

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

AUGUST 14, 1998

(Published August 22, 1998,
in Finance and Commerce)

Economic Development & Metropolitan
Council.

Council Chamber
Minneapolis, Minnesota
August 14, 1998 – 9:30 a.m.
President Cherryhomes in the Chair.
Present – Council Members Thurber,
Campbell, Biernat, Niland, Goodman, Colvin
Roy, Herron, Mead, Minn, Johnson, Ostrow,
President Cherryhomes.
Absent – McDonald.
Campbell moved approval of the minutes of
the special meetings called by the Mayor held
July 24 and July 31 and the regular meeting of
July 31, 1998. 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

COMMUNITY DEVELOPMENT:

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264010)

Itasca Buildings 3 & 4 (708-1st St N):
Report describing purchase option of the
parking lot at 701-1st St N & marketing of
Itasca Buildings 3 & 4 w/the parking lot.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264011)

Contamination Clean-up Grants: Summary
of grants received from Dept of Trade &

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

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264012)

Preliminary Planning Fund: Request for
increase in appropriation to cover Near
Northside Hollman administration & Downtown
Target Store block planning.

Shubert Theater (Block E): Award/
assignment of theater move contract & request
for appropriation increases & related actions,
w/Attachment.

NEIGHBORHOOD REVITALIZATION
PROGRAM (NRP) (264013)

Sumner Glenwood NRP Action Plan:
Request for approval of Modification #3 to Plan.

Elliot Park NRP Action Plan: Request for
approval of Modification #4.

INTERGOVERNMENTAL RELATIONS:

MINNEAPOLIS EMPLOYEES

RETIREMENT FUND (264014)

MERF: Statement of Plan Net Assets;
Statement of Changes in Net Assets.

INTERGOVERNMENTAL RELATIONS and WAYS & MEANS/BUDGET:

COORDINATOR-GRANTS & SPECIAL
PROJECTS (264015)

Empowerment Zone Designation: Report
on Round II application.

PUBLIC SAFETY AND REGULATORY SERVICES:

POLICE DEPARTMENT (264016)

State of the Precincts: Downtown
Command.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

COORDINATOR (264017)

Commissioner of Health/Director of Department of Health & Family Support: Concur with Mayor's nomination and Executive Committee approval of the appointment of Sandra Meicher, Ph.D. for two-year term to expire 1/3/2000.

INSPECTIONS DEPARTMENT (264018)

Raze Buildings: Authorize owner requested demolitions for 3512 S 5th Av; and 2404 Bloomington Av.

Minneapolis Delegated Well Program: Amend agreement with State Department of Health to provide for collection of State Core Function Fee, effective 7/1/98.

LICENSES AND CONSUMER SERVICES (264019)

Licenses: Applications.

MAYOR (264020)

Minneapolis Advisory Committee on Drug and Alcohol Problems: Approve reappointments of Anne Arthur, Mary Hoopman, Vivian Klauber, and Mark Lucas.

POLICE DEPARTMENT (264021)

Vehicles for Auto Theft Prevention Project: Execute loan/lease agreements with auto providers that contain "hold Harmless" language.

Computer Support Services: Renew contract with Microsoft Corporation for "Premier Support" service on all Microsoft products.

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

FIRE DEPARTMENT (264022)

Take Home Vehicles: Amend Council actions from 1986 to authorize six vehicles to be reallocated to personnel in the Incident Command System.

HEALTH AND FAMILY SUPPORT SERVICES (264023)

Welcome Center: Execute contract with Special School District #1 for receipt of unspent City funds; and Appropriate funds.

POLICE DEPARTMENT (264024)

Mounted Patrol: Accept inventory as donation of assets from Friends of the Mounted Patrol; and Assume operational costs for period 4/1/98 through 12/31/98.

Criminal Gang Strike Force: Amend grant agreement to accept additional award for overtime and leased vehicle for one additional police officer assigned to Strike Force; and Appropriation of funds.

TRANSPORTATION AND PUBLIC WORKS:

CITY CLERK (264025)

Critical Parking Area Request: Application and petition for establishment of area on 33rd Av S between 36th and 37th Sts.

FINANCE DEPARTMENT (264026)

Assessment Process: Update on ordinance revisions for utility billing and utility special assessment hearing procedures.

TRANSPORTATION AND PUBLIC WORKS

(See Rep):

PUBLIC WORKS AND ENGINEERING (264027)

Public Works Facilities Project: Temporary lease agreements with intent to purchase properties at 1301 Bryant Av N, 918-924 Plymouth Av & 198 Aldrich Av N.

Carpool Parking: Agreement with Minnesota Department of Transportation to continue parking rate subsidy for carpool rate at Orchestra Hall Parking Ramp.

Lyn-Lake Parking Project: Correction to property acquisition list/map.

1998 Street Paving Prog (Zenith Av S): Designation of project, cost estimate and assessment procedure.

10th St Project (3rd Av S to Park Av S): Layout #5 for street improvements.

Washington Av N Project (Hennepin Av to Plymouth Av): Layout #5A for street & bridge improvements.

Arts In The Curb Lane Project: Plan to allow artists to set up in parking lane one day on 10th St between Marquette & LaSalle Avs.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET

(See Rep):

PUBLIC WORKS AND ENGINEERING (264028)

Sale of City-Owned Property at 516 Hennepin Av (Transit Station) to Artspace Projects, Inc.: City Engineer's report and recommendations regarding property desired for move of Shubert Theater.

1998 Cordon Count: Contract with Downtown Council to conduct count and agreement with Metropolitan Council to receive funding for count.

Signal Design for Hiawatha Light Rail Transit Corridor: Agreement with Minnesota Department of Transportation to reimburse the City for consultant services.

Dinkytown Bridge and Street Construction Cleanup Project: Agreement with Hennepin County providing for restoration of 5th St SE detour route.

PURCHASING (264029)

Bid: OP #4936, accept low bid of Ram Electric, Inc. for labor, equipment and materials for Nicollet Av Street Lighting Project.

WAYS AND MEANS BUDGET:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (264030)

Status of Minneapolis Community Development Agency Projects: 2nd Quarter 1998 Report.

HEALTH AND FAMILY SUPPORT SERVICES (264031)

Minneapolis Employment & Training Program: 4th Quarter Status Report for 1997.

WAYS AND MEANS BUDGET (See Rep):

ARTS COMMISSION (264032)

Neighborhood Arts New Presenters Program: Sponsor Arts Resource Fair.

ATTORNEY (264033)

Schnitzer Iron and Metal Site Clean-up: Confirm acceptance of cost recovery from NSP.

Settlements: Amy Arnoldi vs. City; Illinois Farmer's Insurance vs. City; Adams vs. City and Barnette vs. City.

Workers' Compensation Claim: R. L. Nunn vs. City.

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (264034)

Shubert Theater: Information on possible relocation.

COORDINATOR (264035)

1997-1998 Central State Weed & Seed Funds: Transfer to Minneapolis Employment & Training.

Minneapolis Police Relief Association Board: Approve appointment of Rebecca Law.

FINANCE DEPARTMENT (264036)

Bid: OP #4922, Accept low bid of George F. Cook Construction Company.

FINANCE DEPARTMENT (264037)

Claims Administration: Contract with Sedgwick of Minnesota.

FINANCE DEPARTMENT (264038)

Utility Billing Insert: Approve.

HEALTH AND FAMILY SUPPORT SERVICES (264039)

Fund Availability Notices: Extend notices issued to Greater Minneapolis Day Care Association.

HUMAN RESOURCES (264040)

Civilian Police Review Authority Executive Director Position: Salary Ordinance & Approve payments for tax & pension expenses.

HUMAN RESOURCES (264041)

Employee Purchases of City-Owned or Acquired Property: Adopt new policy.

Title Consolidation Project in Information & Technology Services: Salary Ordinance.

INFORMATION AND TECHNOLOGY SERVICES (264042)

Professional Services: Contract with Keane.

PUBLIC WORKS AND ENGINEERING (264043)

Lowry Hill Pedestrian Lighting Project: Appropriation resolution.

PUBLIC WORKS AND ENGINEERING (264044)

Property at 1221 W Lake St: Authorize issue Request for Proposals & Direct staff to return to Committee to discuss disposition of proceeds from sale of property.

