

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

AUGUST 13, 1999

(Published August 21, 1999,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

August 13, 1999 – 9:30 a.m.

President Cherryhomes in the Chair.

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

Campbell moved acceptance of the minutes of the regular meeting of July 30, 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:

COORDINATOR (265064)

FY 1998 Consolidated Annual Performance & Evaluation Report.

ROBBINS, KENT (265065)

FY2000 Federal Housing Budget Cuts update.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (265066)

Living Wage Policy: Report to conform to 1999 State Business Subsidy Act requirements.

Heartland Realty Co, LLC & Heartland Apparel, Inc: Resolution granting final approval to issue bonds for construction of manufacturing facility at 2637-32nd Ave S.

Greater Mpls Area Chapter of the American Red Cross: Resolution granting final approval to

issue bonds for construction of office building at 1201 River Pkwy W.

COORDINATOR (265067)

Great Lake Center Project (former Sears's site): Application for Section 108 Loan Guarantee funds in the amount of \$6.5 million to HUD.

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (265068)

Ames & Fischer Co II, LLP: Resolution adopting the 10th Ave N & Washington Ave N Redevelopment Plan and Tax Increment Finance Plan, Modification No. 12 to the North Washington Industrial Park Redevelopment Plan & Modification No. 62 to the Common Development & Redevelopment Plan & Common Tax Increment finance Plan re renovation of the historic John Deere building.

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (265069)

Target Center: Appropriation of \$675,000 for construction of Minnesota Timberwolves basketball team practice facility.

River Terminal Operating Agreement: Direction to MCDA staff to negotiation agreement with River Services, Inc, establish Upper River Land Bank Trust Fund & Develop guidelines for use of trust fund monies.

HEALTH AND HUMAN SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES (265070)

Minneapolis Employment & Training Program: Fourth Quarter Program Status Report for Program Year 1998.

HEALTH AND HUMAN SERVICES (See Rep):
HEALTH AND FAMILY SUPPORT SERVICES (265071)

Phillips Neighborhood Youth Corps: Issue FAN to Summit Academy OIC.

Job Vacancy Survey Grant: Issue FAN to Minnesota Department of Economic Security to conduct employer needs survey.

Phat Summer: Modify contract with Police Athletic League increasing Community Resource Fund compensation and issue FAN to Youth Coordinating Board.

Youth Coordinating Board: Rescind previous action authorizing master contract and calling for issuance of FANs through Neighborhood Services contract.

Youth Opportunity Initiative: Submit grant application to U.S. Department of Labor to provide long-term services to youth within Minneapolis Enterprise Zone.

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

LICENSES AND CONSUMER SERVICES (265072)

Lead Safe Housing: Accept grant funds from the State Department of Health.

HUD Round IV Lead Hazard Reduction Project: Establish requirement for matching funds for owners of properties receiving services.

INTERGOVERNMENTAL RELATIONS:

LIAISON/FEDERAL, LOCAL AND STATE (265073)

Citizens Jury on Minnesota Property Tax Reform: Report from Jefferson Center; Star Tribune news article, "Jury's suggestions support status quo".

INTERGOVERNMENTAL RELATIONS

(See Rep):

PARK BOARD (265074)

Minnehaha Creek: Pass resolution petitioning Minnehaha Creek Watershed District for funding for Steambank Stabilization & Repair.

PUBLIC SAFETY AND REGULATORY

SERVICES (See Rep):

INSPECTIONS DEPARTMENT (265075)

Rental Dwelling License, 708 13th Ave SE: Concur with Board of Appeals recommendation to revoke license held by Blake Bonjean.

LICENSES AND CONSUMER SERVICES (265076)

Isles Market & Deli (2115 W 21st St): Sidewalk Cafe report.

Licenses: Applications.

POLICE DEPARTMENT (265077)

Multi-jurisdictional Task Force Grant: Permission to submit grant application for \$352,000 in federal funds to continue multi-jurisdictional narcotics enforcement task force.

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

EMERGENCY PREPAREDNESS (265078)

Metropolitan Medical Response Service: Enter into & execute contract with Dept of Health & Human Services, U.S. Public Health Service, for service development.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (265079)

Light Rail Transit, Hiawatha Corridor: Preliminary design plans as presented by the Minnesota Department of Transportation.

Partnership Minnesota Governor's Commendation Certificate: Notification of City's receipt of a commendation for the Photo Cop project.

Public Works 1999/2000 Reorganization.

SOLID WASTE AND RECYCLING DIVISION (265080)

Solid Waste Enterprise Fund: Options for continuing to balance fund.

TRANSPORTATION AND PUBLIC WORKS

(See Rep):

COUNCIL MEMBER MEAD (265081)

National Pollutants Discharge Elimination System: Comments to Minnesota Pollution Control Agenda regarding notification of changes in permits upstream of Minneapolis.

FINANCE DEPARTMENT & PUBLIC WORKS (265082)

Utility Billing Ordinance: Amendments to Title 19, Chapter 509 of the Mpls Code of Ordinances relating to Water, Sewers and Sewage Disposal: Water, revising language relating to display of 5% late charge and requirements for monthly meter reading.

PUBLIC WORKS AND ENGINEERING (265083)

1999 Street Renovation Program, 31st St E (Nicollet to Bloomington Ave): Authorize project to proceed and approve assessments.

Water Service Line Assessment: Request of Thelma Coleman for extension of special assessment to her property at 1902 Penn Ave N.

Water Service Connection for Golden Valley Residence: Request of Juan Jackson for City water & sewer connection to property at 1601-1607 Xerxes Ave N.

Temporary Speed Humps: Criteria recommended for use of temporary testing devices.

Downtown Transportation Study: Accept proposal of SKF Consulting Group, Inc. to perform study and authorize execution of contract.

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

PUBLIC WORKS AND ENGINEERING (265084)

Public Works Facilities Project, Currie Maintenance Facility: Change order increasing construction contract with Knutson Construction Services, Inc.

Hawthorne Transportation Center, Orpheum Theater Skyway: Reconfirm acceptance of bid alternate for construction of skyway by Adolphson & Peterson, include ticket booth in skyway & financing plans.

PURCHASING (265085)

Bid: Accept OP #5188, low bid meeting specifications of Telemetry and Process Controls, Inc. for radio communication and control system upgrades at Water Works pump stations.

WATER DEPARTMENT (265086)

Pump Station Electrical Upgrade Projects: Change order increasing contract with Northern States Power.

Pump Station #5 Watermain Project: Change order increasing contract with Lametti & Sons, Inc.

WAYS AND MEANS BUDGET:

CONVENTION CENTER (265087)

Convention Center Expansion Project: Receive & File Change Management Actions.

COORDINATOR (265088)

Neighborhood Revitalization Program: Receive & File Phase II Planning Update.

FINANCE DEPARTMENT (265089)

Towing Companies & Auto Damage Claims: Receive & File Report.

1999 Travel Expenses: Receive & File Second Quarter Report.

HUMAN RESOURCES (265090)

1999 Affirmative Action Report: Receive & File Second Quarter Report.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (265091)

Settlements: Approve settlement of claims of Dorothy Lee-Horace; Randolph Dorr; Lisa Esther Herron.

Workers Compensation Claim: Approve payment relating to Troy Lubinski claim.

Managing Attorney Position: Salary Ordinance, amending Council action of 8/28/98.

Professional Services: Issue Request for Proposals.

COMMUNICATIONS (265092)

MTN Board: Approve one appointment.

CONVENTION CENTER (265093)

Bid: OP #5205, low bid of Gage Brothers Concrete Products for Convention Center Expansion Project.

Convention Center Expansion Project: Approve 100% design development estimate and current project budget.

COORDINATOR (265094)

Avenue of the Arts: Waive RFP Process, Contracts w/SRF Consulting Group, Inc., Acceptance of funds from Dayton Hudson Corp & Memorandum of Understanding.

FINANCE DEPARTMENT (265095)

Target Center Finance Plan: Amendments.

Temporary Employee Services: Waive RFP process & contract with ROMAC International, Inc.

HUMAN RESOURCES (265096)

Supervisor, Police Support Services: Salary Ordinance.

POLICE DEPARTMENT (265097)

DARE Services: Contract with Minneapolis Public Schools.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION

COMMISSION (265098)

Milwaukee Depot Redevelopment Project: Heritage Preservation Commission: Letters dated 6/28/99 and 7/30/99 recommending historic variances relating to 1) surface parking in the Train Shed, 2) reducing parking to zero for uses in Depot & Train Shed, & 3) allowing indoor recreation, offices, restaurant, event/meeting/banquet space uses in Depot & Train Shed if not

allowed under C3A zoning in forthcoming Zoning Code revision, w/attached reports of HPC actions of 6/15/99 & 7/29/99, HPC staff reports; Letter from MCDA to HPC dated 7/27/99.

MCDA: Letter dated 8/3/99 revised, recommending passage of resolution granting historic variances and certain zoning rights.

Council Member McDonald: Amendments to the MCDA proposed resolution.

PLANNING COMMISSION/DEPARTMENT (265099)

Project for Pride in Living (George Sherman): Approve vacate alley east of Columbus Ave & south of 24th St E and vacate Columbus Ave between 24th & 25th Sts E to permit 30-unit planned residential development known as Phillips Park Redevelopment Initiative, w/findings, maps. Summary of Planning Commission actions of 7/26/99.

Interim Ordinance: Planning Dept: Amending Title 21, Chapter 591 of Minneapolis Code of Ordinances relating to Interim Ordinances: Providing for moratorium on new or expanded development in M1, M2 & M3 districts along upper Mississippi River, extending moratorium.

Council Member McDonald: Comments in opposition from Diamond Vogel Paints & Soda Works.

UNFINISHED BUSINESS (See Rep):

MAYOR (265100)

Veto action: North Star Elementary School, amend contract with Hennepin County to redistribute grant funds.

FILED:

CITY CLERK/SPECIAL PERMITS (265101)

1st St N, 105 (3 Legged Race) hoofed animal; 37th Ave S, 2829 (Pauline Sargent) move garage; Girard Ave N, 3301 (Steve Heyerdahl) move house; Lake St E, 2610 (Arrow Sign Co) sign; Oak Grove St, 519 (Cathedral Church of St Mark) animals.

FINANCE DEPARTMENT (265102)

Schedule of Self-Supporting Revenue Bonds & Schedule of General Obligation Bonded Debt for 7/31/99.

FIRE DEPARTMENT (265103)

1998 Annual Report.

MAYOR (265104)

Letter appointing Craig Vana to the Minneapolis Private Industry/Workforce Council (MPI/WC).

