

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF MAY 16, 2003

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Council Chamber
350 South 5th Street
Minneapolis, Minnesota
May 16, 2003 - 9:30 a.m.

Council President Ostrow in the Chair.

Present - Council Members Samuels, Johnson, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Lane, President Ostrow.

Absent - Colvin Roy.

Lilligren moved acceptance of the minutes of the special meeting held April 29 and the regular meeting held 5/2/03. Seconded.

Adopted upon a voice vote.

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

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (268775)

Focus Minneapolis Initiative: Receive & File status report.

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (268776)

Multi-Family Program: Approve funding for various projects & appropriate Chapter 595 Levy Funds.

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (268777)

Southeast Minneapolis Industrial (SEMI) Area Phase 4 Tax Increment Finance Plan: Resolution adopting Modification #1, extending TIF District for 6 years for the Metal Coatings/Lewis Bolt Project.

Village at St. Anthony Falls Project: Modification of Minimum Assessment Agreement for Block 3 of project (formerly known as St. Anthony East Bank Village Project).

Guthrie Theater Project: Issue Request for Proposals for development of Parcel E "liner" parcel.

COORDINATOR (268778)

City Development-Related Boards: Eliminate Real Estate Advisory Board.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (268779)

NRP Funds for Near North/Willard Hay Neighborhoods: Approve use of \$60,000 from Minneapolis Schools' "second 7.5%" funds for improvements to Hall Community School Playground.

NRP Funds for Standish Ericsson Neighborhood: Approve use of \$13,000 from Hennepin County's "second 7.5%" funds to support Nokomis Healthy Seniors Program.

HEALTH AND HUMAN SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES (268780)

Adolescent Health and School Based Clinics: Overview of issues in Minneapolis.

Immunization Rates for Children in Minneapolis: Recognition of Certificate received from Minnesota Department of Health for making significant improvements in immunization rates for children by age 24 months.

HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (268781)

City of Minneapolis Principles to address the Health & Human Development Needs of City Residents: Resolution authorizing establishment of a panel of community leaders and residents to assess the health and human development delivery systems of Minneapolis, and develop recommendations to the Mayor, Minneapolis City Council and Hennepin County Board regarding structure, accountability, funding and governance; and adopting Guiding Principles as a framework to guide the work of the panel.

INTERGOVERNMENTAL RELATIONS (See Rep):

GRANTS AND SPECIAL PROJECTS (268782)

Hennepin County's Homeless Overflow Shelter Policy: Letter expressing City's concerns regarding closure of shelters in summer months.

PUBLIC SAFETY AND REGULATORY SERVICES:

ATTORNEY (268783)

Nuisance Night Court: Report on livability offenses - additional court options.

LICENSES AND CONSUMER SERVICES (268784)

Olson Paint and Auto Body (3710 Minnehaha Av): Consider revocation of Additional Lot Motor Vehicle Used Car Dealer License for failure to complete site plan review process.

REGULATORY SERVICES (268785)

One Stop Shop: Report.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

INSPECTIONS DEPARTMENT (268786)

Plumbers/Gasfitters Exam: Ordinance amending Title 13, Chapter 278 of Code accommodating a newly developed, computer-based test for construction trades, including plumber/gasfitter.

Rental Dwelling License at 2211 Bryant Av N: Approve reinstatement of license to be held by Edward Botsio.

Rental Dwelling License at 1008 21st Av N: Concur with Rental Dwelling License Board of Appeals to revoke license held by Ryan Comer.

LICENSES AND CONSUMER SERVICES (268787)

CAO Auto Body & Repair (3013 Pillsbury Av S): Grant Motor Vehicle Repair Garage License, subject to conditions.

Minnesota Food Market (201 W Lake St): Grant Grocery License, subject to conditions.

Licenses: Applications.

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

POLICE DEPARTMENT (268788)

National Night Out: Approve block event permit fees.

Youth Access to Alcohol: Amend grant agreement with Minnesota Department of Public Safety to accept additional \$3,900 to further City efforts to reduce youth access to and consumption of alcohol; and Approve appropriation to Police Department and Health & Family Support.

TAXES (BOARD OF EQUALIZATION), INTERGOVERNMENTAL RELATIONS, TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

CITY CLERK (268810)

2003 Board of Equalization: Special Board of Review report, tax court activity, and value & tax capacity history and projections.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (268789)

Minnstat Pilot: Review of Snow Emergency Operations 2002 - 2003: Receive and File.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

CITY CLERK/SPECIAL PERMITS (268790)

Lake St between 2nd & 5th Avs (Sabri Properties) booths (See report of 5/2/03).

PUBLIC WORKS AND ENGINEERING (268791)

2003 Minneapolis Storm Water Management Program and Annual Report: National Pollutant Discharge Elimination System (NPDES) Permit #MN0061018.

Parking at 11th & Harmon Ramp: Resolution authorizing negotiate & execute of the first lease amendment & agreements.

Pipeline License Agreement with Burlington Northern & Santa Fe Company: Authorize agreement for a 12-inch water main for Stone Arch Lofts Project.

6024 Harriet Av S Site: Authorize change order #2 with CM Construction Company, Inc for facility & site improvements.

Nicollet Av Lighting Project (46th St to Minnehaha Parkway Bridge): a) Resolution designating location and improvements; b) Direct City Engineer to prepare a proposed assessment against list of benefited properties by applying street influence zone method; and the City Clerk to give notice of a public hearing; and c) Designating project area as Street Lighting District #1301 and directing City Clerk to give notice of a public hearing.

Alley Reconstruction Project: a) Resolution designating the location & improvement; and b) Receive cost estimate and the list of benefited properties and directing City Clerk to give notice of a public hearing.

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

PUBLIC WORKS AND ENGINEERING (268792)

38th St E Reconstruction Project: a) Resolution ordering the City Engineer to proceed and do the work and adopt special assessments; b) Requesting Board of Estimate and Taxation to issue and sell assessment bonds; and c) Ordering the City Engineer to abandon and remove the areaways in the public street right-of-way that is in conflict with the project.

Bids: a) OP #6044, low bid of Martin Marietta Materials for an estimated annual expenditure of \$90,025; b) OP #6049, low bid of Fischer Sand & Aggregate, Martin Marietta Materials, and Aggregate Industries, for fine aggregate and/or mineral filler through 5/12/04; and c) OP #6090, low bid of Lexis Systems Inc of \$27,593 for pay by space machines.

Hilltop 34 million-gallon Reservoir Project: Resolutions a) Reallocating \$3,500,000 in funds; and b) Amending 2002R-481 requesting the issuance and sale of bonds, to reflect the reallocation.

Opus Ramp - Rock Properties: Authorize termination of the Clarel Agreement and negotiate new easement and operating agreement starting 1/1/03 for a portion of the skyway between the Government Center Municipal Parking Ramp and Hennepin County Government Center.

WAYS AND MEANS BUDGET:

MAYOR (268793)

Mayor's Contingency Fund: Accounting for the period of 11/6/2001 to 12/31/2002.

PUBLIC WORKS AND ENGINEERING (268794)

Nicollet Mall 2004 Operating Budget: Set hearing.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (268795)

Legal Settlement: Claim of Mohamed Hassan.

CITY CLERK (268796)

Block Events: Modifications to block event process.

COUNCIL MEMBER SCHIFF (268797)

Immigration & Naturalization Services (INS) Ordinance: Information submitted for public hearing regarding police policy, National Lawyers Guild and Central Labor Union.

FINANCE DEPARTMENT (268798)

Issuance of General Obligation Bonds: Request to the Board of Estimate and Taxation to issue up to \$241 million in general obligation bonds for various City projects and enter an agreement with Wells Fargo Brokerage Services to underwrite bonds.

Utility Bill Inserts: Announcing the City-sponsored multicultural arts festival Mosaic and the Northeast Community Resource Fair.

ZONING AND PLANNING (See Rep):

INSPECTIONS/BOARD OF ADJUSTMENT (268799)

Appeals:

Wanda Alexander (re Thomas Clausen, 138 Orlin Ave SE);

Bruce Erickson (2102 Drew Ave S);

Burger King Corp (re 2104 E Lake St).

INSPECTIONS/ZONING ADMINISTRATOR (268800)

Tim Rooney: (21 N 15th St): Request for extension of period of decision for zoning approvals.

PLANNING COMMISSION/DEPARTMENT (268801)

Rezoning Applications:

Kevin Geldert, for Kevin's Amoco (3800 Bloomington Ave S);

CSS Builders (5247 Minnehaha Ave & 4820-24 E 53rd St).

COMMITTEE OF THE WHOLE:

CITY CLERK (268812)

Block Events: Response to staff direction relating to administration of block event permits.

PLANNING COMMISSION:

COLLINS, JERRY C (268802)

Permission to vacate t-shaped alley between Lake Street and 31st Avenue, Portland and 5th Avenue.

DUNWOODY COLLEGE OF TECHNOLOGY (268803)

Permission to vacate a part of Laurel Avenue, vicinity of Aldrich Avenue.

JADT DEVELOPMENT GROUP LLC (268804)

Permission to vacate northwesterly portion of cul-de-sac of West River Road North, vicinity of 23rd.

POWDERHORN RESIDENTS GROUP INC (268805)

Permission to vacate two alleys at East 24th Street and 16th Avenue.

ROMENS JR, MICHAEL AND GERHARD, MATTHEW (268806)

Permission to vacate "old" 15th Street NE, west of Marshall Street to "old" Water Street.

SIRON, RONALD (268807)

Permission to vacate strip of land vicinity of 34th Street and Lyndale Avenue South.

FILED:

CITY CLERK/SPECIAL PERMITS (268808)

4th St S at Nicollet Mall (GLBT Pride/Twin Cities) block party and Klash of the DJs;

17th St N, 88 (Basilica of St Mary's) tents for block party;

42nd Av & Bloominton Av S (Bancroft Neighborhood Association) ice cream and music festivals;

Grand Av S, 3546 (Present Moment) sidewalk sale;

Lake Harriet Pkwy W, 4860 (2003 ASID Showcase Home) opening night gala;

Lake St E, 2600 (Payless Shoe Source) tent;

Vineland Pl, 725 (Walker Art Center) close street & have party for 15th Anniversary of the Mpls Sculpture Garden.

CITY COUNCIL (268811)

Hennepin County's Homeless Emergency Overflow Shelter Policy: Ltr to Hennepin County Board of Commissioners. (See IGR report)

SHINGLE CREEK WATERSHED MANAGEMENT ORGANIZATION (268809)

Letter & Audit Report for yr ending 12/31/2002.

The following reports were signed by Mayor Rybak on 5/19/03, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The **CLAIMS** Committee submitted the following reports:

Claims - Your Committee recommends that staff be directed to provide a letter to Rekoa Howard, P.O. Box 18701, to clear his name and with no cash awarded regarding personal injury.

Your Committee further recommends granting a claim filed against the City by Ron Mason, 58 Groveland Terrace, payment of \$6,684.48 regarding property damage.

Lane moved to divide the report so as to consider separately that portion relating to the claim of Ron Mason. Seconded.

Adopted upon a voice vote.

Absent - Colvin Roy, Samuels.

Zimmermann moved adoption of the balance of the report. Seconded.

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

Claims - Your Committee recommends granting a claim filed against the City by Ron Mason, 58 Groveland Terrace, payment of \$6,684.48 regarding property damage.

Lost. Yeas, 5; Nays, 6 as follows:

Yeas - Zimmermann, Schiff, Johnson Lee, Benson, Goodman.

Nays - Johnson, Zerby, Lilligren, Niziolek, Lane, Ostrow.

Absent - Colvin Roy, Samuels.

Johnson, having voted on the prevailing side, moved to reconsider the vote. Seconded.

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

Yeas - Johnson, Zimmermann, Schiff, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Samuels, Ostrow.

Nays - Zerby, Lane.

Absent - Colvin Roy.

After reconsideration of the vote, the report was adopted 5/16/03. Yeas, 7; Nays, 5 as follows:

Yeas - Johnson, Zimmermann, Schiff, Johnson Lee, Benson, Goodman, Samuels.

Nays - Zerby, Lilligren, Niziolek, Lane, Ostrow.

Absent - Colvin Roy.

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

Comm Dev - Your Committee, having under consideration a staff direction passed by Council action of December 30, 2002, which directed the City Coordinator to examine the City's development-related advisory boards, and having received a staff report dated May 6, 2003 evaluating said boards and providing a summary of findings, now recommends that the Real Estate Advisory Board be eliminated and that said report be received and filed.

