

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF OCTOBER 7, 2011

(Published October 15, 2011, in *Finance and Commerce*)

Council Chamber  
Room 317 City Hall  
350 South 5th Street  
Minneapolis, Minnesota  
October 7, 2011 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Goodman, Hodges, Samuels, Gordon, Reich, Hofstede, Schiff, Lilligren, Colvin Roy, Tuthill, Quincy, Glidden, President Johnson.

Adoption of the agenda was moved and seconded by unanimous consent.

Goodman moved to amend the agenda to delete New Business Nos. 3 and 4 relating to approval of zoning applications of Urban Homeworks, Inc for properties at 2701 Lyndale Ave N and 2129 Emerson Ave N and to refer those matters to a special meeting of the Zoning & Planning Committee to be held October 20, 2011, prior to Committee of the Whole meeting. Seconded.

Adopted upon a voice vote

Hodges moved to amend the agenda to add a resolution relating to supporting peaceable calls for reforms to the income tax, financial, and electoral systems.

President Johnson ruled the motion out of order.

Glidden moved to amend the agenda to include under New Business a motion directing staff to develop process for the Hennepin Youth Sports Program. Seconded.

Adopted upon a voice vote.

Gordon moved to amend the agenda to include under New Business motions to suspend Council Rule 5 and to introduce the subject matter of an ordinance amending Title 20, Chapter 551 relating to *Zoning Code: Overlay Districts*, for first reading and referral directly to the Department of Community Planning & Economic Development/Planning staff (to classify additional Pedestrian Oriented Overlay Districts as transit station areas). Seconded.

Adopted upon a voice vote.

Lilligren moved adoption of the agenda, as amended. Seconded.

Adopted upon a voice vote.

Lilligren moved acceptance of the minutes of the regular meeting of September 23, 2011. Seconded.

Adopted upon a voice vote 10/7/2011.

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 10/7/2011.

**PETITIONS AND COMMUNICATIONS**

**COMMITTEE OF THE WHOLE (See Rep):**

INTERGOVERNMENTAL RELATIONS (275219)

Special Legislation Approval:

Use of Tax Increments in Tornado Areas Increasing number of parcels in the housing replacement district.

Consolidation of Minneapolis Police Relief Association into the Minnesota Public Employees Retirement Association.

Consolidation of Minneapolis Fire Relief Association into the Minnesota Public Employees Retirement Association.

NEIGHBORHOOD AND COMMUNITY RELATIONS (275220)

Authorize series of actions relating to revisions to Neighborhood Programs.

**COMMUNITY DEVELOPMENT:**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275221)

Minneapolis Employment & Training Program Partners of the Year Awards.

**COMMUNITY DEVELOPMENT (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275222)

Second Street Holdings, LLC (re 520 Second St SE): Preliminary approval to issue bonds for rental apartment project.

Land Sale (3412 Columbus Ave): Greater Metropolitan Housing Corporation.

**COMMUNITY DEVELOPMENT and T&PW and W&M/Budget: (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275223)

Franklin Ave Light Rail Transit Station Area Streetscape (Bloomington-21st Aves) and 22nd St Reconstruction Project (Cedar-Minnehaha Aves): Allocation of funding for projects.

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

PURCHASING (275224)

2600 Minnehaha Ave Well Abandonment Activiites: Addendum No. 1 to purchase order with E.H. Renner & Sons, Inc.

Demolition of Structures (2915 Sheridan Ave N, 2523 Washington St NE, 3241 Russell Ave N, 3526 Logan Ave N & 2410 Dupont Ave N): Accept low bid of G Urban Companies, Inc.

**PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and WAYS & MEANS/BUDGET (See Rep):**

POLICE DEPARTMENT (275225)

Evidence Blood Draws: Execute agreement with Hennepin County Medical Center for the Police Department to pay a fee for HCMC to perform legal evidence blood draws.

2012 Toward Zero Deaths Grant: Execute agreement with Minnesota Department of Public Safety to accept \$139,860 to pay overtime to Traffic Unit police officers to increase enforcement to reduce accidents and increase driver safety; and with University of Minnesota Police Department to share the grant funds in an amount to be determined; and Approve appropriation.

Minnesota Cyber Crimes Task Force: Execute Memorandum of Agreement with United States Federal Bureau of Investigation to accept \$5,000 for the purchase of computer and related equipment for the Crime Lab; and Approve appropriation.

Law Enforcement Officer Memorial: Approve donation of \$2,500 on behalf of Police Department to fund construction of Museum in Washington, D.C. which will include the names of the following Minneapolis officers killed in the line of duty — Jerry Haaf; Melissa Schmidt; David Loeffler; and Park Police Officer Mark Bedard.

**REGULATORY SERVICES (275226)**

Animal Care & Control Donations: Approve acceptance of a gift of dog food and supplies.

**REGULATORY, ENERGY AND ENVIRONMENT (See Rep):**

**LICENSES AND CONSUMER SERVICES (275227)**

Licenses: Applications.

**LICENSES AND CONSUMER SERVICES (275228)**

Nicollet Island Inn, 95 Merriam St: Grant On-Sale Liquor Class B with Sunday Sales License.

University Hotel Minneapolis, 615 Washington Av SE: Grant On-Sale Liquor Class A with Sunday Sales License.

Wanderers Wondrous Azian Kitchen, 533 Hennepin Av: Permanent Expansion of Premises.

Caribou Coffee, 555 Nicollet Mall: Grant Sidewalk Cafe License.

New Century Theater, 615 Hennepin Av: Grant On-Sale Liquor Class A with Sunday Sales License.

**LICENSES AND CONSUMER SERVICES (275229)**

Tilia, 2726 W 43rd St: Grant Permanent Expansion of Premises to include sidewalk cafe.

