance, will be followed.

Your Committee further recommends that the proper City Officers be authorized to execute the amended contract terms.

Biernat moved to amend the substitute report under Item 4 by deleting the number “9” and inserting in lieu thereof “13”. Seconded.

Minn moved that the Council resolve itself into a Committee of the Whole. Seconded.

Adopted upon a voice vote.

The Committee of the Whole convened at 12:40 p.m.

Vice President Biernat assumed the Chair.

Niland moved that the Committee of the Whole rise and report its findings to the Council relating to solid waste and recycling collection services. Seconded.

Adopted upon a voice vote.

The Council reconvened at 1:30 p.m.

President Cherryhomes resumed the Chair.

Present – Council Members Schulstad, Herron, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, McDonald, Minn, Mead, Scott, Cherryhomes.

The **Committee of the Whole** submitted the following report:

Comm of Whole – Your Committee rises and reports that it has had under consideration the contract for solid waste and recycling collection services with Minneapolis Refuse Inc (MRI), now recommends that the City amend the existing contract with MRI to include the following items:

1. The rate per stop for the period January 1, 1997 to December 31, 1997 shall be reduced from the existing contracted rate of \$9.76 to \$8.25, or 98% of the City’s costs whichever is the lesser, in exchange for a two-year contract extension.

2. The City grant a two-year extension of the current contract for the period beginning January 1, 1998 and ending December 31, 1999.

3. The extended contract rate shall be equal to 98% of the City’s cost of collection for the calendar year two years prior (e.g. 1998 rate based upon 1996 City costs).

The City costs shall be subject to independent review and include a fair allocation of administrative and supervisory costs to City collection functions that are similar to those of MRI. The City Engineer shall directly manage this issue and report to the T&PW and W&M/Budget Committees.

4. The contract extension contain an additional provision requiring that whether hauling services are performed by shareholders or by their subcontractors, that no greater than 25% of the stops shall be subcontracted.

5. Through the balance of the current term and the contract extension, the concept of an equitable 50-50 split of collection services, between the City and MRI, as required by ordinance, will be followed.

6. That MRI shall provide to the City its audited financial records for calendar years 1997 and for the period of the extended contract so that the City may evaluate whether MRI employee compensation follows the City's livable wage policy.

Your Committee further recommends that the proper City Officers be authorized to execute the amended contract terms.

Minn moved to amend the report by deleting the first sentence in Item 3 and inserting in lieu thereof the following:

"The extended contract rate shall be equal to \$8.25 or 98% of the City's cost of collection, whichever is the lesser, for calendar years 1998 and 1999." Seconded.

Cherryhomes moved to suspend the rules for the purpose of recessing. Seconded.

Adopted by unanimous consent.

The Council recessed at 2:02 p.m.

The Council reconvened at 2:20 p.m.

President Cherryhomes in the Chair.

Present – Council Members Schulstad, Herron, Rainville, Dziejdzic, Thurber, Campbell, Biernat, Niland, McDonald, Minn, Mead, Scott, Cherryhomes.

Minn restated his motion.

Minn's motion lost.

Yeas, 6; Nays, 7 as follows:

Yeas – Rainville, Dziejdzic, Biernat,

McDonald, Minn, Scott.

Nays – Schulstad, Herron, Thurber, Campbell, Niland, Mead, Cherryhomes.

Minn moved to delete the first sentence in Item 3. Seconded.

Campbell moved to close debate on the issue. Seconded.

Campbell's motion lost upon a voice vote.

Minn's motion lost upon a voice vote.

Schulstad moved to substitute the following report for the above report. Seconded.

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

Yeas – Schulstad, Herron, Dziejdzic, Thurber, Campbell, Niland, Mead, Cherryhomes.

Nays – Rainville, Biernat, McDonald, Minn, Scott.

Comm of Whole – Your Committee rises and reports that it has had under consideration the contract for solid waste and recycling collection services with Minneapolis Refuse Inc (MRI), now recommends that the City amend the existing contract with MRI to include the following items:

1. The City grant a five-year extension of the current contract for the period beginning January 1, 1998 and ending December 31, 2002.

2. The rate per stop for the period January 1, 1997 to December 31, 2002 shall be reduced from the existing contracted rate of \$9.76 to \$8.25, or 98% of the City's costs whichever is the lesser, in exchange for a five-year contract extension.

3. The City costs shall be subject to independent review and include a fair allocation of administrative and supervisory costs to City collection functions that are similar to those of MRI. The City Engineer shall directly manage this issue and report to the T&PW and W&M/Budget Committees.

4. The contract extension contain an additional provision requiring that whether hauling services are performed by shareholders or by their subcontractors, that no greater than 25% of the stops shall be subcontracted.

5. Through the balance of the current term and the contract extension, the concept of an equitable 50-50 split of collection services, between the City and MRI, as required by ordinance, will be followed.

6. That MRI shall provide to the City its audited financial records for calendar years 1997 and for the period of the extended contract so that the City may evaluate whether MRI employee compensation follows the City's livable wage policy.

7. That staff be directed to negotiate a higher performance bond assurance payment.

Your Committee further recommends that the proper City Officers be authorized to execute the amended contract terms.

Minn moved to amend the substitute report by changing Item 1 and Item 2 to reflect a two-year contract extension from 1998 to 1999. Seconded.

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

Yeas – Rainville, Biernat, McDonald, Minn, Scott.

Nays – Schulstad, Herron, Dziedzic, Thurber, Campbell, Niland, Mead, Cherryhomes.

Niland moved to amend the substitute report to add the following language:

“That the employees of the haulers under this contract be required to receive a wage of \$8.25 per hour beginning January 1, 1998.” Seconded.

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

Yeas – Dziedzic, Biernat, Niland, McDonald, Minn, Scott.

Nays – Schulstad, Herron, Rainville, Thurber, Campbell, Mead, Cherryhomes.

The report, as substituted, was adopted.

Yeas, 8; Nays, 5 as follows:

Yeas – Schulstad, Herron, Dziedzic, Thurber, Campbell, Niland, Mead, Cherryhomes.

Nays – Rainville, Biernat, McDonald, Minn, Scott.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

T&PW – Your Committee, to whom was referred an ordinance amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances relating to **Health and Sanitation: Garbage & Refuse, Art. IV City Collection and Disposal**, providing that at least 50 percent of garbage collection and removal services in the City of Minneapolis be provided by City employees, now recommends that said ordinance be given its second reading for amendment and passage.

ORDINANCE 97-Or-036

**By Dziedzic Rainville,
Campbell, Scott,
Niland and Minn**

Intro & 1st Reading: 2/7/97

Ref to: T&PW

2nd Reading: 3/28/97

Amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances relating to

**Health and Sanitation: Garbage and Refuse,
Art. IV City Collection and Disposal.**

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

Section 1. That Section 225.610 of the above-entitled ordinance be amended to read as follows:

225.610. Implementation of article. The city engineer shall set up the necessary organization and shall acquire the needed equipment, buildings and accessory equipment to properly carry out the provisions of this article as directed by the city council. Provided, however, that at least fifty (50) percent of the collection and removal services that are within the scope of this article shall be provided by City employees under the direct control of the City Engineer, and that all Requests for Proposals or calls for bid and contracts resulting therefrom, relating to solid waste and recycling, shall be consistent with this requirement.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution accepting the findings of the Environmental Assessment Worksheet for the Southwest Lake Calhoun Subwatershed Improvements, as prepared by the Minnehaha Creek Watershed. Further, supporting the Minnehaha Creek Watershed District and the Chain of Lakes Clean Water Partnership in their efforts to construct a stormwater wetland at the southwest corner of Lake Calhoun in the City of Minneapolis.

