

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF

### MARCH 2, 2001

(Published March 8, 2001, in *Finance and Commerce*)

15<sup>th</sup> Floor, U.S. Federal Courts Bldg.

300 South 4<sup>th</sup> Street

Minneapolis, Minnesota

March 2, 2001 - 9:30 a.m.

President Cherryhomes in the Chair.

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

Absent – Council Member Colvin Roy.

Campbell moved acceptance of the minutes of the regular meeting of February 16, 2001. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and communications and reports of the City officers to proper Council committees and departments. Seconded.

Adopted upon a voice vote.

## PETITIONS AND COMMUNICATIONS

### **COMMUNITY DEVELOPMENT (See Rep):**

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266687)

Lot Division: 820-27th Ave NE.

Center for Training & Careers, Inc (3408 E Lake St): Resolution granting preliminary approval to issue bonds for alternative public school.

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266688)

St Anthony East Bank Village Parking Facility: Approval of funding source of Commercial Corridors loan to leverage private investment for additional general parking area with related actions; appropriation request, w/Attachment.

Grain Belt Brew House Project: Request appropriation increase to reflect additional \$600,000 in grant funds received from Met Council for pollution cleanup.

Milwaukee Depot (300 Washington Ave S): Request appropriation increase to provide matching ISTE grant funds.

COORDINATOR (266689)

Neighborhood Revitalization Program: Ordinances amending Title 16 of the Mpls Code of Ordinances re housekeeping amendments to Chap 419 & repealing Chap 421.

### **HEALTH AND HUMAN SERVICES:**

HEALTH AND FAMILY SUPPORT SERVICES (266690)

Employment & Training Quarterly Report.

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

HEALTH AND FAMILY SUPPORT SERVICES (266691)

Way to Grow Program: Issue amended Fund Availability Notice to Youth Coordinating Board for additional public health nursing services at nine sites.

2001 Summer Youth Employment and Training Program: Issue Fund Availability Notices to Loring Nicollet-Bethlehem Community Centers for planning, training and educational services; and Issue Fund Availability Notices to Minnesota Department of Economic Security to coordinate intake and placement for 1500 youth, and launch private sector jobs campaign.

Customized Work Initiative: Issue Fund Availability Notices to seven new Neighborhood Employment Network agencies for training of community residents with Enterprise Community employers; and Issue modified Fund Availability Notices to SAOIC, Goodwill/Easter Seals, Resource and HAMAA for wage increases of \$2 per hour for retention with same employer.

**HEALTH AND HUMAN SERVICES and INTERGOVERNMENTAL RELATIONS:**

HEALTH AND FAMILY SUPPORT SERVICES (266692)

Overview of Governor's Proposed Budget.

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

HEALTH AND FAMILY SUPPORT SERVICES (266693)

Job Placement Services for Women in Non-traditional Jobs: Issue performance based Fund Availability Notice to Women Venture for 2001; and Allow Health & Family Support to carry over unspent General Funds to 2002.

New Families Center: Execute contract with Healthy Learners Board to accept \$66,409 for nursing and interpreter services.

LICENSES AND CONSUMER SERVICES (266694)

Lead Hazard Reduction: Execute amendment to agreement with United States Department of Housing and Urban Development for performance of Round IV lead hazard services; and Execute amendment to contract with Minnesota Remodeling and Restoration to extend performance period through May 31, 2001.

**INTERGOVERNMENTAL RELATIONS:**

HEALTH AND FAMILY SUPPORT SERVICES (266695)

Mental Health: SF 179 relating to civil commitment; Background report on SF 179 & companion HF 281.

City's 2001 Legislative Agenda: Review of Governor's proposed budget as it relates to various issues on City's Agenda, including Teen pregnancy prevention, Healthy Learners Board, Suicide prevention, uninsured children, uncompensated care burden, health disparities, medical education, Minnesota Family Investment Program, Senior services, Systematic Alien Verification for Entitlements, Working family tax credit, health care for low-income children, Affordable housing, Dislocated Workers Program, Dental health, Children's mental health, Lead.

POLICE DEPARTMENT (266696)

Victim Intervention Project Institute: Request to develop legislation for funding; two brochures.

Guns: Request to develop legislation to permit forensic scientist to carry weapon from crime scene without a permit.

**INTERGOVERNMENTAL RELATIONS (See Rep):**

COORDINATOR (266697)

New Central Library Project: Approve resolution continuing City Council/Library Board for completing project, Organizational Chart & Memorandum of Understanding.

COUNCIL MEMBER THURBER (266698)

Restorative Justice: Support funding for CriMNet Project.

**PUBLIC SAFETY AND REGULATORY SERVICES:**

ATTORNEY (266699)

CRIMNET: Report on Strategic Plan for Implementation of CRIMNET with Hennepin County.

LICENSES AND CONSUMER SERVICES (266700)

Al's Market (2820 E 42nd St): Consider action with respect to Grocery and Tobacco Licenses for failure to complete site plan review process.

Kinhdo Restaurant (2755 Hennepin Av): Consider action with respect to Off-Sale Beer Class E Licenses for failure to complete site plan review process.

**PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):**

INSPECTIONS DEPARTMENT (266701)

Bell Curve Hiring for Housing Inspection Services: Approve implementation plan.

LICENSES AND CONSUMER SERVICES (266702)

NCAA Men's Basketball Final Four Championships: Temporary Ordinances to permit Limited Winter Taxicabs to operate from April 1, 2001 to April 3, 2001; and to permit Licensed On-Sale Liquor, Wine and Beer Establishments to operate between the hours of 1:00 a.m. and 3:00 a.m. from March 30, 2001 to April 3, 2001.

Minnesota Council for the Performing Arts (2921 N 2nd St): Deny application for Place of Entertainment License and Direct Licenses & Consumer Services to institute proceedings for an injunction against further operation of the business.

Licenses: Applications.

POLICE DEPARTMENT (266703)

18th Annual National Night Out: Waive block event fee if application is received by July 10, 2001; Charge \$15 fee for applications filed between July 11 & 24, 2001; and Deny applications received after July 25, 2001.

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

INSPECTIONS DEPARTMENT (266704)

Vacant Buildings: Ordinance amending Title 12, Chapter 249 of Code to provide an incentive to reduce the amount of time a building remains vacant by payment of annual fee.

POLICE DEPARTMENT (266705)

Boarding Buildings: Ordinance amending Title 9, Chapter 171 of Code to expedite the cost recovery on boarding buildings by assessing costs to property.

Minnesota Internet Crimes Against Children Task Force: Execute Task Force Multi-Agency Law Enforcement Agreement to allow Police Department to participate in accessing resources, policing and information to battle internet child pornography.

Youth Express: Execute agreement to allow Police Department to give scrap bicycle parts to Youth Express to rework into workable saleable bicycles.

Statewide Juvenile Prostitution Task Force: Execute contract with Minnesota Bureau of Criminal Apprehension to provide a portion of Juvenile Prostitution Task Force grant award funding.

**TRANSPORTATION AND PUBLIC WORKS (See Rep):**

PLANNING DEPARTMENT/PUBLIC WORKS (266706)

Melrose Apartment Project (2513 Essex St SE, 155 26th Av SE, 2508 Delaware St SE): Consider conveyance of City-owned parcel (Huron-Essex Triangle) and sign on to rezoning permit for property.

PUBLIC WORKS AND ENGINEERING (266707)

Cedar Lake Trail, Phase III: Direction to identify an on-street bike route plan to connect the trail from 12th and Glenwood to the Mississippi River.

Main St SE: Establish parking restrictions between 3rd and 6th Sts SE.

Franklin Av (16th Av to Cedar Av): Layout for roadway changes.

Chicago Av St Reconstruction and Streetscape Project (E 46th to E 49th Sts): Designate location and improvements, prepare special assessments and establish public hearing.

Harrison Area Street Renovation Project: Designate location and improvements, prepare special assessments and establish public hearing.

Cedar Lk Rd S/Cedar Lk Pkwy Reconstruction: Designate location and improvements, prepare special assessments and establish public hearing.

**PUBLIC WORKS AND ENGINEERING (266708)**

Joint Storm Water Monitoring Program: Execute cooperative agreement with the Minneapolis Park and Recreation Board and the City of St. Paul specifying monitoring responsibilities under the management permit.

Recycling Grant Application: Submit application to Hennepin County requesting state funds to support the City recycling program.

Light Rail Transit - Nicollet Mall Station: Negotiate agreement with Metropolitan Council relating to design and costs; Select architectural firm to prepare conceptual design.

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

**PUBLIC WORKS AND ENGINEERING (266709)**

Priority Vehicle Control: Accept federal funds to be used to modify existing traffic signals to accommodate priority vehicles (buses) in certain corridors.

Facility Renovation at 19 4th St N: Obtain proposals for architectural/engineering design services to convert facility to police precinct.

Facility Improvement at 6024 Harriet Av S: Obtain proposals for architectural/engineering services to improve facility to allow combination with 4444 Snelling Av S.

**TRANSPORTATION AND PUBLIC WORKS and ZONING AND PLANNING (See Rep):**

**PLANNING COMMISSION/DEPARTMENT (266710)**

Northstar Corridor Draft Environmental Impact Statement: Comments relating to the Northeast Minneapolis 7th Street Station.

**WAYS AND MEANS BUDGET:**

**ATTORNEY (266711)**

Liability Payments: Receive & File summary information for 2000.

**COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266712)**

Shoreham Yards Redevelopment Plan: Request for related comments from Ways & Means/Budget Committee.

**CONVENTION CENTER (266713)**

Convention Center Expansion Project: Receive & File change management actions.

**FINANCE DEPARTMENT (266714)**

Travel Expenses: Receive & File 4th Quarter 2000 Report.

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

**ATTORNEY (266715)**

Settlements: Authorize payment to Helen McGee; Estate of Antonio R. Todd; Warren Wittman; and Robert Carrillo.

Legal Services Protocol: Amend to provide on-line access to formal City Attorney opinions.

**CONVENTION CENTER (266716)**

Convention Center Expansion Project: Change Order to Contract with Crawford Door Sales Company.

**COORDINATOR (266717)**

Technology Opportunities Program Grant Funds: Submit grant application.

Near North Redevelopment Project: Accept funds from Livable Community Demonstration Account of Metropolitan Council.

Near North Redevelopment Project: Accept funds from TAX Base Revitalization Account of the Metropolitan Council.

**COUNCIL MEMBER CHERRYHOMES (266718)**

Minneapolis Arts Commission: Approve appointments and reappointments.

**EMPOWERMENT ZONE OFFICE (266719)**

Empowerment Zone Governance Board: Approve appointments.

**HUMAN RESOURCES (266720)**

Manager, Investments and Special Projects Position: Salary Ordinance.

Cash Manager Position: Salary Ordinance.

Central Alarm Station Operator Position: Salary Ordinance.

**ZONING AND PLANNING:**

**CITY CLERK/SPECIAL PERMITS (266721)**

27th St W, 200 (Prima Land Inc) begin construction of single family house prior to rezoning approval;  
Chicago Av S, 3608 (Prima Land Inc) begin construction of single family house prior to rezoning approval;

Columbus Av S, 3633 (Prima Land Inc) begin construction of single family house prior to rezoning approval;

Stevens Av, 2826 (Habitat for Humanity) begin construction of single family house prior to rezoning approval.

**INSPECTIONS/ZONING ADMINISTRATOR (266722)**

Airborne Service Center, 2601 Central Av NE: Notice of hearing to revoke site plan permit for lack of performance bond.

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

**CITY CLERK/SPECIAL PERMITS (266723)**

Hennepin Av E, 501 (Kaufman Sign Co) sign;

Lake St W, 1406 (Mark Favre) sign;

Minnehaha Av S, 4740 (Paul Ferguson) portable sign.

**INSPECTIONS/BOARD OF ADJUSTMENT (266724)**

Aronson, Roger, 4852 Emerson Av S: Grant appeal for variance of north side yard; Staff report; Minutes; Petition in support of variance, signed by Lora & Jim Koppel & 14 other neighbors.

Head, Martha & Douglas, 1616 W 22nd St: Grant appeal for variance of front yard setback; Staff report; Minutes; Comments of Lucia Duff.

**PLANNING COMMISSION/DEPARTMENT (266725)**

Banyan Foundation, 2528 16th Av S:

Planning Comsn: Grant appeal for variance of required parking spaces; Planning Comsn minutes; Staff report on application for variance with findings, comments from Lillian Frye-Harding, Robert Jackson, LDA Learning Center, Anne C Brink, Aden Amin Awil, Gail Bjango, Dang Xiong, maps. East Phillips Improvement Coalition: Comments.

Goodwill Easter Seals, 4630 E Lake St: Approve application for interim use permit; Staff report with findings & recommendation, drawings, photos, comments of Longfellow Community Council.

Simpson Housing Services, 1900 11th Av S: Approve interim use permit; Staff report with findings & recommendation, drawings, maps, photos, comments of Ventura Village.

**PLANNING COMMISSION/DEPARTMENT (266726)**

Interim Ordinance: Pass Ordinance amending Title 21 of Mpls Code of Ordinances, adding new Chapter 576 providing for moratorium on establishment, reestablishment or expansion of any commercial or industrial use along W Broadway Av from City Limits to Girard Av & within 1/4 mile of W Broadway & Penn intersection; Comments of West Broadway Area Coalition.

Heritage Preservation:

Planning Comsn: Pass Ordinance adding new Title 23 to Mpls Code of Ordinances, Heritage Preservation, & new Chapter 599, Heritage Preservation Regulations, & repealing Title 2, Chapter 34, Heritage Preservation Commission.

Zoning Office: Proposed amendment re unauthorized demolition of historic property.

CEI Engineering for AutoZone, Inc, 2220 W Broadway, Deny waiver from moratorium prohibiting establishment, reestablishment or expansion of any commercial or industrial use along W Broadway Av, introduced 11/22/00; Staff report with findings; Comments of Burger King, West Broadway Area Coalition, drawing.

**PLANNING COMMISSION:**

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266727)  
Permission to vacate 10th Av S (aka Smith St) between 2nd St S & W River Pkwy.  
HISLE, CORWIN (266728)

Permission to vacate a portion of 4th St N in the 3900 block.

MINNEAPOLIS STONE ARCH PARTNERS LLC (266729)

Permission to vacate portion of Main St SE between 6th & 8th Avs SE; portion of 8th Av SE between Main St SE & railroad property.

UNIVERSITY OF MINNESOTA (266730)

Permission to vacate the 14' sanitary sewer easement rights running underneath 2525 4th St SE.

**MOTIONS:**

NEW BALLPARK CITIZENS ADVISORY COMMITTEE (266730.1)

New Ballpark Citizens Advisory Committee Report: Receive and File.

**FILED:**

CITY CLERK/SPECIAL PERMITS (266731)

9th St & Nicollet (McCormick & Schmick's Seafood Restaurant) temporary tent; Grand Av S, 3546 (Present Moment Herbs & Books) sidewalk sale; Lake St E, 2124 (Nordquist Sign Co) sign; Nicollet Av, 2121 (Sign Arama) sign.

Xcel Energy (266732)

Utilities: Authorize placement of utility poles.

**REPORTS OF  
STANDING COMMITTEES**

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

**Comm Dev** - Your Committee, having under consideration the division of the lot at 820 - 27<sup>th</sup> Ave NE, as set forth in Petn No 266687, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcels.

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

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-074**

**By Niland**

**Approving the subdivision of a lot at 820 - 27<sup>th</sup> Avenue NE.**

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 820 - 27<sup>th</sup> Avenue NE and legally described as the East 36 feet of the West 72 feet of Lots 1 and 2, Block 17, Menage's Supplement to East Side Addition to Minneapolis be subdivided as follows:

**Parcel A:** The East 18 feet of the West 54 feet of Lots 1 and 2, Block 17, Menage's Supplement to East Side Addition to Minneapolis;

**Parcel B:** The East 18 feet of the West 72 feet of Lots 1 and 2, Block 17, Menage's Supplement to East Side Addition to Minneapolis; and

Whereas, the MCDA intends to convey the subdivided parcels listed above to the owners of the adjacent properties with the following parcels:

**Parcel A to 816 - 27<sup>th</sup> Avenue NE:** The West 36 feet of Lots 1 and 2, Block 17, Menage's Supplement to East Side Addition to Minneapolis;

**Parcel B to 824 - 27<sup>th</sup> Avenue NE:** The West 36 feet of East 110 feet of Lots 1 and 2, Block 17, Menage's Supplement to East Side Addition to Minneapolis; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on February 9, 2001, a public hearing on said subdivision and proposed sale was duly held in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA at 4:00 p.m., February 20, 2001, in Room 132, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

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

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**Comm Dev** - Your Committee, having under consideration a proposed project of the Center for Training and Careers, Inc., to acquire, renovate and equip an existing building at 3408 E Lake St for the operation of an alternative public school with a maximum of 300 students, grades 9-12, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution giving preliminary approval to the project and to the issuance of up to \$1,500,000 in Tax-exempt Revenue Bonds, Series 2001, for the Center for Training and Careers, Inc, as set forth in Petn No 266687.

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

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Resolution 2001R-075, giving preliminary approval to a project on behalf of Center for Training and Careers, Inc. and authorizing the issuance of industrial development revenue development bonds of the City of Minneapolis therefor under Minnesota Statutes, Sections 469.152 through 469.165, as amended; referring the proposed project to the Minnesota Department of Trade and Economic Development for approval; and authorizing the preparation of necessary documents, was passed March 2, 2001 by the City Council and approved March 7, 2001 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 2001R-075**

**By Niland**

**Giving preliminary approval to a project on behalf of Center for Training and Careers, Inc. and authorizing the issuance of industrial development revenue development bonds of the City of Minneapolis therefor under Minnesota Statutes, Sections 469.152 through 469.165, as amended; referring the proposed project to the Minnesota Department of Trade and Economic Development for approval; and authorizing the preparation of necessary documents.**

Whereas, pursuant to Sections 469.152 through 469.165 of the Minnesota Statutes (the "Act"), as amended, the City of Minneapolis (the "City"), is authorized to issue industrial development revenue bonds for the purpose of providing financing for the acquisition, construction and installation of projects consisting of real and personal properties used or useful in connection with a revenue-producing enterprise; and

Whereas, in enacting the Act the Legislature found that the welfare of the State of Minnesota requires the active promotion, attraction, encouragement and development of economically sound industry and commerce to prevent, as far as possible, the emergence of blight and areas of chronic unemployment and to prevent economic deterioration; and

Whereas, other factors necessitating such active promotion and development of industry and commerce within the City are the increasing movement of population and business to suburban areas, the steady and rapid increase in the amount and cost of governmental services required to meet the needs of the City and the need for more intensive development and use of land within the City to provide an adequate tax base to finance these costs; and

Whereas, the promotion, attraction, encouragement and development of economically sound industry and commerce provides employment opportunities for residents of the City and requires the City to provide services to the community including schools available to the public; and

Whereas, Center for Training and Careers, Inc., a Minnesota nonprofit corporation (the "Borrower") has proposed to acquire and renovate an existing building located at 3408 E. Lake Street, Minneapolis, Minnesota for use as an alternative public school for grades 9 through 12 (the "Project"); and

Whereas, the Borrower has proposed that the City issue one or more series of its industrial development revenue bonds (the "Bonds") for the purpose of financing the Project, including certain incidental expenses thereto, in an approximate aggregate principal amount of \$1,500,000 and the proposal calls for the proceeds realized upon the sale of the Bonds to be applied by the Borrower pursuant to a revenue agreement wherein the Borrower will be obligated to acquire, renovate and equip the Project and to make payments under the revenue agreement at the times and in the amounts sufficient to provide for the prompt payment of principal of, premium, if any, and interest on the Bonds and all costs and expenses of the City incident to the issuance and sale of the Bonds; and

Whereas, the City has been advised by representatives of the Borrower that conventional, commercial financing to pay the capital cost of the Project has not been obtained and is available only on a limited basis and at such high costs and on such terms of borrowing that the economic feasibility of constructing and operating the Project would be significantly impaired and could not be undertaken but for the availability of tax-exempt financing and the lower borrowing cost resulting therefor; and

Whereas, the proposed Project consists of real and personal properties to be used in a revenue-producing enterprise, as authorized by the Act; and

Whereas, the undertaking of the proposed Project and the issuance of the Bonds to finance the cost thereof will further promote the public purposes and legislative objectives of the Act by encouraging the location and retention of revenue-producing enterprises within the City, by providing additional educational facilities in the City. The Project will also provide up to 14 additional employment opportunities for residents of the City, and stimulate the development and redevelopment of underutilized lands within the City; and

Whereas, the full faith and credit of the City will not be pledged or responsible for the Project or for the payment of the principal of, premium, if any, and interest on the Bonds;

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

That the undertaking of the Project and the issuance by the City of its Bonds pursuant to the Act, in an approximate aggregate principal amount of \$1,500,000 to finance the costs thereof, all as referred to above, is hereby authorized and approved by the City, subject to the approval of the Project by the Minnesota Department of Trade and Economic Development ("DTED") under the Act, and to the agreement of the City, the Borrower and the purchaser of the Bonds on the detailed terms and conditions on which the Project will be acquired and constructed and the Bonds will be issued, sold and secured. The Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988.

Be It Further Resolved that in accordance with the Act, the Mayor, President, City Council, Finance Officer, City Clerk are hereby authorized and directed to submit the proposal for undertaking the Project to DTED requesting approval of the Project. The Mayor, President of this Council, Finance Officer, City Clerk and the City Attorney and other officers, employees and agents of the City are hereby authorized to provide DTED such preliminary information as may be required for this purpose. The City Attorney is also authorized in cooperation with Briggs and Morgan, P.A., as bond counsel, to initiate preparation of such documents as may be appropriate to the Project, in order that, when and if the Project is approved by DTED, it may be carried forward expeditiously.

