

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

JUNE 6, 1997

(Published June 14, 1997,
in Finance and Commerce)

Council Chamber
Minneapolis, Minnesota
June 6, 1997 - 9:30 a.m.
Vice President of Council and President
pro tem Biernat in the Chair.
Present - Council Members Thurber, Campbell,
Biernat, Niland, McDonald, Minn, Mead, Scott,
Herron, Rainville, Dziedzic.
Absent - Schulstad, Cherryhomes.
Campbell moved approval of the minutes of the
regular meeting of May 23, 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 (262783)
Berry, Scott R.; Bradlch, Shawna Lea;
Cheever, Paula; Commodore, Reginald L;
Dietrich, Claudia; Ehrich, Lucinda; Fedor, Anna;
Harman, Darrel; Hayes, Jennifer; Heaton, David
A; Hurley, Mary L; Janusz, Dominikowski; Leff,
Elizabeth; Lien, Jason; Lifson, Olga V;
Marshall, Richard/sub American Family Ins
Group; McNeilly, Deborah K & Atty Jesse Gant
III; Mortgage Bankers Assn of MN; Nelson,
Teresa J.; Ockuly, Jean; Olejnicak, Richard
James; Powers, John M; Re, Nicolas; Reynolds,
Josh; Rodgers, Angela; Saastad, Rose J; South
Side Sewer Inc; Stephen, America; Tillman, Jessie

M; Vandervaart, Phil; Warner, James H & Atty
Steven M Hunegs; Weller, Valerie; Whittingham,
David C.

COMMUNITY DEVELOPMENT:

CAUCUS AIDE, KENT ROBBINS (262784)
Genl Accounting Office's Low Income Housing
Tax Credit Study w/attach.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (262785)
Lot Divisions - 2819 15th Av S, 2640 15th
Av S, 3027 18th Av S, 3014 18th Av S, & 3015
18th Av S: Apprv lot divisions & waive requirement
for subdivision plats; Notice of
pub hrg.
Federal Low Income Housing Tax Credits:
Preliminary reservation to Creamette Proj &
Augustana Village Proj w/attached summary &
ranking of proposals.

COMMUNITY DEVELOPMENT and TRANSPORTATION & PUBLIC WORKS and W&M/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (262786)
West Metro Educational Prog (WMEP)/Univ of
St Thomas (UST)/Municipal Parking Ramp Proj:
Apprv finance plan for proj & related skyways,
approp funds, amend City's Capital Improvement
Resl of 1997.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (262787)
Year 22 CDBG: Recm reallocate Housing
Development Prog funds, from Non Profit Admin,

GMMHC Homeownership, Multi Family Hsg & Single Family Development progs to Vacant Hsg Recycling Prog, & from Rehab Incentive Fund to Neighborhood Hsg Services Prog.

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (262788)

Lowry Ridge Townhome Proj: MCDA: Apprv Mod 48 to Common Plan & Common TIF Plan w/attach maps; Summary of fiscal impacts of Mod 48 on Common Plan; Request for & notice of pub hrg. Planning Comsn: Comments.

Mpls Employee Mortgage Prog: Apprv approp increase; Funding to date for Common Proj priority list; Attach.

MCDA Management Information Network System (MINS): Recm fund Unisys proposal; Recm fund CSC Consulting proposal; Attachs; Cost comparison.

COORDINATOR-GRANTS & SPECIAL PROJECTS (262789)

Sears site (Chicago Av & Lake St): Auth staff to submit grant appl to MN Dept of Trade & Economic Development on behalf of Minn Diversified Industries Government Services, w/attachs.

INTERGOVERNMENTAL RELATIONS:

LIAISON/FEDERAL, LOCAL AND STATE (262790)

1997 Legis Session: Rep.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

CITY CLERK/SPECIAL PERMITS (262791)

Main St SE & 3rd Av SE (St Anthony Main) 4th of July fireworks.

HEALTH AND FAMILY SUPPORT SERVICES (262792)

Project LID (Lower Infant Deaths): Amend #1 to Contr #10114 w/MN Dept of Health.

INSPECTIONS DEPARTMENT (262793)
Rental Dwlg Lic: Deny Lic for property at 3517 3rd Av S.

Rental Dwlg Lic Bd of Appeals: Apprv appt.

Rental Dwlg Lic: Revoke Lic for property at 2300-24 Pleasant Av S.

LICENSES AND CONSUMER SERVICES (262794)

Lics: Appls.

PUBLIC SAFETY AND REGULATORY SERVICES and TRANSPORTATION & PUBLIC WORKS and W&M/BUDGET

(See Rep):

PUBLIC WORKS AND ENGINEERING (262795)

Precinct #5 Bldg Proj Property Acquisition: Pay settlement re 3109 Nicollet Av S.

Precinct #5 Bldg Proj Property Acquisition: Pay settlement re 3112 1st Av S.

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

FIRE DEPARTMENT (262796)

Fire Extinguishing Services: Contr w/Genl Servs Admin.

LICENSES AND CONSUMER SERVICES (262797)

Lead Hazard Reduction Research Proj: Agrmt w/St. Paul for funds for extended evaluation & passage of resl.

POLICE DEPARTMENT (262798)

Region 12 Canine Trials: Accept Registration fees.

TRANSPORTATION AND PUBLIC WORKS: PUBLIC WORKS AND ENGINEERING

(262799)

Street Conditions: Update on potholes.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

MINNEAPOLIS DOWNTOWN COUNCIL (262800)

Nicollet Mall Advisory Board: Apprv appointment of David Chad, NSP, to fill unexpired term of Jean Westberg.

PUBLIC WORKS AND ENGINEERING (262801)

No Parking (E 50th St betw Nicollet & 4th Avs S): Estab zones to meet MSA standards for grading & paving construction on E 50th St.

Downtown TMO: Apprv appointment of Robb Gruman, Target Stores, to serve as retail sector representative on Executive Committee.

City Radio Base Station: Execute Telecommunications Terminal Site Access Agrmt w/Broadcast Services for lease of space at top of IDS Center to locate telecommunications equipment.

Boulevard Paving at Holland School: Apprv Special Boulevard Permit to pave w/concrete

the blvd areas along the south & west blvd bus stop areas at 1534 6th St NE.

4th St S from 4th to 5th Aves S: Apprv layout for reconstruction; and Request variance from State Aid Rules re width of roadway.

MINNEAPOLIS AQUATENNIAL ASSOCIATION (262802)

1997 Aquatennial Festival "The 10 Best Days of Summer": Apprv festival activities, special events, program components and permit requests.

**TRANSPORTATION AND PUBLIC WORKS
and WAYS & MEANS/BUDGET**

(See Rep):

PUBLIC WORKS AND ENGINEERING
(262803)

Dinkytown Street Lighting: Amend agrmt w/RLK & Assoc for addnl work assoc w/plan preparation activities of street lighting facility design.

Public Works Facilities - Phase I: Accept low bid of Arkay Construction to accomplish Phase I; and execute contr, incl Alternate No 2.

Fourth Street Tunnel Proj, Phase 3 of Federal Courthouse Pedestrian Proj (U.S. Courthouse, the Grain Exchange & the Haaf Ramp): Accept bids for construction of tunnel; and execute six contrs for concrete tunnel, windows, gypboard, flooring, mechanical & electrical.

PURCHASING (262804)

Bids: Accept OP #4624, low bid of MPC Containment Systems Ltd for lining Columbia Hgts Water Reservoir; OP #4567, low bid mtg specs of Chemco for lime slaker, feeder, controls & accessories; OP #4603, low bid mtg specs of M.C. Magney Construction for chloride scrubber system.

WAYS AND MEANS BUDGET:

COORDINATOR (262805)

311/511 Task Team: Update on safety/livability access line.

HUMAN RESOURCES (262806)

1997 First Quarter Affirmative Action Rep.

PUBLIC WORKS AND ENGINEERING
(262807)

Nicollet Mall Street Light Bases: Info rep on deteriorated lighting bases.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (262808)

Settlement: Claim of Jane Larson.

HUMAN RESOURCES (262809)

Alternative Disputer Resolution (ADR)
Process: Work plan.

Contracting Procedures: Permanent Review Committee's revised PROCEDURES MANUAL FOR PROFESSIONAL SERVICE PROCUREMENT AND REAL PROPERTY ACQUISITION.

HUMAN RESOURCES (262810)

Father of Waters Statues: Apprv approp incr to purchase addnl recognition statues for 30-yr retirees.

Employee Group Term Life Insurance: Issue RFP.

MAYOR (262811)

Appts to Civil Rights Commission: Recm appt of Jean Leake and Tony Looking Elk.

NEIGHBORHOOD SERVICES DEPARTMENT (262812)

Summer Youth Employment Prog: Receive MN Youth Prog funds to support summer and School-To-Work progs.

1997 Jump Start Prog: Issue fund avail notices & enter contrs for summer youth employment prog.

PLANNING COMMISSION/DEPARTMENT (262813)

Certified Local Government Grant: Auth HPC to apply for grant for community history work.

PUBLIC WORKS AND ENGINEERING
(262814)

1998 Nicollet Mall Operating Budget: Budget as proposed by Nicollet Mall Advisory Bd.

PURCHASING (262815)

Bid: OP #4612, accept low bid of Grazzini Bros & Co for granite based exterior at Mpls Conv Ctr.