RESOLUTION 97R-067

By Dziedzic

Accepting the findings of the Environmental Assessment Worksheet for the Southwest Lake Calhoun Subwatershed Improvements as prepared by the Minnehaha Creek Watershed and supporting the Minnehaha Creek Watershed District and the Chain of Lakes Clean Water Partnership in their efforts to construct a stormwater wetland at the southwest corner of Lake Calhoun in the City of Minneapolis.

Whereas, the City of Minneapolis is a partner in the Minneapolis Chain of Lakes Clean Water Partnership, along with the Minneapolis Park and Recreation Board, the Minnehaha Creek Watershed District, the City of St. Louis Park and Hennepin County; and

Whereas, the goal of the Clean Water Partnership is to improve the water quality in the Minneapolis Chain of Lakes by improving the quality of the stormwater runoff being discharged into these lakes; and

Whereas, the Minnehaha Creek Watershed District has proposed the construction of a stormwater wetland at the southwest corner of Lake Calhoun in order to treat the runoff from an 888 acre area of Minneapolis, St. Louis Park and Edina; and

Whereas, the purpose of the stormwater wetland is the long term improvement in the water quality of Lake Calhoun;

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

That it formally accepts the findings of the Environmental Assessment Worksheet for the Southwest Lake Calhoun Subwatershed Improvements as prepared by the Minnehaha Creek Watershed and supports the Minnehaha Creek Watershed District and the Chain of Lakes Clean Water Partnership in their efforts to construct a stormwater wetland at the southwest corner of Lake Calhoun in the City of Minneapolis.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee, having under consideration the application of the Public Works Department for a waiver from Interim Ordinance 96-Or-103, providing for a moratorium on the construction of underground facilities in the public streets of the Central Business District, passed September 27, 1996, to build a pedestrian tunnel between City Hall and the U.S. Courthouse located midblock on 4th St S betw 3rd and 4th Avs S (S.P. 141-341-04), now recommends that said waiver be granted.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Republished May 3, 1997).

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET

Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the Fourth Avenue South Bridge Construction Project (S.A.P. 141-211-07), now recommends passage of the accompanying Resolution agreeing that the City of Minneapolis will finance any amount in excess of the Minnesota State Transportation grant and returning any moneys not needed for constructing the Fourth Avenue South Bridge.

Your Committee further recommends passage of the accompanying Resolution appropriating \$428,600 to the PW - Bridge Capital Agency to provide additional funds for said construction project budget, to be reimbursed with funds from Municipal State Aid, a grant from the Minnesota State Transportation Fund, Hennepin County Regional Railroad Authority, Urban Ventures Leadership Foundation and a grant from the Metropolitan Livable Communities.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved March 28, 1997. J. Cherryhomes, Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-068
By Dziedzic and Campbell

Agreeing that the City of Minneapolis will finance any amount in excess of the Minnesota State Transportation grant and returning any moneys not needed for constructing the Fourth Avenue South Bridge.

Whereas, the City of Minneapolis has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for the construction/reconstruction of the Fourth Avenue South Bridge (City Bridge No 27A32) over the Hennepin County Regional Railroad Authority and E 29th Street, totaling \$300,000;

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

That it hereby affirms that the State grant portion will not exceed \$300,000, and if the State

share of construction based on the final estimate is less than \$300,000, any remaining funds will be returned to the Minnesota State Transportation Fund.

Adopted. Yeas, 13; Nays none.
Passed March 28, 1997. J. Cherryhomes,
President of Council.
Approved March 28, 1997. J. Cherryhomes,
Acting Mayor.
Attest: S. Ristuben, Asst City Clerk.
(Published April 2, 1997).

RESOLUTION 97R-069
By Dziejczak and Campbell

**Amending The 1997 Capital Improvement
Appropriation Resolution.**

Resolved by The City Council of The City of
Minneapolis:

That the above-entitled Resolution, as
amended, be further amended by increasing the
appropriation for the PW - Streets & Malls Capital
Agency in the Permanent Improvement Projects
Fund (410-937-9386) by \$428,600 for the Fourth
Avenue South Bridge Project, to be reimbursed by
the following funds: Municipal State Aid,
\$239,700; Minnesota State Transportation Grant
Funds, \$74,000; Hennepin County Regional
Railroad Authority (HCRRA), \$26,600; Urban
Ventures Leadership Foundation (UVLF), \$5,800;
and Metropolitan Livable Communities Funds
(MLCF), \$82,500, as part of Metropolitan Grant
No SG-96-58.

Adopted. Yeas, 13; Nays none.
Passed March 28, 1997. J. Cherryhomes,
President of Council.
Approved March 28, 1997. J. Cherryhomes,
Acting Mayor.
Attest: S. Ristuben, Asst City Clerk.
(Published April 2, 1997).

T&PW & W&M/Budget – Your Committee,
having under consideration the roadway
reconstruction of 4th Street SE between I-35W and
Oak Street SE and 15th Avenue SE between
University Avenue SE and 5th Street SE, now
recommends that the proper City Officers be
authorized to execute a Construction Cooperative
Agreement with Hennepin County to provide for
payment to Hennepin County, by the City of
Minneapolis, of an estimated amount of
\$833,163.73 from the PW – Streets & Malls

Capital Agency (410-937-9372) and the PW –
Transportation Capital Agency (410-943-9449) as
determined by the City Engineer. (Petn No
262592)

Adopted. Yeas, 13; Nays none.
Passed March 28, 1997.
Approved March 28, 1997. J. Cherryhomes,
Acting Mayor.
Attest: S. Ristuben, Asst City Clerk.

T&PW & W&M/Budget – Your Committee,
having under consideration the construction of a
Lagoon Overflow Treatment Plant to properly treat
and dispose of lagoon overflow water, now
recommends that the proper City Officers be
authorized to increase the “not to exceed” cost for
Contract No 4184 with Black & Veatch to
\$421,900, in accordance with previously approved
contract amendments.

Adopted. Yeas, 13; Nays none.
Passed March 28, 1997.
Approved April 3, 1997. S. Sayles Belton,
Mayor.
Attest: S. Ristuben, Asst City Clerk.

T&PW & W&M/Budget – Your Committee
recommends acceptance of the low bid received on
OP #4556 (Petn No 262593) submitted by Lunda
Construction Company, in the amount of
\$2,223,309.51, for furnishing and delivering all
labor, materials, equipment and incidentals
necessary to accomplish construction of the Fourth
Avenue South Bridge, all in accordance with City
specifications.

