

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF

### JUNE 11, 1999

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

Council Chamber

Minneapolis, Minnesota

June 11, 1999 - 9:30 a.m.

President Cherryhomes in the Chair.

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

Absent - Herron.

Campbell moved acceptance of the minutes of the regular meeting of May 21, and the adjourned June 1, 1999. 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 (See Rep):

COORDINATOR (264863)

Near Northside Implementation Committee: Authorize expansion of membership to include representatives from Hennepin Cty, Mpls Board of Education, Mpls Library Board & US Dept of Housing & Urban Development.

COMMUNITY DEVELOPMENT AGENCY,  
MINNEAPOLIS (MCDA) (264864)

Trinity Apartments Corp (2800 E 31st St): Preliminary approval to issue multifamily mortgage revenue refunding bonds.

Mpls Police Drug Forfeited Properties Program: Authorize sale of 1501 Hall Curve to Bobby Champion.

Laurel Village: Authorize execution of consents, documents & waivers relating to substitution of credit enhancement for & optional tender of Housing Revenue Bonds.

Federal Low Income Housing Tax Credits: Preliminary reserve 1999 tax credits for Hope Harbor Project, 55 Glenwood Ave N.

Nicollet Ave at Lake St: Directions to staff relating to re-opening Nicollet Ave & redeveloping Nicollet Ave at Lake St.

#### COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COORDINATOR (264865)

Neighborhood Revitalization Program Phase II Planning Update Report.

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

COMMUNITY DEVELOPMENT AGENCY,  
MINNEAPOLIS (MCDA) (264866)

Historic Milwaukee Depot (300 Washington Ave S): Revised development proposal; Proposed Modification No. 12 to Industry Square Redevelopment Plan, Modification No. 61 to Common Plans, the Historic Milwaukee Depot Reuse Development Plan & the Historic Milwaukee Depot Reuse Tax Increment Finance Plan.

American Indian Business Development Corp: Implement US Bank refinancing of first mortgage plus new second mortgage on "business incubator" at 14th Ave & E Franklin Ave.

COORDINATOR (264866.1)

Great Lake Center Project: Authorize submittal of Economic Development Initiative application.

Catholic Charities of the Archdiocese of St. Paul & Mpls: Authorize one-time award of FY99 Emergency Shelter Grant Program funds for four

months operation of Hennepin County Homeless Shelter Overflow area at 519 Portland Ave S.

**NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (264867)**

Windom Park Neighborhood NRP: Approve use of Hennepin County's "Second 7.5%" NRP funds to support production & distribution of welcome packets.

Near North Willard Hay Neighborhood Action Plan: Approve Modification #10.

West Calhoun Neighborhood Action Plan.

Lowry Hill East Neighborhood Action Plan.

**ELECTIONS (See Rep):**

ELECTIONS DEPARTMENT (264868)

1999 Elections: Designation of polling places.

**HEALTH AND HUMAN SERVICES:**

HEALTH AND FAMILY SUPPORT SERVICES (264869)

Legislative Agenda Wrap-up: Update report.

The "Stay Alive" Project: Status report.

**HEALTH AND HUMAN SERVICES (See Rep):**

HEALTH AND FAMILY SUPPORT SERVICES (264870)

Summer Youth News: Issue Fund Availability Notice to Special School District #1 to compensate Edison High School staff for supervision of high school students enrolled in summer internships.

Health Care/Day Care and Early Childhood Education Services: Execute amendment to contract with Fremont Community Health Services; and Issue Fund Availability Notices to Greater Minneapolis Day Care Association and Parents in Community Action Inc.

Way to Grow Program: Issue Fund Availability Notice to Youth Coordinating Board for continued funding of program.

Local Workforce Service Area Designation: Submit petition to Minnesota Department of Economic Security to designate Minneapolis as a local Workforce Service Area.

Community Outreach and Education Services: Issue Fund Availability Notice to Harriet Tubman Center for 24-hour crisis line, shelter for women and children, legal advocacy and outreach to students and groups through classroom presentations.

Phillips Neighborhood Revitalization Program Supportive Services: Amend various Fund Availability Notices and Modify contract with Minneapolis American Indian Center to extend performance period through December 31, 1999.

**HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):**

HEALTH AND FAMILY SUPPORT SERVICES (264871)

Summer Youth Employment & Training Program and School-to-Work Programs: Accept \$585,782 of Minnesota Youth Program funds from Minnesota Department of Economic Security to support programs for in and out-of-school youth; and Appropriate grant funds.

Maternal & Child Health Special Project: Issue Request for Proposals for state and federally funded competitive grant process.

McKnight Welfare to Work Initiative: Accept \$62,000 from Hennepin County; Appropriate grant funds and 1999 original funding allocation; and Amend various Fund Availability Notices.

**INTERGOVERNMENTAL RELATIONS:**

COORDINATOR (264872)

New Central Library: Coordinator: Update on evaluation of short list of sites, Revised project schedule, w/attached map, drawings.

Library: Program and stacking diagram, Functions of library.

LIAISON/FEDERAL, LOCAL AND STATE (264873)

1999 Legislative Session: Liaison: 1999 Session Summary.

Bonnie Balach: Session Summary relating to MCDA issues.

Property Tax Study Project: Evaluation of Session re revenue, tax & spending restraint issues.

**INTERGOVERNMENTAL RELATIONS**

**(See Rep):**

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (264874)

American Heritage River Initiative: Update report, authorize execute Memorandum of Understanding with other Upper Mississippi River communities, River Navigator & Federal Agencies, approve priority work items.

**PUBLIC SAFETY AND REGULATORY**

**SERVICES:**

INSPECTIONS DEPARTMENT (264875)

Certificates of Competency: Agreement by which to prescribe methods whereby individuals with existing plumbing certificates may obtain gasfitting certificates.

**PUBLIC SAFETY AND REGULATORY**

**SERVICES (See Rep):**

**INSPECTIONS DEPARTMENT (264876)**

Tax Forfeited Land at 1110 E 36th St: Request Hennepin County Auditor to remove demolition assessment from taxes payable in 1999 by Bruce A.J. Yarwood.

Raze: Request by owner to raze 1833 25 1/2 St E.

**LICENSES AND CONSUMER SERVICES (264877)**

Dunn Brothers Coffee (530 University Ave SE): Grant application for Sidewalk Cafe License. Licenses: Applications.

**POLICE DEPARTMENT (264878)**

FBI Fugitive Task Force: Renew agreement by executing amendment #5 to contract with FBI to assign one officer to the Minnesota Fugitive Task Force for period October 1, 1999 through September 30, 2000.

**PUBLIC SAFETY AND REGULATORY**

**SERVICES and WAYS & MEANS/BUDGET (See Rep):**

**HUMAN RESOURCES (264879)**

Deputy Fire Chief Positions: Increase number of appointed positions from four to five by creating new position of Deputy of Fire Department Personnel to oversee all recruitment and testing practices in Fire Department, and eliminate one Captain position.

**LICENSES AND CONSUMER SERVICES (264880)**

Mold and Moisture Control Activities in Inner City Housing: Authorize submit grant application, in conjunction with Center for Energy and Environment, seeking Round VII funding from United States Department of Housing & Urban Development.

**POLICE DEPARTMENT (264881)**

COPS Methamphetamine Initiative: Execute contract with Michael Leonard for development of training materials and on-site training of law enforcement officers and public employees on aspects of Methamphetamine recognition, hazards, safety and general response procedures.

Detail of Officer to Mille Lacs Band of Ojibwe Indians: Execute agreement to detail Sgt Bradley Roache to Mille Lacs Band to act as Director of Public Safety.

State Criminal Gang Strike Force: Execute amendment to grant award to extend performance period through December 31, 1999; and

Appropriate funds for overtime and leased vehicle expenses.

**TRANSPORTATION AND PUBLIC WORKS:**

**PUBLIC WORKS AND ENGINEERING (264882)**

Overview of the structure of the Public Works Department.

**TRANSPORTATION AND PUBLIC WORKS**

**(See Rep):**

**POLICE DEPARTMENT (264883)**

Utility Easement: Grant ten-foot easement to NSP at 1215 E 21st St.

**PUBLIC WORKS AND ENGINEERING (264884)**

West Metro Education/Downtown School Project: Free parking requests for special events.

Hawthorne Transportation Center Project: Contract with American Engineering & Testing for inspection services.

Riverplace Parking Ramp: Modifications to lease agreement with Riverplace Incorporated (Kajima Corporation) relating to litigation appeal.

Impound Lot Contracts: Extend contract with Wrecker Services, Inc. and add District B services.

N Washington Jobs Park: Proceed with project to improve streets, storm drains, traffic signals and street lighting.

60th & 1st Av S Flood Basin/Stormwater Pond Project: Amend agreement with Minnehaha Creek Watershed District to indicate that the City will construct pond.

Roadway Improvements: Agreement with MnDOT for curb, gutter, etc reconstruction on Hiawatha Av.

1999 Street Renovation Projects: Designation of projects at 31st Av S & 31st St E.

**PUBLIC WORKS AND ENGINEERING (264885)**

Water Quality Cooperative Agreement: Agreement with Park Board and Minnehaha Creek Watershed District for water quality project at Lakes Nokomis and Hiawatha.

Routine Maintenance Agreement: Agreement with MnDOT for City receipt of funding to provide maintenance on trunk highway system.

Automated Fuel System: Extend contract with Control Software to allow for expansion of system module to reflect addition of Water Department.

Currie Av N Equipment Facilities Project: Contract with EnecoTech Midwest for environmental consulting services.

Encroachment Permit Request: Recommendation to deny permit request of Zipp's Liquor (2618 E Franklin Av) for building expansion onto public right-of-way.

Fleet Utilization Study: Extend contract with David M. Griffith & Associates to update study and provide reevaluation.

Energy Tracking: Sign Memorandum of Understanding for City participation in development and support of system for City buildings.

**SOLIDWASTE AND RECYCLING DIVISION (264886)**

Utility Bill Insert: Include 1999 schedule and guidelines for household hazardous waste mobile drop-off sites.

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

**(See Rep):**

**PUBLIC WORKS AND ENGINEERING (264888)**

Downtown Transportation Management Organization: Agreement with MnDOT to receive funds for organization operations.

Tangletown Neighborhood Traffic Management Plan: Contract with Benshoof & Associates for development of plan.

Lease of Land for Equipment Storage: Lease with MnDOT for land under I-94 bridges.

Lyn-Lake Municipal Parking Lots: Issue Request for Proposal seeking real estate services for sale or lease of unneeded properties.

Bridge Rehabilitation Projects: Addition of 10th Av S bridge over Mississippi River and Plymouth Av bridge over railroad to Five-Year Bridge Replacement/Rehabilitation Capital Program.

Sidewalk Improvements: Appropriation of funds for improvements in the area of Washington Av N, Plymouth Av N, 2nd St N & 14th Av N

**PURCHASING (264889)**

Bids: Accept OP #5079, overall low bid of Power/Mation G.E. Fanuc for supervisory control software (SCADA) for the Water Department; OP #5144, low bid of Prairie Restorations, Inc. for labor, materials & equipment to accomplish the Shingle Creek Wetland Establishment Project; OP #5149, low bid of Shafer Contracting Company, Inc. for the Hennepin/Lyndale Pavement/Curb Project.

**TRANSPORTATION AND PUBLIC WORKS**

**(See Rep):**

**AQUATENNIAL ASSOCIATION (264887)**  
1999 Aquatennial Festival: Approve blanket application and schedule of events and locations.

**WAYS AND MEANS BUDGET:**

**ATTORNEY (264890)**

Back Wages/Benefits: For Montgomery Leon. **COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (264891)**

Bedford Street Townhouse Project: Request for comments to be provided to Community Development Committee for discussion at public hearing.

**CONVENTION CENTER (264892)**

Convention Center Expansion Project: Receive and File report.

**FINANCE DEPARTMENT (264893)**

1998 Comprehensive Annual Financial Report: Receive and File.

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

**ATTORNEY (264894)**

Integrated Criminal Justice System: Contract with Hennepin County. International Municipal Lawyers Association: Resolution authorizing the City to bid to host the 2003 convention.

Settlement: Payment to Richard A. Wiesner and his attorney.

Legal Fees: Reimbursement to Lieutenant Shirleen Hoffman for fees incurred in defense of criminal charges.

**CONVENTION CENTER (264895)**

Convention Center Expansion Project: Execute contracts with Robert J. Alfton; Dale E. Dobson; and Carl Lidstrom.

**COORDINATOR (264896)**

1999 City of Minneapolis Charitable Campaign: Grant waiver of City's 10% employee donation requirement to allow United Arts to participate in campaign. Approve participation of 7 organizations.

Fiscal Year 1999 Consolidated Plan: Rescind portion of footnote relating to Minneapolis-St. Paul Family Housing Fund receiving and reserving funds for youth shelters; Award \$50,000 to Project Foundation & contract with Project Foundation.

**HUMAN RESOURCES (264897)**

Management Analyst: Salary Ordinance setting salary.

Council Office Associate: Salary Ordinance setting salary.

Supervisor, Sidewalk Inspections: Salary Ordinance setting salary.

General Foreman, Solid Waste & Recycling: Salary Ordinance setting salary.

**HUMAN RESOURCES (264898)**

New ITS Management Positions: Approve job classification of Director of ITS, reclassify applicable positions, and approve salary schedule for position and for Chief Information Officer.

**INFORMATION AND TECHNOLOGY SERVICES (ITS) (264899)**

Technology Corridor on Central Ave NE: Accept \$20,000 planning grant from Honeywell.

**INSPECTIONS DEPARTMENT (264900)**

Housing Inspections Administrator: Offer up to 6th step & \$5,000 for moving-related expenses.

**PUBLIC WORKS AND ENGINEERING (264901)**

Nicollet Mall 2000 Operating Budget: Approve.

**PUBLIC WORKS AND ENGINEERING (264902)**

Year 2000 Emergency Power Generation: Approve total cost; Contract with Ziegler for equipment rental; Approve urgency of issue.

**YOUTH COORDINATING BOARD (264903)**

Youth in Minneapolis After School Program: Deny request for additional \$100,000 of support.

**ZONING AND PLANNING:**

**PLANNING COMMISSION/DEPARTMENT (264904)**

Chrysalis, A Center for Women, 1414 Marshall St NE: Application for waiver from Moratorium on development of M1, M2 & M3 zoned property on the upper Mississippi Riverfront.

