

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF MARCH 19, 2004

(Published March 27, 2004, in *Finance and Commerce*)

Council Chamber

350 South 5<sup>th</sup> Street

Minneapolis, Minnesota

March 19, 2004 - 9:30 a.m.

Council President Ostrow in the Chair.

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

Absent - Samuels, Colvin Roy.

Lilligren moved acceptance of the minutes of the regular meeting and the adjourned session held February 27, 2004. 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 (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (269457)

Urban Homeworks, Inc. Project: Grant preliminary and final approval to issue up to \$1,350,000 in Tax-Exempt 501 c (3) Bank Qualified Bank Direct MCDA Revenue Bonds.

Harbor Light: Approve use of Single Room Occupancy units for Salvation Army's Transitional Housing Program.

Legislative Commission on Minnesota Resources: Submit grant proposals for activities in the Bassett Creek area.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (269458)

Container Logix, LLC Project (109/215 27th Av NE and 2810 University Av NE): Grant preliminary approval to issue up to \$2,800,000 in Limited Tax Supported Development Revenue Bonds through the Minneapolis Common Bond Fund.

Guthrie Theater Site: Increase appropriation for environmental and geotechnical remediation costs.

Neighborhood Revitalization Program/Community Planning & Economic Development Department Memorandum of Understanding: Status report on memorandum and authorization to execute support reimbursement agreement between CPED, NRP and Finance Department.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (269459)  
Warehouse District North Loop Neighborhood: Approve NRP Action Plan.

**HEALTH AND HUMAN SERVICES:**

CIVIL RIGHTS (269460)  
Civil Rights Director 2004 Work Plan.  
HEALTH AND FAMILY SUPPORT SERVICES (269461)  
Blue Ribbon Panel Report on Public Health in Minneapolis.

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

INSPECTIONS DEPARTMENT (269462)  
Code Compliance Officer II: Authorize 3.0 Code Compliance Officer II positions in Environmental Health Division and eliminate 3.0 Code Compliance Officer I positions.  
Children's Environmental Health Initiative: Execute agreement with Paula Maccabee for consulting services to address existing and emerging childhood health issues.

**INTERGOVERNMENTAL RELATIONS (See Rep):**

COUNCIL MEMBER OSTROW (269463)  
Twin Cities Habitat for Humanity (re 3254 & 3258 Stinson Blvd NE): Resolution supporting the environmental financial grant by Hennepin County for redevelopment of lots.

**PUBLIC SAFETY AND REGULATORY SERVICES:**

LICENSES AND CONSUMER SERVICES (269464)  
Taxicabs: Report on wheelchair accessible taxicab age requirement.  
POLICE DEPARTMENT (269465)  
Edison Public Safety Magnet: Report on Edison Public Service Academy/SLC, The Minneapolis Community Service Officer Program and Proposed Public Service Officer Program.

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

INSPECTIONS DEPARTMENT (269466)  
Smoke Detectors: Ordinance requiring smoke detectors in near proximity of all sleeping rooms and on every level of a dwelling; and that smoke detectors located in close proximity to the kitchen or bathroom must be equipped with a silencing switch.  
LICENSES AND CONSUMER SERVICES (269467)  
Licenses: Applications.

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

PURCHASING (269468)  
Bids for Tight Fitting Respirators: OP #6212 - accept low responsive bids of Elvin Safety Supply and Fischer Scientific for tight fitting respirators for Fire Department, contingent upon approval by Civil Rights Department.

**TRANSPORTATION AND PUBLIC WORKS:**

PUBLIC WORKS AND ENGINEERING (269469)  
Former Fire Station No. 13 (4201 Cedar Av S): Receive and file updated information.  
XCEL ENERGY (269470)  
Xcel Energy/NSP: Installation of various poles, overhead cables, and wires.

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

PUBLIC WORKS AND ENGINEERING (269471)

American Indian Center Renovation Project: Authorize change orders with Braden Construction, Inc. for additional improvements.

Kenwood Water Tower Lease: Authorize lease agreement with T-Mobile USA for installing a cellular telephone antenna.

Mpls Animal Care & Control Facility: Authorize change order with Rochon Corporation for improvements in architectural & structural designs.

Routine Maintenance Agreement with Hennepin County: Authorizing a Proposed Routine Maintenance Agreement effective 1/1/04 through 12/31/06.

Mpls Animal Care & Control Facility: Authorize change order with Kreck, O'Brien, Mueller & Wass Architects for additional architectural/engineering services.

Critical Parking Area: Establish Area #25, Laurel and Hawthorne Area.

University W St Renovation & 9th Ave SE St Reconstruction Projects: Designating certain locations and streets with improvements. Direction to the City Engineer to prepare assessments against the benefited properties and set a public hearing.

Hennepin County's Reconstruction of County State Aid Highway (CSAH) 153 (Lowry Avenue N from Theodore Wirth Parkway): Approve Layout No. 1 dated 12/29/03.

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

PUBLIC WORKS AND ENGINEERING (269472)

Riverside Avenue Bridge Lighting: Authorize an agreement with the Minnesota Department of Transportation (MnDOT) for replacement of street lights on the bridge over I-94.

Heritage Park Phase 1: Authorize change order with Xcel Energy for pedestrian street lighting, and extend contract expiration to 4/30/04.

Chicago Av Bridge Project: Approve negotiations to acquire permanent and temporary easements with Hennepin County Regional Railroad Authority (HCRRA), Hugo Bookstore and the Minneapolis Community Development Agency (MCDA) for land at the 4 corners of the bridge abutment.

Bid: OP #5605, increasing contract with Minnesota Native Landscaping for wetland establishment and general landscaping.

Bids: Approving bids submitted to Public Works Department for projects and/or services for the City.

Stone Arch Bridge Lighting Project: a) Accepting Xcel Energy's donation for lighting the arches; b) Amend the 2004 Capital Appropriation Resolution. Authorize agreements for obtaining donations and with MnDOT to allow the City to install and maintain the lights.

**WAYS AND MEANS BUDGET:**

FINANCE DEPARTMENT (269473)

Five-Year Financial Plan: Update.

PURCHASING (269474)

Staff Purchasing Letters.

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

ATTORNEY (269475)

Legal Settlements: Authorize settlement of the claims of Raymond Tiessen and Rayford Hickman.

BUSINESS INFORMATION SERVICES (269476)

Unisys Contract: Amendment to provide for additional managed services for the e-permit process under the One Stop Development Workflow Project.

Citizen Relationship Management (CRM) Work Order Management (WOM) 311 System: Authorize negotiations with Motorola as the preferred vendor.

**COMMUNICATIONS (269477)**

Utility Bill Insert: Authorize insert in April bills informing citizens of Inspections Department Homeowners Nights.

**CONVENTION CENTER (269478)**

Business Center at Minneapolis Convention Center: Issue request for proposals.

Internet/Wireless Services at Convention Center: Issue request for proposals.

**COORDINATOR (269479)**

New Central Library Project: Accept bids of Spacesaver Storage Systems, Inc. for shelving, Egan Companies for electrical work and Egan Companies for mechanical work.

**FINANCE DEPARTMENT (269480)**

Managed Care and Employment Services Contract: Extend contract with CorVel Corporation.

**HUMAN RESOURCES (269481)**

Labor Agreement with International Union of Operating Engineers (Local #70): Executive Summary of the terms of a two- year collective bargaining agreement.

Director, Development Finance Position: Classify new position.

Exemptions from Governor's Salary Cap: Grant authority to the City Coordinator to request exemptions.

City of Minneapolis Voluntary Employees' Beneficiary Association (VEBA) Health Benefit Plan and Agreement: Adopt VEBA Plan, authorize trust agreement with Wells Fargo, NA, authorize amendment to contract with Administrative Resources Corporation to add VEBA claims administration element, and direct staff to seek an IRS Exempt Organization Determination Letter.

**PURCHASING (269482)**

Bid for Telecommunications Equipment: Accept bid of Norstan Communications, Inc. for an intergrated voice response unit.

**WAYS AND MEANS BUDGET and ZONING AND PLANNING (See Rep):**

**ARTS COMMISSION (269483)**

MOSAIC: Advocating City support.

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

**PLANNING COMMISSION/DEPARTMENT (269484)**

Appeals:

Ross Fefercorn, dba RMF Entities (re 811-28th St W; 2809 Bryant Ave S; 2808, 2816 & 2824 Aldrich Ave S): Site plan requirements.

Zoning Code Text Amendments:

Exterior Security Barriers: Amending Title 20, Chapter 535 re prohibiting exterior security barriers attached to a non-residential building & facing a public street.

Signs: Amending Title 20, Chapter 543, re authorizing a variance/sign adjustment to allow flashing window or wall sign on large-scale museums.

**PLANNING COMMISSION:**

**1805 EAST HENNEPIN LLC (269485)**

Permission to vacate part of Stinson Blvd near the intersection of E Hennepin Ave.