ZONING AND PLANNING:

LANDER GROUP (262816)

Waiver Request: Ltr of withdrawal of appl for waiver from moratorium on changes in land uses along Hennepin Av betw 31st & 36th Sts for prop at 3203 Hennepin Av.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS
(262817)

4th St NE, 2412 (Richard Jackson) waive full basement requirement; Broadway St NE, 2811 (Crosstown Sign) sign; Nicollet Av, 4301 (Anodyne @ 43rd) coffee shop w/literary reading, etc.; Thomas Av N, 1609 (Joseph Richardson) waive full basement requirement.

INSPECTIONS/BOARD OF ADJUSTMENT
(262818)

Exception Filed: Laura & Jim Benkovich:
Appeal filed from decn denying variation at 2217
Girard Av S.

PLANNING COMMISSION/DEPART-
MENT (262819)

Appeals: Anthony Scallon: Appeal filed
from decn denying condl use permit for MN
Transition Charter School at 4401 E Lake St,
w/Attachments; Frank Blumberg, for James Sarna:
Appeal filed from conds placed on site plan review
for 1901-03 Johnson St NE;

Waiver Requests: Skip Fay, for Ceetay, Inc,
dba Dunn Bros. Coffee: Req waiver from
moratorium on changes in land use along Hennepin
Av betw 31st & 36th Sts for 3348 Hennepin Av;
Jerry Larsen, for JJ Investments: Req waiver from
moratorium on estab or expansion of residential,
commercial & industrial uses in E Hennepin Study
Area for 420 E Hennepin Av.

PLANNING COMMISSION/DEPART-
MENT (262820)

Moratorium Ordns: Ordn amend Title 21,
Chap 580 re moratorium on changes in land use
along Hennepin Av betw 31st & 36th Sts,
extending moratorium; Ordn amend Title 21, Chap
579 re moratorium on surface prkg lots in
Downtown Surface Prkg Study Area, extending
moratorium.

Zoning Code Text Amendment: Ordn amend
Title 20, Chap 522 re telecommunication ordn
regulations.

Vacation: Neal Burns & Martha Russell:
Appl to vacate 30' wide utility easement in vacated
W 37th St betw Abbott Av S & Zenith Av S.

Rezoning: Jimmy Chau Trinh: 2412 Nicollet
Av S.

PLANNING COMMISSION/DEPART-
MENT (262821)

Rezoning: MCDA/Hawthorn Crossings Ltd
Partnership: 2011-25 Bryant Av N & 2010-18
Dupont Av N.

Vacations: MCDA/Hawthorn Crossings Ltd
Partnership: Vacation of Dupont Av N betw W
Broadway & 21st Av N & alley in blk bounded by
W Broadway, Dupont Av N, 21st Av N & Bryant
Av N; MCDA/Sherman Associates: Vacation of
part of Mississippi Dr & alley in blk bounded by
Webber Pkwy, Lyndale Av N, 42nd Av N & Aldrich
Av N.

Environmental Review Worksheet: Donald &
Donna Stelzner: "Findings of Fact & Record of
Decsn" document re Petn for environmental

review for Bakken Library & Museum expansion at
3537 Zenith Av S, w/ttatchments.

PLANNING COMMISSION:

GARELICK STEEL CO INC (262822)
Permsn to vacate 19th Av N east of 2nd St.

MOTIONS (See Rep):

ATTORNEY (262823)
Workers Compensation: Pmts to City
employees injured on the job.

FILED:

CITY CLERK/SPECIAL PERMITS
(262824)

4th St & Nicollet Mall (Downtown Council)
Disney Work Show; 26th Av S; 2650 (DeMars
Signs) sign; 53rd St W, 615 (Schad Tracy Signs)
sign; Hennepin Av from 4th to 10th Sts (Down-
town Council) Aquatennial Block Party; Hennepin
Av, 2700 (Identi-Graphics) sign; Hennepin Av,
2831 (Michelle Reichert) sidewalk sale; Lake St E,
2106 (Leroy Signs) sign; Lake St E, 3418
(Ebenezer Fellowship Seventh Day Adventist)
sign; Lake St W, 124 (Schad Tracy Signs) sign;
Lyndale & Franklin (Hidden Theatre) lambs.

FINANCE DEPARTMENT (262825)
Investment Management System and
Reconciliation report through April 30, 1997.

FINANCE DEPARTMENT (262826)
Schedule of Self-Supporting Revenue Bonds
& Schedule of General Obligation Bonded Debt for
5/31/97.

**REPORTS OF
STANDING COMMITTEES**

The COMMUNITY DEVELOPMENT

Committee submitted the following reports:

Comm Dev – Your Committee, having under
consideration the lot divisions at 2819 15th Av S,
2640 15th Av S, 3027 18th Av S, 3014 18th Av S
and 3015 18th Av S, and having conducted a public
hearing on each of said divisions, now recom-
mends passage of the accompanying resolutions
approving the respective divisions, waiving the
requirement of subdivision plats and directing that
copies of the resolutions be attached to the deeds
conveying the subdivided parcels. (Petn No
262785)

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

Commissioners of the Minneapolis Community Development Agency.

RESOLUTION 97R-139
By Niland

Approving the subdivision of a lot at 2819 15th Avenue South.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 2819 – 15th Avenue South and legally described as:

Lot 7, Pulsifers Subdivision of Lots 6, 7, 8, 9 and 10, in Block 1, Merriam and Shaws Addition to Minneapolis.

be subdivided as follows:

Parcel A: The North 10.00 feet of Lot 7, Pulsifers Subdivision of Lots 6, 7, 8, 9 and 10, in Block 1, Merriam and Shaws Addition to Minneapolis.

Parcel B: That part of Lot 7 which lies South of the North 10.00 feet of said Lot 7, Pulsifers Subdivision of Lots 6, 7, 8, 9 and 10, in Block 1, Merriam and Shaws Addition to Minneapolis.

Whereas, the MCDA intends to convey the subdivided parcels to the owners of adjacent property to create the following combined parcels:

Parcel A: Lot 6, together with the North 10.00 feet of Lot 7, Pulsifers Subdivision of Lots 6, 7, 8, 9 and 10, in Block 1, Merriam and Shaws Addition to Minneapolis.

Parcel B: Lot 8, together with that part of Lot 7 which lies South of the North 10.00 feet of said Lot 7, Pulsifers Subdivision of Lots 6, 7, 8, 9 and 10, in Block 1, Merriam and Shaws Addition to Minneapolis.

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 May 15, 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 May 27, 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.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 11; Nays, none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-140
By Niland

Approving the subdivision of a lot at 2640 15th Avenue South.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 2640 – 15th Avenue South and legally described as:

Lot 5, Vrooman's Addition to Minneapolis.
be subdivided as follows:

Parcel A: The South 15.00 feet of Lot 5, Vrooman's Addition to Minneapolis.

Parcel B: That part of Lot 5 which lies North of the North line of the South 15.00 feet of said Lot 5, Vrooman's Addition to Minneapolis.

Whereas, the MCDA intends to convey the subdivided parcels to the owners of adjacent property to create the following combined parcels:

Parcel A: Lot 6, together with the South 15.00 feet of Lot 5, Vrooman's Addition to Minneapolis.

Parcel B: Lot 4, together with that part of Lot 5 which lies North of the North line of the South 15.00 feet of said Lot 5, Vrooman's Addition to Minneapolis.

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 May 15, 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 May 27, 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.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 11; Nays, none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-141

By Niland

Approving the subdivision of a lot at 3027 18th Avenue South.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 3027 – 18th Avenue South and legally described as:

Lot 16, Block 1, Goodrich’s Park Addition to Minneapolis.

be subdivided as follows:

Parcel A: The South 7 feet of Lot 16, Block 1, Goodrich’s Park Addition to Minneapolis.

Parcel B: All of Lot 16 except the South 7 feet thereof, Block 1, Goodrich’s Park Addition to Minneapolis.

Whereas, the MCDA intends to convey the subdivided parcels to the owners of adjacent property to create the following combined parcels:

Parcel A: Lot 15 and the South 7 feet of Lot 16, Block 1, Goodrich’s Park Addition to Minneapolis.

Parcel B: All of Lot 16 except the South 7 feet thereof, Block 1, Goodrich’s Park Addition to Minneapolis; and Lot 11, Blecken’s Subdivision of Lot 1, J. G. Lennon’s Outlots to Minneapolis.

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 May 15, 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 May 27, 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.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 11; Nays, none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-142

By Niland

Approving the subdivision of a lot at 3014 18th Avenue South.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 3014 – 18th Avenue South and legally described as:

The South 11-1/2 feet of Lot 4 and the North one-half of Lot 5, Subdivision of Block 16 of J.G. Lennon’s Out Lots to Minneapolis.

be subdivided as follows:

Parcel A: The North 1/2 of Lot 5, Subdivision of Block 16 of J.G. Lennon’s Out Lots to Minneapolis.

Parcel B: The South 11 1/2 feet of Lot 4, Subdivision of Block 16 of J.G. Lennon’s Out Lots to Minneapolis.

Whereas, the MCDA intends to convey the subdivided parcels to the owners of adjacent property to create the following combined parcels:

Parcel A: Lot 5 and the North 10 5/8 feet of Lot 6, Subdivision of Block 16 of J.G. Lennon's Out Lots to Minneapolis.