FILED (See Rep):

PLANNING COMMISSION/DEPARTMENT (265105)

Upper Mississippi River Moratorium: Supporting letter. (See Z&P Rep)

REPORTS OF STANDING COMMITTEES

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

Comm Dev – Your Committee, having under consideration the 1999 State Business Subsidy Act, which requires adoption by public agencies of criteria for awarding business subsidies, and the current City of Minneapolis Living Wage Policy that applies to certain forms of business subsidies allocated by the Minneapolis Community Development Agency, and having held a public hearing thereon, now recommends that for the purposes of compliance with the 1999 State Business Subsidy Act on an interim basis, that those activities currently covered by the Living Wage Policy will continue to be covered by that policy. Criteria for awarding business subsidies to projects covered by the Act but not now covered by the Living Wage Policy will be determined on a case-by-case basis.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev – Your Committee, having under consideration a proposal to issue revenue bonds on behalf of Heartland Apparel, Inc. to finance the construction of a 32,900 square foot manufacturing facility at 2637 – 32nd Ave S, and the Council having given preliminary approval to issue said bonds on March 26, 1999, now recommends passage of the accompanying resolution granting final approval to the issuance of up to \$1,300,000 in Tax-exempt Minneapolis Community Development Agency (MCDA), Limited Tax Supported Development Revenue Bonds, Common Bond Fund, Series 1999, for Heartland Realty Company, LLC, and Heartland Apparel, Inc., to be issued through the Minneapolis Common Bond Fund and designating the Bonds as bonds entitled to the security provided by

Ordinance No 87-Or-084, Tax Reserve and Pledge Ordinance (Petn No 265066).

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

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

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

Niland moved that the report be deleted. Seconded.

Adopted upon a voice vote.

Comm Dev – Your Committee, having under consideration the matter of issuing revenue bonds on behalf of the Minneapolis Chapter of the American Red Cross to finance the construction of a 50,000 square foot high tech-flex office building at 1201 River Parkway W, and the Council having granted preliminary approval to issue such bonds on July 16, 1999, now recommends passage of the accompanying resolution granting final approval to issue up to \$3,500,000 in Tax-exempt Revenue Bonds for the Greater Minneapolis Area Chapter of the American Red Cross (Petn No 265066).

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

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 13, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published August 17, 1999)

Resolution 99R-281, providing for the issuance and sale of \$3,500,000 in Revenue Bonds, Series 1999 for the Greater Minneapolis Area Chapter of the American Red Cross development at 1201 River Parkway W and authorizing execution and delivery of the bonds, a financing agreement, tax agreement and certificate and project fund agreement, was passed August 13, 1999 by the City Council and approved August 13, 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-281
By Niland

Providing for the issuance and sale of \$3,500,000 in Revenue Bonds, Series 1999 (the Greater Minneapolis Area Chapter of the American Red Cross) and authorizing execution and delivery of the bonds, a financing agreement, tax agreement and certificate and project fund agreement.

Resolved by The City Council of The City of Minneapolis:

1. **City.** This City is, by laws of the State of Minnesota, including Sections 469.152 to 469.165, Minnesota Statutes, as amended (the "Act"), authorized to issue and sell its revenue bonds for the purpose of financing the costs of authorized projects and to enter into contracts necessary or convenient in the exercise of the powers granted by the Act and to pledge revenues of the project and otherwise secure the bonds.

2. **Authorization of Bonds.** The City hereby determines that it is necessary and expedient to authorize, and the City does hereby authorize, the issuance and sale of the City's Revenue Bonds, Series 1999 (the Greater Minneapolis Area Chapter of the American Red Cross) (the "Bonds") pursuant to the Act to provide money to be loaned to The Greater Minneapolis Area Chapter of the American Red Cross, a local unit of the American National Red Cross (the "Chapter") in the aggregate principal amount of Three Million Five Hundred Thousand Dollars (\$3,500,000) to finance costs of a headquarters office building (the "Project") to be operated by the Chapter. The Bonds shall be issued in the form and contain such terms as are set forth in the Agreement described below.

3. **Documents Presented.** Forms of the following documents relating to the Bonds and the Project have been prepared or reviewed by Faegre & Benson, LLP as bond counsel, and submitted to the City and are now on file in the office of the Minneapolis Community Development Agency (MCDA):

- (a) Financing Agreement (the "Agreement"), dated as of September 1, 1999, by and among the City, the Chapter

and Morgan Guaranty Bank and Trust Company (the "Purchaser") whereby, among other things, the City agrees to sell and the Purchaser agrees to purchase the Bonds, the City agrees to make a loan to the Chapter of the proceeds of the sale of the Bonds, and the Chapter covenants to complete the Project and to pay amounts sufficient to provide for the prompt payment of the principal of and interest on the Bonds;

(b) Project Fund Agreement, between the City, the Purchaser and the Chapter; and

(c) Tax Exemption Agreement and Certificate, between the Chapter, the Purchaser, and the City.

4. **Findings.** It is hereby found, determined and declared that:

(a) The Project furthers the purposes and policies of the Act;

(b) The City, through its Community Development Committee, held a public hearing on July 6, 1999 relating to the Project, and in the opinion of bond counsel, based on representations of the Chapter, the Bonds will be qualified Section 501(c)(3) bonds within the meaning of Section 145 of the Code the interest on which will be exempt from federal income tax;

(c) The Purchaser proposes to purchase the Bonds at a price of \$3,500,000 on the terms and conditions set forth in the Agreement, this Resolution and the Bonds. The Purchaser has agreed that The American National Red Cross Treasury Operations shall act as Depository with respect to the Bonds;

(d) The representations of the City in Section 603 of the Agreement are true and correct;

(e) The Agreement provides for payments by the Chapter to the Purchaser for the account of the City of such amounts as will be sufficient to pay the principal of and interest on the Bonds when due. No reserve funds are deemed necessary for this purpose. The Agreement obligates the Chapter to provide for the operation and maintenance of the Project Facilities, including adequate insurance, taxes and special assessments. The Agreement further provides for the payment of fees

to the City as set forth therein;

(f) The Chapter has approved and requested the City to accept the proposal of the Purchaser to purchase the Bonds on the terms set forth herein and in the Agreement, and the proposal appears feasible and reasonable;

(g) The Bonds are, and are hereby designated to be, program bonds as defined in Resolution No. 88R-021 of the City Council adopted January 29, 1988;

(h) Under the provisions of Section 469.162 of the Act and as provided in the Agreement, the Bonds are not to be payable from nor charged upon any funds other than amounts payable pursuant to the Agreement and moneys in the funds and accounts which are pledged to the payment thereof; the City is not subject to any liability thereon; no holders of the Bonds shall ever have the right to compel the exercise of the taxing power of the City to pay any of the Bonds or the interest thereon, nor to enforce payment thereof against any property of the City; the Bonds shall never constitute an indebtedness of the City within the meaning of any constitutional, statutory or charter limitation and shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers; the Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City; and each Bond issued under the Agreement shall recite that the Bond, including interest thereon, shall not constitute nor give rise to a charge against the general credit or taxing powers of the City and does not grant to the owner or holder of any Bond the right to have the City levy taxes or appropriate any funds for the payment of principal thereof or the interest or premium, if any, thereon and the Bond is not a general obligation of the City or individual officers or agents thereof.

5. Approval and Execution of Documents.

The forms of Agreement, Project Fund Agreement and Tax Agreement referred to in paragraph 3 are approved and upon approval of the Project by the Commissioner of Trade and Economic Development shall be executed in the name and on behalf of the City by the Mayor and attested by

the Clerk and Finance Officer or the officers authorized to act on behalf of the foregoing officers, in substantially the form on file, but with all such changes therein, not inconsistent with the Act or other law, as may be approved by the officers executing the same, which approval shall be conclusively evidenced by the execution thereof.

6. Approval of Terms and Sale of Bonds. The City shall proceed forthwith to issue its Bonds, in the amounts, maturing, bearing interest, payable in the installments and otherwise containing the provisions set forth in the Agreement and in the form of Bond attached to the Agreement as Exhibit A-1, which terms and provisions are hereby approved and incorporated in this Resolution and made a part hereof. A single Bond, substantially in the form of Exhibit A-1 to the Agreement, shall be issued and delivered to the Purchaser.

7. Execution, Authentication and Delivery of Bonds. The Bond may be in typewritten or printed form and shall be executed by the manual or facsimile signatures of the Mayor, City Clerk and Finance Officer and the official seal of the City shall be affixed thereto. When so prepared and executed, the Bond shall be delivered to the Purchaser upon satisfaction of the conditions specified on the Agreement, including receipt of the signed legal opinion of Faegre & Benson LLP, of Minneapolis, Minnesota, bond counsel.

8 Amendments, Changes and Modifications to Agreement, Assignment and Bond Resolution. Except as provided in the Agreement, the City shall not enter into or make any change, modification, alteration or termination of the Agreement or this Resolution.

9. Pledge to Holder. Pursuant to the Agreement, the City shall pledge and assign to the Purchaser and its successor Holders of the Bonds all interest of the City in all loan repayments to be made by the Chapter under the Agreement and moneys derived from enforcement of the Agreement other than moneys received by the City as indemnity or reimbursement of advances by the City. Other than such indemnity and advance reimbursement payments, all collections of moneys by the City in any proceeding for enforcement of the obligations of the Chapter under the Agreement shall be received, held and applied by the City for the benefit of the Holders of the Bonds.

10. Covenants with Holders; Enforceability. All provisions of the Bonds and of this resolution and all representations and undertakings by the City in the Agreement are hereby declared to be covenants between the

City and the Purchaser and its successor Holders of the Bonds and shall be enforceable by the Purchaser or any Holder in a proceeding brought for that purpose.

11. Project Fund. The proceeds of the Bonds shall be deposited into the Project Fund to be invested and to be withdrawn by the Chapter for payment of Project costs as provided in the Project Fund Agreement.

12. Prior Action Ratified. The terms and provisions of the Agreement and each resolution of the City heretofore adopted by the City relating to the Bonds or the Project and the application relating thereto are all hereby incorporated by reference and adopted, ratified and confirmed; and the officers of the City and Faegre & Benson LLP as bond counsel are hereby authorized and directed to execute and deliver all closing documents and do every other thing necessary or convenient to carry out the terms and provisions of the Agreement and each exhibit thereto (including this Resolution) to the end that the Project shall be completed and that the Bonds shall be delivered, secured and serviced and carry out the purposes and provisions of the Act with respect thereto without further resolution or other action by this City.

13. Definitions and Bond Interpretation. Terms not otherwise defined in this Resolution but defined in the Agreement shall have the same meanings in this Resolution and shall be interpreted herein as provided therein. Notices may be given as provided in the Agreement. In case any provision of this Resolution is for any reason illegal or invalid or inoperable, such illegality or invalidity or inoperability shall not affect the remaining provisions of this Resolution, which shall be construed or enforced as of such illegal or invalid or inoperable provision were not contained herein.

14. Certifications. The officers of the City are authorized and directed to prepare and furnish to Faegre & Benson, bond counsel, to the Chapter, to the Purchaser and to counsel for the Chapter and the Purchaser, certified copies of all proceedings and records of the City relating to the Project and the Bonds, and such other affidavits and certificates as may be required to show the facts appearing from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

Adopted. Yeas, 13; Nays none.
Passed August 13, 1999 J. Cherryhomes,
President of Council.