**PUBLIC WORKS AND ENGINEERING (264905)**

Bicycle facilities: Public Works, Bicycle Advisory Committee: Request to require bicycle facilities in new downtown building developments in new Zoning Code.

Greater Mpls Building Owners & Managers Association: Correspondence opposing.

Planning Department: Estimate of shower facilities needed for downtown bicycle commuters.

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

**CITY CLERK/SPECIAL PERMITS (264906)**

1825 Glenwood Ave (James Baker) off premises catering for Elite Catering.

2815, 17, 23, 29 Lyndale Ave S (Wyatt Ventures LLC) building permit.

**INSPECTIONS/BOARD OF ADJUSTMENT (264907)**

Michael & Martie Saphir, 2716 W 45th St: Board of Adjustment: Appeal decision to deny variation of front yard & west side yard to permit new garage, Notice of exception, staff background report & findings, minutes, w/attached maps, correspondence, drawings, photos.

Michael Saphir: Petition supporting variance signed by Barbara Krueppers & 11 others, drawings.

**PLANNING COMMISSION/DEPARTMENT (264908)**

Minneapolis Plan: Approve for submission to Metropolitan Council.

**PLANNING COMMISSION/DEPARTMENT (264909)**

Park Avenue United Methodist Church, 3400 Park Ave S: Planning Dept: Approve application for vacation of northerly 1/3 of north/south alley bounded by Park Ave, Oakland Ave, 34 & 35th Sts S, staff recommendation & findings, correspondence w/Church, Council Member Herron, 3400 Oakland/Park/Portland Block Club, map, drawings, photos.

Council Member Brian Herron: Correspondence with Church w/attachments.

University of Minnesota: Approve application to vacate 18th Ave SE between 4th & 5th Sts SE, w/findings, staff recommendation, drawings, map.

University of Minnesota: Approve application to vacate 19th Ave SE between University Av SE & 4th St SE, w/findings, staff recommendation, drawings, correspondence.

Board of Adjustment: Appoint Richard White.

Summary of Planning Commission actions of 5/17/99.

**PLANNING COMMISSION:**

**HENNEPIN COUNTY (264910)**

Vacation of Public right-of-way Groveland Ave to permit Lowry Ridge Townhomes.

**MOTIONS (See Rep):**

**ATTORNEY (264911)**

Workers Compensation: Payments to City employees.

**FILED:**

**CITY CLERK/SPECIAL PERMITS (264912)**

Plymouth Ave N, 1200 (AARCEE Party & Rental/HIRED) tent; Dupont Ave N, 1801 (St. Joseph Hien Parish/Rev. Jim Khoi) operate church fair, tent; Merriam St, 95 (AARCEE Party & Rental) tent; 49 1/2 to 51st Sts, France to Chowen Aves (Karen J Knudsen) use sidewalks; 41st Ave S,

5212 (Nancy J Swanson) pony rides; Humboldt Ave N, 700 (Parents In Community Action/Tricia Anderson) pony rides; 1st Ave N, 430 (Michael J Jennings) alley party.

FINANCE DEPARTMENT (264913)  
Schedule of Self-Supporting Revenue Bonds & Schedule of General Obligation Bonded Debt for 5/31/99.

NORTHERN STATES POWER (NSP) (264914)  
Utilities: Place poles at various locations.

**REPORTS OF  
STANDING COMMITTEES**

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

**Comm Dev** - Your Committee, having under consideration a proposed project of Trinity Apartments Corporation to refinance the existing revenue bond financing to achieve a lower interest rate and to provide approximately \$400,000 for rehabilitation of the 120-unit senior housing project at 2800 E 31st St, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution granting preliminary approval to the project and to the issuance of up to \$5,240,000 in Multifamily Housing Revenue Bonds (Petn No 264864).

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

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

Resolution 99R-190, adopting a housing program for the Trinity Apartment Project and giving preliminary approval to the issuance of revenue bonds thereunder was passed June 11, 1999 by the City Council and approved June 17, 1999 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 99R-190**

**By Niland**

**Adopting a housing program for the Trinity Apartment Project; and giving preliminary approval to the issuance of revenue bonds thereunder.**

Whereas, pursuant to the Minnesota Municipal Housing Act, *Minnesota Statutes*, Chapter 462C (the "Act") a city is authorized to undertake the financing of multifamily housing for persons of low and moderate income, and to authorize its housing and redevelopment authority to act on its behalf; and

Whereas, the City Council (the "City Council") of the City of Minneapolis (the "City") has prepared the Housing Plan for Local Housing for the City of Minneapolis, Minnesota, revised June, 1984 (the "Plan") which Plan was adopted pursuant to the Act on July 13, 1984; and

Whereas, the Act requires adoption of a housing finance program after a public hearing held thereon for which notice was published in a newspaper of general circulation in the City at least fifteen (15) days in advance of the hearing; and

Whereas, the City has previously issued its Multifamily Housing Revenue Bonds (Trinity Housing Project), Series 1991 (the "Series 1991 Bonds") to finance the acquisition by Trinity Apartments Corporation, a Minnesota nonprofit corporation (the "Owner") of the Trinity Apartment Project, a 120-unit multifamily rental facility located at 2800 East 31st Street in the City (the "Project"); and

Whereas, there has been proposed a program (the "Program") for the issuance of bonds to refund the Series 1991 Bonds and to finance certain improvements to the Project; and

Whereas, the cost of the Program is presently estimated to be \$5,240,000; and

Whereas, the City on June 1, 1999 did conduct a public hearing on the Program, following publication of notice as required by the Act; and

Whereas, the Program was submitted to the Metropolitan Council on or prior to the date of publication of notice of the public hearing on such Program, and the Metropolitan Council has been afforded an opportunity to present comments at the public hearing, all as required by the Act; and

Whereas, the City desires to facilitate the development of rental housing within the community, encourage the preservation of

affordable housing opportunities for residents of the City, encourage the preservation of housing facilities designed for occupancy by persons of low or moderate income within the boundaries of the City, and the maintenance of affordable units in the Project would assist the City in achieving these objectives; and

Whereas, the Program will result in the provision of decent, safe and sanitary rental housing opportunities to persons within the community; and

Whereas, this City Council has been advised that conventional, commercial financing to pay the capital costs of the Program is available only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the Project would be significantly reduced, but the City Council has been further advised that with the aid of municipal financing and resulting low borrowing costs, the Project is economically more feasible; and

Whereas, the staff of the City considers the proposed Program to be in furtherance of the housing policies of the State of Minnesota as stated in the Act and of the City as stated in the Plan;

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

That the issuance of multifamily housing revenue bonds pursuant to the Act in the approximate amount presently estimated not to exceed \$5,240,000 to finance the costs of the Program is hereby preliminarily approved by the City Council subject to final agreement between the City, the Owner, and the purchaser of the bonds as to the detailed terms and conditions on which the bonds will be issued.

Be It Further Resolved that the Program is hereby adopted.

Be It Further Resolved that proceeds of bonds issued under the Program may be used to make a loan or loans directly to the Owner or other entity approved by the City or to acquire the Project and at the discretion of the City may be financed by the Minneapolis Community Development Agency rather than the City.

Be It Further Resolved that the City shall have the right in its sole discretion to withdraw from participation and, accordingly, not to issue the bonds for the Project should the City, at any time prior to the issuance thereof, determine that it is in the interest of the City not to issue the bonds or should the parties to this transaction be unable to reach agreement as to the terms and conditions

of any of the documents required for this transaction. The decision of the City with respect to the aforementioned matters shall be uncontestable.

Be It Further Resolved that nothing in this Resolution or the documents prepared pursuant hereto shall authorize the expenditure of any municipal funds on the Program other than as specified and authorized by separate actions of the City Council and other than the revenues derived from the Project or otherwise granted to the City or Minneapolis Community Development Agency for this purpose.

Be It Further Resolved that Piper Jaffray Inc. is hereby appointed as Underwriter, and Faegre & Benson LLP is hereby appointed as Bond Counsel, in connection with the Bonds preliminarily approved hereby.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999 J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**Comm Dev** - Your Committee, having under consideration the sale of a drug forfeited property acquired by Police Department, now recommends that the proper City and Minneapolis Community Development Agency officers be authorized to enter into a purchase agreement with Bobby Champion for the purchase of property at 1501 Hall Curve in the amount of \$70,000, as set forth in Petn No 264864.

Your Committee further recommends passage of the accompanying resolution authorizing sale of City-owned land at 1501 Hall Curve.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-191  
By Niland**

**Authorizing sale of City-owned land at  
1501 Hall Curve.**

Whereas, the Minneapolis Community Development Agency, hereinafter known as the

Agency, acting as agent for the Police Department for the City of Minneapolis, has received an offer to purchase and develop 1501 Hall Curve in the Near North neighborhood, from Bobby Champion, hereinafter known as the Purchaser, the property being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota, to wit: Lot 12, Block 1, Lyn Park 2nd Addition, according to the recorded plat thereof, and situate in Hennepin County, Minnesota; and

Whereas, the Purchaser has offered to pay the sum of \$70,000.00, for this property, the offer includes a development plan and commitment to improve by rehabilitating the existing structure; and

Whereas, the Purchaser has submitted to the Agency a statement of financial responsibility and qualifications; and

Whereas, the Agency has had the reuse value reviewed by an appraisal expert who determined that the reuse value opinion is consistent with the accepted methods of determining a reuse value for the property; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Saturday, May 22, 1999, a public hearing on the proposed sale was duly held on June 1, 1999 at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 319, at 5:00 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

1. That the re-use value for this City-owned property is hereby estimated to be the sum of \$70,000.00.

2. That the Purchaser possesses the qualifications and financial resources necessary to acquire and develop the parcel.

3. That the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Mayor, City Clerk and Finance Officer, or other appropriate officials of the City be and the same are hereby authorized to execute and deliver the contract to the Purchaser; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the appropriate officials of the City.

4. That the Mayor, City Clerk and Finance Officer of the City, are hereby authorized to execute and deliver a conveyance of the land to the

Purchaser in accordance with the provisions of the executed contract and upon payment to the City of the purchase price thereof.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999 J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**Comm Dev** - Your Committee recommends that the Near Northside Implementation Committee be authorized to expand its membership to include representatives from Hennepin County, Minneapolis Board of Education, Minneapolis Library Board and the U.S. Department of Housing and Urban Development.

Cherryhomes moved that the report be referred back to the Community Development Committee. Seconded.

Adopted upon a voice vote.

**Comm Dev** – Your Committee recommends passage of the accompanying resolution authorizing the execution of certain consents, documents and waivers related to the substitution of credit enhancement for and optional tender of \$63,820,000 in Housing Revenue Bonds for Laurel Village (Petn No 264864).

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

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed June 11, 1999.

Approved June 11, 1999. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published June 16, 1999)

Resolution 99R-192, authorizing the execution of certain consents, documents and waivers in connection with the substitution of credit enhancement for, and optional tender of, the City of Minneapolis, Minnesota Multifamily Rental Housing Revenue Refunding Bonds, Series 1995, \$4,795,000 (Laurel Village/Swinford Project), \$7,535,000 (Laurel Village/The DeForest Project), \$7,530,000 (Laurel Village/The McNair Project), \$8,510,000 (Laurel Village/Laurel Curve Project), \$20,810,000 (Laurel Village/Hennepin Crossing Project) and \$14,640,000 (Laurel Village/

Wilson Park Tower Project) (collectively, the "Laurel Village Revenue Bonds"), was passed June 11, 1999 by the City Council and approved June 11, 1999 by the Acting Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

(Published June 16, 1999; Republished \_\_\_\_\_, 1999)

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

**RESOLUTION 99R-192**  
**By Niland**

**Authorizing the execution of certain consents, documents and waivers in connection with the substitution of credit enhancement for, and optional tender of, the City of Minneapolis, Minnesota Multifamily Rental Housing Revenue Refunding Bonds, Series 1995, \$4,795,000 (Laurel Village/Swinford Project), \$7,535,000 (Laurel Village/The DeForest Project), \$7,530,000 (Laurel Village/The McNair Project), \$8,510,000 (Laurel Village/Laurel Curve Project), \$20,810,000 (Laurel Village/Hennepin Crossing Project) and \$14,640,000 (Laurel Village/Wilson Park Tower Project) (collectively, the "Laurel Village Revenue Bonds").**

Whereas, the City of Minneapolis, Minnesota (the "City") issued the Laurel Village Revenue Bonds pursuant to separate Indentures of Trust, each dated December 1, 1995 (the "Indentures") between the City and First Trust National Association, now known as U.S. Bank Trust National Association (the "Trustee"), and loaned the proceeds to six limited partnerships (who each share a common general partner of Laurel Village Joint Venture Partnership, a Minnesota general partnership) (the "Partnerships") for the purpose of refunding certain prior bonds of the Minneapolis Community Development Agency (the "Agency") issued to finance the acquisition, rehabilitation and construction of the 727 unit multifamily housing development commonly referred to as the "Laurel Village Project;" and

Whereas, the payment obligation of each Partnership under its respective loan agreement with respect to the Laurel Village Revenue Bonds was guaranteed by St. Paul Fire and Marine Insurance Company (successor by merger to

USF & G Corporation) (the "Original Guarantor") pursuant to separate guaranties (the "Credits"); and

Whereas, the City has been advised that the Partnerships desire to substitute the St. Paul Companies, Inc. as the guarantor (the "Substitute Credit Provider") under the Credits, pursuant to the Substitute Credit provisions of the Indentures; and

Whereas, in connection with the substitution, the Partnerships desire to convert the interest rate on the Laurel Village Revenue Bonds from the Quarterly Rate Mode to the Weekly Rate Mode as permitted by the Indentures; and

Whereas, the Indentures provide that in connection with such conversion, the Bond Owners may tender this Laurel Village Revenue Bonds for purchase; and

Whereas, U.S. Bancorp Piper Jaffray Inc. (formerly Piper Jaffray Inc.) is the remarketing agent (the "Remarketing Agent") for the Laurel Village Revenue Bonds pursuant to separate Remarketing Agreements dated December 1, 1995 (the "Remarketing Agreements") which are proposed to be supplemented in connection with the remarketing of tendered Laurel Village Revenue Bonds (the "Remarketing Agreement Supplement");

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

That the City hereby consents to substitution of the Substitute Credit Provider for the Original Guarantor in the manner provided for in the Indentures.