ZONING AND PLANNING:

ATTORNEY (264045)

Comprehensive Plan: Legal Review of Minneapolis Plan.

MAYOR (264046)

Committee on Urban Environment: Appoint Craig Anderson, Nicholas Heille, Kim Havey & Theodore Tucker.

PLANNING COMMISSION/DEPARTMENT (264047)

Downtown zoning code: Work schedule.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (264048)

4th St SE, 1327 (Eric P Strauss) issue building permits & allow construction of tenant

improvements pending approval of parking variance.

PLANNING COMMISSION/DEPARTMENT (264049)

444 Marquette Project: Recommend not order Environmental Impact Statement & adopt Findings of Fact & Record of Decision; Transportation Management Plan.

Washburn Crosby Utility Building and Stone Arch Lofts Project: Recommend not order Environmental Impact Statement & adopt Findings of Fact & Record of Decision.

PLANNING COMMISSION/DEPARTMENT (264050)

St Olaf Catholic Church: Approving application for waiver from moratorium on downtown parking lots (Chapter 579) to permit small parking lot at 825 2nd Av S & 200 S 9th St; Letter of Corporate Properties Inc supporting.

Irwin A. Baker for AAA Daily Labor, Inc: Denying application for waiver from moratorium on expansion of day labor facilities at 1906-08 Chicago Av (Chapter 585/98-Or-075).

Cash-N-Pawn: Appeal from decision of Planning Commission denying application for conditional use permit at 2726 E Lake St to permit pawn shop; Letter of Longfellow Business Association opposing permit.

Shubert Theater: Approving application of Public Works Dept for vacation of alley in block bounded by Hennepin Av, 1st Av N, N 6th St, & N 5th St to permit relocation of Shubert Theater; Summary of Planning Commission actions taken 7/13/98.

PLANNING COMMISSION

AUGUSTANA VILLAGE & EAST VILLAGE HOUSING CORP (264051)

Permission to vacate portion of 8th St S between 11th & 12th Avs S.

SPECIAL SCHOOL DISTRICT #1 (264052)

Permission to vacate alley in block bounded by Lake & 31st Sts E, 21st & 22nd Avs S.

FILED:

ATTORNEY (264053)

Soo Line Railroad, et al vs City of Minneapolis, et al: Settlement Agreement re Shoreham Yard.

CITY CLERK/SPECIAL PERMITS (264054)

3rd St & Chicago Av (Michelle Christensen) reunion of past athletes; 16th & Hennepin Av (Basilica of Saint Mary) tent; Marshall St NE, 1414 (Dublin Productions) two Kodiak bears; Minnehaha Pkwy W, 421 (Jeffrey L Fox) tent.

FINANCE DEPARTMENT (264055)
Schedule of Self-supporting Revenue Bonds & Schedule of General Obligation Bonded Debt for 7/31/98.

NORTHERN STATES POWER (NSP) (264056)

Utility Poles: Authorize place poles at various locations.

REPORTS OF STANDING COMMITTEES

Hearing no objection, Cherryhomes suspended the rules to consider the subject matter of the Shubert Theater, including the sale of City-owner property at 516 Hennepin Avenue, after consideration of the remainder of the reports of the Standing Committees.

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

Comm Dev & W&M/Budget – Your Committee recommends passage of the accompanying resolution increasing the 1998 Minneapolis Community Development Agency (MCDA) appropriation in Fund CPP (Preliminary Planning) by \$157,312 and increasing Fund CPP revenues by \$157,312 to cover costs relating to Near Northside Hollman administration and additional legal administrative expenses relating to the Ryan/Target store proposal on the 900 Nicollet block (Petn No 264012).

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

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-294
By Niland and Campbell**

**Amending The 1998 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 CPP – Preliminary Planning by \$157,312 and increasing the Fund CPP – Preliminary Planning revenue (3845-01 transfer within capital project funds) estimate by \$157,312.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998. J. Cherryhomes, President of Council.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving Modification #3 to the Sumner Glenwood Neighborhood Action Plan which reallocates \$100,000 from the Club Fed initiative and \$122,000 from the Self-Sufficiency, Citizenship initiative to a new neighborhood initiative involving construction of the Neighborhood Early Learning Center adjacent to North Star School, now recommends:

1. That Modification #3, as set forth in Petn No 264013, and specifically those parts of the Modification which fall under City jurisdiction, be approved;

2. That the proper City officers be authorized to execute any agreements needed to implement this request; and

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

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving Modification #4 to the Elliot Park Neighborhood Action Plan which moves funds from three existing strategies to other existing strategies in the Plan and also moves funds from an existing strategy to a new strategy to provide funding for the development of housing and commercial retail on the Northlands Electric site, now recommends:

1. That Modification #4, as set forth in Petn No 264013, and specifically those parts of the Modification which fall under City jurisdiction, be approved;

2. That the proper City officers be authorized to execute any agreements needed to implement this request; and

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

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

PS&RS – Your Committee recommends concurrence in the nomination of the Mayor and approval by the Executive Committee of the appointment of Sandra L. Meicher, Ph.D. to the position of Commissioner of Public Health and Director of Health and Family Support, for a term to expire January 3, 2000.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends concurrence with the recommendation of the Mayor to reappoint the following persons to serve on the Advisory Committee on Drug and Alcohol Problems, for two-year terms to expire July 1, 1999:

- a. Anne Arthur, 7 W 33rd St (Ward 10)
- b. Mary Hoopman, 3333 St. Louis Av (Ward 7)
- c. Vivian Klauber, 3527 47th Av S (Ward 12)
- d. Mark Lucas, 4900 Portland Av S (Ward 8).

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for liquor licenses:

Off-Sale Liquor, to expire July 1, 1999

Minnesota Vikings Ventures Inc, dba Vikings, 500 11th Av S (new corporate officer and new shareholder);

Minnesota Vikings Ventures Inc, dba Vikings, 500 11th Av S;

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 1999

Minnesota Vikings Ventures Inc, dba Vikings, 500 11th Av S (new shareholder and corporate officer);

Minnesota Vikings Ventures Inc, dba Vikings, 500 11th Av S.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 14, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 18, 1998)

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

Off-Sale Liquor, to expire October 1, 1999

D T B Corporation, dba Greenway Liquor, 105-13 W Grant St;

Meka Corp, dba Minnehaha Liquor Store, 2613 E Lake St;

Skol Inc, dba Skol Liquors, 2500 27th Av S;

France 44 Liquors Inc, dba France 44 Liquors, 4351 France Av S;

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 1999

I & E Inc, dba Bunker's, 761 Washington Av N (1st Floor);

Minneapolis Branch American Association of University Women, dba Minneapolis Branch American Association of University Women, 2115 Stevens Av;

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

Sport Italia Inc, dba Linguini & Bob, 100 N 6th St;

Rock Bottom of Minneapolis Inc, dba Rock Bottom Brewery, 800 LaSalle Av (downstairs);

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1999

Yacoub Michael A, dba Fowl Play, 1301 SE 4th St;

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 1999

Hirschey Investment Corp, dba Barney's Underground, 528 Hennepin Av;

TGI Fridays of Minnesota Inc, dba Italiannis, 611 Hennepin Av;

TGI Fridays of Minnesota Inc, dba TGI Fridays, 615 Hennepin Av;

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

Bravo LLC, dba Bravo, 900 Hennepin Av;

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 1999

Restaurants Unlimited Inc, dba Palomino/Walker Room, 825 Hennepin Av #245;

Medich Enterprises Inc, dba Sparky's Bar & Grill, 2001 University Av SE;

On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 1998

J D Hoyt's Inc, 301 Washington Av N;

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

SB Food Services Inc, dba Jewel of India, 1427 Washington Av S;

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 1999

Kour Inc, dba Jacob's 101 Restaurant, 101 Broadway St;

Cedar Point Inc, dba Palmer's Bar, 500 Cedar Av;

Lake Street Inc, dba Smiling Moose, 3001 Hennepin Av;

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

Boutique Bars Inc, dba Urban Wildlife Bar & Grill, 331 2nd Av N;

Maxwell's American Cafe Inc, dba Maxwell's American Cafe, 1201 Washington Av S;

Waldo's Inc, dba Waldo's, 4601-07 N Lyndale/Mississippi Dr;

Halek's Inc, dba Halek's Bar, 2024 Washington Av N;