**LICENSES AND CONSUMER SERVICES (275230)**

Wanderers Wondrous Azian Kitchen, 533 Hennepin Av: Approve License Settlement Conference recommendations relating to On-Sale Liquor Class B with Sunday Sales and Sidewalk Cafe Licenses.

1st Cup Cafe, 2740 Minnehaha Av: Approve License Settlement Conference recommendations relating to Restaurant License.

**REGULATORY, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):**

**REGULATORY SERVICES (275231)**

Lead Safe Work Practices: Execute grant agreement with Minnesota Department of Health to accept \$5,000 to subsidize renovation, remodeling and painting training costs for contractors, property owners and City staff, including classes in Spanish; and Approve appropriation.

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

**PUBLIC WORKS AND ENGINEERING (275232)**

Water and Sewer Service Line Repairs or Replacements: Assessment public hearing.

Chicago-Lake, Bloomington-Lake, East Lake, and Lyndale-Lake Special Service Districts: a) Assessment public hearing; and b) Comments.

Camden Ave Bridge: Agreement with Mn/DOT for repairs due to tornado damage.

Pump Station No 5 Roofing Project: Change Order No 1 to contract with Central Roofing Company.

Dewatering Plant Improvement Project: Increase contract with Graham Construction Services.

Dewatering Plant Improvement Project: Increase contract with HDR Engineering, Inc.

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

**PUBLIC WORKS AND ENGINEERING (275233)**

50th St W and France Ave S Parking Facility (Ewing Municipal Parking Lot): Assessment public hearing.

Lyn/Lake Municipal Parking Lots: Assessment public hearing.

4th St/I-35W On-Ramp and Auxiliary Lane Project: a) Cooperative agreement with Hennepin County; and b) Appropriation adjustments.

Central Corridor LRT Project: a) Subordinate Funding Agreements 9 and 15; and b) Increase appropriation.

7th St N and Van White Memorial Blvd Intersection Project: Increase contract with Thomas and Sons Construction, Inc.

Bids: a) OP 7497, Low bid of Thomas & Sons Construction, Inc. for Franklin Ave Streetscape Construction Project; and b) OP 7498, Low bid of Max Steininger, Inc. for the E 22nd St Construction Project.

**WAYS AND MEANS BUDGET:**

FINANCE DEPARTMENT (275234)

2012 Truth-in-Taxation Supplemental Notice.

HUMAN RESOURCES (275235)

2011 Employee Engagement Survey: Status Update.

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

ATTORNEY (275236)

2011 Project Services Agreement: Approve terms of the agreement between Metropolitan Sports Facilities Commission and City of Minneapolis for security services during the 2011 Minnesota Vikings football season.

Criminal Justice Data Communications Network: Execute joint powers agreement with State of Minnesota, Department of Public Safety, to allow Police Department personnel access to State network through October 31, 2016.

ATTORNEY (275237)

Legal Settlements: a) Bonita Ruiz vs. City of Minneapolis; and b) Ameriprise Auto & Home Insurance vs. City of Minneapolis.

Association of Prosecuting Attorneys Donation: Accept donation for travel, lodging and meals for Susan Segal and Lois Conroy to make presentations at the Innovations in Criminal Justice Summit.

Minneapolis Downtown Improvement District Donation: Accept donation for travel and lodging for Raymond Cantu to participate in the Innovations in Criminal Justice Summit.

BUSINESS INFORMATION SERVICES (BIS) (275238)

Police Department's Crime Lab: Execute contract with STARLIMS Corporation to implement a Laboratory Information Management System for the MPD.

CITY CLERK (275239)

EAID Grant Program: Authorize application for grant funding from the Office of the Secretary of State for Election Assistance for Individuals with Disabilities for automatic door openers at Minneapolis polling places.

COMMUNICATIONS (275240)

November 2011 Utility Billing Insert: Snow Emergencies and Snow Shoveling.

COORDINATOR (275241)

One Minneapolis, One Read Fund: Authorize Memorandum of Understanding with the Minneapolis Foundation to establish a separate fund to permit acceptance of contributions and to make distributions of funds.

FINANCE DEPARTMENT (275242)

General Obligation Taxable Pension Bonds (MERF), Series 2003: Authorize Finance Officer to call for redemption of bonds on December 1, 2011; and Appropriate increase of \$36,000,000 in 2011 to allow for the bond redemption.

FIRE DEPARTMENT (275243)

Board Up Program: Amend 2011 Regulatory Services budget to appropriate the vacant and boarded program contract with the Fire Department from its Problem Properties Revolving Fund; and to refer the 2012 budget shortfall to the 2012 budget process.

HUMAN RESOURCES (275244)

Teamsters, Local 320 911 Supervisors Unit: Execute 24 month collective bargaining labor agreement from January 1, 2010 through December 31, 2011.

Minneapolis Professional Employees Association: Execute 36 month collective bargaining labor agreement from January 1, 2011 through December 31, 2013.

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

PLANNING COMMISSION/DEPARTMENT (275245)

Interim Use Permit:

River of Life Lutheran Church (1110 22nd Ave N/2200 Fremont Ave N)

Appeal:

701 2nd Street Apartments (701 2nd St N)

Rezoning:

Madison Avenue Homes, LLC (2828 Blaisdell Ave)

Emanuel Housing (822 South Third St)

Lowry Avenue Rezoning Study

EAW/EIS Determination:

Dock Street Residential Development (333 Washington Ave N, 300 5th St N, 422 3rd Ave N, 328 4th St N, 408 4th Ave N, and 405 4th Ave N)

**NEW BUSINESS (See Rep):**

REGULATORY SERVICES (275246)

Chapter 249 Property Waiver (70 Melbourne Ave SE): Motion to waive 60-day waiting period to declare property a nuisance.

**FILED:**

CENTERPOINT ENERGY (275247)

Vacate a part of Bryant Ave N on the southerly right of way line of Linden Ave W and northerly right of way line of Interstate Hwy 394

CHARTER COMMISSION (275248)

Minneapolis Park and Recreation Board (MPRB) Superintendent's Annual Report 2010: Distributed to all Charter Commissioners by MPRB.