Be It Further Resolved that the adoption of this resolution by the City does not constitute a guarantee or a firm commitment that the City will issue the Bonds as requested by the Borrower. The City reserves the right, in its sole discretion, to withdraw from participation and accordingly not issue any Bonds to finance the Project at any time prior to the adoption of the resolution authorizing the issuance of such Bonds should the City so determine.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the use of Minneapolis Community Development Agency (MCDA) Commercial Corridors Program funds to provide for a forgivable loan in the amount of \$100,000 to leverage the \$300,000 private investment by Gabriel Jabbour, owner of West Photo, to fund a 40-space general parking area addition to the Block 1 parking facility being developed by Hunt Gregory as part of the St. Anthony East Bank Village Project, now recommends:

a) Approval of the funding source and the terms for a no interest loan of up to \$100,000, forgivable after 10 years subject to the following conditions: 1) a minimum of 20 spaces made available to 2 or 3 businesses; 2) loan subject to payback provisions as described in the report contained in Petn No 266688; 3) if lease or resale rate exceeds current market rate, amount of loan subject to final cost verification;

b) That the proper MCDA and/or City officers be authorized to execute the corresponding loan agreement;

c) Setting the Employment Plan goal of community development and commercial revitalization to be achieved by providing 20 parking spaces available to 2 or 3 area businesses;

d) Approval of an allocation of up to \$100,000 from the Commercial Corridors Set-Aside for the General Area Parking in the St. Anthony East Bank Village Parking Facility;

e) Passage of the accompanying resolution increasing the MCDA appropriation in Fund SDA0 (Development Account) by up to \$100,000; and

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

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

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

Nays - Mead, Goodman.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-076**

**By Niland and Campbell**

**Amending The 2001 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 SDA0 - Development Account by up to \$100,000 from available fund balance.

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

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

Nays - Mead, Goodman.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**Comm Dev & W&M/Budget** - Your Committee, to whom was referred ordinances amending Title 16 of the Minneapolis Code of Ordinances relating to the Neighborhood Revitalization Program, to correct statutory citations, delete obsolete processes and add Phase II goals, and having held a public hearing thereon, now recommends that the following ordinances be given their second reading for amendment and passage:

Amending Chapter 419 relating to *Planning & Development: Neighborhood Revitalization Program*; and

Repealing Chapter 421 relating to *Planning & Development: Tax Increment Refunding*.

Niland moved to amend the report by adding the following paragraph: "Your Committee further recommends summary publication of the above-described ordinances." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-018 amending Title 16, Chapter 419 of the Minneapolis Code of Ordinances relating to *Planning and Development: Neighborhood Revitalization Program (NRP)*, clarifying the City's dollar commitment to the NRP, correcting inaccurate statutory citations, deleting obsolete process and incorporating the adopted NRP Phase II goals was passed March 2, 2001 by the City Council and approved March 7, 2001 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 2001-Or-018**  
**By Niland, Campbell and Cherryhomes**  
**Intro & 1<sup>st</sup> Reading: 2/2/2001**  
**Ref to: Comm Dev**  
**2<sup>nd</sup> Reading: 3/2/2001**

**Amending Title 16, Chapter 419 of the Minneapolis Code of Ordinances relating to Planning and Development: Neighborhood Revitalization Program.**

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

Section 1. That Section 419.10 of the above-entitled ordinance be amended to read as follows:

**419.10. Purpose.** The purpose of this chapter is to establish a neighborhood revitalization program pursuant to ~~Chapter 604, Minnesota Laws, 1990 Statutes, Section 469.1831, as amended.~~

Section 2. That Section 419.20 of the above-entitled ordinance be amended to read as follows:

**419.20. Definitions and General guidelines.** ~~The neighborhood revitalization program shall be administered pursuant to Chapter 604, Minnesota Laws, 1990.~~ (a) In this chapter, unless a different meaning clearly appears from the context:

Agency means the Minneapolis Community Development Agency.

Chapter 604 means Laws 1990, Chapter 604, Article VII, Section 29, as amended by Laws 1991, Chapter 291, Article X, Section 20, which is the special law requiring the city and the agency to reserve ten million dollars (\$10,000,000.00) in 1990 and twenty million dollars (\$20,000,000.00) from 1991 to 2009, for a total of three hundred ninety million dollars (\$390,000,000.00), to be expended for neighborhood revitalization anywhere within the city.

City means the City of Minneapolis.

City council means the city council of the City of Minneapolis.

City neighborhood revitalization program funds mean:

- a. the program money;
- b. The funds required to be expended for neighborhood revitalization under Chapter 604; and
- c. Other tax increment and non tax increment revenues from the agency's common project necessary to fulfill a twenty million dollar (\$20,000,000.00) annual commitment to the neighborhood revitalization program. The twenty million dollar (\$20,000,000.00) annual commitment shall not include, and shall be in addition to, the amounts required to be transferred to the school district for school aid reduction and to the county for property tax relief pursuant to subdivision 4 of the neighborhood revitalization program law.

Common project means the projects and districts included in that certain common development and redevelopment plan and common tax increment financing plan adopted by the agency on December 30, 1989, as amended from time to time.

Library board means the Library Board of the City of Minneapolis.

Mayor means the mayor of the City of Minneapolis.

Neighborhood revitalization program means the program established by the city under the neighborhood revitalization program law, Chapter 604 and this chapter.

Neighborhood revitalization program law means Minnesota Statutes, Section 469.1831, as amended, which authorizes the city to create the neighborhood revitalization program.

Park board means the Park and Recreation Board of the City of Minneapolis.

Policy board means the board established to review, modify where appropriate, and approve neighborhood action plans, pursuant to subdivision 6 of the neighborhood revitalization program law.

Program money means the tax increment revenues required to be expended for neighborhood revitalization pursuant to Minnesota Statutes, Section 469.1781(b).

School district means Special School District No. 1.

Strategies means the specific actions identified in each neighborhood action plan as necessary to achieve the action plan objectives.

(b) The neighborhood revitalization program shall be administered pursuant to the neighborhood revitalization program law, Chapter 604 of this chapter.

Section 3. That Section 419.30 of the above-entitled ordinance be amended to read as follows:

**419.30. Neighborhood revitalization program.** (a) In furtherance of the goals stated herein and pursuant to the neighborhood revitalization program law and Chapter 604, Minnesota Laws, 1990, the city hereby creates a neighborhood revitalization program ~~is hereby created~~ to preserve and enhance the private and public infrastructure, public health and safety, economic vitality, the sense of community, and social benefits within Minneapolis neighborhoods.

The goals and objectives of the neighborhood revitalization program are of the first phase of the neighborhood revitalization program (1990-2000) are to:

- (1) ~~To~~ Establish a cooperative and coordinated service planning, funding and delivery process involving neighborhood residents, public agencies and private interests.
- (2) ~~To~~ Develop a joint planning effort ~~which that~~ results in a multiyear plan complementing the programming of all parties.
- (3) ~~To~~ Provide a framework which encourages and enables the reallocation of existing resources to fund specific program priorities.
- (4) ~~To~~ Reserve and dedicate resources from ~~the specified tax increment districts, from program funds, and from the neighborhood bank to fund the multiyear plan~~ program money and the common project.

- (5) ~~To p~~Preserve and dedicate a source of funding for multijurisdictional youth projects of high city priority.
- (b) The goals of the second phase of the neighborhood revitalization program (2001-2009) are to:
- (1) Create a greater sense of community so that the people who live, work, learn and play in the City of Minneapolis have an increased sense of commitment to, and confidence in, their neighborhood and their city.
  - (2) Sustain and enhance neighborhood capability in order to strengthen the civic involvement of all members of the community.
  - (3) Ensure that neighborhood-based planning remains the foundation of the program, is informed and leads to creative and innovative approaches.
  - (4) Strengthen the partnerships among neighborhoods and jurisdictions to identify and accomplish shared citywide goals.
  - (5) Ensure that government agencies learn from and respond to neighborhood plans so that public services ultimately reflect neighborhood priorities.
  - (6) Develop and support life cycle housing citywide through the preservation of existing housing and new construction by reaffirming our commitment to the state mandate that fifty-two and five tenths (52.5) percent of the Chapter 604 funds be spent on housing programs and related purposes.

Section 4. That Section 419.40 of the above-entitled ordinance be amended to read as follows:

**419.40. Program Commitment of city neighborhood revitalization program funds.** In furtherance of the goals stated in section 419.30, ~~and pursuant to Chapter 604, Minnesota Laws, 1990, the city will commit twenty million dollars (\$20,000,000.00) from 1990 to 2009 for neighborhood revitalization program activities. These funds will be comprised of~~ the city hereby commits to provide the city neighborhood revitalization program funds, commencing in 1990 through and including 2009, for the neighborhood revitalization program:

- ~~(1) For the years 1990 through and including 2001, program money as provided for in Chapter 604, Minnesota Laws, 1990. Program money is an amount of revenue derived from tax increment equal to the sum of (a) fifty (50) percent of the tax increment derived from the excess of the tax capacity projected for taxes payable over the captured assessed value (converted to tax capacity) payable in 1986, said 1986 base as established by the city for each of the tax increment districts included in the 1984 refunding. (Projects under construction before January 2, 1985, are exempt from this obligation.) The established districts to be included are districts known as the 1984 refunded districts; and (b) in years 1990 through 1999, the difference between the scheduled annual debt service for the refunding bonds of 1984 and the refunding bonds of 1990; and~~
- ~~(2) Other revenues from the MCDA Common Project necessary to fulfill the twenty million dollars (\$20,000,000.00) per year commitment. The twenty million dollars (\$20,000,000.00) shall not include and shall be in addition to the amounts required to be transferred to the school board for school aid reduction and to Hennepin County for property tax relief, pursuant to Chapter 604, Minnesota Laws, 1990.~~

Section 5. That Section 419.50 of the above-entitled ordinance be amended to read as follows:

**419.50. Neighborhood revitalization program process.** (A a) The neighborhood revitalization program is a long-term commitment to give priority to neighborhood needs in ~~Minneapolis~~ the city. Service planning and delivery will focus on neighborhood needs, as defined by residents from each of the city's neighborhoods, working ~~in coordination with the~~ through neighborhood organizations and the staff and policy officials of the agencies represented on the policy board.

(B b) The neighborhood revitalization program will ~~involve a process and~~ provide financial resources to neighborhood groups to work with residents to identify the most important existing and anticipated needs in their neighborhoods, ~~existing and anticipated~~. Identified needs may be for services, rehabilitation, development or capital improvements. They may be for neighborhood-based activities, programs and projects of the city, Special s~~Special~~ School board District No. 1, the park and recreation board, the library board, or Hennepin County, or United Way, or all of these among others. ~~Needs shall be defined in terms of short-term (one to three (3) years) and long-term goals.~~

~~(C c) Needs will be identified in neighborhood planning workshops. Technical assistance will be provided by the neighborhood revitalization program action plans. Neighborhood revitalization program staff and other agencies whose services apply will provide technical assistance. Additional funds will be available for groups to purchase their own technical assistance when appropriate. In recognition that the neighborhood revitalization program broadens the scope of citizen participation in the planning and the implementation of neighborhood action plans, financial support will be provided to ensure effective citizen participation in the neighborhood revitalization program. The nature, level, and means of allocating such support shall be developed consistent with the purposes of the neighborhood revitalization program. All neighborhoods will be given the opportunity to hold a workshop as soon as practical. Contiguous neighborhoods with similar issues shall be able to combine for the purposes of identifying and addressing common needs.~~

~~(D d) The workshop neighborhood planning process will be designed to ensure that all neighborhood interests are adequately represented in the identification of needs and preparation of neighborhood action plans. Neighborhood workshop planning organizers shall take affirmative steps to assure that participation in the workshops planning process is inclusive of all populations and interests in the neighborhood, including renters, homeowners, people of color, businesses, institutions, socioeconomic groups, youth, elderly people and handicapped people with disabilities.~~

~~(E e) The neighborhood revitalization program decision-making process will include rigorous cost-benefit analyses in which the overall economic impact of public investment alternatives will be evaluated as well as other significant benefits. The neighborhood revitalization program process will provide the framework for decisions regarding use of tax increment and nontax increment neighborhood revitalization funds and, where applicable, The neighborhood revitalization program process, including actions by the policy board, the city council and mayor, as described below, will determine the use of city neighborhood revitalization program funds. Where applicable, the city will conduct redevelopment activities in a manner consistent with neighborhood priorities and will encourage the reallocation of existing resources to fund the specific program priorities determined by Minneapolis neighborhoods within and outside the projected areas. A significant portion of nontax increment funds will be used outside the project areas.~~

~~(F f) All neighborhood revitalization activities which that are funded with program funds as defined in section 419.40, city neighborhood revitalization program funds require approval by the city council and the mayor after receipt of recommendations from the policy board, as outlined in section 419.70, except for such amounts required to be available to the school district and Hennepin County as described in section 419.70(D) and (E). The policy board shall also make recommendations to the participating organizations regarding expenditures of funds other than program funds to the extent such expenditures will further the goals of the neighborhood revitalization program.~~

~~(G) The neighborhood revitalization program will be implemented over a period of years requiring dedicated funding on a graduated basis. During the transition period, the MCDA's one- and five-year plans and priorities submitted by neighborhood groups not yet involved in the neighborhood revitalization program will be used to develop annual MCDA funding appropriations for neighborhood activities consistent with those envisioned in this section and with the transition principles adopted by the city council for neighborhoods and the downtown/riverfront community.~~

Section 6. That Section 419.60 of the above-entitled ordinance be amended to read as follows:

**419.60. Policy board.** ~~(A) Pursuant to Chapter 604, Minnesota Laws, 1990 subdivision 6 of the neighborhood revitalization program law, the city council, by resolution, shall establish a neighborhood revitalization program the policy board consisting of membership from the city council, the Hennepin County Board, the board of Minneapolis Special School District No. 1, the library board of the Minneapolis Public Library, the Minneapolis Parks and Recreation Commissioners board, the mayor or his or her the mayor's designee, a representative from the Minnesota House of Representatives delegation from Minneapolis, and a representative from the Minnesota Senate delegation from Minneapolis. The elected officials on the policy board may appoint to the policy board such additional representatives of Minneapolis labor, business, neighborhood, community, city-wide and social service organizations as they deem appropriate.~~

~~(B) By March 1, of each year, the MCDA shall calculate and transmit to the policy board the estimated amount of the program money, as defined in section 419.40, and other funds available for the neighborhood revitalization program. That amount and any other amounts made available by other~~

agencies represented on the policy board will be the amount of money available during the following year for programs and projects to be recommended by the policy board. Included within this amount are the funds required to be transferred as follows: (1) Seven and five-tenths (7.5) percent of the program money defined in section 419.40(1) provided to the school district to reduce the state education aids payments to the district; (2) seven and five-tenths (7.5) percent of the program money defined in section 419.40(1) provided to Hennepin County for property tax relief; and the amounts required to be available to the school district and to Hennepin County respectively as follows: (3) seven and five-tenths (7.5) percent of the program money defined in section 419.40(1) to provide additional education programs and services; and (4) seven and five-tenths (7.5) percent of the program money defined in section 419.40(1) for social services.

Section 7. That Section 419.70 of the above-entitled ordinance be amended to read as follows:

**419.70. Program recommendations.** (A) ~~The policy board will prepare and transmit by May 15 of each year to the governmental bodies represented thereon and other such parties, an annual recommended budget and five-year plan for using the funds available consistent with the requirement of Minnesota Statutes, Sections 469.147 to 469.179, and Chapter 604, Minnesota Laws, 1990, and for using such other funds as are made available to it by agencies represented on the policy board. The recommended budget and five-year plan shall include recommendations on expenditures for the amount available to the school district for additional education programs and services and the amount available to Hennepin County for the provision of social services. The submission of the policy board will constitute its recommendation to the mayor, and to the boards of the Minneapolis Special School District No. 1 and Hennepin County and such other parties as is appropriate, for consideration in the budget deliberations for the upcoming year. The appropriate governing bodies will be invited to comment on the policy board's recommendation.~~

(B ~~a~~) ~~The mayor and the city council will use the following criteria in considering recommendations using program funds as defined in section 419.40~~ neighborhood action plan strategies for use of city neighborhood revitalization program funds:

- (1) ~~Demonstrated public purpose of the proposal;~~ strategies.
- (2) ~~Demonstrated need for the proposal;~~ strategies.
- (3) ~~Short-term or long-term needs of the neighborhood;~~
- (4) ~~Benefiting population;~~
- (5) ~~Ability of the proposal~~ strategies ~~to provide a return on the investment;~~
- (6) ~~Coordination with programming elements or providers;~~
- (7) ~~Availability of operating or maintenance funds;~~
- (8) ~~Lack of alternative sources of revenue;~~
- (9) ~~One-time or ongoing capital requirement;~~
- (10) ~~Multijurisdictional benefits of the proposal;~~ strategies.
- (11) ~~Neighborhood revitalization benefits of the proposal;~~ strategies.
- (12) ~~Conformance with the neighborhood action plans or transition principles as adopted by the city council.~~

(b) Concurrent with approval of each neighborhood action plan, the city council will appropriate city neighborhood revitalization program funds to the Minneapolis Community Development Agency for expenditure consistent with such action plan.

(C ~~c~~) ~~Because of the acknowledged substantial unmet need and severe lack of resources available for disadvantaged youth in the City of Minneapolis, the policy board, beginning in 1990, shall allocate at least the city council, at the request of the policy board, shall appropriate two hundred thousand dollars (\$200,000.00) of the city neighborhood revitalization program funds each year to the multi-jurisdictional youth coordinating board and shall recommend from which program elements and revenues the allocation should come from non-tax increment sources.~~

(D) ~~The mayor's unified budget proposal each year shall include the estimated sources and amounts of program funds available for the neighborhood revitalization program and recommendations on the expenditures for the next fiscal year. Each year the city council shall include in its general appropriation resolution for the MCDA a designation of the uses of the neighborhood revitalization program funds consistent with the requirements of Minnesota Statutes, Sections 469.174 to 469.179, and Chapter 604, Minnesota Laws, 1990. Pursuant to Chapter 604, Minnesota Laws, 1990, amounts required to be~~

available to the school district and Hennepin County for education and educational support programs and for social services shall be included in the general appropriation resolution for the MCDA.

(E d) The amounts made available during the first phase of the neighborhood revitalization program to the Special School District No. 1 and to Hennepin County for education programs and services and for social services, respectively, must be expended as part of an approved program and spending neighborhood action plan, as required by Chapter 604, Minnesota Laws, 1990 subdivision 4 of the neighborhood revitalization program law. The boards of Minneapolis Special School District No. 1 and Hennepin County separately shall adopt program and spending plans for shall each approve appropriations from the funds available to them consistent with the from the neighborhood revitalization program and shall forward their plans proposed strategies to the policy board for approval. Payments to each board shall only be made upon approval of its plan by the policy board.

Section 8. That Section 419.80 of the above-entitled ordinance be amended to read as follows:

**419.80. Conflict of interest.** (A a) *Statement of purpose.* It is the policy of the city that all persons, neighborhood or nonprofit organizations or groups, or businesses seeking to contract with the City of Minneapolis or MCDA for program funds as defined in section 419.40 the Minneapolis Community Development Agency for city neighborhood revitalization program funds be treated equally. No person who participates individually, on behalf of a neighborhood nonprofit organization or group or on behalf of a business in the activities described in section 419.50, or family member(s) of such person(s), who subsequently seeks to receive program city neighborhood revitalization program funds, whether by means of a contract, grant, loan or similar agreement with the City of Minneapolis or MCDA the Minneapolis Community Development Agency should personally benefit to a greater extent than other eligible persons, groups or businesses because of such participation. Such a result is declared to be a conflict of interest.

Persons subject to this ordinance shall include, without limit, board members, officers or employees of neighborhood or nonprofit groups or organizations, or businesses which receive program city neighborhood revitalization program funds in any form, and persons seeking such funds directly or indirectly, who also participated in the activities described in section 419.50.

(B b) *Conflict of interest prohibited.* Persons or organizations defined in (A a) above (the applicant) as having a conflict of interest are prohibited from receiving program city neighborhood revitalization program funds unless all the following conditions are met:

- (1) The applicant for program city neighborhood revitalization program funds fully discloses the existence of an actual or potential conflict of interest in the required application for program city neighborhood revitalization program funds;.
- (2) The applicant for program city neighborhood revitalization program funds meets all applicable eligibility requirements established by the City of Minneapolis, MCDA the Minneapolis Community Development Agency and NRP the neighborhood revitalization program for the particular program;.
- (3) The application is reviewed and acted upon in accordance with the guidelines and/or review criteria of the program under which the application is made and which are applicable to all other applicants;.
- (4) The applicant does not participate in any manner in the review of his or her own application;.
- (5) The person or organization responsible for the disbursement of program city neighborhood revitalization program funds certifies that the applicant meets the disclosure requirements of this section and is eligible to receive program city neighborhood revitalization program funds.

(C c) *Sanctions.* Any violation of this ordinance shall be considered a breach of any contract providing for disbursement of program city neighborhood revitalization program funds, whether between the City of Minneapolis or the MCDA Minneapolis Community Development Agency, and the contracting party, or the contracting party and any other recipient(s) of program city neighborhood revitalization program funds. All contracts concerning the disbursement of program city neighborhood revitalization program funds shall include a provision which, at the option of the City of Minneapolis or the MCDA Minneapolis Community Development Agency, provides for cancellation of such contract, repayment of all program city neighborhood revitalization program funds previously disbursed, reasonable attorneys' fees and costs for collection of such disbursed program city neighborhood revitalization

program funds, and debarment from future participation in NRP neighborhood revitalization program activities as remedies for conflict of interest violations.

(D d) Grievances. Any organization or person aggrieved by a decision as to the existence or nonexistence of a conflict of interest may file a grievance as provided in the bylaws of the NRP policy board.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-019 repealing Chapter 421 of Title 16 of the Minneapolis Code of Ordinances relating to *Planning and Development: Tax Increment Refunding*, which had codified the previous 1982-86 tax increment policy and repeated portions of the NRP language from the original Chapter 419, was passed March 2, 2001 by the City Council and approved March 7, 2001 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 2001-Or-019**  
**By Niland, Campbell and Cherryhomes**

**Intro & 1<sup>st</sup> Reading: 2/2/2001**

**Ref to: Comm Dev**

**2<sup>nd</sup> Reading: 3/2/2001**

**Repealing Chapter 421 of Title 16 of the Minneapolis Code of Ordinances relating to Planning and Development: Tax Increment Refunding.**

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

Section 1. That Chapter 421 of the Minneapolis Code of Ordinances be and is hereby repealed.