**RYAN COMPANIES (269486)**

Permission to vacate: alley in block bounded by 11th & Chicago Aves S, E Lake St & Chicago, Milwaukee, St Paul & Pacific Railway; part of 10th Av S between 11th & Chicago Aves S, E Lake St & Chicago, Milwaukee, St Paul & Pacific Railway.

**ST. ANNE'S COMMUNITY DEVELOPMENT CORPORATION (269487)**

Permission to vacate running between Queen Av N and 26th Av N and West Broadway.

**MOTIONS:**

FINANCE DEPARTMENT (269488)  
Workers Compensation Payments.

**UNFINISHED BUSINESS:**

SENATOR ELLAN R. ANDERSON (269488.1)  
2004 Legislative Session: Ltr re 2004 Community Ownership Legislation.

**FILED:**

CITY CLERK/SPECIAL PERMITS (269489)  
2nd Av S, 1301 (General Sports Shows Inc) animals;  
2nd St N, 2901 (Let's Get Graphic) sign;  
6th St SE, 1401 (Creative Signs Inc) sign;  
7th Av N & 4th St N (Let's Get Graphic) sign;  
Hennepin Av between 28th & 31st Sts (Uptown Assn) Uptown Art Fair;  
Lake St W, 1728 (Attracta Sign) sign;  
Main St from E Hennepin to 6th Av SE (MN Riverfront) 10th Annual Stone Arch Festival of the Arts;  
Main St from E Hennepin to Stone Arch Bridge (MN Riverfront) 21st Annual Riverfront District July 4 Celebration;  
Oak St SE, 219 (Lawrence Sign) sign.  
MINNESOTA STATE OFFICES-State Auditor (269490)  
Minneapolis Neighborhood Revitalization Policy Board Year End 12/31/2002, audit report.  
OBLER, JASON (269491)  
Towing Reimbursement Claim: Ltr from claimant on Claims Committee agenda of 2/11/04.

*The following reports were signed by Mayor Rybak on 3/19/04, 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 **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

**Comm Dev** - Your Committee, having under consideration the request of Urban Homeworks, Inc. for issuance of Industrial Development Bonds for a project to refinance, renovate or acquire low-income housing at the following locations:

3104 Chicago Av S;  
2634 14th Av S;  
2902 Bryant Av N;  
529 Blair Av, St. Paul;  
3351 Park Av S;  
1815 Emerson Av N;  
2616 Blaisdell Av;  
461 Charles, St. Paul;  
2827 Bryant Av N;

and, having held a public hearing thereon, now recommends passage of the accompanying resolution giving preliminary and final approval to the issuance of up to \$1,350,000 in Tax-Exempt 501

(c)(3) Bank Qualified Bank Direct Minneapolis Community Development Agency Revenue Bonds, Series 2004, for Urban Homeworks, Inc.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Resolution 2004R-090, giving preliminary and final approval to the issuance of up to \$1,350,000 in Tax-Exempt 501 (c)(3) Bank Qualified Bank Direct Minneapolis Community Development Agency Revenue Bonds, Series 2004, for Urban Homeworks, Inc., was passed 3/19/04 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 2004R-090**  
**By Goodman**

**Giving preliminary and final approval to and authorizing a project on behalf of Urban Homeworks, Inc. (the "Company"), and authorizing the issuance of a revenue note of the Minneapolis Community Development Agency therefor.**

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, it has been proposed that the Agency issue a revenue note in the amount of approximately \$1,350,000 (the "Note") to (i) refinance rental housing facilities owned by the Company and located at 529 Blair Avenue in St. Paul and at the following addresses in Minneapolis: 3104 Chicago Avenue South, 2634 14th Avenue South, 2902 Bryant Avenue North, 3351 Park Avenue South, 1815 Emerson Avenue North, and 2616 Blaisdell Avenue South; (ii) refinance and renovate a rental housing facility located at 461 Charles Avenue in St. Paul; and (iii) acquire a rental housing facility located at 2827 Bryant Avenue North in Minneapolis (collectively, the "Project"); and

Whereas, the Agency and the Housing and Redevelopment Authority of the City of St. Paul will enter into a Joint Powers Agreement to enable the financing by the Agency of the portion of the Project located in the City of St. Paul; and

Whereas, the Agency expects to give final approval to the issuance of the Note by a resolution to be adopted on the date hereof; and

Whereas, the Note shall bear interest at an initial interest rate not to exceed five percent (5.00%) per annum, shall have a final maturity date not later than December 1, 2024, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference;

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

That the City Council hereby gives preliminary and final approval to the issuance by the Agency of the Note in the principal amount of approximately \$1,350,000 for the purpose of financing the Project.

That the Note is hereby designated as a "Program Bond" and is determined to be within the "Housing Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**Comm Dev** - Your Committee recommends approval of the Salvation Army's request to utilize 26 Single Room Occupancy (SRO) units on the fifth floor of the Harbor Lights facility (1010 Currie Av) for

single persons who have recently completed treatment and are participating in the transitional housing program with resident support services.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing the proper City officers to submit a grant proposal to the Legislative Commission on Minnesota Resources (LCMR) requesting funding for planning and implementation of channel and habitat restoration for the segment of Bassett Creek east of Cedar Lake Road.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Resolution 2004R-091, authorizing submission of a grant proposal to the Legislative Commission on Minnesota Resources (LCMR) requesting funding for activities planned for the Bassett Creek Valley area, was passed 3/19/04 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 2004R-091**

**By Goodman**

**Authorizing an application to the Legislative Commission on Minnesota Resources (LCMR) requesting funding for the Bassett Creek Valley area.**

Resolved by The City Council of The City of Minneapolis:

Whereas, the City of Minneapolis (City) intends to act as the legal sponsor for the project that is more completely described in the funding application to the LCMR; and

Whereas, the City has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration;

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

That the City Council hereby authorizes that a grant proposal be submitted to the Legislative Commission on Minnesota Resources for activities planned for the Bassett Creek Valley area.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

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

**Comm Dev & W&M/Budget** - Your Committee, having under consideration a request to issue revenue bonds for Container Logix, LLC for a project consisting of the acquisition and rehabilitation of an existing facility at 109/215 27th Av NE and 2810 University Av NE and, having held a public hearing thereon, now recommends passage of the accompanying resolution granting preliminary approval to issue up to \$2,800,000 in City of Minneapolis Limited Tax Supported Development Revenue Bonds for Container Logix, LLC to be issued through the Minneapolis Common Bond Fund and designating the bonds as bonds entitled to the security provided by Ordinance 87-Or-084, the Tax Reserve and Pledge Ordinance.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Resolution 2004R-092, giving preliminary approval to the issuance of up to \$2,800,000 in Development Revenue Bonds for Container Logix, LLC, was passed 3/19/04 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 2004R-092**  
**By Goodman and Johnson**

**Giving preliminary approval to a project on behalf of Container Logix, LLC and authorizing the issuance of revenue bonds or notes of the City of Minneapolis therefor; referring the proposed project to the Department of Employment and Economic Development for approval; and authorizing the preparation of necessary documents.**

Whereas, under Sections 469.152 through 469.1651 of the Minnesota Statutes, as amended (the "Act"), the City of Minneapolis, Minnesota (the "City") is authorized to issue revenue bonds or notes for the purpose of providing financing for the acquisition, construction, rehabilitation and installation of projects consisting of real and personal properties used or useful in connection with a revenue-producing enterprise engaged in any business; and

Whereas, the City has assumed the obligations of the Minneapolis Community Development Agency (the "Agency") with respect to a certain common bond fund and intends to continue to issue revenue bonds to be secured thereby (the "Common Fund Bonds"); and

Whereas, the City has authority to issue Common Fund Bonds and is the successor to the Common Fund Bonds issued by the Agency; and

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

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

Whereas, the promotion, attraction, encouragement and development of economically sound industry and commerce provides employment opportunities for residents of the City and encourages land development, thereby increasing the tax base of the City and overlapping taxing districts; and

Whereas, Container Logix, LLC, a Minnesota limited liability company (the "Company"), has proposed to acquire and renovate a manufacturing facility located at 109 27th Avenue Northeast, 215 27th Avenue Northeast and 2810 University Avenue Northeast in the City (hereinafter, the "Project"), to be used in the operation of its shipping container processing business; and

Whereas, the Company has proposed that the City issue one or more series of its Common Fund Bonds (the "Bonds"), for the purpose of financing the Project, including certain incidental expenses thereto, in an approximate principal amount of \$2,800,000 and the proposal calls for the proceeds realized upon the sale of the Bonds to be applied by the Company pursuant to a revenue agreement wherein the Company will be obligated to acquire and improve the Project and to make payments under the revenue agreement at the times and in the amounts sufficient to provide for the prompt payments of principal of, premium, if any, and interest on the Bonds and all costs and expenses of the City incident to the issuance and sale of the Bonds; and

Whereas, the City has been advised by representatives of the Company that conventional, commercial financing to pay the capital cost of the Project has not been obtained and is available only on a limited basis and at such high costs and on such terms of borrowing that the economic feasibility of the Project would be significantly impaired, such that the Project would not be undertaken but for the availability of industrial development bond financing under the Act; and

Whereas, the City Council has been advised that the proposed bond issue has been submitted to the Mayor and the Planning Commission of the City at least fourteen (14) days prior to consideration hereof; and

Whereas, it is proposed that the Bonds would be further secured by Chapter 424 of the City Code of Ordinances; and

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

Whereas, the undertaking of the proposed Project and the issuance of the Bonds to finance the cost thereof will further promote the public purposes and legislative objectives of the Act by encouraging the location and retention of revenue-producing enterprises within the City, by increasing the tax base of the City and overlapping taxing jurisdictions, by providing additional or retaining existing employment opportunities for residents of the City and surrounding area or by stimulating the development and redevelopment of marginal lands within the City; and

Whereas, except as may be authorized by Chapter 424 of the City Code of Ordinances, the full faith and credit of the City will not be pledged or responsible for the Project or for the payment of the principal of, premium, if any, and interest on the Bonds;

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

A. That it is hereby found and determined that the Project would not be undertaken but for the availability of industrial development bond financing under the Act.