Your Committee further recommends that the
proper City Officers be authorized to execute a
contract for said project.

Adopted. Yeas, 13; Nays none.
Passed March 28, 1997.
Approved March 28, 1997. J. Cherryhomes,
Acting Mayor.
Attest: S. Ristuben, Asst City Clerk.

T&PW & W&M/Budget – Your Committee
recommends acceptance of the following bids in
accordance with City specifications (Petn
No 262593):

a) OP #4550, low bid submitted by Layne
Minnesota Company, for an estimated expenditure
of \$18,915, for furnishing and delivering one lined
drill hole for Public Works Sewer Construction
located on Main St SE near 3rd Av SE.

b) OP #4547, bids as indicated below for furnishing and delivering ready mix concrete and bulk portland cement to the Public Works Department through March 31, 1998:

Low bid of Camas Model Ready Mix Division, for an estimated expenditure of \$232,000. Prices firm through March 31, 1998. Vendor agrees to increase quantities up to 100 with no increase in price.

Only bid of Holnam, Inc., for an estimated expenditure of \$474,000. Prices firm through March 31, 1998.

c) OP #4555, low bid of E.H. Renner and Sons, Inc., for an estimated expenditure of \$12,890, for furnishing and delivering all labor, materials, tools, equipment and supervision for well capping and abandonment at the 7th Street Business Center for the Public Works Department.

d) OP #4548, low bid of CAMAS, Inc./Shiely Division, for an estimated expenditure of \$187,762, for furnishing and delivering fine aggregate and mineral filler to the Public Works Department through March 14, 1998. Quantities for mineral filler may be increased up to 50% with no increase in price. Prices firm through March 14, 1998.

e) OP #4532, low bid of Ceres Environmental Services, Inc., in the amount of \$133,950, for furnishing all labor, materials, equipment and incidentals necessary to accomplish the Fifth Precinct Building Site Demolition.

f) OP #4543, low bid of Koch Materials Company, for an estimated expenditure of \$230,850, for furnishing and delivering emulsified asphalt to the Public Works Asphalt Plant, 1901 E 26th St, through December 31, 1997. Prices firm for 1997.

g) OP #4544, low bid of Dresser Trap Rock, for an estimated expenditure of \$236,250, for furnishing and delivering graded aggregate and steel slag to the Public Works Asphalt Plant, 1901 E 26th St, through December 31, 1997. Vendor agrees that quantities may be increased up to 100% at bid prices. Prices firm for 1997.

h) OP #4545, bids as indicated below for furnishing and delivering coarse aggregate to the Public Works Department as needed through March 14, 1998:

Dresser Trap Rock Company, for an estimated expenditure of \$171,900. Prices firm for order period. Vendor offers to extend prices for one additional year after March 14, 1998 at the sole option of the City of Minneapolis; and

Barton Sand and Gravel Company, for an estimated expenditure of \$300,700. Prices firm for order period.

i) OP #4542, low bid of Koch Materials Company, for an estimated expenditure of \$646,500, for furnishing and delivering asphalt cement to the Public Works Asphalt Plant, 1925 E 26th St, through December 31, 1997. Prices firm for 1997.

Your Committee further recommends that the proper City Officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration a report passed November 8, 1996 awarding a contract under OP #4437 to Custom Products and Service for snow removal in the Hennepin-Lake Service District, now recommends that said report be amended by increasing said bid and Contract No 10993 by \$16,000, for a new estimated expenditure of \$74,950, to provide additional snow removal services through the remainder of the 1996/97 snow season.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW & W&M/Budget – Your Committee, having received a request from the Minneapolis Park and Recreation Board to include an insert in upcoming Public Works utility billings an educational flyer announcing “Spring Cleaning for Minneapolis Lakes, Creeks and Rivers”, now recommends approval to insert said educational flyer for mailing with the April 1997 utility bills.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

W&M/Budget – Your Committee recommends approval of the request of the American Federation of State, County & Municipal Employees (AFSCME), Local #9, to allow their members to use “flex” time within their work schedules to permit attendance at monthly noon-hour membership meetings (usually held on the second Tuesday of each month), under the following conditions:

- a) Employees will be required to request supervisor approval to attend and “flex” their work schedule for the same day time is requested;
- b) Employees will be allowed to “flex” up to a minimum of thirty (30) minutes in addition to their lunch period as defined in the current AFSCME Local #9 labor agreement;
- c) Employees will be required to work a full normal work week (as it would normally apply to each individual) schedule with “flexing” if they attend the monthly membership meeting; and
- d) Matters concerning requests to “flex” are not grievable.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas – Schulstad, Herron, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, McDonald, Mead, Scott, Cherryhomes.

Nays – Minn.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the City Attorney be authorized to retain the law firm of Doherty Rumble & Butler as legal counsel for the City and the Minneapolis Community Development Agency (MCDA) in connection with potential litigation arising out of the Federal Courts building project. Compensation for services shall be within the City’s established rate and shall not exceed \$275,000.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having reviewed the 1996 Year-End Budget Status Report, now recommends passage of the accompanying resolutions:

- a) Providing for the reappropriation of certain general and Minneapolis Community Development Agency funds as deemed appropriate under the City’s criteria for reappropriation; and
- b) Providing for appropriation increases to the 1996 budget for certain appropriation exceeded conditions.

RESOLUTION 97R-070

By Campbell

Amending The 1997 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 following appropriations:

Fund	Agency	Agency Name	Amount
010	840	Coordinator Administration	\$9,788
010	841	Intergovernmental Relations	<u>1,445</u>
		GENERAL FUND TOTAL	\$11,233
076	865	Convention Center Operations	<u>\$57,944</u>
		CONVENTION CENTER RELATED FUND TOTAL	\$57,944
610	680	PW – General Services	<u>\$10,390</u>
		EQUIPMENT FUND TOTAL	\$10,390

730	600	Sewer Design	\$56,626
730	600	Storm Water	<u>28,184</u>
		WATER FUND TOTAL	\$84,810
750	685	Transportation	<u>\$1,031,883</u>
		PARKING FUND TOTAL	\$1,031,883
770	664	PW - Solid Waste	<u>\$525,623</u>
		SOLID WASTE FUND	\$525,623
		TOTAL CITY REAPPROPRIATIONS	\$1,721,883

Adopted. Yeas, 13; Nays none.
 Passed March 28, 1997. J. Cherryhomes, President of Council.
 Approved April 3, 1997. S. Sayles Belton, Mayor.
 Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-071
By Campbell

Amending The 1997 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:
 That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund GEN (MCDA General) by \$312,679.
 Adopted. Yeas, 13; Nays none.
 Passed March 28, 1997. J. Cherryhomes, President of Council.
 Approved April 3, 1997. S. Sayles Belton, Mayor.
 Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-072
By Campbell

Amending The 1996 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 following appropriations:

General Fund (010)	
City Clerk (260)	\$8,843
City Clerk - Elections (264)	92,149
Civil Rights (300)	<u>3,852</u>
TOTAL GENERAL FUND	\$104,844
Paving Fund (600)	
Finance (820)	\$7,188
Lands & Buildings Fund (620)	
Finance (820)	\$ 931
Public Works Stores Fund (630)	
Finance (820)	\$ 8,233
Self-Insurance Fund (690)	
Attorney	\$164,504
Finance (820)	<u>15,730</u>
TOTAL SELF-INSURANCE FUND	\$180,234
Parking Fund (750)	
Finance (820)	\$ 22,749
Solid Waste Fund (770)	
Finance (820)	\$6,147

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to submit applications for federal Telecommunications and Information Infrastructure Assistance Program (TIIAP) grant funding for the following projects:

a) Multiple Jurisdiction Network Project (MJNP), a Public Safety Demonstration Project to enhance the data sharing network among metro area law enforcement agencies, with grant funding requested up to \$400,000;

b) CityNet or MinneNet Project, a project to create resident access to City services and information at neighborhood parks and community centers through interactive computer terminals located at the centers, with grant funding requested up to \$500,000.