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 1999

Restaurants Unlimited Inc, dba Palomino, 825 Hennepin Av;

Temporary On-Sale Liquor

Joyce Emergency Food Shelf, 1300 Lagoon Av, on July 25, 1998 from 8:00 p.m. to 11:00 p.m., and July 27 & 28, 1998 from 6:00 p.m. to 10:00 p.m. (licensed facilitator: Goodfellows);

Temporary On-Sale Beer

The Church of St Anne, 2627 Queen Av N, on August 15, 1998 from 5:30 p.m. to 9:00 p.m., and August 16, 1998 from noon to 5:00 p.m. for parish festival;

Church of the Annunciation, 509 W 54th St, on September 12, 1998 from noon to 10:00 p.m., and September 13, 1998 from noon to 6:00 p.m. for parish festival;

University of Minnesota Mens Athletic Department, 4 Oak St SE, 121 Mariucci Arena, on September 5, 1998 from 11:30 a.m. to 1:30 p.m. at the parking lot on the corner of Chicago Av & 3rd St for All-Athlete Reunion.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of August 14, 1998, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 264019):

Amusement Devices; Place of Amusement Class A; Bowling Alleys; Building Contractor Class A; Building Contractor Class B; Cement Finisher; Contractor/Masonry Class A; Contractor/Masonry Class B; Dance Hall; Dancing School; All-Night Special Food; Food & Drink – Boarding House; Caterers; Confectionery; Food Distributor; Farm Produce (Profit or Non-Profit Permit); Grocery; Indoor Food Cart; Food Manufacturer; Mobile Food Vendor; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food

Establishment; Sidewalk Cafe Permit; Vending Machines; Hotel; Motor Vehicle Auctioneer; Motor Vehicle Dealer – Motor Cycles; Motor Vehicle Dealer – New & Used; Motor Vehicle Dealer – Used Only; Motor Vehicle Dealer – Additional Lots; Motor Vehicle Wholesaler; Motor Vehicle Repair Garage; Motor Vehicle Servicing Class B (Towing); Commercial Parking Lot Class A; Peddler – Special Religious; Pet Shop; Plumber; Pool Tables; Precious Metal Dealer; Second-Hand Dealer; Solid Waste Hauler; Swimming Pools; Tattooing; Tobacco Dealers; Tradesman-Combination; and Transient Merchant.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

Gambling-Lawful Class A

Church of the Incarnation, 3817 Pleasant Av, for bingo, pulltabs and raffle on October 3, 1998 at Risen Christ Catholic School (West Campus), 3800 Pleasant Av S (one-day; off-site);

Gambling-Lawful Class B

Church of the Annunciation, 509 W 54th St, for raffle on September 13, 1998 at Annunciation Church (one-day, off-site);

Sexual Violence Center, 2100 Pillsbury Av, at Gay Nineties Theater Cafe & Bar, 408 Hennepin Av;

Gambling Lawful Exempt

Builders Outreach Foundation, 2960 Centre Point Drive, Roseville, for raffle on October 2, 3 & 4, 1998 at Convention Center;

Holy Rosary Church, 2424 18th Av S, for raffle & pulltabs on October 4, 1998;

St John the Baptist Byzantine Church, 2215 NE 3rd St, for bingo, raffle, paddlewheel & pulltabs on October 18, 1998;

Children's Heartlink, 5075 Arcadia Av, for raffle on November 21, 1998 at Minneapolis Hilton, 1001 Marquette Av.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.
Approved August 20, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the following properties which have been determined by the Director of Inspections to create a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having received requests by the property owners to raze said properties, now recommends that the proper City Officers be authorized to raze the following properties:

- a. 3512 S 5th Av, Lot 4, Block 7, Clinton Avenue Addn (PID #03-028-24-41-0109);
- b. 2404 Bloomington Av, Lot 2, Block 1, Gales First Addn (PID #35-029-24-13-0002).

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the Auto Theft Prevention Project, now recommends that the proper City Officers be authorized to execute loan/lease agreements with auto providers that contain “Hold Harmless” language, as set forth in Petn No 264021 on file in the Office of the City Clerk. Said auto providers will loan/lease the vehicles to the City at no charge for several months, so they can be used as “bait vehicles”.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to renew the contract with Microsoft Corporation, in the amount of \$46,500, for its “Premier Support” Service to the Police Systems Development Division for electronic information support services on all Microsoft products, payable from Police (010-400-4182).

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.
Approved August 20, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to amend the Water Well Delegation Agreement with the Minnesota Department of Health to provide that the City begin collection of the State Core Function fee, effective July 1, 1998, as set forth in Petn No 264018 on file in the Office of the City Clerk.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. 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 Special School District #1 for the receipt of \$37,092 of unspent City funds to support the Welcome Center.

Your Committee further recommends passage of the accompanying Resolution appropriating \$37,092 to the Health Department Agency to reflect receipt of said funds.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-295
By Biernat and Campbell

Amending The 1998 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 Health Department

Agency in the Grants – Other Fund (060-440-4421) by \$37,092.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998. J. Cherryhomes, President of Council.

Approved August 20, 1998. 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 amend the State Criminal Gang Strike Force Grant Agreement with the State of Minnesota to reflect receipt of an additional \$24,800 for overtime costs and a leased vehicle for one additional officer that the Police Department has assigned to the Criminal Gang Strike Force.

Your Committee further recommends passage of the accompanying Resolution appropriating \$24,800 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-296
By Biernat and Campbell**

**Amending The 1998 General
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Other Fund (060-400-C007) by \$24,800.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998. J. Cherryhomes, President of Council.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your

Committee, having under consideration the Mounted Patrol operation, a joint project of the

Minneapolis Police Department and the Downtown Council through the non-profit group Friends of the Minneapolis Mounted Patrol, now recommends that the proper City Officers be authorized to accept the inventory of the Minneapolis Mounted Patrol as a donation of assets from the Friends of the Mounted Patrol, valued at \$63,350.84 as set forth in Petn No 264024 on file in the Office of the City Clerk.

Your Committee further recommends that the Police Department be authorized to assume the operational costs of the Mounted Patrol for the period April 1 through December 31, 1998, approximated to cost \$16,000, payable from Police (010-400-DT03).

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your

Committee, having under consideration reports passed by the Council on April 11, 1986 and June 12, 1986 authorizing seven take home vehicles for Fire Department personnel, now recommends that said reports be amended to authorize six vehicles to be reallocated to the following personnel in the Incident Command System:

- a. Fire Chief Rocco Forte (Incident Commander)
- b. Assistant Chief Ulysses Seal (Operations Officer)
- c. Captain Richard Turner, Emergency Preparedness (Liaison Officer)
- d. Deputy Chief John Fruetel, Chief of Training (Safety Officer)
- e. Assistant Chief of Training (Sector Safety Officer)
- f. Fire Marshal R. M. Campbell (After Hours Code Enforcement).

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

T&PW – Your Committee, having under consideration an agreement with the Minnesota Department of Transportation (MnDOT) whereby the City receives partial reimbursement for parking spaces provided for Rideshare parkers in the Orchestra Hall Parking Ramp, now recommends that the proper City officers be authorized to amend Agreement #10909 to continue MnDOT's participation in subsidizing the carpool rate at the Orchestra Hall Parking Ramp through July 1, 2000, with the understanding that MnDOT will be decreasing the subsidy over a two year period and will discontinue the subsidy after July 1, 2000.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Lyn/Lake Municipal Parking Lot Project and a report passed by the Council on May 22, 1998 authorizing the proper City officers to proceed with acquisition of certain properties, now recommends that Petn No 263799 be amended so as to include a corrected map and list of properties to be acquired for said parking lot project.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the 1998 Street Paving Program, Special Improvement of Existing Street #2928 (Zenith Av S) now recommends passage of the accompanying Resolution designating the locations and streets to be improved in said program.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-297

By Mead

**1998 STREET
PAVING PROGRAM
SPECIAL IMPROVEMENT
OF EXISTING STREET
NO 2898 (ZENITH AV S)**

Designating the improvement of certain existing streets at the locations described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by street paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

Zenith Av S (2898)