Parcel B: Lot 4, Subdivision of Block 16 of J.G. Lennon's Out Lots to Minneapolis.

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 May 15, 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 May 27, 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.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 11; Nays, none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-143

By Niland

Approving the subdivision of a lot at 3015 18th Avenue South.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 3015 – 18th Avenue South and legally described as:

Lot 15, Bleckens Subdivision of Lot 1 J.G. Lennons Outlots to Minneapolis.

be subdivided as follows:

Parcel A: The North 14.5 feet of Lot 15, Bleckens Subdivision of Lot 1 J.G. Lennons Outlots to Minneapolis.

Parcel B: All of Lot 15 except the North 14.5 feet thereof, Bleckens Subdivision of Lot 1 J.G. Lennons Outlots to Minneapolis.

Whereas, the MCDA intends to convey the subdivided parcels to the owners of adjacent property to create the following combined parcels:

Parcel A: Lot 16 and the North 14.5 feet of Lot 15, Bleckens Subdivision of Lot 1 J.G. Lennons Outlots to Minneapolis.

Parcel B: Lot 14 and all of Lot 15 except the North 14.5 feet thereof, Bleckens Subdivision of Lot 1 J.G. Lennons Outlots to Minneapolis.

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 May 15, 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 May 27, 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.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 11; Nays, none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee recommends that 1997 Federal Low Income Housing Tax Credits be reserved on a preliminary basis as follows: (1) Creamette Project, 428 N 1st St; \$263,820 and (2) Augustana Village Project, bounded by 11th Av S, S 8th St, 12th Av S, and E 15th St, \$268,938. (Petn No 262785)

Your Committee further recommends that the Executive Director of the Minneapolis Community

Development Agency be authorized to direct staff to prepare tax increment financing and redevelopment plans and take the necessary steps to create or modify a tax increment finance district for the Creamette and Augustana Village Projects and to negotiate agreements with Creamette Housing Limited Partnership and Augustana Village Limited Partnership for the terms and extent of financial assistance.

Adopted. Yeas, 11; Nays, none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**The COMMUNITY DEVELOPMENT,
TRANSPORTATION & PUBLIC WORKS, &
WAYS & MEANS/BUDGET Committees**

submitted the following report:

Comm Dev, T&PW & W&M/Budget – Your Committee, having under consideration the following staff recommendations relating to the public costs of the West Metro Education Program (WMEP)/University of St Thomas (UST)/Municipal Parking Ramp Project and related skyways:

1. Approval of the finance plan for the Project, including the deferral of Minneapolis Community Development Agency (MCDA) and City administrative costs, as set forth in Petn No 262786;

2. Passage of the accompanying resolution amending the 1997 MCDA Appropriation Resolution by:

a. increasing the LaSalle Place Fund (CPM) appropriation by \$100,000;

b. increasing the South Nicollet Mall Fund (CBY) appropriation by \$2,771,500; and

c. decreasing the revenue estimate in the Common Project Reserve Fund (CPZ) by \$4,628,500;

3. Passage of the accompanying resolution amending the City's 1997 Capital Improvement Resolution by incorporating related FISCOL appropriations and adding a footnote authorizing the Finance Officer to establish and adjust appropriations and transfers for the implementation of the Parking Ramp and skyways; and

4. Transmittal of this report to the Board of Commissioners of the MCDA; now recommends:

Comm Dev & T&PW – approval of staff recommendations.

W&M/Budget – approval of staff recommendations; and further recommends that staff be directed to seek solutions to skyway issues to ensure a good connection to the downtown core.

Niland moved that the report be amended by approving the Ways & Means/Budget recommendation and deleting the Community Development & Transportation and Public Works recommendation.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 9; Nays, 2 as follows:

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

Nays – Minn, Mead.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-144

**By Niland, Dziedzic
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:

a. increasing the appropriation in Fund CPM-LaSalle Place by \$100,000, from available fund balances;

b. increasing the appropriation in Fund CBY-South Nicollet Mall by \$2,771,500, from available fund balances; and

c. decreasing the revenue estimate (Transfer Within Capital Project Funds 9050-01) in Fund CPZ-Common Project Reserve by \$4,628,500.

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

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

Nays – Minn, Mead.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-145
By Niland, Dziedzic
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:
 a. incorporating the following FISCOL appropriations:

	EB or RB	Fund	Agency	Org	Account	Amount
Ramp	EB	410	943	9464	8015	\$14,781,870
Skyway-LaSalle	EB	410	943	9464	8015	1,098,135
Skyway-9th St	EB	410	943	9464	8015	<u>2,749,995</u>
						\$18,630,000
Reimburse from UST	RB	410	943	9464	3455	\$ 400,000
Reimburse from WMEP	RB	410	943	9464	3740	50,000
Bond Anticipation Note	RB	410	943	9464	3880	17,550,000
Deferred Revenue	RB	410	943	9464	3755	<u>630,000</u>
						\$18,630,000

b. Adding the following footnote: x) The Finance Officer is authorized to establish and adjust appropriations and transfers for the implementation of the intent of the finance plan for the Municipal Parking Ramp and skyways (9th Street and LaSalle) associated with the West Metro Education (WMEP)/ University of St. Thomas (UST) School of Education Project within the current capital project budget approved by the City Council (\$18,630,000 as of June 1, 1997).

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

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

Nays – Minn, Mead.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

Comm Dev & W&M/Budget – Your Committee, having under consideration Modification No 48 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan relating to the Lowry Ridge Redevelopment Project, dated April 25, 1997, and set forth in Petn No 262788, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution adopting said Modification.

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

RESOLUTION 97R-146
By Niland and Campbell

Adopting Modification No 48 to the Common Development and Redevelopment and Common Tax Increment Finance Plan (Lowry Ridge).

Resolved by The City Council of The City of Minneapolis:

Section 1. **Recitals.**

1.01. That the Minneapolis Community Development Agency (the "Agency") has the authority to propose and implement redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179, as amended; Laws of Minnesota 1971, Chapter 677, as amended; Laws of Minnesota 1980, Chapter 595, as amended; and Minneapolis Code of Ordinances, Chapter 422, as amended.

1.02. That by Resolution No 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City of Minneapolis has approved the creation by the Minneapolis Community Development Agency of the Common Development and Redevelopment Project (the "Common Project Area") and the adoption of the Common Development and Redevelopment Plan and the Common Tax Increment Financing Plan (the "Common Plans") relating thereto, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, 469.124 through 469.134, and 469.174 through 469.179 as amended; Laws of Minnesota 1971, Chapter 677, as amended; Laws of Minnesota 1980, Chapter 595, as amended, and Minneapolis Code of Ordinances, Chapter 422, as amended.

1.03. The Agency has caused to be prepared, and this Council has investigated the facts with respect to a proposed Modification No 48 to the Common Development and Redevelopment and Common Tax Increment Finance Plan (Lowry Ridge) (together, the "Plans"), including an expansion to the Common Project, and the creation of a new tax increment district, describing more precisely the activities to be undertaken, public costs, the identification of a budget for expenditures, and the designation of property that may be acquired, all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, 469.124 through 469.134, and 469.174 through 469.179 as amended; Laws of Minnesota 1971, Chapter 677, as amended; Laws of Minnesota 1980, Chapter 595, as amended, and Minneapolis Code of Ordinances, Chapter 422, as amended.

1.04. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Plans, including, but not limited to, a review of the proposed Plans by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and

the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

Section 2. **Findings for the Adoption of the Plans.**

2.01. The Council hereby finds, determines and declares that Plans will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development or redevelopment of the Common Project Area and TIF District by private enterprise as the proposed development or redevelopment will reduce the density and intensity of land use of the property lying within the boundaries of the TIF District.

2.02. The Council further finds, determines and declares that Plans conform to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plans were issued on May 21, 1997, are incorporated herein by reference, and are on file in the office of the City Clerk as Petition No. 262788.

2.03. The Council further finds, determines and declares that the proposed development or redevelopment within the TIF District would not reasonably be expected to occur solely through private investment and tax increment otherwise available within the reasonably foreseeable future based upon the fact that the property within the boundaries of the TIF District has been cited for various violations of the City's Code of Ordinances and based upon the findings contained in a market study prepared in conjunction with the proposed development or redevelopment within the TIF District indicates that market rate, owner-occupied housing units could not be constructed as proposed, without the use of tax increment financing; and that the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the District permitted by the Plans.

2.04. The Council further finds, determines and declares that the property to be included in the TIF District consists of property that qualifies for inclusion in a redevelopment district and is blighted and the buildings are substandard, as defined in Minnesota Statutes, Section 469.002, Subdivision 11 and Section 469.174, Subdivision 10; that the tax increment financing district to be established

meets the criteria of a Redevelopment District as defined therein; and that the reasons and supporting facts for these determinations are retained and available from the Agency.

2.05. The Council further finds, determines and declares that the objectives and actions authorized by the Plans are all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and Sections 469.174 through 469.179, as amended.

2.06. The Council further finds, determines and declares that the municipality elects the method of tax increment computation set forth in Minnesota Statutes, Section 469.177, Subdivision 3 (a), and that it is the intent of the City and Agency that the entire fiscal disparity contribution required of the City for development occurring within this District be taken from outside this District.