Approved August 13, 1999. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

The **COMMUNITY DEVELOPMENT, TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

Comm Dev, T&PW & W&M/Budget – Your Committee, having under consideration Modification No. 62 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan and Modification No. 12 to the North Washington Industrial Park Redevelopment Plan and the 10th Ave N & Washington Ave N Redevelopment Plan and Tax Increment Finance Plan, dated June 18, 1999 and revised July 1, 1999, relating to the public redevelopment activity necessary to facilitate the renovation of the historic John Deere building at 800 Washington Ave N by Ames and Fischer Co. II LLP into an office space for 1,000-1,200 additional workers and to assist with the construction of a public parking facility, as set forth in Petn No 265068, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution adopting said Modifications.

Your Committee further recommends approval of the recommendations set forth in Petn No 265068 relating to the redevelopment project in regards to business terms, and redevelopment and tax increment financing plans, and that the proper City Officers be authorized to negotiate and enter into a Design Build Agreement, Management Agreement, and First Option Agreement on behalf of the City of Minneapolis with Ames & Fischer Co. II, LLP for the construction and possible future sale of the parking facility to Ames & Fischer Co. II, LLP.

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

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 13, 1999. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published August 17, 1999)

RESOLUTION 99R-282
By Niland, Mead and Campbell

Adopting the 10th Avenue North and Washington Avenue North Redevelopment Plan and Tax Increment Finance Plan, Modification No. 12 to the North Washington Industrial Park Redevelopment Plan, and Modification No. 62 to the Common Development and Redevelopment Plan and Common 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 authorize public redevelopment activity necessary to facilitate the renovation of the historic John Deere building and assist with the construction of a public parking facility.

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 469.134, 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 North Washington Industrial Park Redevelopment Project and the adoption of the North Washington Industrial Park Redevelopment Plan, as modified, including Modification No 3 approved January 5, 1978, that expanded the project boundary to include a part of the public parking facility site. The North Washington Industrial Park 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 469.134, and 469.174 through 469.179 as amended; Laws of Minnesota 1971, Chapter 677, as amended; Laws of Minnesota 1980, Chapter 595, as amended, and Minneapolis Code of Ordinances, Chapter 422, as amended.

1.4. It has been proposed that the Agency modify the North Washington Industrial Park Redevelopment Plan and the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan to remove one parcel from its existing redevelopment project area and tax increment financing district, and to provide the legal authority for the creation of a new redevelopment project 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 10th Avenue North and Washington Avenue North Redevelopment Plan and Tax Increment Finance Plan, Modification No 12 to the North Washington Industrial Park Redevelopment Plan, and Modification No 62 to the Common 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 parcels 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 North Washington Industrial Park and Common Plans to authorize public redevelopment activities and expenditures necessary to assist this project. Anticipated public redevelopment activities include site acquisition

and disposition, public improvements (including the construction of public parking ramp), administration, and other related costs, all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179 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 10th Avenue North and Washington Avenue North TIF District is being established within and under the authority of the 10th Avenue North and Washington Avenue North Redevelopment Project, and is not incorporated into the Common Project or North Washington Industrial Park 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 facilitates the rehabilitation and the commercial reuse of loft manufacturing buildings in the Warehouse Riverfront District.

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 based upon that certain

"Existing Parking Demand, Development Parking Demand, and Parking Ramp Costs Study" (the "Parking Study") dated April 20, 1999 and prepared by Short, Elliot, Hendrickson, Inc. (SEH) which determined that: 1) the lack of parking near the John Deere building is compromising the ability of the building owners to retain and attract tenants causing the owners to stop the redevelopment of the John Deere building; and 2) the hourly and contract parking rates are not sufficient this far from the downtown core to pay the capital and operating costs of a new parking facility. Further, the Parking Ramp Study found that the available supply of surface parking in the area will continue to decline as new development occurs on major development parcels and infill sites in the Warehouse Riverfront District. Therefore, additional public subsidy is necessary to provide the Warehouse Riverfront District with public parking in anticipation of and to promote commercial, retail, residential and industrial development in the area. Further, 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, excess land coverage and lack of essential utilities. The area included in the tax increment finance district is 100% improved and includes one building (100%) with deficiencies warranting substantial renovation or clearance. 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 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 10th Avenue North and Washington Avenue

North 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 the 10th Avenue North and Washington Avenue North Redevelopment Plan and Tax Increment Finance Plan, Modification No 12 to the North Washington Industrial Park Redevelopment Plan and Modification No 62 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan.

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, 13; Nays none.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 13, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published August 17, 1999)

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

Comm Dev & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to submit an application on

behalf of the Great Lake Center Project for Section 108 Loan Guarantee funds in the amount of \$6,500,000 to the U.S. Department of Housing & Urban Development.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the request of the Minneapolis Community Development Agency (MCDA) from Ogden Entertainment Services, Inc., as manager of the Target Center, for a new Minnesota Timberwolves basketball team practice facility at the Target Center, now recommends passage of the accompanying resolution increasing the MCDA appropriation in Fund CPK0 (NBA Arena) by \$675,000 and increasing the CPK0 revenue by \$675,000, to provide for this capital improvement.

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

Adopted. Yeas, 11; Nays, 2 as follows:

Yeas – Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Lane, McDonald, Thurber, Cherryhomes.

Nays – Mead, Johnson.

Passed August 13, 1999.

Approved August 13, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published August 17, 1999)

**RESOLUTION 99R-283
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 the appropriation in Fund CPK0 – NBA Arena by \$675,000 and increasing the Fund CPK0 revenue estimate (3820-01 transfer from Special Revenue Funds) by \$675,000.

Adopted. Yeas, 11; Nays, 2 as follows:

Yeas – Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Lane, McDonald, Thurber, Cherryhomes.

Nays – Mead, Johnson.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 13, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published August 17, 1999)

Comm Dev & W&M/Budget – Your Committee, having under consideration the continued operation of the River Terminal, now recommends that the proper officers of the Minneapolis Community Development Agency (MCDA) be directed as follows:

a) To negotiate an operating agreement with River Services Inc. for the period January 1, 2000 through December 31, 2004; and

b) Establish an Upper River Land Bank Trust Fund to aid in implementation of the Upper River Plan, using net operating income from operation of the River Terminal.

Your Committee further recommends that the proper officers of the MCDA be directed as follows:

Comm Dev – To develop guidelines for use of trust fund monies and report to the City Council by October, 1999 for approval of those guidelines.

W&M/Budget – To develop guidelines for use of trust fund monies and to report to the City Council by the first cycle in September, 1999.

Your Committee further recommends that the proper City officers be authorized to waive the City's procurement policy in order to negotiate with Rivers Services, Inc.

Niland moved to amend the report by deleting the Community Development Committee recommendation and approving the Ways & Means/Budget Committee recommendation. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

H&HS – Your Committee, having under consideration the Phillips Neighborhood Youth

Corps Project, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #C1-1, under Master Contract #10004, to Summit Academy OIC, in the amount of \$10,000, to provide summer youth services for the period of June 1, 1999 through September 1, 1999 (0400-860-8600).

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

H&HS – Your Committee, having under consideration a grant received to conduct survey of employer work force needs, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #D4-1, under Master Contract #10014, to the Minnesota Department of Economic Security, in the amount of \$70,114, for a job survey during the period of June 30, 1999 through June 30, 2000 (0300-860-8600).

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

H&HS – Your Committee, having under consideration 1999 Community Resource Program funding allocated for the Phat Summer Project, now recommends that the proper City officers be authorized to:

a) Execute Modification #4 to Contract #10696 with the Police Athletic League increasing compensation by \$15,000, for a new contract total of \$120,000 (payable from 0600-860-8605), and extending the time of performance to June 30, 2000; and

b) Issue Fund Availability Notice #Z5-1, under Master Contract #10023, to the Minneapolis Youth Coordinating Board, in the amount of \$20,000, for the Phat Summer program for the period of January 1, 1999 through September 30, 1999.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

H&HS – Your Committee recommends that the Council action of March 26, 1999 authorizing execution of a master contract with the Youth Coordinating Board be rescinded, and that fund

availability notices for the Youth Coordinating Board be issued through the existing Neighborhood Services master contract.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

H&HS – Your Committee recommends that the proper City officers be authorized to prepare and submit a grant application to the United States Department of Labor seeking a Youth Opportunity Grant that would provide long-term services to youth within the Minneapolis Enterprise Zone.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

H&HS & W&M/Budget – Your Committee, having under consideration the receipt of grant funds to be used to provide lead safe housing for families displaced by lead hazards, now recommends that the proper City officers be authorized to accept \$10,000 in Lead Safe House grant funds from the State of Minnesota Department of Health to provide said housing, payable from State Grants (0600-835-8390).

Your Committee further recommends passage of the accompanying resolution increasing the appropriation for the Regulatory Services Agency by \$10,000 recognizing the receipt of said grant funds.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 99R-284
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 Regulatory Services Agency in the State Grants Fund (0600-835-8390) by \$10,000.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

H&HS & W&M/Budget – Your Committee, having under consideration grant funds received through the Department of Housing & Urban Development (HUD) Lead-Based Paint Removal Reduction Program and plans to receive matching funds from the owners of structures identified for services, now recommends that the proper City officers be authorized to establish a grant match requirement of up to 30% of actual contractor lead reduction costs per unit during the HUD Round IV Lead Hazard Reduction Project.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation for the Regulatory Services Agency by \$60,000.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 99R-285
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 Regulatory Services Agency in the Grants-Federal Fund (0300-835-8393) by \$60,000.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

IGR – Your Committee recommends passage of the accompanying resolution petitioning the Minnehaha Creek Watershed District to provide funding and assistance for completion of the Minnehaha Creek Streambank Stabilization and Repair. (Petn No 265074)

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 99R-286
By Thurber**

Petitioning the Minnehaha Creek Watershed District to complete a Stream Bank Stabilization and Repair Project on the Minneapolis portion of Minnehaha Creek.

Whereas, the City of Minneapolis and the Minnehaha Creek Watershed District have been partners on a number of significant and successful water quality management projects; and

Whereas, the Minneapolis Park and Recreation Board has identified the need to repair and stabilize shoreline erosion problems on Minnehaha Creek; and

Whereas, Minnesota State Statutes (103D.705) allow local governmental units to petition Watershed Districts for completion of projects within the watershed; and

Whereas, the Minnehaha Creek Watershed District identified erosion and sediment control, management of runoff and water quality, and protection of recreational opportunities as watershed goals in their current management plan; and

Whereas, the Minnehaha Creek Watershed District identified in their Capital Improvement Plan (January 1997) Minnehaha Creek channel modifications/erosion management as a project for implementation; and

Whereas, the estimated cost of the project is \$1,433,000, and design work is being completed as part of the Minnehaha Creek Trail Reconstruction project; and

Whereas, the repair of stream bank erosion is needed and completion of the repairs is crucial to the successful completion of the Minnehaha Creek Trail Reconstruction project, maintenance of

stream water quality, and continued protection of park resources;

Now, Therefore, Be It Resolved that the City of Minneapolis requests through the prescribed petition process that the Minnehaha Creek Watershed District provide funding assistance for completion of the project as set forth in the project petition documents on file with the Park Board.