B. That the undertaking of the Project and the issuance by the City of its Bonds pursuant to the Act in an approximate aggregate principal amount of \$2,800,000 or such other amount approved by the City not exceeding such sum by more than ten percent (10%), to finance the costs thereof, all as referred to above, is hereby authorized and approved by the City, subject to the approval of the Project by the Department of Employment and Economic Development of the State of Minnesota (the "Department") under the Act, and to the agreement of the City, the Company and the purchaser or purchasers of the Bonds on the detailed terms and conditions on which the Project will be acquired and improved and the Bonds will be issued, sold and secured.

C. That in accordance with Sections 469.152 through 469.1651, Minnesota Statutes, staff of the City is hereby authorized and directed to submit the proposal for undertaking the Project to the Department requesting approval of the Project. The Finance Officer, the City Attorney and other officers, employees and agents of the City are hereby authorized to provide the Department such preliminary information as may be required for this purpose. The City Attorney is also authorized, in cooperation Gray, Plant, Mooty, Mooty & Bennett, P.A., as bond counsel, to initiate preparation of such documents as may be appropriate to the Project in order that, when and if the Project is approved by the Department, it may be carried forward expeditiously.

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

E. That the City shall not adopt a resolution authorizing the issuance of the Bonds until all persons and entities, including the Company, involved in the operations or ownership of the Project have complied with all requirements of and had their respective affirmative action plans and equal opportunity requirements approved by the affirmative action office of the City.

F. That if and when the Bonds are issued by the City such Bonds shall be designated by the City Council of the City as bonds entitled to the security provided by Chapter 424 of the City Code of Ordinances and that the Bonds hereby requested to be designated shall not exceed \$2,800,000 or such other amount approved by the City not exceeding such sum by more than ten percent (10%).

G. This Resolution shall constitute the official intent of the City to reimburse expenditures by the Company with respect to the Project, within the meaning of Section 1.150-2 of the Treasury Regulations.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**Comm Dev & W&M/Budget** - Your Committee recommends passage of the accompanying resolution increasing the appropriation for the Community Planning & Economic Development (CPED) Department by \$20,000 to provide funds for additional environmental and geotechnical remediation costs for the Guthrie Theater site.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Approved by Mayor Rybak 3/19/04.

(Published 3/23/04)

**RESOLUTION 2004R-093  
By Goodman and Johnson**

**Amending The 2004 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the Community Planning and Economic Development Agency Special Revenue Funds (CAZ0-890-8952) by \$20,000.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Approved by Mayor Rybak 3/19/04.

(Published 3/23/04)

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Warehouse District North Loop Neighborhood Action Plan (the Plan), with total NRP expenditures not to exceed \$193,000, as set forth in Petn No 269459, now recommends:

a) That said Plan, and specifically those parts of the Plan that fall under City jurisdiction, be approved;

b) Passage of the accompanying resolution amending the 2004 General Appropriation Resolution increasing the NRP Program Fund by \$107,500;

c) That the proper City officers be authorized to establish dedicated reserve funds for the Plan within Fund CNR0 and to assign \$85,500 to such reserve for future years expenditures on the approved Plan; and

d) That the proper City officers be authorized to execute any agreements needed to implement activities set forth in the Plan.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**RESOLUTION 2004R-094  
By Goodman and Johnson**

**Amending The 2004 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the Fund CNR0 (NRP Program Fund) by \$107,500 from fund balance.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**Comm Dev & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute the 2004 Administrative Support Reimbursement Agreement between the

Community Planning and Economic Development (CPED) Department, Finance Department and the Neighborhood Revitalization Program (NRP), providing for NRP contract administration and related support services.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

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

**H&HS & W&M/Budget** - Your Committee recommends that 3.0 Full-Time Equivalent (FTE) Code Compliance Officer II positions be authorized for the Environmental Health Division of the Inspections Department and that 3.0 FTE Code Compliance Officer I positions be eliminated.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**H&HS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to execute an agreement with Paula Maccabee, in an amount not to exceed \$65,000, to provide consulting services to the Environmental Services Division of the Inspections Department for the Children's Environmental Health Initiative to address issues related to mercury, air toxics and other environmental threats that disproportionately impact children, and to identify and assemble agencies and/or groups to develop a strategic plan for the program.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

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

**IGR** - Your Committee recommends passage of the accompanying resolution supporting the environmental financial grant by the Hennepin County Department of Environmental Services to Twin Cities Habitat for Humanity for assistance in redevelopment of lots at 3254 and 3258 Stinson Blvd NE.

Adopted 3/19/04.

Absent – Samuels, Colvin Roy.

Resolution 2004R-095, supporting the environmental financial grant to Twin Cities Habitat for Humanity for the cleanup of 3254 and 3258 Stinson Blvd NE, Minneapolis, was passed 3/19/04 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 2004R-095**

**By Ostrow and Benson**

**Supporting the environmental financial grant to Twin Cities Habitat for Humanity for the cleanup of 3254 and 3258 Stinson Boulevard Northeast, Minneapolis.**

Whereas, the Minneapolis City Council recognizes the value of and need for affordable housing; and  
Whereas, Twin Cities Habitat for Humanity offers an opportunity to eliminate poverty housing from the Twin Cities and to make decent, affordable shelter for all people;

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

That the City of Minneapolis supports the environmental financial grant by the Hennepin County Department of Environmental Services to Twin Cities Habitat for Humanity for assistance in redeveloping lots at 3254 and 3258 Stinson Boulevard Northeast, in Minneapolis, for two units of affordable housing.

Adopted 3/19/04.

Absent – Samuels, Colvin Roy.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:  
**PS&RS** - Your Committee, to whom was referred an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, aligning the City's Ordinance with the State Building Code to require smoke detectors in near proximity of all sleeping rooms and on every level of a dwelling; and that smoke detectors located in close proximity to the kitchen or bathroom must be equipped with a silencing switch, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Ordinance 2004-Or-025 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, amending Section 244.915 to require smoke detectors in near proximity of all sleeping rooms and on every level of a dwelling; and that smoke detectors located in close proximity to the kitchen or bathroom must be equipped with a silencing switch, was passed 3/19/04 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 2004-Or-025**  
**By Zerby and Zimmermann**  
**Intro & 1st Reading: 2/13/04**  
**Ref to: PS&RS**  
**2nd Reading: 3/19/04**

**Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.**

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

Section 1. That Section 244.915 of the above-entitled ordinance be amended to read as follows:

**244.915. Fire warning system.** (a) Every hotel or motel sleeping room, and every dwelling unit, shared bath unit and rooming house shall be provided with an approved smoke detector as set out in this chapter. ~~Owner-occupied, single-family dwellings shall be provided with approved smoke detectors meeting the requirements of any one of the following Underwriters' Laboratory tests: UL 167, UL 168 or UL 217. Smoke detectors required for single-family dwellings shall be mounted on the ceiling or wall at a point centrally located in the corridor or an area giving access to rooms used for sleeping purposes. Where sleeping rooms are located on an upper level, the required detector shall be placed at the center of the ceiling directly above the stairway. However, all such detectors shall be located in accordance with approved manufacturer's instructions. When actuated, the detector shall provide an audible alarm in the dwelling unit or guest room. All detectors, when located on the ceiling, shall be not less than six (6) inches from the wall; if located on the wall, at a point between six (6) inches and twelve (12) inches from the ceiling and spaced at least two (2) feet from the inside corner of any two (2) intersecting walls.~~

(b) ~~All dwelling units, hotel units and motel units as set out in subsection (a), other than owner-occupied single-family dwellings and owner-occupied two-family dwellings, when let to another, shall be provided with a detector of products of combustion other than heat as specified in subsection (a), which shall be permanently wired to a proper unswitched circuit.~~

(c) ~~Smoke detectors, as set out in subsection (a), shall also be provided in rooming houses in such numbers that, when activated, the alarm is audible in all sleeping rooms and shall be provided on each and every floor used for sleeping purposes and within fifteen (15) feet of a doorway leading to every room used for sleeping purposes.~~

(d) ~~Compliance with the requirements pertaining to rooming houses, one- and two-family dwellings, and hotel and motel units shall be required as of January 1, 1980. Buildings containing three (3) or more dwelling units shall be brought into compliance with the provisions of this chapter not later than January 1, 1980.~~

(e) When, in the opinion of the director of inspections and the chief of the fire prevention bureau, conditions exist which warrant the installation of smoke detectors in a shorter time period than set out in this chapter, they shall be empowered to order and secure compliance with such installation orders.