2.07. The Council further finds, determines and declares that the municipality elects to make the qualifying local contribution to project costs required pursuant to Minnesota Statutes, Section 273.1399, thereby exempting the City from the State Aid Offset (LGA/HACA penalty) on the Lowry Ridge TIF District.

2.08. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve Modification No 48 to the Common Development and Redevelopment and Common Tax Increment Finance Plan (Lowry Ridge).

Section 3. Approval of the Plans.

3.01. Based upon the findings set forth in Section 2 hereof, Modification No 48 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan (Lowry Ridge), presented to the Council on this date, are hereby approved and shall be placed on file in the Office of the City Clerk.

Section 4. Implementation of the Plans.

4.01. The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Plans, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 11; Nays, none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the request of Minnesota Diversified Industries (MDI) Government Services that the City submit an application on behalf of MDI Government Service to the Minnesota Department of Trade and Economic Development (MDTED) for a \$200,000 grant to partially redevelop the vacant Sears Distribution Center at Chicago Av and Lake St, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution directing staff to submit said application to MDTED. (Petn No 262789)

RESOLUTION 97R-147

By Niland and Campbell

Directing staff to submit a grant application to the state.

Resolved by the City Council of the City of Minneapolis:

That the City of Minneapolis act as the legal sponsor for project(s) relating to the Sears Distribution Center and contained in the Business and Community Development Application to be submitted on 11 June 1997 and that the City Coordinator is hereby authorized to apply to the Department of Trade and Economic Development for funding of this project on behalf of City of Minneapolis.

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 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(s), and that the City of Minneapolis certifies that it will comply with all applicable laws and regulations as stated in all contract agreements and described on

the Compliances Section (FP-20) of the Business and Community Development Application.

Be it Further Resolved that the City of Minneapolis has obtained credit reports and credit information from MDI National Stamp Distribution Center and John DuRand, as applicable. Upon review by the City of Minneapolis and the City Attorney, no adverse findings or concerns regarding, but not limited to, tax liens, judgments, court actions and filings with state, federal and other regulatory agencies were identified. Failure to disclose any such adverse information could result in revocation or other legal action.

Be it Further Resolved that the City Coordinator is hereby authorized to execute such agreements as are necessary to implement the project(s) on behalf of the applicant.

Adopted. Yeas, 11; Nays, none.

Absent Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 6, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 10, 1997.)

Comm Dev & W&M Budget – Your Committee recommends passage of the accompanying resolution increasing the Development Account Fund (SDA) appropriation by \$100,000 to increase funding for the Minneapolis Employee Mortgage Program so as to meet increased demand by new employees who must meet the residency requirement, and increasing revenue in Res Finance Fund (SRF). (Petn No 262788)

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

RESOLUTION 97R-148

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:

a. increasing the appropriation in Fund SDA-Development Account by \$100,000; and

b. increasing the Fund SRF-Res Finance 1997 revenue (3835 – Transfer within Special Revenue Funds) estimate by \$100,000.

Adopted. Yeas, 10; Nays, 1 as follows:

Yeas – Niland, McDonald, Minn, Scott, Herron, Rainville, Dziedzic, Thurber, Campbell, Biernat

Nays – Mead.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration proposals for the final development and implementation of the Minneapolis Community Development Agency (MCDA) Management Information Network System (MINS), now recommends:

Comm Dev – That the matter be forwarded without recommendation.

W&M/Budget – Passage of the accompanying resolution increasing the appropriation in the MCDA General Fund (GEN) by \$4,144,048 from the current projected fund balance, for the implementation of the MINS project by CSC Consulting.

Your Committee further recommends that the issue of increased MCDA capacity resulting from implementation of the MINS system (estimated at \$622,000 in 1998) be referred to the 1998 budget process.

Niland moved that the report be amended by approving the Ways & Means/Budget recommendation and deleting the Community Development recommendation.

Adopted by unanimous consent.

Mead moved that the report be referred back to the Community Development and Ways & Means/Budget Committee.

Lost upon a voice vote.

The report, as amended, was adopted.

Yeas, 10; Nays, 1 as follows:

Yeas – Niland, McDonald, Minn, Scott, Herron, Rainville, Dziedzic, Thurber, Campbell, Biernat.

Nays – Mead.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-149

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 \$4,144,048, from current projected fund balance.

Adopted. Yeas, 10; Nays, 1 as follows:

Yeas – Niland, McDonald, Minn, Scott, Herron, Rainville, Dziedzic, Thurber, Campbell, Biernat.

Nays – Mead.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

PS&RS – Your Committee, having under consideration the application of The Good Life Cafe, Inc, dba The Good Life Cafe, 3544 Grand Av S, for a Sidewalk Cafe Permit, and having held a public hearing thereon, now recommends that said permit be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends approval for the Mississippi Mile Promotions Board to hold fireworks on July 4, 1997 on the Mississippi riverfront at the Northern States Power site, Main St SE and 3rd Av SE.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City officers be authorized to execute Amendment #1 to Contract #10114 with the Minnesota Department of Health to provide infant mortality reduction services through Project LID (Lower Infant Deaths), for the period from January 1, 1996 through June 30, 1998, increasing the contract by \$5,000, for a new contract total of \$135,000, to be administered through and payable from the Federal Grants Fund – Health Department Agency – Special Delivery (030-440-4421).

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the Tobacco Dealer's License held by Mohamed El-Azemy, dba Nicollet Food Market, 2451 Nicollet Av S, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing thereon, and in light of the fact that Mr. El-Azemy has had no previous licensing violations and is aware that he and his store will be tested again in the future for licensing violations, 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 the licensee be required to pay an administrative fine, in the amount of \$500, to be paid in one payment by May 9, 1997; and

2) That the licensee agrees there will be no future licensing violations at his store.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, 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

Cedar Riverside Liquor Store, Inc, dba Cedar Riverside Liquor, 525 Cedar Av;

Off-Sale Liquor, to expire July 1, 1998

Simply Elegant, Inc, dba Bottle House of Minneapolis, 150 2nd Av S;

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

Ampa, Inc, dba Y'all Come Back Saloon, 830 Hennepin Av, for temporary expansion of premises and temporary outdoor entertainment for Gay Pride Block Party, 6/29/97;

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

Nath-Son, Inc, dba Spring St Bar & Grill, 355 Monroe St, temporary expansion of premises for Neighborhood Festival, 6/28/97, 10AM-10PM;

Katabays Corporation, dba Blue Nile, 2027 E Franklin Av, upgrade from On-Sale Liquor Class C-2 with Sunday Sales;

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

Valhalla Bar, Inc, dba Blues Alley, 15 Glenwood Av;

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

Sophia's, Inc, dba Sophia's Restaurant, 65 Main St SE, #143, change in ownership from Rod & Sam Corporation;

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

Bravo LLC, dba Bravo Meeting & Event Center, 900 Hennepin Av, regular expansion of premises;

German Restaurants, Inc, dba Gasthof Zur Gemutlichkeit, 2300 University NE, for temporary expansion of premises & temporary outdoor entertainment for German Polka Festival, 5/30/97, 5-10PM, 5/31/97, 5-10PM, 6/1/97, 1-10PM;

Temporary On-Sale Liquor, to expire March 31, 1998

All God's Children Metro Community Church, dba City Pages Summer In Cities, 3100 Park Av, for temporary entertainment for block party on Hennepin Av between 3rd & 5th Sts, 6/7/97, 4-10PM;

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

Christos, Inc, dba Christos Greek Restaurant, 2632 Nicollet Av, new shareholder/partner;

Pizza Luce, Inc, 119 N 4th St;

D'Amico Catering, Inc, dba D'Amico & Sons Nicollet, 555 Nicollet Mall;

Off-Sale Beer, to expire April 1, 1998

Khaldoun M. Obeidat, dba Broadway Food Market, 2130 W Broadway, new business;

Nasser, Inc, dba Total Mart, 1931 Portland Av;

Guotao Huang & Zou Mengqu, dba Norm's Food Market, 3347 42nd Av S;

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

Kamprud Enterprises, Inc, dba Pizza Pie & I, 4205 E 34th St;

Temporary On-Sale Beer

Cedarfest, Inc, 325 Cedar Av, held at 5th & Cedar, 3rd & Cedar, Riverside Av, community stage parking lot, 8/17/97, Noon-10PM;

Minneapolis Downtown Council, dba 20th Annual Downtown Block Party, 81 S 9th St, Suite 260, 20th Annual Block Party, 7/18/97, 6PM-10:30PM; and

Twin Cities Gay Lesbian Bi-Trans-Gender (GLBT) Pride Committee, dba Twin Cities Pride Festival, P.O.Box 2104, Loop Station, held at Nicollet Island, 6/28/97 & 6/29/97, Noon-7PM.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Cherrhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Portion republished July 5, 1997).

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 June 6, 1997, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 262794):

Place of Amusement Class B-1; Building Contractor Class A; Building Contractor Class B; Cement Finisher; Contractor/Masonry Class A; Contractor/Masonry Class B; Dancing School; Caterers; Food Distributor; Farm-Produce Permit; Grocery; Food Manufacturer; Mobile Food Vendor; Mobile Food Vendor (Pre-Pack Perishable); Restaurant Drive-In; Restaurant; Short-Term Food Permit; Seasonal Short-Term Food Establishment; Sidewalk Cafe Permit; Vending Machines; Lodging House; Motor Vehicle Dealer-Used Only; Commercial Parking Lot Class A; Plumber; Sign Hanger; Swimming Pools; Taxicab Vehicle; Taxicab Vehicle NT; Tobacco Dealers; Tree Servicing; and Wrecker of Buildings Class B.