Zenith Av S from its dead-end Nly of 34-1/2 St W to 34-1/2 St W/Rose Ln.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998. J. Cherryhomes,
President of Council.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a cost estimate of \$130,000 for street paving improvements and a list of benefited properties for the 1998 Street Paving Program, Special Improvement of Existing Street No 2898 (Zenith Av S), as designated by Resolution 98R-297 passed August 14, 1998, now recommends that the City Engineer be directed to prepare a proposed 1998 Street Paving Special Improvement Assessment against the list of benefited properties by applying the 1998 Uniform Assessment Rates as per Resolution 98R-205 passed June 12, 1998.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on September 10, 1998, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of

Ordinances, to consider approving the construction of the above designated paving program and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration a proposed improvements to 10th St S from 3rd Av S to Park Av S, now recommends approval of Layout No.5, (dated June 3, 1998 and contained in Petn No 264027) providing for said improvements in 1999.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends approval of Layout #5A (dated July 21, 1998 and contained in Petn No 264027) for the improvement of Washington Av N (County Route #152) between Hennepin Av and Plymouth Av including the replacement of the Washington Avenue North bridge over the Burlington Northern Railroad between 3rd Av N and 5th Av N.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration a request by Satellite Productions to conduct a new project allowing artists to set up art in the parking lane of the street in front of a block of parking meters, now recommends authorization to conduct the Arts in the Curb Lane project for one day, September 17, 1998, on 10th St S between Marquette and LaSalle Av. Artists will be allowed to remain in the parking area only as

long as the public is willing to put money in the parking meter. Further, artists are required to provide adequate and necessary insurance to cover any liability and the event promoter will pay the cost of necessary barricading.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration applications for appointment to the Nicollet Av Task Force which will be making recommendations on redevelopment, roadway, transportation and streetscape design for Nicollet Av from Franklin Av to 62nd St, now recommends:

a) Passage of the accompanying resolution amending Resolution 98R-161 which established the Nicollet Av Task Force, to change the membership of the Task Force from 12 to 13 members, adding one additional at large member; and

b) That the following six individuals be appointed to the Nicollet Av Task Force as at large members for terms to expire on February 1, 1999, the date that the Task Force shall report its findings to the City Council:

1. Chuck Holdsworth, 3732 Blaisdell Av S
2. Nicholas R. Koch, 5025 Lyndale Av S
3. Ray Croaston, 4743 1st Av S
4. John R. Hotvet, 5100 Nicollet Av S
5. Nina Ebbighausen, 1408-2 Spruce Pl
6. Daniel R. Spencer, 2843 James Av S.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-298

By Mead

Amending Resolution 98R-161 entitled “Establishing a Task Force for the purpose of making redevelopment, roadway, transportation and streetscape design recommendations for Nicollet Av from Franklin Av to 62nd St”, passed May 22, 1998.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended by deleting from the second Resolving Clause the language, "five at large members" and inserting in lieu thereof the language, "six at large members".

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998. J. Cherryhomes, President of Council.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Public Works Facilities Project and the need to temporarily relocate the Street Maintenance Operations Division pending the final move of that division to new facilities in Phase II of the project and having been informed that the following two sites are under consideration for said relocation, now recommends:

a) 1301 Bryant Av N, that the proper City officers be authorized to negotiate a lease agreement with the intent to purchase as well as lease of adjacent Minneapolis Community Development Agency (MCDA) controlled property at 918 and 924 Plymouth Av; or

b) 198 Aldrich Av N, that the proper City officers be authorized to negotiate a lease agreement.

Your Committee further recommends that the City Engineer be authorized to sign a purchase agreement for one of said properties should an agreement be reached to sell at the appraisal value, all in accordance with the Permanent Review Committee and other City processes.

Cherryhomes moved to amend the report to indicate that authorization is granted subject to approval by the area neighborhood association. Seconded.

Adopted upon a voice vote.

The report, as amended was adopted.

Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. 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, having under consideration a joint effort between the Transportation Division and the Downtown Council to conduct a cordon count of the downtown Minneapolis area on September 16, 1998, now recommends that the proper City officers be authorized to:

a. Enter into a contract with the Downtown Council to conduct the 1998 Cordon Count; and

b. Enter into an agreement with the Metropolitan Council to provide funding in the amount of \$10,000 towards the cost of the Cordon Count, to be combined with budgeted City funds of \$39,000, and contributions from downtown businesses.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute an agreement with the Minnesota Department of Transportation (MnDOT) providing for reimbursement to the City by MnDOT in an amount not to exceed \$50,000 for expenses incurred by the City in utilizing consultant services to prepare conceptual signal design/Light Rail Transit (LRT) coordination plans for LRT along the Hiawatha Corridor.

Your Committee further recommends passage of the accompanying resolution appropriating \$50,000 to the PW – Transportation Field Operations Capital Agency for said reimbursable expenses.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-299

By Mead and Campbell

Amending The 1998 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 Transportation Field Operations Capital Agency in the Permanent Improvement Tax Fund (4100-943-9440) by \$50,000 for consultant expenses associated with Light Rail Transit signal design to be reimbursed by the MnDOT, and increasing the revenue source (4100-943-9440 – Source 3215) by \$50,000.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998. J. Cherryhomes, President of Council.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration a cooperative agreement with Hennepin County providing for the County to pay \$107,331.49 for restoration of 5th St SE between 10th Av and 15th Av SE which is required due to detour use during the Dinkytown Bridge and Street Construction Project, now recommends that the proper City officers be authorized to execute said agreement, Dinkytown Cleanup Project #PW 34-20-98, with Hennepin County.

Your Committee further recommends passage of the accompanying resolution appropriating \$23,072.48 to the PW – Transportation Field Operations Capital Agency, with the remaining amount required for the project (\$84,259.01) to be payable from the existing appropriation for reimbursable work in the Paving Construction Capital budget.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-300
By Mead and Campbell**

**Amending The 1998 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 Transportation Field Operations Capital Agency in the Permanent Improvement Tax Fund (4100-943-9440) by \$23,072.48 and increasing the revenue source (4100-943-9440 – Source 3220) by \$23,072.48.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998. J. Cherryhomes, President of Council.

Approved August 20, 1998. 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 #4936 (Petn No 264029) submitted by Ram Electric, Inc., in the amount of \$93,958.10, for furnishing and delivering all labor, equipment, materials and incidentals necessary to accomplish the Nicollet Av Street Lighting Project, all in accordance with City specifications.

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

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

W&M/Budget – Your Committee, having under consideration clean-up of the Schnitzer Iron and Metal site, in partnership with the City of St. Paul and the University of Minnesota (U of M), now recommends approval and confirmation of the City's acceptance of cost recovery monies from Northern States Power, in the amount of \$300,000.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be

authorized to execute an Addendum to the City's Master Contract with Keane, as primary Year 2000 contractor, to include hold-harmless liability changes and to expand the dollar limitation relating to the Keane contract only, from an amount not to exceed \$200,000 to an amount not to exceed \$2,000,000, specifically to allow the overall Year 2000 plan to move forward into 1999 and be managed as one statement of work, payable from Permanent Improvement Projects – Strategic Information Systems Project Planning (4100-972-A880).

Your Committee further recommends that staff be directed to report back to the Ways & Means/Budget Committee to discuss any costs in excess of \$2,000,000.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration a proposed new policy relating to “Employee Purchases of City-Owned or Acquired Property,” now recommends adoption of said new policy, as more fully set forth in Petn No 264041 on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the Title Consolidation Project in the City's Department of Information and Technology Services (ITS), reducing the number of job titles from 24 titles to 12, to create a workforce better suited to a fast-changing environment, now recommends approval of said consolidation.