Your Committee further recommends passage of the accompanying Resolution rescinding Resolution No. 90R-360 entitled, "Creating a Real Estate Advisory Board," passed by Council action of August 10, 1990.

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

RESOLUTION 2003R-210

By Goodman

Rescinding Resolution No. 90R-360 entitled, "Creating a Real Estate Advisory Board," passed by Council action of August 10, 1990.

Resolved by the City Council of The City of Minneapolis:
That the above-entitled resolution be and is hereby rescinded.
Adopted 5/16/03.
Absent - Colvin Roy, Samuels.

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

Comm Dev & W&M/Budget - Your Committee, having under consideration passage of the accompanying Resolution adopting Modification No. 1 to the Southeast Minneapolis Industrial (SEMI) Area Phase 4 Tax Increment Finance Plan, and having held a public hearing on May 6, 2003 thereon, now recommends passage of said Resolution.

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

Adopted 5/16/03.
Absent - Colvin Roy, Samuels.

Resolution 2003R-211, adopting Modification No 1 to the Southeast Minneapolis Industrial (SEMI) Area Phase 4 Tax Increment Finance Plan, was passed 5/16/03 by the City Council. 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 2003R-211
By Goodman and Johnson

Adopting Modification No 1 to the Southeast Minneapolis Industrial (SEMI) Area Phase 4 Tax Increment Finance (TIF) Plan.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals.

1.01. That the Minneapolis Community Development Agency (the "Agency") is the Housing and Redevelopment Authority of and for the City of Minneapolis (the "City") with the authority to propose and implement redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179, as amended; Laws of Minnesota 1971, Chapter 677, as amended; Laws of Minnesota 1980, Chapter 595, as amended; and Minneapolis Code of Ordinances, Chapter 422, as amended (collectively, the "Laws").

1.02. That by Resolution No 97R-103 duly adopted on April 25, 1997, the City approved Modification No 4 to the SEMI Area Redevelopment Plan and the SEMI Phase 4 TIF Plan, which plans established a TIF district, identified a budget for expenditures, and designated property that may be acquired, all pursuant to and in accordance with the Laws.

1.03. That by Resolution No. 02R-434, duly adopted on November 22, 2002, the City approved special state legislation (Session Laws 2002, Chapter 377, Article 7, Section 10), permitting the maximum duration of the TIF District to be extended and authorized the City Clerk to submit the appropriate documentation to state officials.

1.04. The Agency has caused to be prepared, and this Council has investigated the facts with respect thereto, a proposed Modification No 1 to the SEMI Area Phase 4 TIF Plan (the "Modification"), permitting the maximum duration of the TIF District to be extended by up to six years, describing more precisely the public costs, and the estimated impact on other taxing jurisdictions.

1.05. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Modification, including, but not limited to, the approval of special state legislation (Session Laws 2002, Chapter 377, Article 7, Section 10) by the City and the authorization to submit the appropriate certification documentation to state officials as required by state law, a review of the proposed Modification by the affected neighborhood groups and the Planning Commission, transmittal

of the proposed Modification to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing upon published and mailed notice as required by law.

Section 2. Findings for the Adoption of the Plans.

2.01. The Council finds, determines and reaffirms the findings made in Resolution 97R-103 on April 25, 1997.

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

2.03. The Council further finds, determines and declares that the proposed property tax reform enacted in 2001 adversely affected the amount of annual tax increment generated by the new development, and because the TIF district is an economic development TIF district, the district would generally have permitted only nine years of tax increment collection. Consequently, the TIF district did not have the additional years that could make up for the lost tax increment caused by property tax reform.

2.04. The Council further finds, determines and declares that the objectives and actions authorized by the Modification are all pursuant to and in accordance with the Laws.

2.05. The Council further finds, determines and declares that it is necessary and in the best interest of the City at this time to approve the Modification.

Section 3. Approval of the Modification.

3.01. Based upon the findings set forth in Section 2 hereof, the Modification presented to the Council on this date is hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Modification.

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

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

Comm Dev & W&M/Budget - Your Committee recommends approval of a modification to the Minimum Assessment Agreement for Block 3 of the Village at St. Anthony Falls Project, which is located on the northwest corner of 1st Ave NE and 2nd St NE.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency to authorize adjustment of unit and building valuations, as necessary.

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

Comm Dev & W&M/Budget - Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of Minneapolis Schools' "second 7.5%" NRP funds, in an amount not to exceed \$60,000, for playground improvements at Hall Community School in the Near North/Willard Hay neighborhoods, now recommends:

1) That the use of Minneapolis Schools' "second 7.5%" NRP funds, in an amount not to exceed \$60,000, be approved for said playground improvements;

2) Passage of the accompanying resolution amending the 2003 Minneapolis Community Development Agency (MCDA) Appropriation Resolution, increasing the NRP Program Fund (CNR0) by \$60,000;

3) That the proper City officers be authorized to execute the contracts or agreements required to implement said improvements; and

4) That this action be transmitted to the Board of Commissioners of the MCDA for authorization to execute the required contracts or agreements.

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

RESOLUTION 2003R-212
By Goodman and Johnson

Amending The 2003 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 CNR0 by \$60,000 from the projected fund balance.

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

Comm Dev & W&M/Budget - Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board, approving the use of Hennepin County's "second 7.5%" NRP funds, in an amount not to exceed \$13,000, to support the Nokomis Healthy Seniors Program in the Standish Ericsson neighborhood, now recommends:

1) That the use of Hennepin County's "second 7.5%" NRP funds, in an amount not to exceed \$13,000, be approved for said program;

2) Passage of the accompanying Resolution amending the 2003 Minneapolis Community Development Agency (MCDA) Appropriation Resolution, increasing the NRP Program Fund (CNRO) by \$13,000;

3) That the proper City officers be authorized to execute any agreements needed to implement this action; and

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

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

RESOLUTION 2003R-213
By Goodman and Johnson

Amending The 2003 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 CNR0 by \$13,000 from the projected fund balance.

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

Comm Dev & W&M/Budget - Your Committee, having under consideration a request for authorization to issue a Request for Proposals for development of the Parcel E "liner" parcel to be acquired as part of the implementation of the Guthrie Theater Project, now recommends the following:

a) That the Minneapolis Community Development Agency (MCDA) staff be authorized, on behalf of the City, to seek development proposals for the Parcel E "liner" parcel, as described in the MCDA staff report dated May 6, 2003;

b) That an increase of \$15,000 to the Parking Fund (7500) be approved to cover remaining site disposition costs; and

c) Passage of the accompanying Resolution amending the Capital Improvement Appropriation Resolution to increase the Public Works - Transportation Capital Agency by \$15,000.

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

RESOLUTION 2003R-214
By Goodman and Johnson

Amending The 2003 Capital Improvement Appropriation Resolution

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Public Works - Transportation Capital Agency in the Parking Fund (7500-943-9464-8015-A6294010) by \$15,000, and increasing the revenue estimate for the Public Works - Transportation Capital Agency in the Parking Fund (7500-943-9464-Source 3910-A6294010) by \$15,000.

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

The **Community Development** and **Ways & Means/Budget** Committees had under a consideration a report approving loans for various projects from the Multi-Family Rental and Cooperative Housing Program/Affordable Housing Trust Fund (MF/AHTF) and grants from the Non-Profit Development Assistance Fund (DAF).

Goodman moved to substitute the following report for the above report. Seconded.

Adopted upon a voice vote.

Comm Dev & W&M/Budget - Your Committee, having under consideration funding for various projects from the Multi-Family Rental and Cooperative Housing Program/Affordable Housing Trust Fund (MF/AHTF), now recommends passage of the accompanying Resolution amending the 2003 Minneapolis Community Development Agency (MCDA) Appropriation Resolution to increase the appropriation in Fund SCD0 (Special Revenue - Community Development) by \$1,500,000 (\$1,000,000 from 2001 Chapter 595 Levy Funds, payable in 2002 and \$500,000 from 2002 Chapter 595 Levy Funds, payable in 2003).

Your Committee further recommends passage of the accompanying Resolution approving loans from the MF/AHTF and approving grants from the Non-Profit Development Assistance Fund (DAF).

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

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

RESOLUTION 2003R-215
By Goodman and Johnson

Amending The 2003 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 SCD0 by \$1,500,000 from the projected fund balance.

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

Resolution 2003R-216, approving loans from the Multi-Family Rental and Cooperative Housing Program/Affordable Housing Trust Fund (MF/AHTF) and approving grants from the Non-Profit Development Assistance Fund (DAF), was passed 5/16/03 by the City Council. 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 2003R-216
By Goodman and Johnson

Approving loans from the Multi-Family Rental and Cooperative Housing Program/Affordable Housing Trust Fund (MF/AHTF) and approving grants from the Non-Profit Development Assistance Fund (DAF).

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

That the following loans totaling \$4,439,396 from the Multi-Family Rental and Cooperative Housing Program/Affordable Housing Trust Fund (MF/AHTF) be approved; and further, that the following grants totaling \$90,000 from the Non-Profit Development Assistance Fund (DAF) be approved:

- 1) Up to \$449,455 for City Flats (formerly named B Flats and Calypso Flat), by Bridgeport Holdings II, LLC;
- 2) Up to \$588,300 for Collaborative Village Initiative, by Project for Pride in Living, and an additional \$30,000 from the Non-Profit DAF;
- 3) Up to \$117,250 for East Phillips, Phase I by Sherman Associates, Inc., subject to developer providing appropriate private equity for this project;
- 4) Up to \$750,000 for Heritage Park, Phase III, by McCormack Baron and Associates;
- 5) Up to \$760,000 for Hiawatha Commons, by Alliance Housing, Inc., and an additional \$30,000 from the Non-Profit DAF;
- 6) Up to \$180,800 for Incarnation House, by Wayside Housing, Inc., and an additional \$30,000 from the Non-Profit DAF;
- 7) Up to \$500,000 for St. Anthony Mills Apartments, by Brighton Development Corporation;
- 8) Up to \$70,000 for St. Barnabas Independent Youth Project by Central Community Housing Trust, subject to CCHT's signed purchase agreement regarding the resale of the Richmond/Lenox property;
- 9) Up to \$660,000 for Veterans and Community Housing Initiative, by Community Housing Development Corporation; and
- 10) Up to \$363,591 for Zinsmaster Apartments, by Community Housing Development Corporation.

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

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

H&HS - Your Committee recommends passage of the accompanying Resolution authorizing establishment of a panel of community leaders and residents to assess the health and human development delivery systems of Minneapolis, and develop recommendations to the Mayor, Minneapolis City Council and Hennepin County Board regarding structure, accountability, funding and governance; and adopting Guiding Principles to address the health and human development needs of City residents as a framework to guide the work of the aforementioned panel.

Adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-217, authorizing establishment of a panel of community leaders and residents to assess the health and human development delivery systems of Minneapolis, and develop recommendations to the Mayor, Minneapolis City Council and Hennepin County Board regarding structure, accountability, funding and governance; and adopting Guiding Principles to address the health and human development needs of City residents as a framework to guide the work of the aforementioned panel, was passed 5/16/03 by the City Council. 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 2003R-217

By Johnson Lee

Authorizing establishment of a panel of community leaders and residents to assess the health and human development delivery systems of Minneapolis and develop recommendations to the Mayor, Minneapolis City Council and Hennepin County Board regarding structure, accountability, funding and governance; and Adopting Guiding Principles to address the health and human development needs of City residents as a framework to guide the work of the aforementioned panel.

Whereas, the Mayor and Minneapolis City Council have approved a 2003 City of Minneapolis Human Development Goal to ensure a healthy, safe city and enhance community engagement; and

Whereas, City of Minneapolis and Hennepin County leaders have exercised good stewardship by periodically reviewing and adapting the structure and governance and financing of the health and human services delivery systems in a manner which best reflects the needs, interests and well being of its residents; and

Whereas, City of Minneapolis and Hennepin County leaders recognize the severe challenges placed upon local governments as a result of the national recession and the federal and State budget deficits; and

Whereas, the Minneapolis City Council, as the Board of Health for the City of Minneapolis, is authorized (MN Stat.145A.03 subdivision 1) to determine the City's powers and duties as a board of health;

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

That a panel of residents, health and human services and community leaders shall be impaneled to examine the present delivery systems and forward recommendations for consideration to the Mayor, Minneapolis City Council and Hennepin County Board regarding the structure, governance and financing of said delivery system.