Be It Further Resolved that the Finance Officer or Deputy Finance Officer of the City is hereby authorized and directed to execute and deliver on behalf of the City any and all documents, certificates and consents deemed necessary by the Remarketing Agent, the Substitute Credit Provider, and the Trustee and as approved by the Office of the Minneapolis City Attorney, as counsel to the City and Leonard, Street and Deinard as Bond Counsel, to effectuate the delivery of the Substitute Credit by the Substitute Credit Provider.

Be It Further Resolved that the Finance Officer or Deputy Finance Officer of the City is hereby authorized and directed to execute and deliver on behalf of the City any and all documents, certificates, waivers and consents deemed necessary and desirable by the Remarketing Agent to effectuate the conversion of the Laurel Village Revenue Bonds to the Weekly Rate Mode

and the remarketing thereof to such purchasers as may be permitted under the Indentures, pursuant to the Remarketing Agreements, including without limitation the Remarketing Agreement Supplements, as approved by the Office of the Minneapolis City Attorney as counsel to the City and Leonard, Street and Deinard, as Bond Counsel.

Be It Further Resolved that no provision, covenant or agreement contained in the aforementioned documents, the Laurel Village Revenue Bonds or in any other document related to the Laurel Village Revenue Bonds, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of the City or the Agency or any charge upon either of their general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the trust estate pledged pursuant to the Indentures, which are to be applied to the payment of the Laurel Village Revenue Bonds, as provided therein and in the Indentures.

Be It Further Resolved that the officers of the City, attorneys and other agents or employees of the City are hereby authorized to do all acts and things required of them by or in connection with this Resolution, for the full, punctual and complete performance of all the terms, covenants and agreements contained in this Resolution. In the event that for any reason the Finance Officer or the Deputy Finance Officer of the City is unable to carry out the execution of any of the documents or other acts provided herein, any other officer of the City shall be authorized to act in her or his capacity and undertake such execution or acts on behalf of the City with full force and effect, which executions or acts shall be valid and binding on the City.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999 J. Cherryhomes, President of Council.

Approved June 11, 1999. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** - Your Committee, having under consideration the allocation of 1999 Federal Low Income Housing Tax Credits by the Minneapolis Community Development Agency, on behalf of

the Minneapolis/St. Paul Housing Finance Board, now recommends approval to preliminarily reserve 1999 Federal Low Income Housing Tax Credits in the amount of \$539,288 for the Hope Harbor Project, to be developed by the Salvation Army at 55 Glenwood Ave N, and will involve the new construction of 96 efficiency units of permanent housing with support services for homeless men and women, as set forth in Petn No 264864.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**Comm Dev** - Your Committee, having under consideration the possible re-opening of Nicollet Ave and redevelopment of Nicollet Ave at Lake St, and the recommendations of the Nicollet-Lake Task Force for the study area bounded by 28th St on the north, I-35W on the east, 31st St on the south and Pillsbury Ave on the west, now recommends that the proper City and Minneapolis Community Development Agency officers be directed to 1) continue working with the Nicollet-Lake Task Force; 2) continue discussions with officers of the K-Mart store located at Nicollet Ave and Lake St about the possibility of a new K-Mart store; 3) prepare budget estimates for re-opening Nicollet Ave; 4) develop funding recommendations for the project; and 5) work with Metropolitan Council, Minnesota Department of Transportation and others to plan the transition between the Midtown Greenway and the proposed transit hub between Lake St and I-35W as a key component of the area that maximizes access to K-Mart and other retail opportunities.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

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

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the revised development proposal submitted by CSM Lodging, L.L.C. for the 5.5 acre site that includes the historic Milwaukee Depot Station and Train Shed plus most of the adjacent vacant land

between 3rd and 5th Aves S, Washington Ave S and 2nd St S, and having held a public hearing thereon, now recommends approval of the revised development proposal as described in Petn No 264866, which majority remains the same as the proposal approved by the City Council in the fall of 1998, with the exception of the use of the Train Shed, which will be completely restored and developed with an enclosed one-rink skating facility and open-air, covered space for special events.

Your Committee further recommends passage of the accompanying resolution declaring official intent to issue bonds for the Milwaukee Depot Project.

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

Mead moved to amend the report by adding the following sentence at the end of the first paragraph: "Said Train Shed shall be preserved by CSM Lodging, L.L.C. for a minimum of 50 years." Seconded.

Adopted. Yeas, 7; Nays, 5 as follows:

Yeas - Mead, Lane, McDonald, Ostrow, Biernat, Niland, Goodman.

Nays - Johnson, Thurber, Campbell, Colvin Roy, Cherryhomes.

Absent - Herron.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-193  
By Niland and Campbell**

**Declaring official intent to issue bonds for the Milwaukee Depot Project.**

Resolved by The City Council of The City of Minneapolis:

1. The Minneapolis Community Development Agency (the "Agency") is undertaking improvements to the Milwaukee Depot and related properties, generally bounded by 3rd and 5th Aves S, Washington Ave S and 2nd St S, including development costs relating to two hotels, structured parking and preservation of historic structures (the "Project"). It is proposed that the

Project will be developed initially with internal funds of the Agency and a pay-as-you-go tax increment note.

2. This Council hereby declares its official intent to issue bonds or other obligations in an aggregate amount of up to \$12 million to reimburse the Agency and provide permanent financing for the Project.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999 J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration Modification No. 12 to the Industry Square Redevelopment Plan, Modification No. 61 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan, the Historic Milwaukee Depot Reuse Redevelopment Plan, and the Historic Milwaukee Depot Reuse Tax Increment Finance Plan, in order to authorize public redevelopment activities and expenditures, establish a new redevelopment project area, and create a new tax increment finance district to assist the Historic Milwaukee Depot Reuse Project as set forth in Petn No 264866, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution adopting said modifications.

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

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-194  
By Niland and Campbell**

**Adopting Modification No 12 to the Industry Square Redevelopment Plan, Modification No 61 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan, the Historic Milwaukee Depot Reuse Redevelopment Plan, and the Historic**

**Milwaukee Depot Reuse Tax Increment Finance Plan, in order to authorize public redevelopment activities and expenditures, establish a new redevelopment project area, and create a new tax increment finance district to assist the Historic Milwaukee Depot Reuse Project.**

Resolved by The City Council of The City of Minneapolis:

**Section 1. Recitals.**

1.1. Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended (the "Agency Laws") the Housing and Redevelopment Authority in and for the City of Minneapolis has been reorganized, granted additional powers, and designated the Minneapolis Community Development Agency (the "Agency") with the authority to propose and implement city development districts, redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179 as amended; and Laws of Minnesota 1971, Chapter 677 (the "Project Laws").

1.2. By Resolution duly adopted on August 31, 1973 and subsequent resolutions, the City approved the creation of the Industry Square Redevelopment Project and the adoption of the Industry Square Redevelopment Plan, as modified, including Modification No 2 approved December 30, 1976, that expanded the project boundary to include the Milwaukee Depot, Freight House and Train Shed site. The Industry Square Redevelopment Project is included within the Common Project Area.

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

1.4. It has been proposed that the Agency modify the Industry Square Redevelopment Plan to remove one parcel from its existing tax increment financing district, and further modify the Industry Square and the Common Plans to authorize public redevelopment activity to assist the redevelopment of the historic Milwaukee Depot site, and to provide the legal authority for the creation of a new redevelopment and a new tax increment financing district, to reflect the establishment of objectives for the redevelopment of the project, identification of land uses, and authorization of the disposition of the property located in the project area, all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179, as amended.

1.5. The Agency has prepared, and this Council has investigated the facts with respect to a proposed Modification No 12 to the Industry Square Redevelopment Plan, Modification No 61 to the Common Plan, the Historic Milwaukee Depot Reuse Redevelopment Plan, and the Historic Milwaukee Depot Reuse Tax Increment Finance Plan (together, the "Plans"), describing more precisely the activities to be undertaken, public costs, designation of project area and establishment of objectives for the redevelopment of the project area, identifying land uses for the redevelopment of the project area, and authorizing the disposition of the parcel located within the project area, including the identification of a budget for expenditures for this project, authorization to establish a new tax increment financing district for this project, and modification of the Industry Square and Common Plans to authorize public redevelopment activities and expenditures necessary to assist this project. Anticipated public redevelopment activities include site disposition, public improvements (including structured parking, streetscaping, a future skyway, public utilities, and road construction), pollution remediation, preservation and rehabilitation of the vacant and deteriorating historic structures, administration and other related activities within and without the Common Project Area, all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179 as amended; Laws of Minnesota 1971, Chapter 677, as amended; Laws of Minnesota 1980, Chapter 595, as amended, and Minneapolis Code of Ordinances, Chapter 422, as amended.

1.6. The Agency and the City have performed all actions required by law to be performed prior

to the adoption of the Plans, including, but not limited to, a review of the proposed Plans by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.7. The Historic Milwaukee Depot Reuse TIF District is being established within and under the authority of the Historic Milwaukee Depot Reuse Redevelopment Project, and is not incorporated into the Common Project or Industry Square Project Area.

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

2.1. The Council hereby finds, determines and declares that the Plans will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Project Areas and TIF District by private enterprise as the proposed development or redevelopment eliminates the influences of blighted, vacant, underused former railroad property that contains deteriorating substandard historic structures which require substantial renovation or rehabilitation; facilitates rehabilitation and adaptive reuse of historic buildings; cleans up a polluted site, and redevelops the area by preserving and rehabilitating the historic Milwaukee Depot Station for reuses, such as a restaurant and hotel rooms, preserving the historic Train Shed for a skating rink and open-air uses, and facilitates new construction of two hotels and a parking facility.

2.2. The Council further finds, determines and declares that the Plans conform to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plans were issued, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.3. The Council further finds, determines and declares that the proposed development or redevelopment would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and the use of tax increment financing is deemed necessary, because the land in the project area would not be made available for redevelopment without the financial aid to be sought. Further, the private redevelopment of the property included in the TIF District could not occur without public participation and financial assistance because: 1) significant

private and public efforts to redevelop the Milwaukee Depot property have not succeeded for the past quarter century; there have been numerous reuse proposals and failed efforts to redevelop the historic property; 2) the existing Milwaukee Road Depot and Train Shed were built between 1897 and 1899 and in 1979 they were listed on the National Register of Historic Places; consequently, stringent design and development guidelines are in place that limit the potential redevelopment and reuse of this property to activities compatible with this historic designation, and with the design guidelines for the adjacent St. Anthony Falls Historic District, and further, rehabilitation of this property is more costly than new construction, and limits the potential use, site plan and building configuration and density of development; and 3) the proposal is only financially viable with significant public assistance to pay the extraordinary costs associated with rehabilitation and adaptive reuse of the historic property, and to develop underground parking to facilitate higher density reuse of the site in a manner consistent with the urban design guidelines for the historic district. Further, the types of uses feasible at this location while preserving and rehabilitating the existing historic buildings are also limited to riskier recreational and restaurant type development. Public assistance has been structured to link the amount of the public subsidy to the level required by the public restrictions on the redevelopment of the site, the extraordinary costs of historic rehabilitation and adaptive reuse and underground parking, and the appropriate level of financial risk dictated by the real estate market. Therefore, additional public subsidy is necessary and the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the District permitted by the Plans.

2.4. The Council further finds, determines and declares that the property to be included in the Project Area consists of property that qualifies for inclusion in a redevelopment project, as the property is obsolete for its present or intended use and is functionally obsolete due to inadequate space and lack of essential utilities; further, the area qualifies for inclusion in a redevelopment tax increment financing district under Minnesota Statutes 469.174, Subdivision 10(a)(2) as property

that consists of vacant, underused and inappropriately used railyards. The area included in the district has not been used as railroad facilities since the early 1970's and has been an underused interim surface parking lot since that time. Therefore it is found that the buildings are substandard as defined in Minnesota Statutes, Section 469.002, Subdivision 11 and Section 469.174, Subdivision 10(a)(1) and (2) and the reasons and supporting facts for these determinations are retained and available from the Agency.

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

2.6. The City of Minneapolis elects to exempt the Historic Milwaukee Depot Reuse TIF District from the LGA/HACA penalty by making a qualifying local contribution to the payment of project costs from eligible local revenue sources contributed to the project by the MCDA (as specified in the Department of Revenue Guidelines for Local Contributions).

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

2.8. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve Modification No 12 to the Industry Square Redevelopment Plan, Modification No 61 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan, and the Historic Milwaukee Depot Reuse Redevelopment and Tax Increment Finance Plans.

2.9. Adoption of these plans supersedes and rescinds previous City approval of two prior plan documents, Modification No 11 to the Industry Square Redevelopment Plan and Modification No 56 to the Common Plan, approved October 1998.

**Section 3. Approval of the Plans.**

3.1. Based upon the findings set forth in Section 2 hereof, the Plans presented to the Council on this date are hereby approved and

shall be placed on file in the office of the City Clerk.

**Section 4. Implementation of the Plans.**

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

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999 J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to submit an Economic Development Initiative application in the amount of \$2 million to the U.S. Department of Housing and Urban Development for the Great Lake Center Project.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** - Your Committee recommends that the proper City and Minneapolis Community Development Agency officers be authorized to execute necessary documents to implement the U.S. Bank refinancing of the first mortgage plus a new second mortgage with American Indian Business Development Corporation, (Option #2), for the "business incubator" at 14th Ave and E Franklin Ave, as set forth in Petn No 264866.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

Approved June 17, 1999. 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 the use of Hennepin County "second 7.5%" NRP funds in the amount of \$5,000 to support production and distribution of welcome packets for the Windom Park neighborhood as part of the Windom Park NRP Action Plan, now recommends:

1. Approval of the use of Hennepin County's "second 7.5%" NRP funds for said purpose, contingent upon final Hennepin County Board approval;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$5,000;

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

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (Petn No 264867).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-195**  
**By Niland and Campbell**

**Amending The 1999 Minneapolis Community Development Agency Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR0 - NRP Program by \$5,000 from projected fund balance.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999 J. Cherryhomes, President of Council.

Approved June 17, 1999. 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 the modification of the Near North Willard Hay Neighborhood Action Plan, which reallocates \$891,761 from Economic Development, Goal A, Strategy 1-"Small Business Investment Company" to five proposed new

strategies under Economic Development, Goal A, now recommends:

1. Approval of the Near North Willard Hay Neighborhood NRP Action Plan Modification #10, set forth in Petn No 264867, specifically those parts of the Plan Modification which fall under City jurisdiction;

2. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said 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 - Herron.