Adopted. Yeas, 11; Nays none.
Absent – Schulstad, Cherryhomes.
Passed June 6, 1997.
Approved June 10, 1997. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the Rental Dwelling License of John Wright for the property located at 3517 3rd Av S, and having determined that the property has failed to meet licensing standards, now recommends that said license be denied.

Your Committee further recommends that the property be vacated until the owner complies with ordinance standards and receives Council approval for reinstatement of said license.

Adopted. Yeas, 11; Nays none.
Absent – Schulstad, Cherryhomes.
Passed June 6, 1997.
Approved June 10, 1997. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends concurrence with the recommendation of the City Council to appoint Clinton T. Blaiser, 941 Gorman Av, West St. Paul, of the Halvorson, Blaiser Group, Ltd, a property management company, to serve on the Rental Dwelling License Board of Appeals, replacing Christopher Owens for the remainder of a 2-year term to expire August 31, 1997.

Your Committee further recommends that the residency requirement be waived, pursuant to Chapter 14, Section 14.180(m)(3) of the Minneapolis Code of Ordinances, which allows a waiver for persons providing a unique and special benefit to the City.

Adopted. Yeas, 11; Nays none.
Absent – Schulstad, Cherryhomes.
Passed June 6, 1997.
Approved June 10, 1997. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the Rental Dwelling License held by Helen Bigos for the property located at 2300-2324 Pleasant Av S, and having postponed revocation of said license conditioned upon retention of a qualified management company acceptable to the City Council, now recommends that said license be

denied, due to the termination of the Bradley Management Company and pursuant to City Ordinance 244.2020 relating to Conduct on Premises.

Your Committee further recommends that the property be vacated until the owner complies with ordinance standards and receives Council approval for reinstatement of said license.

Adopted. Yeas, 11; Nays none.
Absent – Schulstad, Cherryhomes.
Passed June 6, 1997.
Approved June 10, 1997. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

The PUBLIC SAFETY & REGULATORY SERVICES, TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET

Committees submitted the following report:

PS&RS, T&PW & W&M/Budget – Your Committee, having under consideration property acquisition relating to the Precinct #5 Building Project, now recommends that the proper City officers be authorized to execute a purchase agreement for the following properties, payable from Public Works – General Services – Capital (410-923-9242):

1) Payment of settlement to Donald M. Feroe, 3109 Nicollet Av S, Parcel #4, in the amount of \$73,000; and

2) Payment of award by commissioners to Michael F. Krey and Carol A. Krey, 3112 1st Av S, Parcel #9, in the amount of \$870,000, plus interest from May 15, 1997.

Adopted. Yeas, 11; Nays none.
Absent – Schulstad, Cherryhomes.
Passed June 6, 1997.
Approved June 10, 1997. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

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

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with General Services Administration, Public Buildings Service, Contracts Branch, to provide emergency fire extinguishing services to the Bishop Henry Whipple Federal Building, Motor Pool Building

and parking lot at Fort Snelling, for a period of three years from June 1, 1997 through May 31, 2000, in the amount of \$15,200, with two additional three-year options.

Your Committee further recommends passage of the accompanying Resolution increasing the Fire Department Appropriation by \$15,200.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-150

By Biernat and 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 appropriation for the Fire Department Agency in the General Fund (010-280-2820) by \$15,200 and increasing the Fire Department Agency revenue estimate in the General Fund (010-280-2820-Source 3455) by \$15,200.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to accept registration fees for Region 12 Canine Trials, in the amount of \$50 per canine team, for the estimated amount of \$8,000.

Your Committee further recommends passage of the accompanying Resolution increasing the Police Department Agency appropriation by \$8,000.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-151

By Biernat and 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 appropriation for the Police Department Agency in the General Fund (010-400-DT07) by \$8,000 and increasing the Police Department Agency revenue estimate in the General Fund (010-400-DT07-Source 3755) by \$8,000.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute an agreement with the City of St. Paul, as the fiscal agent for the United States Department of Housing and Urban Development (HUD), to provide funds to Minneapolis for extended evaluation of the Lead Hazard Reduction Research Project, for a projected amount of \$59,000.

Your Committee further recommends passage of the accompanying Resolution relating to the Lead Hazard Reduction Research Project funded by HUD.

Your Committee further recommends passage of the accompanying Resolution increasing the appropriation for the Licenses and Consumer Services Agency in the Federal Grants Fund by \$59,000.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-152

By Biernat and Campbell

Relating to the Lead Hazard Reduction Research Project funded by the United States

Department of Housing and Urban Development (HUD).

Whereas, the Cities of Minneapolis, St. Paul and Duluth have participated in the United States Department of Housing and Urban Development (HUD) Lead Hazard Reduction Research Project from October 1, 1994 to March 1, 1997; and

Whereas, HUD has expressed its interest in funding follow-up activities to gather further data on lead reduction; and

Whereas, the City of St. Paul has been designated as the fiscal agent for follow-up activities by HUD; and

Whereas, Phase Five of said activities has commenced and will continue until approximately March, 1998, with funds for the City of Minneapolis projected to be \$29,500, and Phase Six will continue until approximately March, 1999, with funds projected to be \$29,500;

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

That the proper City officers be directed to execute an agreement with the City of St. Paul to receive funding from the City of St. Paul (as the fiscal agent of HUD) for Phases Five and Six of the follow-up activities.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 97R-153
By Biernat and 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 appropriation for the Licenses and Consumer Services Agency in the Federal Grants Fund (030-835-8392) by \$59,000 and increasing the Licenses and Consumer Services Agency revenue estimate in the Federal Grants Fund (030-835-8392-Source-3210) by \$59,000.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

T&PW – Your Committee, having received a recommendation from the Minneapolis Downtown Council to fill a vacancy on the Nicollet Mall Advisory Board, now recommends that David Chad, representing Northern States Power Company, be appointed to fill the unexpired term of Jean Westberg to expire December 31, 1999.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration grading and paving construction plans for E 50th St betw Nicollet Av and E Minnehaha Pkwy, now recommends passage of the accompanying Ordinances establishing and repealing No Parking Zones to restrict parking on E 50th St required to meet Municipal State Aid design criteria standards.

ORDINANCE 97-Or-050

By Dziedzic

1st & 2nd Readings: 6/6/97

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

No. 6617 – Both sides of E 50th St betw Nicollet Av & Stevens Av S (No Parking Anytime);

No. 6618 – Sly side of E 50th St betw 2nd Av S & 4th Av S (No Parking Anytime).

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.
Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.
Approved June 10, 1997. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-051
By Dziedzic
1st & 2nd Readings: 6/6/97

Repealing a portion of 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 the following No Parking Zones contained in Section 478.590 of the above-entitled ordinance be repealed:

No. 3567 – Sly side of E 50th St beg 170' Ely of the Ely curb line of Nicollet Av & th extending 152' Ely (No Parking).

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a recommendation from the Downtown Transportation Management Organization to fill a vacancy on its Executive Committee, now recommends that Robb Gruman, Director of Administrative Services for Target Stores, be appointed to serve as the retail sector representative.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the proper City Officers be authorized to execute a Telecommunications Terminal Site Access Agreement with Broadcast Services, Inc., dated December 3, 1984, to provide for lease of space at the top of the IDS Center to locate City

telecommunications equipment, including antenna and related equipment, as set forth in Petn No 262801 on file in the Office of the City Clerk.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends granting the application submitted by Mike Andrews, on behalf of Holland School, for a Special Boulevard Permit to pave with concrete the boulevard areas along the south and west boulevard at the bus stop areas at 1534 6th St NE.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the reconstruction of 4th St S from 4th Av S to 5th Av S, now recommends approval of the layout, dated May 21, 1997, as contained in Petn No 262801 on file in the Office of the City Clerk.

Your Committee further recommends passage of the accompanying Resolution directing the City Engineer to submit a variance request from State Aid Rules to permit reconstruction of 4th St S from 4th Av S to 5th Av S with a parking lane width at less than minimum standards.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-154
By Dziedzic

Directing the City Engineer to proceed with the submittal of a variance request to the Commissioner of Transportation for 4th St S from 4th Av S to 5th Av S.

Whereas, the City wishes to reconstruct 4th St S from 4th Av S to 5th Av S; and

Whereas, Minnesota Department of Transportation (MnDOT) State-Aid Rule 8820.9936 requires a minimum parking lane of 3.0 m (10 ft) for ADT > 10,000; and

Whereas, physical constraints limit the parking lane width to 2.4 m (8 ft) on 4th St S betw 4th Av S and 5th Av S at a design speed of 50 km/h (30 mph); and

Whereas, State-Aid Rules provide that a political subdivision may request a variance from the Rules;

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

That the City Engineer is hereby directed to submit to the Commissioner of Transportation a formal request for a variance from MnDOT State-Aid Rule 8820.9936 to permit reconstruction of 4th St S from 4th Av S to 5th Av S with a parking lane width of 2.4 m (8 ft).