Your Committee further recommends passage of the accompanying amendments to the Salary Ordinance setting the salary for the following positions, based on studies conducted by the Department of Human Resources:

Operations Support Technician I, II, III, and IV, Systems Integrator I, II, III, IV, and V.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-081

By Campbell

1st & 2nd Readings: 8/14/98

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

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

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

AFSCME, Local 9, Clerical & Technical (CAF)

Effective January 1, 1998

AUGUST 14, 1998

FLSA	OTC	CLASSIFICATION	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Operations Support Technician I	823	867	912	960	1011	1064	1120
N	3	Operations Support Technician II	974	1025	1079	1136	1196	1259	1325
N	3	Operations Support Technician III	1157	1218	1282	1350	1421	1495	1574

Section 2. That the following classification in Sections 20.10.01 of the above-entitled ordinance be amended to make the following changes: (bi-weekly rates)
 AFSCME, Local 9, Clerical & Technical (CAF)
 Effective January 1, 1999

FLSA	OTC	CLASSIFICATION	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Operations Support Technician I	844	889	935	984	1036	1091	1148
N	3	Operations Support Technician II	998	1051	1106	1164	1226	1290	1358
N	3	Operations Support Technician III	1186	1248	1314	1384	1456	1532	1613

Section 3. That the following classification in Sections 20.10.01 of the above-entitled ordinance be amended to make the following changes (bi-weekly rates):
 Minneapolis Professional Employees Association (MPEA)
 Effective January 1, 1998

FLSA	OTC	CLASSIFICATION	6 Months	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
E	4	Operations Support Technician IV	1303	1336	1406	1480	1559	1640	1727	1818
E	4	Systems Integrator II	1303	1336	1406	1480	1559	1640	1727	1818
E	4	Systems Integrator III	1478	1516	1596	1680	1768	1861	1959	2062
E	4	Systems Integrator IV	1561	1601	1685	1774	1867	1965	2068	2177
E	4	Systems Integrator V	1788	1834	1931	2032	2139	2252	2370	2495

Section 4. That the following classification in Sections 20.10.01 of the above-entitled ordinance be amended to make the following changes (bi-weekly rates):
 Minneapolis Professional Employees Association (MPEA)
 Effective January 1, 1999

FLSA	OTC	CLASSIFICATION	6 Months	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
E	4	Operations Support Technician IV	1335	1369	1441	1517	1598	1681	1770	1863
E	4	Systems Integrator II	1335	1369	1441	1517	1598	1681	1770	1863
E	4	Systems Integrator III	1515	1554	1636	1722	1812	1908	2008	2114
E	4	Systems Integrator IV	1600	1641	1727	1818	1914	2014	2120	2231
E	4	Systems Integrator V	1833	1880	1979	2083	2192	2308	2429	2557

Section 5. That the following classification in Sections 20.10.01 of the above-entitled ordinance be amended to make the following changes (bi-weekly rates):
 Electrical Inspectors and Technicians (I.B.E.W. Local #292)
 Effective January 1, 1998

FLSA OTC CLASSIFICATION	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N 3 Systems Integrator I	1047	1099	1153	1353	1425	1507	1586

Adopted. Yeas, 12; Nays none.
 Absent – McDonald.
 Passed August 14, 1998. J. Cherryhomes, President of Council.
 Approved August 20, 1998. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the property at 1221 W Lake St (the former J. Kline property), now recommends that the proper City officers be authorized to execute the necessary documents, including issuance of a Request for Proposals for disposal of said property.

Your Committee further recommends that staff be directed to report back to the Ways & Means/Budget Committee to discuss disposition of proceeds from the sale of said property.
 Adopted. Yeas, 12; Nays none.
 Absent – McDonald.
 Passed August 14, 1998.
 Approved August 20, 1998. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration a request to sponsor the Minneapolis Arts Commission’s Arts Resource Fair at the Sabathani Community Center on October 20, 1998, in conjunction with the Neighborhood Arts New Presenters Program, at a cost of \$10,000, now recommends approval for said sponsorship.

Your Committee further recommends passage of the accompanying Resolution increasing the Communications Agency Appropriation by \$10,000.
 Adopted. Yeas, 12; Nays none.
 Absent – McDonald.
 Passed August 14, 1998.
 Approved August 20, 1998. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-301
 By Campbell**

Amending The 1998 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 Communications Agency in the General Fund (0100-800-8015) by \$10,000.
 Adopted. Yeas, 12; Nays none.
 Absent – McDonald.
 Passed August 14, 1998. J. Cherryhomes, President of Council.
 Approved August 20, 1998. 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 individuals be settled and be payable as follows:
 a) Amy Arnoldi and her attorney, John M. Burke, \$12,000, payable from 6900-150-1500-4000;
 b) Illinois Farmer’s Insurance, Tate Kreitinger and his attorney, James Bly, payable from 6900-150-1500-6070;
 c) Charles Adams and his attorney, Martin T. Montilino, \$24,946.28 and Shannon Barnette and her attorney, Martin T. Montilino, \$16,538.51, payable from 6900-150-1500-4000.

Adopted. Yeas, 12; Nays none.
Absent – McDonald.
Passed August 14, 1998.
Approved August 20, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the Workers’ Compensation claims of Robert Nunn against the City of Minneapolis be settled, in an amount not to exceed \$50,826.68, in accordance with the terms and conditions set forth in a letter from the City Attorney’s Office to Council Member Campbell, dated July 7, 1998, Petn No 264033, to be payable from 6900-145-1451-2800, with the understanding that there will be partial reimbursement from the State.

Adopted. Yeas, 12; Nays none.
Absent – McDonald.
Passed August 14, 1998.
Approved August 20, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends concurrence with the Central Weed and Seed Steering Committee to award 1997-1998 Central State Weed and Seed funds to the Minneapolis Employment and Training Program (METP) for a Citation Savers Youth Program, in the amount of \$14,000.

Your Committee further recommends passage of the accompanying Resolution transferring funds and increasing the Neighborhood Services Agency Appropriation by \$14,000.

Adopted. Yeas, 12; Nays none.
Absent – McDonald.
Passed August 14, 1998.
Approved August 20, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-302
By Campbell**

**Amending The 1998 General
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

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

a) decreasing the Non-Departmental Agency Appropriation in the Grants – Other Fund (0600-123-1230-5130) by \$14,000; and
b) increasing the Neighborhood Services Agency Appropriation in the Grants – Other Fund (0600-860-8600-4000) by \$14,000.

Adopted. Yeas, 12; Nays none.
Absent – McDonald.
Passed August 14, 1998. J. Cherryhomes,
President of Council.
Approved August 20, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends concurrence with the recommendation of the Executive Committee to appoint Rebecca Law, Management Analyst I, to serve as a City representative on the Minneapolis Police Relief Association Board, to replace Monica Hennessey for the remainder of a 2-year term to expire December 31, 1998.

Adopted. Yeas, 12; Nays none.
Absent – McDonald.
Passed August 14, 1998.
Approved August 20, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration a request from the Office of Elections and Voter Registration to include messages announcing voter registration and election dates in the City’s utility billings (to be mailed in August and October, 1998), now recommends approval for said inclusions, Petn No 264038.

Adopted. Yeas, 12; Nays none.
Absent – McDonald.
Passed August 14, 1998.
Approved August 20, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends acceptance of the low bid received on OP #4922 (Petn No 264036), submitted by George F. Cook Construction Company, in the amount of \$7,870 for furnishing all labor, materials, equipment and incidentals necessary to accomplish the removal and installation of new trench drains at the Minneapolis Convention Center, all in accordance with City specifications.

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

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends amending the following Fund Availability Notices (FANs) issued to the Greater Minneapolis Day Care Association, extending said FANs for an additional year, through May 31, 1999:

Fund	Agency	Master Contract #	Purpose	Period	Amount	FAN #
0400-860-8605	GMDCA	10017	Public Service	6/1/97-5/31/99	\$645,612	25-1a
			Sliding Fee funds			
0400-860-8605	GMDCA	10017	Child Care Facility	6/1/97-5/31/99	\$341,940	25-2a
			Renovation Program			

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval for the position of Executive Director of the Minneapolis Civilian Police Review Authority (MCPRA) to be an appointed position, with the Board of the MCPRA to be the appointing authority.

Your Committee further recommends approval for payment of taxes and pension costs, in the amount of \$51,151.01, plus interest assessed on prior years' pension contributions, to provide for retroactive employment of said Executive Director.

Your Committee further recommends passage of the accompanying amendment to the **Salary Ordinance** setting the salary for the position of Executive Director of Civilian Police Review Authority.

Adopted. Yeas, 11; Nays, 1 as follows:

Yeas – Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, Johnson, Cherryhomes.