Single and multiple station smoke alarms shall be installed in the following locations:

(1) Outside of each separate sleeping area in the immediate vicinity of the bedrooms.

(2) On each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

(b) All smoke alarms shall be listed and installed in accordance with the provisions of this code and the household fire warning equipment provisions of NFPA 72.

(c) All smoke detectors shall be installed per the manufacturer's installation instructions and its listing. Hard-wired smoke detectors shall be wired to a proper unswitched circuit.

(d) Smoke alarms and smoke detectors shall not be located closer than three (3) feet from any door to a bathroom or kitchen. Smoke alarms and smoke detectors that are located within twenty (20) feet of a cooking appliance shall be equipped with a silencing switch or be of the photoelectric type in accordance with National Fire Protection Association Standard 72, Section 8-1.4.2.

(e) When interior alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the individual dwelling unit shall be provided with smoke alarms located as required for new dwellings; the smoke alarms shall be interconnected and hard wired. Exception: smoke alarms in existing areas shall not be required to be interconnected and hard wired where the alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

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

Adopted 3/19/04.

Declining to Vote - Benson.

Absent - Samuels, Colvin Roy.

Resolution 2004R-096, granting applications for Liquor, Wine and Beer Licenses, was passed 3/19/04 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 2004R-096**

**By Niziolek**

**Granting 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:

**Off-Sale Liquor, to expire April 1, 2005**

M G M Wine & Spirits Inc, dba M G M Liquor Warehouse, 3254 W Lake St;

**On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2005**

Escape Entertainment Inc, dba Escape, 600 Hennepin Av #170;

**On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2005**

Brinda-Heilicher of Mpls Inc, dba Williams Uptown Pub & Peanut Bar, 2911 Hennepin Av;

**On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2004**

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

**On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2005**

Manzanillo Ventures Inc, dba Spring Street Bar & Grill, 355 Monroe St NE;

Caboose Enterprises Inc, dba Cabooze, 913 Cedar Av S, 1st floor;

**On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2005**

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

Indian Restaurants of Minnesota LLC, dba New Delhi Bar & Restaurant, 1400 Nicollet Av;

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

TGI Fridays of Minnesota Inc, dba TGI Fridays, 615 Hennepin Av;

**On-Sale Liquor Class C-1 with Sunday Sales, to expire April 1, 2005**

It's Greek to Me Inc, dba It's Greek to Me, 626 W Lake St;

**On-Sale Liquor Class C-2 with Sunday Sales, to expire April 1, 2005**

Brinda-Heilicher Riverfront Inc, dba Vics Restaurant, 201 Main St SE;

**On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2005**

Jang One Inc, dba Little Jacks Steak House, 201 Lowry Av NE (change in ownership);

**On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2005**

RW Inc, dba Sully's Pub, 2519 Central Av NE (change in ownership from MA Corporation);

Brinda Investments Inc, dba Tugg's on the River, 219 Main St SE;

Nami LLC, dba Nami Restaurant, 251 1st Av N;

**On-Sale Wine Class C-2 with Strong Beer (Provisional), to expire April 1, 2004**

Herrera's Inc, dba Sol Y Luna, 331 E Lake St (change from Class B to Class C-2);

**On-Sale Wine Class D with Strong Beer, to expire April 1, 2005**

France 44 Foods Inc, dba France 44 Deli & Market, 4351 France Av S;

**On-Sale Wine Class E with Strong Beer (Provisional), to expire April 1, 2005**

Restaurant El Rey De Oro Inc, dba Restaurant El Rey De Oro, 3501 Nicollet Av (new business);

**On-Sale Wine Class E with Strong Beer, to expire April 1, 2005**

Vescio's Inc, dba Vescio's Italian Cafe, 406 14th Av SE;

Wong Carl, dba Seafood Palace, 2523 Nicollet Av;

Christos Inc, dba Christos, 2632 Nicollet Av;

Crystal Garden Inc, dba Crystal Garden, 4711 Hiawatha Av;

**Off-Sale Beer, to expire April 1, 2004**

WS North Star Market Inc, dba Nokomis Market, 3319 E 54th St (new proprietor);

**Off-Sale Beer, to expire April 1, 2005**

S-Mart Inc, dba S-Mart Grocery, 324 W 33rd St;

Liu Qing & Zhou Fuliang, dba Kyle's Market, 826 W 36th St;

Brix Grocery & Meat Inc, dba Brix Grocery & Meat, 915 W Broadway;

First Como Market Inc, dba First Como Market Inc, 1523 Como Av SE;

Simona Inc, dba Joe's Market & Deli, 1828 Como Av SE;

Obeid Inc, dba Wally's Foods, 1840 Penn Av N;

Awaijane Assad E, dba B-Line Market, 1901 Fillmore St NE;

Morris & Christie Inc, dba Morris & Christie, 3048 Hennepin Av;

Mousa Ahmed, dba Fatina Foods, 3246 Nicollet Av;

Kwik Mart Inc, dba Kwik Mart Inc, 3652 Cedar Av S;

Obeid Inc, dba Venus Grocery & Deli, 3751 Portland Av;

Reidy Company, dba Reidy's Country Boy, 3904 42nd Av S;

Khalife G Khalife, dba Grand Market, 4601 Grand Av S;

Speedway Super America LLC, dba Super America #4384, 5 E Franklin Av;

Speedway Super America LLC, dba Super America #4185, 1816 37th Av NE;

Btoush Mahfood, dba Minneapolis Food Market, 1845 Nicollet Av;

Speedway Super America LLC, dba Super America #4034, 2200 Lyndale Av S;

Hark's Co Inc, dba Hark's Food Market, 2401 Nicollet Av;

Speedway Super America LLC, dba Super America #4602, 2430 Marshall St NE;

Speedway Super America LLC, dba Super America #4024, 2501 Hennepin Av;

Easyway Food Inc, dba Easyway Foods, 2820 Johnson St NE;  
Speedway Super America LLC, dba Super America #4173, 3357 University Av SE;  
Speedway Super America LLC, dba Super America #4172, 3806 W Lake St;  
Speedway Super America LLC, dba Super America #4391, 3904 E Lake St;  
Speedway Super America LLC, dba Super America #4396, 4000 Lyndale Av S;  
Speedway Super America LLC, dba Super America #4135, 4001 Lyndale Av S;  
Speedway Super America LLC, dba Super America #4021, 4320 E Lake St;  
Hark's Co Inc, dba Pump & Munch, 4401 Nicollet Av;  
Speedway Super America LLC, dba Super America #4161, 4740 Cedar Av S;  
Taylor-Wood Inc, dba Nokomis Food Pride, 5025 34th Av S;  
Speedway Super America LLC, dba Super America #4165, 5101 34th Av S;  
Diamond Lake 1994 LLC, dba Cub Foods, 5937 Nicollet Av;  
Speedway Super America LLC, dba Super America #4166, 6000 Portland Av;

**On-Sale Beer Class E, to expire April 1, 2004**

C & H Inc, dba U Garden Restaurant, 2725 University Av SE.

Adopted 3/19/04.

Declining to Vote - Benson.

Absent - Samuels, Colvin Roy.