Charter Commission Communications Committee: Report of September 28, 2011 meeting.

Plain Language Charter Revision: a) Draft 12B; b) Draft 12B (redlined); and c) Correspondence from Brian Rice, Rice, Michels & Walther, LLP to Deputy City Attorney Peter Ginder dated May 31, 2011; and response from Ginder to Rice dated June 7, 2011.

Charter Amendment Proposal re City Administrator Position: a) Proposal; b) League of Women Voters Brochures entitled "Minneapolis Government: A Balancing Act" and "Minneapolis Government: A Balancing Act II"; and c) Minneapolis City Government Task Force Membership Roster.

CENTERPOINT ENERGY (275249)

Vacate a portion of Aldrich Ave N on the southerly right of way line of Linden Ave W and northerly right of way line of Interstate Hwy 394

OCTOBER 7, 2011

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*The following reports, except as otherwise noted, were signed by Mayor Rybak on October 7, 2011. 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 COMMITTEE OF THE WHOLE submitted the following reports:**

**Comm of the Whole/IGR** - Your Committee recommends passage of the accompanying resolution granting local approval to Laws of Minnesota 2011, First Special Session, Chapter 7, Article 5, Section 12, permitting the City to use tax increments from districts located in the city for specified purposes in the tornado area.

Adopted 10/7/2011.

Resolution 2011R-490, approving Laws of Minnesota 2011, First Special Session, Chapter 7, Article 5, Section 12, was adopted 10/7/2011 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 2011R-490  
By Glidden**

**Approving Laws of Minnesota 2011, First Special Session, Chapter 7, Article 5, Section 12.**

Whereas, the Minnesota State Legislature has passed a law relating to the use of tax increments in the tornado disaster area; and

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

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

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

Adopted 10/7/2011.

**Comm of the Whole/IGR** - Your Committee recommends passage of the accompanying resolution granting local approval to Laws of Minnesota 2011, First Special Session, Chapter 7, Article 5, Section 11, permitting the City to increase the number of parcels that can be included in the housing replacement district on a one-time basis to include 200 parcels located in the tornado area.

Adopted 10/7/2011.

Resolution 2011R-491, approving Laws of Minnesota 2011, First Special Session, Chapter 7, Article 5, Section 11, was adopted 10/7/2011 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 2011R-491  
By Glidden**

**Approving Laws of Minnesota 2011, First Special Session, Chapter 7, Article 5, Section 11.**

Whereas, the Minnesota State Legislature has passed a law relating to the housing replacement tax increment district; and

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

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:  
That said law be now approved and the City Clerk be directed to prepare and file with the Minnesota Secretary of State the required certification of approval and required documents.  
Adopted 10/7/2011.

**Comm of the Whole/IGR** - Your Committee recommends passage of the accompanying resolution granting local approval to Laws of Minnesota 2011, First Special Session, Chapter 8, Article 7, Sections 1 to 16, 17 paragraphs (a) to (d), and Section 18, providing for the voluntary consolidation of the Minneapolis Police Relief Association (MPRA) into the Minnesota Public Employees Retirement Association - Police and Fire Fund (PERA-PF).

Adopted 10/7/2011.  
(Published 10/12/2011)

Resolution 2011R-492, approving Laws of Minnesota 2011, First Special Session, Chapter 8, Article 7, Sections 1 to 16, 17 paragraphs (a) to (d), and Section 18, was adopted 10/7/2011 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 2011R-492**  
**By Glidden**

**Approving Laws of Minnesota 2011, First Special Session, Chapter 8, Article 7, Sections 1 to 16, 17 paragraphs (a) to (d), and Section 18.**

Whereas, the Minnesota State Legislature has passed a law (Laws of Minnesota 2011, First Special Session, Chapter 8, Article 7, Sections 1 to 16, 17 paragraphs (a) to (d), and Section 18), relating to the voluntary consolidation of the Minneapolis Police Relief Association (MPRA) into the Minnesota Public Employees Retirement Association (PERA) Police and Fire Fund; and

Whereas the law, in Article 7, Section 19 requires approval of the law by a majority of the entire membership of the MPRA, its board of trustees and followed by approval by the City of Minneapolis and the PERA Board; and

Whereas, a majority of the entire MPRA membership and the board of trustees of the MPRA have approved the article, and have certified those approvals to the Mayor and City Council President prior to the statutory deadline of September 15, 2011;

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

That Article 7 now be approved and the City Clerk be directed to prepare and file with the Minnesota Secretary of State the required certification of approval and required documents pursuant to Minnesota Statutes, Section 645.021, Subdivisions 2 and 3, on or before October 15, 2011.

Adopted 10/7/2011.

**Comm of the Whole/IGR** - Your Committee recommends passage of the accompanying resolution granting local approval to Laws of Minnesota 2011, First Special Session, Chapter 8, Article 6, Sections 1 to 16, 17 paragraphs (a) to (d), and Section 18, providing for the voluntary consolidation of the Minneapolis Fire Relief Association (MFRA) into the Minnesota Public Employees Retirement Association Police and Fire Fund (PERA-PF).