Be It Further Resolved that the City Clerk be directed to send a copy of this resolution to the Park & Recreation Board Superintendent.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

PS&RS – Your Committee, to whom was referred an ordinance amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Wine Licenses, amending off-street parking requirements, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**ORDINANCE 99-Or-094
By McDonald and Campbell**

Intro & 1st Reading: 7/16/99

Ref to PS&RS

2nd Reading: 8/13/99

Amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Wine Licenses.

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

Section 1. That Section 363.42 of the above-entitled ordinance be amended to read as follows:

363.42 Wine license issued pursuant to Charter Amendment Number 144. Restaurants

located in certain zoning districts may obtain and on-sale wine license notwithstanding the seven (7) acre commercial zoning requirement of Chapter 4, Section 5 of the Minneapolis Charter, subject to the following provisions:

(a) **Definitions.** As used in this section, unless some other meaning is clearly required by the context, the following words and phrases shall mean:

Restaurant: An establishment, under the control of a single proprietor or manger, having appropriate facilities for the preparation and serving of a variety of at least four complete meals, having not fewer than twenty-five (25) seats at tables and the application is for a Class E or Class D wine license, and where, in consideration of payment therefore, meals are regularly served at tables to the general public, and which employs an adequate staff to provide the usual and suitable service to its guests, and which has gross sales revenue during each fiscal year from the sale of food and beverages not containing alcohol in an amount of not less than seventy (70) percent of its total gross revenue from the sale of food and beverages.

Bar or bar area: Structures, furniture other than freestanding tables and booths, or waiting areas, where consumption of alcoholic beverages is the primary activity.

Meal: A variety and combination of food items which may contain entrees, sandwiches, combination salads, pizza, soup, breads, vegetables or fruits, contained in a menu as approved by the director.

(b) *Wine, intoxicating malt liquor, or 3.2 percent malt liquor.* May only be served to patrons seated for regular dining that have ordered or have been served a meal.

(c) *Establishments licensed under this section may not have a bar or bar area.* Counter area existing as of the effective date of this section equipped for the service of food and drink to patrons in full view of and conducted as part of the service of the dining room; shall not be considered a bar or bar area.

(d) *Hours of operation:* Establishments licensed under this section shall not exceed the lawful hours of operation established in chapter 363.40 (a) of this Code. The city council may require establishments licensed under this section to further reduce their hours of operation upon consideration of, but not limited to, one or more of the following factors:

(1) Proximity to permitted or conditional residential uses.

(2) Nature of the business and its impact of noise, light, and traffic.

(3) Conformance with applicable zoning regulations, including but not limited to use, yards, gross floor area, and specific development standards.

(4) History of complaints related to the use.

(e) Full menu service shall remain available during all of the establishments hours of operation.

(f) *Percentage of food sold.*

(1) Establishments licensed under this section shall provide an accounting of the actual percentage of gross receipts attributable to the sale of food and non-alcoholic beverages during the immediately preceding calendar year. This requirement shall be established by an affidavit of the licensee on a form provided by the director. Such affidavit shall be submitted with each application for issuance of renewal of the license, or at other times as the director may request. Such statements shall be subject to verification by the city and the license applicant shall make such records available as may be necessary to verify such statements. The applicant shall upon request furnish the city certified copies of any state sales tax returns covering the sale of food and beverages. The director, and any time and from time to time, may require that such accounting be verified and confirmed by an independent and licensed certified public accountant who is a member of the Minnesota Society of Certified Public Accountants. Failure or refusal of a licensee to provide such accountings upon request, or any false statements in any such accounting, shall be grounds for denial, suspension or revocation of all licenses held by such licensee for the on-sale of wine.

(2) In the event the city disputes the license applicant's statements, the matter shall be submitted to a neutral certified public accountant agreed upon by the city and the applicant. The certified public accountant shall make a determination based on accepted accounting principles, which shall be binding on both parties. The license applicant shall post a bond or cash in an amount that the city believes reasonably necessary to pay the cost of the audit.

(g) *Posting of license and outdoor seating plan.* Each licensee under this section shall conspicuously post the license certificate that shall list the authorized number of both indoor and outdoor seats. The licensee shall also post the

approved outdoor seating plan immediately adjacent to the license certificate.

(h) All other provisions of this Title 14 shall apply unless by their nature are not applicable.

(i) This section 363.42 shall not apply to establishments in the Linden Hills neighborhood, until adoption of the Linden Hills Zoning Code Overlay. The Linden Hills neighborhood is defined as the area bounded by 36th Street and Lake Calhoun Parkway to the north, William Berry Parkway and Lake Harriet to the east, 47th Street and Fulton neighborhood to the south, and France Avenue and the cities of Edina and St. Louis Park to the west.

Section 2. That Section 363.45 of the above-entitled ordinance be and is hereby repealed.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration the application of Acadia Café Inc, dba Acadia Café, 1931 Nicollet Ave (new business), for an On Sale Liquor Class A with Strong Beer license, 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 the applicable codes and ordinances.

Biernat moved that the report be amended by deleting the language "and compliance with all provisions of the applicable codes and ordinances". Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration the application of Isles Market & Deli, 2115 W 21st St, for a Sidewalk Café license, 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 the applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends granting the application of Win B F & Associates LLC, dba Carpaccio Restaurant, 3070-88 Excelsior Blvd, #206, for an On Sale Liquor Class E license, to expire July 1, 2000 (new business), subject to final inspection and compliance with all provisions of the applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 13, 1999. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published August 17, 1999)

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

Off Sale Liquor, to expire October 1, 1999:

Zipp's Liquors Inc, dba Zipp's Liquor, 2618 E Franklin Ave;

DTB Corp, dba Greenway Liquor, 105-13 W Grant St;

Off Sale Liquor, to expire October 1, 2000:

Lowry Liquor Store Inc, dba Lowry Liquor, 2426 NE 2nd St;

Gawron's Liquors Inc, dba River Liquors, 2435 Marshall St;

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

East Lake Liquor & Deli Inc, dba East Lake Liquor & Deli, 3916 E Lake St;

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

On Sale Liquor Class A with Sunday Sales, to expire January 2, 2000:

Rooftop Inc, dba Dayton's 700 on the Mall, 700 Nicollet Mall (8/27-29/99 from 10:00 a.m. to 7:00 p.m.);

On Sale Liquor Class A with Sunday Sales, to expire October 1, 2000:

International Catering Inc, dba Atrium Café/Catering International, 275 Market St (temporary expansion of premises on 8/7/99 from 4:45 p.m. to 8:00 p.m., IMS – 1999 summer market);

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

Seven Corners Hotel Partners Ltd, dba Holiday Inn Metrodome, 1500 Washington Ave S;

On Sale Liquor Class B with Sunday Sales, to expire October 1, 2000:

Mpls Eagles #34 FOE, dba Mpls Eagles #34, 2507 E 25th St (8/28/99 from 1:00 p.m. to 7:00 p.m., parking lot);

Poodle Inc, dba Poodle, 3001 E Lake St;

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

NSR Corp, dba Nikki's Café & Bar, 107 – 3rd Ave N;

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

MA Corp, dba Sully's Pub & Hamburger Joint, 2519 Central Ave NE;

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

Cuzzy's Inc, dba Cuzzy's, 507 Washington Ave N (temporary expansion of premises on 7/31/99 from 4:00 p.m. to 8:30 p.m.);

Cuzzy's Inc, dba Cuzzy's Bar & Grill, 507 Washington Ave N (temporary expansion of premises & outdoor entertainment on 8/28/99 from 4:00 p.m. to 10:00 p.m.);

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

Vegas Inc, dba Vegas Lounge, 965 Central Ave NE (1st floor);

Maxwell's American Café Inc, dba Maxwell's American Café, 1201 Washington Ave S;

DCB Inc, dba Polish Palace, 2124 Marshall St;

Tony Jaros' River Gardens Inc, dba Tony Jaros' River Gardens, 2500 Marshall St;

Peanuts Pub & Chili Unlimited Inc, dba Porter's Bar & Grill, 2647 Nicollet Ave;

On Sale Liquor Class E with Sunday Sales, to expire October 1, 2000:

Levit Holdings Ltd, dba Ichiban Japanese Steakhouse, 1333 Nicollet Mall;

Stasiu's Inc, dba Stasiu's, 2500 University Ave NE;

Brutus Enterprises Inc, dba Popeyes Saloon, 3601 E Lake St;

On Sale Liquor Class E, to expire October 1, 1999:

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

On Sale Liquor Class E, to expire October 1, 2000:

Merchants LLC, dba Merchants, 1010 Nicollet Mall;

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

Deep Dish Inc, dba Café Bicko-Green Mill Pizza, 4501 France Ave S (new shareholder/partner, corporate officer);

On Sale Beer Class E, to expire April 1, 2000:

Kinhdo Plus Corp, dba Kinhdo Restaurant, 2755 Hennepin Ave;

Temporary On Sale Beer:

Church of the Incarnation, dba 35th Annual Parish Oktoberfest, 3817 Pleasant Ave S (10/1/99 from 6:00 p.m. to 11:00 p.m.; 10/2/99 from 10:00 a.m. to 12:00 Midnight; 10/3/99 from 10:00 a.m. to 5:00 p.m.);

Church of the Holy Cross, 1621 University Ave NE, for Annual Fall Festival (9/18/99 from 5:15 p.m. to 11:00 p.m.; 9/19/99 from 11:00 a.m. to 8:00 p.m.);

Church of the Holy Name, 3637 – 11th Ave S (10/10/99 from 11:00 a.m. to 4:30 p.m.);

Church of St Anne, 2627 Queen Ave N, for Parish Festival (8/14/99 from 5:30 p.m. to 9:00 p.m.; 8/15/99 from 11:30 a.m. to 5:00 p.m.);

Church of the Ascension, dba Fall Festival. 1723 Bryant Ave N (9/18/99 from 12:00 Noon to 6:00 p.m.).