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

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Resolution 2004R-097, granting applications for Business Licenses, was passed 3/19/04 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 2004R-097**

**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 March 19, 2004 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 269467):

Amusement Devices; Dry Cleaner - flammable; Dry Cleaner - Nonflammable; Dry Cleaning & Laundry Pickup Station; Laundry; Fire Extinguisher Servicing Class A; Caterers; Confectionery; Grocery; Indoor Food Cart; Food Manufacturer; Milk & Grocery Delivery Vehicle; Restaurant; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Vending Machine; Gas Fitter Class A; Heating, Air Conditioning & Ventilating Class A; Heating, Air Conditioning & Ventilating Class B; Juke Box - Musical; Lodging House; Lodging House with Boarding; Motor Vehicle Dealer - New & Used; Motor Vehicle Repair Garage; Plumber; Refrigeration Systems Installer; Rental Halls; Residential Specialty Contractor; Steam & Hot Water Systems Installer; Suntanning Facility; Swimming Pool - Public; Tattooist/Body Piercer; Taxicab Neighborhood Rideshare; Taxicab Vehicle; Taxicab Vehicle Non-transferable; Tobacco Dealer; Combined Trades; Tree Servicing.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

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

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Resolution 2004R-098, granting applications for Gambling Licenses, was passed 3/19/04 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 2004R-098**

**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 Class A**

Italian American Club of Minneapolis, dba Italian American Club of Minneapolis, 2221 Central Av NE  
(Site: Italian American Club of Minneapolis, 2221 Central Av NE);

**Gambling Class B**

Italian American Club of Minneapolis, dba Italian American Club of Minneapolis, 2221 Central Av NE  
(Site: Legends Cafe, 825 E Hennepin Av);

Italian American Club of Minneapolis, dba Italian American Club of Minneapolis, 2221 Central Av N  
(Site: Moose on Monroe, 356 Monroe St NE);

**Gambling Lawful Exempt**

Rainbow Families, dba Rainbow Families, 711 W Lake St (Raffle February 28, 2004 at Anwatin, 256 Upton Av S);

Church of St. Albert the Great, dba Church of St. Albert the Great, 2836 33rd Av S (Bingo and Raffle March 5, 2004 at Church Basement Hall, 3200 E 29th St);

Church of St. Albert the Great, dba Church of St. Albert the Great, 2836 33rd Av S (Bingo and Raffle March 12, 2004 at Church Basement Hall, 3200 E 29th St);

Church of St. Albert the Great, dba Church of St. Albert the Great, 2836 33rd Av S (Bingo and Raffle March 26, 2004 at Church Basement Hall, 3200 E 29th St);

Church of St. Albert the Great, dba Church of St. Albert the Great, 2836 33rd Av S (Bingo and Raffle April 2, 2004 at Church Basement Hall, 3200 E 29th St);

Cancer Benefit Fund, dba Cancer Benefit Fund, 7385 North Shore Circle, Forest Lake, Raffle April 17, 2004 at Radisson Hotel Minneapolis, 35 S 7th St);

Lake Country School, dba Lake Country School, 3755 Pleasant Av S (Raffle April 24, 2004);

Childrens Healthcare, dba Childrens Healthcare, 2525 Chicago Av (Raffle April 29, 2004 at Vics, 201 Main St SE);

Heart Inc, dba Heart Inc, 2314 University Av, St. Paul (Raffle May 6, 2004 at Convention Center, 1301 2nd Av S);

Church of the Annunciation, dba Church of the Annunciation, 509 W 54th St (Raffle May 15, 2004);

Minnesota Star Inc, dba Cedar Cultural Center, 416 Cedar Av S (Raffle May 14 & 15, 2004);

Childrens Healthcare, dba Childrens Healthcare, 2525 Chicago Av S (Raffle June 26, 2004 at Stone Arch Bridge, 6th Av SE);

Minneapolis Police Federation Charities, dba Minneapolis Police Federation Charities, 1811 University Av NE (Raffle August 2, 2004 at 1029 Bar, 1029 Marshall St NE);

Dakota Communities Inc, dba Dakota Communities Inc, 680 O'Neill Dr, Eagan (Raffle September 17, 2004 at The Depot, 225 3rd Av S);

Chrysalis, dba Chrysalis, 4432 Chicago Av S (Raffle April 17, 2004 at 222 Event Center, 222 1st Av NE);

Church of St. Hedwig, dba Church of St. Hedwig, 129 29th Av NE (Bingo, Raffle and Pulltabs June 13, 2004).

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

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

**PS&RS & W&M/Budget** - Your Committee recommends acceptance of low responsive bids received on OP #6212 (Petrn No 269468) submitted by Elvin Safety Supply, in the amount of \$136,280, and Fischer Scientific, in the amount of \$58,354.80, to furnish and deliver tight fitting respirators to the Fire Department, contingent upon approval by the Civil Rights Department, and all in accordance with City specifications.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

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

**T&PW** - Your Committee recommends that the proper City officers be authorized to execute Change Orders No. 3 through 15 increasing City Contract No. 19654 with Braden Construction, Inc. by \$40,671 for a new revised contract amount of \$472,976.33, for additional improvements, code compliance issues, and unforeseen mechanical and electrical issues for the American Indian Center Renovation Project, with no additional appropriation required.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**T&PW** - Your Committee recommends that the proper City officers be authorized to negotiate and execute a lease agreement with T-Mobile USA for a portion of the Kenwood Water Tower for the purpose of installing a cellular telephone antenna. Further, that the lease be approximately \$8,000 per year with a four percent annual increase, commencing June 1, 2004 until May 31, 2009 and have three five year renewal options. Funds received for this project will be deposited in 4100-923-9247 Job No. 923LEASE.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**T&PW** - Your Committee recommends that the proper Officers be authorized to execute Change Order No. 3 increasing Contract No. C-19350 with Rochon Corporation, by \$40,660 for a revised contract amount of \$3,512,997.40, for the modifications to mechanical, plumbing, and electrical equipment due to improvements in architectural and structural design of the Minneapolis Animal Care and Control Facility, with no additional appropriation required.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**T&PW** - Your Committee recommends passage of the accompanying Resolution authorizing the proper City officers to sign and execute the Proposed Routine Maintenance Agreement with Hennepin County to perform routine maintenance on certain County State Aid routes and bridges in the City, effective January 1, 2004 through December 31, 2006.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Resolution 2004R-099, an Agreement with Hennepin County to perform routine maintenance on certain County State Aid routes and bridges in the City of Minneapolis, effective January 1, 2004 through December 31, 2006, was passed 3/19/04 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 2004R-099**  
**By Colvin Roy**

**Enter into an Agreement with Hennepin County to perform routine maintenance on certain County State Aid routes and bridges in the City of Minneapolis, effective January 1, 2004 through December 31, 2006.**

Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis enters into Proposed Routine Maintenance Agreement No PW-16-20-03 with Hennepin County to provide reimbursement to the City for the costs of providing the necessary maintenance services which includes:

Snow plowing, street cleaning, street repairs, grass mowing, maintenance of bridges carrying vehicle traffic, winter maintenance of pedestrian bridges, maintenance of traffic control signals and navigational lights, pavement markings and other activities that may be required to preserve the roadway in it's present existing conditions.

That the total amount of this agreement for 2004 is estimated at \$1,019,326.

That for the years 2005 and 2006 the amount of reimbursement will be determined by the moving average method described in section IX of the agreement.

Be It Further Resolved that the Mayor and the Finance Officer are authorized to execute the Agreement.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**T&PW** - Your Committee recommends that the proper City officers be authorized to execute Change Order No. 1 increasing Contract No. 017884 with Kreck, O'Brien, Mueller & Wass Architects, by \$29,243 for a new revised contract amount of \$309,243, for additional architectural/engineering services for the design for the Minneapolis Animal Care and Control Facility, with no additional appropriation required.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**T&PW** - Your Committee, having under consideration a request from residents of Laurel/Hawthorne Area for the establishment of a Critical Parking Area, and the City Clerk having verified that the petition submitted represents more than 75 percent of the residents of the affected properties and the City has determined that the findings are met, set forth in Petn No 269471 on file in the Office of the City Clerks, thereby meeting the requirements for a Critical Parking Area, now recommends passage of the accompanying ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to *Traffic Code: Parking, Stopping and Standing*, establishing Critical Parking Area No. 25, One Hour Parking 8 AM to 6 PM, Monday through Friday Except By Permit and Two Hour Parking Zone 8 AM to 6 PM, Monday through Friday Except By Permit.

Your Committee further recommends increasing meter rates from fifty cents to \$1 per hour, 9 - 6, Monday through Friday, as described in Petn No. 269471 in the office of the City Clerk.

Your Committee further recommends that these proposed changes occur in April 2004.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Ordinance 2004-Or-026 amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to *Traffic Code: Parking, Stopping and Standing*, establishing Critical Parking Area No. 25, was passed 3/19/04 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 2004-Or-026**  
**By Colvin Roy**  
**Intro & 1st Reading: 1/16/04**  
**Ref to: T&PW**  
**2nd Reading: 3/19/04**

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

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

Section 1. That Section 478.730 of the above-entitled ordinance be amended by adding thereto the following Loading Zones:

No. 3482 Nly side Laurel Av from N 15th St to N 16th St (Critical Parking Area #25, Option A: One Hour Parking Zone, 8AM to 6PM, Monday through Friday Except By Permit);

No. 3483 Sly side Laurel Av from Hennepin Av to N 16th St (Critical Parking Area #25, Option A: One Hour Parking Zone, 8AM to 6PM, Monday through Friday Except By Permit)

No. 3484 Wly side N 15th St from Laurel to Hawthorne (Critical Parking Area #25, Option A: One Hour Parking Zone, 8AM to 6PM, Monday through Friday Except By Permit);

No. 3485 Sly side Hawthorne from N 15th St to N 16th Street.  
(Critical Parking Area #25, Option A: One Hour Parking Zone, 8AM to 6PM, Monday through Friday Except By Permit); and

No. 3486 Ely side N 15th St from Laurel to Hawthorne (Two Hour Parking Zone, 8AM to 6 PM, Monday through Friday Except By Permit).