Adopted 10/7/2011.  
(Published 10/12/2011)

Resolution 2011R-493, approving Laws of Minnesota 2011, First Special Session, Chapter 8, Article 6, Sections 1 to 16, 17 paragraphs (a) to (d), and Section 18, was adopted 10/7/2011 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 2011R-493**

**By Glidden**

**Approving Laws of Minnesota 2011, First Special Session, Chapter 8, Article 6, Sections 1 to 16, 17 paragraphs (a) to (d), and Section 18.**

Whereas, the Minnesota State Legislature has passed a law (Laws of Minnesota 2011, First Special Session, Chapter 8, Article 6, Sections 1 to 16, 17 paragraphs (a) to (d), and Section 18), relating to the voluntary consolidation of the Minneapolis Fire Relief Association (MFRA) into the Minnesota Public Employees Retirement Association (PERA) Police and Fire Fund; and

Whereas, the law, in Article 6, Section 19, requires approval of the law by a majority of the entire membership of the MFRA, its board of trustees and followed by approval by the City of Minneapolis and the PERA Board; and

Whereas, a majority of the entire MFRA membership and the board of trustees of the MFRA have approved the article and have certified those approvals to the Mayor and City Council President prior to the statutory deadline of September 15, 2011;

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

That Article 6 now be approved and the City Clerk be directed to prepare and file with the Minnesota Secretary of State the required certification of approval and required documents pursuant to Minnesota Statutes, Section 645.021, Subdivisions 2 and 3, on or before October 15, 2011.

Adopted 10/7/2011.

**Comm of the Whole** - Your Committee, having under consideration the recommendations of staff relating to revisions to Neighborhood Programs, now recommends approval of the following actions:

- A. Authorize City staff to extend 2011 Community Participation Program (CPP) contracts through June 30, 2012, and increase contracted amounts from \$3,000,000 to \$4,500,000 following the 2011 CPP allocation formula from fund 01800-845100.
- B. Authorize the Director of the Neighborhood and Community Relations Department to enter into necessary contract amendments with neighborhood organizations under the approved Community Participation Program guidelines.
- C. Authorize the Director of the Neighborhood and Community Relations (NCR) Department to proceed with any work necessary for the transfer of administrative responsibilities for NRP programs and activities, including the assumption of NRP contracts, assets, and management and oversight duties beginning January 1, 2012.
- D. Direct the NCR Department to report back to the City Council in November with proposed revisions to the CPP guidelines and the NRP ordinance consistent with the framework outlined in this report.

Adopted 10/7/2011.

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

**Comm Dev** – Your Committee, having under consideration the issuance of revenue bonds for the proposal by Second Street Holdings, LLC to develop a housing project of 91 rental apartments with underground parking spaces at 520 Second St SE, now recommends passage of the accompanying resolution giving preliminary approval to the issuance of up to \$7,500,000 of Tax-Exempt Multifamily Housing Revenue Bonds for said project.

Adopted 10/7/2011.

Resolution 2011R-494, giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds under Minnesota Statutes, Chapter 462C, for the purpose of financing a housing program consisting of the acquisition, construction, and equipping of a multifamily rental housing

development for the benefit of 520 Second Street Apartments Limited Partnership, a Minnesota limited partnership, was adopted 10/7/2011 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 2011R-494**  
**By Goodman**

**Giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds under Minnesota Statutes, Chapter 462C, for the purpose of financing a housing program consisting of the acquisition, construction, and equipping of a multifamily rental housing development for the benefit of 520 Second Street Apartments Limited Partnership, a Minnesota limited partnership.**

Whereas, the City of Minneapolis, Minnesota (the "City"), is authorized, pursuant to Minnesota Statutes, Chapter 462C, as amended (the "Act"), to develop and administer programs to finance one or more multifamily housing developments within its boundaries; and

Whereas, Section 462C.07 of the Act authorizes the City to issue and sell revenue bonds or obligations to finance programs for the multifamily housing developments; and

Whereas, representatives of Second Street Holdings, LLC, a Minnesota limited liability company (the "Developer"), have requested that the City adopt a multifamily housing development program (the "Program") to provide for the issuance of tax-exempt multifamily housing revenue bonds in an aggregate principal amount of approximately \$7,500,000 (the "Bonds") for the purpose of loaning the proceeds thereof to 520 Second Street Apartments Limited Partnership, a Minnesota limited partnership (the "Borrower") to finance the acquisition, construction, and equipping of a 91-unit multifamily rental apartment development and facilities functionally related and subordinate thereto, located at 520 Second Street SE in the City to be owned by the Borrower, the general partner of which is the Developer; and

Whereas, the Community Development Committee of the Minneapolis City Council, on behalf of the City, held a public hearing on the Program and the proposed issuance of the Bonds on a date at least fifteen (15) days following the publication in a newspaper of general circulation in the City of a notice of such public hearing; and

Whereas, the Program was submitted to the Metropolitan Council for its review and comment in accordance with the requirements of the Act; and

Whereas, the City has been advised by the Developer on behalf of the Borrower that conventional commercial financing is available to pay the capital costs of the Project only on a limited basis and at such high costs of borrowing that the scope of the Project and the economic feasibility of its operations would be significantly affected; and

Whereas, the City shall not be liable on the Bonds, and the Bonds shall not constitute a debt of the City within the meaning of any state constitutional provision or statutory limitation, the Bonds shall not constitute or give rise to a charge against the general credit or taxing powers of the City, the Bonds shall not constitute or give rise to a pecuniary liability of the City, and the Bonds shall be payable solely out of any funds and properties expressly pledged as security therefor;

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

That the Program is hereby approved and adopted by the City.

Be It Further Resolved that the issuance of the Bonds pursuant to the Program in an aggregate principal amount of approximately \$7,500,000 is hereby preliminarily approved.

Be It Further Resolved that the foregoing preliminary approval of the issuance of the Bonds shall be subject to final determination by the City of terms and conditions and shall not constitute an irrevocable commitment on the part of the City to issue the Bonds.

Be It Further Resolved that the staff of the City is hereby authorized, in cooperation with bond counsel, to take all steps necessary and desirable to proceed to develop the Program and the financing therefor.

Adopted 10/7/2011.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 3412 Columbus Ave S to Greater Metropolitan Housing Corporation for \$1.00, plus reimbursement of City acquisition and holding costs of \$7,280.75, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$300 per month (or portion thereof) from the date of City Council approval to the date of closing if land sale closing does not occur on or before the closing deadline.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 10/7/2011.