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends granting the following applications for business licenses as per the list on file and of record in the office of the City Clerk under date of August 13, 1999, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 265076):

Building Contractor-Class A; Building Contractor-Class B; Cement Finisher; Laundry; Dry Wall Contractor; Caterers; Confectionery; Grocery; Food Manufacturer; Meat Markets; Mobile Food Vendor; Restaurant; Short-Term Food Permit; Seasonal Short-Term Food Establishment; Sidewalk Cafe Permit; Heating, Air Conditioning, Vent Installer-Class B; Lodging House; Motor Vehicle Dealer – New & Used; Motor Vehicle Dealer-Used Only; Motor Vehicle Dealer-Additional Lots; Peddler-Special Religious; Precious Metal Dealer; Secondhand Dealer-Class B; Antique Dealer-Class B; Exhibition Operation

A; Sign Hanger; Steam & Hot Water Systems Installer; Taxicab Vehicle; Tobacco Dealers; Wrecker of Buildings-Class B.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

Gambling-Lawful Class B:

Washburn Amateur Hockey Association, 4805 Pleasant Ave (site: North Pole, 2204 – 44th Ave N);

Animal Relief Fund, 416 E Hennepin (site: Westrum's, 4415 Nicollet Ave);

Gambling-Lawful Exempt:

American Heart Association, 4701 W 77th St (raffle on 10/23/99 at Mpls Marriott City Center, 30 S 7th St);

Children's Home Society of MN, 1605 Eustis St, St Paul, MN (bingo on 8/28-29/99 at Convention Center, 1301 – 2nd Ave S);

Church of All Saints, 435 NE 4th St (bingo, raffle, paddlewheel, pulltabs on 9/12/99);

Church of Holy Rosary, 2424 – 18th Ave S (raffle & pulltabs on 10/10/99);

Church of the Annunciation, 509 W 54th St (raffle on 9/18-19/99);

Ronald McDonald House, 608 Ontario St (raffle on 8/28-29/99 at Convention Center, 1301 – 2nd Ave S);

St Albert the Great Catholic Church, 2836 – 33rd Ave S (bingo, raffle, pulltabs on 10/17/99);

St John the Baptist Byzantine Church, 2215 NE 3rd St (bingo, raffle, paddlewheel, pulltabs on 10/17/99);

Wilderness Inquiry Inc, 1313 SE 5th St, Box 84 (raffle on 11/12/99);

Church of the Holy Name, 3637 – 11th Ave S (bingo, raffle, pulltabs on 10/10/99);

Children's Cancer Research Fund, 4930 W 77th St, Ste 364, Edina (raffle on 10/9/99 at Convention Center, 1301 – 2nd Ave S);

Church of the Ascension, 1723 Bryant Ave N (raffle & pulltabs on 10/17/99);

Church of the Ascension, 1723 Bryant Ave N (raffle & pulltabs on 9/18/99);

Jewish Family/Children's Services of Mpls, 1500 S Hwy 100 (raffle on 12/4/99 at Convention Center, 1301 – 2nd Ave S).

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration the Class A Building Contractor Licenses held by Bruce Hollingsworth for Alcove Roofing and Siding, Inc, 3580 Kennebec Drive, Eagan, MN and Aztec Roofing and Construction, 11583 Rupp Drive, Burnsville, MN, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing concerning properly obtaining permits, now recommends adoption of the following recommendations, as more fully set forth in said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

1) That Alcove immediately, upon signing this agreement, pays the City of Minneapolis \$6,000 to cover discrepancies in permit fees, and related costs.

2) That Alcove be penalized \$20,000 for failing to properly obtain permits; \$15,000 of that penalty shall be stayed for a period of one year and shall be dismissed if they have no same or similar violations within that period.

3) That \$5,000 of the penalty, noted in 2) above, shall be paid in full by no later than July 30, 1999.

4) That both Alcove and Aztec shall review their contracts to make certain that they are in compliance with city licensing requirements.

5) That both Alcove and Aztec shall make a good faith effort to promptly resolve all customer complaints that are related to their building contracting business.

6) That Alcove and Aztec shall make every reasonable effort to see that all work performed by their companies is done in compliance with applicable city ordinances and state statutes.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends that the proper City officers be authorized to submit a

joint grant application to the Minnesota Department of Public Safety, Office of Drug Policy and Violence Prevention, in cooperation with the Hennepin County Attorney's office and the Hennepin County Sheriff's Department, for \$352,000 in federal funds to continue the multi-jurisdictional narcotics enforcement task force.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration the Rental Dwelling License held by Blake Bonjean for the property located at 708 13th Avenue Southeast, and having received Findings of Fact, Conclusions and Recommendations arising from a Rental Dwelling License Board of Appeals hearing held on May 11, 1999, now recommends concurrence with the recommendation of the Board of Appeals that said license be revoked as a result of conduct on the licensed premises, pursuant to Section 244.2020 of the Minneapolis Code of Ordinances, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends granting the application of Ye Olde Restaurant Inc., dba Grey Duck, 329 Cedar Avenue South, for an On-Sale Wine Class E w/Strong Beer license, to expire April 1, 2000 (change in ownership), subject to final inspection and compliance with all provisions of the applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to enter into a contract with the Department of Health and Human Services, U.S. Public Health Service, for development of a Metropolitan Medical Response Service to enhance local resources with rapid response capabilities.

Your Committee further recommends that Deputy Chief Richard Turner, Director of Emergency Preparedness for the City of Minneapolis, be authorized to execute such contract agreements and amendments as necessary to implement the project on behalf of the City of Minneapolis.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

T&PW – Your Committee, having under consideration the 31st St E Street Renovation Project, Special Improvement of Existing Street No 2952, now recommends passage of the accompanying Resolution ordering the work to proceed and adopting the special assessments for the 31st St E St Renovation Project.

Your Committee further recommends that said project is approved with the following directions:

a) That the Public Works Department be directed to continue working with the community to investigate traffic calming and/or aesthetic improvements for E 31st St, to be funded in accordance with standard City policy;

b) That the Transportation Division be directed to investigate the possibility of removing the traffic signal at E 31st St and 10th Av S; and

c) That the Grants & Special Projects Division be directed to work with Public Works staff to analyze if Enterprise Zone funding is available for infrastructure improvements such as street paving and determine if funding is available to offset the assessments for E 31st St.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 99R-287

By Mead

**1999 STREET
RENOVATION PROGRAM
SPECIAL IMPROVEMENT
OF EXISTING STREET
NO 2952 (31ST ST E)**

Ordering the work to proceed and adopting the special assessments for the 31st St E Street Renovation Project.

Whereas, a public hearing was opened on July 22, 1999 and continued to August 5, 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 the proposed improvements as designated in Resolution 99R-201 passed June 11, 1999, to consider the proposed special assessments as on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 99R-201 passed June 11, 1999.

Be It Further Resolved that the proposed special assessments in the total amount of \$110,796.22 as on file in the Office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$125 may be paid shall be fixed at ten (10) and that interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2000 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$125 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments on the 2000 real estate tax statements.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee, to whom was referred an ordinance amending Title 19, Chapter 509 of the Minneapolis Code of Ordinances relating to *Water, Sewers and Sewage Disposal*, revising language relating to display of late charges and requirements for monthly meter reading, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**ORDINANCE 99-Or-095
By Mead**

Intro & 1st Reading: 7/16/99

Ref to: T&PW

2nd Reading: 8/13/99

Amending Title 19, Chapter 509 of the Minneapolis Code of Ordinances relating to Water, Sewers and Sewage Disposal: Water.

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

Section 1. That Section 509.750 of the above-entitled ordinance be and is hereby repealed.

Section 2. That Chapter 509 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 509.750 to read as follows:

509.750. Net current charges and late charges. A utility bill charge that is not paid by the due date displayed on the bill (which is twenty (20) days from the bill invoice date) shall be considered late. A five (5) percent late charge shall be added to the net current charges of the bill at the expiration of the due date. The added late charge will appear on the next bill. The city may accept after the twenty (20) day period the net bill amount in full payment on satisfactory evidence that the delay in payment was due to circumstances over which the customer had no control.

Section 3. That Section 509.870 (b) (9) of the above-entitled ordinance be amended to read as follows:

509.870. Bills.

(b) *Billing information.* An initial bill shall state clearly:

(9) The net amount due.

Section 4. That Section 509.880 of the above-entitled ordinance be amended to read as follows:

509.880. Meter reading. (a) *Meter reading requirements.* Readings of all meters used for determining charges shall be attempted at least once every three (3) month period. The department may permit a customer to supply meter readings, but the customer must allow the department to read the meter at least once every twelve (12) months, when there is a change in customer, and when requested by the customer.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee, having under consideration the request of Thelma Coleman as owner of the property at 1902 Penn Av N (PID 16-029-24-23-0132) to extend the assessment payment term from 5 to 10 years for a water service line repair assessment in the principal amount of \$4,730.00 (Levy 01028, Project 1999) due to hardship, all as contained in Petn No 265083 on file in the Office of the City Clerk, now recommends approving the extension request.

Your Committee further recommends that the proper City officers be directed to provide the necessary documentation to the Hennepin County Auditor to implement the change of the payment term from 5 to 10 years beginning with the payable 1999 tax year.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee, having received a request from Juan Jackson, owner of the property at 1601 and 1607 Xerxes Av N in Golden Valley, for permission to connect said property to the City's water and sewer services and having been informed that the City of Golden Valley concurs in said request, now recommends that proper City officers be authorized to proceed with a connection and that services be provided.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee, having under consideration a report from the Transportation Division outlining the availability of four temporary speed humps to be used for testing the usefulness of a speed restrictor system before committing to permanent installation, now recommends approval of the following process and criteria to be used for testing the portable speed humps:

- a) Financing for permanent speed hump installation must be identified prior to installation of test speed humps;
- b) The Council Member of the affected area must approve test installation and location. Location should conform as much as possible to the location of the permanent speed humps;
- c) Locations for test sites must meet the criteria in use for permanent speed humps;
- d) Two speed humps must be used together for tests;
- e) Speed studies will be conducted before the test installation and in the last week of the test;
- f) All tests will be conducted between April 1 and November 1;
- g) Test duration would be approximately 30 days; and
- h) Tests will be conducted on a first-come, first-served basis, with the Director of Transportation maintaining the list.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee, having been informed of the results of a Request for Proposal process for the Downtown Transportation Study, a study of transportation systems in downtown Minneapolis to analyze and develop a plan for the years 2005 and 2010 consistent with proposed and projected development and transportation initiatives, now recommends acceptance of the proposal of SRF Consulting Group, Inc. and their team to perform the said study. The study shall be conducted under the direction of a management committee consisting of the Downtown Council, Metropolitan Council, Planning Department and Public Works staff. Further, downtown neighborhood organizations shall be invited to appoint representatives to the management committee.

Your Committee further recommends that the proper City officers be authorized to execute a contract with SRF Consulting Group, Inc. in an

amount not to exceed \$200,000, payable from the Municipal Parking Fund (7500-688-6888).

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 13, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published August 17, 1999)

T&PW – Your Committee recommends that the following comments be submitted by the City of Minneapolis to the Minnesota Pollution Control Agency in regard to the proposed amendment to Minnesota Rules, Chapter 7050:

Due to the fact that the Minneapolis Water Works draws from the Mississippi River and can be seriously affected by actions taken upstream, we request early notification of any changes in National Pollutant Discharge Elimination System (NPDES) permits upstream of Minneapolis.

We are very concerned about the late notification we received regarding changes currently being considered.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

T&PW & W&M/Budget – Your Committee recommends acceptance of the low bid meeting specifications received on OP #5188 (Petn No 265085) submitted by Telemetry and Process Controls, Inc., in the amount of \$595,000, for furnishing and installing radio communication and control system upgrades for the Water Department Pump Stations No. 1, 2, and 3, all in accordance with City specifications.