Be It Further Resolved that the panel members shall be selected through the consensus of the Mayor, the Chair of the City Council's Health & Human Services Committee, and the Hennepin County Board member responsible for oversight of the Hennepin County Community Health Department.

Be It Further Resolved that the panel membership shall be limited to twelve (12), to include: the Mayor or his designee, one member of the Minneapolis City Council, one Hennepin County Commissioner, a representative of the Minneapolis Public Schools, three (3) representatives of organizations that have worked with both the City of Minneapolis and Hennepin County, and five (5) leaders from the health and human services area. The membership of the panel shall reflect the ethnic and the cultural diversity of Minneapolis.

Be It Further Resolved that the Minneapolis Department of Health & Family Support, with support of the City Coordinator's Office and the appropriate Hennepin County staff, shall be responsible for providing staff support to the panel.

Be It Further Resolved that the panel use the following principles to guide the analysis about the best way to structure government services to meet the health and human development needs of City residents:

Focus on the beneficiaries. The needs of the people who live in Minneapolis are foremost. Decisions and activities must help children and adults live better, healthier, and safer lives. We must eliminate the disparities between racial/ethnic and income groups in health and opportunities for development.

Listen and respond to community voices. Government must respect and benefit from the knowledge, abilities, and inventiveness of ordinary citizens, community leaders, and community agency staff who confront problems and overcome obstacles daily. Productive and sustained partnerships are the only way to ensure that the people who live and work in the City identify needs, craft solutions, and target limited resources. Partnerships must capitalize on the rich diversity that our urban environment offers.

Demand a focus on the uniqueness of the urban environment. Planning must take into account the effects on resident health of concentrated poverty, unemployment, discrimination, and crime; dense and older housing; industrial neighborhoods; and mobility of residents. Planning must also address the needs of new arrivals and people with varied cultures, traditions, and languages.

Provide leadership. Leadership must inspire innovation, community engagement, and the commitment to do better. Government leaders need to remain accountable to City residents and must be willing to engage in difficult and controversial issues. Leaders must be willing to take a stand on behalf of addressing reproductive health issues and the rights of adolescents to seek necessary care in a safe and confidential environment.

Promote entrepreneurship. Creative government activities are needed to bring more resources of all kinds into the City to strengthen community agencies and service providers and to address priority needs.

Require efficiency and effectiveness. Government roles should be complementary and clearly articulated. Local government should not do what the community can do. Government resources should be leveraged to ensure the best return on public investments. Use research to inform decisions, evaluate activities, and identify next steps.

Use data to drive action: Information about community needs and health outcomes must guide the use of human and financial resources. Data needs to be used to engage communities in helping to generate solutions. Reports and studies need to lead to action with measurable benefits to City residents.

Be It Further Resolved that the panel shall present preliminary findings to the Health & Human Services Committee and the Mayor by August 11, 2003, with a final report to be submitted to the Committee and Mayor no later than October 27, 2003.

Adopted 5/16/03.

Absent - Colvin Roy.

H&HS - Your Committee recommends passage of the accompanying Resolution approving the designation of Ken Dahl as the Interim Commissioner of Health for the Department of Health & Family Support.

Adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-218, approving the designation of Ken Dahl as the Interim Commissioner of Health for the Department of Health & Family Support, was passed 5/16/03 by the City Council. 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 2003R-218

By Johnson Lee

Approving the designation of Ken Dahl as the Interim Commissioner of Health for the Department of Health & Family Support.

Whereas, the City Council of the City of Minneapolis is the Board of Health for the City; and

Whereas, the Commissioner of Health functions as the authorized official for administering the Community Health Services Plan and funds under the Department of Health & Family Support as the local community health services agency for the City of Minneapolis; and

Whereas, the City has accepted the resignation of David Doth, Commissioner of Health for the City of Minneapolis, effective May 5, 2003; and

Whereas, the executive committee has designated Ken Dahl to be the Commissioner of Health for the City of Minneapolis; and

Whereas, Minnesota state statute requires that a local board of health designate an agent to act on its behalf;

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

That in its capacity as the Board of Health, the City Council designates Ken Dahl as the Interim Commissioner of Health for the Department of Health & Family Support for a term starting April 30, 2003.

Adopted 5/16/03.

Absent - Colvin Roy.

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

IGR - Your Committee recommends that the Department of Grants and Special Projects be directed to submit a letter to the Hennepin County Board of Commissioners expressing the City's concerns regarding their policy that closes homeless emergency overflow shelters during the "summer" months of April through October, as set forth in Petn No 268782.

Adopted 5/16/03.

Absent - Colvin Roy, Samuels.

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

PS&RS - Your Committee, to whom was referred an ordinance amending Title 13, Chapter 278 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Heating, Ventilating and Air Conditioning, Gasfitting, Oil, Plumbers/Gasfitter, Refrigeration and Steam and Hot Water Installers*, accommodating a newly developed, computer-based test for construction trades, including plumber/gasfitter, and clarifying that the application for certification under the computer-based testing procedures include registering and paying fees to the contracted vendor; that the testing will be administered by the contracted vendor; and eliminating the temporary certificates of competency, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 5/16/03.

Absent - Colvin Roy.

Ordinance 2003-Or-058 amending Title 13, Chapter 278 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Heating, Ventilating and Air Conditioning, Gasfitting, Oil, Plumbers/Gasfitter, Refrigeration and Steam and Hot Water Installers*, amending Sections 278.410, 278.430 and 278.480 as follows, was passed 5/16/03 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

a. Section 278.410 regarding application for certification - deletes the language referencing a 30-day application filing deadline; deletes language requiring the submittal of an application fee with the City; and adds language clarifying that after the Human Resources Department determines whether the applicant is qualified for the exam, they will notify the contracted vendor so the applicant can proceed to register for the test at their convenience.

b. Section 278.430 regarding testing; administration - adds language that clearly notes the contracted vendor will take full responsibility for test administration and deletes the reference to Human Resources; and adds a time limit of one year for the validity of the scores under which the applicant will need to acquire their competency card with the City.

c. Deletes Section 278.480 which provided for temporary certificates.

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

ORDINANCE 2003-Or-058

By Ostrow

Intro & 1st Reading: 4/18/03

Ref to: PS&RS

2nd Reading: 5/16/03

Amending Title 13, Chapter 278 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Heating, Ventilating and Air Conditioning, Gasfitting, Oil, Plumbers/ Gas Fitter, Refrigeration and Steam and Hot Water Installers.

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

Section 1. That Section 278.410 of the above-entitled ordinance be amended to read as follows:

278.410. Application for certification. Each person desiring a certificate of competency, such as herein provided, whether for a master or journeyman heating, ventilating and air conditioning installer, master or journeyman refrigeration installer, master or journeyman gas fitter, master or journeyman oil burner installer or master or journeyman steam and hot water systems installer or master or journeyman plumber/gas fitter shall file with the Minneapolis Human Resources Department, ~~at least thirty (30) days prior to the date of taking the examination,~~ an application for certification. Such application shall contain information sufficient to determine whether the applicant meets the qualifications to be administered the appropriate test together with such documentation of qualifications as is required by the Human Resources Department. ~~The application shall be filed with an examination fee of seventy-five dollars (\$75.00) if for a master examination and fifty dollars (\$50.00) if for a journeyman.~~

Once the Human Resources Department has determined the applicant has met the qualifications and has notified the contracted vendor, the applicant will register with and pay the appropriate fees to the contracted vendor to take the exam. No such fee so paid, shall be subject to refund to the applicant in case of failure to pass the examination. Each examination fee shall be in addition to the fee to be paid by the applicant for a certificate of competency as provided in this chapter.

Section 2. That Section 278.430 of the above-entitled ordinance be amended to read as follows:

278.430. Testing; administration. Each applicant for a certificate of competency shall pass an examination to ensure the competence of the applicant, prior to issuance of a certificate of competency. The test for each certificate of competency shall be developed using a pool of test questions prepared based on a field job study and validated by a qualified third party vendor selected through the request for proposals process. The pool of questions developed by the selected vendor shall be sufficiently large to ensure that each examination may be fairly administered. Not less than seventy-five (75) percent of each examination developed shall be based on questions from nationally derived, standardized tests, and no greater than twenty-five (25) percent of each examination shall be based on differences from common national trade practices or code requirements particular to the State of Minnesota. Any part of the examination not based on questions from nationally derived standardized tests shall contain only objectively scored questions.

Each examination shall be administered, scored and the results reported by ~~the Minneapolis Human Resources Department~~ a vendor selected through the request for proposals process. Scores will be valid for one (1) year from the date of the exam.

Section 3. That Section 278.480 of the above-entitled ordinance be and is hereby repealed.

278.480. Temporary certificates pending examination. ~~The director of inspections may issue temporary certificates of competency to journeyman installers which may be held valid until the next scheduled examination has been held and the results of said examination are reported. Each person desiring a temporary certificate of competency as herein provided shall file in the appropriate manner an application for competency card and shall pay a fee of fifty dollars (\$50.00).~~

Adopted 5/16/03.

Absent - Colvin Roy.

PS&RS - Your Committee, having under consideration the application of NAT Joseph Catering Inc, dba Joseph Catering, 222 1st Av NE, for an On-Sale Liquor Class B with Sunday Sales License (new business) to expire April 1, 2004, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 5/16/03.

Declining to Vote - Benson.

Absent - Colvin Roy.

Approved by Mayor Rybak 5/16/03.

(Published 5/20/03)

PS&RS - Your Committee, having under consideration the application of Zero Proof Inc, dba Zero Proof, 1819 Nicollet Av, for a Sidewalk Cafe License (new business) to expire April 1, 2004, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 5/16/03.

Declining to Vote - Benson.

Absent - Colvin Roy.

PS&RS - Your Committee, having under consideration the application of Haza Charters Inc, dba 19 Bar, 19 W 15th St, for an On-Sale Liquor Class E with Sunday Sales License (new business - change from On-Sale Beer) to expire April 1, 2004, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 5/16/03.

Declining to Vote - Benson.

Absent - Colvin Roy.

PS&RS - Your Committee, to whom was referred back on May 2, 2003 a report relating to the application of Pepitos Mexican Foods Inc, dba Pepitos, 4820 Chicago Av, for a Sidewalk Cafe License (new business) to expire April 1, 2004, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 5/16/03.

Declining to Vote - Benson.

Absent - Colvin Roy.

PS&RS - Your Committee, having under consideration the application of Brinda-Heilicher Riverfront Inc, dba Vic's Restaurant, 201 Main St SE, for an On-Sale Liquor Class E with Sunday Sales License (change in ownership) to expire April 1, 2004, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 5/16/03.

Declining to Vote - Benson.

Absent - Colvin Roy.

Approved by Mayor Rybak 5/16/03.

(Published 5/20/03)

PS&RS - Your Committee, having under consideration the application of McTeague Enterprises Inc, dba Five Corners Saloon, 501 Cedar Av for an On-Sale Liquor Class C-1 with Sunday Sales License (change in ownership from Addis Inc) to expire April 1, 2004, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 5/16/03.

Declining to Vote - Benson.

Absent - Colvin Roy.

Approved by Mayor Rybak 5/16/03.

(Published 5/20/03)

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 5/16/03.

Declining to Vote - Benson.

Absent - Colvin Roy.

Resolution 2003R-219, granting applications for Liquor, Wine and Beer Licenses, was passed 5/16/03 by the City Council. 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 2003R-219
By Niziolek

Granting applications for Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted:

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2004

Haze 3 Corp, dba Grumpys Bar & Grill, 1107 Washington Av S (expansion of premises for sidewalk cafe);

On-Sale Liquor Class C-2 with Sunday Sales, to expire July 1, 2003

Pier Group LLC, dba Chiang Mai Thai Restaurant, 3001 Hennepin Av (regular expansion of premises);

Temporary On-Sale Wine

Church of Our Lady of Peace, dba Our Lady of Peace, 5425 11th Av S (April 26, 2003, 7:00 p.m. to 10:00 p.m. in Church Hall);

Off-Sale Beer, to expire April 1, 2004

Btoush Mahfood, dba Minneapolis Food Market, 1845 Nicollet Av (new business);

Rans Inc, dba Handy Stop, 700 Lowry Av NE;

Temporary On-Sale Beer

Church & School of the Annunciation, dba Church & School of the Annunciation, 509 W 54th St (May 17, 2003, 6:00 p.m. to Midnight).