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the 1997 Aquatennial festival “The 10 Best Days of Summer” to be held July 18 through July 27, 1997, now recommends approval of the Aquatennial festival activities, special events, program components and permit requests as contained in Petn No 262802 on file in the Office of the City Clerk.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

T&PW & W&M/Budget – Your Committee recommends acceptance of the following bids in accordance with City specifications (Petn No 262804):

a) OP #4624, low bid submitted by MPC Containment Systems, LTD, for an estimated expenditure of \$352,198, for furnishing and installing lining for the Public Works Water

Department Columbia Heights Reservoir, 4500 Reservoir Blvd NE;

b) OP #4567, low bid meeting specifications submitted by Chemco, in the amount of \$64,885, for furnishing and delivering a lime slaker, feeder, controls and accessories to the Public Works Water Department, Fridley Softening Plant. Further, that Vessco, Inc., be allowed to withdraw its bid;

c) OP #4603, low bid meeting specifications submitted by M.C. Magney Construction, Inc., in the amount of \$191,870, for furnishing, delivering and installing a chlorine scrubber system for the Public Works Water Department, 4500 Marshall St NE.

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, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the design of a lighting system to be installed in the Dinkytown area, now recommends that the proper City Officers be authorized to amend Agreement No 9213 with RLK & Associates to increase said agreement by \$800 to provide additional work associated with the plan preparation activities of the street lighting facility, the cost of which will be reimbursed from project funds.

Your Committee further recommends passage of the accompanying Resolution increasing the Transportation Agency appropriation by \$800 to provide funds for said amended agreement.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-155

By Dzedzic 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 Transportation Agency in the Permanent Improvement Projects Fund (410-943-9440) by \$800.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid received on OP #4627 (Petn No 262803) submitted by Arkay Construction, in the amount of \$6,285,000, for furnishing all labor, materials, permits and incidentals necessary to accomplish the Public Works Facilities Phase I Construction Project, in accordance with the plans and specifications for the project.

Your Committee further recommends that the proper City Officers be authorized to execute a contract for said project, in the amount of \$6,329,000, which includes Alternate No 2 (covered storage building).

Adopted. Yeas, 11; Nays none.

Absent Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 6, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 10, 1997.)

T&PW & W&M/Budget Your Committee recommends acceptance of the following bids received on OP #4626 (Petn No 262803) for furnishing all labor, materials, permits and incidentals necessary to accomplish construction of the Fourth Street Tunnel Project, Phase 3 of the Federal Courthouse Pedestrian Project (U.S. Courthouse, the Grain Exchange and the Haaf Ramp), in accordance with City specifications:

a) Contract No 1: low bid submitted by Meisinger Construction Company, Inc., in the amount of \$1,189,100, for concrete tunnel;

b) Contract No 2: low bid submitted by Roy C., Inc, in the amount of \$48,385.09, for windows;

c) Contract No 3: low bid submitted by Custom Dry Wall, Inc., in the amount of \$64,895, for gypboard;

d) Contract No 4: low bid submitted by St. Paul Linoleum and Carpet Company, in the amount of \$22,894, for flooring;

e) Contract No 5: low bid submitted by General Sheet Metal Corporation, in the amount of \$107,300, for mechanical; and

f) Contract No 6: low bid submitted by Parsons Electric Co, in the amount of \$36,600, for electrical.

Your Committee further recommends that the proper City Officers be authorized to execute contracts for said project, in accordance with City specifications.

Adopted. Yeas, 11; Nays none.

Absent Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 6, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 10, 1997.)

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

W&M/Budget – Your Committee, having held a public hearing thereon, now recommends that the estimated cost of improving, operating and maintaining the Nicollet Mall for 1998, an adjustment to the 1997 appropriation to include unexpended balances from 1996 as submitted by the City Engineer in accordance with Subd. 1, Section 430.102, Minnesota Statutes, be approved as follows:

- Category 1 – Amount to be charged against the General Funds of the City – \$67,000;

- Category 2 – Amount to be charged against benefited properties in proportion to benefits – \$1,089,069;

- Category 3 – Amount to be specially taxed against properties after deductions under categories 1 and 2, and rental fees – 0.

Rentals received from vendors and other use – \$39,051.

Total amount required for 1998 improvement, operation and maintenance, prior years carry forward of unexpended balance and adjusted costs – \$1,195,120.

It is further recommended that the City Engineer be directed to prepare an assessment roll setting forth separately the amounts to be specially assessed against the benefited properties in the district in proportion to the benefits, descriptions of such properties, and the names of the owners of

such properties so far as such names are available to the City Engineer, and that the City Engineer confer with the Nicollet Mall Advisory Board in the preparation of such assessment roll.

Your Committee further recommends passage of the accompanying resolution increasing the 1997 Streets and Malls appropriation by \$81,068.

Your Committee further recommends that the City Engineer and the Budget Director be directed to draft a policy regarding payment of assessments for public properties for consideration during the 1998 budget process.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-156

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 appropriation for the Streets and Malls – Nicollet Mall Agency in the General Fund (010-607-6130) by \$81,068.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having held a public hearing thereon, now recommends concurrence with the Mayor’s recommendation to appoint the following individuals to the Minneapolis Civil Rights Commission:

a) Jean Leake, 2401 Upton Av N, to fill the vacancy created by the resignation of Edward Lohnes, for a term to expire on August 31, 1998; and

b) Tony Looking Elk, 3236 4th Av S, to fill the vacancy created by the resignation of Branford Giddings, for a term to expire on August 31, 1997.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having reviewed the Alternative Dispute Resolution (ADR) Procedures and Work Plan which was developed through the City’s Labor Management Committee (Petn No 262809) recommends approval of said Procedures with the following clarifications:

a) One of the roles of the ADR Policy Review Committee shall be to monitor participation and determine appropriate issues for the ADR program; and

b) The City Coordinator will report back to the Ways & Means/Budget Committee and the Mayor for authorization to expend funds and for approval of the program budget and staffing prior to initiation of the program.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the lawsuit filed against the City by the following individual be settled as follows: 690-150 Jane Larson and Ronald F. Meuser, Jr., her attorney, \$12,000.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval of the revised *Procedures Manual for Professional Service Procurement and Real Property Acquisition* (Petn No 262809) administrative manual which provides direction to City departments on how to procure professional services and purchase property and which contains the City’s standard contract provisions as developed by the City Attorney.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends acceptance of the low bid received on OP #4612 (Petn No 262815) submitted by Grazzini Brothers & Company in the amount of \$5,960 for furnishing and installing granite based exterior for the Minneapolis Convention Center in accordance with City specifications.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends passage of the accompanying resolution increasing the Human Resources appropriation by \$24,000 to provide funds for the purchase of Father of Waters bronze statues to recognize City retirees with 30 or more years of service. The funds will be added to the \$24,000 budgeted for statues to purchase 300 statues which are expected to be sufficient for four to five years.

RESOLUTION 97R-157

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 appropriation for the Human Resources Agency in the General Fund (010-815-8160) by \$24,000.

Adopted. Yeas, 10; Nays, 1 as follows:

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

Nays – Minn.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) seeking employee group term life insurance (Petn No 262810).

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to receive \$370,892 in Minnesota Youth Program funds from the Minnesota Department of Economic Security. Said funds shall be directed to support the Minneapolis Summer Youth Employment and Training Program and School-To-Work youth programs.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the 1997 Jump Start Program youth employment program, now recommends that the proper City officers be authorized to issue Fund Availability Notices (FAN) or enter contracts for Jump Start programs (Petn No 262812) as follows:

Fund Availability Notices

<u>Funds</u>	<u>Agency</u>	<u>Contr #</u>	<u>Master Period</u>	<u>Amount</u>	<u>FAN#</u>
010-860-8605	Mpls Pub Schools	10019	06/16/97-07/25/97	\$4,635	00-1
060-860-8605					
010-860-8605	Proj for Pride in Living	10011	06/09/97-08/29/97	\$2,400	00-1
010-860-8605	YMCA	10679	06/09/97-08/29/97	\$7,500	00-1
060-860-8605					
010-860-8605	PNS-Brian Coyle	10007	06/09/97-08/29/97	\$3,168	00-1
060-860-8605	Comm Ctr				
010-860-8605	E Side Neigh Servs	10002	06/09/97-08/29/97	\$ 750	00-1
060-860-8605					
010-860-8605	Mpls Pk Bd	IGPV	06/09/97-08/29/97	\$7,860	

Contracts

<u>Funds</u>	<u>Agency</u>	<u>Period</u>	<u>Amount</u>
010-860-8605	Lyndale Neighborhood Assn	06/09/97-08/29/97	\$4,500
060-860-8605			
010-860-8605	Elliot Park Neighborhood, Inc.	06/09/97-08/29/97	\$ 720
060-860-8605			
010-860-8605	Seward Neighborhood Group	06/09/97-08/29/97	\$3,300
060-860-8605			
010-860-8605	Plymouth Christian Youth Ctr	06/09/97-08/29/97	\$1,008
060-860-8605			

Because the total of the 1997 Jump Start proposals exceeds the General Fund budget of \$25,000, the Department of Neighborhood Services is authorized to utilize Family Funds (charitable gambling) as required.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to apply for a Certified Local Government grant from the Minnesota Historical Society in the amount of \$9,000, with the understanding that a cash and services match is required. Said grant funds would be used to assist neighborhoods with development of their community histories.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

Z&P – Your Committee, to whom was referred an ordinance amending Title 21, Chapter 580 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Moratorium on changes in land use along Hennepin Av between 31st St and 36th St, extending the moratorium to January 12, 1999, and having held a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

ORDINANCE 97-Or-052
By McDonald and Scott
Intro & 1st Reading: 5/9/97
Ref to: Z&P
2nd Reading: 6/6/97

Amending Title 21, Chapter 580 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Moratorium on changes in land use along Hennepin Avenue between 31st Street and 36th Street.