**~~CHAPTER 421. TAX INCREMENT REFUNDING\*~~**

~~**421.10. Purpose.**— The purpose of this chapter is to guide the Minneapolis City Council, the Minneapolis Community Development Agency (MCDA) and others in the wise use of the tax increment financing tool in accomplishing the redevelopment and revitalization of Minneapolis as authorized by Chapter 650, Minnesota Laws, 1984.~~

~~**421.20. General guidelines.**— The tax increment policy as adopted by the city council in July, 1982, contains provisions that give more specific direction to the most appropriate use of tax increment financing. The tax increment policy will be applied to the tax increment projects and the use of tax increment project revenues pursuant to Chapter 650, Minnesota Laws, 1984.~~

~~**421.30. Goals and objectives.**— In addition to those stated in the tax increment policy, four (4) goals refer specifically to the tax increment refunding as authorized in Chapter 650, Minnesota Laws, 1984:~~

~~(1) Provide for greater flexibility and efficiency in the use of tax increment district revenues.~~

~~(2) Provide the opportunity for a city-wide planning and prioritizing of project activities both on an annual and five-year basis.~~

~~(3) Eliminate the need for future loans or tax levies to meet debt service payments.~~

~~(4) Decrease the upward pressure on property tax rates by sharing the benefits of the city's tax increment program with the taxing jurisdictions.~~

~~**421.40. Neighborhood revitalization program.**— The city will commit ten million dollars (\$10,000,000.00) in 1990 and twenty million dollars (\$20,000,000.00) from 1991 to 2009 for neighborhood revitalization program activities. These funds will be comprised of:~~

~~(1) For the years 1990 through and including 2001, program money as provided for in Chapter 604, Minnesota Laws, 1990. Program money is an amount of revenues derived from tax increment equal to the sum of (a) fifty (50) percent of the tax increment derived from the excess of the tax capacity projected~~

for taxes payable over the captured assessed value (converted to tax capacity) payable in 1986, said 1986 base as established by the city for each of the tax increment districts included in the 1984 refunding. (Projects under construction before January 2, 1985, are exempt from this obligation.) The established districts to be included are districts known as the 1984 refunded districts; and (b) in years 1990 through 1999, the difference between the scheduled annual debt service for the refunding bonds of 1984 and the refunding bonds of 1990; and

(2) Other revenues from the MCDA Common Project funds necessary to fulfill the twenty million dollars (\$20,000,000.00) per year commitment. The twenty million dollars (\$20,000,000.00) shall not include and shall be in addition to the amounts required to be transferred to the school board for school aid reduction and to Hennepin County for property tax relief, pursuant to Chapter 604, Minnesota laws, 1990.

**421.50. Redevelopment activities and neighborhood revitalization program initiatives.**

The source of funds for neighborhood revitalization program initiatives and redevelopment activities will be a combination of tax increment and nontax increment funds and will be administered through the MCDA's neighborhood development bank. Relative to those projects included in the refunding as authorized in Chapter 650, Minnesota Laws, 1984 and in the 1990 refunding, the redevelopment activities will be of two (2) types:

(A) Completion of planned and new redevelopment activities. In the last ten (10) years, the city has established tax increment districts to carry out redevelopment activities in various parts of the city. Many of these districts were designed to carry out their redevelopment efforts in sequential stages as redevelopment funds and potential private sector commitments for development materialize. The tax increment refunding shall contribute to the ability of these districts to complete their adopted plans and goals as reflected in both the annual redevelopment budget and the five-year redevelopment plan approved by the Minneapolis City Council. Redevelopment activities include downtown, riverfront and neighborhood projects that are currently existing and have revitalization activity yet to occur as well as new activities to be undertaken in these areas:

(B) Neighborhood revitalization program initiatives. There is a need to provide a source of funds for new revitalization initiatives in addition to those currently planned in existing project areas. These initiatives will include additional redevelopment activities in the 1990 refunded tax increment districts and their redevelopment project areas and new redevelopment activities in other neighborhood blighted areas as determined by the neighborhood revitalization program process, described in section 419.50.

(C) All expenditures of tax increment revenues will be consistent with state statutes. The city and MCDA will apply tax increment policy to all neighborhood revitalization activities that use tax increment revenues. Cost-benefit analysis will consider the potential for arresting declining property values, increasing public revenues, stimulating private economic activity, reducing other public expenditures, and other significant benefits, as detailed in section 421.70.

(D) Nontax increment funds for neighborhood revitalization initiatives will be derived from such sources as land sale and lease revenues, other miscellaneous nontax increment sources, nontax increment interest earnings, development recapture, and developer fees. Nontax increment funds may be used for such purposes as physical revitalization activities, housing and economic development projects and programs, human development programs, other neighborhood facilities and services, citizen participation activity and such other activities as are permitted by law.

(E) Funding decisions for redevelopment and neighborhood revitalization activities shall be guided by priorities determined through the neighborhood revitalization program process, the transition principles adopted by the city council and the directions framework. The city will make every effort to assure a base level of support to all activities which address serious blighting influences.

**421.60. Allocation of funds to redevelopment activities and neighborhood revitalization initiatives.**

(A) The redevelopment activities and neighborhood revitalization initiatives described herein must be integrated into both one- and five-year spending plans. To that end, the MCDA shall prepare and submit for city council approval each year an annual redevelopment budget and a five-year redevelopment plan. This submission will coincide with the normal submission date of the annual operating budget. The annual redevelopment budget and the five-year redevelopment plan will contain similar information. Estimates contained in the five-year plan will be less detailed than the annual budget. Both documents will contain, for each tax increment district, similar information as follows:

(1) Available funds by year, including district fund balances, tax increment revenue, other district revenue by type, capital advances, transfer of tax increment revenues.

(2) Uses of each of these fund sources by year, including redevelopment project costs, loan repayments, debt service payments, transfer of unrestricted revenues, transfer of tax increment revenues.

(B) In relation to the uses of funds, existing and new redevelopment project and neighborhood revitalization expenditures will be described as fully as possible, city redevelopment goals, objectives, and policies, including the neighborhood revitalization program recommendations, will be used to establish project priorities. The five-year redevelopment plan will list those priorities and general parameters for the use of available resources. The annual redevelopment budget will accompany the MCDA's annual budget request and proceed through the regular budget process.

**421.70. Criteria for allocation of funds to redevelopment activities and neighborhood revitalization initiatives.** The following criteria will be among those used to assist the MCDA, the city council, mayor and policy board in allocating revenues to specific redevelopment projects or programs and neighborhood revitalization initiatives through the annual redevelopment budget, the five-year redevelopment plan, and the annual city budget. The annual allocations to specific projects and programs should be in accordance with the priorities and parameters established in the five-year redevelopment plan.

A system of cost-benefit analysis, approved by the city council, will be used when the MCDA brings specific redevelopment proposals to the city council and mayor for final approval. The criteria are as follows:

(A) Private investment: Amount of private investment leveraged for every dollar of public investment or subsidy.

Measurements:

(1) Amount of private investment per amount of public investment.

(2) Amount of private investment per square foot of site area.

(B) Employment impact: Degree of creation or retention of jobs with special attention given to permanent positions for unemployed persons and residents in specifically targeted areas.

Measurements:

(1) Amount of public investment per job.

(2) Employment per square foot of floor area.

(3) Employment of city residents in jobs created.

(4) Company's programs to recruit and train unemployed persons and residents in specifically targeted areas.

(5) Cyclical or seasonal nature of business should be considered.

(6) Payroll, average hourly earnings.

(7) Potential for job growth.

(8) Affirmative action performance.

(C) Fiscal impact: Significance of increase in added tax base.

Measurements:

(1) Property taxes per square foot of site area.

(2) Property taxes per dollar of public investment.

(3) Encourage future development in the area.

(D) Physical impact: Degree of conformance to zoning, plan requirements, and current and planned adjacent development.

Measurements:

(1) Potential for compatibility with surrounding neighborhood and future development.

(2) Provision of adequate vehicular access and parking.

(3) Removal of blighting influences.

(E) Financial impact: Necessary public investment, repayment or payment of bonds or other expenditures and recapture.

Measurements:

(1) Degree to which public investment is necessary to make the development economically feasible or to make the development site competitive with sites outside the city.

~~(2) Financial feasibility for the development (sales price, percent of return on investment, etc.) with and without public assistance, and as compared to competitive sites and developments.~~

~~(3) Risk to private developers based on disinvestment trends and blighting influences.~~

~~(4) Time for repayment of tax increment bonds or payback of expenditures funded without bond sales. Revenues used to calculate these terms should be only those generated by the specific redevelopment activity for which bonds or other funds are expended.~~

Type of Redevelopment	Maximum Period
Low/moderate* income housing	20 years**
Upper income* rental housing	15 years
Upper income* ownership housing	10 years
Commercial	20 years**
High density mixed use/office	10 years
Industrial	15 years**
Hotels	15 years

\*Low/moderate or upper income as defined by the Minnesota State Housing Finance Agency.

\*\*Low/moderate income housing/low density commercial and industrial projects where pollution is involved may require longer payback periods.

~~(5) Extent to which the public investment is recaptured through various methods, including, but not limited to, long-term ground leases, subordinated loans to be repaid upon sale or refinancing and equity participation. Provision shall be made for the recapture of public investment to the maximum extent feasible above a reasonable rate of return on investment by developers.~~

~~(6) Availability of collateralized guarantees and assessment agreements prior to the issuance of the bonds or any other public investment.~~

~~(F) Tax increment policy conformance: Extent to which the proposed project or program conforms to the tax increment policy.~~

~~(G) Impact on low income persons: Extent to which the project or program will address the needs of low income persons.~~

~~(H) Impact on neighborhood revitalization: Extent to which the project or program helps in the revitalization of the city's neighborhoods.~~

~~Measurements:~~

~~(1) Conformance with neighborhood action plans and extent to which the proposed project or program has had citizen review or participation in its development.~~

~~(2) Impact on neighborhood livability and quality of life of all population groups within the neighborhood.~~

~~**421.80. Procedure for modification.** Any modification or amendment of the foregoing limitations may be adopted only upon the notice and after the discussion, public hearing, and findings required for approval of the original tax increment financing plans. The foregoing limitations shall apply equally to all districts included in the 1984 and 1990 refunding, whether or not there is a tax increment plan for such districts.~~

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**Comm Dev & W&M/Budget** – Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund SMN0 (State Grants & Loans) by \$600,000 and increasing the Fund SMN0 revenue estimate by \$600,000 to reflect additional funds received from the Metropolitan Council through the Metropolitan Livable Communities Act, Tax Base Revitalization Account fund for the environmental cleanup of the Grain Belt Brew House project site.

Your Committee further recommends that the proper MCDA and/or City officers be authorized to execute an amendment to Grant Agreement #SG-00-50 to add these additional funds to the earlier grant award of \$1,046,097.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-077**  
**By Niland and Campbell**

**Amending The 2001 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 SMN0 - MCDA State Grants & Loans by \$600,000 and increasing the Fund SMN0 revenue estimate (3215-04 MN State Grants) by \$600,000.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001. J. Cherryhomes, President of Council.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**Comm Dev & W&M/Budget** – Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriations in Fund CAZ0 (Common Project) by \$45,166 and increasing the 2001 revenue estimate by \$45,166; increasing the appropriation in Fund CBQ0 (Conservatory) by \$45,166; and increasing the appropriation in Fund CAD0 (Tax Increment Administration) by \$1,355, to provide for Intermodal Surface Transportation Efficiency Act (ISTEA) matching funds in the Industrial Square Renewal Project (Milwaukee Depot, 300 Washington Ave S).

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-078**  
**By Niland and Campbell**

**Amending The 2001 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 as follows:  
a) Increasing the appropriation in Fund CAZ0 - Common Project by \$45,166 and increasing the Fund CAZ0 revenue estimate (3845-Transfer within Capital Project Funds) by \$45,166;  
b) Increasing the appropriation in Fund CBQ0-Conservatory by \$45,166 from available fund balance;  
c) Increasing the appropriation in Fund CAD0 - Tax Increment Administration by \$1,355 from available fund balance.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001. J. Cherryhomes, President of Council.  
Approved March 7, 2001. 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 Way to Grow Program, now recommends that the proper City Officers be authorized to issue a modified Fund Availability Notice (FAN) #Y1-3a, under Master Contract #10023, to the Youth Coordinating Board, for an increased amount of \$55,000 for a new total FAN not to exceed \$613,718, to provide funding to offset the increased costs of providing half-time public health nursing services at the nine Way to Grow sites during the period January 1 through December 31, 2001, payable from Health & Family Support (010-860-8623).

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**H&HS** - Your Committee, having under consideration the 2001 Summer Youth Employment and Training Program, now recommends that the proper City Officers be authorized to issue the following Fund Availability Notices (FANs) to Loring Nicollet-Bethlehem Community Centers, Inc., to provide planning, training and educational services, payable from Health & Family Support:

a. FAN #B9-5, under Master Contract #10008, in the amount of \$32,927, for the period February 1 through June 30, 2001 (060-860-8600);

b. FAN #G3-1, under Master Contract #10008, in the amount of \$32,927, for the period July 1 through September 30, 2001 (060-860-8600);

c. FAN #G2-1, under Master Contract #10008, in the amount of \$65,853, for the period June 1 through September 30, 2001 (040-860-8600).

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**H&HS** - Your Committee, having under consideration the 2001 Summer Youth Employment and Training Program, now recommends that the proper City Officers be authorized to issue the following Fund Availability Notices (FANs) to the Minnesota Department of Economic Security to coordinate intake and outreach for approximately 1,500 youth and launch a private sector jobs campaign, payable from Health & Family Support:

a. FAN #B9-3, under Master Contract #10014, in the amount of \$38,750, for the period February 1 through June 30, 2001 (060-860-8600);

b. FAN #G3-1, under Master Contract #10014, in the amount of \$38,750, for the period July 1 through September 30, 2001 (060-860-8600);

c. FAN #G2-1, under Master Contract #10014, in the amount of \$77,500, for the period June 1 through September 30, 2001 (040-860-8600).

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**H&HS** - Your Committee, having been notified that the Minneapolis Community Development Agency has made an additional \$335,000 available to the Employment & Training Program to expand and extend the Customized Work Initiative Project that works with training, placing and retaining Enterprise Community residents with Enterprise Community employers, now recommends that the proper City Officers be authorized to issue the following Fund Availability Notices (FANs) to seven new Neighborhood Employment Network agencies to provide job placement and retention services; contracts will be performance based with bonus payments for retention with the same employer and an increase in wages of \$2 an hour or more during an 18-month period after placement, payable from Health & Family Support (060-860-8600):

- a. FAN #H0-1, under Master Contract #10007, to Pillsbury Neighborhood Services, in the amount of \$50,000, for the period February 1 through December 31, 2001;
- b. FAN #H1-1, under Master Contract #10007, to Pillsbury Neighborhood Services, in the amount of \$10,000, for the period February 1, 2001 through June 30, 2002;
- c. FAN #H0-1, under Master Contract #10001, to the Minneapolis Urban League, in the amount of \$25,000, for the period February 1 through December 31, 2001;
- d. FAN #H1-1, under Master Contract #10001, to the Minneapolis Urban League, in the amount of \$5,000, for the period February 1, 2001 through June 30, 2002;
- e. FAN #H0-1, under Master Contract #10008, to Loring Nicollet Bethlehem, in the amount of \$25,000, for the period February 1 through December 31, 2001;
- f. FAN #H1-1, under Master Contract #10008, to Loring Nicollet Bethlehem, in the amount of \$5,000, for the period February 1, 2001 through June 30, 2002;
- g. FAN #H0-1, under Master Contract #10002, to East Side Neighborhood Services, in the amount of \$25,000, for the period February 1 through December 31, 2001;
- h. FAN #H1-1, under Master Contract #10002, to East Side Neighborhood Services, in the amount of \$5,000, for the period February 1, 2001 through June 30, 2002;
- i. FAN #H0-1, under Master Contract #10009, to HIRED, in the amount of \$25,000, for the period February 1 through December 31, 2001;
- j. FAN #H1-1, under Master Contract #10009, to HIRED, in the amount of \$5,000, for the period February 1, 2001 through June 30, 2002;
- k. FAN #H0-1, under Master Contract #15622, to Southeast Asian Refugee Comm Home, in the amount of \$25,000, for the period February 1 through December 31, 2001;
- l. FAN #H1-1, under Master Contract #15622, to Southeast Asian Refugee Comm Home, in the amount of \$5,000, for the period February 1, 2001 through June 30, 2002;
- m. FAN #H0-0, under Master Contract #14764, to GMCC - Division of Indian Work, in the amount of \$25,000, for the period February 1 through December 31, 2001;
- n. FAN #H1-1, under Master Contract #14764, to GMCC - Division of Indian Work, in the amount of \$5,000, for the period February 1, 2001 through June 30, 2002.

Your Committee further recommends that the proper City Officers be authorized to modify Fund Availability Notices #F6-1 with SAOIC, Goodwill/Easter Seals, Resource and HAMAA to add performance payments for wage increases of \$2 or more per hour.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. 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 recommends that the proper City Officers be authorized to issue Fund Availability Notice #GF-2 to Women Venture, in the amount of \$60,000, to provide job placement services to place women in non-traditional jobs; said contract will be performance based whereby Women Venture will be paid per placement and retention, payable from Health & Family Support (010-860-8600).

Your Committee further recommends that the Department of Health & Family Support be authorized to carry over to calendar year 2002 any unspent General Fund dollars for a subsequent contract if not all the funding is utilized for the contract in 2001.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**H&HS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to accept \$66,409 and execute a contract with the Healthy Learners Board for the period January 1 through December 31, 2001 to provide funding for nursing and interpreter services at the New Families Center.

Your Committee further recommends passage of the accompanying Resolution appropriating \$66,409 to the Health & Family Support Agency to reflect receipt of said funds.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-079  
By Biernat and Campbell**

**Amending The 2001 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Other Fund (060-860-8621) by \$66,409 and increasing the Revenue Source (060-860-8621 - Source 3755) by \$66,409.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**H&HS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to execute an amendment to the agreement with the United States Department of Housing and Urban Development, as follows, for performance of Round IV lead hazard reduction services:

a. increase the number of units receiving lead reduction from 435 to 470;

b. extend the grant performance period to June 30, 2001;

c. increase the matching fund budget to \$639,000 reflecting an additional \$114,000 in City matching funds;

d. provide that any excess grant costs are to be borne by the City; and

e. increase the total estimated cost for performance of the grant to \$5,633,424.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**H&HS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to execute an amendment to Contract #12663 with Minnesota Remodeling and Restoration to extend the term of the contract to May 31, 2001 to continue the performance of lead reduction services.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

**IGR** - Your Committee recommends adding the following issue to the City's 2001 Legislative Agenda: Support funding for the restorative justice program. (Petn No 266698)

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor

Attest: S. Ristuben, Asst City Clerk.

**IGR** - Your Committee, having under consideration the New Central Library Project, now recommends:

a. Passage of the accompanying resolution continuing the partnership between the Minneapolis Library Board and City of Minneapolis for completing the New Central Library Project, which resolution makes reference to the New Central Library Implementation Committee established by Resolution 98R-213 passed by Council action of June 26, 1998; and further authorizes summary publication of the accompanying resolution;

b. Approval of the Project Organization Chart set forth in Petn No 266697; and

c. Approval of the Memorandum of Understanding between the Minneapolis Library Board and the City of Minneapolis, acting by and through their New Central Library Implementation Committee, as set forth in Petn No 266697.

Your Committee further recommends that staff be directed to work with the Minneapolis Public Library Trustees and staff to develop a roles and responsibilities document to address the most effective and legally supportable method of providing a variety of services to the New Central Library Construction Project, including but not limited to the following: legal services, procurement services, risk management, and finance management.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor

Attest: S. Ristuben, Asst City Clerk.

Resolution 2001R-080, entitled "Resolution continuing the partnership between the Minneapolis Library Board and City of Minneapolis for completing the New Central Library Project," was passed March 2, 2001 by the City Council and approved March 7, 2001 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 2001R-080**

**By Thurber**

**Resolution continuing the partnership between the Minneapolis Library Board and City of Minneapolis for completing the New Central Library Project.**

Whereas, in 1991, a Blue Ribbon Task Force of community leaders recommended to the Mayor and City Council the construction of a new downtown Central Library based upon findings that the current facility was outdated for the twenty-first century; and

Whereas, the Minneapolis Public Library Board and City of Minneapolis established a New Central Library Implementation Committee in 1998 to recommend a site, conceptual design and funding methodology for the construction of a New Central Library; and

Whereas the New Central Library Implementation Committee completed its work in the Summer of 2000 by recommending that the New Central Library Project be conceived as a two-block, mixed-use project consisting of the library, planetarium, retail, parking and housing; and

Whereas, the Implementation Committee recommended that the New Central Library Project be located on the site currently occupied by the Central Library and on the adjacent Nicollet Hotel site owned by the City of Minneapolis; and

Whereas, the Implementation Committee recommended that the New Central Library be funded primarily through City bonds authorized by referendum; and

Whereas, on November 7, 2000, 67% of Minneapolis citizens who voted on the referendum supported a \$140 million referendum for the construction of a New Central Library and improvements to community libraries; and

Whereas, the Minneapolis Public Library Board and City of Minneapolis hereby reaffirm their commitment to work in partnership to design and construct a New Central Library; and

Whereas, the Minneapolis Public Library Board and City of Minneapolis hereby reaffirm their commitment to involve the citizens of Minneapolis in the design of the New Central Library;

Now, Therefore, Be It Resolved by the Minneapolis Public Library Board and The Minneapolis City Council:

That the Library Board and City Council agree that the design and construction of the New Central Library be a partnership and that final authority over the project be shared between the Library Board and City Council as set forth in a Memorandum of Understanding to be approved by both parties.

That the Library Board and City Council continue to use a New Central Library Implementation Committee to advise the Library Board and City Council and provide Project oversight through the design and construction phases of the New Central Library. This committee will make recommendations on major Project decisions for final approval by the Library Board and City Council and Mayor, including the following:

- Project program, budget and schedule
- Selection of the architect/engineer, construction manager and other major Project consultants
- Schematic design plans and cost and major changes thereto
- Design development plans and cost and major changes thereto
- Project insurance program
- SWMBE participation program
- Selection of housing developer
- Change-order management process

That the membership of this Committee be amended to include the following:

**Chairs**

Mayor of the City of Minneapolis  
President of the Minneapolis Public Library Board or designee

**Library Board**

Two members of the Library Board

**City Council**

Two members of the City Council

**Private-sector representatives - Selected by the Library Board**

Two representatives with background in retail, library technology or community representation:

Library User  
Friends of the Library

**Private-sector representatives - Selected by the Council/Mayor**

Two representatives with the following background or expertise:

Real estate development  
Facility construction and management

That the Director of the Library and City Coordinator continue to serve as lead staff.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 7, 2001. 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 the Minneapolis Code of Ordinances to permit Limited Winter Taxicabs licensed under Chapter 341.310 to operate from April 1, 2001 to April 3, 2001 at 11:59 p.m. during the National Collegiate Athletic Association (NCAA) Men's Final Four Basketball Championship, now recommends that said ordinance be given its second reading for amendment and passage.