Adopted 5/16/03.

Declining to Vote - Benson.

Absent - Colvin Roy.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Business Licenses.

Adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-220, granting applications for Business Licenses, was passed 5/16/03 by the City Council. 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 2003R-220
By Niziolek

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That 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 May 16, 2003 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 268787):

Amusement Devices; Bowling Alley; Dry Cleaning & Laundry Pickup Station; Dry Cleaner - Nonflammable; Place of Entertainment; All Night Special Food; Caterers; Confectionery; Food

Distributor; Farm Produce Permit Non-Profit; Grocery; Ice Peddler; Ice Producer - Dealer/Wholesale; Food Manufacturer; Meat Market; Drive In Food; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Sidewalk Cart Food Vendor; Vending Machine; Gasoline Filling Station; Lodging House with Boarding; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Commercial Parking Lot Class A; Plumber; Residential Specialty Contractor; Antique Mall Operator Class B; Sign Hanger; Swimming Pool – Public; Tattooist/Body Piercer; Tattooist/Body Piercer Establishment; Taxicab Vehicle; Tobacco Dealer; Tree Servicing; Valet Parking; and Wrecker of Buildings Class A.

Adopted 5/16/03.

Absent - Colvin Roy.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Gambling Licenses.

Adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-221, granting applications for Gambling Licenses, was passed 5/16/03 by the City Council. 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 2003R-221

By Niziolek

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling Lawful Exempt

Childrens Cancer Research Fund, dba Childrens Cancer Research Fund, 4930 W 77th St #364 (Raffle April 24, 2003 at France 44 Wines and Spirits, 4351 France Av S);

St. Paul Chamber Orchestra Society, dba St. Paul Chamber Orchestra Society, 408 St. Peter St #500, St. Paul (Raffle May 17, 2003 at Minneapolis Convention Center, 1301 2nd Av S);

Goldbrick Club, dba Goldbrick Club, 1828 4th St NE (Raffle June 8, 2003 at Minneapolis Police Federation Hall, 1811 University Av NE);

Jones-Harrison Residence, dba Jones-Harrison Residence, 3700 Cedar Lake Rd (Raffle September 13, 2003).

Adopted 5/16/03.

Absent - Colvin Roy.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting the application of CAO Auto Body & Repair, 3013 Pillsbury Av S, for a Motor Vehicle Repair Garage License, subject to conditions.

Adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-222, granting the application of CAO Auto Body & Repair, 3013 Pillsbury Av S, for a Motor Vehicle Repair Garage License, subject to conditions, was passed 5/16/03 by the City Council. 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 2003R-222

By Niziolek

Granting the application of CAO Auto Body & Repair, 3013 Pillsbury Av S, for a Motor Vehicle Repair Garage License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by CAO Todd, dba CAO Auto Body & Repair, 3013 Pillsbury Av S, for a Motor Vehicle Repair Garage License (new proprietor) to expire September 1, 2003, subject to the following conditions:

- a. the licensee agrees not to park, repair or store motor vehicles on any Minneapolis City sidewalk or street at any time.
- b. the licensee agrees to keep all motor vehicle parts stored inside the building at all times.
- c. the licensee agrees to maintain the dumpster area at all times.
- d. the licensee agrees that all motor vehicle repair and service will be done inside their enclosed building, in accordance with Section 536.20 of the Minneapolis Code of Ordinances.
- e. the licensee agrees not to store junk or inoperable vehicles outside, in accordance with Section 317.100 of the Minneapolis Code of Ordinances.
- f. the licensee agrees that painting will take place only in their paint booth and in accordance with Section 47.190 of the Minneapolis Code of Ordinances.
- g. the licensee agrees to respond in a time manner to neighborhood complaints or concerns.

Adopted 5/16/03.

Absent - Colvin Roy.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting the application of Minnesota Food Market, 201 W Lake St, for a Grocery License, subject to conditions.

Adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-223, granting the application of Minnesota Food Market, 201 W Lake St, for a Grocery License, subject to conditions, was passed 5/16/03 by the City Council. 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 2003R-223

By Niziolek

Granting the application of Minnesota Food Market, 201 W Lake St, for a Grocery License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Minnesota Food Market Inc, dba Minnesota Food Market, 201 W Lake St, for a Grocery License (new proprietor) to expire April 1, 2004, subject to the following conditions:

a. litter and debris shall be removed from the business premises and adjacent streets and sidewalks adjoining the premises within 100 feet as often as necessary to keep the premises free of litter and debris, but at least a minimum of twice daily.

b. security on the business property shall be sufficient enough to prevent loitering and drug activity. All persons loitering on the property without a purpose shall be asked to leave and the police notified if they fail to do so.

c. signs in the windows shall be reduced to allow visual attention to the property. Signage shall not exceed 30 percent of the window area and shall not block views into and out of the building at eye level.

d. drug paraphernalia or items determined by the Minneapolis Police Department to be used almost exclusively for drug purposes will not be sold. These items include: hashish or marijuana pipes; Chore Boys; Brillo Pads, or any generic equivalent, without soap imbedded; glass tubes; one-inch by one-inch baggies; and non-ziplock sandwich bags.

e. no telephones shall be allowed on the exterior of the property.

Adopted 5/16/03.

Absent - Colvin Roy.

PS&RS - Your Committee, having under consideration the Rental Dwelling License for the property located at 2211 Bryant Av N, and having received an acceptable management plan and verification that the housing maintenance code violations have been corrected, now recommends approval of the reinstatement of said license to be held by Edward Botsio. (Petn No 268786)

Adopted 5/16/03.

Absent - Colvin Roy.

PS&RS - Your Committee, having under consideration the Rental Dwelling License held by Ryan Comer for the property located at 1008 21st Av N, and a hearing having been held by the Rental Dwelling License Board of Appeals on January 14, 2003, now recommends concurrence with the recommendation of the Board of Appeals that said license be revoked for failure to meet the licensing standard of conduct on licensed premises, pursuant to Section 244.2020 of the Minneapolis Code of Ordinances, as more fully set forth in the Findings of Fact, Conclusions and Recommendations on file in the Office of the City Clerk and made a part of this report by reference.

Adopted 5/16/03.

Absent - Colvin Roy.

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

PS&RS & W&M/Budget - Your Committee, having under consideration block event fees for National Night Out to be held August 5, 2003, now recommends the following:

PS&RS - that the block event fee be waived for applications received by the close of business on July 8, 2003; that a \$15 fee be charged for applications received between July 9th and July 22nd; and that applications received after the close of business on July 22nd be denied.

W&M/Budget - that a \$15 special block event fee be charged for applications received by the close of business on July 22, 2003; that a \$30 fee be charged for applications filed between July 22nd and July 29th; and that applications received after the close of business on July 29th be denied.

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

Adopted by unanimous consent.

The report, as amended, was adopted 5/16/03. Yeas, 11; Nays, 1 as follows:

Yeas - Samuels, Johnson, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Ostrow.

Nays - Lane.

Absent - Colvin Roy.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to amend the grant agreement with the Minnesota Department of Public Safety to accept an additional \$3,900 to be shared between the Police Department and the Department of Health & Family Support to further City efforts to reduce youth access to and consumption of alcohol over an additional six-month period, such as increased compliance checks, conducting fake ID training and education for business owners, and support for youth alcohol prevention programming at two local congregations. Further, passage of the accompanying Resolution appropriating \$3,900 to said departments.

Niziolek moved to amend the report by deleting the language "such as increased" and inserting in lieu thereof the word "including". Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-224, appropriating \$3,900 to the Police Department and the Department of Health & Family Support to fund City efforts to reduce youth access to and consumption of alcohol, was passed 5/16/03 by the City Council. 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 2003R-224
By Niziolek and Johnson**

Amending The 2003 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

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

a. increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-C201) by \$2,757;

b. increasing the appropriation for the Health & Family Support Agency in the Grants - Federal Fund (030-860-8615) by \$1,143;

c. increasing the Revenue Source (030-400-C201 - Source 3210) by \$3,900.

Adopted 5/16/03.

Absent - Colvin Roy.

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

**BOARD OF EQUALIZATION
REPORT OF SPECIAL BOARD OF REVIEW**

Pursuant to the provisions of an ordinance passed May 30, 1975, by the Minneapolis City Council relating to assessments of market value of real estate, providing for the creation of a Special Board of Review, and a resolution passed on March 21, 2003, providing for the procedure to be followed by said Board, and one committee report passed on March 22, 2003, appointing members to the Special Board of Review, the City Clerk submits the report of the Special Board of Review which met on Monday, April 21, 2003, in the City of Lakes Building in the City of Minneapolis. The Board was duly sworn and after being so sworn entered upon the discharge of duties imposed by law on such Board.

The Board continued to meet to and including Friday, May 9, 2003. The Board equalized the assessments of the various assessment rolls of real and personal property located in the City of Minneapolis, County of Hennepin, Minnesota, and recommended approval of the Assessor's rolls containing the assessment of real estate and personal property in the various districts of the City of Minneapolis, as so revised, amended, equalized and granted by the Board.

The Board recommended to the City Clerk that copies of the adjustments and corrections made to such assessment rolls be transmitted to the City Council for approval or correction and if approved, such assessment rolls as approved and/or corrected be transmitted to the City Assessor, County Board of Equalization and State Tax Commissioner with the request that they take such action within their powers as authorized by law to give full effect to the correction and adjustments recommended and made by the Board.

Adopted 5/16/03.

Absent - Colvin Roy.

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

T&PW - Your Committee, having under consideration the 2003 Minneapolis Stormwater Management Program and Annual Report, now recommends receiving public comments and directing staff to respond to the comments received, pursuant to Chapter 2, Section 14 of the Minneapolis National Pollutant Discharge Elimination System (NPDES) Permit #MN0061018.

Your Committee further recommends authorization for signature of the application for renewal, due 7/3/03 is granted to the Mayor of Minneapolis.

Adopted 5/16/03.

Absent - Colvin Roy.

T&PW - Your Committee recommends passage of the accompanying Resolution authorizing the proper City officers to negotiate and execute the first lease amendment and agreements to the Parking Ramp Lease (Contract #18369) dated 8/16/02 for the parking facility at 11th Street South and Harmon Place. (Petn No. 268791)

Adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-225, authorizing first amendment and agreements for the parking facility at 11th Street South and Harmon Place, was passed 5/16/03 by the City Council. 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 2003R-225

By Colvin Roy

Authorizing first amendment and agreements for the parking facility at 11th Street South and Harmon Place.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to negotiate and execute the First Amendment to the Parking Ramp Lease (dated 8/16/02) with AutoPark, LLC for leasing a new 600 stall parking facility;

That the proper City officers be authorized to execute City consent between Autopark, LLC and Regional Development Associates (RDA) for the link agreement and parking agreement; and

That the proper City officers be authorized to execute City consent between Autopark, LLC and Kenosha Homeowner Association for the parking agreement.

Adopted 5/16/03.

Absent - Colvin Roy.

T&PW - Your Committee recommends that the proper City officers be authorized to execute a pipeline license agreement with the Burlington Northern and Santa Fe Railway Company to construct and maintain a new 12-inch water main for adequate fire protection for the Stone Arch Lofts Project located at 601 and 701 Main Street SE.

Adopted 5/16/03.

Absent - Colvin Roy.

T&PW - Your Committee, having under consideration the facility and site improvements for the Field Services Division of the Public Works Department, and the Property and Evidence Division of the Police Department at 6024 Harriet Avenue South Site, now recommends that the proper City's officers be authorized to execute Change Order No. 2, to Contract No. C-18384 with CM Construction Company, Inc. increasing the contract by \$16,427 for a new total of \$684,925 with no additional appropriation required.

Adopted 5/16/03.

Absent - Colvin Roy.

T&PW - Your Committee recommends passage of the accompanying Resolution designating the location, streets, and improvements proposed to be made in the Nicollet Ave (46th to the Minnehaha Parkway bridge) Street Lighting Project.

Adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-226, designating the improvement of certain existing streets at the location described hereinafter for the Nicollet Av St Lighting Project, was passed 5/16/03 by the City Council. 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 2003R-226

By Colvin Roy

**Nicollet Ave (46th to the Minnehaha pkwy bridge) Street Lighting Project,
Special Improvement of Existing Street No 6694L**

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 8 of the Minneapolis City Charter, by installing ornamental street lights together with all necessary appurtenances and work related thereto:

Nicollet Ave from approximately the south ROW line of 46th St to 120 ft southerly of the south ROW line of W 52nd St.