The application for grant funding shall be submitted by March 27, 1997 for consideration in this year's funding round. A local match on a \$1.00 to \$1.00 basis would be required for the funding and would be identified upon approval of the grants.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having under consideration the organization and process for the 1997 Capital Long-Range Improvements Committee (CLIC) process (Petn No 262600), now recommends adoption of the following guidelines:

a) All capital proposals shall be submitted to CLIC by April 30, 1997;

b) The following directions are given in relation to the 1998-2002 capital process:

1) Net Debt, Community Development Block Grant (CDBG), Permanent Improvement (PI) Tax Levy: In general, capital projects not in the adopted five-year capital improvement program, if resubmitted, should be requested for 2002 unless the requesting organization is suggesting moving another project of similar resource level to 2002;

2) The Library Board is requested to submit capital proposals for the 1998-2002 period within the Net Debt, CDBG, PI Tax Levy in total approximating \$1,600,000 each year;

3) The Park and Recreation Board is requested to identify the proposals for each year that will in total approximate \$2,200,000 of Net Debt, CDBG, PI Tax Levy and submit any project information not currently on file;

4) City departments are directed to update their project information and submit proposals for 2002;

5) Minnesota State Aid (MSA) Funding: The Public Works Department is directed to realign its 1997-2001 MSA program to more accurately reflect the anticipated MSA funding level for the 1998-2002 time period;

6) CLIC: The City Council requests that CLIC rate all year 2002 capital proposals and all new proposals submitted for 1998-2001 and that year 2002 recommendations for funding approximate \$19,100,000 in total for Net Debt, CDBG and PI Tax Levy. It is not anticipated that all 1998-2001 proposals in the already adopted five-year capital program will be rated again but that integration of new proposals and any applicable bumping would be considered. Emphasis will be on review of the 1998 adopted plan, rating of new year 2002 proposals, integration of new 1998-2001 requests, if appropriate, and development of year 2002 recommendations.

c) The Board of Estimate and Taxation is requested to amend its current Memorandum of Understanding with the Finance Department to include CLIC support responsibilities until further notice.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1996.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the Finance Department release \$15,000 which is being held in the Fire Escrow account to the Minneapolis Community Development Agency (MCDA) upon receipt of a copy of the letter written by the Office of the City Attorney to the MCDA stating that an acceptable settlement agreement has been signed by all parties concerning the matter of City of Minneapolis vs. Ray Gross, individually, and d/b/a B & R Rental Properties, and B & R Rental Properties.

Adopted. Yeas, 13; Nays none.
Passed March 28, 1997.
Approved April 3, 1997. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the lawsuit filed against the City by G. Jeanne Larson be settled by payment of \$10,000 to Ms. Larson from the Self-Insurance Fund (690-150).

Adopted. Yeas, 13; Nays none.
Passed March 28, 1997.
Approved March 28, 1997. J. Cherryhomes, Acting Mayor.
Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the lawsuits filed against the City by the following individuals be settled as follows:

690-150 Trust account of Bennett, Brown, Ingvaldson, Coaty & McNeill, P.A. for the benefit of Cal Jack Mattson, \$55,000; Tom Dolan and his atty, Ralph Overholt, \$2,000; Mark P. Koscielski and his attys, Joseph A. Rymanowski, Jr., and Robert G. Gubbe, \$1; Mark P. Koscielski and his atty, Joseph A. Rymanowski, Jr., \$41,412.50; Mark P. Koscielski and his atty, Robert G. Gubbe, \$35,309.11; Lavera Davenport c/o her atty, Bryce Johnson, \$16,052.44; Blue Cross of Minnesota, \$1,052.44.

Adopted. Yeas, 13; Nays none.
Passed March 28, 1997.
Approved April 3, 1997. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends concurrence with the Mayor and City Council President in their recommendation to appoint/reappoint the following individuals to the Senior Citizen Advisory Committee for two-year terms, expiring on December 31, 1998:

Reappointments:

Dorothy Crabb	4532 Dupont Av S	(Ward 11);
Alberto Ferrey	901 NE 2nd St	(Ward 3);
Meinard Kooiker	3245 22nd Av S	(Ward 9);
Leonard Pignatello	3201 Benjamin St NE	(Ward 1);
Anita Schwartz	5540 Cumberland Rd	(Ward 13);
Shirley Underwood	2425 E Franklin Av	(Ward 2)
John Cole (ex-officio)	5800 St. Croix Av (Golden Valley);	

Appointments:

Jean Greener	1018 W Minnehaha Pkwy	(Ward 13);
Fay Harrison	818 Penn Av N	(Ward 5);
Sandra Meyer	115 2nd Av S	(Ward 7);
Martha Knudsen	5345 Riverview Rd	(Ward 12)
Elizabeth Smith (ex-officio)	115 W 31st St	(Ward 10)

Adopted. Yeas, 13; Nays none.
Passed March 28, 1997.
Approved April 3, 1997. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends passage of the accompanying amendment to the **Salary Ordinance** setting the salary for the position of Administrative Aide/Public Information Officer in the Mayor’s Office, based on a study of the position conducted by Department of Human Resources.

ORDINANCE 97-Or-037
By Campbell

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

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

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following change (biweekly rates):

APPOINTED OFFICIALS (APPT)

Effective March 1, 1997

FLSA OTC	CLASSIFICATION	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
E 1	Administrative Aide/Public Information Officer	\$1548	1665	1753	1852	1951	2053	2159

Adopted. Yeas, 10; Nays, 2 as follows:

Yeas – Schulstad, Herron, Rainville, Thurber, Campbell, Biernat, Niland, Mead, Scott, Cherryhomes

Nays – McDonald, Minn.