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

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 13, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published August 17, 1999)

T&PW & W&M/Budget – Your Committee, having under consideration the Public Works Facilities Project, Currie Maintenance Facility,

now recommends that the proper City officers be authorized to execute Change Order #2 to Contract #13246 with Knutson Construction Services, Inc., increasing the contract by \$205,883, for a new total of \$16,243,449, to provide for building revisions and telecommunication/data connections.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration a project to upgrade the electrical substations at Water Works Pump Stations 4 and 5, now recommends that the proper City officers be authorized to execute Change Order #1 to Contract #12786 with Northern States Power Company, increasing the contract by \$50,609, for a new total of \$824,601, to provide for required work outside the original contract.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the Water Works project to install a watermain connection to Pump Station 5 from the Fridley Reservoir, now recommends that the proper City officers be authorized to execute a change order to contract #12899 with Lametti & Sons, Inc., increasing the contract by \$126,945.40, for a new total of \$2,163,945.40, to provide funds for costs associated with undetected soil conditions.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the Hawthorne Transportation Center project and a bid alternative for construction of a skyway to the Orpheum Theatre, now recommends:

a) Reconfirmation of the acceptance of Alternate 4, construction of the skyway, as part of the Hawthorne Transportation Center construction contract with Adolphson & Peterson Construction;

b) Approval of the construction and operation of a ticket booth for the Orpheum Theatre within the skyway;

c) That the Public Works Department fund one-half the cost of the skyway alternate (\$217,000) from the existing appropriation of municipal parking revenue bonds issued for construction of the Hawthorne Transportation Center project (7580-943-9464); and

d) That the remaining costs associated with construction of the skyway be funded by the Minneapolis Community Development Agency (MCDA) with the MCDA directed to report back with a finance plan for those costs.

Adopted. Yeas, 10; Nays, 3 as follows:

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

Nays – Ostrow, Colvin Roy, Lane.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

W&M/Budget – Your Committee, having under consideration the Avenue of the Arts Project, including design and construction of the Third Avenue Bridge, now recommends approval to waive the Request for Proposal (RFP) process for design services for the Third Avenue Bridge and to negotiate with Taliesin Architects for said services.

Your Committee further recommends that the proper City officers be authorized to execute the following:

a) Contract with SRF Consulting Group, Inc., for engineering services for said bridge, in an amount not to exceed \$190,000, payable from the Convention Center Site Agency in the Convention Center Related Fund (0760-975-9751);

b) Amendment #1 to Contract #13551 with SRF Consulting Group, Inc., to provide conceptual design and final finance plan documents for the Avenue of the Arts, increasing the amount for Phase I by \$75,000, for a new Phase I total not to exceed \$175,000, payable from 0760-975-9751.

Your Committee further recommends acceptance of \$750,000 from Dayton Hudson Corporation for design and construction of the Third Avenue Bridge to assist in developing the bridge as a major landmark and gateway for the

City and neighborhoods near the Minneapolis Institute of Arts; and further recommends that the proper City officers be authorized to execute a Memorandum of Understanding with Dayton Hudson Corporation, providing terms and conditions regarding the transfer and use of said funds and the role of the Corporation in the design process for said bridge.

Your Committee further recommends passage of the accompanying resolution increasing the Convention Center Site Agency appropriation and revenue estimate by \$750,000.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 99R-288

By 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 Convention Center Site Agency Appropriation in the Convention Center Related Fund (0760-975-9751) by \$750,000 and increasing the Convention Center Site Agency revenue estimate in the Convention Center Related Fund (0760-975-9751-Source 3720) by \$750,000.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to negotiate and execute a contract with the Minneapolis Public Schools for the City to accept reimbursement of levy funds for the 1998-1999 school year, at an estimated amount of \$552,571.50, for the City to provide Drug Awareness Resistance Education (DARE) services and liaison activities, with the understanding that the City will not be accepting responsibility for vehicles required to provide said liaison activities.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having under consideration one City Council appointment to the Minneapolis Telecommunications Network (MTN) Board, replacing Audrey Johnson, Ward 10, for the remainder of a 4-year term to expire January 15, 2001, now recommends that appointment of the following applicant(s) be sent forward without recommendation:

a) Mark Engebretson, 4721 Park Avenue S, Ward 8.

b) Reginald James Flake, 501 Russell Avenue N, Ward 5.

Campbell moved to delete the language, “sent forward without recommendation,” and to insert in lieu thereof, the word, “approved,” and further moved to delete the name of Mark Engebretson. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having under consideration a Target Center Finance Plan shortfall (due to a 20% commercial property tax rate reduction by the State Legislature), now recommends approval to amend the Target Center Finance Plan by increasing the 1999 Parking Fund Appropriation by \$700,000 for transfer to the Target Center to provide funding for required capital improvements for 1999.

Your Committee further recommends increasing the planned annual transfer from the Parking Fund to the Arena Reserve Special Revenue Fund by \$450,000, for the period from Year 2000 to Year 2024 (when the current Target Center debt will be paid off) to provide on-going funding for required capital improvements.

Your Committee further recommends approval to amend the Convention Center Finance Plan to provide for the following transfers to the Parking Fund for said Target Center improvements:

a) increasing the 1999 transfer from the Convention Center Special Revenue Fund to the Parking Fund by \$700,000; and

b) increasing the planned annual transfer from the Convention Center Special Revenue Fund to the Parking Fund by \$450,000 for the period from Year 2000 to Year 2024.

Based on the realized increases in sales tax revenues, the amendments can be accomplished without adversely impacting the Convention Center Program and are consistent with the special State law authorizing local sales taxes. (In 1998 fiscal year, the Convention Center Fund had revenues in excess of expenditures by \$3,800,000.) As sales tax revenues grow over time, the City will be able to finance an increasing portion of Convention Center and Convention Center-related costs.

Your Committee further recommends passage of the accompanying resolution providing for said finance plan amendments.

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

Yeas – Ostrow, Campbell, Biernat, Goodman, Colvin Roy, Herron, Lane, McDonald, Thurber, Cherryhomes.

Nays – Niland, Johnson.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 99R-289

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:

a) increasing the Interfund Transfer Agency Appropriation in the Convention Center Related Fund (0760-127-1270-9055) by \$700,000;

b) increasing the Interfund Transfer Agency Appropriation in the Municipal Parking Fund (7500-127-1270-9025) by \$700,000;

c) increasing the Interfund Transfer Agency Revenue Estimate in the Municipal Parking Fund (7500-127-1270-Source 3820) by \$700,000; and

d) increasing the Interfund Transfer Agency Revenue Estimate in the Arena Reserve Fund (2600-127-1270-Source 3850) by \$700,000.

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

Yeas – Ostrow, Campbell, Biernat, Goodman, Colvin Roy, Herron, Lane, McDonald, Thurber, Cherryhomes.

Nays – Niland, Johnson.

Absent – Mead.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

a) Randolph Dorr and his attorney, Melvin Ogurak, \$8,000, payable from 6900-150-1500-4000;

b) Dorothy Lee-Horrace and her attorney, Thomas G. Harrigan, \$9,500, payable from 6900-150-1500-4000; and

c) Lisa Esther Herron and her attorney, Gregory S. Malush, \$14,500, payable from 6900-150-1500-1400.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having considered the recommendation from the City Attorney's Office, as contained in a letter from J. David Abramson to Council Member Campbell, dated August 2, 1999, now recommends that the Troy Lubinski Workers Compensation claim against the City for a work-related heart injury be settled in accordance with the terms set out therein, in an amount not to exceed \$36,649.48, payable from the Workers Compensation Agency in the Self Insurance Fund (6900-145-1451-2800), as more fully set forth in Petn No 265091, on file in the Office of the City Clerk.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends amending Council action of August 28, 1998 to approve the classification of the

Managing Attorney position, Grade 14, as a classified, non-represented position, with a salary range of \$81,146 to \$94,458.

Your Committee further recommends passage of the accompanying ordinance, amending Ordinance #98-Or-092, passed August 28, 1998, setting the salary for said position, based on studies conducted by the Department of Human Resources.

Your Committee further recommends summary publication of said ordinance.

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

Yeas – Ostrow, Biernat, Niland, Goodman, Colvin Roy, Herron, Lane, McDonald, Johnson, Thurber, Cherryhomes.

Nays – Campbell.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinance #99-Or-096, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Managing Attorney, was passed August 13, 1999 by the City Council and approved August 19, 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-096
By Campbell**

1st & 2nd Readings: 08/13/99

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)

Non-Represented (CNR)

Effective: August 2, 1999

| FLSA | OTC | CLASSIFICATION | PTS | G | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|------|-----|-------------------|-----|----|---|----------|----------|----------|----------|----------|----------|----------|
| E | 1 | Managing Attorney | 663 | 14 | B | 3121 | 3201 | 3283 | 3367 | 3454 | 3542 | 3633 |

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)

Non-Represented (CNR)

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 | 1 | Managing Attorney | 663 | 14 | B | 3199 | 3281 | 3365 | 3451 | 3540 | 3631 | 3724 |

Schedule b*:

| FLSA | OTC | CLASSIFICATION | PTS | G | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|------|-----|-------------------|-----|----|---|----------|----------|----------|----------|----------|----------|----------|
| E | 1 | Managing Attorney | 663 | 14 | B | 3215 | 3297 | 3382 | 3468 | 3557 | 3648 | 3742 |

*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, 11; Nays, 1 as follows:

Yeas - Ostrow, Biernat, Niland, Goodman, Colvin Roy, Herron, Lane, McDonald, Johnson, Thurber, Cherryhomes.

Nays - Campbell.

Absent - Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for professional services to collect and analyze police data and to provide advice and analysis relating to appropriate use of force.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends concurrence with the recommendation of the Permanent Review Committee to waive the Request for Proposal (RFP) process in order to contract for temporary employee services relating to the new utility billing system, Municipal and Utility Packaging Software (MUPS).

Your Committee further recommends that the proper City officers be authorized to execute a contract with ROMAC International, Inc., to provide temporary data entry employees for implementation work on MUPS, in an amount not to exceed \$50,000, payable from the Strategic Information System Planning (SISP) Projects Agency in the Water Revenue Fund (7400-972-A820).

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends acceptance of the low bid received on OP #5205, Contract #9, Bid Package #2.5 (Petn No 265093), submitted by Gage Brothers Concrete Products, Inc., in the amount of \$1,165,000, for furnishing and delivering all material, labor, equipment and incidentals necessary to accomplish required concrete work, all in accordance with City specifications.

Your Committee further recommends that the proper City Officers be authorized to execute required contract(s) for this project.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends approval of the 100% design development estimate for the Minneapolis Convention Center Expansion Project and further recommends approval

to maintain the current project budget of \$191,200,000, as more fully set forth in Petn No 265093 on file in the Office of the City Clerk.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for the position of Supervisor, Police Support Services, with a biweekly salary range of \$1,470 to \$1,999, based on studies conducted by the Department of Human Resources, to be effective February 2, 1999, with incumbents to receive back pay to that date.

Your Committee further recommends summary publication of said Ordinance.