Nays – Minn.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-082
By Campbell
1st & 2nd Readings: 8/14/98

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

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

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

Effective April 20, 1998
Appointed Officials (CAP)

	Start Rate	After 1 year	After 3 years	After 6 years
APPOINTED OFFICIAL ADD: Executive Director, Civilian Police Review Authority	2,641	2,780	2,863	2,919

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes (bi-weekly rates):

Effective January 1, 1999
Appointed Officials (CAP)

	Start Rate	After 1 year	After 3 years	After 6 years
APPOINTED OFFICIAL ADD: Executive Director, Civilian Police Review Authority	2,708	2,850	2,936	2,993

Section 3. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes (bi-weekly rates):

Effective January 1, 2000 (a)
Appointed Officials (CAP)

	Start Rate	After 1 year	After 3 years	After 6 years
APPOINTED OFFICIAL ADD: Executive Director, Civilian Police Review Authority	2,775	2,921	3,009	3,067

Effective January 1, 2000 (b)*
Appointed Officials (CAP)

	Start Rate	After 1 year	After 3 years	After 6 years
APPOINTED OFFICIAL ADD: Executive Director, Civilian Police Review Authority	2,789	2,936	3,024	3,083

*Schedule (b) shall be in effect should the City's general fund revenue increase more than 3% for the year 2000 over the 1999 general fund revenue.

Adopted. Yeas, 11; Nays 1 as follows:

Yeas – Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, Johnson, Cherryhomes.

Nays – Minn.

Absent – McDonald.

Passed August 14, 1998. J. Cherryhomes, President of Council.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished September 10, 1998)

W&M/Budget – Your Committee, having under consideration the Lowry Hill Pedestrian Lighting Project, and having previously established said project and adopted the special assessment area, in accordance with public hearings held thereon, now recommends passage of the accompanying Resolution increasing the Public Works Transportation Capital Agency Appropriation by \$2,420,000 to provide funds for said project, to be reimbursed through special assessments levied against the benefited properties.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.
Approved August 20, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-303
By Campbell

**Amending The 1998 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 Public Works
Transportation Capital Agency in the
Permanent Improvement Projects Fund (4100-
943-9432) by \$2,420,000 and increasing the
Public Works Transportation Capital Agency
revenue estimate in the Permanent
Improvement Projects Fund (4100-943-9432-
Source 3880) by \$2,420,000.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998. J. Cherryhomes,
President of Council.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee
recommends that the proper City officers be
authorized to execute an interim contract with
Sedgwick of Minnesota, which would extend
their service period by up to three months to
allow time for the City to finalize the Request
for Proposals (RFP) process, at an additional
contract cost not to exceed \$20,000, payable
from 6900-820-8291.

Your Committee further recommends that
the proper City officers be authorized to issue a
Request for Proposals (RFP) for a Third Party
Administrator to provide Liability Claims
Administration for the City.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 14, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 18, 1998)

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

Z&P – Your Committee, having under
consideration the application of St Olaf Catholic
Church for a waiver from Interim Ordinance
97-Or-053, providing for a moratorium on the
establishment or expansion of surface parking
lots in the Downtown Surface Parking Study
Area, passed June 6, 1997, to permit a small
parking lot and small park at 825, 827, 831 2nd
Av S and 200, 204 S 9th St, now recommends
that said waiver be granted subject to the
following conditions:

1. That the site plan set forth in Petn No
264050 be implemented;

2. That the plantings and sod be installed
prior to the parking lot; and

3. That a minimum 5 feet of landscaping be
provided between the parking area and the
sidewalk.

Your Committee further recommends that
the related Findings set forth in Petn No
264050 be adopted.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished September 18, 1998)

Z&P – Your Committee, having under
consideration the application of Irwin A. Baker
for AAA Daily Labor, Inc for a waiver from
Interim Ordinance 98-Or-075, providing for a
moratorium on the establishment or expansion
of day labor facilities passed July 17, 1998, to
permit expansion of the day labor facility at
1906-08 Chicago Av S, now recommends that
said waiver be denied and the related Findings
set forth in Petn No 264050 be adopted.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under
consideration the appeal of Cash-N-Pawn from
the decision of the Planning Commission
denying Cash-N-Pawn's application for a
conditional use permit to allow a pawn shop at
2726 E Lake St (C-1887), and having

conducted a public hearing thereon, now forwards without recommendation. (Petr No 264050)

Thurber moved that the report be amended by deleting the words "now forwards without recommendation" and inserting in lieu thereof the words, "now recommends that said appeal be denied and the decision of the Planning Commission be upheld in accordance with the Findings of Fact on file in the Office of the City Clerk and made a part of this report by reference". Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 10; Nays, 2 as follows:

Yeas – Thurber, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, Johnson, Cherryhomes.

Nays – Ostrow, Minn.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee concurs in the Mayor's appointment of the following people to the Committee on Urban Environment for terms ending March 5, 2002:

Craig Anderson, 3011 Oakland Av S, Ward 8;

Nicholas Heille, 3460 Garfield St NE, Ward 1;

Kim Havey, 1227 Hennepin Av S #5B, Ward 7; and

Theodore Tucker, 319 5th St SE, Ward 5. (Petr No 264046)

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the application of the Minneapolis Public Works Department (#1244) to vacate part of the alley in the block bounded by Hennepin Av, 1st Av N, 5th St N and 6th St N and to provide part of the site for relocation of the Shubert Theater, now finds that said alley is no longer needed for any public purpose and concurs in the recommendation of the Planning Commission to approve said vacation. (Petr

No 264050)

Your Committee further recommends passage of the accompanying resolution.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-305

By McDonald

Vacating the alley in the block bounded by Hennepin Avenue, 1st Avenue North, 5th Street North and 6th Street North.

Resolved by The City Council of The City of Minneapolis:

That all that part of the public alley as opened in Block 1 of Hoag's Addition to Minneapolis, described as the rear 20' of Lots 1, 2 and 3, Block 1 of Hoag's Addition is hereby vacated.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998. J. Cherryhomes, President of Council.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the Environmental Assessment Worksheet process for the 444 Marquette Project, now recommends that the City Council not order the development of an Environmental Impact Statement and therefore make a Negative Declaration, and further, adopt the "Findings of Fact and Record of Decision" report set forth in Petr No 264049.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the Environmental Assessment Worksheet process for the Washburn Crosby Utility Building and Stone Arch Lofts Project, now recommends that the City Council not order the development of an Environmental

Impact Statement and therefore make a Negative Declaration, and further, adopt the "Findings of Fact and Record of Decision" report set forth in Petn No 264049.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your committee, to whom was referred back an ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances, adding a new Chapter 588 relating to Moratorium on establishment, re-establishment or expansion of any automobile service station, automobile convenience facility, garage for the storage, repair or servicing of motor vehicles, or automobile combination convenience facility in any of the B3 zoning districts or in the B-2-S zoning district, and having conducted a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Minn moved to reconsider the vote on the above report. Seconded.

Adopted by unanimous consent.

Minn moved that the ordinance be amended by inserting after the words "or automobile combination convenience facility" in paragraph 588.40 the words ", except for repair or removal of underground storage tanks,".

Seconded.

Adopted by unanimous consent.

The report was adopted.

Yeas, 11; Nays none.

Absent – Thurber, McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-083

By Johnson

Intro & 1st Reading: 5/22/98

Ref to: Z&P

2nd Reading: 8/14/98

Amending Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances, by adding a new Chapter 588 relating to a Moratorium on the establishment, re-establishment or expansion of any automobile service station, automobile convenience facility, garage for the storage, repair or servicing of motor vehicles, or automobile combination convenience facility in any of the B3 zoning districts or in the B-2-S zoning district.

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 588 to read as follows:

CHAPTER 588. PROVIDING FOR A MORATORIUM ON THE ESTABLISHMENT, RE-ESTABLISHMENT OR EXPANSION OF ANY AUTOMOBILE SERVICE STATION, AUTOMOBILE CONVENIENCE FACILITY, GARAGE FOR THE STORAGE, REPAIR OR SERVICING OF MOTOR VEHICLES, OR AUTOMOBILE COMBINATION CONVENIENCE FACILITY IN ANY OF THE B3 ZONING DISTRICTS OR IN THE B-2-S ZONING DISTRICT

588.10. Authority. Pursuant to Minnesota Statutes Section 462.355, Subd. 4, the city is authorized to establish interim ordinances to regulate, restrict or prohibit any use or development in all or a part of the city while the city or its planning department is conducting studies, or has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of the comprehensive plan or official zoning controls. In furtherance of this statutory authority, the city has enacted Chapter 529 of the zoning code that governs the establishment of interim ordinances. The city declares that this interim ordinance is established pursuant to the aforementioned statute and city ordinance.