Passed June 11, 1999.

Approved June 17, 1999. 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 the West Calhoun Neighborhood Action Plan (the Plan), with total NRP expenditures not to exceed \$605,000 (this includes "Early Access" project allocations totaling \$25,000), as set forth in Petn No 264867, now recommends:

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

2. Approval of the effective date of February 1, 1999 for the Plan;

3. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$552,500;

4. That the Minneapolis Community Development Agency (MCDA) staff be directed to establish dedicated reserve funds for the Plan within Fund (CNR0) and to assign \$27,500 to such reserve fund for future year expenditures on the approved Plan;

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

6. That this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-196**  
**By Niland and Campbell**

**Amending The 1999 Minneapolis  
Community Development Agency  
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR0 - NRP Program by \$552,500 from projected fund balance.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999 J. Cherryhomes, President of Council.

Approved June 17, 1999. 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 the Lowry Hill East Neighborhood Action Plan (the Plan), with total NRP expenditures not to exceed \$3,246,514 (this includes "Early Access" and "First Step") project allocations totaling \$733,674), as set forth in Petn No 264867, now recommends:

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

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$1,710,410;

3. That the Minneapolis Community Development Agency (MCDA) staff be directed to establish dedicated reserve funds for the Plan within Fund (CNR) and to assign \$802,430 to such reserve fund for future year expenditures on the approved Plan;

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

5. That this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-197**  
**By Niland and Campbell**

**Amending The 1999 Minneapolis  
Community Development Agency  
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR0 - NRP Program by \$1,710,410 from projected fund balance.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999 J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to make a one-time award in an amount up to \$60,000 in FY99 Emergency Shelter Grant Program funds to Catholic Charities of the Archdiocese of St. Paul and Minneapolis to provide for four months operation of the Hennepin County Homeless Shelter Overflow Area at 519 Portland Ave S and that a contract be executed between the City and Catholic Charities of the Archdiocese of St. Paul and Minneapolis.

Adopted. Yeas, 9; Nays, 3 as follows:

Yeas - Mead, Lane, McDonald, Thurber, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Nays - Johnson, Goodman, Colvin Roy.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

**H&HS** - Your Committee, having under consideration the coordination of "Summer Youth News", now recommends that the proper City Officers be authorized to issue Fund Availability Notice #C1-1, under Master Contract #10019, to Special School District #1, in the amount of \$4,700, to provide compensation to Edison High School staff for work with approximately seven School-to-Career youth enrolled in summer internships

for the period June 14 through August 20, 1999, payable from Neighborhood Services (040-860-8600).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee recommends that the proper City Officers be authorized to execute Amendment #19 to Contract #7404 with Fremont Community Health Services, Inc., in the amount of \$15,875, for the continued provision of health care services to low income Minneapolis residents for the period January 1 through December 31, 1999, payable from Neighborhood Services (060-860-8605).

Your Committee further recommends that the proper City Officers be authorized to execute the following Fund Availability Notices for day care and early childhood education services for the period January 1 through December 31, 1999:

a. FAN #09-4, under Master Contract #10017, with the Greater Minneapolis Day Care Association, in the amount of \$15,875, payable from Neighborhood Services (060-860-8605);

b. FAN #09-4, under Master Contract #10020, with Parents in Community Action, Inc., in the amount of \$15,875, payable from Neighborhood Services (060-860-8605).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee, having under consideration the Way to Grow Program, now recommends that the proper City Officers be authorized to issue the following Fund Availability Notices to the Youth Coordinating Board to provide continued funding for health education, advocacy, outreach and cultural linkages between families and healthcare delivery systems:

a. FAN #Y5-1, in the amount of \$299,635, for the period June 1, 1999 through May 31, 2000, payable from the Health Department (040-440-4413);

b. FAN #Y1-1, in the amount of \$539,000, for the period January 1, 1999 through December 31, 1999, payable from the Health Department (010-440-4413).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee, having under consideration the provision of employment and training programs, now recommends that Mayor Sayles Belton be authorized to submit a petition to the Minnesota Department of Economic Security to have the City of Minneapolis be designated as a local Workforce Service Area under the Workforce Investment Act of 1998.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee, having under consideration the provision of community outreach and education services, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #Z6-1 with the Harriet Tubman Center, Inc., in the amount of \$71,220, for services to include the 24-hour crisis line, shelter for women and children, legal advocacy and outreach to students and groups through classroom presentations for the period June 1, 1999 through May 31, 2000, payable from the Neighborhood Services (0400-860-8605).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

(Republished September 10, 1999)

**H&HS** - Your Committee, having under consideration continued Phillips Neighborhood Revitalization Program supportive services, now recommends that the proper City Officers be authorized to amend the following Fund Availability Notices to extend the performance period through December 31, 1999 and provide additional funding to agencies providing supportive services, payable from Neighborhood Services (060-860-8600):

a. FAN #75-2a, under Master Contract #10003, with the Phillips Community Development Corporation, increasing the amount by \$3,000;

b. FAN #75-2a, under Master Contract #10010, with the Anishinabe Council of Job Developers;

c. FAN #75-1a, under Master Contract #10011, with Project for Pride in Living;

d. FAN #75-2a, under Master Contract #10013, with RESOURCE, Inc., increasing the amount by \$2,000;

e. FAN #75-2a, under Master Contract #10022, with the American Indian OIC, increasing the amount by \$9,000;

f. FAN#75-1a, under Master Contract #10016, with Catholic Charities, increasing the amount by \$1,945.

Your Committee further recommends that the proper City Officers be authorized to amend Contract #12011 with the Minneapolis American Indian Center to extend the performance period through December 31, 1999.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** and **WAYS MEANS/BUDGET** Committees submitted the following reports:

**H&HS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to accept a grant from the Minnesota Department of Economic Security, in the amount of \$585,782 of Minnesota Youth Program funds, for support of the Summer Youth Employment & Training Program and School-to-Work Programs.

Your Committee further recommends passage of the accompanying Resolution appropriating \$585,782 to the Neighborhood Services Agency to reflect receipt of said grant funds.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-198**  
**By Herron and Campbell**

**Amending The 1999 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 Neighborhood Services Agency in the Grants - Other Fund (060-860-8600) by \$585,782, and increasing the Revenue Source (060-860-8600 - Source 3215) by \$585,782.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**H&HS & W&M/Budget** - Your Committee, having under consideration the state and federally funded Maternal & Child Health (MCH) Special Project competitive grant process, now recommends that the proper City Officers be authorized to issue a Request for Proposals to make available \$680,000 to other governmental and 501(C)3 nonprofit health care providers and related organizations who provide services that help assure that women and children in Minneapolis who are low income and high risk have access to primary health care and supportive services for the period January 1, 2000 through December 31, 2001.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**H&HS & W&M/Budget** - Your Committee, having under consideration Special Purpose McKnight Welfare to Work funds and adjustments to Program Fund Availability Notices, now recommends:

a. that the proper City Officers be authorized to accept \$62,000 from Hennepin County for the McKnight Welfare to Work Initiative;

b. passage of the accompanying Resolution appropriating grant funding to the Neighborhood Services Agency in the amounts of \$62,000, and \$1,050,382 (the original 1999 allocation);

Your Committee further recommends that the following Fund Availability Notices be amended:

c. FAN#03-1, under Master Contract #12206, with Powderhorn/Phillips Cultural Wellness, increasing the amount by \$4,000, and extending the performance period through June 30, 2000;

d. FAN #Z0-1a, under Master Contract #12206, with Powderhorn/Phillips Cultural Wellness, increasing the amount by \$76,000, and extending the performance period through June 30, 2000;

e. FAN #03-1b, under Master Contract #12201, with the Minnesota American Indian Chamber of Commerce, increasing the amount by \$20,000, and extending the performance period through June 30, 2000;

f. FAN#03-2b, under Master Contract#10002, with Eastside Neighborhood Services, decreasing the amount by \$13,232;

g. FAN #03-3b, under Master Contract #12204, with Urban Hope, decreasing the amount by \$1,800;

h. FAN #03-3c, under Master Contract #12203, with the University of Minnesota Extension Services, decreasing the amount by \$1,931;

i. FAN#03-3b, under Master Contract#10017, with the Greater Minneapolis Day Care Association, decreasing the amount by \$87,338;

j. FAN#03-3c, under Master Contract#10007, with Pillsbury Neighborhood Services, increasing the amount by \$7,363;

k. FAN #03-3a, under Master Contract #13675, with Episcopal Community Services, increasing the amount by \$13,125.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-199  
By Herron and Campbell**

**Amending The 1999 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

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

a. increasing the appropriation for the Neighborhood Services Agency in the Grants - Other Fund (060-860-8605) by \$62,000;

b. increasing the appropriation for the Neighborhood Services Agency in the Grants - Other Fund (060-860-8605) by \$1,050,382.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

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

**IGR** - Your Committee, having under consideration the American Heritage River Initiative, now recommends that the Mayor be authorized to execute a Memorandum of Understanding with other Upper Mississippi River communities, the River Navigator and various federal agencies, in which the parties agree to cooperate in River activities, substantially in the form set forth in Petition No 264874.

Your Committee further recommends approval of the following list of priority work items, as set forth more fully in said Petition, for submission to the River Navigator:

a. Convene a small group of Corps of Engineers staff to work with the City on planning for the City's Upper River area;

b. Identify potential federal funding sources to help the City acquire inappropriate uses along the River for conversion to parks, trails and other compatible uses;

c. Identify federal funding sources for stormwater/wetland improvements in the watershed;

d. Determine whether the Federal Energy Regulatory Commission would grant a license for one hydroelectric plant conditioned upon the licensee building another particular plant;

e. Identify any potential additional federal funding sources for building the St Anthony Falls Heritage Center; and

f. Assist in securing Transportation Efficiency Act -21 (TEA-21) and Scenic Byway funding for various River-related projects.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

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

**PS&RS** - Your Committee, having under consideration the application of Half Full Holdings, LLC, dba Dunn Brothers Coffee, 530 University Av SE, for a Sidewalk Café License (new business) to expire April 1, 2000, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**PS&RS**— Your Committee, having under consideration the application of Brave New Institute, dba Brave New Workshop, 3001 Hennepin Av, for an On-Sale Wine Class A with Strong Beer License (new business) to expire April 1, 2000, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed June 11, 1999.

Approved June 11, 1999. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published June 16, 1999)

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

**On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2000**

Guthrie Theater Foundation, 725 Vineland Pl;

Pepito's Mexican Foods Inc, dba Pepito's, 4820 Chicago Av;

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

International Catering Inc, dba Atrium Café, 275 Market St (temporary expansion of premises, May 11, 1999, 4:30 p.m. to 9:00 p.m., AIA Minnesota);

International Catering Inc, dba Atrium Café, 275 Market St (temporary expansion of premises, May 29, 1999, 6:00 p.m. to 9:30 p.m., Minnesota Accounting Aid Society);

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

J W M Investments Inc, dba Mayslack's, 1428 NE 4th St (temporary expansion of premises with temporary outdoor entertainment, May 29 & 30, 1999, 1:00 p.m. to 9:45 p.m.);

**On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2000**

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

**On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2000**

Sawatdee Inc, dba Sawatdee Restaurant, 607 Washington Av S;

Preston's of Mpls Inc, dba Sgt Preston's, 221-29 Cedar Av;

S I B Inc, dba 331 Club, 331 13th Av NE;

**On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2000**

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

**Temporary On-Sale Liquor**

St Paul Jaycees, 332 Minnesota St, St Paul (1999 City Pages Beer Fest, with Entertainment, May 21, 1999, 5:30 p.m. to 9:30 p.m., on Girard Av behind Calhoun Square; Licensed Facilitator: Famous Daves of Calhoun Square);

**On-Sale Wine Class E with Strong Beer, to expire April 1, 2000**

Sidney's Inc, dba Sidney's Pizza Café, 2120 Hennepin Av (change in manager);

Molly's Inc, dba Broders Cucina Italiana, 2308 W 50th St;

Molly's Inc, dba Broders Southside Pasta Bar, 5000 Penn Av S;

**Temporary On-Sale Beer**

Minneapolis Downtown Council, 81 S 9th St #260 (Pre-game party for Minnesota Lynx WNBA Game, June 12 & 14, 1999, 4:00 p.m. to 8:00 p.m., Block E at 6th St & Hennepin Av);

Minneapolis Downtown Council, dba Mounted Patrol, 81 S 9th St #260 (Hennepin Avenue Block Party, July 16, 1999, 5:00 p.m. to 10:30 p.m., between 4th St & 9th St).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

Approved June 17, 1999. 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 June 11,

1999, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 264877):

Building Contractor Class A; Building Contractor Class B; Cement Finisher; Contractor/Masonry Class A; Contractor/Masonry Class B; Dance Hall; Dancing School; Place of Entertainment; All Night Special Food; Caterers; Confectionery; Food Distributor; Grocery; Indoor Food Cart; Food Manufacturer; Mobile Food Vendor; Restaurant - Drive In; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food Establishment; Sidewalk Café Permit; Vending Machines; Gas Fitter Class A; Going-out-of-business Sale; Motor Vehicle Dealer - Used Only; Peddler - Special Religious; Pet Shop; Plumber; Second-Hand Dealer Class B; Antique Dealer Class B; Swimming Pools; Tattooing; Taxicab Vehicle; Tobacco Dealers; Tree Servicing; and Wrecker of Buildings Class A.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

Approved June 17, 1999. 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 Exempt**

Spirit of the Lakes Ecumenical Community Church, dba United Church of Christ, 2930 13th Av S (raffle, July 29, 1999, at Calhoun Beach Club, 2925 Dean Pkwy);

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, having under consideration the City's participation in the Federal Bureau of Investigation Fugitive Task Force which investigates and prosecutes individuals involved in federal crimes, now recommends that the proper City Officers be authorized to renew Contract #3834 by executing Amendment #5 with the Federal Bureau of Investigation to provide that one Minneapolis police officer be assigned to the Task Force on a full-time basis for the period

October 1, 1999 through September 30, 2000. Further, that monthly allocation for overtime for the officer assigned to the Task Force be limited to \$772.02, which shall be reimbursed the City of Minneapolis by the FBI.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, having under consideration an assessment demolition for the property located at 1110 E 36th St (PID #02-028-24-31-0037), now recommends that the proper City Officers be authorized to request that the Hennepin County Auditor remove the assessment from Levy #01092, in the lump sum of \$9,623.93, from the property taxes payable in 1999 by Bruce A.J. Yarwood.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee recommends approval of the application of the Minneapolis Aquatennial Association for a special permit to conduct the Aquatennial/Dayton's Big OOOH AAAH Fireworks Show on Saturday, July 24, 1999, from 10:00 to 10:22 p.m., to be displayed from three barges moored off Boom Island, on the Mississippi River south of the Plymouth Avenue Bridge, as well as utilizing the Plymouth Avenue Bridge.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, having under consideration the property located at 1833 25 1/2 St E which has 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 a request by the owner to raze said property, now recommends that the proper City

officers be authorized to raze the property legally known as Lot 13, Auditors Subdivision No 16 (PID #36-029-24-23-0027), as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

Approved June 17, 1999. 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 submit a grant application, in conjunction with the Center for Energy and Environment, to the United States Department of Housing and Urban Development seeking \$1,500,000 in Round VII funding to perform mold and moisture control activities in inner city housing.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** - Your Committee, having under consideration the COPS Methamphetamine Initiative Grant Award, now recommends that the proper City Officers be authorized to execute a contract with Michael Leonard, in an amount not to exceed \$47,000, for the development of training materials and on-site training of law enforcement and public employees on aspects of Methamphetamine recognition, hazards, safety and general response procedures.