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

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Temporary Ordinance 2001-Or-020 (not codified) amending the Minneapolis Code of Ordinances permits Limited Winter Taxicabs licensed under Section 341.310 to operate from April 1, 2001 to April 3, 2001, without a fee, during the National Collegiate Athletic Association (NCAA) Men's Final Four Basketball Championship, provided that every such taxicab which operates shall comply with the service requirements outlined in Chapter 341 of the Minneapolis Code of Ordinances, was passed March 2, 2001 by the City Council and approved March 7, 2001 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 2001-Or-020**

**By Biernat**

**Intro & 1st Reading: 2/26/2001**

**Ref to: PS&RS**

**2nd Reading: 3/2/2001**

**Amending the Minneapolis Code of Ordinances to permit Limited Winter Taxicabs licensed under Section 341.310 to operate from April 1, 2001 to April 3, 2001 at 11:59 p.m. during the National Collegiate Athletic Association (NCAA) Men's Final Four Basketball Championship.**

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

Section 1. (Not Codified)

Notwithstanding any other provision of this code of ordinances, Limited Winter Taxicabs licensed under Section 341.310 may operate from April 1, 2001 to April 3, 2001 at 11:59 p.m., without a fee, during the National Collegiate Athletic Association (NCAA) Men's Final Four Basketball Championship, provided that every such taxicab which operates shall comply with the service requirements outlined in Chapter 341 of the Minneapolis Code of Ordinances.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**PS&RS** - Your Committee, to whom was referred an ordinance amending the Minneapolis Code of Ordinances to permit Licensed On-Sale Liquor, Wine and Beer Establishments to operate between the hours of 1:00 a.m. and 3:00 a.m. from March 30, 2001 to April 3, 2001 during the National Collegiate Athletic Association (NCAA) Men's Final Four Basketball Championship, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described Ordinance.  
Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

Temporary Ordinance 2001-Or-021 (not codified) amending the Minneapolis Code of Ordinances permits establishments licensed under Title 14 of the Code for the on-sale of liquor, wine or beer that are located in the Central Commercial District as defined in Section 360.10 to remain open to the public for the sale and consumption of food and non-alcoholic beverages between the hours of 1:00 a.m. and 3:00 a.m. from March 30, 2001 to April 3, 2001, without a fee, during the National Collegiate Athletic Association (NCAA) Men's Final Four Basketball Championship, with beverage alcohol being removed from all public patron areas of the premises by 1:15 a.m., and the consumption restrictions specified by Section 364.85 of the Code remaining in effect, was passed March 2, 2001 by the City Council and approved March 7, 2001 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 2001-Or-021**  
**By Biernat**

**Intro & 1st Reading: 2/26/2001**  
**Ref to: PS&RS**  
**2nd Reading: 3/2/2001**

**Amending the Minneapolis Code of Ordinances to permit Licensed On-Sale Liquor, Wine and Beer Establishments to operate between the hours of 1:00 a.m. and 3:00 a.m. from March 30, 2001 to April 3, 2001 during the National Collegiate Athletic Association (NCAA) Men's Final Four Basketball Championship.**

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

Section 1. (Not Codified)

Notwithstanding any other provision of this code of ordinances, establishments licensed under Title 14 of this code for the on-sale of liquor, wine, or beer, and are located in the Central Commercial District as defined in Section 360.10 of this code, may remain open to the public for the sale and consumption of food and non-alcoholic beverages between the hours of 1:00 a.m. and 3:00 a.m. from March 30, 2001 to April 3, 2001, without a fee, during the National Collegiate Athletic Association (NCAA) Men's Final Four Basketball Championship. Beverage alcohol shall be removed from all public patron areas of the premises by 1:15 a.m., and the consumption restrictions specified by Section 364.85 of this code shall remain in effect.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001. J. Cherryhomes, President of Council.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

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

**Off-Sale Liquor, to expire April 1, 2002**  
Liquor Depot Inc, 1010 Washington Av S;

**On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2001**

International Catering Inc, dba Atrium Cafe/Atrium Catering International, 275 Market St (temporary expansion of premises, February 15, 2001, 5:00 p.m. to 9:00 p.m., Sharp Upswing);

International Catering Inc, dba Atrium Cafe/Atrium Catering International, 275 Market St (temporary expansion of premises, February 24, 2001, 7:00 p.m. to 2:00 a.m., D.I.F.F.A.);

**On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2002**

11th Street Restaurant Inc, dba Times Bar & Cafe/Jitters at the Times, 201 E Hennepin Av;

Fourth Street Saloon Inc, dba Fourth Street Saloon, 326 W Broadway;

Bartum's Inc, dba Lone Tree Bar & Grill, 528 Hennepin Av;

**On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2002**

Cintia's of Mexico Bar & Restaurant Inc, dba Cintias, 6042 Nicollet Av;

**On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2002**

Joe's Garage Inc, dba Joe's Garage Restaurant, 1610 Harmon Pl;

**Temporary On-Sale Liquor**

Guthrie Theater, dba Guthrie Theater, 725 Vineland Pl (February 17, 2001, 6:30 p.m. to 1:00 a.m., Dayton's 8th Floor Auditorium);

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

Minnehaha Falls Corporation, dba Pearsons Edina Restaurant, 3808 W 50th St (transfer of shares);

**On-Sale Wine Class E with Strong Beer, to expire April 1, 2002**

AIMM Restaurant Inc., dba The Art Institutes International Minnesota, 15 S 9th St;

Lucia Watson Enterprises Inc., dba Lucia's Restaurant, 1432 W 31st St;

Hop Lee Inc, dba Peking Garden Restaurant, 2324 University Av SE;

Wong Carl, dba Seafood Palace, 2523 Nicollet Av;

Mud Pie Vegetarian Restaurant Inc, dba Mud Pie Vegetarian Restaurant, 2549 Lyndale Av S;

HJH Inc., dba Sawatdee Uptown, 2650 Hennepin Av;

Lotus Restaurant Inc, dba Lotus Restaurant Uptown, 3037 Hennepin Av;

Pomodoro Inc, dba Prima Pasta Salads Panini, 5325 Lyndale Av S.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**PS&RS** - Your Committee recommends granting the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of March 2, 2001, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 266702):

Building Contractor Class B; Cement Finishing Contractor; Concrete Masonry Contractor Class B; Dry Cleaning & Laundry Pickup Station; Laundry; Drywall Contractor; Grocery; Ice Producer-Dealer/Wholesale; Milk & Grocery Delivery Vehicle; Drive-In Food; Restaurant; Gas Fitter Class A; Gasoline Filling Station; Heating, Air Conditioning & Ventilating Class A; Heating, Air Conditioning & Ventilating Class B; Hotel/Motel; Lodging House; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Plasterer; Plumber; Sign Hanger; Suntanning Facility; Tattooing; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Tobacco Dealer; Combined Trades; Tree Servicing; Wrecker of Buildings Class A; and Wrecker of Buildings Class B.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. 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**

Church of St. Maron, 219 6th Av NE (Site: Nye's Polonaise Room, 112 E Hennepin Av);

**Gambling Lawful Exempt**

Goldbrick Club, 1811 University Av NE (Raffle April 10, 2001 at Brothers Bar & Grill, 432 1st Av N);  
Heart & Soul Productions Inc, 701 N 3rd St #105 (Raffle May 20, 2001 at Outdoor Event Between  
10th Av N & 7th Av N & Washington Av N near Bunkers Music Bar);

Evangelical Lutheran Good Samaritan, 4800 W 57th St, Sioux Falls, SD (Raffle December 15, 2000  
at University Good Samaritan Center, 22 27th Av SE).

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**PS&RS** - Your Committee, having under consideration Taxicab Vehicle Licenses #313, #391 and #91 held by Mohamed Nour Abdelhafiz, 809 Berry St, St. Paul, and having received Findings of Fact, Conclusions and Recommendations after the licensee agreed to forgo a Technical Advisory Committee (TAC) hearing thereon for violations of the Minneapolis Taxicab Ordinance relating to insurance required, license suspension or revocation for lack of insurance, and unauthorized acts, delegation of responsibilities, and has stipulated that the Findings of Fact, Conclusions and Recommendations are true and correct, now recommends adoption of the following recommendations, as more fully set forth in said Findings, which are on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee pay an administrative fine of \$3,000 to the City of Minneapolis, with \$500 to be paid upon signature of the TAC Agreement, and \$500 to be paid each month thereafter for five months.

b. that during the period of October 1, 2001 and April 1, 2002, the licensee shall not be allowed to operate any limited licenses as prescribed in Section 341.310 of the Minneapolis Taxicab Ordinance.

c. that the licensee submit a signed, notarized statement stating to the best of his knowledge that there are no outstanding claims involving the above listed cabs and that he accepts responsibility for all future claims that may come forward on his uninsured vehicles.

d. that the licensee shall relinquish his licenses for cabs #313 and #319 at the signing of said TAC Agreement.

e. that a copy of said TAC Agreement be forwarded to Yellow Taxi Service Corporation for possible other sanctions by the company.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**PS&RS** - Your Committee, having under consideration the Entertainment and Restaurant License held by Cafe Prague and Profile Music Cafe, 2630 University Av SE, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing relating to nuisance issues at the property, 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:

a. that the business will always have a manager on duty for all events.

b. that the manager of the business' security will be responsible for all ticketing and admitting of guests to all events.

c. that SAFE will provide a trespass affidavit to the owner so that the off-duty officers can trespass any nuisance individuals; the business will post no trespassing signs in the parking lot.

d. that the business will post a policy that guests will not be allowed to loiter; once the business has reached legal occupancy, all others must leave the premises.

e. that the business will add new management efforts to advertisements and promotional pieces to inform their guests in advance.

- f. that the business will continue to forward their event schedule to SAFE for review and input.
- g. that the business will continue to work with the Police Department to schedule off-duty officers for events and development of security plans.
- h. that the business will discontinue events that are a nuisance.
- i. that the business will develop a membership for events to control their guests and restrict problem guests.
- j. that the licensee will further develop a plan to reduce loitering.
- k. that the licensee will adhere to the final clarification of legal hours of operation determined by the Planning Commission, as follows:

that the Restaurant, Profile Music Cafe, has a 1997 Conditional Use Permit that allows the business to be open until 1:00 a.m. Monday through Thursday, and until 3:00 a.m. on Fridays and Saturdays; and

that the Entertainment, Cafe Prague, does not have a Conditional Use Permit and must follow the operation hours for a C2 zone. A C2 zone allows the business to be open until 10:00 p.m. Monday through Thursday, and until 11:00 p.m. on Fridays and Saturdays.

- l. that the licensee will apply for a Conditional Use Permit if he wishes to have later hours for Cafe Prague; the owner will not violate legal hours of operation until he obtains a Conditional Use Permit.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**PS&RS** - Your Committee, having under consideration the Lodging House License held by David Giancristoforo, 2011 Pillsbury Av S, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing relating to housing and fire orders and nuisance issues at the property, 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:

- a. that the licensee is committed to continuously comply with all housing and fire ordinances and will abate any orders by the due date.

- b. that the licensee is committed to continuously and strictly follow the signed management plan and criteria for rental application without exception.

- c. that the licensee will implement all remaining incompletd CPTED recommendations with the exceptions of cutting the bush in the front of the property and installing high security strike plates on interior doors by April 1, 2001.

- d. that the licensee will provide SAFE prior to December 29, 2000 with copies of the following documents for each current tenant: completed rental application; signed Lease Agreement which included a Lead Based Paint Addendum and a Crime and Drug Free Addendum; and a Minneapolis and Hennepin County Criminal History check report.

- e. that for a period of six months from the date the licensee signs the TAC Agreement or until the licensee closes on the sale of the building, the licensee will provide SAFE with copies of the following documents for all future applications: completed applications; Landlord Protection Agency Report, or an equivalent report; signed Lease Agreement which shall include a Lead Based Paint Addendum and a Crime and Drug Free Addendum; and a Minneapolis and Hennepin County Criminal History Check report. During this period, the licensee shall also provide SAFE with copies of denied applicants.

- f. that the licensee is the manager of the property and has an office at the property with office hours Monday through Saturday and will be available at the office for any necessary City communication.

- g. that the owner will take reasonable measures to ensure that the property doors are not propped open to ensure security in the building at all times. The owner will enforce tenant rules regarding propping the doors and take action against tenants that do not comply.

- h. that the licensee will maintain the exterior of the property and remove all trash and debris.

- i. that the licensee will remove the additional unused trash dumpster in the back by January 15, 2001.

j. that the licensee will number the five parking stalls by January 15, 2001, and by April 1, 2001 will install five timbers to permanently mark parking stalls.

k. that the licensee will install one additional sign to designate the parking lot as private and tow all violators by January 15, 2001.

l. that the licensee will call 911 when necessary, and is committed to cooperate with police when they respond to calls at the property. There will be no future nuisance criminal arrests made at the property prior to May 8, 2001 and no more than three such arrests in any one year thereafter. Nuisance criminal arrests are defined as disorderly house, noisy assembly, disorderly conduct, and unlawful possession, transportation, sale or use of a weapon or illegal drugs.

m. that if the licensee continues to own the property, he will hire a professional manager before May 1, 2001, and the SAFE Team must be involved and approve of the manager hired.

n. that the licensee will provide the Licenses & Consumer Division with a copy of Workers' Compensation Insurance at the time of hiring a professional manager.

o. that if the licensee does not hire a professional manager before May 1, 2001, he will have a signed purchase agreement for the property before May 1, 2001.

p. in the event that the licensee closes on the sale of the property, this document will be disclosed to the purchaser on or before signing a purchase agreement. A new owner will be responsible to obtain a license and comply with license regulations.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**PS&RS** - Your Committee, having under consideration block event fees for the 18th Annual National Night Out (NNO), now recommends:

a. that the block event fee be waived for applications received by the close of business on Tuesday, July 10, 2001;

b. that a \$15 block event fee be charged for applications filed between July 11 and July 24, 2001;

c. that applications received after the close of business on July 25, 2001 be denied.

Biernat moved to amend the report by changing the date in Item #c from "July 25" to "July 24".  
Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**PS&RS** - Your Committee, having received a report on the implementation plan for bell curve staffing in the Housing Inspection Services Section of the Inspections Division as directed by a footnote in the approved 2001 budget, now recommends approval of the implementation plan (Petn No 266701) to ensure a minimum level of Housing Inspectors on staff throughout the year to minimize service disruption to residents.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**PS&RS** - Your Committee, having under consideration the application of Minnesota Council for the Performing Arts, 2921 N 2nd St, for a Place of Entertainment License, and having held a hearing thereon, now recommends that said license be denied and that the Director of Licenses & Consumer Services be directed to institute proceedings for an injunction against further operation of the business.

Adopted. Yeas, 11; Nays none.  
Declining to Vote - Niland.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

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

**PS&RS & W&M/Budget** - Your Committee, to whom was referred an ordinance amending Title 9, Chapter 171 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Police*, expediting the cost recovery of securing abandoned buildings which create health and safety issues in the City of Minneapolis by allowing the City to assess all costs to the property, and in addition an administrative fee not to exceed \$75, now recommends that said ordinance be given its second reading for amendment and passage.

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

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-022 amending Title 9, Chapter 171 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Police*, amending Section 171.70, authorizing the Chief of Police, or designee, to take any action necessary to secure any building or structure rendered uninhabitable or unoccupied and open to trespass as a result of lawful police action, and allowing the City to levy and collect all costs of securing the building and in addition to levy and collect associated administrative costs not to exceed \$75 for each building that is secured, was passed March 2, 2001 by the City Council and approved March 7, 2001 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 2001-Or-022**  
**By Biernat**

**Intro & 1st Reading: 1/19/2001**  
**Ref to: PS&RS**  
**2nd Reading: 3/2/2001**

**Amending Title 9, Chapter 171 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Police.**

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

Section 1. That Section 171.70 of the above-entitled ordinance be amended to read as follows:

**171.70. Power to secure premises.** The chief of police, or the chief's designee, is authorized to take any action necessary, including but not limited to retaining a locksmith or other specialist, to secure any building or structure rendered uninhabitable or unoccupied and open to trespass as a result of lawful police action. ~~If the chief of police, or the chief's designee, retains a locksmith or other specialist to secure the building or structure, the cost of such service shall be directly billed by the person or organization providing the service to the owner of the building or structure having been secured. If the owner has not paid the cost of the service to the person or organization providing the service within sixty (60) days of receipt of the billing, the city, upon notice from the person or organization providing the~~

service shall promptly pay the cost. Thereupon, the city shall be authorized to directly bill, and shall be entitled to reimbursement from, the owner of the property having been secured. The city shall annually review all unpaid claims against owners of buildings or structures so secured, and shall prepare a listing of all such owners and parcels against which amounts are to be collected. The city may levy and collect all such unpaid amounts as a special assessment costs of securing the building and may also levy and collect associated administrative costs not to exceed seventy-five dollars (\$75.00) for each building that is secured in the manner provided by Minnesota Statutes, Sections 429.061, 429.071 and 429.081 and amendments thereto.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**PS&RS & W&M/Budget** - Your Committee, to whom was referred an ordinance amending Title 12, Chapter 249 of the Minneapolis Code of Ordinances relating to *Housing: Vacant Dwelling or Building Nuisance Condition*, adding the Vacant Building Registration Program to provide an incentive to reduce the amount of time a building remains vacant, now recommends:

**PS&RS** - that said ordinance be given its second reading for amendment and passage.

**W&M/Budget** - that said ordinance be sent forward without recommendation, along with the policy recommendation to exempt the Minneapolis Community Development Agency from payment of the annual fee.

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

Biernat moved that the report be referred back to the Public Safety & Regulatory Services and Ways & Means/Budget Committee. Seconded.

Adopted upon a voice vote.

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to execute and participate in the Minnesota Internet Crimes Against Children Task Force Multi-Agency Law Enforcement Agreement beginning March 1, 2001 for an 18-month period to allow the Police Department to access additional resources (grant funding), policing and information to battle internet child pornography and the use of the internet in the enticement of children for sexual exploitation.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to execute an agreement with Youth Express to allow the Police Department to give scrap bicycle parts to Youth Express to be reworked into saleable bicycles to stimulate economic development in poor and disadvantaged areas of St. Paul.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**PS&RS & W&M/Budget** - Your Committee, having accepted a Juvenile Prostitution Task Force grant award of \$150,000 on November 9, 2000 from the State of Minnesota Department of Public Safety, now recommends that the proper City Officers be authorized to execute a contract with the State of Minnesota Bureau of Criminal Apprehension to provide a portion of the grant award, approximately \$78,000, to support the Statewide Juvenile Prostitution Task Force.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

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

**T&PW** – Your Committee, having been informed that the construction of Phase III of the Cedar Lake Trail will be delayed due to other construction projects in the area, now recommends that the proper staff of the Public Works Transportation Division be directed to identify and analyze a potential on-street temporary bike route plan to connect the current Cedar Lake Trail from 12<sup>th</sup> and Glenwood Av to the Mississippi River. The temporary bike route should provide a bicycle connection until the permanent off-street trail can be constructed in approximately three to four years. The temporary route will be presented to the City Council for approval and implemented as soon as possible in 2001.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**T&PW** – Your Committee, having been informed that parking restrictions will be required on Main St SE prior to the reconstruction project planned for that street, now recommends passage of the accompanying Ordinance establishing a No Parking Zone on the northeasterly side of Main St SE between the limits of 3<sup>rd</sup> Av SE and 6<sup>th</sup> Av SE.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**ORDINANCE 2001-Or-023**  
**By Mead**

**1<sup>st</sup> & 2<sup>nd</sup> Readings: 3/2/2001**

**Amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Traffic Code: Parking, Stopping and Standing.**

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

Section 1. That Section 478.590 of the above-entitled ordinance be amended by adding thereto the following No Parking Zone:

No. 6775 - NEly side of Main St SE between the limits of 3<sup>rd</sup> Av SE and 6<sup>th</sup> Av SE (No Parking Anytime).