Resolution 2011R-495, authorizing sale of land Neighborhood Stabilization Program Disposition Parcel 2N 134 at 3412 Columbus Ave S, was adopted 10/7/2011 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 2011R-495**  
**By Goodman**

**Authorizing sale of land Neighborhood Stabilization Program Disposition Parcel 2N 134 at 3412 Columbus Ave S.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel 2N 134, in the Central neighborhood, from Greater Metropolitan Housing Corporation, hereinafter known as the Redeveloper, the Parcel 2N 134, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of 2N 134; 3412 Columbus Avenue South: Lot 4, Block 2, Chicago Avenue Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$1 (plus reimbursement of \$7,280.75 in additional costs incurred by the City), for Parcel 2N 134 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on September 16, 2011, a public hearing on the proposed sale was duly held on September 27, 2011, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Neighborhood Stabilization Program plan, as amended, is hereby estimated to be the sum of \$1 for Parcel 2N 134.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$300.00 per month (or portion thereof) if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

Adopted 10/7/2011.

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

**Comm Dev, T&PW & W&M/Budget** - Your Committee, having under consideration the Franklin Ave Light Rail Transit Station Area Streetscape (Bloomington to 21st Aves) and 22nd St Reconstruction Project (Cedar to Minnehaha Aves) (project CPV028) allocation of funding, now recommends passage of the accompanying resolution a) decreasing the Paving Construction capital appropriation and revenue source by \$180,000 (project CPV804); b) authorizing allocation of \$180,000 from appropriated Common Project TOD funds at the Franklin LRT Station area for Franklin LRT Station Area Streetscape and 22nd St Reconstruction (project CPV028); and c) increasing the Franklin/Cedar/Minnehaha Improvement Project and revenue source by \$360,000 (project CPV028).

Adopted 10/7/2011.

**RESOLUTION 2011R-496**  
**By Goodman, Colvin Roy and Hodges**

**Amending the 2011 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

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

a) Decrease Paving Construction capital appropriation in 04100-9010937 project CPV804 by \$180,000 and revenue source 321514 in 04100-9010937 project CPV804;

b) Authorize allocation of \$180,000 from appropriated Common Project TOD funds at the Franklin LRT Station area (01CAZ-8900320-MCAZ019) for Project CPV028 (Franklin LRT Station Area Streetscape and 22nd Street Reconstruction);

c) Increase 04100-9010937-CPV028 Franklin/Cedar/Minnehaha Improvement Project and revenue source 321514 in 04100-9010937-CPV028 by \$360,000.

Adopted 10/7/2011.

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

**Comm Dev & W&M/Budget** - Your Committee, having under consideration 2600 Minnehaha Ave well abandonment activities, now recommends that the proper City officers be authorized to execute Addendum #1 to Purchase Order No. 210198 with E.H. Renner & Sons, Inc. by increasing the contract amount by \$70,181.73 for a new total of \$120,069.73. Funds are available to cover unanticipated costs associated with well abandonment activities.

Adopted 10/7/2011.

**Comm Dev & W&M/Budget** - Your Committee recommends acceptance of the low bid submitted to the Departments of Community Planning & Economic Development and Procurement on OP No. 7513 from G Urban Companies, Inc in the amount of \$74,750.00 to furnish and deliver all labor, materials, equipment and incidentals necessary to accomplish the demolition and site clearance of the following five structures, per the bid specifications:

2915 Sheridan Ave N, 2523 Washington St NE, 3241 Russell Ave N, 3526 Logan Ave N and 2410 Dupont Ave N.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for this project, all in accordance with City specifications.

Adopted 10/7/2011.

**The PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and WAYS & MEANS/BUDGET Committees submitted the following reports:**

**PSC&H & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute a two-year contract with the Hennepin County Medical Center (HCMC), in the estimated amount of \$50,000, for the Police Department to pay a fee for HCMC to perform legal evidence blood draws. The Police Department estimates 150 blood draws annually, for a cost of \$158 per draw in the first year and potentially an increased fee in the second year.

Adopted 10/7/2011.

**PSC&H & W&M/Budget** - Your Committee, having under consideration the 2012 Toward Zero Deaths Grant, now recommends that the proper City officers be authorized to execute agreements, as follows:

a) with the Minnesota Department of Public Safety, Office of Traffic Safety, to accept \$139,860 to pay overtime to Traffic Unit police officers to increase enforcement targeting impaired drivers, juvenile and young adult violators, speed violations, and other enforcement to reduce accidents and increase driver safety.

b) with the University of Minnesota Police Department to share the grant funds in an amount to be determined.

Further, passage of the accompanying resolution appropriating \$139,860 to the Police Department.

Adopted 10/7/2011.

**RESOLUTION 2011R-497**

**By Glidden and Hodges**

**Amending The 2011 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Federal Fund (01300-4002730) by \$139,860 and increasing the revenue source (01300-4002730-321012) by \$139,860.

Adopted 10/7/2011.

**PSC&H & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute a Memorandum of Agreement with the United States Federal Bureau of Investigation to accept \$5,000 for the purchase of computer and related equipment for the Crime Lab to aid in the Police Department's participation on the Minnesota Cyber Crimes Task Force. Further, passage of the accompanying resolution appropriating \$5,000 to the Police Department.

Adopted 10/7/2011.

**RESOLUTION 2011R-498**  
**By Glidden and Hodges**

**Amending The 2011 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Federal Fund (01300-4003300-802001) by \$5,000 and increasing the revenue source (01300-4003300-321010) by \$5,000.

Adopted 10/7/2011.