Adopted 5/16/03.

Absent - Colvin Roy.

T&PW - Your Committee, having received a cost estimate of \$371,000 for street lighting improvements and the list of benefited properties for the Nicollet Ave (46th to the Minnehaha Pkwy bridge) Street Lighting Project, Special Improvements of Existing Street No 6694L, as designated by Resolution 2003R-226 passed May 16, 2003, now recommends that the City Engineer be directed to prepare a proposed Street Lighting Special Improvement Assessment in the amount of \$320,000 against the list of benefited properties by applying the street influence zone area method.

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 June 24, 2003, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated street lighting project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 5/16/03.

Absent - Colvin Roy.

T&PW - Your Committee reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to the establishment of street lighting districts (said Chapter 431 defining such street lighting district as an area wherein lighting in excess of minimum street lighting is provided and further providing that the City's costs over and above said minimum lighting shall be paid by the benefited property owners), the City Engineer has presented to your committee the details required by said Chapter 431 in connection with proposed Street Lighting District 1301 for assessment of the maintenance and operation costs on additional street lighting for the convenience and safety of the area delineated as Nicollet Ave (46th to the Minnehaha Pkwy bridge) (streets to receive lighting are as designated in the Nicollet Ave (46th to the Minnehaha Pkwy bridge) Street Lighting Project, Special Improvement of Existing Street No 6694L).

A summary of the facts relative to this assessment is as follows:

Number of assessable parcels in said district 122
Total assessable frontage in feet 7220
Annual cost per foot \$0.41

Your Committee recommends that if there should be an increase in the cost of street lighting in the future that the increased cost be reflected in the assessment.

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 June 24, 2003, in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances, to be considered the establishment of said proposed Street Lighting District No 1301.

Adopted 5/16/03.

Absent - Colvin Roy.

T&PW - Your Committee recommends passage of the accompanying Resolution designating the improvement of the alley between 6th Street NE and Washington Street NE from Broadway Street NE to 8th Avenue NE.

Adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-227, designating the improvement of the alley between 6th Street NE and Washington Street NE from Broadway Street NE to 8th Avenue NE for the Alley Reconstruction Project, was passed 5/16/03 by the City Council. 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 2003R-227

By Colvin Roy

**Alley Reconstruction between 6th Street NE and Washington Street NE
from Broadway Street NE to 8th Avenue NE,
Special Improvement of Existing Alley No 2235**

**Designating the improvement of the alley between 6th Street NE and Washington Street NE
from Broadway Street NE to 8th Avenue NE.**

Resolved by The City Council of The City of Minneapolis:

That the following existing alley within The City of Minneapolis is 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 all on a stabilized base and including other related improvements and work as needed:

6th St NE Alley (2235)

Alley between 6th Street NE and Washington Street NE from Broadway Street NE to 8th Avenue NE.

Adopted 5/16/03.

Absent - Colvin Roy.

T&PW - Your Committee, having received a cost estimate of \$52,200 for alley reconstruction improvements and a list of benefited properties for the Alley Reconstruction between 6th Street NE and Washington Street NE from Broadway Street NE to 8th Avenue NE, Special Improvement of Existing Alley No. 2235, as designated by Resolution 2003R-227 passed May 16, 2003, now 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 June 24, 2003, 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 alley reconstruction project.

Adopted 5/16/03.

Absent - Colvin Roy.

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

T&PW & W&M/Budget - Your Committee, having under consideration the 38th Street East Reconstruction Project, now recommends passage of the accompanying Resolutions:

- a) Ordering the work to proceed and adopting the special assessments for said project;
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$164,000 for certain purposes other than the purchase of public utilities; and
- c) Ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the paving project in the 38th Street East area.

Adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-228, ordering the work to proceed and adopting the special assessments for the Thirty-eighth Street East Reconstruction Project, was passed 5/16/03 by the City Council. 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.

RESOLUTON 2003R-228
By Colvin Roy and Johnson

Thirty-eighth Street East Reconstruction Project
Special Improvement of Existing Street No. 6698

Ordering the work to proceed and adopting the special assessments for the Thirty-eighth Street East Reconstruction Project.

Whereas, a public hearing was held on May 6, 2003, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2003R-122, passed April 4, 2003 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2003R-122, passed April 4, 2003.

Be It Further Resolved that the proposed special assessments in the total amount of \$164,019.27 for the Thirty-eighth Street East Reconstruction Project, as on file in the office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that for the Thirty-eighth Street East Reconstruction Project, the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2004 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for, with collection of the special assessments on the 2004 real estate tax statements.

Adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-229, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$164,000 for certain purposes other than the purchase of public utilities, was passed 5/16/03 by the City Council. 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 2003R-229
By Colvin Roy and Johnson

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$164,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Thirty-eighth Street East Reconstruction Project, Special Improvement of Existing Street No. 6698, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-230, ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the street reconstruction project in the Thirty-eighth Street East area, was passed 5/16/03 by the City Council. 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 2003R-230
By Colvin Roy and Johnson

Ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the street reconstruction project in the Thirty-eighth Street East area.

Whereas, The City of Minneapolis has scheduled the reconstruction improvements during 2003 in the Thirty-eighth Street East area of Minneapolis; and

Whereas, there are areaways located in the public street r/w that are in conflict with said reconstruction; and

Whereas, a public hearing was held on May 6, 2003, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances to consider the proposed abandonment and removal of the above mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

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

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street r/w adjoining the properties along Thirty-eighth Street East (both sides) from 23rd Av S to 30th Av S.

Adopted 5/16/03.

Absent - Colvin Roy.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying Resolution approving bids submitted to Public Works Department all in accordance with City specifications.
Adopted 5/16/03.
Absent - Colvin Roy.

Resolution 2003R-231 granting approval of the bids for projects and/or services for the City of Minneapolis, was passed 5/16/03 by the City Council. 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 2003R-231
By Colvin Roy and Johnson**

Granting approval of the bids for projects and/or services for the City of Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That the following be accepted and that the proper City Officers be authorized to execute contracts for the projects and/or services, in accordance with City specifications. (Petn. No. 268792)

a) OP #6044, low bid by Martin Marietta Materials for an estimated annual expenditure of \$90,025 for coarse aggregate for Public Works asphalt plant as needed through March 11, 2004, contingent on approval of the Civil Rights Department;

b) OP #6049, low bids as follows for fine aggregate and/or mineral filler for Public Works Asphalt Plant as needed through March 12, 2004, contingent on approval of the Civil Rights Department:

- Fischer Sand and Aggregate for an total estimated annual expenditure of \$187,400;
- Martin Marietta Materials for an estimated annual expenditure of \$14,700; and
- Aggregate Industries for an estimated annual expenditure of \$85,000.

c) OP #6090, low bid by Lexis System, Inc. in the amount of \$27,593 to furnish and install pay by space machines for Public Works Transportation.

Adopted 5/16/03.
Absent - Colvin Roy.

T&PW & W&M/Budget - Your Committee recommends approval of reallocating \$3,500,000 in funds remaining from the Hilltop 34 million-gallon Reservoir Project to other Water Works capital projects, and passage of the accompanying Resolutions amending the Capital Improvement Appropriation Resolution and bond sale authorizations to reflect the reallocation.

Adopted 5/16/03.
Absent - Colvin Roy.

**RESOLUTION 2003R-232
By Colvin Roy and Johnson**

Amending the 2003 Capital Improvement Appropriation.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by reallocating PW - Water Capital Fund (7400-950-9515) as follows:

Project	Description Appropriation	Amount	Revenue Source
ID1	Hilltop New 34 MG Reservoir 7400-950-9515	(\$3,500,000)	Water Bonds (3910)

WTR10	Hilltop Reservoirs Roof repair	\$2,500,000	
	7400-950-9515	2,300,000	Water Bonds (3910)
	7400-950-9515	200,000	Water Fund Revenue
WRT11	Hilltop Security Improvement	\$1,000,000	
	7400-950-9515	800,000	Water Bonds (3910)
	7400-950-9515	200,000	Water Fund Revenue

Adopted 5/16/03.
Absent - Colvin Roy.

RESOLUTION 2003R-233
By Colvin Roy and Johnson

Amending Resolution 2002R-481, entitled, "Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$4,615,000 for certain purposes other than the purchase of public utilities."

Resolved by The City Council of The Council of The City of Minneapolis:
That the above-entitled resolution be amended to \$7,715,000 the proceeds of which are to be for Water Works related projects, as follows:

		\$3,100,000
WTR10	Hilltop Reservoirs Roof repair	\$2,300,000
WTR11	Hilltop Security Improvement	800,000

Adopted 5/16/03.
Absent - Colvin Roy.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to terminate its "Clare Agreement" (approved by Council on 1/14/93) and negotiate a new easement and operating agreement with Rock Properties commencing 1/1/03 for the portion of the skyway within the "OPUS Ramp" between the Government Center Municipal Parking Ramp and City owned skyway crossing Fourth Avenue South to the Hennepin County Government Center.

Adopted 5/16/03.
Absent - Colvin Roy.

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

W&M/Budget - Your Committee recommends approval of the settlement of the legal claim of Mohamed Hassan, by payment of \$8,000 to Mr. Hassan and his attorney Jeffrey Jones.

Adopted 5/16/03.
Absent - Colvin Roy.

W&M/Budget - Your Committee recommends authorization to place the following inserts with the City's June 2003 utility bills:

- a) Announcing the City-sponsored multicultural festival *Mosaic* - Celebrating the Arts and Cultures of Minneapolis;
- b) Announcing the Northeast Community Resource Fair.

Adopted 5/16/03.
Absent - Colvin Roy.

W&M/Budget - Your Committee recommends passage of the accompanying resolutions:

- 1) Approving modifications to the City's process for issuing block event permits; and
- 2) Appropriating \$12,500 to the City Council budget to provide for staffing assistance for the block event process, to be funded by fee revenue.

Schiff moved to amend the resolution modifying the block event permit process by adding to the paragraph entitled "Barricades" under Residential Events following the words "Applicant would bring their permit to the local Fire station" the language "or neighborhood association office". Seconded

Adopted upon a voice vote.

Goodman moved to amend the resolution modifying the block event permit process, as amended, by eliminating the paragraphs entitled "Waivers" under Residential Events and Business District Events. Seconded.

Adopted upon a voice vote.

Goodman moved to amend the resolution modifying the block event permit process, as amended, by amending the paragraphs entitled "Fees" under Residential Events by adding a fee for applications submitted from 0 to 6 days in the amount of \$200, and under Business District Events by adding a fee for applications submitted from 0 to 19 days in the amount of \$400. Seconded.

Adopted upon a voice vote.

Niziolek moved to amend the resolution modifying the block event permit process, as amended, by amending the paragraph entitled "Staffing" under Residential Events following the words "Move administration of Residential Block Events to City Council staff" by adding the words "only for calendar year 2003". Seconded.

Benson moved to amend the motion by adding the language "and use additional revenue from block permits and continue to keep the City Council receptionist position in place through August 2003,". Seconded.

Adopted upon a voice vote.

The motion, as amended, was adopted upon a voice vote.

The report, as amended, was adopted 5/16/03.

Yeas, 11; Nays, 1 as follows:

Yeas - Johnson, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Samuels, Ostrow.

Nays - Lane.

Absent - Colvin Roy.

Resolutions 2003R-234 and 2003R-235, approving modifications to the City's process for issuing residential and business district block event permits, and appropriating \$12,500 to the City Council budget for staff assistance with the block event process, were passed 5/16/2003 by the City Council. A complete copy of these resolutions are available for public inspection in the office of the City Clerk.

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

RESOLUTION 2003R-234

By Johnson

Approving modifications to the City's process for issuance of block event permits.

Be It Resolved by The City Council of The City of Minneapolis:

That the City will continue to issue permits for residential and business district block events; a new residential event fee structure will be considered by the Transportation & Public Works Committee.