Absent – Dziejdzic.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to proceed with issuance of a Request for Qualifications (RFQ) seeking assistance in conducting a Community Health Assessment Survey in conjunction with the Department of Health and Family Support, and to negotiate contract terms for services with the understanding that the execution of said contract will require City Council approval. Authorization is granted notwithstanding the City’s policy requiring a request for proposal on professional service contracts.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having under consideration a proposed reorganization of the Financial Operations Division of the Finance Department which will improve that division’s ability to provide enterprise-wide financial accounting management and support to City operating departments, now recommends authorization to proceed with the reorganization and for the Finance Department to requisition one Manager of Accounting position (to be paid from the Capital Projects Fund) and replace one vacant Clerk Typist II position with an Account Clerk II. The position changes do not represent an increase in total FTE’s within the department.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having under consideration the selection by the Director of Human Resources of Timothy Giles as the new Director of Labor Relations and a request that he be granted the second step rate of pay, now recommends that Mr. Giles receive \$77,230 as his starting

salary and that the Human Resources Department be directed to establish a new salary scale for the position with that amount to be the first step of the scale.

Adopted. Yeas, 10; Nays, 2 as follows:

Yeas – Schulstad, Herron, Rainville, Thurber, Campbell, Biernat, Niland, Mead, Scott, Cherryhomes
Nays – McDonald, Minn.

Absent – Dziedzic.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the Event Coordinators at the Minneapolis Convention Center be authorized to receive straight time pay for all compensatory time in excess of 50 hours which they have earned in 1996. Payment is granted in recognition that the nature of the position of Event Coordinator limits the employee’s ability to utilize accumulated compensatory time. (Payable from the Convention Center Related Fund – 076-865.)

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue the following Fund Availability Notice (FAN) to the American Indian OIC for coordination of summer internships for School-To-Work Program students:

Master					
Funds	Agency	Contract #	Period	Amount	FAN#
040-860-8600	AIOIC	10021	6/1/97-9/30/97	\$15,000	32-1

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to receive an award of \$42,873 from the Minnesota Department of Economic Security to support the YouthWorks/ Americorps program.

Your Committee further recommends that the proper City officers be authorized to issue the following Fund Availability Notice (FAN) to Loring Nicollet Bethlehem Community Centers, Inc. for operation of said program:

Master					
Funds	Agency	Contract #	Period	Amount	FAN#
030-860-8600	Loring Nicollet Bethlehem Ctrs	10008	10/1/96-8/31/97	\$42,873	99-1

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue or modify the following Fund Availability Notices (FAN) increasing employment and training adult program funding for Neighborhood Employment Network agencies, based on their performance beyond goals and utilizing remaining grant and Year of the City funds:

Master					
Funds	Agency	Contract #	Period	Amount	FAN#
060-860-8600	Pillsbury Neigh Servs, Inc.	10007	7/1/96-12/31/96	\$12,700	23-1a

060-860-8600	Anishinabe Council of Job Dev	10010	7/1/96-12/31/96	\$ 900	PR-3
060-860-8600	HIRED	10009	7/1/96-12/31/96	\$ 3,910	PR-3
060-860-8600	Mpls Urban League	10001	7/1/96-12/31/96	\$ 6,860	PR-3
060-860-8600	Phillips Comm- unity Dev Corp	10003	7/1/96-12/31/96	\$ 1,850	PR-3
060-860-8600	Loring Nicollet Bethlehem Comm Ctr	10008	7/1/96-12/31/96	\$11,480	PR-3

Adopted. Yeas, 13; Nays none.
Passed March 28, 1997.
Approved April 3, 1997. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

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

Z&P – Your Committee recommends concurrence with the Mayor in her recommendation to reappoint the following individuals to the City Planning Commission for two year terms, which expire January 31, 1999:

Richard Little, 4909 – 29th Av S, Minneapolis, MN 55417 (Ward 12); and
Randall Bradley, 1229 Thomas Av N, Minneapolis, MN 55411 (Ward 5).

Adopted. Yeas, 11; Nays none.
Absent – Rainville, Dziedzic.
Passed March 28, 1997.
Approved April 3, 1997. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

Z & P - Your Committee recommends concurrence in the recommendation of the Planning Commission granting the petition of Eighth Street Development Company (a subsidiary of Dayton Hudson Corporation) (P-1013A, B, C & D) to rezone 1001-21 LaSalle Av; 55-61 - 10th St S; 1000-24 Nicollet Mall and 60-74 - 11th St S from B4S-2 to the B4-2 District to permit development of an office building which will be built in two phases, and that the accompanying amendment to the Zoning Ordinance be passed (63661).

Scott moved to amend the report by adding the following paragraph: “Your Committee further recommends summary publication of the above-described ordinance.” Seconded.

Adopted by unanimous consent.
The report, as amended, was adopted.
Yeas, 12; Nays none.
Absent - Dziedzic.
Passed March 28, 1997.
Approved March 28, 1997. J. Cherryhomes, Acting Mayor.
Attest: S. Ristuben, Asst City Clerk.
(Published April 2, 1997).

Ordinance 97-Or-038 amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally, amending Section 536.20 to rezone 1000 Nicollet Mall to the B4-2 District, was passed March 28, 1997 by the City Council and approved March 28, 1997 by the Acting Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

ORDINANCE 97-Or-038
By Scott
1st & 2nd Readings: 3/28/97

Amending Title 20, Chapter 536 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 536.20 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of the property legally described as follows (1000 Nicollet Mall - Plate 19) to the B4-2 District:

All of the block bounded by Tenth Street South, Eleventh Street South, Nicollet Mall and LaSalle Avenue, including:

Lots 19, 20, 21 and 24, Auditor's Subdivision No. 30, Hennepin County, Minnesota, according to the recorded plat thereof, and situate in Hennepin County, Minnesota, and;

Lot 18, Auditor's Subdivision No. 30, Hennepin County, Minnesota, less any part heretofore taken by the City of Minneapolis, for street purposes, according to the recorded plat thereof, and situate in Hennepin County, Minnesota, and;

Lot 12, Block 14, Wells, Sampson & Bell's Addition to Minneapolis, according to the recorded plat thereof, and situate in Hennepin County, Minnesota, and;

Lots 4, 5 and 6, in Block 14 of Wells, Sampson & Bell's Addition to Minneapolis, together with a triangular piece of land adjoining said Lot 4, lying and being on the Easterly side of LaSalle Avenue in the City of Minneapolis, in said county, bounded as follows, to-wit: On the Westerly side by the Easterly boundary line said LaSalle Avenue; on the Easterly side by a line running North and South and forming the Westerly line of said Lot 4, in said Block 14, and on the Southerly side by the center line of the alley in said block shown on said plat and extended through to LaSalle Avenue, except the Northeasterly 10 feet of Lot 6, taken by the City of Minneapolis for widening Tenth Street South; said property being also known and described as Lot 1, Auditor's Subdivision No. 204, according to the recorded plat thereof, and situate in Hennepin County, Minnesota, and;

Lot 26, Auditor's Subdivision No. 30, Hennepin County, Minnesota, except:

That part of said lot described as follows: Commencing at the Southeasterly corner of said

lot; thence Northwesterly along the Southwesterly line of said lot 15.48 feet; thence Northeasterly parallel with the Southeasterly line of said lot 100 feet; thence Southeasterly parallel with the Southwesterly line of said lot 15.48 feet; thence Southwesterly along the Southeasterly line of said lot 100 feet to the point of beginning; and except:

That part of said lot described as follows: Commencing at the Northwest corner of said lot being the point of intersection of the Easterly line of LaSalle Avenue and the Southerly line of the alley in said block; thence Southwesterly along the Northwesterly line of said lot 94.10 feet; thence Southeasterly parallel with the Southwesterly line of said lot 69.25 feet; thence Northeasterly parallel with the Northwesterly line of said lot 94.10 feet to the Northeasterly line thereof, being the Southerly line of said alley; thence Northwesterly along said Northeasterly line to the point of beginning, and;

Lot 25 and part of Lot 26, Auditor's Subdivision No. 30, Hennepin County, Minnesota, described as follows: Beginning at the Southeasterly corner of said Lot 26; thence Northwesterly along the Southwesterly line of Lot 26 a distance of 15.48 feet, more or less, to a point 110 feet from the Southeasterly line of Mary Place formerly known as Mary Street measured along the Southwesterly line of said Lot 26; thence Northeasterly parallel with said Mary Place 100 feet; thence Southeasterly at right angles 15.48 feet, more or less, to the Southeasterly line of Lot 26; thence Southwesterly along the Southeasterly line of Lot 26 to point of beginning, according to the plat thereof on file or of record in the office of the Register of Deeds in and for said county; and

Lot 22 and 23, Auditor's Subdivision No. 30, Hennepin County, Minnesota, according to the plat thereof on file or of record in the office of the Register of Deeds in and for Hennepin County, Minnesota, and;

That part of Lot 26, Auditor's Subdivision No. 30, Hennepin County, Minnesota, described as follows: Commencing at a point in the Easterly line of LaSalle Avenue (formerly known as Mary Place, also formerly known as Mary Street) 40.4 feet Southwesterly of intersection of said Easterly line of LaSalle Avenue and the Southerly line of the alley in Block 14, Wells, Sampson & Bell's Addition to Minneapolis; thence Southeasterly on the line parallel with 11th Street a distance of 69.25 feet; thence Northeasterly on a line parallel with said LaSalle Avenue a distance of 40.1 feet more or less to a point in the Southerly line of said alley in said block; thence Northwesterly along the

Southerly line of said alley to the Southeasterly line of LaSalle Avenue; thence Southwesterly along Easterly line of LaSalle Avenue, to the place of beginning, said property being a part of Lots 2 and 3, Block 14, Wells, Sampson & Bell's Addition to Minneapolis, also described as a part of Lot 26 in Auditor's Subdivision No. 30, Hennepin County, Minnesota, and sufficient land to extend the lines of said real estate to said LaSalle Avenue together with a perpetual easement for ingress and egress over and across a strip of land 10 feet wide which strip of land is more particularly described as follows, to-wit: Commencing at a point in the Southerly line of the alley of said block a distance of 69.25 feet Southeasterly from the intersection of the Easterly line of said LaSalle Avenue and the Southerly line of said alley; thence Southwesterly in a straight line parallel with LaSalle Avenue a distance of 40.1 feet; thence Southeasterly at right angles a distance of 10 feet; thence Northeasterly in a straight line parallel with said LaSalle Avenue, a distance of 40.1 feet, more or less, to a point in the Southerly line of the alley in said block; thence Northwesterly along the Southerly line of said alley a distance of 10 feet to the point of beginning, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota, and;

That part of Auditor's Subdivision No. 30, commencing at a point on the Easterly line of LaSalle Avenue (formerly known as Mary Place, also formerly known as Mary Street) 40.4 feet Southwesterly of the intersection of the Easterly line of LaSalle Avenue and the Southerly line of the alley in Block 14, in Wells, Sampson & Bell's Addition to Minneapolis; thence Southwesterly along the Easterly line of LaSalle Avenue a distance of 54 feet; thence Easterly on a line parallel with 11th Street a distance of 69.25 feet; thence Northeasterly on a line parallel with said LaSalle Avenue a distance of 54 feet; thence Northwesterly 69.25 feet to the point of beginning, being a part of Lot 26, Auditor's Subdivision No. 30, Hennepin County, Minnesota, together with a perpetual easement for ingress and egress over and across a strip of land described as follows: Commencing at a point in the Southerly line of the alley of said Block a distance of 69.25 feet Southeasterly from the intersection of the Easterly line of said LaSalle Avenue and the Southerly line of said alley; thence Southwesterly in a straight line parallel with LaSalle Avenue a distance of 94.1 feet; thence Southeasterly at right angles a distance of 10 feet; thence Northeasterly in a

straight line parallel with said LaSalle Avenue, a distance of 94.1 feet more or less to a point in the Southerly line of the alley in said block; thence Northwesterly along the Southerly line of said alley a distance of 10 feet to the point of beginning, including any part of any street or alley adjacent to said premises, vacated or to be vacated, according to the recorded plat thereof, Hennepin County, Minnesota.

Adopted. Yeas, 12; Nays none.

Absent - Dziedzic.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved March 28, 1997. J. Cherryhomes, Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

Z&P – Your Committee, having under consideration the environmental review process for the 800 and 900 blocks of Nicollet Mall, a proposal for a 34-story office tower with a total of 919,000 square feet (800 block) and a proposal for a two-story, 179,000 square foot retail space to be leased to Target Stores with a 633,000 square foot speculative office tower above the store (900 block), each proposed by Ryan Companies of Minnesota, now recommends –

a) That the City order the development of an Alternative Urban Areawide Review (AUAR) for the 800 and 900 blocks of Nicollet Mall;

b) That the AUAR shall be bounded by that portion of the block bounded by 8th & 9th Sts S, LaSalle Av S and the Nicollet Mall currently occupied by the Conservatory building, plus the entire block bounded by 9th & 10th Sts S, LaSalle Av S and the Nicollet Mall;

c) That the anticipated nature, location and intensity of residential and commercial development within those boundaries is shown in Petn No 262610;

d) That the AUAR include two scenarios: 1) the most likely development; and 2) the most intense development, both of which shall include a study of the air quality impacts.

Adopted. Yeas, 9; Nays, 1 as follows:

Yeas – Schulstad, Herron, Thurber, Campbell, Biernat, Niland, Mead, Scott, Cherryhomes.

Nays – Minn.

Declining to vote – McDonald.

Absent – Rainville, Dziedzic.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

The **COMMITTEE OF THE WHOLE**

submitted the following reports:

Comm of the Whole – Your Committee rises and reports that it has had under consideration a land swap by which Opus Northwest, LLC would trade its interest in the Arcade property on Block 34 in the South Nicollet Mall Development District for certain other properties in Block 33 to be assembled by the Minneapolis Community Development Agency (MCDA), and now recommends:

1. That the basis upon which Opus would proceed with the land swap, that is, absent a development agreement with MCDA, including developer performance terms, be rejected; and
2. That the City Council action of March 7, 1997 authorizing the business terms and execution of a redevelopment agreement with Ryan Properties, Inc for redevelopment of Block 34 and approving the project finance plan, be reaffirmed.

Niland moved that the report be divided and that Paragraph 2 affirming the Ryan redevelopment agreement be voted upon separately. Seconded.

Adopted by unanimous consent.