**PSC&H & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to make a donation, in the amount of \$2,500, on behalf of the Minneapolis Police Department to the National Law Enforcement Officers Memorial Fund to provide funds for the construction of the Museum in Washington, D.C. The museum will honor law enforcement officers killed in the line of duty, including the following Minneapolis officers: Jerry Haaf (1992); Melissa Schmidt (2002); David Loeffler (2009); and Park Police Officer Mark Bedard (2007). The donation shall be made from federal forfeiture funds, in accordance with the federal forfeiture rules and regulations.

Adopted 10/7/2011.

**PSC&H & W&M/Budget** - Your Committee recommends passage of the accompanying resolution approving acceptance of a gift of dog food and supplies for Animal Care & Control.

Adopted 10/7/2011.

Resolution 2011R-499, approving acceptance of a gift of dog food and supplies for Animal Care & Control, was adopted 10/7/2011 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 2011R-499**  
**By Samuels**

**Approving acceptance of a gift of dog food and supplies for Animal Care & Control.**

Whereas, community member Amy Angrimson donated eight 3.5 oz cans of Cesar dog food to the Animal Shelter; and

Whereas, community member Melanie Williams donated a 34 lb bag of Purina One dog food to the Animal Shelter; and

Whereas, community member Sarah Dietch donated 1 box of 21 refillable disposable Bag on Board poop bags and a 1 lb. bag of dog biscuits to the Animal Shelter; and

Whereas, Section 465.03 of Minnesota Statutes requires such gift acceptance be made by resolution of City Council, adopted by a two-thirds majority of its members and expressing such terms in full;

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

That Amy Angrimson's offer to provide to Animal Care and Control eight 3.5 oz cans of Cesar dog food to the Animal Shelter shall be accepted as a gift on behalf of the City of Minneapolis.

Be It Further Resolved that Melanie Williams' offer to provide to Animal Care and Control a 34 lb bag of Purina One dog food shall be accepted as a gift on behalf of the City of Minneapolis.

Be It Further Resolved that Sarah Dietch's offer to provide to Animal Care and Control a box of 21 Bags on Board refillable disposable poop bags for use by our volunteers walking the dogs, and a 1lb bag of dog biscuits shall be accepted as a gift on behalf of the City of Minneapolis.

Adopted 10/7/2011.

**The REGULATORY, ENERGY & ENVIRONMENT Committee submitted the following reports:**

**RE&E** - Your Committee recommends passage of the accompanying resolution granting Liquor, Wine and Sidewalk Cafe Licenses to:

- a) University Hotel Minneapolis, 615 Washington Av SE;
- b) New Century Theatre, 615 Hennepin Av;
- c) Wanderers Food & Cocktail, 533 Hennepin Av;
- d) Nicollet Island Inn, 95 Merriam St;
- e) Tilia, 2726 W 43rd St; and
- f) Caribou Coffee, 555 Nicollet Mall.

Adopted 10/7/2011.

(Published 10/12/2011)

Resolution 2011R-500, granting Liquor, Wine and Sidewalk Cafe Licenses to University Hotel Minneapolis; New Century Theatre; Wanderers Food & Cocktail; Nicollet Island Inn; Tilia; and Caribou Coffee, was adopted 10/7/2011 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 2011R-500**

**By Glidden**

**Granting Liquor, Wine and Sidewalk Cafe Licenses.**

Resolved by The City Council of The City of Minneapolis:

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

**On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2012**

Noble House Minneapolis LLC, dba University Hotel Minneapolis, 615 Washington Av SE (new business)

**On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2012**

Hennepin Theatre Trust, dba New Century Theatre, 615 Hennepin Av #140 (new business)

**On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2012**

Wanderers Food & Cocktail Inc, dba Wanderers Food & Cocktail, 533 Hennepin Av (permanent expansion of premises)

**On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2012**

Island Sash & Door Co LLC, dba Nicollet Island Inn, 95 Merriam St (new proprietor)

**On-Sale Wine Class E with Strong Beer, to expire April 1, 2012**

Tilia LLC, dba Tilia, 2726 W 43rd St (permanent expansion of premises)

**Sidewalk Cafe, to expire April 1, 2012**

Caribou Coffee Company Inc, dba Caribou Coffee, 555 Nicollet Mall (new business)

Tilia LLC, dba Tilia, 2726 W 43rd St (new business).

Adopted 10/7/2011.

**RE&E** - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 10/7/2011.

Resolution 2011R-501, granting applications for Liquor, Wine and Beer Licenses, was adopted 10/7/2011 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 2011R-501**

**By Glidden**

**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, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 275227):

**Off-Sale Liquor, to expire October 1, 2012**

Team Liquor Inc, dba Team Liquor Wine & Spirits, 19 S 7th St

Hilton Worldwide Inc, dba Minneapolis Hilton, 1001 Marquette Av

Skol Inc, dba Skol Liquors, 2500 27th Av S

**On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2012**

City Center Hotel Ltd Partnership, dba Marriott City Center Minneapolis, 30 S 7th St

Fine Line Music Ventures Inc, dba Fine Line Music Cafe, 318 1st Av N

Gator Lessee LLC, dba The Grand Hotel, 615 2nd Av S

Koch Group Mpls LLC, dba 7 Seven, 700 Hennepin Av

First Global LLC, dba Hilton Garden Inn, 1101 4th Av S

**On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2012**

HEI Minneapolis LLC, dba Westin Minneapolis, 88 S 6th St

**On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2012**

Ukrainian American Community Center, dba Ukrainian American Community Center, 301 Main St

NE

LM-Minneapolis Inc, dba Comfort Suites-Minneapolis Downtown, 425 S 7th St

University of St. Thomas, dba University of St. Thomas, 1000 LaSalle Av

Poor Mans Paradise Inc, dba Psycho Suzi's Motor Lounge, 1900 Marshall St NE

**On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 2012**

J D Hoyt's Inc, dba J D Hoyt's, 301 Washington Av N

Two Mac Inc, dba Mackenzie, 918 Hennepin Av

**On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2011**

Levit Holdings Ltd, dba Ichiban Japanese Steakhouse, 1333 Nicollet Mall (permanent expansion of premises)

Graves Hospitality Corp, dba Downtown Residence Inn, 45 S 8th St

Ike's LLC, dba Ike's Food & Cocktails, 50 S 6th St

Loon Cafe Inc, dba Loon Cafe, 500 1st Av N

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

TMMS Inc, dba C C Club, 2600 Lyndale Av S

GM Minneapolis LLC, dba Green Mill, 2626 Hennepin Av

Stewart on France, LLC, dba Heidi's Minneapolis, 2901 Lyndale Av S

**Temporary On-Sale Liquor**

Finnegans Community Fund, dba Finnegans Community Fund, 619 S 10th St #100 (fundraiser September 24, 2011, 4:00 p.m. to 9:00 p.m., Portland betw 4th & 5th St).