That the process for block events be approved as follows:

Residential Events

a) **Staffing:** Move administration of Residential Block Events to City Council staff only for calendar year 2003 and use additional revenue from block permits and continue to keep the City Council receptionist position in place through August 2003, with signature approval required by the Public Works Department. Written procedures will be developed to provide consistency among the wards in administering the permits.

b) **Funding:** Fee revenue is directed to the City Council Agency (0100-240-2414) and will be utilized for a part-time staff person to assist with National Night Out permits, and for other Residential and Commercial Block Events as needed.

c) **Filing:** Applicants will be strongly encouraged to file on-line but the City will offer a paper application. Applicants may file in person, on-line, by facsimile or US mail. Payment of the fee will be required (either an on-line payment subject to development of a system by the Business Information Services Department, or receipt of check within 3 days of submission of the on-line application, or receipt of the check with the paper application).

d) **Fees:** The following new fee schedule will be considered by the Transportation & Public Works Committee:

- 35+ days change from \$15 to \$25
- 22-34 days change from \$25 to \$40
- 15-21 days change from \$30 to \$60
- 7-14 days - \$160
- 0-6 days - \$200

e) **Signatures:** Change the residents' signature requirement to an affidavit by the applicant, stating that the list of residents and addresses on the application have agreed to the event and represent a minimum of 75% of the block.

f) **Approvals:** Change the City Council approval process to a communication and review process, thus eliminating the requirement for a Council Member signature on all applications. Council Members receive notification of the event for their review, but their signature is not required.

g) **Barricades:** Change the requirement for wooden barricades. Require official Block Event yellow tape, with permit attached and signage to close the street. Applicant would bring their permit to the local Fire station or neighborhood association office to pick up their official tape and signs. Applicants would have the option of renting barricades through the private sector.

Business District Events

a) **Staffing:** Move administration to City Council staff with signature approval required by the Public Works and Police Department.

b) **Approvals:** Chief of Police or designee also approves or denies all Business District Events. Council member receives notification of the event for their review, but their signature is not required.

c) **Fees:** The following new fee schedule will be considered by the Transportation & Public Works Committee:

- 45+days change from \$100 to \$200
- 30-44 days change from \$150 to \$250
- 20-29 days - \$350
- 0-19 days - \$400

d) **Requirements:** Insurance shall be required as follows:

<i>Current</i>	<i>New Requirements</i>
One claimant - \$100,000	\$300,000
Any number of claimants - \$300,000	\$1,000,000

Be It Further Resolved that said modifications be adopted as a one-year interim plan and the process changes, fee structures and staffing will be evaluated before the end of 2003.

Adopted 5/16/03.

Yeas, 11; Nays, 1 as follows:

Yeas - Johnson, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Samuels, Ostrow.

Nays - Lane.

Absent - Colvin Roy.

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

RESOLUTION 2003R-235

By Johnson

Amending The 2003 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 City Council Agency in the General Fund (0100-240-2414) by \$12,500 and increasing the revenue source (0100-240-2414 - Source 3125) by \$12,500.

Adopted 5/16/03.

Yeas, 11; Nays, 1 as follows:

Yeas - Johnson, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Samuels, Ostrow.

Nays - Lane.

Absent - Colvin Roy.

W&M/Budget - Your Committee recommends passage of the accompanying resolution requesting the Board of Estimate and Taxation to issue and sell a total of \$241 million of City general obligation bonds between the years 2003 and 2005 for various City projects/obligations and approving an agreement with Wells Fargo Brokerage Services to serve as underwriter for the bonds.

Adopted 5/16/03.

Absent - Colvin Roy.

Resolution 2003R-236 requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis general obligation bonds in the aggregate amount of \$241,000,000 in the calendar years 2003, 2004, and 2005 for certain purposes and to authorize an agreement for the purchase of such bonds, was passed 5/16/2003 by the City Council. 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 2003R-236

By Johnson

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis general obligation bonds in the aggregate amount of \$241,000,000 in the calendar years 2003, 2004, and 2005 for certain purposes and to authorize an agreement for the purchase of such bonds.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis general obligation bonds in the aggregate amount of \$241,000,000 in the calendar years 2003, 2004, and 2005 for the following purposes: (i) \$75,000,000 to pay the unfunded pension liability for Minneapolis Employees Retirement Fund (MERF); (ii) \$20,000,000 to pay the unfunded pension liability for the Minneapolis Fire Relief Association (MFRA); (iii) \$73,000,000 to pay the unfunded pension liability for Minneapolis Police Relief Association (MPRA); (iv) \$23,000,000 to finance improvements to the community libraries of the Library Board with the proceeds of bonds approved by voter referendum in November of 2000; and (v) \$50,000,000 to finance general capital improvements through the issuance of net debt bonds.

Be It Further Resolved that the Finance Officer and the Board of Estimate and Taxation are hereby authorized to negotiate and approve a bond purchase agreement with Wells Fargo Brokerage Services, LLC to provide for the negotiated purchase of the bonds authorized to be issued and sold pursuant to this resolution.

Adopted 5/16/03.

Absent - Colvin Roy.

W&M/Budget - Your Committee recommends that the accompanying ordinance amending Title 2, Chapter 14, of the Minneapolis Code of Ordinances relating to Administration: In General, adding a new Section 14.210 that clarifies the communication and enforcement relationship between the City and the United States Department of Justice Immigration and Naturalization Services, be returned to author.

Schiff moved to amend the report by deleting the language "returned to author" and inserting in lieu thereof "referred to the Health & Human Services Committee". Seconded.

Adopted upon a voice vote.

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

Z&P - Your Committee recommends denial of the appeal filed by Wanda Alexander from the decision of the Board of Adjustment which approved with conditions the variance application of Thomas Clausen, 168 Orlin Ave (BZZ-1071) to reduce the front yard setback along Emerald St SE from the required 15' to 5' to allow for the construction of an addition and attached garage to an existing single-family dwelling on a reverse corner lot, and that the findings prepared by the Planning Department be adopted.

Adopted 5/16/03.

Absent - Colvin Roy.

Z&P - Your Committee recommends adoption of the findings of the Planning Department and granting the appeal of Bruce Erickson, 2101 Drew Ave S (BZZ-1095) from the decision of the Board of Adjustment, which denied variance applications to reduce the front yard setback along Drew Ave S from the required 25' to 12' to allow for construction of an in-ground swimming pool and to 5' to allow for the construction of a deck, and to increase the maximum height of a fence located in the front yard from the permitted 3' to 6'.

Adopted 5/16/03.

Absent - Colvin Roy.

Z&P - Your Committee recommends denial of the appeal filed by Marcus Mollison, on behalf of Burger King Corporation (BZZ-1087), from the decision of the Board of Adjustment which denied an application for a nonconforming use certificate to establish legal nonconforming rights for a fast-food restaurant with a drive through facility located in a Pedestrian Oriented Overlay District at 2104 E Lake St, and that the findings prepared by the Planning Department be adopted.

Adopted 5/16/03.

Absent - Colvin Roy.

Z&P - Your Committee, having under consideration applications of Tim Rooney for variances and associated appeals (BZBA 1/BZA 58 and BZV 324/BZZ 79) for a multiple-family development at 21 N 15th St, said variances having been approved by the Board of Adjustment and upheld on appeal by the City Council on 5/18/01, now recommends that the time period for which such zoning approvals are valid be extended to 5/18/04 to allow the applicant to obtain building or other permits that are contingent upon valid zoning approvals.

Adopted 5/16/03.

Absent - Colvin Roy.

Z&P - Your Committee concurs in the recommendation of the Planning Commission denying the application of Kevin Geldert, for Kevin's Auto (BZZ-1056), to rezone the property at 3800 Bloomington Ave S from C-1 to the C-2 District to permit conversion of two service bays at the existing station to a convenience store, and by adding a car wash, and that the findings prepared by the Planning Department be adopted.

Adopted 5/16/03.

Absent - Colvin Roy.

Z&P – Your Committee concurs in the recommendation of the Planning Commission denying the application of CSS Builders, Inc (BZZ-1096) to rezone property at 5247 Minnehaha Ave and 4820-24 E 53rd St from C2 and OR2 to the OR3 District to permit a 91-unit senior condominium development, and in lieu thereof, approving the rezoning application from C2 to the OR2 District for property at 5247 Minnehaha Ave, and to adopt the related findings prepared by the Planning Department.

Your Committee further recommends passage of the accompanying amendment to the Zoning Ordinance.

Adopted 5/16/03.

Absent - Colvin Roy.

Ordinance 2003-Or-059, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 5247 Minnehaha Ave to the OR2 District, was passed 5/16/03 by the City Council. 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 2003-Or-059

By Schiff

1st & 2nd Readings: 5/16/03

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

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

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Lot 6, Block 1, in Hiawatha Rearrangement of Lots 1 and 7, Mather's Outlots to Minneapolis, except that part thereof lying Northeasterly of a line drawn from a point 41 feet north of the Southeasterly corner of said Lot 6 to a point 24 feet West of the Northeasterly corner of Lot 6, according to the plat thereof on file or of record in the office of the Register of Deeds in and for said County; Lots 7 and 8, Block 1, in Hiawatha Rearrangement of Lots 1 and 7, Mather's Outlots to Minneapolis, according to the plat thereof on file or of record in the office of the Register of Deeds in and for said County; and Lot 7 is subject to a reservation by the State of Minnesota of mineral and mineral rights (5247 Minnehaha Ave - Plate 40) to the OR2 District.

Adopted 5/16/03.

Absent - Colvin Roy.

MOTIONS

Johnson, Chair of the Ways & Means/Budget Committee, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of June, 2003, approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 5/16/03.

Absent - Colvin Roy.

Johnson Lee moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Gene Oberpriller for a residential block event to be held May 18, 2003, between the hours of 10:30 a.m. and 6:30 p.m. on the alley between Washington and 3rd St from 1st to 2nd Avenues North. Seconded.

Adopted 5/16/03.

Absent - Colvin Roy.

Schiff moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Amy Raspberry for Folwell School for a residential block event to be held May 16, 2003, between the hours of 4:30 p.m. and 9:00 p.m. on 21st Avenue South between 35th & 36th Streets East. Seconded.

Adopted 5/16/03.

Absent - Colvin Roy.

Lilligren introduced the subject matter of an Ordinance amending Title 17, Chapter 455 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Block Events*, which was given its first reading and referred to the Transportation & Public Works Committee for a public hearing June 10, 2003 (Amending the block event process, fees and insurance requirements).

Schiff introduced the subject matter of an Ordinance amending Title 8 of the Minneapolis Code of Ordinances relating to *Consumer Protection*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (Relating to predatory lending).

Niziolek introduced the subject matter of an Ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (To clearly establish liability of the contact person and our ability to pursue the owner and/or contact, require changes in application information, allow request for new application or floor plan at any time, provide for potential revocation).

Johnson Lee introduced the subject matter of an Ordinance amending Title 11, Chapter 231 of the Minneapolis Code of Ordinances relating to *Health & Sanitation: Public Swimming Pools*, which was given its first reading and referred to the Health & Human Services Committee.

Niziolek introduced the subject matter of an Ordinance amending Title 13, Chapter 265 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Special Permits for Specific Businesses and Uses*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (Amending Chapter 265.290 Sidewalk Café Restrictions to add the Lake and Hennepin PO Overlay District as defined in section 551.150).

Schiff moved that the 2003 budget for the City Clerk be amended by reinstating one Full-Time Equivalent (FTE) Office Support Specialist I position for the remainder of 2003 using all block event fee income to fund the position and, when that revenue is gone, amending the budget to fund the position from the General Fund. Seconded.

Lost 5/16/03. Yeas, 5; Nays, 7 as follows:

Yeas - Johnson, Zimmermann, Schiff, Johnson Lee, Goodman.

Nays - Zerby, Lilligren, Niziolek, Benson, Lane, Samuels, Ostrow.

Absent - Colvin Lee.

Lilligren moved that the City Engineer and City Attorney be authorized to submit a letter memorandum to the Metropolitan Council opposing a petition for a direct connection of the Metropolitan Airports Commission to the Metropolitan Disposal System. MAC would then bypass the Minneapolis sewer system and eliminate the Metropolitan Airport Commission's obligation to pay regular sewer fees to the City of Minneapolis. Seconded.

Adopted 5/16/03.

Absent - Colvin Roy.

RESOLUTIONS

Johnson Lee and Johnson offered a resolution honoring Patrick Henry Senior High School Varsity Young Men's Basketball Team.

Adopted 5/16/03.

Absent - Colvin Roy.

(Not published. See Resolution 2003R-237 on file in the office of the City Clerk.)

The following is the complete text of the unpublished resolution.

**RESOLUTION 2003R-237
By Johnson Lee and Johnson**

Honoring Patrick Henry Senior High School Varsity Young Men's Basketball Team.