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**T&PW**—Your Committee recommends passage of the accompanying Resolution designating the locations and streets to be improved in the University West Street Renovation Project, Special Improvement of Existing Street No. 2251 and 9<sup>th</sup> Avenue SE Street Reconstruction Project, Special Improvement of Existing Street No. 2995.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Resolution 2004R-100, University W St Renovation Project and 9<sup>th</sup> Av SE St Reconstruction Project designating the improvement of certain existing streets, was passed 3/19/04 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 2004R-100**  
**By Colvin Roy**  
  
**University West Street Renovation Project**  
**Special Improvement of Existing Street No 2251**  
**and**  
**9<sup>th</sup> Avenue SE Street Reconstruction Project**  
**Special Improvement of Existing Street No 2995**

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

Resolved by The City Council of The City of Minneapolis:

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

University West Street Renovation (2251)

2<sup>nd</sup> Av SE from 2<sup>nd</sup> St SE to University Av;  
5<sup>th</sup> Av SE and 6<sup>th</sup> Av SE from University Av to 7<sup>th</sup> St SE;  
7<sup>th</sup> Av SE and 8<sup>th</sup> Av SE from University Av to 8<sup>th</sup> St SE;  
9<sup>th</sup> Av SE from 5<sup>th</sup> St SE to 6<sup>th</sup> St SE and from 7<sup>th</sup> St SE to 8<sup>th</sup> St SE;  
5<sup>th</sup> St SE and 6<sup>th</sup> St SE from 4<sup>th</sup> Av SE to 9<sup>th</sup> Ave SE; and  
7<sup>th</sup> St SE from 6<sup>th</sup> Av SE to 9<sup>th</sup> Av SE.

9<sup>th</sup> Avenue SE Street Reconstruction (2995)

9<sup>th</sup> Av SE from 8<sup>th</sup> St SE to 9<sup>th</sup> St SE.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**T&PW** – Your Committee, having received a cost estimate of \$2,020,000 for street renovation improvements and a list of benefited properties for certain locations in the University West Street Renovation Project, Special Improvement of Existing Street No. 2251, and having received a cost estimate of \$326,000 for street reconstruction improvements and a list of benefited properties for certain locations in the 9<sup>th</sup> Avenue SE Street Reconstruction Project, Special Improvement of Existing Street No. 2995, as designated by Resolution 2004R-100 passed March 19, 2004, now recommends that the City Engineer be directed to prepare a proposed Street Renovation and Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2004 Uniform Assessment Rates as per Resolution 2004R-054, passed February 13, 2004.

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 April 20, 2004 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated renovation and reconstruction locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**T&PW** - Your Committee recommends passage of the accompanying Resolution approving the Hennepin County Department of Housing, Community Works and Transit's Layout for County State Aid Highway (CSAH) 153, Lowry Avenue N from Theodore Wirth Parkway to Interstate Highway I-94, dated December 29, 2003.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Resolution 2004R-101, approving the Hennepin County Department of Housing, Community Works and Transit's Layout for County State Aid Highway (CSAH) 153, Lowry Avenue N from Theodore Wirth Parkway to Interstate Highway I-94, Dated December 29, 2003, was passed 3/19/04 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 2004R-101**

**By Colvin Roy**

**Approving the Hennepin County Department of Housing, Community Works and Transit's Layout for County State Aid Highway (CSAH) 153, Lowry Avenue N from Theodore Wirth Parkway to Interstate Highway I-94, Dated December 29, 2003.**

Whereas, the Hennepin County Department of Housing, Community Works and Transit (County) has proposed reconstruction of Lowry Avenue from Theodore Wirth Parkway to Interstate Highway I-94 in Minneapolis and has prepared a layout describing the proposed improvements, said layout on file with the City Engineer identified as Layout "1" and dated December 29, 2003 and has submitted said layout to the City of Minneapolis requesting approval; and

Whereas, the project's planning process took place from 2001 to 2002 and included strong community input and resulted in planning document entitled "The Lowry Avenue Corridor Plan"; and

Whereas, County and City have held many meetings with the affected communities in the development of the layouts; and

Whereas, Public Works has reviewed the comments and has determined that the Layout meets the both the community's vision for the future of the Lowry Corridor and present and future traffic requirements; and

Whereas, Public Works has made its recommendation to the City Council based on said determination;

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

That the City approves the County's Layout "1", Lowry Avenue N from Theodore Wirth Parkway to Interstate Highway I-94, as submitted.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

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

**T&PW & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute Agreement 85785-R with the Minnesota Department of Transportation (MnDOT) in the amount of \$15,550 for the replacement of street lights on the Riverside Avenue Bridge over I-94.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Approved by Mayor Rybak 3/19/04.

(Published 3/23/04)

**T&PW & W&M/Budget** - Your Committee, having under consideration the Heritage Park Phase 1, pedestrian street lighting contract, now recommends that the proper City officers be authorized to execute Change Order No. 1 to City Contract No. 18381 with Xcel Energy by \$9,377.93 for a new revised contract amount of \$204,177.93 from existing Heritage Park appropriation.

Your Committee further recommends extending contract expiration to April 30, 2004, to allow final payment.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**T&PW & W&M/Budget** - Your Committee, having under consideration the various easements related to the Chicago Av Bridge Project, now recommends:

**T&PW** - That the proper City officers be authorized to negotiate with Hennepin County Regional Railroad Authority (HCRRA) to acquire permanent easement for the land at the four corners of the bridge abutment and acceptance of permanent easement from the Community Planning and Development (CPED), and temporary easements from Hugo Bookstore and the CPED, at no cost to the City.

**W&M/Budget** - That the proper City officers be authorized to negotiate with Hennepin County Regional Railroad Authority (HCRRA) to acquire permanent easement for the land at the four corners of the bridge abutment and acceptance of permanent easement and temporary easements from Hugo Bookstore and the Minneapolis Community Development Agency (MCDA).

Lilligren moved that the report be amended to approve the Transportation & Public Works Committee recommendation and to delete the Ways & Means/Budget Committee recommendation. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Approved by Mayor Rybak 3/19/04.

(Published 3/23/04)

**T&PW & W&M/Budget** - Your Committee, having under consideration a report passed July 13, 2001 awarding a contract under OP #5605, with Minnesota Native Landscaping for wetland establishment and general landscaping, now recommends that said report be amended by increasing Contract No. C-16705 in the estimated expenditure of \$280,825, an additional amount is required due to a change in calculation for the turf square yardage, all in accordance with City specifications.

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

Adopted 3/19/04.

Absent - Samuels, 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 3/19/04.

Absent - Samuels, Colvin Roy.

Resolution 2004R-102, granting approval of the bids for projects and/or services for the City of Minneapolis, was passed 3/19/04 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 2004R-102**  
**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. 269472)

a) OP #6205, low bid of Cutler Magner Company for an estimated annual expenditure of \$840,000 to furnish and deliver quick lime as needed through February 28, 2005, contingent on approval of the Civil Rights Department; and

b) OP #6209, only bid of Dunlo Motors, Inc. for an estimated annual expenditure of \$ 180,000.00 to accept trade-ins and furnish and deliver pre-owned vehicles for the a Pre-Owned Vehicle Program, contingent on approval of the Civil Rights Department; and

c) OP #6211, overall low bid of AVR, Inc. for an estimated annual expenditure of \$915,000 to furnish and deliver ready mix concrete as needed through March 31, 2005, contingent on approval of the Civil Rights Department.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**T&PW & W&M/Budget** - Your Committee, having under consideration Stone Arch Bridge Lighting Project now recommends:

**T&PW** - a) Passages of the accompanying Resolution acceptance of a \$50,000 donation from Xcel Energy for purposes of lighting the arches of the Stone Arch Bridge.

b) Passage of the accompanying Resolution amending the 2004 Capital Appropriation Resolution by \$50,000;

c) Authorizing the City Engineer to negotiate an agreement with Xcel or other donors to light the Stone Arch Bridge under the following terms:

- Xcel or other donors will donate the design, labor and materials at no cost to the City, or will donate funds to cover the costs of design, labor and materials.
- Xcel or other donors will donate funds to cover the City's cost to operate and maintain the lights or an alternative private funding source shall be secured.

d) Authorizing the City Engineer to negotiate an agreement with MnDOT that allows the City to install and maintain lights on the Stone Arch Bridge;

**W&M/Budget** - a) Passages of the accompanying Resolution acceptance of a \$41,000 donation from Xcel Energy for purposes of lighting the arches of the Stone Arch Bridge;

b) Passage of the accompanying Resolution amending the 2004 Capital Appropriation Resolution by \$41,000;

c) Authorizing the City Engineer, Mayor's Office and other proper City officers to execute agreements as appropriate for the purpose of obtaining donations to light the Stone Arch Bridge with the following terms:

- Xcel or other donors will donate the design, labor and materials at no cost to the City, or will donate funds to cover the costs of design, labor and materials.
- Xcel or other donors will donate funds to cover the City's cost to operate and maintain the lights or an alternative private funding source shall be secured.

d) Authorizing the City Engineer and other proper City officers to execute an agreement with MnDOT that allows the City to install and maintain lights on the Stone Arch Bridge.

e) Appropriate City staff is directed to return to the Transportation & Public Works and Ways & Means/Budget Committee for final authorization to proceed with construction.