Your Committee further recommends concurrence with the recommendation of the Permanent Review Committee that said contract be entered into notwithstanding the City's requirement for a Request for Proposals process.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** - Your Committee, having under consideration a request to detail a police officer to the Mille Lacs Band of Ojibwe Indians, now recommends:

**PS&RS** - that the agreement to detail Sgt Bradley Roache to the Mille Lacs Band of Ojibwe Indians to serve as its Director of Public Safety for an 18-month period not to exceed the date of July 1, 2001 be sent forward without recommendation.

**W&M/Budget** - that the proper City Officers be authorized to execute an agreement with the Mille Lacs Band of Ojibwe Indians to detail Sgt Bradley Roache to the Mille Lacs Band to serve as the Band's Director of Public Safety from July 1, 1999 to July 1, 2000, provided that the Mille Lacs Band be required to reimburse the City for Sgt Roache's salary and benefits, and to provide full indemnification to the City; said contract to be in a form acceptable to the City Attorney.

Biernat moved to amend the report to approve the Ways & Means/Budget recommendation and to delete the recommendation of the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** - Your Committee, having under consideration the State Criminal Gang Strike Force Grant, now recommends that the proper City Officers be authorized to execute an amendment to the grant award to extend the agreement through December 31, 1999.

Your Committee further recommends passage of the accompanying Resolution increasing the Police Department Agency by \$17,600 to provide additional funding for expenses related to the time extension, with \$11,200 for overtime and \$6,400 for leased vehicle expenses.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-200**  
**By Biernat and Campbell**

**Amending The 1999 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 \$17,600, and increasing the Revenue Source (060-400-C007 - Source 3215) by \$17,600.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** - Your Committee recommends concurrence with the recommendation of the Executive Committee to increase the number of Deputy Fire Chief appointed positions from four to five by creating the new position of Deputy of Fire Department Personnel and eliminating one Captain position, with the understanding that said new position will oversee all recruitment and testing practices and the difference in pay will be covered by the Human Resources Department.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

Approved June 17, 1999. 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 the Hawthorne Transportation Center project, now recommends that the proper City officers be authorized to execute a contract with American Engineering and Testing, Inc. for independent testing and inspection services for the project, in an amount not to exceed \$185,000, payable from the Municipal Parking Fund (7580-943-9464).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having under consideration a request from Riverplace Incorporated (Kajima Corporation Group) to make certain modifications to their lease agreement with the City for operation of the Riverplace Parking Ramp and having been informed that Riverplace Incorporated will drop its appeal to a recent litigation settlement regarding structural problems and repairs at the ramp, now recommends:

a) If the current appeal litigation is dropped and all future claims regarding the litigation is waived by Riverplace Incorporated, that the proper City officers be authorized to negotiate, modify and execute modifications to said lease agreement as outlined in Petition # 264884 on file in the Office of the City Clerk;

b) Said modifications shall include a variable requirement for public parking stalls at the Riverplace Ramp as approved by the Transportation and Parking Services Division on a periodic review of parking levels and revision of limits on reserve funds based on a City-approved, documented yearly repair and maintenance program.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having under consideration the expiration of contracts for Impound Lot towing services as of May 31, 1999, now recommends that the proper City officers be authorized to extend Contract #C96-10843 with Wrecker Services, Inc. through September 30, 1999 as well as amend the contract to include District B as part of their service area (using District A established prices), increasing the contract amount by \$450,000, for a new total of \$2,450,000, payable from the existing appropriation. Said contract is extended with the understanding that towing contracts will be advertised for bid and selection of contracts considered in October of 1999.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**T&PW**— Your Committee, having under consideration the North Washington Jobs Park, a redevelopment project of the Minneapolis Community Development Agency (MCDA), and a request for the City to reconstruct certain streets in the area, now recommends approval of construction plans for 15th Av N and 16th Av N from Washington Av N to 2nd St. N and that the City Engineer be authorized to proceed with the work for said project. Funding for the improvements is included in the Capital Improvement budget.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed June 11, 1999.

Approved June 11, 1999. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published June 16, 1999)

**T&PW** - Your Committee, having under consideration the 60th and 1st Av S Stormwater Pond Project Cooperative Agreement and a report passed by the Council on January 8, 1999, authorizing execution of said agreement, now recommends that paragraph B of the action be amended as follows:

“b) Said cooperative agreement will provide, among other things, that the MCWD will be responsible for the design of the wet detention pond and associated necessary facilities and the costs associated therewith and the City will construct the pond with a maximum monetary contribution from the MCWD of \$1,509,000.”

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**T&PW**— Your Committee, having under consideration the reconstruction of Hiawatha Av between E 46th St and E 54th St, now recommends:

a) Approval of plans and specifications prepared by MnDOT for said reconstruction project, identified by the Minnesota Department of Transportation (MnDOT) as SP2724-102 (TH 55 = 116), SP141-010-71, and Federal Project DPM-STP0040 (0020);

b) That the proper City officers be directed to execute an agreement (78719-R), with MnDOT authorizing an estimated payment of \$37,371.67 from the Permanent Improvement Projects Fund (4100-937-9372) to MnDOT to cover the City's share of storm sewer, curb and gutter and sidewalk work, with said expenditure to be fully recovered from Municipal State Aid;

c) That the proper City officers be directed to execute an agreement (78842-R) with MnDOT authorizing an estimated payment of \$40,262.07 from the Permanent Improvement Projects Fund (4100-937-9372) to MnDOT to cover the City's share for signal and street lighting work, with said expenditure to be fully recovered from Municipal State Aid. Also under this agreement, the City Engineer is directed to furnish and install three new controllers and cabinets for three new traffic signals and which expenses will be fully recovered from MnDOT for an estimated amount of \$60,564.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed June 11, 1999.

Approved June 11, 1999. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published June 16, 1999)

**T&PW** - Your Committee, having under consideration the 1999 Street Renovation Program (31st Av S from Lake St to Minnehaha Av and 31st St E from Nicollet to Bloomington Av), now recommends passage of the accompanying Resolution designating certain locations and streets to be improved in the 1999 Street Renovation Program, Special Improvement of Existing Street Nos 2945 and 2952.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

## **RESOLUTION 99R-201**

**By Mead**

### **1999 STREET RENOVATION PROGRAM SPECIAL IMPROVEMENT OF EXISTING STREET NOS 2945 (31ST AV S) AND 2952 (31ST ST E)**

**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 mill and overlay of street surface with plant mix asphalt and selected curb and gutter and street construction as needed:

31st Av S (2945)

31st Av S from Lake St E to Minnehaha Av S;  
31st St E (2952)

31st St E from Nicollet to Bloomington Avs S.  
Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes,  
President of Council.

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

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having received a cost estimate of \$1,358,000 for street renovation improvements and a list of benefited properties for certain locations in the 1999 Street Renovation Program, Special Improvement of Existing Street Nos 2945 (31st Av S) and 2952 (31st St E), as designated by Resolution 99R-201 passed June 11, 1999, now recommends that the City Engineer be directed to prepare a proposed 1999 Street Renovation Special Improvement Assessment against the list of benefited properties by applying the 1999 Uniform Assessment Rates as per Resolution 99R-078 passed March 26, 1999.

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 July 22, 1999, 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 renovation locations 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 - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee recommends that the proper City officers be authorized to negotiate, enter into and execute a Cooperative Agreement with the Minneapolis Park and Recreation Board and the Minnehaha Creek Watershed District for a project to improve water quality in Lakes Nokomis and Hiawatha. Said agreement shall include the following obligations of the City plus such additional terms, consistent therewith, as are reasonably necessary to complete the project, implement the Agreement and protect the interests of the City:

**Lake Nokomis**

Review, comment and approve the design of three wet detention ponds, grit chambers and retractable weir;

Cover costs of routine operation and maintenance of the three wet detention ponds and grit chambers; and

Conduct an appropriate street sweeping program, to the extent of our lawful capacity, for at least each of the next six years.

**Lake Hiawatha**

Prepare plans and specification for the construction, operation and maintenance of two wet detention ponds;

Select the contractor or contractors to perform the construction of the improvement, or elect to use the City labor force;

Cover Project Costs associated with the two wet detention ponds,

Cover the cost of routine operation and maintenance of the two wet detention ponds; and

Conduct an appropriate street sweeping program, to the extent of our lawful capacity, for at least each of the next six years.

The cost of the pond design and construction is estimated at \$1,525,000 and is included in the City's Capital Improvement Program. The estimated annual maintenance cost of the project is approximately \$30,000 that will be a part of the Public Works operating budget.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee recommends that the proper City officers be authorized to execute an agreement with the Minnesota Department of Transportation (MnDOT Agreement #78300) under which the City will provide routine maintenance on certain portions of the trunk

highways and bridges in the City for the period of July 1, 1999 through June 30, 2001. The amount of the agreement will be \$456,592.56 for the first year and \$466,679.72 for the second year (Petn No 264885).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having under consideration plans to upgrade the automated fuel system that tracks fuel usage in City vehicles, now recommends that the proper City officers be authorized to extend the City's existing contract with Control Software, Inc. (Contract #11070) to provide for expansion of the M4-Automated Fuel System module at an additional cost not to exceed \$36,006, for a new contract total not to exceed \$584,656, payable from the Equipment Services Division (6100-675-6752). Further, that the contract date be extended to July 1, 2000.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee recommends that the proper City officers be authorized to commence contract negotiations with EnecoTech Midwest, Inc. for environmental consulting services for the Currie Av N Equipment Facilities, Phase II and III, construction site. The total estimated cost of the contract is \$42,257, payable from the Public Works Facilities project budget.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having under consideration a request from the Police Department for approval to grant an easement to Northern States Power (NSP) Company along a portion of the property located at 1215 E 21st St that was acquired by the Department through forfeiture, now recommends approval of the following:

Granting of a utility easement to Northern States Power Company for the following described 10-foot wide track of land.

1215 E 21st St Easement Parcel:

A permanent easement with the right, privilege and authority to inspect, operate, repair, alter, replace, reconstruct, remove and maintain its facilities for the transmission and distribution of electrical energy, including the necessary poles, wires, guys, stubs, electrical cables and facilities related and appurtenant thereto, over, across and upon said easement on the following described land: the south 10 feet of Lot 2, Block 5, Elliot's Addition to Minneapolis, situated in the County of Hennepin, State of Minnesota.

Your Committee further recommends that the proper City officers be authorized to sign the necessary documents conveying said easement to NSP.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having under consideration the 1999 Aquatennial festival, "The Ten Best Days of Summer," to be held July 16 through July 25, 1999, now recommends approval of the Aquatennial festival activities, special events, program components and permit requests as contained in Petn No 264887 on file in the Office of the City Clerk.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having under consideration a request from the City Engineer for a reevaluation of the Fleet Utilization Study, now recommends that the proper City officers be authorized to extend the City's contract with David M. Griffith and Associates for the purpose of updating the Fleet Utilization Study to include consideration of changes and delays that have occurred since the study was completed. The reevaluation would be done pursuant to the proposal dated May 21, 1999, at a cost not to exceed \$80,000, payable from the Permanent Improvement Equipment Fund (6100-675-6752).

Adopted. Yeas, 12; Nays none.  
Absent - Herron.  
Passed June 11, 1999.  
Approved June 17, 1999. S. Sayles Belton,  
Mayor.  
Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having received a presentation on energy management and a proposal to participate in a working partnership with the Center for Energy and Environment (CEE) to develop an energy tracking system for City buildings, now recommends that the proper City officers be authorized to sign a Memorandum of Understanding regarding the City's intent to participate in the development and long term support of an energy tracking systems for City buildings.

Adopted. Yeas, 12; Nays none.  
Absent - Herron.  
Passed June 11, 1999.  
Approved June 17, 1999. S. Sayles Belton,  
Mayor.  
Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee recommends that the Transportation Engineer be authorized to provide free parking at the Hennepin at 10th Downtown School parking ramp on June 17, 1999, for a special event entitled, "Minneapolis Promise for Youth".

Goodman moved that the report be referred back to the Transportation & Public Works Committee. Seconded.

Lost upon a voice vote.  
The report lost.  
Yeas, 3; Nays, 9 as follows:  
Yeas - Mead, Lane, Biernat.  
Nays - McDonald, Johnson, Thurber, Ostrow, Campbell, Niland, Goodman, Colvin Roy, Cherryhomes.  
Lost June 11, 1999.  
NOT APPROVED BY THE MAYOR.  
Attest: M. Keefe, City Clerk.

CITY OF MINNEAPOLIS  
CERTIFICATION

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

I, MERRYKEEFE, City Clerk of the City of Minneapolis, County of Hennepin, State of Minnesota, do hereby certify that a report of the

Transportation & Public Works committee relating to a special event entitled "Minneapolis Promise for Youth", as acted upon by the City Council of Minneapolis, Minnesota, and designated as "Not Approved by the Mayor", for her approval and signature as such Mayor, that Mayor Sayles Belton did not thereafter, within five days, Sundays excepted, approve or sign such action within the time specified.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, this 18th day of June, 1999.