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001. J. Cherryhomes, President of Council.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**T&PW** – Your Committee, having approved the layout for the Light Rail Transit Yards and Shops facility and having been informed that a change in the layout of Franklin Av in that vicinity would be favorable to provide as much land as possible for future development, now recommends approval of Layout No. 1, Project No. 0031 for Franklin Av from Minnehaha Av S to 16<sup>th</sup> Av S, dated February 1, 2001 (Petn No. 266707)

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**T&PW** – Your Committee, having under consideration the Chicago Avenue Street Reconstruction Project (from E 46<sup>th</sup> St to E 49<sup>th</sup> St), now recommends passage of the accompanying Resolution designating the location and streets to be improved in said project, designated as Special Improvement of Existing Street Number 6635.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-081**

**By Mead**

**Chicago Avenue Street Reconstruction Project,  
Special Improvement of Existing Street Number 6635**

**Designating the improvement of certain existing streets at the location described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

**Chicago Av (6635)**

Chicago Av from 46<sup>th</sup> St E to 49<sup>th</sup> St E.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001. J. Cherryhomes, President of Council.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**T&PW** – Your Committee, having received a cost estimate of \$1,450,000 for street reconstruction improvements and a list of benefited properties for the Chicago Avenue Street Reconstruction Project, Special Improvement of Existing Street Number 6635, as designated by Resolution 2001R-081, passed March 2, 2001, now recommends that the City Engineer be directed to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2001 Uniform Assessment Rates as per Resolution 2000R-382 passed August 25, 2000.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on March 29, 2001, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**T&PW** – Your Committee, having under consideration the Chicago Avenue Streetscape Project (from E 46<sup>th</sup> St to E 49<sup>th</sup> St), now recommends passage of the accompanying Resolution designating the location and streets to be improved in said project, designated as Special Improvement of Existing Street Number 6635.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-082**  
**By Mead**

**Chicago Av Streetscape Project**  
**Special Improvement of Existing Street No 6635**

**Designating the improvement of certain streets at the location described hereinafter.**

Whereas, the Chicago Avenue Streetscape Project is located within the boundaries of the proposed Chicago Avenue Special Service District;

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

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by installing decorative sidewalk scoring, exposed aggregate sidewalk, planter/benches, bollards, electrical outlets on some high level street lights, trees, tree grates and frames together with all the necessary appurtenances and work related to the hereinafter described improvements:

Chicago Av from 46<sup>th</sup> St E to 49<sup>th</sup> St E.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001. J. Cherryhomes, President of Council.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**T&PW** – Your Committee, having received a cost estimate of \$140,000 for improvements and a list of benefited properties for the Chicago Av Streetscape Project, Special Improvement of Existing Street No 6635, as designated by Resolution 2001R-082 passed March 2, 2001, now recommends that the City Engineer be directed to prepare proposed assessments against the list of benefited properties.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on March 29, 2001, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the above designated streetscape project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Your Committee further recommends that the City Engineer be directed to advertise for bids for the construction of the above referenced project in accordance with all City, County and Municipal State Aid bidding requirements.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**T&PW** – Your Committee, having under consideration the Harrison Area Street Renovation Project, now recommends passage of the accompanying Resolution designating the location and streets to be improved in said project, designated as Special Improvement of Existing Street No. 2947.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-083**

**By Mead**

**Harrison Area Street Renovation Project  
Special Improvement Of Existing Street No. 2947**

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

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by mill and overlay of street surface with plant mix asphalt and selected curb and gutter and other paving related improvements as needed:

**Harrison Area (2947)**

Heaner Terrace from Thomas Av N to Sheridan Av N;  
5th Av N from Sheridan Av N to Penn Av N and from Penn Av N to approximately 126 ft E of Knox Ave N;  
4th Av N from Russell Av N to Penn Av N and from Penn Av N to approximately 126 ft E of Knox Av N;  
Inglewood Av from Glenwood Av N to Queen Av N;  
3rd Av N from Penn Av N to Gramercy Av;  
2nd Av N from the easterly line of vacated 2nd Av N to Penn Av N and from Penn Av N to Cedar Lake Rd N;  
1½ Av N from Penn Av N to Morgan Av N;  
Chestnut Av W from Morgan Av N to Logan Av N;  
Thomas Av N from the Southerly r/w line of Olson Memorial Highway to Heaner Terrace;  
Sheridan Av N from the Southerly r/w line of Olson Memorial Highway to 5th Av N;  
Russell Av N, Queen Av N, Newton Av N, Morgan Av N, Logan Av N and Knox Av N, from the Sly r/w line of Olson Memorial Highway to Glenwood Av N;  
Oliver Av N from the Sly r/w line of Olson Memorial Highway to 4th Av N;  
Queen Av N from Glenwood Av N to approximately 120 ft S of 2nd Av N;  
Oliver Av N from 2nd Av N to 1 ½ Av N;  
Newton Av N from Glenwood Av N to 3rd Av N;  
Morgan Av N from Glenwood Av N to Chestnut Av W;  
Logan Av N from Glenwood Av N to Chestnut Av W;  
Gramercy Av from Glenwood Av N to 2nd Av N.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**T&PW** – Your Committee, having received a cost estimate of \$3,400,000 for street renovation improvements and a list of benefited properties for certain locations in the Harrison Area Street Renovation Project, Special Improvement of Existing Street No. 2947, as designated by Resolution 2001R-083 passed March 2, 2001, now recommends that the City Engineer be directed to prepare a proposed Street Renovation Special Improvement Assessment against the list of benefited properties by applying the 2001 Uniform Assessment Rates as per Resolution 2000R-382 passed August 25, 2000.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on March 29, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated renovation locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on March 29, 2001 in accordance with Section 95.90 of the Minneapolis Code of Ordinances, to consider the abandonment and removal of areaways in conflict with the street renovation project.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**T&PW** - Your Committee, having under consideration the Cedar Lake Road South/Cedar Lake Parkway Reconstruction Project, now recommends passage of the accompanying Resolution designating the location and streets to be improved in said project, designated as Special Improvement of Existing Street Number 9705.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-084**

**By Mead**

**Cedar Lake Road South/Cedar Lake Parkway Reconstruction  
Special Improvement Of Existing Street No. 9705**

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

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

Cedar Lake Parkway from approximately 280 feet south of Lakeview Av to approximately 200 feet south of Cedar Lake Rd S;

Cedar Lake Road S from Cedar Lake Parkway to Ewing Av S;

Drew Av S from Cedar Lake Rd S south approximately 200 feet; and

Ewing Av S from Cedar Lake Rd S south approximately 180 feet.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**T&PW** - Your Committee, having received a cost estimate of \$875,000 for street reconstruction improvements and a list of benefited properties for the Cedar Lake Road South/Cedar Lake Parkway Reconstruction, Special Improvement of Existing Street No. 9705, as designated by Resolution 2000R-084 passed, March 2, 2001, now recommends that the City Engineer be directed to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2001 Uniform Assessment Rates as per Resolution 2000R-382 passed August, 25, 2000.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on March 29, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated reconstruction locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**T&PW** – Your Committee, having under consideration the joint permits issued by the Minnesota Pollution Control Agency for operation of storm sewer systems, now recommends that the proper City Officers be authorized to execute a cooperative agreement with the Minneapolis Park and Recreation Board and the City of St Paul that will specify the responsibilities of each party in a joint storm water monitoring program. Funds are available in the Public Works Engineering Design budget (7300-600-6063).

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**T&PW** – Your Committee recommends that the proper City officers be authorized to submit a Recycling Grant Application to Hennepin County requesting State Commission on Recycling and Environment (SCORE) funds for the period of January 1, 2001 through December 31, 2001 and be authorized to execute an agreement with Hennepin County to receive said grant funds to be used to assist with the City's Recycling Program.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**T&PW** – Your Committee, having received a report on a revised design for the Nicollet Mall Light Rail Transit (LRT) Station, now recommends:

a) That the City Engineer be directed to negotiate an agreement with the Metropolitan Council for subsequent consideration by the City Council and the Metropolitan Council providing for:

1. The conceptual architectural design of the Nicollet Mall LRT Station in accordance with Alternate 2, Option 2 as described in Petition No. 266708 on file in the Office of the City Clerk;

2. The final design of the southbound platform as a temporary center platform including design to accept future vertical circulation;

3. The final design of the northbound platform including design to accept future vertical circulation;

4. The cost of construction of the revised track and platforms.

b) That the matter of recommending to the LRT Hiawatha Project Office (HPO) selection of one the following architectural firms to prepare the conceptual architectural design for the revised Nicollet Mall LRT Station be forwarded without recommendation:

1. Julie Snow Architects
2. Cuningham Group
3. Meyer Scherer & Rockcastle
4. Elness Swensen and Graham
5. Barbour LaDouceur Architects.

Mead moved to amend the report by deleting Paragraph B and inserting in lieu thereof the following language:

“b) That the City recommends to the Hiawatha Project Office (HPO) that Elness Swensen and Graham be selected as the architect to complete the conceptual design for the Nicollet Mall LRT Station in accordance with Alternative 2, Option 2, as described in Petition No. 266708 on file in the Office of the City Clerk.” Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**T&PW** – Your Committee, having been informed by the Planning Department of a proposal to develop a student housing project called the Integroup Melrose Apartment Project at 2513 Essex St SE, 155 26<sup>th</sup> Av SE and 2508 Delaware St SE and having under consideration interest on the part of the developer to include in the project a portion of City-owned land known as the Huron-Essex Triangle, now recommends:

1. That the City-owned parcel located at Huron Boulevard and Essex Street SE be conveyed to the Minneapolis Community Development Agency (MCDA) for its fair market value for the purpose of redevelopment. It is clarified that the City Engineer has determined that said land is not needed by the City and that the sale of this property would be exempt from the provisions of Chapter 14.120 and 22.180 of the Minneapolis Code of Ordinances (governing the sale of public land) because the land would be sold by the MCDA for redevelopment purposes; and

2. That the proper officers of the Public Works Department be directed to sign on to the rezoning petition so that an application can be accepted for the Integroup Melrose Apartment Project, thereby giving City consent to a City hearing on rezoning of the project site (including the Huron-Essex Triangle) from I2 to R6.

Yeas, 11; Nays, 1 as follows:

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

Nays - Lane.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

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

**T&PW & W&M/Budget** – Your Committee, having been informed that the City is eligible to receive additional federal aid funds in the amount of \$130,140 to be used to modify existing traffic signals to accommodate Priority Vehicle Control (allowing specific MetroTransit buses to receive a level of priority at signalized intersections along major bus corridors), now recommends:

1. That the proper City officers be authorized to execute Agreement #80982 with the Minnesota Department of Transportation (MnDOT) providing that the City will receive grant funds in the total amount of \$220,640 for the Priority Vehicle Control Project, with designation of \$55,160 of City Municipal State Aid (MSA) funds as a match for the grant; and

2. Passage of the accompanying resolution increasing the Public Works - Transportation Capital appropriation by \$130,140, to be fully reimbursed by Federal Aid Funds in accordance with MnDOT Agreement #80982 for S.P. 141-020-88, 141-071-04 and CMA 2797(030).

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-085**  
**By Mead & Campbell**

**Amending The 2001 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$130,140, for a project total of \$220,640, and increasing the revenue source (4100-943-9440 - Source 3210) by \$130,140.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration the former Fire Station #10 facility at 19 4<sup>th</sup> St N and plans to convert the building to a downtown police precinct as part of the 2001 Capital Improvement Program, now recommends that the proper City officers be authorized to obtain proposals for architectural/engineering design services for the facility renovation at 19 4<sup>th</sup> St N.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration the Public Works District Service Facility at 6024 Harriet Av S and plans within the 2001 Capital Improvement Program to improve that facility and combine services with the 4444 Snelling Av S facility, now recommends that the proper City officers be authorized to obtain proposals for architectural/engineering design services for the facility and site improvements for 6024 Harriet Av S.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **ZONING & PLANNING** Committees submitted the following report:

**T&PW & Z&P** – Your Committee, having under consideration the Supplemental Environmental Information to the Northstar Corridor Draft Environmental Impact Statement (DEIS) released by the Northstar Corridor Development Authority that addresses the proposed Northeast Minneapolis 7<sup>th</sup> Street Station and having reviewed proposed City comments on said statement (Petn No.266710 on file in the Office of the City Clerk), now recommends:

**T&PW** - That the proper City officers be authorized to submit said comments to the Minnesota Department of Transportation, Director of the Office of Passenger Rail Transit;

**Z&P** - That the matter be sent forward without recommendation.

Mead moved to amend the report to approve the Transportation & Public Works Committee recommendation and to delete the Zoning and Planning Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Declining to vote - McDonald.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. 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 appointments to serve on the Minneapolis Empowerment Zone (EZ) Governance Board for three-year terms commencing March 22, 2001 and expiring March 21, 2004, now recommends the following:

a) concurrence with the recommendation of the City Council to appoint Joshua Curtis, 2918 - 15<sup>th</sup> Avenue S, Ward 8, EZ resident young person; and

b) concurrence with the recommendation of the Council President to appoint Kim Upsher, 1508 Hall Curve, Ward 5.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**W&M/Budget** - Your Committee recommends that the following lawsuits filed against the City be settled and be payable from the Self Insurance Fund (6900-150-1500-4000):

a) Payment to Helen McGee and her attorney, Jackson & Ward, LLC, in the amount of \$7,000;

b) Payment to the estate of Antonio R. Todd and his attorney, Robert F. Mannella, in the amount of \$5,000; and

c) Payment to Warren Wittman and his attorney, John Mariani, in the amount of \$20,000.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**W&M/Budget** - Your Committee recommends settlement of the claims of Robert Carrillo, 5408 Clinton Avenue South, in the amount of \$33,000, payable from the Self Insurance Fund (6900-150-1500-6660).

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**W&M/Budget** - Your Committee recommends approval to amend the City's Legal Services Protocol, as proposed by the City Attorney, to provide on-line access to formal City Attorney opinions.  
Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute Change Order #3 to Contract #15489 with Crawford Door Sales Company for additional work required on the Convention Center Expansion Project, increasing said contract by \$16,120, for a new contract total of \$365,548, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751).  
Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 2, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.  
(Published March 6, 2001)

**W&M/Budget** - Your Committee recommends concurrence with the recommendation of the Council President to appoint/reappoint the following persons to serve on the Minneapolis Arts Commission for two-year terms to expire January 31, 2003:

- a) Reappointment of Christine Deger, 3707 Queen Avenue N, Ward 4, Administrative;
- b) Reappointment of Sally French, 424 - 5<sup>th</sup> Street SE, Ward 5, Lay person;
- c) Reappointment of Wendy Holmes Nelson, 510 - 6<sup>th</sup> Avenue SE, Ward 2, Administrative;
- d) Appointment of Dedra Jindra, 420 Newton Avenue S, Ward 7, Administrative;
- e) Appointment of Edwin Beylerian, 3329 Garfield Avenue NE, Ward 1, Artist; and
- f) Appointment of Greg Grinley, 4101 - 13<sup>th</sup> Avenue S, Ward 8, Lay person.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to submit a grant application to the United States Department of Commerce - National Telecommunications and Information Administration seeking Technology Opportunities Program (TOP) Grant funds, in the amount of \$500,000.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**W&M/Budget** - Your Committee recommends acceptance of grant funds, in the amount of \$1,500,000 from the Livable Community Demonstration Account of the Metropolitan Council for the Near North Redevelopment Project.

Your Committee further recommends that the proper City officers be authorized to execute a grant agreement and sub-recipient agreements, as necessary to implement the project.

Your Committee further recommends passage of the accompanying resolution increasing the City Coordinator Agency by \$1,500,000.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.

Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-086**  
**By Campbell**

**Amending The 2001 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 City Coordinator Agency in the Grants - Other Fund (0600-840-8401) by \$1,500,000, and increasing the City Coordinator Agency revenue estimate in the Grants - Other Fund (0600-840-8401-Source 3225) by \$1,500,000 for the Near North Redevelopment Project.  
Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001. J. Cherryhomes, President of Council.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**W&M/Budget** - Your Committee recommends acceptance of grant funds, in the amount of \$252,610 from the TAX Base Revitalization Account of the Metropolitan Council for the Near North Redevelopment Project.

Your Committee further recommends that the proper City officers be authorized to execute a grant agreement and sub-recipient agreements necessary to implement the project.

Your Committee further recommends passage of the accompanying resolution increasing the Grants and Special Projects Agency by \$252,610.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-087**  
**By Campbell**

**Amending The 2001 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 Grants and Special Projects Agency in the Grants - Other Fund (0600-800-8031) by \$252,610 and increasing the Grants and Special Projects Agency revenue estimate in the Grants - Other Fund (0600-800-8031-Source 3225) by \$252,610 for the Near North Redevelopment Project.  
Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001. J. Cherryhomes, President of Council.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**W&M/Budget** - Your Committee recommends approval to reclassify the position of Cash Management Supervisor (allocated to Grade 9) to Manager, Investments and Special Projects (allocated to Grade 10 in the Classified Service), to be retroactively effective October 27, 2000, and further recommends approval to reclassify the incumbent along with said position.

Your Committee further recommends approval to inactivate the Cash Management Supervisor classification.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for said position.

Your Committee further recommends that summary publication of said Salary Ordinance be authorized.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-024, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel, setting the salary for the position of Manager, Investments and Special Projects, was passed March 2, 2001 by the City Council and approved March 7, 2001 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 2001-Or-024  
By Campbell**

**1st & 2nd Readings: 3/2/2001**

**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) (B)  
Effective: October 27, 2000**

FLSA	OTC	CLASSIFICATION	P	6-month rate	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
E	1	Manager Investments & Special Projects	B	N/A	45,838	49,244	51,896	54,548	57,590	60,554	63,752

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, 2001**

FLSA	OTC	CLASSIFICATION	P	6-month rate	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
E	1	Manager Investments & Special Projects	B	45,850	47,760	51,314	54,066	56,840	60,004	63,081	66,418

Section 3: 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, 2002**

FLSA	OTC	CLASSIFICATION	P	6-month rate	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
E	1	Manager Investments & Special Projects	B	47,340	49,312	52,982	55,823	58,687	61,954	65,131	68,576

Adopted. Yeas, 12; Nays none.  
 Absent - Colvin Roy.  
 Passed March 2, 2001. J. Cherryhomes, President of Council.  
 Approved March 7, 2001. S. Sayles Belton, Mayor.  
 Attest: S. Ristuben, Asst City Clerk.

**W&M/Budget** - Your Committee recommends approval to reclassify the position of Supervisor, Treasury Division (at City Hall), allocated to Grade 7, to Cash Manager (City Non-Represented), allocated to Grade 9 in the Classified Service, to be retroactively effective July 20, 2000; and further recommends approval to reclassify the incumbent along with said position.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for said position.

Your Committee further recommends that summary publication of said Salary Ordinance be authorized.

Adopted. Yeas, 12; Nays none.  
 Absent - Colvin Roy.  
 Passed March 2, 2001.  
 Approved March 7, 2001. S. Sayles Belton, Mayor.  
 Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-025, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Cash Manager, was passed March 2, 2001 by the City Council and approved March 7, 2001 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 2001-Or-025**  
**By Campbell**

**1st & 2nd Readings: 3/2/2001**

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

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

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Non-Represented (CNR) (B)**  
**Effective: July 20, 2000**

FLSA/OTC	CLASSIFICATION	P	6-month rate	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
E	1 Cash Manager	A	41,905	43,651	43,973	46,276	48,874	51,521	54,176	57,015

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

**Non-Represented (CNR)**  
**Effective: January 1, 2001**

FLSA/OTC CLASSIFICATION	P	6-month rate	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
E 1 Cash Manager	A	43,657	45,476	45,812	48,211	50,918	53,675	56,441	59,399

Section 3: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Non-Represented (CNR)**  
**Effective: January 1, 2002**

FLSA/OTC CLASSIFICATION	P	6-month rate	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
E 1 Cash Manager	A	45,076	46,954	47,301	49,778	52,572	55,420	58,276	61,330

Adopted. Yeas, 12; Nays none.  
 Absent - Colvin Roy.  
 Passed March 2, 2001. J. Cherryhomes, President of Council.  
 Approved March 7, 2001. S. Sayles Belton, Mayor.  
 Attest: S. Ristuben, Asst City Clerk.

**W&M/Budget** - Your Committee recommends approval to reclassify and upgrade the position of Central Alarm Station Operator, to be retroactively effective November 27, 2000.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for said position.

Your Committee further recommends that summary publication of said Salary Ordinance be authorized.

Adopted. Yeas, 12; Nays none.  
 Absent - Colvin Roy.  
 Passed March 2, 2001.  
 Approved March 7, 2001. S. Sayles Belton, Mayor.  
 Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-026, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Central Alarm Station Operator, was passed March 2, 2001 by the City Council and approved March 7, 2001 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 2001-Or-026**  
**By Campbell**

**1st & 2nd Readings: 3/2/2001**

**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: (Hourly Rates)

**AFSCME Local 9 Clerical/Technical (CAF)**  
**Effective: November 27, 2000**

FLSA	OTC	CLASSIFICATION	P	6-month rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	2	Central Alarm Station Operator	B	N/A	12.849	13.532	14.240	14.987	15.785	16.609	17.484

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

**AFSCME Local 9 Clerical/Technical (CAF)**

**Effective: January 1, 2001**

FLSA	OTC	CLASSIFICATION	P	6-month rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	2	Central Alarm Station Operator	B	12.459	13.254	13.958	14.689	15.459	16.282	17.132	18.035

Section 3: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Hourly Rates)

**AFSCME Local 9 Clerical/Technical (CAF)**

**Effective: January 1, 2002**

FLSA	OTC	CLASSIFICATION	P	6-month rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	2	Central Alarm Station Operator	B	12.864	13.685	14.412	15.166	15.961	16.811	17.689	18.621

Adopted. Yeas, 12; Nays none.  
 Absent - Colvin Roy.  
 Passed March 2, 2001. J. Cherryhomes, President of Council.  
 Approved March 7, 2001. S. Sayles Belton, Mayor.  
 Attest: S. Ristuben, Asst City Clerk.

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

**Z & P** - Your Committee, to whom was referred an ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances, adding a new Chapter 576 providing for a moratorium on the establishment, reestablishment or expansion of any commercial or industrial use along W Broadway Av from City Limits on the west to the intersection of W Broadway and Girard Avs on the east, extending 150 feet on each side of the center line of W Broadway, and including the area bounded by a 1/4 mile radius around the intersection of W Broadway and Penn Avs, and having conducted a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage. (Petn No 266726)

Your Committee further recommends summary publication of said ordinance.  
 Adopted. Yeas, 12; Nays none.  
 Absent - Colvin Roy.  
 Passed March 2, 2001.  
 Approved March 7, 2001. S. Sayles Belton, Mayor.  
 Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-027, amending Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances by adding a new Chapter 576 providing for a moratorium on the establishment, reestablishment or expansion of any commercial or industrial use along W Broadway Av from City Limits on the west to the intersection of W Broadway and Girard Avs on the east, extending 150 feet on each side of the center line of W Broadway, and including the area bounded by a 1/4 mile radius around the intersection of W Broadway and Penn Avs was passed March 2, 2001 by the City Council and approved March 7, 2001 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 2001-Or-027**  
**By Cherryhomes, Biernat and Johnson**

**Intro & 1st Reading: 11/22/2000**

**Ref to: Z&P**

**2nd Reading: 3/2/2001**

**Amending Title 21 of the Minneapolis Code of Ordinances by adding a new Chapter 576 relating to Interim Ordinances: Providing for a moratorium on the establishment, reestablishment or expansion of any commercial or industrial use along West Broadway Avenue from city limits on the west to the intersection of West Broadway and Girard Avenues on the east, extending one hundred fifty (150) feet on each side of the center line of West Broadway, and including the area bounded by a one fourth (¼) mile radius around the intersection of West Broadway and Penn Avenues.**

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 576 to read as follows:

**CHAPTER 576. PROVIDING FOR A MORATORIUM ON THE ESTABLISHMENT, REESTABLISHMENT OR EXPANSION OF ANY COMMERCIAL OR INDUSTRIAL USE ALONG WEST BROADWAY AVENUE FROM CITY LIMITS ON THE WEST TO THE INTERSECTION OF WEST BROADWAY AND GIRARD AVENUES ON THE EAST, EXTENDING ONE HUNDRED FIFTY (150) FEET ON EACH SIDE OF THE CENTER LINE OF WEST BROADWAY, AND INCLUDING THE AREA BOUNDED BY A ONE FOURTH (¼) MILE RADIUS AROUND THE INTERSECTION OF WEST BROADWAY AND PENN AVENUES**

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

**576.20. Findings and purpose.** The West Broadway Avenue corridor has been the subject of recent attention by organizations representing the communities immediately surrounding the avenue and the city's planning department. Building on a 1997 strategic vision for West Broadway Avenue, the West Broadway Area Coalition (WBAC), representing the business, residential and nonprofit communities that border on West Broadway, hosted a charrette in October, 2000, to refine the vision for West Broadway. Further work over the next year will result in a corridor plan that defines appropriate locations for various uses along the avenue, proposes design guidelines for future commercial and residential development, and informs the re-construction of public infrastructure.

The development of the corridor plan is timely, because Hennepin County plans to completely reconstruct West Broadway Avenue from the city limits to Girard Avenue beginning in the spring of 2002. This would include curbing and sidewalks, and would result in the permanent closing of several street outlets that have been temporarily closed.