Lilligren moved that the report be amended to approve the Transportation & Public Works Committee recommendation and to delete the Ways & Means/Budget Committee recommendation. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Resolution 2004R-103, acceptance of a \$50,000 donation from Xcel Energy for the purposes of lighting the arches of the Stone Arch Bridge, was passed 03/19/04 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 2004R-103  
By Colvin Roy & Johnson**

**Acceptance of a \$50,000 donation from Xcel Energy for the purposes of lighting the arches of the Stone Arch Bridge.**

Whereas, the Stone Arch Bridge was built in 1882-1883 by railroad magnate James J. Hill and has become an icon for the City of Minneapolis; and

Whereas, the Stone Arch Bridge is the only stone arch bridge ever constructed over the Mississippi River; and

Whereas, the importance of the role of the Stone Arch Bridge in the growth of the city is now recognized by its designation as a National Historic Engineering Landmark; and

Whereas, the bridge has primarily been a daytime image and the Mayor and City Council seek to decoratively light the bridge at night as an addition to the Minneapolis Riverfront District; and

Whereas, the Mayor is working with business leaders in the City to raise sufficient private funds to cover the costs of the bridge lighting project; and

Whereas, City staff are working to obtain design plans and to seek permission to implement those plans from the Minnesota Department of Transportation, Minneapolis Heritage Preservation Commission, the State Historic Preservation Office and other agencies; and

Whereas, Xcel Energy wishes to donate \$50,000 to be used toward the City's costs of planning, designing, and other activities related to the bridge lighting project;

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

That the City accepts a gift of \$50,000 from Xcel Energy to be used in support of the proposal to light the arches of the James J. Hill Stone Arch Bridge across the Mississippi River.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**Resolution 2004R-104  
By Colvin Roy and Johnson**

**Amending the 2004 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the PW-Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9432) by \$50,000 and increasing the revenue source (4100-943-9432 - Source 3225) by \$50,000 for the Stone Arch Lighting Project.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

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

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution approving legal settlements, as recommended by the City Attorney.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Resolution 2004R-105, approving legal settlements with Raymond Tiessen and Rayford Hickman, was passed 3/19/04 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 2004R-105  
By Johnson**

**Approving legal settlements.**

Resolved by The City Council of The City of Minneapolis:

That the recommendation of the City Attorney to settle the following legal matters be approved and payments authorized as indicated:

a) Raymond Tiessen by payment of \$5,000 to Mr. Tiessen and his attorney, Robert Gardner;

b) Rayford Hickman, by payment of \$10,000 to Mr. Hickman and his attorney, Thomas White.

Be It Further Resolved that the payments shall be made from the Self Insurance Fund (6900) and the City Attorney is authorized to execute any documents necessary to effectuate the settlements.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to extend City Contract #C98-13050 with CorVel Corporation to continue their provision of certified managed care and employment services through May 15, 2004, maintaining the existing administrative fee arrangement. The total estimated to be expended in administrative fees is estimated at \$66,000. The contract is extended with the understanding that there is an outstanding request for proposals for said services.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**W&M/Budget** - Your Committee recommends approval to place an insert in the April utility bills informing residents of Homeowners Nights at the Minneapolis Inspections Division, Monday evenings from April 5 through September 27, 2004.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution approving the terms of a two-year labor agreement with the International Union of Operating Engineers, Local #70.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Resolution 2004R-106, approving the terms of a labor agreement with the International Union of Operating Engineers (Local #70), was passed 3/19/04 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 2004R-106**

**By Johnson**

**Approving the terms of a collective bargaining agreement with the International Union of Operating Engineers (Local #70) and authorizing execution and implementation of said agreement.**

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the International Union of Operating Engineers, Local #70, (Petn No 269481), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**W&M/Budget** - Your Committee recommends concurrence with the recommendation of the Director of Human Resources for the establishment of the new position of Residential Combination Inspector, to have the duties of inspecting work on all building systems within one and two family construction; and passage of the accompanying Salary Ordinance establishing the salary for the new position.

Johnson moved that the report be referred to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote.

**W&M/Budget** - Your Committee recommends concurrence with the recommendation of the Director of Human Resources that the position of Director, Development Finance be classified to Grade 12 of the Appointive Service, effective January 22, 2004; and passage of the accompanying Salary Ordinance establishing the salary for the position.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Ordinance 2004-Or-027, approving the salary for the position of Director, Development Finance, was passed 3/19/2004 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 2004-Or-027**  
**By Johnson**  
**1st and 2nd Readings: 3/19/2004**

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

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

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

**Appointed Officials (CAP)**  
**Effective: January 22, 2004**

FLSA	OTC	CLASSIFICATION	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B"	Step D After 3 "C"
E	1	Director, Development Finance	A	\$78,941	\$83,095	\$85,588	\$87,250

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**W&M/Budget** - Your Committee recommends acceptance of the bid received on OP #6225 of Norstan Communications, Inc. for an estimated expenditure of \$150,000 to furnish, deliver and install an integrated voice response unit for the Business Information Services (BIS) - Telecommunications Department.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**W&M/Budget** - Your Committee recommends that the Minneapolis Convention Center be authorized to issue a request for proposals (RFP) for the installation, operation, marketing, and maintenance of a business center at the Convention Center to serve the needs of clients, exhibitors, patrons and staff on a non-exclusive basis. Authorization is granted pending RFP approval by the Permanent Review Committee.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**W&M/Budget** - Your Committee recommends that the Minneapolis Convention Center be authorized to issue a request for proposals (RFP) for the installation, operation, marketing, and maintenance of internet, wireless data and communications at the Convention Center to serve the needs of clients, exhibitors, patrons and staff on a non-exclusive basis. Authorization is granted pending RFP approval by the Permanent Review Committee.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**W&M/Budget** - Your Committee, having under consideration the New Central Library Project, now recommends acceptance of the low bid received on OP #6216 (Minneapolis Central Library Bid Package No. 6 - Contract No. 13) submitted by Spacesaver Storage Systems (c/o Haldeman Homme, Inc.) for shelving for a total contract price not to exceed \$2,743,456 (Petn No 269479); and that the proper City officers be authorized to execute a contract for said project all in accordance with project specifications.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Approved by Mayor Rybak 3/19/04.

(Published 3/23/04)

**W&M/Budget** - Your Committee, having under consideration the New Central Library Project, now recommends acceptance of the low bid received on OP #6216 (Minneapolis Central Library Bid Package No. 6 - Contract No. 12) submitted by Egan Companies, Inc. (dba Egan-McKay Electrical) for electrical work for a total contract price not to exceed \$8,718,227 (Petn No 269479); and that the proper City officers be authorized to execute a contract for said project all in accordance with project specifications.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Approved by Mayor Rybak 3/19/04.

(Published 3/23/04)

**W&M/Budget** - Your Committee, having under consideration the New Central Library Project, now recommends acceptance of the low bid received on OP #6216 (Minneapolis Central Library Bid Package No. 6 - Contract No. 10) submitted by Egan Companies, Inc. (dba Egan Mechanical) for mechanical work for a total contract price not to exceed \$8,480,000 (Petn No 269479); and that the proper City officers be authorized to execute a contract for said project all in accordance with project specifications.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Approved by Mayor Rybak 3/19/04.

(Published 3/23/04)

**W&M/Budget** - Your Committee, having under consideration the Governor's Salary Cap and the process for considering salary adjustments for appointed City positions, now recommends that the City

Coordinator be authorized to seek adjustments for certain appointed positions from the State Department of Employee Relations when there is a ten percent or more disparity between City compensation and the average peer City salary for similar positions. Adjustments to appointed compensation levels will be confined to a ten percent minimum and shall not exceed twenty percent as a maximum.

Niziolek moved that the report be referred back to the Executive Committee. Seconded.  
Motion adopted upon a voice vote.