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

Section 1. That section 580.40 of the above-entitled ordinance be amended to read as follows:

580.40. Restrictions. For a period of one year from the date of final approval of this chapter, no change from a residential use to a commercial use, or change from a commercial use to a commercial use of greater intensity, or change from a residential use to a residential use of greater density shall be permitted by the city. The city specifically reserves the right to extend this chapter for such additional periods as are necessary to complete the study, not exceeding a total additional period of eighteen (18) months.

This chapter is hereby extended eighteen (18) months and shall expire on January 12, 1999.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, to whom was referred an ordinance amending Title 21, Chapter 579 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Providing for a moratorium on the establishment or expansion of surface parking lots in the Downtown Surface Parking Study Area, extending the moratorium to January 12, 1999, and having held a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

ORDINANCE 97-Or-053
By Scott
Intro & 1st Reading: 5/9/97
Ref to: Z&P
2nd Reading: 6/6/97

Amending Title 21, Chapter 579 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Providing for a moratorium on the establishment or expansion of surface parking lots in the Downtown Surface Parking Study Area.

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

Section 1. That section 579.40 of the above-entitled ordinance be amended to read as follows:

579.40. Restrictions. For a period of one year from the date of final approval of this chapter, no building, construction, or demolition permit for a license for the establishment or expansion of any surface parking lot within the study area shall be allowed or granted by any city department. The city specifically reserves the right to extend this chapter for such additional periods as are necessary to complete the study, not exceeding a total additional period of eighteen (18) months.

This chapter is hereby extended eighteen (18) months and shall expire on January 12, 1999.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal filed by Anthony Scallon from the decision of the Planning Commission denying the application of Minnesota Transition Charter School (C-1804) for conditional use permit to allow a school serving a maximum of 50 students in grades K-12 at 4401 E Lake St, now recommends that said appeal be denied.

Your Committee further recommends that the proper City Officers be directed not to undertake any enforcement of this action until after July 31, 1997.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal filed by Frank Blumberg, on behalf of James Sarna, from two of the five conditions placed on the Planning Commission's

approval of the application for site plan review submitted by James Sarna for a pizza delivery store and coffee shop at 1901-03 Johnson St NE, now recommends –

a) Denying the appeal from the condition of placement of a “No Left Turn” sign at the 19th Av NE curb cut; and

b) Granting the appeal from the condition of placement of a “Do Not Enter” sign facing 19th Av NE.

Dziedzic moved to amend the report by deleting the word “Denying” in paragraph “a)” and inserting in lieu thereof the word “Granting.”

Seconded.

Adopted. Yeas, 6; Nays, 5 as follows:

Yeas – Biernat, Niland, Mead, Rainville, Dziedzic, Thurber.

Nays – McDonald, Minn, Scott, Herron, Campbell.

Absent – Schulstad, Cherryhomes.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the application of Skip Fay for a waiver from Interim Ordinance 96-Or-071, providing for a moratorium on changes in land use along Hennepin Av between 31st St and 36th St (passed 7/12/96), to allow the existing commercial use of a Dunn Brothers coffee shop at 3348 Hennepin Av to apply for extended hours, now recommends that said waiver be granted.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 12, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P Your Committee, having under consideration the application of Jerry Larsen, for J.J. Investments, for a waiver from Interim Ordinance 96-Or-076, providing for a moratorium on the establishment or expansion of residential, commercial and industrial uses in the East Hennepin Study Area (passed 8/9/96), to allow application for appropriate licenses and permits to establish a small specialty store featuring dry

goods, frozen food and music at 420 E Hennepin Av, now recommends that said waiver be granted.

Adopted. Yeas, 11; Nays none.

Absent Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 6, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 10, 1997.)

Z&P – Your Committee, having under consideration the exception filed by Laura and Jim Benkovich (V-4147) from the decision of the Board of Adjustment denying their application for variation of the north side yard from 5’ to 1’ 6” to permit the existing 7’ X 18’ 3-1/2” storage shed to remain at 2217 Girard Av S, now recommends that said appeal be granted.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the petition of Neal Burns and Martha Russell (#V-1196) to vacate an easement in W 37th St between Abbott and Zenith Avs S, now finds that said easement is no longer needed because there are no utility facilities in this location, and recommends concurrence in the recommendation of the Planning Commission that said petition be granted, by passage of the accompanying resolution.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-158

By Scott

Vacating an easement in West 37th Street between Abbott Avenue South and Zenith Avenue South.

Resolved by The City Council of The City of Minneapolis:

That all that part of a 30.00 foot wide easement for utility purposes, located 15.00 feet on either side of the centerline of that part of vacated 37th

Street West which lies between the extension southerly of the east line of Lot 10, and the extension southerly of the west line of Lot 11, all in Block 3, Oliver Park Addition to Minneapolis, according to the recorded plat thereof, is hereby vacated.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice

President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton,

Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends concurrence in the recommendation of the Planning Commission granting the petition of Jimmy Chau Trinh (P-1015) to rezone property at 2412 Nicollet Av S from B2-2 to the B3-2 District to permit a grocery store and retail uses, and that the accompanying amendment to the Zoning Ordinance be passed (63675).

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton,

Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-054

By Scott

1st & 2nd Readings: 6/6/97

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 Lots 4, 5 and 6, Block 7, J.T. Blaisdell's Revised Addition to Minneapolis (2412 Nicollet Av S – Plate 20) to the B3-2 District.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President

of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton,

Mayor.

Attest: M. Keefe, City Clerk.

&P – Your Committee, to whom was referred an ordinance amending Title 20, Chapter 522 of the Minneapolis Code of Ordinances relating to Zoning Code: In General, to amend inconsistencies in the telecommunication tower regulations, clarify the original intent of the ordinance, require a conditional use permit for light poles and windmills, and to limit the number of freestanding antennas used for private reception and recreational purposes in the residential districts, now recommends that said ordinance be given its second reading for amendment and passage.

Minn moved to amend Petn No 262820 by removing that area designated as the Downtown East neighborhood from the prohibition area on the map contained therein.

Lost upon a voice vote.

Minn moved to refer the report back to the Zoning & Planning Committee. Seconded.

Lost upon a voice vote.

The ordinance lost. Yeas, 7; Nays, 2 as follows:

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

Nays – McDonald, Minn.

Declining to vote – Rainville.

Absent – Schulstad, Dziedzic, Cherryhomes.

Scott moved to refer the report back to the Zoning & Planning Committee. Seconded.

Adopted upon a voice vote.

Z&P – Your Committee recommends granting the following applications for special permits, notwithstanding the Zoning Code –

a) Crosstown Sign: Appl to install one 15' X 10' freestanding identification ground sign for Boyer Ford at 2811 Broadway St NE (#1997-072);

b) Richard Jackson: Appl to waive the full basement requirement at 2412 – 4th St NE, subject to completion of all other code compliance orders, in addition to the engineer's recommendations regarding the basement floor and fire damaged joists (#1997-074);

c) Joseph Richardson: Appl to waive the full basement requirement at 1609 Thomas Av N, subject to completion of all other code compliance orders (#1997-073).

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends concurrence in the recommendations of the Planning Commission relating to applications of the Minneapolis Community Development Agency, for Hawthorn Crossings Ltd. Partnership –

a) Granting the petition (P-1014) to rezone property at 2011-25 Bryant Av N and 2010-18 Dupont Av N from B1-2 and B3SP-2 to the B3S-3 District for development of Phase II of Hawthorn Crossings shopping center, and that the accompanying amendment to the Zoning Ordinance be passed (63674); and

b) Granting the petition of (#1199) to vacate Dupont Av N between the southerly right-of-way line of 21st Av N and the northerly right-of-way line of W Broadway and the alley in the block bounded by W Broadway, Dupont Av N, 21st Av N and Bryant Av N, to assemble the site for construction of Phase II, subject to retention of easement rights by Minnegasco and the City of Minneapolis, by passage of the accompanying resolution.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-055

By Scott

1st & 2nd Readings: 6/6/97

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 Lots 1-5 inclusive and Lots 10, 11 and 12, Block 20, Highland Park Addition to Minneapolis (2011-25 Bryant Av N and 2010-18 Dupont Av N – Plate 8) to the B3S-3 District.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-159

By Scott

Vacating Dupont Avenue North between the southerly right-of-way line of 21st Avenue North and the northerly right-of-way line of West Broadway and the alley in the block bounded by West Broadway, Dupont Avenue North, 21st Avenue North, and Bryant Avenue North.