The city council is concerned about development not in conformance with the emerging corridor plan. New or expanded commercial or industrial uses in areas suitable for eventual residential redevelopment, or auto-oriented businesses at locations which are appropriate for neighborhood-oriented walk-up business may contribute to neighborhood instability through negative environmental impacts such as

increased traffic, noise and visual blight. This could exacerbate existing tensions between land uses in the area, and associated disinvestment in residential and commercial properties. It may result in undue conflicts between pedestrian movement and automobile traffic. It could make it more difficult to foster future redevelopment in conformance with the future corridor plan. Development and adoption of the corridor plan, along with appropriate revisions to the city's official controls can ensure that activity in the area will not undermine the future development of the area.

The city finds that this interim ordinance should be adopted to protect the planning process and the health, safety and welfare of the citizens.

**576.30. Zoning study.** The area bounded by a line one hundred fifty (150) feet from the centerline of West Broadway from the city limits to Fremont Avenue and by a one fourth (¼) mile radius of the intersection of West Broadway and Penn Avenues is hereby declared to be an interim study area with respect to the establishment, reestablishment or expansion of any commercial or industrial use. The planning department is hereby directed to oversee the development of a corridor plan within the study area which would inform the future development of the West Broadway corridor, provide direction related to land use and the design of private and public realm elements, and inform the reconstruction of the public infrastructure—and to propose such additional amendments to the city's official controls as it deems necessary.

**576.40. Restrictions.** For a period of one (1) year from November 22, 2000, the date of introduction of this ordinance, no zoning approval, building, construction, or demolition permit or license for the establishment, reestablishment or expansion of any commercial or industrial use in the above-described area shall be allowed or granted for any property located in this study area by any city department. The city specifically reserves the right to extend this ordinance for such additional periods as are necessary to complete the planning study, not exceeding a total additional period of eighteen (18) months.

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

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**Z&P** - Your Committee, to whom was referred the following ordinances:

- a. adding a new Title 23 to the Minneapolis Code of Ordinances relating to Heritage Preservation;
- b. amending said Title 23 by adding a new Chapter 599 to the Minneapolis Code of Ordinances relating to Heritage Preservation: Heritage Preservation Regulations; and
- c. repealing Title 2, Chapter 34 of the Minneapolis Code of Ordinances relating to Administration: Heritage Preservation Commission;

and having conducted a public hearing thereon, now recommends that said ordinances be given their second reading for amendment and passage. (Petn No 266726)

Your Committee further recommends that said ordinances be published in summary form.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-028, adding a new Title 23 to the Minneapolis Code of Ordinances relating to *Heritage Preservation* was passed March 2, 2001 by the City Council and approved March 7, 2001 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 2001-Or-028**

**By McDonald**

**Intro & 1st Reading: 11/22/2000**

**Ref to: Z&P**

**2nd Reading: 3/2/2001**

**Adding Title 23 to the Minneapolis Code of Ordinances Relating to Heritage Preservation.**

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Title 23 to read as follows:

**Title 23. Heritage Preservation.**

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-029, adding a new Chapter 599 to the new Title 23 of the Minneapolis Code of Ordinances relating to *Heritage Preservation: Heritage Preservation Regulations*, was passed March 2, 2001 by the City Council and approved March 7, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

Article I, General Provisions, states the authority and purposes for the heritage preservation regulations and includes rules of construction and general provisions for applying the regulations. Much of the article is devoted to definitions of words and phrases used throughout the chapter.

Article II, Duties of Decision-making bodies, identifies the officials and bodies charged with the administration of the regulations, including the heritage preservation commission, planning director, director of inspections and city council. The article sets forth the jurisdiction and authority of the heritage preservation commission, establishes the commission's membership, requires the commission to conduct public hearings, authorizes the commission to adopt policies and procedures, and provides for commission compensation. The article also lists the powers and duties of the planning director, director of inspections and city council.

Article III, General Application Procedures, establishes the procedures for applications, including the determination of completeness of applications, the treatment of incomplete applications and applications involving properties not in compliance with the regulations, and establishes the notice requirements and procedures for public hearings.

Article IV, Appeals, establishes the procedures for appeal of the planning director or other official involved in an administrative decision, and for appeal of decisions of the heritage preservation commission. Appeals of an administrative decision, except a decision related to a violation of the building or housing code, are to the heritage preservation commission. Appeals of a decision of the heritage preservation commission are to the zoning and planning committee of the city council.

Article V, Designation, establishes the procedures for designation, including designation criteria, the nomination process, the commencement of designation studies, interim protection for nominated properties, state historic office and city planning commission review of proposed designations, the designation public hearing and the heritage preservation commission recommendation. All final decisions regarding designation are made by the city council.

Article VI, Certificate of Appropriateness, requires approval by the heritage preservation commission of a certificate of appropriateness for alteration of a landmark, property in an historic district, or nominated property under interim protection, provides for a public hearing, establishes required findings for approving a certificate of appropriateness, provides that the commission may delay a decision involving

the destruction of a property to allow interested parties an opportunity to protect it, authorizes the commission to impose reasonable conditions and guarantees on the approval of a certificate of appropriateness including a mitigation plan where a property is to be demolished, and authorizes the planning director to approve minor changes to an approved certificate of appropriateness.

Article VII, Certificate of No Change, requires approval by the planning director of a certificate of no change for any minor alteration of a landmark, property in an historic district, or nominated property under interim protection, establishes required findings for approving a certificate of no change, and authorizes the planning director to impose reasonable conditions and guarantees on the approval of a certificate of no change.

Article VIII, Historic Resources, directs the planning director to identify historic resources and to review applications for demolition permits to determine whether the property is an historic resource, provides for a public hearing before the heritage preservation commission to consider applications for the demolition of historic resources, authorizes the heritage preservation commission to direct the commencement of designation studies, establishes required findings for approval of a demolition of a historic resource, provides that the commission may delay a decision to approve the demolition of a historic resource to allow interested parties an opportunity to protect it, and authorizes the commission to impose reasonable conditions and guarantees on the approval of a demolition permit.

Article IX, Historic Variance, establishes the procedures for applying for an historic variance, establishes the required findings for approval, and authorizes the commission to impose reasonable conditions and guarantees on the approval of an historic variance. All final decisions regarding historic variances are made by the city council. Changes to an approved historic variance require a new application.

Article X, Transfer of Development Rights, establishes the procedures for applying for a transfer of development rights, establishes the areas outside of the downtown zoning districts that are eligible as transfer sending sites, and establishes the required findings and the required conditions and guarantees for approval. All final decisions regarding an application for transfer of development rights are made by the city council. Changes to an approved transfer of development rights require a new application.

Article XI, Maintenance, establishes a requirement to maintain and to prevent deterioration of landmarks, properties in historic districts and nominated properties under interim protection.

Article XII, Enforcement, authorizes the director of inspections to investigate complaints regarding violations of the chapter, establishes procedures upon discovery of violations including the right of appeal, and provides penalties and remedies for violations.

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

**ORDINANCE 2001-Or-029**

**By McDonald Campbell, Ostrow, Niland, Goodman and Mead**

**Intro & 1st Reading: 11/22/2000**

**Ref to: Z&P**

**2nd Reading: 3/2/2001**

**Amending Title 23 of the Minneapolis Code of Ordinances relating to Heritage Preservation, by adding a new Chapter 599 entitled "Heritage Preservation Regulations".**

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 599 to read as follows:

**CHAPTER 599. HERITAGE PRESERVATION REGULATIONS**

**ARTICLE I. GENERAL PROVISIONS**

**599.10. Title.** Chapter 599 of the Minneapolis Code of Ordinances shall be known and may be cited as the Heritage Preservation Regulations of the City of Minneapolis.

**599.20. Authority.** This chapter is enacted pursuant to the authority granted to the municipality by Minnesota Statutes sections 138.71 through 138.75, Minnesota Historic District Act of 1971, and Minnesota Statutes section 471.193, Municipal Heritage Preservation.

**599.30. Purpose.** This chapter is adopted to promote the recognition, preservation, protection and reuse of landmarks, historic districts and historic resources; to promote the economic growth and general welfare of the city; to further educational and cultural enrichment; to implement the policies of the comprehensive plan, and to provide for the administration of this title including the powers and duties of officials and bodies charged with such administration, the standards for required approvals and the procedures for its enforcement.

**599.40. Rules of construction.** This chapter shall be liberally construed in order to accomplish the purposes set forth herein.

**599.50. Scope of regulations.** (a) *In general.* All landmarks and historic districts, all nominated properties under interim protection and all historic resources shall be subject to all applicable requirements of this chapter.

(b) *Emergency exception.* Nothing in this chapter shall prevent the emergency alteration or other modification necessary to correct the unsafe or dangerous condition of any structure or other feature, where the director of inspections certifies to the planning director that such condition has been declared unsafe or dangerous and the proposed measures have been determined necessary to correct the condition without delay. However, only such work that is necessary to correct the unsafe or dangerous condition may be performed. The extent of such work shall be determined in consultation with the planning director who may recommend to the director of inspections that the salvage and preservation of specified building materials, architectural details, ornaments, fixtures and similar items be made a condition of such emergency alteration or modification. The planning director shall report to the commission not less than once per month all emergency alterations or other modifications certified to the planning director in the preceding month, the reasons for such emergency, and the nature and extent of the alteration or modification performed.

**599.60. Existing landmarks and historic districts.** All landmarks, historic districts and design guidelines existing on the effective date of this chapter shall remain in effect upon adoption of this chapter.

**599.70. Period of decision.** No approval granted pursuant to this chapter, except designations, shall be valid for a period longer than one (1) year from the date of such decision unless the required permit is obtained within such period and the action approved is substantially begun and proceeds on a continuous basis toward completion, or the use is established within such period by actual operation pursuant to the applicable conditions and requirements of such approval. The planning director, upon written request, may for good cause shown grant up to a one (1) year extension to this time limit.

**599.80. Plan consistency.** The city shall withhold any building permit, demolition permit or other approval required for a use if the proposal is inconsistent with the final approval granted pursuant to this chapter.

**599.90. Compliance with conditions of approval.** (a) *In general.* All approvals made pursuant to this chapter shall remain in effect as long as all of the conditions and guarantees of such approval are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this chapter and may result in termination of the approval.

(b) *Compliance with other regulations.* All approvals made pursuant to this chapter shall be subject to all other applicable city, local, regional, state and federal regulations.

**599.100. Severability.** (a) *Severability of text.* If any portion of this chapter is determined to be invalid or unconstitutional by a court of competent jurisdiction, that portion shall be deemed severed from the regulations, and such determination shall not affect the validity of the remainder of the chapter.

(b) *Severability of application.* If the application of any provision of this chapter to a particular property is determined to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall not affect the application of said provision to any other property.

**599.110. Definitions.** Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this chapter, have the meanings indicated. All words and phrases not defined shall have their common meaning.

*Alteration.* Any construction, addition, demolition, relocation or material change affecting the

exterior of a landmark, property in an historic district or nominated property under interim protection, or the designated or nominated interior of any building, that the planning director has determined is not a minor alteration. Examples may include, but are not limited to, the following:

- (1) Destruction of any structure, in whole or in part.
- (2) Addition to a structure or moving the location of a structure.
- (3) Addition of a structure.
- (4) Changes to or replacement of architectural details or visual characteristics such as doors, door frames and openings, windows, window frames and openings, siding, shutters, railings, walls, steps, porches, balconies, or other ornamentation.
- (5) Changes to surface materials, color and texture, including painting an unpainted masonry surface such as brick, concrete, stone or stucco, or sandblasting or other abrasive cleaning of a masonry surface.
- (6) Changes to or replacement of roofing materials.
- (7) Addition or removal of signs and awnings, or changes to or replacement of existing signs and awnings.
- (8) Changes to or replacement of landscaping or natural features that are inconsistent with the historic qualities of the property.
- (9) Disturbance of archaeological sites or areas.

*Certificate of appropriateness.* A certificate issued by the planning director evidencing the review and authorization by the commission of plans for alteration of a landmark, property in an historic district or nominated property under interim protection.

*Certificate of no change.* A certificate issued by the planning director evidencing the review and authorization by the planning director of plans for minor alteration of a landmark, property in an historic district or nominated property under interim protection.

*City council.* The city council of the City of Minneapolis.

*Commission.* The heritage preservation commission of the City of Minneapolis.

*Designation study.* A study and report prepared to document the historical, cultural, architectural, archaeological or engineering significance of a property.

*Design guidelines.* Specific design criteria adopted by the commission for landmarks and historic districts to be used in reviewing applications for certificates of appropriateness and certificates of no change.

*Director of inspections.* The director of the City of Minneapolis Inspections Division or his or her authorized representative.

*Historic district.* All property within a defined area designated as an historic district by the city council because of the historical, cultural, architectural, archaeological or engineering significance of the district, or designated as an historic district by state law.

*Historic resource.* A property that is believed to have historical, cultural, architectural, archaeological or engineering significance and to meet at least one of the criteria for designation as a landmark or historic district as provided in this chapter.

*Historic variance.* Departure from the literal requirements of the zoning regulations governing a landmark or property in an historic district where strict adherence would cause undue hardship due to special conditions or circumstances unique to a site.

*Integrity.* The authenticity of a landmark, historic district, nominated property under interim protection or historic resource evidenced by its location, design, setting, materials, workmanship, feeling or association.

*Interim protection.* Protection from destruction or alteration given to a nominated property following the commission's decision to commence a designation study.

*Landmark.* Any property, or any interior of a building, designated as a landmark by the city council because of its historical, cultural, architectural, archaeological or engineering significance.

*Minor alteration.* An alteration that the planning director has determined does not affect the integrity of a landmark, historic district or nominated property under interim protection. Examples may include, but are not limited to, changes that the planning director has determined are not significant, and changes that reproduce the existing design and that are executed with the same type of materials and methods as existing if available, or with visually similar materials if the original materials are not available.

*Nominated property.* A property that has been nominated for designation as a landmark or historic district, pursuant to the requirements of this chapter.

*Planning director.* The director of the Minneapolis City Planning Department or his or her authorized representative.

*Property.* Any land, building, structure or object, surface or subsurface area, natural or landscape feature.

*Receiving site.* The zoning lot on which transferred floor area is to be developed, pursuant to the requirements of this chapter.

*Sending site.* The zoning lot containing a landmark or located within an historic district, and from which undeveloped floor area is to be transferred, pursuant to the requirements of this chapter.

*Structure.* Anything constructed or erected with a more or less fixed location on or in the ground or in or over a body of water. A structure shall include, but not be limited to, buildings, fences, walls, signs, canopies, decks, patios, antennae, piers, bridges, docks and any objects or things permanently attached to the structure.

*The Secretary of the Interior's Standards for Rehabilitation.* The most recent standards for rehabilitating historic buildings established by the National Park Service, United States Department of the Interior.

*Transfer of development rights.* The conveyance of undeveloped floor area from one zoning lot to another zoning lot, pursuant to the requirements of this chapter.

## ARTICLE II. DUTIES OF DECISION MAKING BODIES AND OFFICIALS

**599.120. Heritage preservation commission.** (a) *Establishment.* The heritage preservation commission is established pursuant to the authority granted by Minnesota Statutes sections 138.71 through 138.75, Minnesota Historic District Act of 1971, and Minnesota Statutes section 471.193, Municipal Heritage Preservation. The commission shall perform its duties and exercise its powers as provided therein.

(b) *Jurisdiction and authority.* The commission shall have the following powers and duties in connection with the administration of this chapter:

- (1) To interpret and administer the provisions of this chapter.
- (2) To adopt and administer rules and regulations relating to the administration of this chapter.
- (3) To direct the commencement of designation studies, as authorized by this chapter.
- (4) To hear and make recommendations to the city council on the proposed designation of landmarks and historic districts.
- (5) To hear and decide applications for certificate of appropriateness.
- (6) To hear and decide applications for demolition of historic resources.
- (7) To hear and decide appeals from decisions of the planning director, director of inspections or other official, as authorized by this chapter.
- (8) To hear and make recommendations to the city council on proposed historic variances.
- (9) To hear and make recommendations to the city council on proposed transfers of development rights.
- (10) To adopt design guidelines for landmarks and historic districts, and to revise design guidelines as necessary.
- (11) To review and make recommendations to the city council on proposed amendments to the zoning code.
- (12) To make recommendations to the city council on proposed amendments to this chapter.
- (13) To inform and educate the citizens of Minneapolis concerning the historical, cultural, architectural, archaeological or engineering heritage of the city.
- (14) To seek and identify incentives to encourage both public and private investments in preserving the city's landmarks, historic districts and historic resources.
- (15) To make recommendations to the city council that designated properties or historic resources be acquired by purchase, gift or by eminent domain.

(16) To take such other actions as are reasonable and necessary for the administration and enforcement of this chapter.

(c) *Commission membership.* The commission shall consist of ten (10) members. Members shall be persons with demonstrated interest, knowledge, ability or expertise in historic preservation, neighborhood revitalization, archaeology, urban planning, history or architecture. One shall be the representative of the Mayor. If available, at least one shall be a registered architect, at least one shall be a licensed real estate agent or appraiser, at least one shall reside in or own a landmark or property in an historic district, at least one shall be a member of the Minneapolis committee on urban environment and at least one shall be a member of the Hennepin County historical society. All appointments, except the mayor's representative, shall be made by the city council and shall follow the open appointments process contained in section 14.180 of the Minneapolis Code of Ordinances, and as provided in the rules and procedures of the commission. Applicants for appointment to the commission shall be interviewed by a committee of the planning director, one member of the commission and one member of the city planning commission who shall recommend applicants to the zoning and planning committee of the city council. Members shall serve for a term of three (3) years, and shall be appointed as the terms of the present members of the commission expire. The term of any member presently serving without a specified term shall begin on the effective date of this chapter. All members, including members of the commission serving on the effective date of this chapter, shall continue in office until their successors are appointed. The Mayor's representative shall be appointed to the first available vacancy following adoption of this chapter. No member shall serve more than three (3) full terms consecutively. The term limit shall apply to present members of the commission upon their next reappointment following adoption of this chapter. Any member may reapply for appointment after missing one full term.

(d) *Public hearings.* The commission shall schedule public hearings not less than twice per month, except in those months where the chair determines that because of holiday schedules or the number of agenda items one (1) meeting is sufficient to carry out the commission's duties. Such public hearings shall be noticed and conducted pursuant to the provisions of section 599.170.

(e) *Rules and procedures.* The commission shall adopt policies and procedures for the conduct of its meetings, the processing of applications, appointments to the commission and any other purposes considered necessary for its proper functioning, and shall select or appoint officers as it deems necessary. Such policies and procedures shall be consistent with this chapter.

(f) *Compensation.* Members of the commission shall be paid at the rate of fifty dollars (\$50.00) for each public hearing attended with a limitation of one (1) meeting per day and four (4) meetings per month.

**599.130. Planning director.** The planning director shall assist the commission in discharging its duties and shall have the following powers and duties in connection with the administration of this chapter:

- (1) To serve as staff to the heritage preservation commission.
- (2) To receive, review and process all complete applications for approvals, as provided in this chapter.
- (3) To perform the administrative review of certificates of no change.
- (4) To perform the administrative review of demolition permits.
- (5) To receive, review and process all complete nomination applications, as provided in this chapter.
- (6) To prepare or cause to be prepared designation studies and design guidelines.
- (7) To identify historic resources.
- (8) To establish and administer rules and regulations relating to the administration of this chapter, including application forms.
- (9) To review and make recommendations on proposed amendments to this chapter.
- (10) To maintain all records which are a part of the administration of this chapter.
- (11) To take such other actions as reasonable and necessary for the administration and enforcement of this chapter.

**599.140. Director of inspections.** The director of inspections shall have the power and duty to enforce this chapter by commencement of appropriate administrative and legal remedies, including but not limited to issuance of citation or written orders, or reference to the city attorney for issuance of a formal complaint.

**599.150. City council.** The city council shall have the following powers and duties in connection with the administration of this chapter:

- (1) To initiate and adopt amendments to this chapter.
- (2) To hear and decide appeals from decisions of the heritage preservation commission, as authorized by this chapter.
- (3) To designate landmarks and historic districts, as authorized by this chapter.
- (4) To approve historic variances, as authorized by this chapter.
- (5) To approve the transfer of development rights, as authorized by this chapter.
- (6) To take such other actions not delegated to other bodies that may be desirable and necessary to implement the provisions of this chapter.

### ARTICLE III. GENERAL APPLICATION PROCEDURES

**599.160. Application Procedures.** (a) *In general.* All applications shall be processed by the planning director, who shall make a preliminary investigation, in accordance with the procedures set forth in this chapter. Any person having a legal or equitable interest in a property may file an application on a form approved by the planning director, as provided in this chapter.

(b) *Determination of completeness of application.* The planning director shall review all applications and determine whether such applications are complete. An application shall not be accepted as complete until the applicant has complied with all of the requirements set forth in the application form, including the submission of all required supporting information and any required list of property owners.

(c) *Incomplete applications.* If the planning director determines that an application is not complete, the planning director shall notify the applicant, specifying any deficiencies of the application, including any additional information that must be supplied, and that no further action shall be taken by the city on the application until the deficiencies are corrected.

(d) *Noncomplying properties.* No new application for the same property shall be accepted or deemed complete, if at the time of application such property is not in compliance with the requirements of this chapter or with the requirements of a previous approval granted pursuant to this chapter. Upon receipt of such an application, the planning director shall inspect the property and provide written notice to the applicant indicating the nature of the violation and the action necessary to correct it. This section shall not prevent an application to correct an existing condition that is not in compliance with the requirements of this chapter.

**599.170. Public hearings.** (a) *Notice.* For all applications requiring a public hearing as set forth in this chapter, except appeals of decisions of the heritage preservation commission, notice of the public hearing shall be given in the following manner. The failure to give mailed notice to individual property owners, or defects in the notice, shall not invalidate the proceedings, provided a bona fide attempt to comply with this section has been made.

- (1) *Newspaper of general circulation.* The planning director shall publish notice of the time, place and purpose of the public hearing at least once, not less than ten (10) calendar days before the hearing, in a newspaper of general circulation.
- (2) *Affected property owners.* The planning director shall mail notice to all owners of record of property located in whole or in part within three hundred fifty (350) feet of the boundaries of the subject property not less than ten (10) calendar days before the hearing.

(b) *Procedures.* All hearings shall be open to the public. Any person may appear and testify at a hearing either in person or by duly appointed agent or attorney. The chair or acting chair may administer oaths. The concurring vote of the majority of the members of the commission at the meeting shall constitute final action of the commission on any matter before it. Upon the conclusion of the testimony in each hearing, the commission shall announce its decision or recommendation, or shall lay the matter over to a subsequent meeting. The commission shall keep minutes of its public hearings, and shall also keep records of its official actions. Decisions of the commission shall be filed in the office of the planning director.