MERRYKEEFE,  
City Clerk.

**T&PW** - Your Committee, having under consideration the appeal of Zipp's Liquor (2618 E Franklin Av) of the decision of the Public Works Engineering Design Division to deny an encroachment permit, now recommends that Zipp's Liquor, Inc., petitioner, be approved for an encroachment permit to allow a building addition within the public right-of-way. The encroachment to be as shown on the plans submitted by the Petitioner attached to Petn No 264885 on file in the Office of the City Clerk.

This permission is granted subject to all requirements and conditions in Chapters 95, 429 and 430 of the Minneapolis Code of Ordinances and in addition to the following:

1. All work done is subject to the approval and acceptance of the Director of Public Works and the Director of Inspections and all other necessary permits must be obtained.
2. The permission granted shall be subject to all ordinances of the City of Minneapolis now existing or which may hereafter be passed relative to the use or maintenance of such areas under, on or above streets, alleys and public places.
3. The permit holder shall pay all costs resulting from the alteration or relocation of any and all public or private utilities made necessary in connection with the permitted encroachment and is responsible for all loss, damage or claims resulting from the installation, relocation, use or removal of the permitted encroachment.
4. Promptly after the installation or removal of the permitted encroachment the permit holder shall properly replace and repair the right-of-way

to a condition acceptable to the Director of Public Works.

5. The issuance of the encroachment permit is conditional upon the Zoning and Planning Commission's approval of the building addition.

6. The permit holder agrees to remove the encroaching building structure within 60 days of notification by the Director of Public Works.

7. The permit holder agrees to have the terms and conditions of this encroachment permit recorded against the title to the subject property.

Within 30 days after the approval, the applicant shall file with the City Clerk a written acceptance (on next page of form) of the conditions stated above together with liability insurance in the amount of \$500,000. Failure to file such acceptance, certificate of insurance and endorsement within the time specified, shall render the permission granted null and void.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

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

**T&PW & W&M/Budget** – Your Committee recommends acceptance of the following bids in accordance with City specifications (Petn No 264889):

a) OP #5079, overall low bid submitted by Power/Mation G.E. Fanuc for an estimated expenditure of \$237,292 for furnishing, delivering and installing Supervisory Control Software (SCADA) for the Public Works Water Department;

b) OP #5144, low bid submitted by Prairie Restorations, Inc. in the amount of \$147,871 for furnishing and delivering all labor, materials, equipment and incidentals necessary to accomplish the Shinglecreek Wetland Establishment Project; and

c) OP #5149, low bid of Shafer Contracting Company, Inc. in the amount of \$303,554.10 for furnishing and delivering all labor, materials, equipment and incidentals necessary to accomplish the Hennepin/Lyndale Pavement/Curb project.

Your Committee further recommends that the proper City officers be authorized to execute contracts for the above projects and/or services,

in accordance with City specifications.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed June 11, 1999.

Approved June 11, 1999. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published June 16, 1999)

**T&PW & W&M/Budget** - Your Committee, having under consideration the receipt of federal funds through the Minnesota Department of Transportation (MnDOT) to be used for the operations of the Downtown Transportation Management Organization (TMO), now recommends:

a) That the proper City officers be authorized to execute Grant Agreement #78895 with MnDOT in the amount of \$460,800 for the period of July 1, 1999 through June 30, 2001; and

b) Passage of the accompanying resolution appropriating \$460,800 to the PW - Transportation Capital Agency representing the receipt of federal funds for the Downtown TMO.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 99R-202**

#### **By Mead and Campbell**

#### **Amending The 1999 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9462) by \$460,800 and increasing the revenue source (4100-943-9462 - Source 3215) by \$460,800 for the Downtown Transportation Management Organization.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** - Your Committee, having under consideration the Tanglestown Neighborhood Revitalization Program (NRP) Action Plan which calls for development of a traffic management plan for the area bounded by Stevens Av, Diamond Lake Rd, W 54th St, Nicollet Av and W 46th St, now recommends:

a) That the proper City officers be authorized to execute a contract with Benshoof and Associates, Inc. for the study and development of a traffic management plan for the Tanglestown Neighborhood in an amount not to exceed \$37,000, to be reimbursed by the Tanglestown NRP funds; and

b) Passage of the accompanying resolution appropriating \$37,000 to the PW - Transportation Capital Agency for said contract.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-203  
By Mead and Campbell**

**Amending The 1999 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9464) by \$37,000 and increasing the revenue source (4100-943-9464 - Source 3845) by \$37,000 for the Tanglestown Neighborhood traffic management study, to be reimbursed by the NRP.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** - Your Committee, having under consideration expiration of the City's lease for land under the I-94 bridges in the vicinity of 2nd Av N and Lyndale Av N, now recommends that the proper City officers be authorized to

execute a new lease with MnDOT to continue use of said property for equipment and maintenance storage. The lease shall expire on April 30, 2001 and requires City payment of \$1,465.33 per month for the use of the property.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** - Your Committee, having under consideration the Lyn-Lake Municipal Parking Lot project and the determination that certain acquired properties will not be needed for the project, now recommends that the properties at 2933 and 2937 Lyndale Av S and the building at 600 W Lake St be declared as not needed for City services and that the proper City officers be authorized to issue a Request for Proposals for real estate broker marketing and sales/lease services. It is further recommended that staff be directed to return for a public hearing should a land sale be necessary and that net proceeds from the sale or lease of the three properties be captured as repayment to the Parking Fund (7500) for the loan granted to acquire the properties and complete construction of the parking lots.

Your Committee further recommends that the matter of the sale of said properties be referred to the Planning Commission for review and consideration.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** - Your Committee recommends passage of the accompanying Resolution amending the Five-Year Bridge Replacement/Rehabilitation Program in the Capital Improvement Program by adding rehabilitation of the 10th Av SE bridge over the Mississippi River and the Plymouth Av bridge over the Burlington Northern Railroad.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

Approved June 11, 1999. J. Cherryhomes, Acting Mayor.  
 Attest: M. Keefe, City Clerk.  
 (Published June 16, 1999)

**RESOLUTION 99R-204  
 By Mead and Campbell**

**Amending Resolution 97R-117 entitled, "Identifying bridges to be included in the Five-Year Bridge Replacement/Rehabilitation Program in the Capital Improvement Program", passed May 9, 1997.**

Whereas, the City of Minneapolis has determined that the following deficient bridges on the City Street system are a high priority and require replacement or rehabilitation within the next five (5) years:

<b>Bridge No.</b>	<b>Road/Street</b>	<b>Estimated Project Cost</b>	<b>Federal Funds</b>	<b>Local Funds</b>	<b>Bond Funds Needed</b>	<b>Proposed Constr. Year</b>
90662	97	1,264,000	851,000	200,000	313,000	1998
99037	291	2,853,000	706,000	1,971,000	176,000	1999
90664	97	687,000	454,000	120,000	113,000	2000
L8900	605	913,000	280,000	563,000	70,000	2000
90470	16	3,116,000	1,339,000	1,442,000	335,000	2001
92349	165	2,372,000	805,000	1,366,000	201,000	2002
27549	153	3,414,000	2,400,000	400,000	600,000	2002
<b>Add:</b>						
<b>2796</b>	<b>328</b>	<b>906,000</b>	<b>415,000</b>	<b>83,000</b>	<b>408,000</b>	<b>2000</b>
<b>6247</b>	<b>Local</b>	<b>1,354,000</b>	<b>0</b>	<b>954,000</b>	<b>400,000</b>	<b>2000</b>

<b>State Bridge No.</b>	<b>Road/Street</b>
90662	St. Anthony Blvd over CPRail
99097	Royalston Av
90664	St. Anthony Blvd over BNSF RR
L8900	First St S over CNW RR
90470	Cedar Lake Pkwy over BNSF RR
92349	Chicago Av S over HCRRA
27549	Camden Av over Mississippi River
<b>Add:</b>	
<b>2796</b>	<b>10th Av SE</b>
<b>6247</b>	<b>Plymouth Av over BNSF RR</b>

Whereas, local roads play an essential role in the overall state transportation network, and local bridges are the critical component of the local road system; and

Whereas, State support for the replacement or rehabilitation of local bridges continues to be crucial to maintaining the integrity of the local road system and is necessary for the City to proceed with the replacement or rehabilitation of the high priority deficient bridges described above; and

Whereas, the City of Minneapolis intends to proceed with replacement or rehabilitation of these bridges as soon as possible when State Transportation Bond Funds are available.

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

That the City of Minneapolis commits that it will proceed with the design and contract documents for these bridges immediately after being notified that funds are available in order to permit construction to take place within one year of notification.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.  
Approved June 11, 1999. J. Cherryhomes, Acting Mayor.  
Attest: M. Keefe, City Clerk.  
(Published June 16, 1999)

**T&PW & W&M/Budget** – Your Committee recommends that the City Engineer be directed to submit the necessary paperwork to the Minnesota Department of Transportation (MnDOT) State Aid Office to secure \$415,000 in Federal Preservation Funds and \$408,000 in State Bridge Bond funds for the rehabilitation of 10th Av SE Bridge over Mississippi River (State Bridge No 2796) in the Year 2000 with the further direction that matching local expenditures (Municipal State Aid (MSA) (\$80,000), Net Debt Bond (NDB)(\$3,000)) to be paid from previous appropriations in PW- Streets & Malls Capital Agency (4100-937-9372) without impacting Public Works' Capital Improvement Program for the Years 2000-2004. MSA expenditures will be from savings in funds set aside prior to 1999 for the construction of Hiawatha Ave from I-94 to E 32nd St. Net Debt Bond expenditures will be from bonds sold for the Public Works Capital Improvement Program prior to 1999. No additional appropriations are authorized.

Your Committee further recommends directing the City Engineer to submit the necessary paperwork to the MnDOT State Aid Office to secure \$400,000 in State Bridge Bonds funds to be combined with anticipated Burlington Northern Santa Fe Railroad (BNSFRR) funds of \$510,000 and Park Board NDB funds of \$312,000 for the rehabilitation of the Plymouth Av Bridge over BNSFRR (at Xerxes Av and Bassett Creek, State Bridge No 6247) in the Year 2000 with further direction that the City Engineer negotiate with MnDOT State Aid Office, BNSF RR and the Park Board to determine their final share of the project costs for consideration by the Council in December, 1999 to be included in Council's 2000-2004 Capital Budget Resolution.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed June 11, 1999.

Approved June 11, 1999. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published June 16, 1999)

**T&PW & W&M/Budget** - Your Committee recommends passage of the accompanying resolution increasing the appropriation for the Streets & Malls Agency by \$60,000 to provide funding for the removal and replacement of defective sidewalk, defective curb and gutter, to close unused drive approaches, and install new sidewalk and sod on certain properties owned by the Minneapolis Community Development Agency (MCDA) on the block bounded by Washington Av N, Plymouth Av N, 2nd St N and 14th Av N.

The cost of said improvements and related costs shall be reimbursed upon billing or through five-year sidewalk assessment to the MCDA.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-205**

**By Mead and Campbell**

**Amending The 1999 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 Streets & Malls - Capital Agency in the Permanent Improvement Projects Fund (4100-937-9390) by \$60,000.

Adopted. Yeas, 12; Nays none.  
Absent - Herron.  
Passed June 11, 1999. J. Cherryhomes, President of Council.  
Approved June 17, 1999. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** - Your Committee recommends that the Solid Waste and Recycling Division be authorized to include an insert in the August 1999 public utility bills providing information on the 1999 schedule and guidelines for household hazardous waste mobile drop-off sites.

Your Committee further recommends that the proper City staff be directed to report back to the Transportation & Public Works Committee and Ways & Means/Budget Committee clarifying the City's policy requiring approval of utility bill inserts by the City Council.

Adopted. Yeas, 12; Nays none.  
Absent - Herron.  
Passed June 11, 1999.  
Approved June 17, 1999. 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 the Nicollet Mall 2000 Operating Budget, and having determined that the estimated cost of improving, operating and maintaining the Nicollet Mall for the Year 2000 requires an adjustment to the 1999 General Appropriation Resolution to include unexpended balances from 1998, as submitted by the City Engineer, in accordance with Minnesota Statutes, Subdivision 1, Section 430.102, and having held a public hearing thereon, now recommends that the Nicollet Mall 2000 Operating Budget be approved as follows:

Category 1 - Amount to be charged against the General Fund of the City	\$ 68,000
Category 2 - Amount to be charged against benefited properties in proportion to benefits	1,142,158
Category 3 - Amount to be specially taxed against properties after deductions under	
Categories 1 and 2, and rental fees	0
Rentals received from vendors and other users	<u>26,906</u>
Total amount required for Year 2000 improvement, operation and maintenance, prior year's carry forward of unexpended balance, and adjusted costs	<b>\$1,237,064</b>

Your Committee further recommends that the City Engineer be directed to prepare an assessment roll setting forth (separately) the amounts to be specially assessed against benefited properties in the district in proportion to the benefits, descriptions of such properties, and the names of the owners of such properties, so far as such names are available to the City Engineer, and that the City Engineer confer with the Nicollet Mall Advisory Board in the preparation for such assessment roll.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation for the Public Works Streets and Malls Agency by \$300,861.

Adopted. Yeas, 12; Nays none.  
Absent - Herron.  
Passed June 11, 1999.  
Approved June 17, 1999. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-206**  
**By Campbell**

**Amending The 1999 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 Public Works - Streets and Malls Agency in the General Fund (0100-607-6130) by \$300,861 for the Nicollet Mall.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having under consideration the importance of improving the criminal justice information systems of and between Minneapolis and Hennepin County, now recommends concurrence with the Criminal Justice Coordinating Committee (CJCC) in their recommendation that development of an integrated information system should be considered a high priority in order to improve operational inefficiencies and processes for sharing information.

Your Committee further recommends that the proper City officers be authorized to execute a Cooperative Agreement with Hennepin County that would provide for the following:

a) City involvement in the project;

b) City contribution of \$180,000 for development of an integrated criminal justice system, payable from Strategic Information Systems Planning (SISP) Projects Agency in the Permanent Improvement Projects Fund (4100-972-A400) by \$180,000; and

c) Limiting City liability.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having under consideration the 1999 City of Minneapolis Charitable Campaign, now recommends granting a waiver of the City's 10% employee donation requirement to allow United Arts to participate in the 1999 campaign.

