

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

ADJOURNED SESSION OF THE REGULAR MEETING OF MARCH 5, 1999, HELD

MARCH 16, 1999

(Published March 19, 1999,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

March 16, 1999 – 8:10 p.m.

President Cherryhomes in the Chair.

Present – Council Members Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, McDonald, Johnson, Thurber, Ostrow, President Cherryhomes.

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

ELECTIONS Committee (See Rep):

ELECTIONS DEPARTMENT (264630)

Ward 13 Council Member: Establish special election to fill vacancy, primary election 4/13/99, general election 5/18/99.

ZONING AND PLANNING Committee (See Rep):

PLANNING COMMISSION/DEPARTMENT
(264631)

1000 Nicollet Phase II Project (aka Target Headquarters Phase II): Planning Dept: Recommend find Environmental Impact Statement (EIS) adequate; EIS Draft findings of fact & record of decision; Summary of basis for adequacy decision; Special Report providing additional information on the EIS as requested by Committee.

Attorney: Review Chap 389, Art 3, Sec 45, Subd 2, Minn Laws 1998 & Environmental Rules, addressing how tax law requirements relate to publication of adequacy of EIS.

Dayton Hudson Corporation: Summary of modifications to Phase II building plans.

Thomas L Wimer: Comments.

Faegre & Benson: Comments on Dayton Hudson Corp, w/exhibits re Potential Effects Of Additional Building Alternatives, Responsiveness of Final EIS to Scoping Issues, Downtown's Physical Setting & Office Space, Massing, Building Height, drawings.

Richard Anderson: Sign-in sheets from 2 earlier hearings on the EIS.

Downtown Minneapolis Neighborhood Association: Comments w/map, site diagram & computer generated picture.

Leslie Johnson: Comments.

Jean Deatrick & John W Gridley: Comments.

Sally Anson: Comments.

FILED:

COUNCIL MEMBER MINN (264631.1)

Letter of resignation effective March 8, 1999.

REPORTS OF STANDING COMMITTEES

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

Elections – Your Committee recommends passage of the accompanying resolution establishing a special election to fill the Thirteenth Ward Council seat vacancy and setting the schedule for filing dates, primary election and special election.

Adopted. Yeas, 12; Nays none
Passed March 16, 1999.
Approved March 16, 1999. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.
(Republished April 17, 1999)

RESOLUTION 99R-065
By Biernat

**Establishing a Special Election for Council
Member of the Thirteenth Ward.**

Whereas the City Council has received a letter of resignation from Council Member Steve Minn dated March 5, 1999, resigning from his office of Thirteenth Ward Council Member effective on March 8, 1999; and

Whereas, by reason of the resignation of Council Member Steve Minn effective March 8, 1999, there exists a vacancy in the office of the Thirteenth Ward Council Member; and

Whereas, the City Council, pursuant to Chapter 2, Section 16 of the Minneapolis City Charter, is required to order a special election to be held in the Ward when such vacancy exists;

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

That the City Council finds that Council Member Steve Minn has resigned his office of Thirteenth Ward Council Member effective on March 8, 1999.

Be It Further Resolved that the City Council finds that a vacancy exists in the office of the Thirteenth Ward.

Be It Further Resolved that it is hereby ordered that a Special Election be held on May 18, 1999, for the election of a Council Member in the Thirteenth Ward for the vacancy herein.

Be It Further Resolved that for the purpose of selecting the two candidates to be voted upon at such special election, it is ordered that a primary election be held on April 13, 1999, and that the date for filing shall commence on March 16, 1999 and shall close on March 23, 1999.

Adopted. Yeas, 12; Nays none.

Passed March 16, 1999. J. Cherryhomes,
President of Council.

Approved March 16, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.
(Republished April 17, 1999)

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

Z&P – Your Committee, having under consideration the issue of the adequacy of the Environmental Impact Statement for the 1000 Nicollet Phase II Project under the Minnesota Environmental Policy Act and Minn. Rules Chapter 4410 and specifically under 4410.2800 Subp. 4, and having conducted a public hearing thereon, now recommends that the EIS be deemed not adequate. (Petn No 264631)

Campbell moved that the report be amended by deleting the word “not” at the end of the paragraph. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 8; Nays, 4 as follows:

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

Nays – Niland, Goodman, Mead, McDonald.
Passed March 16, 1999.

Approved March 17, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

MOTIONS

Campbell moved that this meeting be moved to Room 315 City Hall for a closed session for the purpose of consideration of the following: a) In re: Larry Blackwell; b) Cash & Pawn vs. City of Minneapolis. Seconded.

Adopted upon a voice vote.

Present – Council Members Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, McDonald, Johnson, Thurber, Ostrow, President Cherryhomes.

The subject matter of Cash & Pawn vs. City of Minneapolis was discussed from 8:27 p.m. to 8:50 p.m.

Also present: Jay Heffern, City Attorney; Stu Browne, Assistant City Attorney, Tim Giles, Director of Labor Relations; Charles Ballentine, Director, Planning Department; Kathleen O'Brien, City Coordinator; Merry Keefe, City Clerk; Kent Robbins, Council Assistant; Jan Hrcir, Chief Committee Coordinator.

The subject matter of Larry Blackwell was discussed from 8:50 p.m. to 9:45 p.m.

Also present: Jay Heffern, City Attorney; Charles Nauen and Earle F. Kyle, IV, Outside Counsel from Lockridge Grindal Nauen & Holstein

law firm; Tim Giles, Director of Labor Relations; Kathleen O'Brien, City Coordinator; Merry Keefe, City Clerk; Jan Hrcir, Chief Committee Coordinator.

This closed session was tape recorded with the tapes on file in the office of the City Clerk.

Campbell moved that the meeting be opened for the purpose of consideration of the remaining agenda items. Seconded.

Adopted upon a voice vote.

UNFINISHED BUSINESS

Ostrow withdrew his notice of intent to introduce the subject matter of an ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to *Interim* Ordinances to provide for a moratorium on development on the Nicollet Mall from 1st Street South to Grant Street including all zoning lots abutting the Nicollet Mall.

Ostrow gave notice of intent to introduce the subject matter of an ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to *Interim Ordinances* to provide for a moratorium on development on the Nicollet Mall from 2nd Street South to 4th Street South and from 10th Street South to 12th Street South including all adjacent zoning lots abutting the Nicollet Mall, for first reading and referral to the Zoning & Planning Committee for setting of a public hearing.

NEW BUSINESS

Biernat moved that when this Council adjourns, it adjourns to Friday, March 19, 1999, at 9:30 a.m. and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of March 5, 1999, for the purpose of considering the subject matter of the kondirator and to continue discussion relating to Larry Blackwell, and to conduct any other business deemed necessary at that time. Seconded.

Adopted. Yeas, 12; Nays none.

Adjourned.

MERRY KEEFE,
City Clerk.
99-2166