**W&M/Budget** - Your Committee, having under consideration implementation of a City of Minneapolis Voluntary Employees' Beneficiary Association (VEBA) Health Plan, now recommends:

- a) Adoption of the City VEBA Health Benefit Plan;
- b) That the proper City officers be authorized to enter into a VEBA Trust Agreement with Wells-Fargo, N.A. for the period of January 1, 2004 through December 31, 2004;
- c) That the proper City officers be authorized to amend the City's contract with Administrative Resources Corporation (ARC) to add provisions related to the claims administration of the VEBA Plan at a rate of \$3.65 per month per City VEBA members;
- d) Authorization to seek an Internal Revenue Service (IRS) Exempt Organization Determination Letter (IRS Form 1024) for the VEBA Plan and approval of the payment of \$500 as the required IRS fee.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**W&M/Budget** - Your Committee, having under consideration planned implementation of a citywide Citizen Relationship Management/Work Order Management (CRM-WOM) system to support the development of MinnStat as well as an operational 3-1-1 system for public safety and other non-emergency services, now recommends that the proper City officers be authorized to enter into negotiations and execute a contract with Motorola as the preferred vendor for the CRM-WOM system for the City.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to amend the City Contract #C-18881 with Unisys for additional managed service costs totaling \$99,136 for services needed for the e-permit process under the One-Stop Development Workflow project. Services will be provided in 2004 funded through the project budget and the maintenance that will be provided from 2004 through 2009 will be funded by the Regulatory Services Department budget.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

The **WAYS & MEANS/BUDGET** and **ZONING AND PLANNING** Committees submitted the following report:

**W&M/Budget & Z&P** - Your Committee, having received an update on plans for *Mosaic: Celebrating the Arts and Cultures of Minneapolis*, a seven-week celebration from June 5 through July 24, 2004, now recommends that the City support the *Mosaic* event with financial support limited to administrative services of ten hours per week to be provided by Cultural Affairs City staff.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

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

**Z&P** - Your Committee, having under consideration the appeal of Ross Fefercorn, dba RMF Entities, from the decision of the Planning Commission that did not include either 8 or 10 foot tall pergolas arched over sidewalk entrances in the approved site plan for the proposed Urban Village project, a planned unit residential development for properties at 811 W 28<sup>th</sup> St, 2809 Bryant Ave S, 2808, 2816 and 2824 Aldrich Ave S, now recommends that said appeal be granted in the approved site plan and approved variances of required yards for the proposed Urban Village Project.

Adopted 3/19/04.

Absent – Samuels, Colvin Roy.

**Z&P** - Your Committee, to whom was referred an ordinance amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to *Zoning Code: Regulations of General Applicability*, prohibiting exterior security barriers on non-residential building walls and windows facing public streets, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that said ordinance be given its second reading for amendment and passage.

Zimmermann moved that the report be referred back to the Zoning & Planning Committee. Seconded.

Adopted 3/19/04. Yeas, 6; Nays, 5 as follows:

Yeas – Lane, Zimmermann, Zerby, Lilligren, Johnson Lee, Ostrow.

Nays – Benson, Goodman, Johnson, Schiff, Niziolek.

Absent – Samuels, Colvin Roy.

**Z&P** - Your Committee, to whom was referred an ordinance amending Title 20, Chapter 543 of the Minneapolis Code of Ordinances relating to *Zoning Code: On-Premise Signs*, authorizing a variance/sign adjustment to allow certain flashing signs on museums of at least 100,000 square feet, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that said ordinance be given its second reading for amendment and passage.

Adopted 3/19/04.

Absent – Samuels, Colvin Roy.

Ordinance 2004-Or-028 amending Title 20, Chapter 543 of the Minneapolis Code of Ordinances relating to *Zoning Code: On-Premise Signs*, authorizing a variance/sign adjustment to allow certain flashing signs on museums of at least 100,000 square feet, was passed 3/19/04 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 2004-Or-028**  
**By Goodman and Schiff**  
**Intro & 1<sup>st</sup> Reading: 6/20/03**  
**Ref to: Z&P**  
**2<sup>nd</sup> Reading: 3/19/04**

**Amending Title 20, Chapter 543 of the Minneapolis Code of Ordinances relating to Zoning Code: On-Premise Signs.**

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

Section 1. That Chapter 543 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 543.185 to read as follows:

**543.185. Museums.** Notwithstanding any other provision to the contrary, on-premise flashing wall or window signs may be allowed on museums of at least one hundred thousand (100,000) square feet

(in those districts where museums are allowed) when approved as a sign adjustment pursuant to Chapter 543, On-Premise Signs, and Chapter 525, Administration and Enforcement.

Adopted 3/19/04.

Absent – Samuels, Colvin Roy.

#### MOTIONS

Johnson moved that the regular payrolls for all City employees under City Council jurisdiction for the month of April, 2004, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Zimmermann, Chair of the Claims Committee, moved concurrence in the reports received from the Finance Department (Petn No 269488) recommending payment of workers' compensation to various employees and to the State Fund, and for payment of bills and professional services rendered claimants or employees injured on the job. Seconded.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Goodman moved that the City's current restriction regarding bicycle use on the Nicollet Mall be amended to eliminate time restrictions so that effective Monday, March 22, 2004, at 6:00 a.m. all bicycles will be allowed on the Nicollet Mall and downtown bus lanes at all hours for the duration of the current Metro Transit strike. Seconded.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

Approved by Mayor Rybak 3/19/04.

(Published 3/20/04)

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 on April 6, 2004 (To modify application filing process, amend language and permit approval process of the existing Block Event ordinance).

Goodman introduced the subject matter of an Ordinance amending Title 2, Chapter 14 of the Minneapolis Code of Ordinances relating to *Administration: In General*, which was given its first reading and referred to the Community Development Committee (To allow for CPED business activities and to clarify current requirements & eliminate unnecessary verbiage).

Goodman introduced the subject matter of an Ordinance amending Title 2, Chapter 22 of the Minneapolis Code of Ordinances relating to *Administration: City Engineer*, which was given its first reading and referred to the Community Development Committee (To allow for CPED business activities and to clarify current requirements & eliminate unnecessary verbiage).

Lane moved to amend a report of the Zoning & Planning Committee passed by the Council December 14, 2001, relating to zoning approvals granted to Lyndale West Partners to allow for construction of The Boulevard Project to be located at 5320 Lyndale Avenue South (BZZ-360) by adding the following:

“Further, the period for decision during which the applicant must obtain building permits and commence construction of the project is extended to April 1, 2004, and the date by which site plan improvements must be completed shall be May 1, 2005, or the site plan approval may be revoked for noncompliance.”

Seconded.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

RESOLUTION

RESOLUTION 2004R-107

By Schiff and Zerby

**Honoring National Historic Schools Day.**

Whereas, beginning in the early 19th Century, schools served not only to educate children but to symbolize the presence of a larger community; and

Whereas, as the United States became more diverse, schools acted as gathering places for ethnic communities; and

Whereas, school's history creates a series of links and connections - connections to other students past and present; connections to past generations through their parents and grandparents; connections to the local community and the wider world; and

Whereas, the National Trust for Historic Preservation, in cooperation with the National Park Service, will co-sponsor "Historic School Day," April 20, 2004, in order to provide students the opportunity to gain an understanding of the history of their school, to see the connections between their school and the surrounding community, and to determine the impact of major events in U.S. history on their school and former students; and

Whereas, up to six school buildings in Minneapolis are threatened with demolition due to budget constraints of the Minneapolis Public Schools system; and

Whereas, if the school's walls could talk, they would reveal school history connected to a community history affected by national history;

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

That Tuesday, April 20, 2004, be proclaimed as National Historic Schools Day in the City of Minneapolis.

Be It Further Resolved that we encourage students and community members alike to reflect on this day on the history of their schools, the connections between their school and the surrounding community, and to weigh the impact of major events in U.S. history on their school and former students.

Adopted 3/19/04.

Absent - Samuels, Colvin Roy.

**UNFINISHED BUSINESS**

Replacement of Natural Gas Main (Bryant Av & 7th St): Authorize payment of \$35,437.27 to CenterPoint (Minnegasco) for damage caused by City crews

**T&PW** - Approval

**W&M/Budget** - Sent forward without recommendation

(Postponed 10/24/03, T&PW & W&M/Budget)

By unanimous consent, the above report continued to be postponed.

Spincycle Coin Laundry (2937 Dupont Av S): **Sent forward without recommendation** application for Laundry License. (Postponed 2/13/04, PS&RS)

By unanimous consent, the above report continued to be postponed.

2004 Legislative Session: **Sent forward without recommendation** report relating to support for the 2004 Community Ownership Legislation - A plan to keep the Twins in Minnesota. (Postponed 2/27/04, IGR)

**IGR** – Your Committee, having under consideration a report referred back from Council 2/13/04 recommending that the City's agenda for the 2004 Legislative Session, adopted January 16, 2004, be amended to include support for the 2004 Community Ownership Legislation-A plan to keep the Twins in Minnesota, now recommends that said report be sent forward without recommendation.

Zerby moved that the report be amended by deleting the language, "sent forward without recommendation" and inserting in lieu thereof the word "approved". Seconded.  
Adopted upon a voice vote.

The report, as amended, was adopted 3/19/04.  
Declining to Vote - Lane, Ostrow.  
Absent - Samuels, Colvin Roy.

**NEW BUSINESS**

Schiff introduced an Ordinance amending Title 10, Chapter 186 of the Minneapolis Code of Ordinances relating to *Food Code: In General*, which was given its first reading and referred to the Health & Human Services Committee (Adding definitions for food market distributor and food market manufacturer).

The Franklin Middle School Boys Basketball Team was presented with a proclamation from the Mayor's office.  
Lilligren moved to adjourn. Seconded.  
Adopted 3/19/04.

Steven J. Ristuben,  
Assistant City Clerk

Unofficial posting: 3/22/2004  
Official posting: 3/24/2004  
Corrections: 4/14/2004