Your Committee further recommends that appropriate staff of the City Coordinator's Office be directed to notify United Arts of the City's 10% employee donation requirement, so the organization can strive to meet the 10% threshold in 1999.

Your Committee further recommends approval of the following charitable fund-raising organizations, as participants in the 1999 City of Minneapolis Charitable Campaign:

a) Community Solutions Fund (formerly Cooperating Fund Drive);

b) The Health Fund of Minnesota;

c) Minnesota Environment Fund;

d) Open Your Heart to the Hungry and Homeless;

e) United Arts;

f) UNCF/The College Fund (also known as the United Negro College Fund); and

g) United Way of Minneapolis.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having under consideration the City's annual Charitable Campaign process, and having discussed the need for a formal policy relating to the City's 10% employee donation requirement, now recommends approval of the following policy, to provide clarification and consistency:

"If an organization participating in the City of Minneapolis Charitable Campaign falls below the City's 10% employee donation requirement for continued participation in said campaign, the

organization will be given notice to increase the percentage of employee donations to meet or exceed the 10% requirement during the next campaign year or the City will discontinue the organization's participation in said charitable campaign."

Campbell moved that the above report be deleted. Seconded.

Adopted upon a voice vote.

**W&M/Budget** - Your Committee recommends approval to offer the Housing Inspections Administrator position to Medard Kopczynski at a starting salary up to the sixth step rate of pay for said position.

Your Committee further recommends approval to reimburse said applicant, in an amount not to exceed \$5,000 for moving-related expenses, said reimbursement to be payable from the Inspections Agency in the General Fund (0100-850-8510).

Your Committee further recommends that appropriate staff of the Human Resources Department be directed to conduct a study to determine whether the current range for said position is adequate in today's market.

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

Yeas - Mead, Lane, McDonald, Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, Cherryhomes.

Nays - Johnson.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution supporting the bid proposal from the City of Minneapolis and authorizing the City Attorney to submit the City's bid to the International Municipal Lawyers Association (IMLA) to host its 2003 conference.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-207**

**By Campbell**

**Supporting the bid proposal from the City of Minneapolis and authorizing the City Attorney to submit the City's bid to the International Municipal Lawyers Association (IMLA) to host its 2003 conference.**

Whereas, the International Municipal Lawyers Association (IMLA) conducts an annual conference for municipal lawyers throughout the United States and Canada, which provides attendees the opportunity to exchange ideas with their colleagues and to learn about legal developments that affect city government; and

Whereas, IMLA is soliciting proposals for its 2003 conference; and

Whereas, the City of Minneapolis is known for its thriving theater district, outstanding museums, great restaurants, and its flourishing downtown; and

Whereas, the City of Minneapolis has bountiful natural resources within the City limits, including a nationally recognized park system; and

Whereas, Minneapolis is an outstanding convention destination; and

Whereas, the City Attorney has recommended that Minneapolis submit a bid to IMLA to host its 2003 conference;

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

That the Minneapolis City Council urges the IMLA Site Selection Committee to choose Minneapolis as the host city for IMLA's 2003 conference and authorizes the City Attorney to make the necessary commitments to submit the bid from the City of Minneapolis.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends that a lawsuit filed against the City be settled and be payable to Richard A. Wiesner and his attorney, Andrew Brown, in the amount of \$4,000, payable from the Self Insurance Fund (6900-150-1500-8650).

Adopted. Yeas, 12; Nays none.  
Absent - Herron.  
Passed June 11, 1999.  
Approved June 17, 1999. S. Sayles Belton,  
Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends approval for payment to Lieutenant Shirleen Hoffman and her attorney, Michael J. Colich, in the amount of \$5,000, as reimbursement of attorney's fees in defense of possible criminal charges, payable from the Liability Agency in the Self-Insurance Fund (6900-150-1500-4000).

Adopted. Yeas, 12; Nays none.  
Absent - Herron.  
Passed June 11, 1999.  
Approved June 17, 1999. S. Sayles Belton,  
Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having under consideration the Fiscal Year 1999 (FY99) Consolidated Plan, passed December 10, 1998, now recommends that the proper City officers be authorized to rescind a portion of the footnote which identifies the Minneapolis-St. Paul Family Housing Fund as the entity to receive and reserve \$50,000 in FY99 Emergency Shelter Grant (ESG) funds for youth shelters.

Your Committee further recommends that the proper City officers be authorized to award \$50,000 in FY99 ESG funds to Project Foundation for operation of their youth shelter program, since Minneapolis-St. Paul Family Housing Fund will cease to administer and allocate ESG funds on behalf of the City.

Your Committee further recommends that the proper City officers be authorized to execute a contract with Project Foundation for said shelter program operation.

Adopted. Yeas, 12; Nays none.  
Absent - Herron.  
Passed June 11, 1999.  
Approved June 17, 1999. S. Sayles Belton,  
Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having under consideration the Convention Center Expansion Project, now recommends that the

proper City officers be authorized to execute the following contract amendments providing for certain administrative changes and increases:

a) Amendment #3 to Contract #12874 with Robert J. Alfton, increasing said contract amount by \$25,000, for a new contract total not to exceed \$110,000;

b) Amendment #4 to Contract #12382 with Dale E. Dobson, increasing said contract by \$15,000, for a new contract total not to exceed \$150,000; and

c) Amendment #1 to Contract #13164 with Carl Lidstrom, increasing said contract by \$25,000, for a new contract total not to exceed \$50,000.

Adopted. Yeas, 12; Nays none.  
Absent - Herron.  
Passed June 11, 1999.  
Approved June 11, 1999. J. Cherryhomes,  
Acting Mayor.  
Attest: M. Keefe, City Clerk.  
(Published June 16, 1999)

**W&M/Budget** - Your Committee recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for the position of Management Analyst, based on studies conducted by the Department of Human Resources, to be effective April 1, 1998.

Your Committee further recommends that affected employees receive back pay in accordance with contract provisions.

Your Committee further recommends summary publication of said Ordinance.

Adopted. Yeas, 12; Nays none.  
Absent - Herron.  
Passed June 11, 1999.  
Approved June 17, 1999. S. Sayles Belton,  
Mayor.  
Attest: M. Keefe, City Clerk.

Ordinance 99-Or-063, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Management Analyst, was passed June 11, 1999 by the City Council and approved June 17, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

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

**ORDINANCE 99-Or-063**

**By Campbell**

**1<sup>st</sup> & 2<sup>nd</sup> Readings: 6/11/99**

**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 classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**Minneapolis Professional Employees (CPE)**

**Effective: April 1, 1998**

FLSA	OTC	CLASSIFICATION	P	6 Months	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	4	Management Analyst	B	1633	1674	1805	1896	1998	2100	2208	2325

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**Minneapolis Professional Employees (CPE)**

**Effective: January 1, 1999**

FLSA	OTC	CLASSIFICATION	P	6 Months	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	4	Management Analyst	B	1674	1716	1850	1943	2048	2153	2263	2383

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for the position of Council Office Associate, based on studies conducted by the Department of Human Resources, to be effective January 8, 1998.

Your Committee further recommends that the resulting back pay, in the amount of \$45,075, be authorized in accordance with Union contract provisions for the affected employees.

Your Committee further recommends that appropriation of said back pay be deferred to the Mid-Year Budget Review.

Your Committee further recommends summary publication of said Ordinance.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-064, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Council Office Associate, was passed June 11, 1999 by the City Council and approved June 17, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

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

**ORDINANCE 99-Or-064**  
**By Campbell**  
**1<sup>st</sup> & 2<sup>nd</sup> Readings: 6/11/99**

**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 classification 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 8, 1998**

<b>FLSA OTC CLASSIFICATION</b>			<b>1st</b>	<b>2nd</b>	<b>3rd</b>	<b>4th</b>	<b>5th</b>	<b>6th</b>
			<b>STEP</b>	<b>STEP</b>	<b>STEP</b>	<b>STEP</b>	<b>STEP</b>	<b>STEP</b>
N	3	Council Office Associate	1143	1224	1283	1342	1409	1479

Section 2: That the following classification 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, 1999**

<b>FLSA OTC CLASSIFICATION</b>			<b>1st</b>	<b>2nd</b>	<b>3rd</b>	<b>4th</b>	<b>5th</b>	<b>6th</b>
			<b>STEP</b>	<b>STEP</b>	<b>STEP</b>	<b>STEP</b>	<b>STEP</b>	<b>STEP</b>
N	3	Council Office Associate	1172	1255	1315	1376	1444	1516

Adopted. Yeas, 12; Nays none.  
Absent - Herron.  
Passed June 11, 1999. J. Cherryhomes, President of Council.  
Approved June 17, 1999. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for the position of Supervisor, Sidewalk Inspections, based on studies conducted by the Department of Human Resources, to be effective January 11, 1999.

Your Committee further recommends that the incumbent receive back pay in accordance with contract provisions.

Your Committee further recommends summary publication of said Ordinance.  
Adopted. Yeas, 12; Nays none.  
Absent - Herron.  
Passed June 11, 1999.  
Approved June 17, 1999. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

Ordinance 99-Or-065, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Supervisor, Sidewalk Inspections, was passed June 11, 1999 by the City Council and approved June 17, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

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

**ORDINANCE 99-Or-065  
By Campbell  
1st & 2nd Readings: 6/11/99**

**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 classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**Minneapolis City Supervisor's Association (CSU)**

**Effective: January 11, 1999**

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	4	Supervisor, Sidewalk Inspections	410	9	B	1537	1618	1703	1793	1887	1986	2091

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**Minneapolis City Supervisor's Association (CSU)**

**Effective: January 1, 2000**

**Schedule a:**

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	4	Supervisor, Sidewalk Inspections	410	9	B	1575	1658	1745	1837	1934	2036	2143

**Schedule b\*:**

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	4	Supervisor, Sidewalk Inspections	410	9	B	1584	1667	1755	1847	1944	2046	2154

\*Schedule (b), above, 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, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for the position of General Foreman, Solid Waste and Recycling, based on studies conducted by the Department of Human Resources, to be effective April 12, 1999.

Your Committee further recommends that the incumbent receive back pay in accordance with contract provisions.

Your Committee further recommends summary publication of said Ordinance.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-066, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of General Foreman, Solid Waste and Recycling, was passed June 11, 1999 by the City Council and approved June 17, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

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

**ORDINANCE 99-Or-066  
By Campbell  
1<sup>st</sup> & 2<sup>nd</sup> Readings: 6/11/99**

**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 classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**Minneapolis City Supervisor's Association (CSU)  
Effective: April 12, 1999**

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP
E	4	General Foreman, Solid Waste and Recycling	528	11	B	2253	2350	2449

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**Minneapolis City Supervisor's Association (CSU)  
Effective: January 1, 2000**

**Schedule a:**

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP
E	4	General Foreman, Solid Waste and Recycling	528	11	B	2309	2409	2510

**Schedule b\*:**

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP
E	4	General Foreman, Solid Waste and Recycling	528	11	B	2321	2421	2522

\*Schedule (b), above, 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, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends acceptance of a planning grant from Honeywell, Inc., to study the feasibility of a technology corridor on Central Avenue NE, to begin the development

of infrastructure and technical requirements, and to prepare cost estimates for the proposed project.

Your Committee further recommends passage of the accompanying resolution increasing the Information and Technology Services Agency by \$20,000.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-208  
By Campbell**

**Amending The 1999 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 Information and Technology Services Agency in the Intergovernmental Service Fund (6400-880-8865) by \$20,000 and increasing the Information and Technology Services Agency revenue estimate in the Intergovernmental Service Fund (6400-880-8865-Source 3720) by \$20,000.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee, having under consideration potential Year 2000 (Y2K) problems relating to computers and electronically controlled devices and the potential failure or malfunction of public infrastructure and/or systems critical to the delivery of municipal services, and having determined that there is an urgency to secure emergency power generators in order to ensure delivery of said municipal services, now recommends that the proper City officers be authorized to execute a contract with Ziegler to provide 2 - 1.6 megawatt generators, 2 - transformers, and required cabling, at a cost of \$112,650, and to execute other necessary contract(s) for an additional \$50,000 to cover costs associated with installation, electrical engineering consulting services, and the purchase of a disconnect switch, for a total cost of \$162,650, payable from Strategic Information System Planning (SISP) Projects Agency in the Permanent Improvement Projects Fund (4100-972-A880).

Your Committee further clarifies that the urgency in securing said contracts and the City's need to proceed immediately is in accordance with newly passed legislation (Minnesota Laws of 1999, Chapter 250, Article 2, Section 6).

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed June 11, 1999.

Approved June 11, 1999. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published June 16, 1999)

**W&M/Budget** - Your Committee recommends concurrence with the Executive Committee to approve the following recommendations:

a) To create a new, appointed job classification for Director of Information and Technology Services (ITS), to be evaluated at 638 points and placed at Grade 14;

b) To reclassify the following ITS management positions to the new Director of ITS title:

1. Director of ITS (currently Grade 14);

2. Director of Applications, Management Services (currently Grade 12);

3. Director of Central Operations (currently Grade 12);
4. Director of Strategic Information Management (currently Grade 12);
5. Director of Client Services (currently an inactive title at Grade 11);
6. Director of Public Affairs (currently Grade 11); and
7. Director of Public Safety Systems (currently Grade 12).

c) To set the salary schedule for the new Director of ITS position and for the Chief Information Officer (CIO) position, as more fully set forth in Petn No 264898 on file in the Office of the City Clerk and made a part of this report by reference, with the understanding that the 6-year rate for the CIO is limited by the Governor's cap.

d) To exercise the "exceptions" provision, which provides for exceptions from the Appointed Employee Compensation Plan for "extreme cases as when market for a position is so high that sufficiently qualified candidates cannot be attracted or retained by the Minneapolis rate."