Adopted 10/7/2011.

**RE&E** - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 10/7/2011.

Resolution 2011R-502, granting applications for Business Licenses, was adopted 10/7/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2011R-502**

**By Glidden**

**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 October 7, 2011 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 275227):

Car Wash; Dancing School; Fire Extinguisher Servicing - Class A; Caterers; Food Distributor; Farm Produce Permits; Grocery; Food Manufacturer; Restaurant; Short-Term Food Permit; Sidewalk Cafe; Fuel Dealer Cash & Carry Only; Gasoline Filling Station; Hotel/Motel; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Towing Class A; Towing Class B; Commercial Parking Lot Class A; Commercial Parking Lot Class B; Plumber; Secondhand Goods Class A; Secondhand Goods Class B; Sign Hanger; Skating Rink - Ice, Roller; Solicitor - Company; Solicitor - Individual; Solid Waste Hauler; Suntanning Facility; Taxicab Vehicle - Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle - Non-Transferable; Theater Zone I; Tobacco Dealer.

Adopted 10/7/2011.

**RE&E** - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 10/7/2011.

Resolution 2011R-503, granting applications for Gambling Licenses, was adopted 10/7/2011 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 2011R-503**

**By Glidden**

**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 applicable codes and ordinances (Petn No 275227):

**Gambling Exempt**

Church of St. Maron, dba Church of St. Maron, 600 University Av NE (Raffle September 24 & 25, 2011)

Minnesota Minority Supplier Development Council, MMSDC, 111 3rd Av S, Suite 240 (Raffle September 29, 2011, Minneapolis Convention Center)

Saint Paul Jaycees, dba Saint Paul Jaycees, 1 W Water St, Suite 275 (Raffle September 30, 2011, International Market Square)

Lyndale Neighborhood Association, dba Lyndale Neighborhood Association, 3537 Nicollet Av (Raffle October 14, 2011, Lyndale Neighborhood Assoc)

Naral Pro-Choice Minnesota Foundation, dba Naral Pro-Choice Minnesota Foundation, 2300 Myrtle Av, Suite 120, Saint Paul (Raffle October 14, 2011, 356 Monroe St NE)

Church of St. Joan of Arc, dba Church of St. Joan of Arc, 4537 3rd Av S (Raffle October 28 & 29, 2011, Church of St. Joan of Arc)

Church of St. Boniface, dba Church of St. Boniface, 629 2nd St NE (Raffle, Pulltabs November 12, 2011, Church Hall)

The Church of the Holy Cross, dba The Church of the Holy Cross, 1621 University Av NE (Bingo November 13, 2011, Holy Cross Church)

Greater Twin Cities Youth Symphonies, dba Greater Twin Cities Youth Symphonies, 408 St. Peter St, Suite 300, Saint Paul (Raffle November 13, 2011, Orchestra Hall)

Community of Recovering People, dba The Retreat, 1221 E Wayzata Blvd (Raffle November 19, 2011, The Depot)

Fraser, dba Fraser, 2400 W 64th St (Raffle November 19, 2011, Hilton Mpls)

Open Arms of Minnesota, dba Open Arms of Minnesota, 2500 Bloomington Av (Raffle November 19, 2011, Graves 601 Hotel)

St. Boniface Council of the Catholic Aid, dba St. Boniface Council, 629 2nd St NE (Raffles, Paddlewheels, Pulltabs November 22, 2011, Church Hall)

Church of St. Hedwig, dba Church of St. Hedwig, 129 29th Av NE (Raffle December 4, 2011, 129 29th Av NE)

Breck School, dba Breck School, 123 Ottawa Av N (Raffle April 14, 2012, Calhoun Beach Club).  
Adopted 10/7/2011.

**RE&E** - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Liquor Class B with Sunday Sales and Sidewalk Cafe Licenses held by Wanderers Wondrous Azian Kitchen, 533 Hennepin Av.

Adopted 10/7/2011.

Resolution 2011R-504, approving License Settlement Conference recommendations relating to the On-Sale Liquor Class B with Sunday Sales and Sidewalk Cafe Licenses held by Wanderers Wondrous Azian Kitchen, 533 Hennepin Av, was adopted 10/7/2011 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 2011R-504**

**By Glidden**

**Approving License Settlement Conference recommendations relating to the On-Sale Liquor Class B with Sunday Sales and Sidewalk Cafe Licenses held by Wanderers Wondrous Azian Kitchen, 533 Hennepin Av.**

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on August 26, 2011 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded the licensee violated the Minneapolis Code of Ordinances, as follows:

a) an area of the premises that was not part of the originally approved licensed premises is being operated and advertised as the Caterpillar Lounge, and liquor is being served and entertainment is being offered in the unlicensed portion of the premises;

b) the sidewalk cafe is operating outside of the boundaries of the approved plan;

c) Wanderers Wondrous Azian Kitchen has unpaid administrative citations to the City in the amounts of \$1,870 and \$1,320;

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

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. Wanderers Wondrous Azian Kitchen will immediately cease operating in the area known as the Caterpillar Lounge.