Adopted. Yeas -12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinance #99-Or-097, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Supervisor, Police Support Services, was passed August 13, 1999 by the City Council and approved August 19, 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-097

By Campbell

1st & 2nd Readings: 8/13/99

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)

Non-Represented (CNR)

Effective: February 2, 1999

| FLSA | OTC | CLASSIFICATION | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|------|-----|--|---|----------|----------|----------|----------|----------|----------|----------|
| E | 1 | Supervisor, Police Support Services | B | 1470 | 1547 | 1628 | 1714 | 1804 | 1899 | 1999 |

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)

Non-Represented (CNR)
Effective: January 1, 2000

Schedule a:

| FLSA | OTC | CLASSIFICATION | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|-------------|------------|--|----------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| E | 1 | Supervisor, Police Support Services | B | 1508 | 1587 | 1670 | 1758 | 1850 | 1947 | 2049 |

Schedule b*:

| FLSA | OTC | CLASSIFICATION | P | 1st STEP | 2nd STEP | 3rd STEP | 4th STEP | 5th STEP | 6th STEP | 7th STEP |
|-------------|------------|--|----------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| E | 1 | Supervisor, Police Support Services | | 1514 | 1593 | 1677 | 1765 | 1858 | 1956 | 2059 |

*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 - Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

Z&P – Your Committee, having under consideration the petitions of George Sherman on behalf of Project for Pride in Living for the following vacations:

Vac # 1228 to vacate the alley east of Columbus Av and south of 24th St E, and

Vac #1229 to vacate Columbus Av between 24th and 25th Sts E

to permit a 30-unit planned residential development which will be part of the Phillips Park Initiative Redevelopment, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 265099 and to grant said vacations, subject to retention of easement rights by Northern States Power (NSP) and the City for Vac #1228 and subject to retention of easement rights by NSP, Minnegasco, Paragon Cable and the City for Vac #1229.

Your Committee further recommends passage of the accompanying resolutions vacating said street and alley, and summary publication of same.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Resolution 99R-290, entitled "Vacating the alley East of Columbus Avenue and South of 24th Street East (Vac #1228)," was passed August 13, 1999 by the City Council and approved August 19, 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-290
By McDonald

Vacating the alley East of Columbus Avenue and South of 24th Street East (Vac #1228).

Resolved by The City Council of The City of Minneapolis:

That all that part of the public alley in Kellogg Addition to Minneapolis as granted to the City of Minneapolis by Easement Deeds dated May 7, 1982, recorded May 26, 1982 as Document No.'s 4718558 and 47155560 in the Office of the Hennepin County Recorder, Minnesota, is hereby vacated except that such vacation shall not affect the existing easement right and authority of Northern States Power (NSP) and the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporations as follows, to wit:

As to NSP: All of the vacated alley;

As to the City of Minneapolis:

A water main easement over, under and through the west 29 feet of the south 23.88 feet of the north 36 feet of Lot 7, Kellogg Addition to Minneapolis;

A water main easement as established by an Easement Deed, dated May 7, 1982, recorded May 26, 1982 as Document No. 4718559 in the Office of the Hennepin County Recorder, Minnesota;

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 alley 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 alley had not been vacated.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk

Resolution 99R-291, entitled "Vacating Columbus Avenue between 24th and 25th Streets East (Vac #1229)," was passed August 13, 1999 by the City Council and approved August 19, 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-291
By McDonald**

Vacating Columbus Avenue between 24th and 25th Streets East (Vac #1229).

Resolved by The City Council of The City of Minneapolis:

That all that part of Columbus Avenue South that lies between the north right-of-way line of 25th Street East and the easterly extension of a line parallel with and 23.88 feet north of the south line of Lot 3, Auditors Subdivision No. 212, is hereby vacated except that such vacation shall not affect the existing easement right and authority of Northern States Power (NSP), Minnegasco, Paragon Cable 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 and Paragon Cable: All the to be vacated street;

As to Minnegasco: The east 30 feet of Columbus Avenue South, lying south of the easterly extension of the north line of Lot 3, Block 2, Bell Brothers Addition and lying north of the north right-of-way line of 25th Street East;

As to the City of Minneapolis:

A 30-foot water main easement lying 27 feet west of and 3 feet east of the centerline of Columbus Avenue and extending 401.41 feet north as measured from the north right of way line of 25th Street East;

Subject to a water main easement over the south 23.88 feet of Columbus Avenue lying north of the easterly extension of the south line of Lot 3, Auditor's Subdivision No. 212;

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, 13; Nays none.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk

Z&P—Your Committee, to whom was referred an ordinance amending Title 21, Chapter 591 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Providing for a moratorium on the establishment or expansion of any use or development in the M1, M2, or M3 zoning districts located within three hundred (300) feet of the Mississippi River between Broadway and 37th Avenue Northeast on the east side of the river and between Broadway and 53rd Avenue North on the west side of the river, extending said moratorium for six months, and having conducted a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage. (Petn No 265099)

Johnson moved that the report be amended by deleting the language "for six months" and inserting in lieu thereof the language "until

December 4, 2000," and that the ordinance be amended by deleting the language "six (6) months and shall expire on March 18, 2000" and inserting in lieu thereof the language "until December 4, 2000". Seconded.

Ostrow moved a substitute motion that the moratorium shall be extended until September 18, 2000, or until such time as the City Council amends the comprehensive plan and zoning map for the property subject to the moratorium, whichever occurs earlier. Immediately following action on the BRW Study by the Planning Commission, the study shall be presented to the appropriate City Council committee for its consideration. Staff is directed to complete any necessary 40-acre study or implementation strategy at the earliest possible date. Seconded.

Lost. Yeas, 4; Nays, 9 as follows:

Yeas – Ostrow, Campbell, Goodman, McDonald.

Nays – Biernat, Niland, Colvin Roy, Herron, Mead, Lane, Johnson, Thurber, Cherryhomes.

Johnson withdrew her motion.

Campbell moved that the ordinance be amended by deleting the language "six (6) months and shall expire on March 18, 2000." and inserting in lieu thereof the language "until December 4, 2000, or until such time as the City Council amends the comprehensive plan and zoning map for the property subject to the moratorium, whichever occurs earlier."

Campbell further moved that the report be amended by deleting the language "for six months, and" and inserting in lieu thereof the language "until December 4, 2000, or until such time as the City Council amends the comprehensive plan and zoning map for the property subject to the moratorium, whichever occurs earlier."

Immediately following action by the Planning Commission on the BRW Study, the study shall be presented to the appropriate City Council committee for its consideration. Staff is directed to complete any necessary 40-acre study or implementation strategy at the earliest possible date.

Your Committee,"

Seconded.

Adopted upon a voice vote.

The report, with an amended ordinance, was adopted.

Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

ORDINANCE 99-Or-098

By Biernat

Intro & 1st Reading: 7/16/99

Ref to: Z&P

2nd Reading: 8/13/99

Amending Title 21, Chapter 591 of the Minneapolis Code of Ordinances relating to Interim Ordinances: Providing for a moratorium on the establishment or expansion of any use or development in the M1, M2, or M3 zoning districts located within three hundred (300) feet of the Mississippi River between Broadway and 37th Avenue Northeast on the east side of the river and between Broadway and 53rd Avenue North on the west side of the river.

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

Section 1. That Section 591.40 of the above-entitled ordinance be amended to read as follows:

591.40. Restrictions. For a period of one (1) year from the date of final approval of this ordinance, no building, construction, or demolition permit or license for the establishment or expansion of any industrial use or development in the M1, M2, or M3 zoning districts within the study area shall be allowed or granted by any city department. The city specifically reserves the right to extend this ordinance for such additional periods as are necessary to complete a planning study, not exceeding a total additional period of eighteen (18) months.

This chapter is hereby extended until December 4, 2000, or until such time as the City Council amends the comprehensive plan and zoning map for the property subject to the moratorium, whichever occurs earlier.

Yeas, 13; Nays none.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Z&P— Your Committee, having under consideration variances for the Milwaukee Depot Site which has been designated for historic preservation and for which CSM has contracted with the Minneapolis Community Development Agency (MCDA) for redevelopment rights (Petn No 265098), now concurs in the recommendation of the Historic Preservation Commission to approve the following variances for the site:

1. A parking variance to reduce to zero the parking requirements for Phase I and II uses (i.e., hotel, restaurant, indoor recreation, meeting/event/banquet space, offices) that are located within (or under) the historic buildings on the Milwaukee Depot Site (i.e., the Depot, Train Shed and associated out-buildings). This variance will terminate if the Depot or Train Shed is damaged or destroyed by any cause or means to the extent that the cost of restoration exceeds two-thirds (2/3) of the Assessor's market value of the structure (as governed by Section 531.40(c) of the Minneapolis Code of Ordinances). Any reconstruction or restoration of a damaged structure will be subject to the review of the Heritage Preservation Commission.

2. A use variance to allow the following uses in the Phase II development of the Train Shed -- offices, restaurant, additional indoor recreation, and/or additional meeting/event/banquet spaces -- in the event that one or more of the above uses is not allowed in the new C3A zoning when the new code is adopted.

Your Committee further recommends passage of the accompanying resolution approving historic variances and certain rights under zoning for the Milwaukee Depot development.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 99R-292

By McDonald

Approving two historic variances and certain zoning rights to allow implementation of the Milwaukee Depot Redevelopment Project

Whereas, the Minneapolis Community Development Agency ("MCDA") has owned the two-block Milwaukee Depot Site since 1992 and has been seeking redevelopment of the site in order to assure preservation of the historic structures on the site; and

Whereas, the MCDA has been working with CSM Corporation ("CSM") for almost two years to formulate and finalize a two-phase redevelopment proposal for the Milwaukee Depot Site; and

Whereas, the proposed redevelopment includes preservation of the Milwaukee Depot and Train Shed, both of which are included in the National Register of Historic Places, and also will achieve other public goals, including the development of additional hotel rooms to complement the expansion of the Minneapolis Convention Center and the provision of amenities to attract families and visitors to downtown Minneapolis; and

Whereas, the Minneapolis City Council and MCDA Board of Commissioners have taken numerous official actions in support of the redevelopment proposal, including approval of land sale and business terms, establishment of a new redevelopment project and tax increment district, budget appropriations, re-zoning of a portion of the site, and an alley vacation; and

Whereas, Section 540.215 of the Minneapolis Code of Ordinances prohibits the expansion of surface parking in an area including the Milwaukee Depot Site; and

Whereas, the Milwaukee Depot Site is currently zoned B4S-3 and the proposed redevelopment complies with the provisions of the existing zoning; and

Whereas, it is currently proposed that the Milwaukee Depot Site will be rezoned to C3A as part of the pending city-wide rezoning; and

Whereas, this zoning revision and the timing of said revision in relation to implementation of the Phase I redevelopment cause an undue hardship, hampering said implementation and the anticipated eventual Phase II development; and

Whereas, the conditions upon which this resolution is granted are unique to the historic

significance of the Milwaukee Depot Site and the timing of the proposed development and are not applicable, generally, to other property within the same zoning classification; and

Whereas, the hardship caused by the timing of the city-wide comprehensive rezoning has not been created by any persons presently having an interest in the Milwaukee Depot Site; and

Whereas, the variances and zoning rights granted by this resolution will not alter the essential character of the locality or be injurious to other property in the vicinity in which the Milwaukee Depot Site is located, or substantially diminish property values; and

Whereas, the variances and zoning rights granted by this resolution will not substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety; and

Whereas, CSM is willing to cooperate with said rezoning if provision can be made to allow the proposed redevelopment project to proceed within the context of the new zoning; and

Whereas, Section 34.70 of the Minneapolis Code of Ordinances provides that the Heritage Preservation Commission (HPC) may recommend that the City Council grant zoning variances to facilitate the preservation of historically significant structures and Minn. Stat. 471.193, subd. 3(6) provides that the City Council may grant such historic variances; and

Whereas, the City Council desires to provide the regulatory environment needed to allow CSM to complete the proposed redevelopment;

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

1. The City Council desires to facilitate the proposed redevelopment of the two-block Milwaukee Depot Site bounded by Washington Avenue South, Third Avenue South, Second Street South, and the future Fifth Avenue South (the "Milwaukee Depot Site"), which includes the Milwaukee Depot, Train Shed and associated out-buildings, which are listed on the National Register of Historic Places."