### ARTICLE IV. APPEALS

**599.180. Appeals of decisions of the planning director.** All findings and decisions of the planning director, director of inspections or other official involved in the administration or the enforcement

of these heritage preservation regulations shall be final subject to appeal to the heritage preservation commission, except that appeal of a decision of the director of inspections involving a violation of Title 5 of the Minneapolis Code of Ordinances, Building Code, or Title 12 of the Minneapolis Code of Ordinances, Housing, shall be as provided in the written order. Appeals may be initiated by any affected person by filing the appeal with the planning director on a form approved by the planning director and shall be accompanied by all required supporting information, as specified in section 599.160. All appeals shall be filed within ten (10) calendar days of the date of the decision. Timely filing of an appeal shall stay all proceedings in the action appealed, unless the planning director certifies to the commission, with service of a copy to the applicant, that a stay would cause imminent peril to life or property, in which case the proceedings shall not be stayed. The commission shall hold a public hearing on each complete application for an appeal as provided in section 599.170. All findings and decisions of the commission concerning appeals shall be final, subject to appeal to the city council as specified in section 599.190.

**599.190. Appeals of decisions of the heritage preservation commission.** All decisions of the heritage preservation commission, except decisions to commence designation studies, designations, historic variances and transfers of development rights, shall be final subject to appeal to the city council and the right of subsequent judicial review. Appeals may be initiated by any affected person by filing the appeal with the planning director on a form approved by the planning director and shall be accompanied by all required supporting information, as specified in section 599.160. All appeals shall be filed within ten (10) calendar days of the date of decision by the commission. No action shall be taken by any person to alter the property until expiration of the ten (10) day appeal period and, if an appeal is filed pursuant to this section, until after a final decision has been made by the city council. Not less than ten (10) days before the public hearing to be held by the zoning and planning committee of the city council to consider the appeal, the planning director shall mail notice of the hearing to the property owner and the surrounding property owners who were sent notice of the public hearing before the commission. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply with this section has been made.

## ARTICLE V. DESIGNATION

**599.200. Purpose.** This article is established to promote the preservation of historic resources by providing the commission with authority to recommend the designation of landmarks and historic districts and to adopt design guidelines for designated properties.

**599.210. Designation criteria.** The following criteria shall be considered in determining whether a property is worthy of designation as a landmark or historic district because of its historical, cultural, architectural, archaeological or engineering significance:

- (1) The property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history.
- (2) The property is associated with the lives of significant persons or groups.
- (3) The property contains or is associated with distinctive elements of city identity.
- (4) The property embodies the distinctive characteristics of an architectural or engineering type or style, or method of construction.
- (5) The property exemplifies a landscape design or development pattern distinguished by innovation, rarity, uniqueness or quality of design or detail.
- (6) The property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects.
- (7) The property has yielded, or may be likely to yield, information important in prehistory or history.

**599.220. Nomination of property.** Nomination of a property to be considered for designation as a landmark or historic district shall be submitted to the planning director on a nomination application form approved by the planning director and shall be accompanied by all required supporting information. A nomination may be made by any of the following:

- (1) A member of the heritage preservation commission.
- (2) A member of the city council.
- (3) The mayor.

(4) The planning director.

(5) Any person with a legal or equitable interest in the subject property.

**599.230. Commission decision on nomination.** The commission shall review all complete nomination applications. If the commission determines that a nominated property appears to meet at least one of the criteria for designation contained in section 599.210, the commission may direct the planning director to commence a designation study of the property.

**599.240. Interim protection.** (a) *Purpose.* Interim protection is established to protect a nominated property from destruction or inappropriate alteration during the designation process.

(b) *Effective date.* Interim protection shall be in effect from the date of the commission's decision to commence a designation study of a nominated property until the city council makes a decision regarding the designation of the property, or for twelve (12) months, whichever comes first. Interim protection may be extended for such additional periods as the commission may deem appropriate and necessary to protect the designation process, not exceeding a total additional period of eighteen (18) months. The commission shall hold a public hearing on a proposed extension of interim protection as provided in section 599.170.

(c) *Scope of restrictions.* During the interim protection period, no alteration or minor alteration of a nominated property shall be allowed except where authorized by a certificate of appropriateness or a certificate of no change, as provided in this chapter.

**599.250. State historic preservation office review.** The planning director shall submit all proposed designations to the state historic preservation officer for review and comment within sixty (60) days.

**599.260. City planning commission review.** The planning director shall submit all proposed designations to the city planning commission for review and comment on the proposal within thirty (30) days. In its review, the city planning commission shall consider but not be limited to the following factors:

- (1) The relationship of the proposed designation to the city's comprehensive plan.
- (2) The effect of the proposed designation on the surrounding area.
- (3) The consistency of the proposed designation with applicable development plans or development objectives adopted by the city council.

**599.270. Designation hearing.** Following completion of the designation study the commission shall hold a public hearing to consider the proposed designation, as provided in section 599.170. Any person having a legal or equitable interest in a nominated property shall be allowed reasonable opportunity to give testimony or present evidence concerning the proposed designation.

**599.280. Commission recommendation.** Following the public hearing, the commission shall make findings with respect to the proposed designation and shall submit the same together with its recommendation to the zoning and planning committee of the city council. In making its findings and recommendation, the commission shall consider the designation criteria contained in section 599.210, the information contained in the designation study, the state historic preservation officer's comments, the city planning commission's comments, the planning director's report and all testimony and evidence received at the public hearing relating to the designation.

**599.290. City council decision.** The city council shall make the final decision on all designations.

**599.300. Design guidelines.** The commission shall adopt design guidelines for landmarks and historic districts. Prior to adoption, the planning director shall submit all proposed design guidelines to the state historic preservation officer for review and comment within sixty (60) days.

## ARTICLE VI. CERTIFICATE OF APPROPRIATENESS

**599.310. Purpose.** Certificates of appropriateness are established to protect landmarks, historic districts and nominated properties under interim protection by providing the commission with authority to review and approve or deny all proposed alterations to a landmark, property in an historic district or nominated property under interim protection.

**599.320. Certificate of appropriateness required.** Any alteration of a landmark, property in an historic district or nominated property under interim protection shall be prohibited except where authorized by a certificate of appropriateness approved by the commission.

**599.330. Application for certificate of appropriateness.** An application for a certificate of appropriateness shall be filed on a form approved by the planning director and shall be accompanied by all required supporting information, as specified in section 599.160.

**599.340. Hearing on application for certificate of appropriateness.** The commission shall hold a public hearing on each complete application for a certificate of appropriateness as provided in section 599.170. The commission may approve, approve with conditions, or deny an application for certificate of appropriateness.

**599.350. Required findings for certificate of appropriateness.** (a) *In general.* Before approving a certificate of appropriateness, the commission shall make findings that the alteration will not materially impair the integrity of the landmark, historic district or nominated property under interim protection and is consistent with the applicable design guidelines adopted by the commission, or if design guidelines have not been adopted, is consistent with the recommendations contained in The Secretary of the Interior's Standards for Rehabilitation, except as otherwise provided in this section.

(b) *Destruction of any property.* Before approving a certificate of appropriateness that involves the destruction, in whole or in part, of any landmark, property in an historic district or nominated property under interim protection, the commission shall make findings that the destruction is necessary to correct an unsafe or dangerous condition on the property, or that there are no reasonable alternatives to the destruction. In determining whether reasonable alternatives exist, the commission shall consider, but not be limited to, the significance of the property, the integrity of the property and the economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses. The commission may delay a final decision for a reasonable period of time to allow parties interested in preserving the property a reasonable opportunity to act to protect it.

**599.360. Certificate of appropriateness conditions and guarantees.** (a) *In general.* Following commission approval of an application, the applicant shall receive a signed certificate of appropriateness and approved plans stamped by the planning director. The applicant shall produce such certificate of appropriateness and plans to the inspections department before a building permit or demolition permit may be issued. The signed certificate of appropriateness and stamped plans shall be available for inspection on the construction site together with any inspections department permit.

(b) *Mitigation plan.* The commission may require a mitigation plan as a condition of any approval for demolition or relocation of a landmark, property in an historic district or nominated property under interim protection. Such plan may include the documentation of the property by measured drawings, photographic recording, historical research or other means appropriate to the significance of the property. Such plan also may include the salvage and preservation of specified building materials, architectural details, ornaments, fixtures and similar items for use in restoration elsewhere.

(c) *Additional conditions and guarantees.* The commission may impose such conditions on any certificate of appropriateness and require such guarantees as it deems reasonable and necessary to protect the public interest and to ensure compliance with the standards and purposes of this chapter.

**599.370. Changes in approved certificate of appropriateness.** (a) *Minor changes.* Minor changes to an approved certificate of appropriateness may be authorized by the planning director where it is determined by the planning director that the changes are not significant and are consistent with the approval made by the commission.

(b) *Other changes.* Changes to an approved certificate of appropriateness other than changes determined by the planning director to be minor shall require amendment to the certificate by the commission. The requirements for application and approval of a certificate amendment shall be the same as the requirements for original approval.

## ARTICLE VII. CERTIFICATE OF NO CHANGE

**599.380. Purpose.** Certificates of no change are established to protect landmarks, historic districts and nominated properties under interim protection by providing the planning director with authority to review and approve or deny all proposed minor alterations to a landmark, property in an historic district or nominated property under interim protection.

**599.390. Certificate of no change required.** Any minor alteration of a landmark, property in an historic district or nominated property under interim protection shall be prohibited except where authorized by a certificate of no change approved by the planning director.

**599.400. Application for certificate of no change.** An application for a certificate of no change shall be filed on a form approved by the planning director and shall be accompanied by all required supporting information, as specified in section 599.160.

**599.410. Decision on application for certificate of no change.** The planning director may approve, approve with conditions, or deny an application for certificate of no change.

**599.420. Required findings for certificate of no change.** Before approving a certificate of no change, the planning director shall determine that the application is consistent with the applicable design guidelines adopted by the commission, or if design guidelines have not been adopted, is consistent with the recommendations contained in The Secretary of the Interior's Standards for Rehabilitation.

**599.430. Certificate of no change conditions and guarantees.** (a) *In general.* After planning director approval, the applicant shall receive a signed certificate of no change and approved plans stamped by the planning director. The applicant shall produce such certificate of no change and plans to the inspections department before a building permit may be issued. The signed certificate of no change and stamped plans shall be available for inspection on the construction site together with any inspections department permit.

(b) *Additional conditions and guarantees.* The planning director may impose such conditions on any certificate of no change and require such guarantees as deemed reasonable and necessary to protect the public interest and to ensure compliance with the standards and purposes of this chapter.

### ARTICLE VIII. HISTORIC RESOURCES

**599.440. Purpose.** This article is established to protect historic resources from destruction by providing the planning director with authority to identify historic resources and to review and approve or deny all proposed demolitions of property.

**599.450. Identification of historic resources.** The planning director shall identify properties that are believed to meet at least one of the criteria for designation contained in section 599.210, but that have not been designated. In determining whether a property is an historic resource, the planning director may refer to building permits and other property information regularly maintained by the director of inspections, property inventories prepared by or directed to be prepared by the planning director, observations of the property by the planning director or any other source of information reasonably believed to be relevant to such determination.

**599.460. Review of demolition permits.** The planning director shall review all applications for a demolition permit to determine whether the affected property is an historic resource. If the planning director determines that the property is not an historic resource, the demolition permit shall be approved. If the planning director determines that the property is an historic resource, the demolition permit shall not be issued without review and approval by the commission following a public hearing as provided in section 599.170.

**599.470. Application for demolition of historic resource.** An application for demolition of an historic resource shall be filed on a form approved by the planning director and shall be accompanied by all required supporting information, as specified in section 599.160.

**599.480. Commission decision.** (a) *In general.* If the commission determines that the property is not an historic resource, the commission shall approve the demolition permit. If the commission determines that the property is an historic resource, the commission shall deny the demolition permit and direct the planning director to commence a designation study of the property, as provided in section 599.230, or shall approve the demolition permit as provided in this section.

b) *Destruction of historic resource.* Before approving the demolition of a property determined to be an historic resource, the commission shall make findings that the demolition is necessary to correct an unsafe or dangerous condition on the property, or that there are no reasonable alternatives to the demolition. In determining whether reasonable alternatives exist, the commission shall consider, but not be limited to, the significance of the property, the integrity of the property and the economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses. The commission may delay a final decision for a reasonable period of time to allow parties interested in preserving the historic resource a reasonable opportunity to act to protect it.

(c) *Mitigation plan.* The commission may require a mitigation plan as a condition of any approval for demolition of an historic resource. Such plan may include the documentation of the property by measured drawings, photographic recording, historical research or other means appropriate to the significance of the property. Such plan also may include the salvage and preservation of specified building materials, architectural details, ornaments, fixtures and similar items for use in restoration elsewhere.

#### ARTICLE IX. HISTORIC VARIANCE

**599.490. Purpose.** This article is established to encourage the preservation and reuse of landmarks and properties in historic districts by providing the commission with authority to recommend departure from the literal requirements of any of the applicable zoning regulations.

**599.500. Application for historic variance.** An application for historic variance shall be filed on a form approved by the planning director and shall be accompanied by all required supporting information, as specified in section 599.160.

**599.510. Hearing on application for historic variance.** The commission shall hold a public hearing on each complete application for historic variance as provided in section 599.170. Following the public hearing, the commission shall make findings with respect to the proposed historic variance and shall submit the same together with its recommendation to the zoning and planning committee of the city council.

**599.520. Required findings for historic variance.** Before recommending approval of a historic variance, the commission shall make findings that the variance is compatible with the preservation of the property and with other properties in the area, and that the variance is necessary to alleviate undue hardship due to special conditions or circumstances unique to the property and not created by the applicant.

**599.530. Historic variance conditions and guarantees.** The commission may impose such conditions on any historic variance and require such guarantees as it deems reasonable and necessary to protect the public interest and to ensure compliance with the standards and purposes of this chapter.

**599.540. City council decision.** The city council shall make the final decision on all historic variances.

**599.550. Changes in approved historic variance.** Changes to an approved historic variance shall require a new application. The requirements for application and approval of a change to a historic variance shall be the same as the requirements for original approval.

#### ARTICLE X. TRANSFER OF DEVELOPMENT RIGHTS

**599.560. Purpose.** This article is established to encourage the preservation and rehabilitation of landmarks and properties in historic districts by providing the commission with authority to recommend the transfer of undeveloped floor area from sites containing landmarks or located within an historic district, to other sites.

**599.570. Eligible areas.** The transfer of development rights shall be limited to transfers from sending sites located in zoning districts other than the downtown districts, to receiving sites located in the same historic district as the sending site or within one-fourth (1/4) mile of the sending site, whichever is greater. However, nothing in this article shall be construed to provide a property owner with any property right or other legal right to compel the city to approve an application for transfer of development rights.

**599.580. Application for transfer of development rights.** An application for transfer of development rights shall be filed on a form approved by the planning director and shall be accompanied by all required supporting information, as specified in section 599.160.

**599.590. Hearing on application for transfer of development rights.** The commission shall hold a public hearing on each complete application for transfer of development rights as provided in section 599.170. Following the public hearing, the commission shall make findings with respect to the proposed transfer of development rights and shall submit the same together with its recommendation to the zoning and planning committee of the city council.

**599.600. Required findings for transfer of development rights.** Before recommending approval of a transfer of development rights, the commission shall make findings that the transfer is compatible with other properties in the area, and that the transfer is necessary to alleviate financial hardship due to restrictions placed on the use of the sending site by the commission.

**599.610. Transfer of development rights conditions and guarantees.** (a) *In general.* Any approval of an application for transfer of development rights shall be subject to the following conditions:

- (1) The maximum amount of undeveloped floor area that may be transferred from the sending site shall be the difference between the gross floor area of development on the sending site and the maximum gross floor area permitted by the zoning district regulations.
- (2) The development potential of the sending site shall be reduced by the amount of undeveloped floor area transferred for the life of the principal structure on the receiving site whose construction is made possible by the transfer.
- (3) The transfer of development rights shall not result in the destruction of a landmark or historic resource on the receiving site.
- (4) The approval of the transfer of development rights shall be filed by the applicant with the Office of the Hennepin County Recorder or Registrar of Titles in the form of a conservation easement or similar restriction acceptable to the city which shall specify the amount of undeveloped floor area transferred to the receiving site and the reduction in the development rights of the sending site.
- (5) No building permit or other approval for the construction or establishment of transferred development rights on the receiving site shall be granted by the city until the structure on the sending site has been rehabilitated consistent with the applicable design guidelines adopted by the commission, or if design guidelines have not been adopted, consistent with the recommendations contained in The Secretary of the Interior's Standards for Rehabilitation, if necessary, or until a plan for such rehabilitation has been submitted to and approved by the commission.

(b) *Additional conditions and guarantees.* The commission may impose such conditions on any transfer of development rights and require such guarantees as it deems reasonable and necessary to protect the public interest and to ensure compliance with the standards and purposes of this chapter.

**599.620. City council decision.** The city council shall make the final decision on all transfers of development rights.

**599.630. Changes in approved transfer of development rights.** Changes to an approved transfer of development rights shall require a new application. The requirements for application and approval of a change to a transfer of development rights shall be the same as the requirements for original approval.

## ARTICLE XI. MAINTENANCE

**599.640. Purpose.** This article is established to ensure that landmarks, historic districts and nominated properties under interim protection are properly maintained and protected against deterioration.

**599.650. Duty to maintain.** All landmarks, properties in historic districts, nominated properties under interim protection and historic resources shall be kept in a state of maintenance and repair as required by Title 5 of the Minneapolis Code of Ordinances, Building Code, and Title 12 of the Minneapolis Code of Ordinances, Housing, and with all other applicable regulations.

**599.660. Prevention of deterioration.** No person with a legal or equitable interest in a landmark, property in an historic district or nominated property under interim protection, whether occupied or not, shall permit the property to fall into a serious state of disrepair or to remain in a serious state of disrepair so as to materially impair the integrity of the property or historic district.

## ARTICLE XII. ENFORCEMENT

**599.670. Purpose.** This article is established to ensure that the requirements of this chapter are enforced in accordance with the procedures set forth herein.

**599.680. Complaints regarding violations.** The director of inspections shall have the authority to investigate any complaint alleging a violation of this chapter or the conditions of any approval granted pursuant to this chapter, and to take such action as is warranted in accordance with the procedures set forth herein and with all other applicable regulations.

**599.690. Procedures upon discovery of violations.** (a) *In general.* The director of inspections, in consultation with the planning director, shall provide a written notice to the property owner or to any person responsible for such violation, identifying the property in question, indicating the nature of the violation, and ordering the action necessary to correct it, including a reasonable time period to remedy the violation. Where the violation involves work being done contrary to the provisions of this chapter, the director of inspections may order the work stopped. No further work shall be undertaken while a stop-work order is in effect.

(b) *Appeals to commission.* Where the violation involves a condition of approval granted pursuant to this chapter, or an unauthorized alteration or minor alteration of a landmark, property in an historic district, nominated property under interim protection or historic resource, or other provision of this chapter except a violation of Title 5 of the Minneapolis Code of Ordinances, Building Code, or Title 12 of the Minneapolis Code of Ordinances, Housing, the written notice shall advise that the director of inspection's order may be appealed to the commission in accordance with the provisions of section 599.180.

**599.700. Penalties and remedies for violations.** (a) Violations of the provisions of this chapter or the conditions of any approval granted thereunder shall be punishable as stated in section 1.30 of the Minneapolis Code of Ordinances.

(b) This chapter may also be enforced by injunction, abatement or any other appropriate remedy in any court of competent jurisdiction.

(c) Each day that any violation continues after notification by the director of inspections that such violation exists shall be considered a separate offense for purpose of the penalties and remedies specified in this section.