588.20. Findings and purpose. The City of Minneapolis is conducting a major revision of its comprehensive plan, zoning code and zoning map. One of the goals of the revision is to minimize land use conflicts and to protect the unique character of city neighborhoods.

The city council is concerned with the increased traffic which results when there is an establishment, re-establishment or expansion of an automobile service station, automobile

convenience facility, garage for the storage, repair or servicing of motor vehicles, or automobile combination facility. The city council is also concerned with the operational characteristics of such facilities which include the facilities operating hours, resulting noise and increased artificial lighting which can cause quality of life concerns in the city and new comprehensive city plan. The city finds that the interim ordinance should be adopted to protect the planning process and the health, safety and welfare of the citizens. Automobile service stations, automobile convenience facilities, garages for the storage, repair or servicing of motor vehicles, and automobile combination convenience facilities are unique in the fact that they are typically the most intense commercial uses which are found in neighborhood commercial nodes. These businesses therefore have a greater impact on neighborhood livability.

As a result of the important land use and zoning issues cited above, the city, through its planning department, will conduct studies for the purpose of consideration of possible amendments to the comprehensive plan or official zoning controls to address the issues concerning the establishment, re-establishment or expansion of automobile service station, automobile convenience facility, garage for the storage, repair or servicing of motor vehicles, and automobile combination convenience facilities. The city finds that this interim ordinance should be adopted to protect the planning process and the health, safety and welfare of the citizens.

588.30. Zoning study. The entire City of Minneapolis is hereby declared to be an interim zoning study area, with respect to the establishment, re-establishment or expansion of automobile service stations, automobile convenience facilities, garages for the storage, repair or servicing of motor vehicles, or automobile combination convenience facilities in the B3 zoning districts and B-2-S zoning district. The planning department is directed to commence a study of the effects of the establishment, re-establishment or expansion of automobile service stations, automobile convenience facilities, garages for the storage, repair or servicing of motor vehicles, and automobile combination convenience facilities within the zoning study area and to propose such amendments to the comprehensive plan

or official zoning controls that the planning department deems necessary.

588.40. Restrictions. For a period of one year from the date of final approval of this chapter, no demolition permit, building or construction permit, zoning certificate or license for the establishment, re-establishment or expansion of any automobile service station, automobile convenience facility, garage for the storage, repair or servicing of motor vehicles, or automobile combination convenience facility, except for repair or removal of underground storage tanks, shall be allowed or granted for any property located in the zoning study area 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.

588.50. Hardship. In cases of hardship, any person having a legal or equitable interest in land and aggrieved by the requirements of this interim ordinance may apply to the city council for a waiver of all or a portion of the applicable restrictions as provided for in Chapter 529 of the zoning code. A waiver may be granted where the city council finds substantial hardship caused by the restrictions and finds that the waiver will not unduly affect the planning process or the purposes for which the interim ordinance is enacted.

Adopted. Yeas, 11; Nays none.

Absent – Thurber, McDonald.

Passed August 14, 1998. J. Cherryhomes, President of Council.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, to whom was referred back an ordinance amending Title 20, Chapter 525, Article VIII of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement, Interim Uses, and related actions, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends that the fee for an interim use be established at \$25.

Your Committee further recommends approval of the form for application for an interim use, as set forth in Petn No 263960.

Campbell moved that the report be amended by deleting the figure “\$25” in the

second paragraph and inserting in lieu thereof the figure "\$100", and by adding the following paragraph to the end of the report:

"Your Committee further recommends that staff be directed to make a recommendation on a possible increase in the fee for special council permits in the 1999 budget and on whether the \$100 fee for interim uses is sufficient to cover costs." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 10; Nays, 2 as follows:

Yeas – Thurber, Ostrow, Campbell, Biernat, Niland, Colvin Roy, Herron, Mead, Johnson, Cherryhomes.

Nays – Goodman, Minn.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-084

By Campbell

Intro & 1st Reading: 5/8/98

Ref to: Z&P

2nd Reading: 8/14/98

Amending Title 20, Chapter 525, Article VIII of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement, Interim Uses.

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

Section 1. That Section 525.420 of the above-entitled ordinance be amended to read as follows:

525.420. Hearing on applications for interim use. The zoning and planning committee shall hold a public hearing on each valid and complete application for interim use as provided in section 525.140.

Section 2. That Section 525.430 of the above-entitled ordinance be amended to read as follows:

525.430. Findings and recommendations of zoning and planning committee. After the close of the hearing on a proposed interim use, the zoning and planning committee shall make findings, pursuant to section 525.350, Required Findings for Conditional Use Permits, and shall submit the same together with its recommendations to the city council.

Section 3. That Section 525.450 (a) (3) of the above-entitled ordinance be amended to read as follows:

525.450. Interim use conditions and guarantees. (a) In general. Any city council approval of an interim use shall be subject to the following conditions:

(3) The date or event that will terminate the interim use shall be identified with certainty. Interim uses may not be granted for a period of greater than twelve (12) months.

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

Yeas – Thurber, Ostrow, Campbell, Biernat, Niland, Colvin Roy, Herron, Mead, Johnson, Cherryhomes.

Nays – Goodman, Minn.

Absent – McDonald.

Passed August 14, 1998. J. Cherryhomes, President of Council.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the application of Eric P. Strauss for a special temporary permit to allow the issuance of building permits notwithstanding the Zoning Code, and to allow construction of tenant improvements for Crazy Carrot Juice Bar Inc at 1327 4th St SE, pending approval of a parking variance, now recommends approval with the understanding that no property right to the parking variance nor any waiver of the process is granted, and upon condition that the property must conform to the Zoning Code in order to conduct business after the expiration of the temporary permit. (1998-165)

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **Ways & Means/Budget** report relating to the Shubert Theater was considered at this time and was published in *Finance and Commerce* Tuesday, August 18, 1998, after Mayoral veto on August 14, 1998.

VETOED BY THE MAYOR

W&M/Budget – Your Committee, to whom was referred by the Community Development

Committee without recommendation, the Minneapolis Community Development Agency (MCDA) recommendations relating to the move of the Shubert Theater from Block E in Downtown Minneapolis, said recommendations to include execution of related actions/ documents involving the sale of the City-owned property at 516 Hennepin Avenue (including the adjacent vacated alley) to Artspace Projects, Inc., in accordance with the amended terms set forth in Petn No 264034; authorization for relocation of the existing transit shelter at 516 Hennepin Avenue; and required appropriation increases, now recommends that the MCDA recommendations to move the Shubert Theatre from Block E and to approve passage of the accompanying resolution increasing the MCDA appropriation in Funds CBX (City Center) by \$3,419,000, CPQ (Neiman Marcus) by \$735,550, and CAD (Tax Increment Administration) by \$42,581 to cover the cost of moving the theater (including a new foundation), engineering consulting and pre-development costs, and the Tax Increment Financing City administrative fee be sent forward without recommendation.

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

Campbell moved to amend the report to delete the language, "sent forward without recommendation," and to insert in lieu thereof, the word, "approved." Seconded.

Adopted upon a voice vote.

Niland moved to amend the report to add the following language at the end of the report:

"Your Committee further recommends that, in the matter of the sale of City-owned property and the sale of the MCDA-owned Shubert Theater, that all approvals for such sale be subject to Artspace Projects, Inc. executing a binding option/sale agreement with the owner of adjacent property, Mr. Binger, no later than noon on Friday, August 21, 1998." Seconded.

Adopted upon a voice vote.

Minn moved to direct staff to enter into a contract with the preferred bidder to move the theater and to direct that bilateral agreements between parties include termination provisions, should Brookfield not complete development under the terms of the contract. Seconded.

Lost upon a voice vote.

The report, as amended by Campbell and Niland, was adopted.

Yeas, 7; Nays, 5 as follows:

Yeas – Campbell, Niland, Goodman, Herron, Mead, Minn, Cherryhomes.

Nays – Thurber, Ostrow, Biernat, Colvin Roy, Johnson.

Absent – McDonald.

Passed August 14, 1998.

Vetoed August 14, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(See Unfinished Business at the next City Council meeting.)