2. The City Council and MCDA Board have taken numerous official actions to approve a development proposal for the Milwaukee Depot Site. Phase I of said redevelopment proposal includes the rehabilitation of the Milwaukee Depot for a restaurant, meeting/banquet facilities and up to 30 hotel rooms; the rehabilitation and partial enclosure of the Train Shed and adjacent out-buildings for indoor recreation (e.g., an enclosed ice rink) with associated facilities, with the

unenclosed portion of the Shed to be improved for use as a multi-purpose open-air space for events or up to 100 spaces of covered surface parking; new construction of two hotels totaling up to 400 rooms, plus meeting/banquet and other associated facilities; and new construction of a parking facility containing up to 600 spaces in two levels below grade and at grade on top of the parking facility, to provide parking to users of the development and, when space is available, the general public (collectively, the "Phase I Redevelopment"). Phase II is expected to include eventual enclosure of the open-air portion of the Train Shed for compatible uses, including indoor recreation (e.g., an additional ice rink), offices, restaurant, and/or additional meeting/banquet/event space (the "Phase II Development").

3. An historic variance is granted to allow up to 100 surface parking spaces to be constructed under the open-air portion of the Train Shed on the Milwaukee Depot Site for a period of twenty years from the date that permanent financing for the Phase I Redevelopment is placed, on the following conditions (or such revised conditions as are approved by the Heritage Preservation Commission):

- a. The remaining concrete train platforms in the proposed parking area are to be left in place.
- b. The sections of the concrete train platforms that have been removed must be replaced in kind.
- c. The areas where the tracks were located in the Shed must be paved with dark (brown) colored concrete pavers.
- d. Different colored (gray or black) brick pavers are to be set where the rails were located.
- e. The parking must be striped with tape rather than paint, to mitigate any adverse impact to the historic train platforms.
- f. No parking spaces may be located immediately adjacent to the iron fence along Washington Avenue, i.e., no closer than the lesser of 16 feet or the minimum aisle width required by zoning.

4. An historic variance is granted to reduce to zero the parking requirements for those uses listed above in the description of the Phase I Redevelopment and Phase II Development that are located within (or under) the historic buildings on the Milwaukee Depot Site (i.e., the Depot, Train Shed and associated out-buildings). This variance will terminate if the Depot or Train Shed is damaged or destroyed by any cause or means to the extent that the cost of restoration exceeds two-thirds (2/3) of the Assessor's market value of

the structure (as governed by Section 531.40(c) of the Minneapolis Code of Ordinances). Any reconstruction or restoration of a damaged structure will be subject to the review of the Heritage Preservation Commission.

5. It is expected that the following uses of the Phase II Development--offices, restaurant, additional indoor recreation and/or additional meeting/event/banquet space--will be allowed in the Depot and Train Shed under the new C3A zoning designation. In the event that one or more of the above uses is not allowed in the new C3A zoning when the new code is adopted, an historic variance is granted to allow those uses in the Depot and Train Shed.

6. It is agreed that if at least one building permit is issued before the new city-wide rezoning becomes effective and construction is begun within 90 days after the effective date of said rezoning, then: a) CSM will be allowed to construct, maintain, and use the entire Phase I Redevelopment in accordance with the applicable provisions of the 1963 Zoning Code as amended to date without any further review or approval processes related to zoning requirements, and b) all uses in the Phase I Redevelopment (i.e., hotel, restaurant, meeting/banquet/event space, indoor recreation, and parking facility) will be considered either permitted uses or pre-approved conditional uses.

Adopted. Yeas, 13; Nays none.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

MOTIONS

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

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Campbell moved to waive the 30-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Michael Adams,

Maxwell's American Cafe, for a business district block event to be held August 13, 1999, between the hours of 5:00 p.m. and 10:30 p.m. on 12th Avenue South between the alleyway east to Washington Avenue South, having approval granted by Public Works and the Police departments to grant said waiver and subject to conditions. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Campbell moved to waive the 30-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Michael Adams, Maxwell's American Cafe, for a business district block event to be held August 26, 1999, between the hours of 5:00 p.m. and 10:30 p.m. on 12th Avenue South between the alleyway east to Washington Avenue South, having approval granted by Public Works and the Police departments to grant said waiver and subject to conditions. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Lane moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Karen Savage for a residential block event to be held August 11, 1999, between the hours of 12 noon and 10:00 p.m. on Logan Avenue South between 54th and 55th Streets South, having approval granted by the Public Works department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Niland moved to reconsider a report of the Zoning & Planning Committee passed by the Council July 30, 1999, relating to vacation of a

dead end alley (Vac #1271). Seconded.

Adopted upon a voice vote.

McDonald moved to amend a Zoning & Planning Committee report passed July 30, 1999, relating to the application of M.B. Properties and the Public Works Department (Vac #1271) to vacate the dead end alley bounded by 8th and 9th Avenues North, Washington Avenue North and 3rd Street North to permit a customer-employee parking lot for the existing industrial building at 801 Washington Avenue North, by adding the following language at the end of the first paragraph:

"That in compliance with Minneapolis Code of Ordinances, Chapter 14.120, Sale of Public Lands and Buildings, the Planning Commission finds that the sale of this parcel of land does not conflict with the City Comprehensive Plan and hereby approves the sale of the land subsequent to the vacation of the alley easement."

Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Cherryhomes moved that the subject matter of Minneapolis Community Development Agency (MCDA) financial support for the production of permanent affordable housing through the Minneapolis Public Housing Authority (MPHA) "C-HOP" Program be referred to the Community Development Committee for consideration at the August 16, 1999, meeting. Seconded.

Adopted upon a voice vote.

RESOLUTIONS

RESOLUTION 99R-293

**By Ostrow, Campbell, Biernat,
Johnson, Cherryhomes,
Niland, Goodman, Herron,
Thurber, McDonald,
Mead, Colvin Roy, Lane**

**Honoring Dick Brustad for his Service to
Minneapolis as Chairman of the Minneapolis
Public Housing Authority.**

Whereas, Dick Brustad was appointed by Mayor Donald Fraser as Chairman of the Minneapolis Public Housing Authority (MPHA) on

December 20, 1990, and commenced his term of office on January 1, 1991; and

Whereas, Mayor Sharon Sayles Belton, recognizing Dick Brustad's leadership and visionary qualities, reappointed him for a three year term in January, 1994 and again in January, 1997; and

Whereas, he led the rebuilding of MPHA which resulted in designation by Department of Housing and Urban Development as a "high performing" Public Housing Authority in 1997 and 1998; and

Whereas, during his tenure as Chairman, MPHA dramatically improved the quality of all MPHA-owned housing, expending over \$100 million in capital improvements programs; and

Whereas, his knowledge and experience have been an invaluable asset in implementing the Hollman Consent Decree and developing replacement housing in suburban jurisdictions; and

Whereas, he provided counsel to the MPHA board and staff as it relates to energy conservation contracting, which resulted in the agency receiving over \$700,000 in additional subsidy from HUD; and

Whereas, his commitment to senior housing resulted in a nationally recognized housing program for seniors; and

Whereas, he brought leadership, wisdom and common sense to the position of Chair; and

Whereas, his unerring support, vision and service have been an endless source of enrichment to MPHA staff and its residents;

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

That the City of Minneapolis thanks Dick Brustad for his nine years of dedication and leadership to the Minneapolis Public Housing Authority.

Be It Further Resolved that Dick Brustad be recognized for his unflinching commitment to providing affordable housing throughout Minneapolis and the Twin City suburbs.

Be It Further Resolved that we extend to Dick Brustad and his family best wishes for a prosperous and fulfilling future.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 99R-294
By Campbell, Thurber,
Cherryhomes, Ostrow,
Biernat, Johnson, Niland,
Goodman, Colvin Roy, Herron,
Mead, Lane and McDonald

Approving Laws of Minnesota 1999,
Chapter 222.

Whereas, the Minnesota State Legislature has passed a law modifying the Municipal Employees Retirement Fund's enabling statute and authority to pay a cost of living increase to Fund widows; and

Whereas, said law, by its terms, requires an affirmative vote of a majority of the members of the City Council before it may become effective;

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

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999. J. Cherryhomes, President of Council.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

UNFINISHED BUSINESS

Septan 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)

McDonald moved to continue postponement. Seconded.

Adopted upon a voice vote.

CONSIDERATION
OF MAYOR'S VETO

Mayor Sayles Belton returning with her veto the report of the Health & Human Services Committee passed by the Council July 30, 1999, relating to North Star Elementary School to amend a contract with Hennepin County to redistribute grant funds to the new Mona H. Moede Neighborhood Center to support data collection needs and start up clinic costs for transfer of health services, and stating her objections thereto.

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

Yeas none; Nays, 12.

Absent – Mead.

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

which was given its first reading and referred to the Public Safety & Regulatory Services Committee (Amending Section 303.160).

Campbell moved to adjourn. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Adjourned.

MERRY KEEFE,
City Clerk.
99-6914

NEW BUSINESS

Herron, Chair of the Health and Human Services Committee, moved that the proper City Officers be authorized to execute Amendment #2 to Contract #13528 with Hennepin County, increasing the contract amount by \$9,980, for a new total not to exceed \$59,980, to redistribute projected unspent funds from the Healthy Tomorrows Grant to support data collection needs and start up clinic costs for the transfer of health services from North Star Elementary School to the new Mona H. Moede Neighborhood Learning Center, payable from the Health Department (030-440-4413). Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Mead.

Passed August 13, 1999.

Approved August 19, 1999. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Biernat offered the following ordinances amending Title 4 of the Minneapolis Code of Ordinances relating to *Animals and Fowl*, which were given their first reading and referred to the Public Safety & Regulatory Services Committee:

- a) Amending Chapter 62, *In General*;
- b) Amending Chapter 64, *Dogs and Cats*;
- c) Adding Chapter 65, *Ferrets*;
- d) Amending Chapter 66, *Rabies Control*;
- e) Adding Chapter 68, *Pet Shops, Kennels, etc.*;
- f) Amending Chapter 70, *Fowl, Pigeons, Rabbits and Other Small Animals*;
- g) Amending Chapter 72, *Diseased, Injured or Dead Animals*; and
- h) Amending Chapter 74, *Miscellaneous Regulations*.

Biernat offered an Ordinance amending Title 13, Chapter 303 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Horse and Carriage Livery Services*,