(d) Any one, all, or any combination of the foregoing penalties and remedies may be used to enforce this chapter.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Ordinance 2001-Or-030, repealing Title 2, Chapter 34 of the Minneapolis Code of Ordinances relating to *Administration: Heritage Preservation Commission* was passed March 2, 2001 by the City Council and approved March 7, 2001 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 2001-Or-030**

**By McDonald**

**Intro & 1st Reading: 11/22/2000**

**Ref to: Z&P**

**2nd Reading: 3/2/2001**

**Repealing Chapter 34 of Title 2 of the Minneapolis Code of Ordinances relating to Administration: Heritage Preservation Commission.**

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

Section 1. That Chapter 34 of the above-entitled ordinance be and is hereby repealed:

**CHAPTER 34. HERITAGE PRESERVATION COMMISSION**

~~34.10. Established; membership. There is hereby created, pursuant to Laws 1971, Chapter 128, and subject to the limitation on powers of the commission therein, a Minneapolis Heritage Preservation Commission which shall consist of ten (10) members, eight (8) to be citizens of Minneapolis appointed by the Minneapolis city council, one to be designated by the committee on urban environment, and one to be designated by the Hennepin County Historical Society.~~

~~The eight (8) members of the commission to be appointed by the city council shall be selected from a list of nominees solicited from the Minnesota Society of Architects, the Minnesota Society of Landscape Architects, the Minnesota Society of Professional Engineers, the Hennepin County Bar Association, the Minnesota Chapter of American Institute of Planners, business, labor and other civic groups. The list of suggested nominees shall be reviewed by a committee consisting of three (3) members of the city planning commission and three (3) members of the committee on urban environment who will recommend nominees to the city council.~~

~~The city council shall designate three (3) appointees to serve a term expiring June 1, 1973, three (3) appointees to serve a term expiring June 1, 1974, and two (2) appointees to serve a term expiring June 1, 1975. All subsequent appointments shall be for a term of three (3) years. In the event of a vacancy, the vacancy for the unexpired term shall be filled in the same manner as the appointment is made. Members shall serve without compensation and shall continue to hold office until their successors have been appointed and qualified.~~

~~34.20. Organization. The commission, when formed, shall elect from among its members, such officers as it may deem necessary. The city attorney shall be ex officio the attorney for said commission. The commission shall have the power to designate and appoint from among its members various committees with powers and duties consistent with the powers and duties of the commission. The commission shall make such rules and regulations as it may deem advisable and necessary for the conduct of its affairs, for the purpose of carrying out the intent of this chapter, which are not inconsistent with the laws of the city and the state. The commission shall meet at least quarterly, but meetings may be held at any time by the commission on written request of any of the members, or on call of the president of the city council or the mayor of the city. The commission shall make annual reports to the mayor and the city council, containing a statement of its activities. Recommendations may be made by the commission to the city council at any time.~~

~~34.30. Staff. The city, through the city planning department, shall provide the commission with adequate staff to perform the duties prescribed under this chapter.~~

~~34.40. Powers and duties. The commission shall recommend to the city council buildings (including interiors where appropriate), lands, areas or districts to be designated or described for heritage preservation in the city as follows:~~

- ~~(a) The commission shall direct the city planning department, in cooperation with the director of inspections, to prepare studies which would catalogue buildings, lands, areas or districts to be considered for heritage preservation.~~
- ~~(b) This report shall be referred to the city planning commission for review and recommendation to the heritage preservation commission.~~
- ~~(c) The heritage preservation commission shall review the reports of the city planning commission and then make its recommendations to the city council. Prior to making its recommendations to the city council, every proposal of designation by the heritage preservation commission shall be sent to the Minnesota Historical Society for review and comment in writing within sixty (60) days.~~
- ~~(d) The commission shall have authority to solicit gifts and contributions to be made to the city and to assist in the preparation of applications for grant funds to be made to the city for the purpose of heritage preservation.~~
- ~~(e) For every building or district designated for heritage preservation the commission shall prepare a guideline for utilization of the property to guide the commission's review of permits pursuant to section 34.60. The commission's guidelines shall not be binding upon the council in its review of a commission decision unless adopted by the council.~~

- (f) The commission shall make no application to the National Register without the consent of the city council.
- ~~(g) The commission shall also review and approve or disapprove city permit applications in the St. Anthony Falls historic district designated pursuant to Minnesota Statutes, Sections 138.71 through 138.75 in the manner provided in section 34.60.~~
- ~~(h) The commission shall not have authority to adopt special zoning conditions, regulations governing construction, alteration, demolition or use, or any other measures, except subject to the approval by the council of such measures and their incorporation as amendments to the zoning code.~~

**34.50. Designation of particular buildings or areas.** ~~The city council shall by ordinance or resolution designate or describe the specific buildings (including interiors where appropriate), lands, areas or districts to be preserved in the city for heritage preservation. Prior to such designation a committee of the city council shall hold a public hearing, notice of which shall have been published in a newspaper of general circulation at least ten (10) days prior to the date of hearing and notice shall be sent to all property owners within two hundred (200) feet of the boundary of the area to be designated or described, including the owners of property within the area of the property to be designated or described.~~

**34.60. Review of permits.** ~~(a) The commission shall review and approve or disapprove the issuance of city permits to do any of the following in a building or area or district designated for heritage preservation in the city:~~

- ~~(1) Remodel or repair in any manner that will change the exterior appearance and/or interior where designated.~~
- ~~(2) Move a building.~~
- ~~(3) Destroy a building in whole or in part.~~
- ~~(4) Change the nature or appearance of a preserved area.~~
- ~~(b) Prior to approval or disapproval of a permit, the commission shall hold a public hearing, notice of which shall have been published in a newspaper of general circulation, and notice sent to all property owners within two hundred (200) feet of the affected property. Every application for a building permit in relation to property designated for heritage preservation in the city shall be accompanied by plans for the proposed work to be done. Such plans shall be immediately referred by the director of inspections to the heritage preservation commission, and the director of inspections shall not issue permits in regard to that application until receiving a report from the heritage preservation commission. In the event that the director of inspections certifies to the commission that the destruction of a building or structure subject to this chapter is necessary to protect the public safety, an expedited public hearing may be held without providing notice which is otherwise required by this subdivision.~~
- ~~(c) The commission shall review such plans and shall render its decision thereon as a written order to the director of inspections.~~
- ~~(d) If the commission shall have disapproved the plans, the director of inspections shall not issue such permit.~~
- ~~(e) The commission shall furnish the applicant with a copy of the commission's written order and decision, together with a copy of any recommendations for changes necessary to be made before the commission will reconsider the applicant's plan.~~
- ~~(f) If no action upon the plan submitted to the commission has been taken at the expiration of forty-five (45) days from the date of application for a building permit, and submission of plans, such plans shall have been deemed to be approved, and if all other requirements of the city have been met, the director of inspections shall authorize a permit for the proposed building.~~
- ~~(g) Any person having an interest in property affected by an order of the commission shall, within twenty (20) days after date of the receipt of the commission's order and decision, have a right to appeal such order to the city council for review.~~

**34.70. Findings prerequisite to approval.** ~~Before approving plans for any proposed building located or to be located in a district, the commission shall make findings in regard to the following:~~

- ~~(a) In the case of a proposed alteration or addition to an existing building, that such alteration or addition will not materially impair the architectural or historic value of the building, and shall~~

~~make written findings considering the existing structures and existing exterior appearance, building height, building width, depth or other dimensions, roof style, type of building materials, ornamentation, paving setback and color.~~

- ~~(b) In the case of the proposed demolition of a building, prior to approval of said demolition the commission shall make written findings on the following: Architectural and historical merit of building, the effect on surrounding buildings, the effect of any new proposed construction on the remainder of the building (in case of partial demolition), and on surrounding buildings, the economic value or usefulness of the building as it now exists, or if altered or modified in comparison with the value or usefulness of any proposed structures designated to replace the present building or buildings.~~
- ~~(c) In the case of a proposed new building that such building will not in itself, or by reason of its location on the site, materially impair the architectural or historic value of buildings on adjacent sites or in the immediate vicinity within the preservation district.~~
- ~~(d) In the case that the commission has made the necessary findings that buildings, lands, areas or districts cannot be preserved without acquisition, the commission shall recommend to the city council that the property in question be acquired by gift, by negotiation or by eminent domain as provided for in Chapter 117 of the Minnesota Statutes.~~
- ~~(e) If the commission has found that buildings, lands, areas or districts designated as preservation sites cannot be preserved unless funds are made available to the owner of property designated for preservation through the sale or lease of undeveloped potential of the preserved site to adjoining private property not designated for preservation, the commission then may recommend to the city council that the floor area that would normally be allowed to be constructed on the designated property, which is in excess of the actual development thereon, may be assigned to the adjoining property and the additional floor area constructed there. The commission may also recommend to the city council variations of use from those permitted by the zoning ordinance which are compatible with the improvements on the property and to other properties in the area when the commission finds that such variances are necessary to alleviate financial hardship placed upon the owner of designated properties by orders of the commission.~~

~~**34.80. Repository for documents.**—The Minneapolis public library is designated as the repository for the following documents which shall be supplied to it by the commission:~~

- ~~(a) At least one copy of all studies, reports, recommendations and programs required under section 34.40.~~
- ~~(b) At least one copy of plans required under section 34.60.~~
- ~~(c) At least one copy of plans of buildings destroyed in an area or district designated for heritage preservation under this chapter.~~

~~**34.90. Recording of designated areas.**—The city clerk shall record with the Hennepin County register of deeds or the Hennepin County registrar of titles the legal description of all buildings, lands or areas designated for historical preservation by the city council.~~

~~Adopted. Yeas, 12; Nays none.~~

~~Absent - Colvin Roy.~~

~~Passed March 2, 2001. J. Cherryhomes, President of Council.~~

~~Approved March 7, 2001. S. Sayles Belton, Mayor.~~

~~Attest: S. Ristuben, Asst City Clerk.~~

**Z&P** - Your Committee, having under consideration the appeal of Roger Aronson from the decision of the Board of Adjustment denying a variance to reduce the north side yard setback from 6 ft to 3 ft 6 in to permit a 6 ft by 21 ft, one-story addition on the north side of the dwelling at 4852 Emerson Av S (V-0383), and having conducted a public hearing thereon, now recommends that the variance be granted notwithstanding the decision of the Board of Adjustment. (Petn No 266724)

Adopted. Yeas, 8; Nays, 4 as follows:

Yeas - McDonald, Herron, Johnson, Thurber, Campbell, Biernat, Niland, Cherryhomes.

Nays - Mead, Lane, Ostrow, Goodman.

Absent - Colvin Roy.

Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**Z&P** - Your Committee, having under consideration the application of CEI Engineering on behalf of AutoZone, Inc (W-0015) for a waiver from the moratorium on the establishment, reestablishment or expansion of any commercial or industrial use along W Broadway Av from City Limits on the west to the intersection of W Broadway and Girard Avs on the east, extending 150 feet on each side of the center line of W Broadway, and including the area bounded by a 1/4 mile radius around the intersection of W Broadway and Penn Av (introduced in Council November 22, 2000 and anticipated to be passed March 2, 2001), to construct and operate a retail auto parts store at 2220 W Broadway, and having conducted a public hearing thereon, now recommends that the application be denied. (Petn No 266726)

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**Z&P** - Your Committee, having under consideration the appeal of the Banyan Foundation from the decision of the Planning Commission granting a variance relating to 2528 16th Av S of the required number of parking spaces from 4 to 3 spaces (V-0395), but which, on appeal, Banyan Foundation seeks to have reduced to zero required parking spaces, and having conducted a public hearing thereon, now recommends that said appeal be granted, upon the following findings and condition: variance of the parking requirement to zero on-site parking spaces for the proposed use of the property--as office, meeting and activity space related to children and family programs for children and families from the surrounding neighborhood--is not likely to generate congestion on the public streets; however, in order to protect adjacent properties from the potential increase in congestion that could result from other office-type uses, the variance is only valid so long as the applicant's proposed use of the property continues and will be void upon a change of use of the property. (Petn No 266725)

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**Z&P** - Your Committee, having under consideration the appeal of Douglas and Martha Head from the decision of the Board of Adjustment denying a variance to reduce the front yard setback at 1616 W 22nd St from 20 ft to 10 ft to permit a 12 ft 9 in x 12 ft 9 in, one-story entry vestibule and portico with a second floor balcony (V-0402), and having conducted a public hearing thereon, now recommends that the variance be granted, notwithstanding the Board of Adjustment decision. (Petn No 266724)

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**Z&P** - Your Committee, having under consideration the application of Goodwill Easter Seals for an interim use permit (I-6) to permit an automotive skills training program at 4630 E Lake St for one year, and having conducted a public hearing thereon, now recommends adoption of the findings set forth in Petn No 266725 and approval of said application upon the following conditions:

1. The applicant shall be subject to development standards for automobile convenience facilities (1), (2) and (4) and to development standards for automobile repair (1) and (2) set forth in Section 536.20 of the Minneapolis Code of Ordinances, as follows:

- a. Automobile facilities (1), specifically, the sale of vehicles is prohibited.
  - b. Automobile facilities (2), specifically, the use shall employ the best management practices regarding the venting of fumes, odors and gas. The vents shall be located a minimum of 10 ft above grade and shall be directed away from residential uses.
  - c. Automobile facilities (4), specifically, the premises, all adjacent streets, sidewalks and alley within 100 feet shall be inspected regularly for purposes of removing any litter.
  - d. Automobile repair (1), specifically all vehicles waiting for repair or pick-up shall be stored on the site within an enclosed building.
  - e. Automobile repair (2), all repairs shall be performed within a completely enclosed building.
  2. Signs shall meet the standards listed in Table 543-2 of the Minneapolis Code of Ordinances and shall be reviewed and approved by the Planning Department.
  3. Hours of operation at the site will be from 9:00 a.m. to 5:00 p.m., Monday through Friday.
  4. Any solvents or chemicals generated on site shall be handled properly and removed by a licensed recycler.
  5. Outdoor storage of parts and/or vehicles is prohibited.
  6. The applicant shall be subject to Sections 535.600 through 535.680 of the Minneapolis Code of Ordinances, which address the concerns of glare and heat, vibration, noise, odor emissions, air emissions, explosive and flammable materials, hazardous materials, and the direct discharge of waste and water pollution.
  7. The applicant shall be subject to Table 548-1 of the Minneapolis Code of Ordinances, specifically the use of the car wash is prohibited.
  8. Access into and out of the building from Dorman Av is prohibited.
  - 9 The interim use permit shall expire on February 20, 2002.
- Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**Z&P** - Your Committee, having under consideration the application of Simpson Housing Services for an interim use permit (I-5) for an overnight shelter accessory to a church for up to 20 women at 1900 11th Av S for one year, and having conducted a public hearing thereon, now recommends adoption of the findings set forth in Petn No 266725 and approval of said application upon the following conditions:

1. The interim use shall expire on April 15, 2002.
  2. At the end date of the interim use, the applicant must either a) cease operation of the shelter, b) apply for a conditional use permit to operate the shelter, or c) apply for an extension of the interim use permit.
  3. The shelter shall be limited to 20 occupants.
- Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**Z&P** - Your Committee recommends granting the following applications for special permits:

- a. Conga Latin Bistro: Application to install one 40 sq ft projecting neon sign, with the words Conga Latin Bistro, at 501 E Hennepin Av, for temporary usage until the variance for the permanent sign is approved, notwithstanding the Zoning Code. (2001-006)
- b. Paul Ferguson: Application to allow one portable, off-premise, two-sided, advertisement/menu board sign, no more than 5 ft high and 32 sq ft, not to be illuminated and not to encroach on City-owned right-of-way, at 4601 Minnehaha Av from Feb 10, 2001 to Nov 1, 2001, notwithstanding the Zoning Code. (2001-008)
- c. Mark Favre for Planet Games: Application to construct a blade sign, 36" round and 7" in diameter, at 1406 W Lake St, notwithstanding the Building Code. (2001-011)

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

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

Nays - Lane.

Declining to Vote - Ostrow.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**Z&P** - Your Committee, having conducted a public hearing on the question of whether to revoke Site Plan Review Permit SP-1096 issued to Tires For Less, 3011 3rd Av S, on grounds that Tires For Less failed to submit the required performance bond, and your Committee having forwarded a recommendation to revoke the permit to the PS&RS Committee, and Tires For Less since having submitted the required bond; now clarifies that the Z&P Committee rescinds its recommendation to revoke.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. 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 April 2001 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Campbell introduced the subject matter of an Ordinance amending the Minneapolis Code of Ordinances, Title 20, Chapter 551, relating to *Zoning Code: Overlay Zoning Districts*, amending Section 551.160, Dinkytown Area, related to rebuilding or replacing existing Fast Food Restaurants with Drive-Through Facilities, which was given its first reading and referred to the Zoning & Planning Committee.

Campbell moved:

a) that the report of the Citizens Advisory Committee (C-17 Committee) relating to a baseball park in Minneapolis, such committee created pursuant to City Council Resolution 2000R-290, be received and filed and that staff be directed to form a staff working group consisting of the Planning Department, Finance Department, Minneapolis Community Development Agency, Public Works and other staff as required;

b) that the working group review the report of the C-17 Committee and report to the City Council by March 26, 2001 on the feasibility of the report's recommendations, including site considerations; and

c) that the City Council expresses its appreciation to the C-17 Committee members, to New Ballpark Inc., and to others in our community who participated in this examination of major league baseball in Minneapolis for their hard work, dedication and contributions to the report. Seconded.

Niland moved to amend the motion by adding the following language as a second paragraph in Item "a":

"The City Council gives this direction to the working group: Any stadium must be completely privately funded, and the Twins must take the lead in developing that private funding plan." Seconded.

Biernat moved to amend the Niland motion by substituting the following language as a second paragraph in Item "a":

"The City Council reminds the working group of City Charter limitations with regard to the City's financial contribution." Seconded.

The Biernat substitute motion lost.

Yeas, 6; Nays, 6 as follows:

Yeas - Lane, Johnson, Ostrow, Campbell, Biernat, Cherryhomes.

Nays - McDonald, Mead, Herron, Thurber, Niland, Goodman.

Absent - Colvin Roy.

The Niland motion lost.

Yeas, 3; Nays, 9 as follows:

Yeas - McDonald, Niland, Goodman.

Nays - Mead, Lane, Herron, Johnson, Thurber, Ostrow, Campbell, Biernat, Cherryhomes.

Absent - Colvin Roy.

Niland moved to divide the motion so as to consider separately that portion relating to Item "c".  
Seconded.

Adopted by unanimous consent.

The balance of the motion was adopted.

Yeas, 11; Nays, 1 as follows:

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

Nays - Niland.

Absent - Colvin Roy.

Passed March 2, 2001.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Campbell moved:

c) that the City Council expresses its appreciation to the C-17 Committee members, to New Ballpark Inc., and to others in our community who participated in this examination of major league baseball in Minneapolis for their hard work, dedication and contributions to the report. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Passed March 2, 2001.

Attest: S. Ristuben, Asst City Clerk.

## **RESOLUTIONS**

Niland, Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Goodman, Herron, Thurber, McDonald, Mead, Colvin Roy and Lane offered a Resolution honoring Ramankutty Kannankutty for his many years of service to the City of Minneapolis.

(Not Published. See Resolution 2001R-088 on file in the office of the City Clerk.)

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

### **RESOLUTION 2001R-088**

**Recognizing the contributions of Ramankutty Kannankutty to the City of Minneapolis during his career with the Department of Public Works.**

Whereas, Kutty has devoted 31 years working as an engineer for the Minneapolis Department of Public Works; and

Whereas, Kutty has played a major role in the development and funding of many bridge projects over the past three decades; and

Whereas, Kutty has been instrumental in developing and maintaining a very successful working relationship with the Minnesota Department of Transportation State Aid Office; and

Whereas, Kutty has developed a vast network of professional relationships through which he has very successfully played "Let's Make a Deal," much to the City's financial advantage in any number of instances; and

Whereas, Kutty played such a significant role in the development and construction of the Mn/DOT University Avenue N.E./ St. Anthony Boulevard bridge and roadway project that a storm water retention pond that was developed as part of this project was officially named by Mn/DOT as Kutty Waters; and

Whereas, Kutty throughout his entire career has been involved and worked on the planning, development and ultimate construction of the Hiawatha Avenue Corridor and because of Kutty's significant contributions and involvement in facilitating this project, the City of Minneapolis Public Works Department recently received the Seven Wonders of Engineering Award (one of those Seven Wonders being the famed Kutty's Crossing at Hiawatha and Lake) from the Minnesota Society of Professional Engineers for the Hiawatha Avenue project; and

Whereas, Kutty has served the Department of Public Works in many leadership roles including the past 13 years as Director of Engineering Services; and

Whereas, Kutty's conduct as a Professional Engineer has been exemplary and serves as an example to all of how to provide outstanding service to the community; and

Whereas, Kutty was always available above and beyond the call of duty to assist with the planning and logistics of large Indian weddings, provide Tamil and Hindi interpretive services and discuss the merits of local Indian restaurants;

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

That Ramankutty Kannankutty be recognized and commended for the service and leadership he has provided to the City of Minneapolis.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 8, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

McDonald, Ostrow, Biernat, Cherryhomes, Niland, Thurber, Campbell, Johnson, Goodman, Herron, Mead, Colvin Roy and Lane offered a Resolution honoring Ed Virnig for his many years of service to the City of Minneapolis.

(Not Published. See Resolution 2001R-089 on file in the office of the City Clerk.)

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

#### **RESOLUTION 2001R-089**

#### **Declaring that the City of Minneapolis honor Ed Virnig for 32 years of dedicated service to the Zoning Division and the people of Minneapolis.**

Whereas, Ed Virnig has been an encyclopedia of knowledge about the 1963 and 1999 Zoning Codes; and

Whereas, he has taught the intricacies of these Codes to numerous Zoning Inspectors, Council Members, Council Assistants and other City Staff; and

Whereas, he has compiled a history of the Zoning Code so that future City Staff will benefit from his experience; and

Whereas, Ed Virnig has provided an infinite number of residents and developers with assistance in building garages, houses, opening businesses, working along with them on parking requirements and other conditions germane to successfully meet zoning standards; and

Whereas, his goal has been to find ways to use the Zoning Code to make any project in his charge an asset to the City and its neighborhoods;

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

That the City of Minneapolis congratulates and thanks Ed Virnig for 32 years of exemplary service and wishes him luck in his well-earned retirement.

Adopted. Yeas, 12; Nays none.  
Absent - Colvin Roy.  
Passed March 2, 2001. J. Cherryhomes, President of Council.  
Approved March 7, 2001. S. Sayles Belton, Mayor.  
Attest: S. Ristuben, Asst City Clerk.

**RESOLUTION 2001R-090**  
**By Johnson**

**Authorizing Zoning Permits for Humboldt Greenway Model Homes.**

Whereas, the Planning Commission approved Phase 1a of the Humboldt Greenway on June 19<sup>th</sup>, 2000; and

Whereas, the subdivision plat for the Humboldt Greenway Second Addition has been filed with Hennepin County; and

Whereas, development plans for Phase 1a have been reviewed by staff from appropriate City departments; and

Whereas, the developer of the Humboldt Greenway has outstanding building permit applications for two model homes on Lots 1 and 2 of Block 1 of the Humboldt Greenway Second Addition; and

Whereas, the developer wishes to increase the front yard setbacks of the model homes from 25 to 30 feet; and

Whereas, Planning staff have reviewed the proposed setback changes and do not find this change inconsistent with best planning practices and the urban design goals of the Humboldt Greenway;

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

That staff be directed to issue zoning permits for Lots 1 and 2 of Block 1 of the Humboldt Greenway Second Addition;

Be It Further Resolved that City staff shall immediately circulate, review and obtain staff authorization of final plan sets for the balance of Humboldt Greenway Phase 1a, so that additional building permits may be obtained;

Be It Further Resolved that this resolution shall not supercede other City development and Public Works standards or elements of Planning Commission approval.

Adopted. Yeas, 12; Nays none.

Absent - Colvin Roy.

Passed March 2, 2001. J. Cherryhomes, President of Council.

Approved March 7, 2001. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

**UNFINISHED BUSINESS**

Auto Care Inc (5000 34<sup>th</sup> Av S): Revoke Motor Vehicle Repair Garage License for failure to complete the site plan review process. (Postponed 9/29/2000, PS&RS)

Biernat moved to continue postponement. Seconded.

Adopted upon a voice vote.

Minneapolis Professional Employees Association Strike Contingency Plan: Approval to set contingency vendors; Authorize execution of amendments to contracts with Labyrinth, Management Systems Solutions, and On-Demand Group, increasing each contract by \$250,000; Direction to Information and Technology Services Department to return to Committee for appropriation approval based on actual need. (Postponed 1/19/2001, W&M/Budget)

Campbell moved to continue postponement. Seconded.

Adopted upon a voice vote.

**NEW BUSINESS**

McDonald introduced Ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code: Regulations of General Applicability*, which was given its first reading and referred to the Zoning & Planning Committee (Amending Section 535.90, Table 535-1, 535.420, 535.590, re deleting minimum gross floor area for rooming units, clarifying principal entrance & window requirements, amending permitted obstructions in required yards, amending fence height regulations, amending lighting regulations).

McDonald and Campbell introduced an Ordinance amending Title 20, Chapter 549 of the Minneapolis Code of Ordinances relating to *Zoning Code: Downtown Districts*, which was given its first reading and referred to the Zoning & Planning Committee (Amending Sections 549.220 & 549.230 & Table 549-4, adding energy efficiency maximization to floor area ratio premiums).

Adjourned.

STEVEN J. RISTUBEN,  
Assistant City Clerk.