The balance of the report was adopted.

Yeas, 12; Nays, none.

Absent – Dziejdzic.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm of the Whole – Your Committee rises and reports that it has had under consideration a land swap by which Opus Northwest, LLC would trade its interest in the Arcade property on Block 34 in the South Nicollet Mall Development District for certain other properties in Block 33 to be assembled by the Minneapolis Community Development Agency (MCDA), and now recommends:

That the City Council action of March 7, 1997 authorizing the business terms and execution of a redevelopment agreement with Ryan Properties, Inc for redevelopment of Block 34 and approving the project finance plan, be reaffirmed.

Yeas, 8; Nays, 4, as follows:

Yeas – Schulstad, Herron, Rainville, Thurber, Campbell, Biernat, Scott, Cherryhomes.

Nays – Niland, McDonald, Minn, Mead.

Absent – Dziejdzic.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

MOTIONS

Campbell moved that the City Attorney be directed to take all necessary legal action to enforce the zoning code with respect to the location, establishment, construction, expansion, renovation or increase or intensification of coal-fired steam plants in the Mississippi River Critical Area. Seconded.

Dziejdzic moved to refer Campbell's motion to the Zoning & Planning Committee. Seconded.

Lost. Yeas, 2; Nays, 10 as follows:

Yeas – Dziejdzic, Minn.

Nays – Schulstad, Heron, Rainville, Thurber, Campbell, Biernat, McDonald, Mead, Scott, Cherryhomes.

Absent – Niland.

On Campbell's motion, it was adopted.

Yeas, 11; Nays, 1 as follows:

Yeas – Schulstad, Herron, Rainville, Thurber, Campbell, Biernat, Niland, McDonald, Mead, Scott, Cherryhomes.

Nays – Minn.

Absent – Dziejdzic.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTIONS

RESOLUTION 97R-073

By Niland

Recommending award of MnDOT contract for renovation of the Milwaukee depot exterior.

Whereas, the bids for the renovation of the exterior of the Milwaukee depot have been received by MnDOT under the ISTEA Grant awarded to the City; and

Whereas, the low bidder has been determined to be Frerichs Construction Company with a low bid of \$395,000; and

Whereas, MnDOT has requested the City Council to recommend approval of the low bidder;

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

That the City Council recommends approval of the low bidder Frerichs Construction Company with a low bid of \$395,000 and that the proper

City officers are authorized to execute a Clerk/Administrator's certificate on behalf of the City of Minneapolis.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved March 28, 1997. J. Cherryhomes, Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.
(Published April 2, 1997).

RESOLUTION 97R-074
By Campbell

Authorizing the City of Minneapolis to act as legal sponsor for the project contained in the Outdoor Recreation Grant Program Application.

Whereas, the City of Minneapolis and the Citizens for a Loring Park Community (CLPC) wish to develop the bike paths and walkways at Loring Park; and

Whereas, the City of Minneapolis wishes to apply for State LAWCON funds;

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

That the City of Minneapolis shall act as legal sponsor for the project contained in the Outdoor Recreation Grant Program Application to be submitted on March 27, 1997, and that the City of Minneapolis is hereby authorized to apply to the Department of Natural Resources for funding of this project.

Be It Further Resolved that the City of Minneapolis has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

Be It Further Resolved that the City of Minneapolis has not incurred any costs and has not entered into any written agreements to purchase property.

Be It Further Resolved that the City of Minneapolis has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest, or other unlawful or corrupt practice.

Be It Further Resolved that upon approval of its application by the State, the City of Minneapolis may enter into an agreement with the State of Minnesota for the above referenced project, and

the City of Minneapolis certifies that it will comply with all applicable laws and regulations as stated in the contract agreement and described in the Compliances Section of the Outdoor Recreation Grant Program Applications.

Be It Further Resolved that the City of Minneapolis is hereby authorized to execute such agreements as are necessary to implement the project.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved March 28, 1997. J. Cherryhomes, Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.
(Published April 2, 1997).

RESOLUTION 97R-075
By Schulstad, Dziedzic,
Campbell, Biernat, Rainville,
Cherryhomes, Niland, Scott,
Herron, Thurber, McDonald,
Mead and Minn

Honoring Minneapolis Police Officer Al Pufahl.

Whereas, Captain Al Pufahl has been a Minneapolis Police Officer for over forty years, making him the longest tenured member of the M.P.D.; and

Whereas, Al's commitment to the city and his leadership in the department have been recognized by his fellow officers and city employees who honored him with the city's Excelebrate Award; and

Whereas, Al has always been an active member of his neighborhood group, taking an interest in the important issues affecting our community; and

Whereas, he has served as the Twelfth Ward appointment to the prestigious Capital Long-Range Improvements Committee (CLIC) board, and made critical recommendations to the Mayor and City Council; and

Whereas, Al's many years on the force have allowed him to work in numerous capacities from walking a beat to commanding the Juvenile Division; and

Whereas, he has climbed to the highest ranks in the department through determination and hard work; and

Whereas, through his professionalism and courage he has made the streets of Minneapolis

safer and has protected and served the residents of this city;

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

That we express our deep gratitude to Captain Al Pufahl for his tremendous dedication to the people and the City of Minneapolis. And we thank him for his many years of service in the most dangerous and important job there is. Finally, we wish him a happy and fulfilling retirement.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-076
By Dziedzic, Cherryhomes,
Campbell, Biernat, Rainville,
Niland, Scott, Herron,
Thurber, McDonald, Mead,
Schulstad and Minn

Directing City support for Minneapolis Police Officer David Loeffler.

Whereas, it is the desire of the City Council of the City of Minneapolis to support and stand by the men and women who are serving our city by providing for the public safety of our citizens; and

Whereas, each day hundreds of police officers, firefighters, and other safety personnel work diligently and professionally in their duties, affording a level of confidence and security to all those who live and work in the City of Minneapolis; and

Whereas, these heroes often perform extraordinary actions which too often go unnoticed by the hundreds of thousands of people who depend on them each day; and

Whereas, at times of exceptional needs and circumstances, the elected officials and department heads of the City of Minneapolis also must take extraordinary measures to support their public safety employees and their families through actions which may exceed department policy, labor agreements, or civil service rules; and

Whereas, Police Officer David Loeffler was severely injured in the performance of his duties, resulting in a need for special accommodations for him to be able to return to work and again perform his full and complete duties as a Police Officer;

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

That the Police Chief, along with any other city department resources, be hereby directed to work with Police Officer David Loeffler and fully guarantee and accommodate his desire to return to work as a Police Officer, with full and complete duties and subject to all rules and regulations governing such duties.

Be It Further Resolved that the City Council of the City of Minneapolis supports the private efforts being conducted to assist this fine officer who bravely carried out his duties serving the citizens of Minneapolis.

Adopted. Yeas, 13; Nays none.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

UNFINISHED BUSINESS

Raze Building: Auth at 3430 1st Av S.
(Postponed 1/24/97, PS&RS)

Herron moved to continue postponement.
Seconded.

Adopted upon a voice vote.