(Published August 18, 1998)

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

Committees submitted the following report:

T&PW & W&M/Budget – Your Committee, having under consideration the accompanying resolution authorizing the sale of the property at 516 Hennepin Av (along with adjacent vacated alley) to Artspace Projects, Inc. to be used for relocation of the Shubert Theater, according to the terms fully described in Petn No 264034 and 264028, and approval of the following terms regarding the sale and relocation of the transit station currently on the property:

a) That the proper City officers be directed to prepare an option/sale agreement on the property to Artspace Projects, Inc. The option term would transfer fee title to the property only upon Artspace Projects, Inc. receiving or purchasing fee title to the adjacent Binger property, as outlined in the development proposal term sheet contained in Petn No 264034;

b) The option would convey the property at 516 Hennepin Av for the price of \$1.1 million plus relocation costs for the transit shelter (estimated at \$140,000). The option would provide that the purchase price of the property can be reduced in increments of \$250,000 for every \$2.5 million cash in hand raised by Artspace Projects, Inc. for the Shubert Theater project, up to the total purchase price and relocation costs. The contributions raised must be cash in hand, not pledges or commitments;

c) That the Public Works Transportation Division and the Minneapolis Community Development Agency (MCDA) be directed to investigate potential funding sources, other

than the Public Works Transportation Division budget, to assist with the cost of relocating the transit station from 516 Hennepin to its new location. Artspace Projects, Inc. would not be obligated to repay the costs if they meet the fundraising goal;

T&PW – recommends passage of said resolution and approval of said terms.

W&M/Budget – recommends passage of said resolution and approval of said terms, with paragraph “b” amended to read as follows:

b) The option would convey the property at 516 Hennepin Av for the price of \$1.1 million plus relocation costs for the transit shelter (estimated at \$140,000). The option would provide that the purchase price of the property can be reduced in increments of \$300,000 for every \$2.5 million cash in hand raised by Artspace Projects, Inc. for the Shubert Theater project, up to the total purchase price and relocation costs. The contributions raised must be cash in hand, not pledges or commitments. Further that the proper City officers be authorized to execute a contract with Metro Transit relative to conditions of the transit shelter move.

Mead moved that the report be referred back to the Transportation & Public Works and Ways & Means/Budget Committee and that the Public Works Department be directed to bring the matter before the City Planning Commission at their next regular meeting for review and comment as required by the City Charter. Seconded.

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

Yeas – Niland, Goodman, Herron, Mead, Minn, Cherryhomes.

Nays – Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Johnson.

Absent – McDonald

Mead moved to amend the report to delete the recommendation of the Transportation & Public Works Committee and to approve the recommendation of the Ways & Means/Budget Committee and to include that the Public Works Department be directed to bring the matter before the City Planning Commission at their next regular meeting for review and comment as required by the City Charter. Seconded.

Adopted by unanimous consent.

The report, as amended, lost.

Yeas, 6; Nays, 6 as follows:

Yeas – Campbell, Goodman, Herron, Mead, Minn, Cherryhomes.

Nays – Thurber, Ostrow, Biernat, Niland, Colvin Roy, Johnson.

Absent – McDonald

Niland moved to reconsider the vote on the above report, as amended. Seconded.

Adopted upon a voice vote.

Niland moved that the report be postponed. Seconded.

Adopted upon a voice vote.

Motions

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 September 1998 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Goodman moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Jackie Hayes for a residential block event to be held August 14, 1998, between the hours of 4 and 10 p.m. on Pleasant Avenue South between West 37th and 38th Streets, having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Biernat moved to introduce the subject matter of an Ordinance amending Title 15 of the Minneapolis Code of Ordinances relating to *Offenses—Miscellaneous*, to consider “floating crap games”, which was given its first reading and referred to the Public Safety & Regulatory Services Committee for a public hearing August 19, 1998, at 3 PM.

RESOLUTION

RESOLUTION 98R-306

By Campbell

**State Auditor's Report of Audit of the
Minneapolis Police Relief Association.**

Whereas, the Minneapolis Police Relief Association (MPRA) is a public corporation independent from the City entrusted with collecting, investing and disbursing pension funds for Minneapolis police officers hired before June 15, 1980, and their beneficiaries; and

Whereas, the State Auditor is charged with reviewing the financial management practices of the MPRA; and

Whereas, the State Auditor has conducted an audit of MPRA financial management practices which raises important questions about the investment and management practices of the MPRA; and

Whereas, the City of Minneapolis is concerned about the impact of MPRA financial management practices on the ability of the MPRA to continue an appropriate level of pension payments for the retired police officers and their beneficiaries; and

Whereas, the City of Minneapolis is also concerned about the financial liability of City taxpayers if investment losses increase the taxpayer's obligation to fund the future benefit obligations of the MPRA; and

Whereas, the City is concerned that many of the same issues relating to financial management practices of the MPRA are also applicable to the financial management practices of the Minneapolis Fire Fighters Relief Association (MFFRA);

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

That the City Finance Officer is directed to review the report of the State Auditor and report his findings and recommendations to the City Council;

Be It Further Resolved that the City Attorney is directed to take any appropriate legal action to protect the interests of the City of Minneapolis and its taxpayers relating to the audit of the MPRA and to report to the City Council regarding such legal actions.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998. J. Cherryhomes, President of Council.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Unfinished Business

Raze building: 3044 10th Av South
(Postponed 3/27/98, PS&RS)

Herron moved to continue postponement.
Seconded.

Adopted upon a voice vote.

Motion by Cherryhomes that a new standing committee of the City Council be created entitled "Health and Human Services" to be chaired by Council Member Herron with meeting dates, times, and membership to be considered at the next regular City Council meeting. (Postponed 6/26/98)

Biernat moved to continue postponement.
Seconded.

Adopted upon a voice vote.

Trackstar Motorsports Inc: Passage of Ordinance to rezone 2610 E 32nd St from M2-2 to B3C-1 to permit a motorcycle sales showroom; and adopt related findings.
(Postponed 7/31/98, Z&P) (9 votes)

Minn moved to continue postponement.
Seconded.

Adopted upon a voice vote.

Goodman moved that the neighborhood representative positions on the Avenue of Arts Implementation Board established by the Council May 22, 1998, be filled by the following individuals:

Loring Park: Miriam Must, 1409 Mt. Curve, Minneapolis 55403;

Stevens Square: James Davies, 1923 3rd Avenue S., Minneapolis 55404;

Whittier: Janet Lofquist, 2013 Stevens Avenue S., Minneapolis 55404.

Goodman further moved that the at-large positions on the avenue of Arts Implementation Board be filled by the following individuals:

Michael O'Keefe – McKnight Foundation, 121 S. 8th Street, Minneapolis 55402;

Jack Rice – Rice Company, 3914 IDS Center, Minneapolis 55402;

William George – Medtronic Inc, 7000 Central Avenue NE, Fridley 55432;

Kelly O'Brien – Hennepin History Museum Trustee, 2119 Como Avenue, St. Paul 55108;
Barry Murphy – American Express Financial Advisory, IDS Tower 10, Minneapolis 55404;

Jim Hale – Dayton Hudson Corporation, 777 Nicollet Mall, Minneapolis 55402;

James Smiley – US West, 200 S. 5th Street, Minneapolis 55402;

Deborah Hopp – Down Town Council, MSP Communications, 220 S. 6th Street, #500, 55402.

Seconded.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Passed August 14, 1998.

Approved August 20, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

et al. lawsuit and to conduct any other business deemed necessary at that time. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – McDonald.

Adjourned.

Merry Keefe,
City Clerk.
98-7360

New Business

Mead offered an Ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Traffic Code: Parking, Stopping and Standing, which was given its first reading and referred to the Transportation & Public Works Committee (Amending language for electronic parking meters adding language restricting parking at broken or inoperable parking meters).

Biernat offered an Ordinance amending Title 10, 13 and 14 of the Minneapolis Code of Ordinances, to increase license fees that were incorrect or left out of the general fee increase ordinance passed May 22, 1998, which was given its first reading and referred to the Public Safety & Regulatory Services Committee.

Biernat offered an Ordinance amending Title 12 of the Minneapolis Code of Ordinances relating to Housing: Truth in Sale of Housing, which was given its first reading and referred to the Public Safety & Regulatory Services Committee.

Campbell moved that when this Council adjourns, it adjourns to Friday, August 21, 1998, at 9:30 a.m. in Room 315, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of August 14, 1998, to consider litigation strategies in the matter of Killebrew vs. Dilorio,