Whereas, the Patrick Henry Senior High School Varsity Young Men's Team has won its Fourth Class 3A State Basketball Championship in the past five years; and

Whereas, the players, managers and coaches, embody the pursuit of excellence, tenacity, and traditional competitive spirit of the proud residents of greater North Minneapolis and the entire City of Minneapolis; and

Whereas, 12 out of 14 players on the Varsity Basketball Team are on the A or B Academic Honor Roll; and

Whereas, Head Coach Larry McKenzie has fostered a unique family atmosphere among players, parents, managers, and coaches; and

Whereas, successful community partnerships have been formed between the Varsity Basketball Team and the Ace Program, the school Learning Center, Kappa Alpha Psi Fraternity, and others, which have enhanced the learning, growth, and development opportunities for the esteemed team members; and

Whereas, the residents of North Minneapolis stand proudly to cheer and recognize this grand team accomplishment - winning four State Basketball Championship titles - in which only one other team has achieved this feat in the history of the State of Minnesota;

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

That the City of Minneapolis wishes to extend our deepest congratulations to the Patrick Henry Senior High School Young Men's Varsity Team for winning the Class 3A State Championship.

Be It Further Resolved that the City of Minneapolis officially recognizes the current basketball program at Patrick Henry Senior High School as a program of excellence that should be replicated and celebrated across our land.

Adopted 5/16/03.

Absent - Colvin Roy.

Zimmermann and Schiff offered a Resolution honoring Professor Wayne Potratz.

Adopted 5/16/03.

Absent - Colvin Roy.

(Not published. See Resolution 2003R-238 on file in the office of the City Clerk.)

The following is the complete text of the unpublished resolution.

**RESOLUTION 2003R-238
By Zimmermann and Schiff**

Honoring Professor Wayne Potratz for his generous contribution to preserving the history of Minneapolis and the Pioneers and Soldiers Cemetery.

Whereas, the Minneapolis Pioneers and Soldiers Cemetery is the oldest existing cemetery in the City of Minneapolis; and

Whereas, the Minneapolis Pioneers and Soldiers Cemetery has been placed on the National Register of Historic Places; and

Whereas, the Minneapolis Pioneers and Soldiers Cemetery contains numerous symbols of the City's history and cultural heritage, some of which have been lost over the years; and

Whereas, Professor Wayne Potratz donated his time and talents to restoring a rediscovered iron cross that had been a grave marker for a child, John Herman Graveni, who died on April 3, 1884; and

Whereas, the remounting of the restored iron cross will be a key event during the 2003 Arbor Day Celebration;

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

That we commend and extend our gratitude to Wayne Potratz for his generosity in preserving a valuable symbol of the City's history and ethnic heritage and for restoring a family's memorial to their son.

Adopted 5/16/03.

Absent - Colvin Roy.

Zimmermann and Schiff offered a Resolution honoring Friends of the Pioneers and Soldiers Cemetery including volunteers Christie Johnson, Dorothy LaDeu, Barb Olson, and Sue Hunter Weir for their diligence in preserving the history of Minneapolis and the Pioneers and Soldiers Cemetery.

Adopted 5/16/03.

Absent - Colvin Roy.

(Not published. See Resolution 2003R-239 on file in the office of the City Clerk.)

The following is the complete text of the unpublished resolution.

RESOLUTION 2003R-239
By Zimmermann and Schiff

Honoring Friends of the Pioneers and Soldiers Cemetery including volunteers Christie Johnson, Dorothy LaDeu, Barb Olson, and Sue Hunter Weir for their diligence in preserving the history of Minneapolis and the Pioneers and Soldiers Cemetery.

Whereas, the Pioneers and Soldiers Cemetery is 150 years old this year and is the oldest existing cemetery in the City of Minneapolis; and

Whereas, through the work of these dedicated volunteers over several years, the Pioneers and Soldiers Cemetery was placed on the National Register of Historic Places on June 6, 2002; and

Whereas, the Friends of the Minneapolis Pioneers and Soldiers Cemetery, in partnership with local veterans, have renewed interest in the cemetery's Memorial Day program, with over 200 people attending in 2002; and

Whereas, Friends of the Pioneers and Soldiers Cemetery works to share the history of the cemetery and the City by offering tours of the cemetery; and

Whereas, the Friends of the Minneapolis Pioneers and Soldiers Cemetery will host a program and tree-planting for the City's official 2003 Arbor Day Celebration with the theme "Renewing Our Legacy: 150 Trees for 150 Years;"

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

That we commend and extend our gratitude to the Friends of the Minneapolis Pioneers and Soldiers Cemetery and its core volunteers for their ongoing work to preserve and share the rich history of Pioneers and Soldiers Cemetery and the City of Minneapolis.

Adopted 5/16/03.

Absent - Colvin Roy.

UNFINISHED BUSINESS

Comm Dev & W&M/Budget - Your Committee, to whom was referred back from Council on February 28, 2003 the proposed organizational structure of the Community Planning and Economic Development (CPED) Department, now recommends:

Comm Dev - a) That the Regulatory Services Department be relocated to the CPED Department and report directly to the Interim Director of CPED;

b) That the CPED Department report directly to the City Council and the Mayor; and

c) That the Minneapolis Employment and Training Program (METP) be relocated from the Health Department to the CPED Department and report directly to the Interim Director of CPED;

W&M/Budget - a) That the Regulatory Services Department shall remain a separate department from CPED and report directly to the City Coordinator;

b) That the CPED Department report directly to the City Coordinator; and

c) That the Minneapolis Employment and Training Program (METP) be relocated from the Health Department to CPED.

Goodman moved to substitute the following report for the above report. Seconded.

Adopted upon a voice vote.

Comm Dev & W&M/Budget - Your Committee, to whom was referred back from Council on February 28, 2003 the proposed organization structure of the Community Planning and Economic Development (CPED) Department now recommends:

a) That the Regulatory Services Department remain a separate department from CPED and report directly to the City Coordinator;

b) That the CPED Department report directly to the City Council and the Mayor; and

c) That the Minneapolis Employment and Training Program (METP) be relocated from the Health Department to the CPED Department and report directly to the Interim Director of CPED.

Adopted 5/16/03. Yeas, 8; Nays, 3 as follows:

Yeas - Johnson, Zimmermann, Schiff, Zerby, Lilligren, Benson, Goodman, Ostrow.

Nays - Niziolek, Lane, Samuels.

Declining to Vote - Johnson Lee.

Absent - Colvin Roy.

Z&P – Your Committee, having under consideration the West Broadway Rezoning Study, for property along W Broadway Ave from City limits on the west to the intersection of W Broadway and Girard Aves on the east, extending 150 feet on each side of the centerline of W Broadway, and including the area bounded by a 1/4 mile radius around the intersection of W Broadway and Penn Aves, now recommends concurrence in the recommendation of the Planning Commission adopting the related findings prepared by the Planning Department and approving the proposed modifications to the official zoning maps in the City's zoning code as detailed in the maps and tables contained in Petn No 268693, as updated 3/27/03.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Johnson moved to amend Petn No 268693 by modifying the list of properties to be rezoned and maps contained therein to add the property at 2940 Vincent Ave N to be rezoned from R1A to the R2B District. Seconded.

Adopted upon a voice vote.

Zerby moved that the report be postponed. Seconded.

Lost upon a voice vote.

The report, as amended, was adopted 5/16/03. Yeas, 11; Nays, 1 as follows:

Yeas - Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Lane, Samuels, Ostrow.

Nays - Johnson.

Absent - Colvin Roy.

Ordinance 2003-Or-060, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the following properties, was passed 5/16/03 by the City Council:

2911, 2915 Upton Ave N, 3100, 3104, 3108, 3112 Washburn Ave N, 2559, 2734, 2832, 3000 W Broadway, 3023, 3029-31 Vincent Ave N, 2651, 2655, 2730 Thomas Ave N, 2300, 2306, 2310, 2312 Penn Ave N, 2106, 2110, 2114 - 23rd Ave N, 2000, 2004, 2008, 2012-14, 2016, 2020 - 21st Ave N, 2102, 2108, 2112, 2116, 2120, 2202, 2206, 2210 Oliver Ave N, 1622, 1422, 1418, 1414, 1408, 1410, 1406, 1500, 1600-02, 1608, 1612, 1616 Golden Valley Rd, 2301, 2307, 2311, 2315, 2319, 2323 Penn Ave N to the R4 District;

1300, 1314, 1402, 1410, 1408, 1400, 1516, 1512, 1506-10, 2501, 2600, 2636, 2638, 2648 W Broadway to the C1 District;

2400-04, 2416 Penn Ave N, 2128-30, 2126, 2118-24, 2104, 2100-02, 2064-66, 2058, 2054-56, 2050-52, 2046-48, 2044, 2038, 2034-36, 2028-32, 2425-27, 2417, 2209, 2221, 2229, 2407, 2415, 2314, 2320, 2324, 2400 W Broadway, 2301 - 24th Ave N, 2341 Penn Ave N, 2401 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;

2406-08 Penn Ave N, 2421 W Broadway to the C1 District with PO Pedestrian Oriented Overlay District;

2027, 2029, 2033, 2101, 2201-03, 2220, 2300, 2304, 2312, 2420 W Broadway, 2508 Queen Ave N, by adding the PO Pedestrian Oriented Overlay District to the existing C2 District;

2117, 2119-23, 2129 W Broadway to the C2 District with the PO Pedestrian Oriented Overlay District;

1702, 1706, 1710, 1714, 1716, 1720, 1726, 1800, 1804, 1808, 1818, 1820, 1826, 1900, 1904, 1910, 1914, 1915, 1918, 1919, 1920-22, 1921-23, 1926, 1930, 1931, 1935, 1936-38, 1939, 2000, 2004, 2006, 2010, 2014, 2015, 2018, 2021, 2022, 2005 W Broadway, 2009 Ilion Ave, to the R5 District;

2301 Oliver Ave N to the OR2 District;

1923 Logan Ave N, 2006 James Ave N to the OR1 District;

1625 W Broadway by adding the IL Industrial Living Overlay District to the existing I1 District;

1401-03 W Broadway to the I1 District with IL Industrial Living Overlay District;

2235, 2239, 2303, 2307, 2311, 2315, 2319, 2321 W Broadway, 2327, 2331, 2335, 2413, 2419 Penn Ave N, to the OR2 District with PO Pedestrian Oriented Overlay District;

212 McNair Ave to the OR1 District with the PO Pedestrian Oriented Overlay District;

2329 W Broadway to the OR2 District with PO Pedestrian Oriented Overlay District;

2940 Vincent Ave N to the R2B District.

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 2003-Or-060

By Schiff

1st & 2nd Readings: 5/16/03

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

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

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcels of land, pursuant to MS 462.357:

A. The following parcels of properties located within the area along W Broadway Ave from City limits on the west to the intersection of W Broadway and Girard Aves on the east, extending 150 feet on each side of the centerline of W Broadway, and including the area bounded by a 1/4 mile radius around the intersection of W Broadway and Penn Aves (Plate 7), specifically identified as follows:

Property ID	Address
0802924420042	2915 Upton Ave N from OR1 to the R4 District;
0802924420043	2911 Upton Ave N from OR1 to the R4 District;
0802924420050	2734 W Broadway from OR1 to the R4 District;
0802924420135	3112 Washburn Ave N from R1A to the R4 District;
0802924420136	3108 Washburn Ave N from R1A to the R4 District;
0802924420140	3029-31 Vincent Ave N from R1A to the R4 District;
0802924420142	3100 Washburn Ave N from R1A to the R4 District;
0802924420143	3104 Washburn Ave N from R1A to the R4 District;
0802924420144	2832 W Broadway from R1A to the R4 District;
0802924420145	3000 W Broadway from OR2 to the R4 District;
0802924420146	3023 Vincent Ave N from R1A to the R4 District;
0802924420171	2730 W Broadway from OR1 to the R4 District;
0802924430002	2559 W Broadway from OR1 to the R4 District;
0802924430003	2655 Thomas Ave N from OR1 to the R4 District;
0802924430004	2651 Thomas Ave N from OR1 to the R4 District;
0802924430065	2600 W Broadway from C2 to the C1 District;
0802924430066	2636 W Broadway from C2 to the C1 District;
0802924430067	2638 W Broadway from C2 to the C1 District;
0802924430068	2648 W Broadway from C2 to the C1 District;
0802924440206	2501 W Broadway from C2 to the C1 District;
1602924130145	1300 W Broadway from C2 to the C1 District;
1602924130152	1314 W Broadway from C2 to the C1 District;
1602924220159	2416 Penn Ave N by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220160	2406-08 Penn Ave N from C2 to the C1 District with PO Pedestrian Oriented Overlay District;
1602924220161	2400-04 Penn Ave N by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220162	2128-30 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220163	2126 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220165	2118-24 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220166	2104 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220167	2100-02 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220168	2064-66 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220169	2058 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220170	2054-56 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220171	2050-52 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220172	2046-48 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220173	2044 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220174	2038 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;