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

Your Committee further recommends summary publication of said Ordinance.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-067, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the positions of Director, Information & Technology Services and Chief Information Officer, was passed June 11, 1999 by the City Council and approved June 17, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

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

**ORDINANCE 99-Or-067**  
**By Campbell**  
**1<sup>st</sup> & 2<sup>nd</sup> Readings: 6/11/99**

**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 classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)**

Effective: June 8, 1999

FLSA OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	**After 6 Years
E 1	Director, Information Technology Services	638	14	A	\$90,250	\$95,000	\$97,850	\$99,750
E 1	Chief Information Officer	755	16	A	\$103,582	\$109,034	\$112,305	\$114,486

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)**

**Effective: January 1, 2000**

**Schedule a:**

FLSA OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	**After 3 Years	**After 6 Years
E 1	Director, Information Technology Services	638	14	A	\$92,506	\$97,375	\$100,296	\$102,244
E 1	Chief Information Officer	755	16	A	\$106,172	\$111,760	\$115,113	\$117,348

**\*Schedule b:**

FLSA OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	**After 3 Years	**After 6 Years
E 1	Director, Information Technology Services	638	14	A	\$92,958	\$97,850	\$100,786	\$102,743
E 1	Chief Information Officer	755	16	A	\$106,689	\$112,305	\$115,674	\$117,921

\*Schedule (b), above, 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.

\*\* The rate for the CIO is limited by the Governor's Salary Cap.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having under consideration a request from the Youth Coordinating Board (YCB) for appropriation of an additional \$100,000 for the Youth in Minneapolis After School Program (YMAP), which provides programs for middle school youth, now recommends denial of said appropriation request.

Your Committee further recommends that the YCB develop a request for the Year 2000 budget that would provide very specific information as to how funds would be used, what portion of Community Education funding is being dedicated to children and families and what the term "in-kind" represents.

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

Yeas - Mead, Lane, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Goodman, Colvin Roy, Cherryhomes.

Nays - Niland.

Absent - Herron.

Passed June 11, 1999.

**NOT APPROVED BY THE MAYOR.**

Attest: M. Keefe, City Clerk.

CITY OF MINNEAPOLIS  
CERTIFICATION

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

I, MERRYKEEFE, City Clerk of the City of Minneapolis, County of Hennepin, State of Minnesota, do hereby certify that a report of the Ways & Means/Budget Committee relating to a request from the Youth Coordinating Board for additional funding, as acted upon by the City Council of Minneapolis, Minnesota, and designated as "Not Approved by the Mayor", for her approval and signature as such Mayor, that Mayor Sayles Belton did not thereafter, within five days, Sundays excepted, approve or sign such action within the time specified.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, this 18th day of June, 1999.

MERRYKEEFE,  
City Clerk.

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

**Z&P** - Your Committee, having under consideration the appeal of Michael and Martie Saphir from the decision of the Board of Adjustment denying an application for variation of the front yard from 25 ft to 12 ft and variation of the west side yard from 6 ft to 1 ft to permit a new, 14 ft x 38 ft, detached garage at 2716 W 45th St (V-4421) (Petr No 264907), and having conducted a public hearing thereon, now recommends that the appeal be granted and the variations approved, all in accordance with the Findings of Fact prepared by the City Attorney's Office and on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration the petition of the University of Minnesota (Vac #1259) to vacate a part of 19th Av SE between University Av SE and 4th St SE to permit the plaza for the Sports Pavilion/Williams Arena, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petr No 264909 and to grant said vacation, subject to retention of easement rights by Minnegasco and the City of Minneapolis.

Your Committee further recommends passage of the accompanying resolution vacating said part of 19th Av SE between University Av SE and 4th St SE, and summary publication of same.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

Resolution 99R-209, entitled "Vacating part of 19th Avenue Southeast between University Avenue Southeast and 4th Street Southeast. (Vac #1259)" was passed June 11, 1999 by the City Council and approved June 17, 1999 by the Mayor. The full text of the resolution is available for inspection by the public in the office of the City Clerk.

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

**RESOLUTION 99R-209**

**By McDonald**

**Vacating part of 19th Avenue Southeast between University Avenue Southeast and 4th Street Southeast. (Vac #1259)**

Resolved by The City Council of The City of Minneapolis:

That all that part of 19<sup>th</sup> Avenue Southeast from the northeasterly right of way line of University Avenue Southeast extended to the southwesterly line of 19<sup>th</sup> Avenue Southeast adjacent to Block H, Tuttle's Addition previously vacated by action of the City Council on June 11, 1993, is hereby vacated except that such vacation shall not affect the existing easement right and authority of Minnegasco and the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to Minnegasco:

The east half of 19<sup>th</sup> Avenue South which lies northeasterly of the northeasterly right of way line University Avenue Southeast extended, to the southwesterly line of 19<sup>th</sup> Avenue Southeast adjacent to Block H, Tuttle's Addition, previously vacated by action of the City Council on June 11, 1993;

As to the City of Minneapolis:

**Water Easement:** A 30-foot wide easement, being 5 feet southeasterly and 25 feet northwesterly of the centerline of 19<sup>th</sup> Avenue Southeast extending along said centerline from the northeasterly right-of-way line of University Avenue Southeast to a point 40 feet northeasterly of the southwest corner of Lot 5 in Block 1 of Tuttle's Addition;

**Sewer Easement:** A 30-foot wide easement being 15 feet southeasterly and 15 feet northwesterly of the centerline of 19<sup>th</sup> Avenue Southeast, extending along said centerline from the northeasterly right-of-way line of University Avenue Southeast to a point 40 feet northeasterly of the southwest corner of Lot 5 in Block 1 of Tuttle's Addition;

**Fire Lane Easement:** As per City Council Resolution No.93R-224, the City will reserve a fire lane easement over all of the to-be-vacated 19<sup>th</sup> Avenue Southeast. If the University determines that vehicular barriers are necessary to control traffic within the fire lane easement, the barriers must conform to the gate design which is approved by the Minneapolis Fire Chief. This easement should be extended to include new vacated portion of 19<sup>th</sup> Avenue Southeast;

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

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration the petition of the University of Minnesota (Vac #1249) to vacate a part of 18th Av SE between 4th and 5th Sts SE so that it may become part of the site for the University of Minnesota women's indoor hockey and tennis facility, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 264909 and to grant said vacation, subject to retention of easement rights by Northern States Power and the City of Minneapolis.

Your Committee further recommends passage of the accompanying resolution vacating said part of 18th Av SE between 4th and 5th Sts SE and summary publication of same.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

Resolution 99R-210, entitled "Vacating part of 18th Avenue Southeast between 4th Street Southeast and 5th Street Southeast. (Vac #1249)," was passed June 11, 1999 by the City Council and approved June 17, 1999 by the Mayor. The full text of the resolution is available for inspection by the public in the office of the City Clerk.

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

**RESOLUTION 99R-210  
By McDonald**

**Vacating part of 18<sup>th</sup> Avenue Southeast between 4<sup>th</sup> Street Southeast and 5<sup>th</sup> Street Southeast. (Vac #1249)**

Resolved by The City Council of The City of Minneapolis:

That all that part 18<sup>th</sup> Avenue Southeast between Blocks L and K, Tuttle's Addition, lying northeasterly of the northeasterly right-of-way (ROW) line of 4<sup>th</sup> Street Southeast and lying southwesterly of the southwesterly ROW line of 5<sup>th</sup> Street Southeast is hereby vacated except that such vacation shall not affect the existing easement right and authority of NSP and the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to NSP: All of the to be vacated 18<sup>th</sup> Avenue Southeast;

As to the City of Minneapolis:

A 30 foot wide water main easement over, under and through the west 1 foot of the east one half, also the east 29 feet of the west one half of 18<sup>th</sup> Avenue Southeast, lying between the north line of 4<sup>th</sup> Street Southeast and the South line of 5<sup>th</sup> Street Southeast for the entire vacated portion;

A sewer easement over, under and through the entire east one half, also the east 15 feet of the west one half of 18<sup>th</sup> Avenue Southeast lying between the north line of 4<sup>th</sup> Street Southeast and the south line of 5<sup>th</sup> Street Southeast for the entire vacated portion;

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities; and said easement right and authority is hereby expressly reserved to each of the above-named corporations and the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the corporations and the Director of Public Works of the City of

Minneapolis having utility facilities located within the area involved authorizing them to do so.

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee recommends that the draft of the Minneapolis Plan dated June 1999, as set forth in Petn No 264908, be approved for submission to the Metropolitan Council and the mandated formal review process.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration the application of James Baker for a special permit to do off-premises catering at 1825 Glenwood Av for Elite Catering, now recommends approval of the application as a temporary use, notwithstanding the existing Zoning Code, until the adoption of the new Zoning Code, which will allow such off-premises catering. (#1999-069)

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration the application of Erik Veblen on behalf of Wyatt Ventures LLC for a special permit to allow a building permit to be issued for work at 2815, 17, 23 and 29 Lyndale Av S before final rezoning approval is received, now recommends approval, notwithstanding the Zoning Code, on

condition that applicant will undo work if signatures on rezoning petition are not received. (#1999-070)

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee recommends that Richard H White, 2532 Upton Av S (Ward 7), be appointed to the Zoning Board of Adjustment to serve the remainder of the unexpired term of John George. That term will expire December 31, 2000. (Petr No 264909)

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration the petition of Park Avenue United Methodist Church (Vac #1265) to vacate the portion of the north-south alley between Lots 1-4 and Lots 20-24 in Block 3 of the Chicago Avenue Addition, bounded by Oakland Av, Park Av, E 34th Street, and E 35th Street, to permit an expanded parking area contiguous to the church, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 264909 and to grant said vacation, subject to retention of easement rights by US West, and subject to the following conditions:

a. The northern end of the alley is rerouted to Oakland Av, as proposed, and is built before the vacation of the existing alley outlet on 34th St takes effect;

b. The applicant relocates telephone lines, as requested by US West; and

c. Plans addressing all drainage issues are submitted to the City.

Your Committee further recommends passage of the accompanying resolution vacating the above described alley, and summary publication of same.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

Resolution 99R-211, entitled "Vacating the portion of the north-south alley between Lots 1-4 and Lots 20-24 in Block 3 of the Chicago Avenue Addition, bounded by Oakland Avenue, Park Avenue, East 34th Street, and East 35th Street. (Vac # 1265)," was passed June 11, 1999 by the City Council and approved June 17, 1999 by the Mayor. The full text of the resolution is available for inspection by the public in the office of the City Clerk.

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

**RESOLUTION 99R-211  
By McDonald**

**Vacating the portion of the north-south alley between Lots 1-4 and Lots 20-24 in Block 3 of the Chicago Avenue Addition, bounded by Oakland Avenue, Park Avenue, East 34<sup>th</sup> Street, and East 35<sup>th</sup> Street. (Vac #1265)**

Resolved by The City Council of The City of Minneapolis:

That all that part of the alley between Lots 1 - 4 and Lots 20 - 24 in Block 3 of the Chicago Avenue Addition to Minneapolis is hereby vacated except that such vacation shall not affect the existing easement right and authority of US West Inc., their successors and assigns to enter upon that portion of the above described alley which is described in regard to the said corporations as follows, to wit:

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

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999. J. Cherryhomes, President of Council.

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

Attest: M. Keefe, City Clerk.

**REPORT OF SPECIAL  
COMMITTEE**

**Elections** - Your Committee recommends approval of designation of polling places for all elections in the remainder of 1999 as set forth in Petn No. 264868 on file in the office of the City Clerk in accordance with Chapter 2, Section 6, of the Charter of the City of Minneapolis. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**MOTIONS**

Ostrow, Chair of the Claims Committee, moved concurrence in the reports received from the City Attorney (Petn No 264911) recommending payment of workers' compensation to various employees and to the State Fund, and for payment of bills and professional services rendered claimants or employees injured on the job. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

Campbell, Chair of the Ways & Means/Budget Committee, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of July 1999 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

Thurber moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Cyndi Butler for a residential block event to be held June 4, 1999, on East 36th Street from 20th to 21st Avenues South, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

Thurber moved that the City Council make a recommendation to the Light Rail Transit (LRT) Corridor Management Committee to appoint Jullone Glad, 3245 21st Avenue South, to the Light Rail Transit (LRT) Citizens Advisory Committee to fill the unexpired term of Nathan Shaw. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

Cherryhomes moved to waive the 60-day filing time as required by Chapter 447 of the Minneapolis Code of Ordinances for applicant Ashley Ann Rukes on behalf of GLBT Pride/Twin Cities for a parade to be held June 27, 1999, from 11 a.m. to 3 p.m. starting on 3rd Street and Marquette and ending at Loring Park, subject to approval being granted by the Public Works and Police departments to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

Mead moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Margot McKinney for a residential block event to be held June 13, 1999, from noon to 10 p.m. on Aldrich Avenue South from 48th to 49th Streets, having approval granted by the Public Works Department to grant said waiver.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 11, 1999.

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

Attest: M. Keefe, City Clerk.

**RESOLUTIONS**

Ostrow, Cherryhomes, Campbell, Herron, Thurber, Johnson and Colvin Roy offered a

Resolution related to keeping the Twins in Minnesota and a stadium on the downtown riverfront, for referral to the Intergovernmental Relations Committee.

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

Yeas - Johnson, Thurber, Ostrow, Campbell, Colvin Roy, Cherryhomes.

Nays - Mead, Lane, McDonald, Biernat, Niland, Goodman.

The Chair ruled that the above resolution would remain on the agenda for consideration at the next regular City Council meeting.

#### **UNFINISHED BUSINESS**

Sepran Inc, 3948 Nicollet Av: Deny appeal for nonconforming use certificate to allow gas station and repair garage, grant appeal for variance. (Postponed 10/30/98, Z&P)

McDonald moved to continue postponement. Seconded.

Adopted upon a voice vote.

#### **NEW BUSINESS**

Biernat offered an Ordinance amending Title 13, Chapter 321 Article III of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations, Secondhand Dealers - Exhibitions*, which was given its first reading and referred to the Public Safety and Regulatory Services Committee.

Ostrow offered an Ordinance amending Title 21, Chapter 585 of the Minneapolis Code of Ordinances relating to *Interim Ordinances: Providing for a Moratorium on the Establishment or Expansion of Day Labor Facilities*, which was given its first reading and referred to the Zoning & Planning Committee (Extending the moratorium 6 additional months).

Campbell moved that when this Council adjourns, it adjourns to a session in Room 315 City Hall to be held immediately following the Minneapolis Community Development Agency Board of Commissioners meeting and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of June 11, 1999, for the purpose of considering various lawsuits. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Adjourned.

MERRY KEEFE,  
City Clerk.  
99-5164