Resolved by The City Council of The City of Minneapolis:

That all that part of Dupont Avenue North lying between the southerly right-of-way line of 21st Avenue North and the northerly right-of-way line of West Broadway; and all of the north/south alley lying within Block 20, Highland Park Addition to the City of Minneapolis is hereby vacated, except that such vacation shall not affect the existing easement right and authority of Minnegasco and the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to Minnegasco, the west 30 feet of the east 43 feet of to-be-vacated Dupont Avenue North; As to the City of Minneapolis, the west 53 feet of the to-be-vacated Dupont Avenue North; to operate, maintain, repair, alter, inspect, or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to the above named corporation and the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the corporation and the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so.

Where the area described above in regard to the other corporation, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the

other corporation shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997. J. Biernat, Vice President of Council and President pro tem.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the petition of the Minneapolis Community Development Agency/Sherman Associates (#1198) to vacate Mississippi Drive between Webber Parkway and Lyndale Avenue North and all of the alley in the block bounded by Webber Parkway, Lyndale Avenue North, 42nd Avenue North, and Aldrich Avenue North for the proposed 14,400 square foot commercial building to contain the Camden Medical Clinic and space for future commercial use, now finds that said street and alley are no longer needed for public travel and recommends concurrence in the recommendation of the Planning Commission that said petition be granted, subject to retention of easement rights by the City of Minneapolis, by passage of the accompanying resolution.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-160

By Scott

Vacating Mississippi Drive between Webber Parkway and Lyndale Avenue North and all of the alley in the block bounded by Webber Parkway, Lyndale Avenue North, 42nd Avenue North, and Aldrich Avenue North.

Resolved by The City Council of The City of Minneapolis:

That all that part of the North/South alley adjoining Lots 1 through 15, William Campbell's Addition to Camden Place, not heretofore vacated, and all of the East/West alley as opened through the southerly 15 feet of Lot 14 in said addition,

according to the recorded plat thereof, Hennepin County, Minnesota, and all that part of Mississippi Drive, formerly known as Crystal Lake Road, as originally laid out and opened, lying westerly of Line A and southerly of Line B described as follows:

LINE A: Beginning at the most easterly corner of lot 10, William Campbell's Addition to Camden Place, according to the recorded plat thereof and situate in Hennepin County, Minnesota, thence northerly to the intersection of the southwest line of Lot 98, Auditors Subdivision No. 198 with a line parallel with and 40.00 feet west of the east line of the Northeast Quarter of Section 4, Township 29, Range 24, and Hennepin County and said Line A there terminating.

Line B: Beginning at the most easterly corner of Lot 10, William Campbell's Addition to Camden Place, according to the recorded plat thereof and situate in Hennepin County, Minnesota, thence northerly to the intersection of the southwest line of Lot 98, Auditors Subdivision No. 198 with a line parallel with and 40.00 feet west of the east line of the Northeast Quarter of Section 4, Township 29, Range 24, said Hennepin County, thence northerly along said parallel line a distance of 102.04 feet to the point of beginning of said Line B, thence deflecting to the left 90 degrees 4 minutes 32 seconds to its intersection with the northeast line of Lot 45, said Auditors Subdivision No. 198 and said Line B there terminating, is hereby vacated, except that such vacation shall not affect the existing easement right and authority of the City of Minneapolis, its successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to the City as follows, to wit:

As to the City of Minneapolis, all of the to-be-vacated Mississippi Drive; to operate, maintain, repair, alter inspect, or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.
Passed June 6, 1997. J. Biernat, Vice
President of Council and President pro tem.
Approved June 10, 1997. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

Z&P Your Committee, having under
consideration the petition forwarded from the
Minnesota Environmental Quality Board filed by
Donald and Donna Stelzner requesting the
preparation of an Environmental Assessment
Worksheet (EAW) for the Bakken Library and
Museum expansion at 3537 Zenith Av S, now
recommends -

a) Adoption of the Findings of Fact and Record
of Decision document contained in Petn No
262821;

b) That the Findings and related documentation
were prepared in compliance with the procedures
of the Minnesota Environmental Policy Act and
Minn. Rules, Parts 4410.1000 to 4410.1700
(1993);

c) That the Findings document and related
documentation have satisfactorily addressed all of
the issues for which existing information could
have been reasonably obtained; and

d) That the project does not have the potential
for significant environmental effects; therefore the
City should not require the development of an
EAW.

Adopted. Yeas, 11; Nays none.
Absent Schulstad, Cherryhomes.
Passed June 6, 1997.
Approved June 6, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.
(Published June 10, 1997.)

Z&P – Your Committee recommends granting
the application of Anodyne at 43rd for a special
permit, notwithstanding the Zoning Code, to allow
a coffee shop at 4301 Nicollet Av S with literary
reading, story telling, singing and/or live music by
not more than two persons using nonamplified
musical instruments, for a period not to exceed 24
months or until adoption of the City’s compre-
hensive zoning revision, whichever occurs first,
subject to the following conditions: 1) that any
sound or noise created by such use shall not be
discernible from outside the building and shall not
unreasonably interfere with the use and enjoyment
of property and any person of normal sensitivities
or otherwise create a public nuisance; 2) that

patron dancing be prohibited; 3) that the hours of
such use shall not exceed past 9:00 p.m. Sunday-
Thursday nor past 11:00 p.m. Friday and Saturday
(#1997-090).

Adopted. Yeas, 9; Nays none.

Declining to vote – Minn.

Absent – Schulstad, Dziedzic, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

MOTIONS

Herron, Chair of the Claims Committee,
moved concurrence in the reports received from
the City Attorney (Petn No 262823) recommending
payment of workers’ compensation to various
employees and to the State Fund, and for payment
of bills and professional services rendered
claimants or employees injured on the job.
Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Campbell, Chair of the Ways & Means/Budget
Committee, moved that the regular payrolls for all
City employees under City Council jurisdiction for
the month of July 1997 be approved and ordered
paid subject to audit by the Finance Officer.
Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Biernat moved to refer the subject matter of
ordinances amending Title 12, Chapter 244, Art.
XVI, of the Minneapolis Code of Ordinances
relating to **Housing: Maintenance Code, Rental
Dwelling Licenses**, to the Public Safety &
Regulatory Services Committee for a public
hearing June 18, 1997, at 1:45 p.m. Seconded.

Adopted upon a voice vote.

Herron moved to waive the 14-day filing time
as required by Chapter 455 of the Minneapolis
Code of Ordinances for applicant Central

Neighborhood Improvement Association for residential block event #68 to be held June 7, 1997, between 8 a.m. and 2 p.m. on 2nd Street between 31st and 32nd Streets, pursuant to approval being granted by the Public Works and Police departments to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhones.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Minn moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicants Tim and Barbara Davis for residential block event #57 to be held June 7, 1997, between 10 a.m. and 10 p.m. on Emerson Avenue between 48th and 49th Streets, having approval granted by the Public Works and Police departments to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhones.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Niland moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Edmund James for a residential block event to be held June 21 and 22, 1997, between the hours of 7 a.m. and 1 p.m. on 27th Street E between Garfield and Lyndale Avenues S, having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhones.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Minn moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant True Apostolic Church on Saturday, June 7, 1997, between 10 a.m. & 6 p.m. on Zenith Av S between 42nd and 43rd Sts W, having approval granted by the Public Works and Police departments to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent Schulstad, Cherryhones.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 24, 1997).

Biernat moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Sherlene Hall for a residential block event to be held Sunday, June 8, 1997, between the hours of 3 p.m. and 7 p.m. on 4th Street N between 21st and 22nd Avs N, having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Biernat moved to waive the 30-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Jason McLean, Loring Cafe, for a business district block event to be held June 22, 1997, between the hours of 12 noon to 10 p.m. on Harmon Place between 16th Street (Maple) to Hennepin Av, having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent – McDonald, Cherryhomes.

Passed June 6, 1997.

Approved June 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Notice is given that all Council actions passed June 6, 1997, published with an approval date of June 12 are amended with an approval date of June 10, 1997.

(Published July 5, 1997).

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.

Biernat moved to postpone discharging 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. Seconded.

Adopted upon a voice vote.

NEW BUSINESS

Scott offered an Ordinance amending Title 20, Chapter 538 of the Minneapolis Code of Ordinances relating to **Zoning Code: Residence Districts**, which was given its first reading and referred to the Zoning & Planning Committee (Adding telephone exchanges, telephone transmission equipment buildings as conditional uses in R1 Districts).

Scott offered an Ordinance amending Title 20, Chapter 540 of the Minneapolis Code of Ordinances relating to **Zoning Code: Business Districts**, which was given its first reading and referred to the Zoning & Planning Committee (Adding telephone exchanges, telephone transmission equipment buildings as conditional uses in B1-1 District).

Scott offered an Ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to **Interim Ordinances**, adding Chapter 582 providing for a moratorium on the establishment or expansion of surface parking lots in the Elliot Park neighborhood, which was given its first reading and referred to the Zoning & Planning Committee.

Minn gave notice of intent to discharge the Ways & Means/Budget Committee from further consideration of the Capital Long Range Improvement Committee.

Campbell moved that when this Council adjourns, it adjourns to Room 315 City Hall for a closed session to consider the firefighter cadet program lawsuit, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of June 6, 1997. Seconded.

Adopted. Yeas, 10; Nays none.

Absent – McDonald, Schulstad, Cherryhomes.

Adjourned.

MERRYKEEFE,
City Clerk.
97-5686