1602924220175	2034-36 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220176	2028-32 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1602924220177	2029 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C2 District;
1602924220178	2033 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C2 District;
1602924220181	2119-23 W Broadway from C1 to the C2 District with the PO Pedestrian Oriented Overlay District;
1602924220182	2117 W Broadway from C1 to the C2 District with the PO Pedestrian Oriented Overlay District;
1602924220183	2129 W Broadway from C1 to the C2 District with the PO Pedestrian Oriented Overlay District;
1602924220185	2312 Penn Ave N from R2B to the R4 District;
1602924220186	2310 Penn Ave N from R2B to the R4 District;
1602924220187	2306 Penn Ave N from R2B to the R4 District;
1602924220188	2300 Penn Ave N from R2B to the R4 District;
1602924220189	2114 - 23rd Ave N from R2B to the R4 District;
1602924220195	2101 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C2 District;
1602924230038	1800 W Broadway from C1 to the R5 District;
1602924230039	1804 W Broadway from C1 to the R5 District;
1602924230040	1808 W Broadway from C1 to the R5 District;
1602924230041	2009 Ilion Ave from C1 to the R5 District;
1602924230042	1818 W Broadway from C1 to the R5 District;
1602924230043	1820 W Broadway from C1 to the R5 District;
1602924230044	1826 W Broadway from C1 to the R5 District;
1602924230045	1900 W Broadway from C1 to the R5 District;
1602924230046	1904 W Broadway from C1 to the R5 District;
1602924230047	1910 W Broadway from C1 to the R5 District;
1602924230048	1914 W Broadway from C1 to the R5 District;
1602924230049	1918 W Broadway from C1 to the R5 District;
1602924230050	1920-22 W Broadway from C1 to the R5 District;
1602924230051	1926 W Broadway from C1 to the R5 District;
1602924230054	1936-38 W Broadway from C1 to the R5 District;
1602924230055	2000 W Broadway from C1 to the R5 District;
1602924230056	2006 W Broadway from C1 to the R5 District;
1602924230057	2004 W Broadway from C1 to the R5 District;
1602924230058	2010 W Broadway from C1 to the R5 District;
1602924230059	2014 W Broadway from C1 to the R5 District;
1602924230060	2018 W Broadway from C1 to the R5 District;
1602924230063	2027 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C2 District;
1602924230064	2110 - 23 rd Ave N from R2B to the R4 District;
1602924230065	2106 - 23 rd Ave N from R2B to the R4 District;
1602924230066	2301 Oliver Ave N from C1 to the OR2 District;
1602924230092	2021 W Broadway from C1 to the R5 District;
1602924230093	2015 W Broadway from C1 to the R5 District;
1602924230097	1939 W Broadway from C1 to the R5 District;
1602924230098	1935 W Broadway from C1 to the R5 District;
1602924230099	1931 W Broadway from C1 to the R5 District;
1602924230102	1919 W Broadway from C1 to the R5 District;
1602924230103	1915 W Broadway from C1 to the R5 District;

1602924230104	2000 - 21 st Ave N from R5 to the R4 District;
1602924230105	2004 - 21 st Ave N from R5 to the R4 District;
1602924230106	2008 - 21 st Ave N from R5 to the R4 District;
1602924230107	2012-14 - 21 st Ave N from R5 to the R4 District;
1602924230108	2016 - 21 st Ave N from R5 to the R4 District;
1602924230109	2020 - 21 st Ave N from R5 to the R4 District;
1602924230110	2102 Oliver Ave N from R5 to the R4 District;
1602924230111	2108 Oliver Ave N from R5 to the R4 District;
1602924230112	2112 Oliver Ave N from R5 to the R4 District;
1602924230113	2116 Oliver Ave N from R5 to the R4 District;
1602924230114	2120 Oliver Ave N from R5 to the R4 District;
1602924230115	2202 Oliver Ave N from R5 to the R4 District;
1602924230116	2206 Oliver Ave N from R5 to the R4 District;
1602924230117	2210 Oliver Ave N from R5 to the R4 District;
1602924230190	1923 Logan Ave N from R2B to the OR1 District;
1602924230206	2022 W Broadway from C1 to the R5 District;
1602924230207	2005 W Broadway from C1 to the R5 District;
1602924230209	1930 W Broadway from C1 to the R5 District;
1602924230221	1921-23 W Broadway from C1 to the R5 District;
1602924240073	1410 W Broadway from C2 to the C1 District;
1602924240074	1408 W Broadway from C2 to the C1 District;
1602924240078	1400 W Broadway from C2 to the C1 District;
1602924240124	2006 James Ave N from C1 to the OR1 District;
1602924240131	1516 W Broadway from C2 to the C1 District;
1602924240132	1512 W Broadway from C2 to the C1 District;
1602924240133	1506-10 W Broadway from C2 to the C1 District;
1602924240150	1702 W Broadway from C1 to the R5 District;
1602924240151	1706 W Broadway from C1 to the R5 District;
1602924240152	1710 W Broadway from C1 to the R5 District;
1602924240153	1714 W Broadway from C1 to the R5 District;
1602924240154	1716 W Broadway from C1 to the R5 District;
1602924240155	1720 W Broadway from C1 to the R5 District;
1602924240156	1726 W Broadway from C1 to the R5 District;
1602924240166	1625 W Broadway by adding the IL Industrial Living Overlay District to the existing I1 District;
1602924240167	1622 Golden Valley Rd from R5 to the R4 District;
1602924240168	1616 Golden Valley Rd from R5 to the R4 District;
1602924240169	1612 Golden Valley Rd from R5 to the R4 District;
1602924240170	1608 Golden Valley Rd from R5 to the R4 District;
1602924240171	1600-02 Golden Valley Rd from R5 to the R4 District;
1602924240186	1401-03 W Broadway from C2 to the I1 District with IL Industrial Living Overlay District;
1602924240191	1422 Golden Valley Rd from R3 to the R4 District;
1602924240192	1418 Golden Valley Rd from R3 to the R4 District;
1602924240193	1414 Golden Valley Rd from R3 to the R4 District;
1602924240194	1408 Golden Valley Rd from R3 to the R4 District;
1602924240195	1410 Golden Valley Rd from R3 to the R4 District;
1602924240196	1406 Golden Valley Rd from R3 to the R4 District;
1602924240211	1402 W Broadway from C2 to the C1 District;
1602924240216	1500 Golden Valley Rd from R5 to the R4 District;
1702924110001	2420 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C2 District;
1702924110003	2235 W Broadway from OR1 to the OR2 District with PO Pedestrian Oriented Overlay District;

1702924110004	2239 W Broadway from OR1 to the OR2 District with PO Pedestrian Oriented Overlay District;
1702924110005	2303 W Broadway from OR1 to the OR2 District with PO Pedestrian Oriented Overlay District;
1702924110006	2307 W Broadway from OR1 to the OR2 District with PO Pedestrian Oriented Overlay District;
1702924110007	2311 W Broadway from OR1 to the OR2 District with PO Pedestrian Oriented Overlay District;
1702924110008	2315 W Broadway from OR1 to the OR2 District with PO Pedestrian Oriented Overlay District;
1702924110009	2319 W Broadway from OR1 to the OR2 District with PO Pedestrian Oriented Overlay District;
1702924110010	2321 W Broadway from OR1 to the OR2 District with PO Pedestrian Oriented Overlay District;
1702924110038	2425-27 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1702924110039	2417 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1702924110040	2421 W Broadway from C2 to the C1 District with PO Pedestrian Oriented Overlay District;
1702924110056	2209 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1702924110057	2221 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1702924110059	2301 - 24 th Ave N by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1702924110066	2212 McNair Ave from R1A to the OR1 District with the PO Pedestrian Oriented Overlay District;
1702924110067	2229 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1702924110097	2407 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1702924110098	2415 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1702924110153	2419 Penn Ave N from C1 to the OR2 District with PO Pedestrian Oriented Overlay District;
1702924110154	2413 Penn Ave N from C1 to the OR2 District with PO Pedestrian Oriented Overlay District;
1702924110161	2508 Queen Ave N by adding the PO Pedestrian Oriented Overlay District to the existing C2 District;
1702924110175	2300 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C2 District;
1702924110178	2312 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C2 District;
1702924110179	2314 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1702924110180	2320 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1702924110181	2324 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1702924110182	2400 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1702924110183	2341 Penn Ave N by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;

1702924110184	2335 Penn Ave N from R2B to the OR2 District with PO Pedestrian Oriented Overlay District;
1702924110185	2331 Penn Ave N from R2B to the OR2 District with PO Pedestrian Oriented Overlay District;
1702924110186	2327 Penn Ave N from R2B to the OR2 District with PO Pedestrian Oriented Overlay District;
1702924110187	2323 Penn Ave N from R1A to the R4 District;
1702924110188	2319 Penn Ave N from R1A to the R4 District;
1702924110189	2315 Penn Ave N from R1A to the R4 District;
1702924110190	2311 Penn Ave N from R1A to the R4 District;
1702924110191	2307 Penn Ave N from R1A to the R4 District;
1702924110192	2301 Penn Ave N from R1A to the R4 District;
1702924110210	2329 W Broadway from OR1 to the OR2 District with PO Pedestrian Oriented Overlay District;
1702924110211	2401 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C1 District;
1702924110215	2201-03 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C2 District;
1702924110218	2220 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C2 District;
1702924110219	2304 W Broadway by adding the PO Pedestrian Oriented Overlay District to the existing C2 District;
0802924420051	2940 Vincent Ave N from R1A to the R2B District.

Adopted 5/16/03. Yeas, 11; Nays, 1 as follows:

Yeas - Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Lane, Samuels, Ostrow.

Nays - Johnson.

Absent - Colvin Roy.

Z&P - Your Committee, having under consideration the proposed amendments to *The Minneapolis Plan* relating to the West Broadway Rezoning Study, now recommends concurrence in the recommendation of the Planning Commission approving the designation of West Broadway as a commercial corridor between Girard and 26th Aves, and making the necessary corrections to the North Sector Land Use Policy map of *The Minneapolis Plan*, and to the "Commercial Corridors" and "Community Corridors" tables in Chapter 4 of *The Minneapolis Plan*, as outlined in the staff report contained in Petn No 268693, subject to review and adoption by the Metropolitan Council.

Adopted 5/16/03.

Absent - Colvin Roy.

T&PW & W&M/Budget - Your Committee recommends negotiation and execution of a sublease of approximately 37,500 square feet of land with Dunwoody College to Technology for \$1,500 per year plus a one time fee of \$5,500 for City leasing expenses which will commence 5/1/03 through 11/1/05, and have a one year option to renew.

Adopted 5/16/03.

Absent - Colvin Roy.

NEW BUSINESS

Niziolek offered the following Ordinances amending the Minneapolis Code of Ordinances that were given their first reading and referred to the Public Safety & Regulatory Services Committee amending:

- a) Title 10, Chapter 188 relating to *Food Code: Administration and Licensing*;
- b) Title 13, Chapter 261 relating to *Licenses and Business Regulations: License Fees Generally*;
- c) Title 13, Chapter 267 relating to *Licenses and Business Regulations: Amusements*;
- d) Title 13, Chapter 277 relating to *Licenses and Business Regulations: Building Trades Licenses*;
- e) Title 13, Chapter 278 relating to *Licenses and Business Regulations: Heating, Ventilating and Air Conditioning, Gasfitting, Oil, Plumbers/Gas Fitter, Refrigeration and Steam and Hot Water Installers*;
- f) Title 13, Chapter 307 relating to *Licenses and Business Regulations: Valet Parking*;
- g) Title 14, Chapter 362 relating to *Liquor and Beer: Liquor Licenses*; and
- h) Appendix J relating to *License Fee Schedule*.

Lilligren moved to adjourn. Seconded.

Adopted 5/16/03.

Absent - Colvin Roy.

Merry Keefe,
City Clerk.

Created: 05/20/2003
Modified: 05/22/2003
Corrected: 06/02/2003;
11/12/2003