Comm Dev – Your Committee, having under consideration a proposal to issue revenue bonds on behalf of Albert I. Halper Box Company, Inc (Halper) to finance the development of a manufacturing facility at 3552-58 N 2nd St (the project), and the Council having given preliminary approval to issue said bonds on August 9, 1996, now recommends passage of the accompanying resolution giving final approval to the project and authorizing the issuance of up to \$3,000,000 in Tax-Exempt Minneapolis Community Development Agency (MCDA), Limited Tax Supported Development Revenue Bonds, Common Bond Fund, Series 1997, for Halper, to be issued through the Minneapolis Common Bond Fund, and designating the bonds as entitled to the security provided by Ordinance No 87-Or-084, Tax Reserve and Pledge Ordinance. (Petn No 262512)

Your Committee further recommends, pursuant to MCDA Resolution No 87-171M adopted by the Board of Commissioners of the MCDA on July 16, 1987, that these Common Fund Bonds be designated, if and when issued, as bonds entitled to the Security provided by Ordinance No 87-Or-084.

Your Committee further recommends summary publication of the above-described resolution.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 12; Nays none.

Absent – Dziedzic.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Resolution 97R-077, entitled “Giving final approval to and authorizing a project on behalf of Albert I. Halper Corrugated Box Manufacturing Company, Incorporated (the “Company”), authorizing the issuance of revenue bonds of the Minneapolis Community Development Agency therefor, and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended,” was passed March 28, 1997 by the City Council and approved April 3, 1997 by the Mayor. It authorizes issuance of up to \$3,000,000 of bonds on behalf of Halper. The full text of the resolution is available for public inspection in the Office of the City Clerk.

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

RESOLUTION 97R-077

By Niland

Giving final approval to and authorizing a project on behalf of Albert I. Halper Corrugated Box Manufacturing Company, Incorporated (the “Company”), authorizing the issuance of revenue bonds of the Minneapolis Community Development Agency therefor, and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended (“Chapter 595”), the City Council of the City of Minneapolis, Minnesota (the “City”) established the Minneapolis Community Development Agency (the “Agency”) and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue bonds for the purpose of providing financing for the acquisition, construction and installation of projects consisting of properties, real or personal, used or

useful in connection with a revenue-producing enterprise, whether or not operated for profit; and

Whereas, by Resolution No. 82-512, as amended, of the Agency, the Agency established a common bond fund and authorized the issuance from time to time by the Agency of bonds to be secured by such common bond fund (the “Common Fund Bonds”); and

Whereas, under the terms of Minneapolis Code of Ordinances, Title 16, Chapter 422, as amended (“Chapter 422”), adopted pursuant to Chapter 595, the City Council of the City authorized the Agency to issue Common Fund Bonds; and

Whereas, it has been proposed that the Agency issue revenue bonds in the amount of not to exceed \$3,000,000 (the “Bonds”) to finance the acquisition, renovation and equipping of a manufacturing facility to be used in the operations of the Company (the “Project”); and

Whereas, the Agency expects to give final approval to the issuance of the Bonds by a resolution to be adopted on the date hereof; and

Whereas, the Bonds shall bear interest at an average weighted interest rate not to exceed seven and one-half percent (7.50%) per annum, shall have a final maturity date not later than December 1, 2017, and shall have such other terms as required or permitted by the Agency’s resolution, which terms are to be incorporated herein by reference; and

Whereas, pursuant to Minneapolis Code of Ordinances, Chapter 424, as amended (“Chapter 424”), the City may from time to time designate a series of Common Fund Bonds to be secured by the limited pledge of tax revenues authorized by Chapter 424;

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

That the City Council hereby gives final approval to the issuance by the Agency of the Bonds in the aggregate principal amount of not to exceed \$3,000,000 for the purpose of financing the Project.

That the City Council hereby designates the Bonds under Chapter 424 as bonds which are and shall be entitled to the benefit of the pledge, agreements and provisions of Chapter 424.

That the Finance Officer of the City shall execute and deliver such certificates as may be necessary on the date of delivery of the Bonds in order to acknowledge the application of Chapter 424 to the Bonds and the designation of the Bonds thereunder.

That this approval of the City Council of the City is hereby given as required by Chapter 422. Adopted. Yeas, 12; Nays none.

Absent - Dziedzic.

Passed March 28, 1997. J. Cherryhomes, President of Council.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Z&P – Your Committee, having under consideration the application of Fred Downing for a special permit, notwithstanding the Zoning Code, to erect two 12’ X 25’ off-premise advertising billboard signs at 3634 Central Av NE, subject to the condition that there be no liquor or tobacco product advertising (#1996-212), and having received Findings of Fact thereon, now recommends that said application be forwarded without recommendation.

Biernat moved to amend the report by deleting the language “forwarded without recommendation” and insert in lieu thereof the word “approved” Seconded.

Adopted by unanimous consent.

The report, as amended was adopted.

Yeas, 12; Nays none.

Absent – Dziedzic.

Passed March 28, 1997.

Approved April 3, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Biernat gave continued notice of intent to move to discharge the Public Safety & Regulatory Services Committee from further consideration of an interim ordinance establishing a moratorium on the establishment of facilities with Class A liquor licenses having adult entertainment on the premises.

CONSIDERATION OF MAYOR’S VETO

Mayor Sayles Belton returning with her veto the report of the Intergovernmental Relations Committee passed by the Council February 21, 1997, relating to proposed legislation for rental property tax relief, and stating her objections thereto.

The question before the Council being “Shall the report pass notwithstanding the objections of the Mayor?” there were –

Yeas, 13; Nays none.

The vote on the question being more than the two-thirds majority required by the Charter to pass the report over the objections of the Mayor, said veto was overridden.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss.
CITY OF MINNEAPOLIS)

I, MERRY KEEFE, City Clerk of the City of Minneapolis, County of Hennepin, State of Minnesota, do hereby certify that the foregoing action was passed by the City Council of the City of Minneapolis at the regular meeting of March 7, 1997, and was returned by Mayor Sayles Belton with her veto, stating her objections thereto, at the regular meeting of March 28, 1997.

I do further certify that, at the regular meeting of the City Council held March 28, 1997, said action was passed, notwithstanding the objections of the Mayor, by a vote of two-thirds of all the members of the City Council; the vote being:

Yeas, 13; Nays none.

(Total number of Council Members in the City Council: 13.)

Therefore, in accordance with the provisions of Chapter 3, Section 1, of the Charter of said City, said actions have become and are valid, and I hereby certify that said actions have the same force and effect as if approved by said Mayor.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Minneapolis this 3rd day of April, 1997.

MERRY KEEFE,
City Clerk

NEW BUSINESS

Dziedzic, Campbell, Scott and Minn offered an Ordinance Amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to **Building Codes: Permit Fees, Art. XIII, Erosion and Sediment Control Permit Fees**, which was given its first reading and referred to the Transportation & Public Works Committee (Adding detached garage to fee schedule).

Campbell moved to adjourn. Seconded.

Adopted. Yeas 13; Nays None.

Adjourned.

STEVEN J. RISTUBEN,
Assistant City Clerk.
97-3073