2. Wanderers Wondrous Azian Kitchen will immediately bring the sidewalk cafe into compliance.

3. Wanderers Wondrous Azian Kitchen will pay all outstanding fines in the amount of \$3,190 by August 30, 2011 at 3:00 p.m.  
Adopted 10/7/2011.

**RE&E** - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Restaurant License held by 1st Cup Cafe, 2740 Minnehaha Av.  
Adopted 10/7/2011.

Resolution 2011R-505, approving License Settlement Conference recommendations relating to the Restaurant License held by 1st Cup Cafe, 2740 Minnehaha Av, was adopted 10/7/2011 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 2011R-505**  
**By Glidden**

**Approving License Settlement Conference recommendations relating to the Restaurant License held by 1st Cup Cafe, 2740 Minnehaha Av.**

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on August 16, 2011 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded the licensee violated the Minneapolis Code of Ordinances as follows:

- a) First Cup Coffee and Hiawatha Pizza failed to comply with all Environmental Health Codes;
- b) the licensee failed to pay administrative fines in the amount of \$12,340;
- c) the licensee failed to report a change in the name and location of the business; and
- d) the licensee failed to comply with business license operating conditions;

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

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. \$7,200 in administrative fines will be stayed pending no same or similar violations found for food temperatures, cross handling, cleanliness, and use of non NSF equipment for a one year period. \$5,140 in administrative fines will be paid as follows:

- a. \$1,000 is due to the Environmental Health Division upon signature of this agreement.
- b. By September 30, 2011, another \$1,000 is due to the Environmental Health Division.
- c. By October 31, 2011, another \$1,000 is due to the Environmental Health Division.
- d. By November 30, 2011, another \$1,000 is due to the Environmental Health Division.
- e. By December 31, 2011, a final payment of \$1,140 is due to the Environmental Health Division.

2. First Cup Coffee/Hiawatha Pizza shall employ a professional consultant to supervise food service to ensure compliance with all Food Codes and ordinances. A plan to comply with food codes shall be written and approved by the Environmental Health Division within two weeks of signing this agreement.

3. The Environmental Health Division shall conduct unannounced inspections on a quarterly basis and the licensee will pay a fee of \$100 per inspection.

4. If any changes to the restaurant equipment and menu, a Food Plan Review must occur by Environmental Health before the equipment is purchased.

5. For a period of one year (September 1, 2011 to September 1, 2012), a certified food manager shall be in the restaurant at all times when food is present. The food manager is to ensure that all employees shall follow all Environmental Health Regulations.

6. Samme Siste, as owner of Hiawatha Pizza, shall be the person in charge or shall designate a person in charge and shall ensure that a person in charge is present at the food establishment all hours of operation. Based on the risks of food borne illness inherent to the food operation, and upon request by the regulatory authority, the person in charge shall demonstrate to the regulatory authority knowledge of food borne disease prevention. The person in charge shall ensure that:

a. employees and other persons, including delivery and maintenance persons and pesticide applicators, entering the food preparation, food storage, and ware washing areas comply with the Code.

b. employees effectively clean their hands by routinely monitoring the employees' hand washing.

c. employees visibly observe foods as they are received to determine that they are from approved sources, delivered at the required temperatures, protected from contamination, unadulterated, and accurately presented by routinely monitoring the employees' observations and periodically evaluating foods upon their receipt.

d. employees properly cook potentially hazardous food, being particularly careful in cooking those foods known to cause severe food borne illness and death, including eggs and comminuted meats, through daily oversight of the employees' routine monitoring of the cooking temperatures.

e. employees use proper methods to rapidly cool potentially hazardous foods that are not held hot or are not for consumption within four hours, through daily oversight of the employees' routine monitoring of food temperatures during cooling.

f. employees properly sanitize cleaned multi-use equipment and utensils before they are reused through routine monitoring of solution temperature and exposure time for hot water sanitizing, and chemical concentration, pH, temperature, and exposure time for chemical sanitizing.

g. employees implement and maintain food safety standards in the facility.

Adopted 10/7/2011.

**The REGULATORY, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following report:**

**RE&E & W&M/Budget** - Your Committee, having under consideration the provision of training related to Lead Safe Work Practices, now recommends that the proper City officers be authorized to execute a grant agreement with the Minnesota Department of Health to accept \$5,000 to subsidize renovation, remodeling and painting training costs for contractors, property owners and City staff, including classes in Spanish. Further, passage of the accompanying resolution appropriating \$5,000 to the Department of Regulatory Services.

Adopted 10/7/2011.

**RESOLUTION 2011R-506  
By Glidden and Hodges**

**Amending The 2011 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

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

a) increasing the appropriation for the Department of Regulatory Services Agency in the Grants – Other Fund (01600-8350500) by \$5,000;

b) increasing the revenue estimate for the Department of Regulatory Services in the Grants - Other Fund (01600-8350500) by \$5,000.

Adopted 10/7/2011.

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

**T&PW** - Your Committee, having under consideration proposed assessments for water and sewer service line repairs or replacements, and having held a public hearing thereon, now recommends passage of the accompanying resolution adopting and levying the assessments for water and sewer

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service line repairs or replacements on the lists of properties set forth in Petn No 275232 on file in the office of the City Clerk.

Adopted 10/7/2011.

Resolution 2011R-507, adopting and levying the assessments and adopting the assessment rolls for water and sewer service line repairs or replacements that remain unpaid, was adopted 10/7/2011 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 2011R-507**  
**By Colvin Roy**

**Adopting the assessments, levying the assessments, and adopting the assessment rolls for water and sewer service line repairs or replacements on the lists of properties set forth in Petn No 275232.**

Whereas, a public hearing was held on September 27, 2011 in accordance with Section 509.465 of the Minneapolis Code of Ordinances to consider the proposed assessments as shown on the proposed assessment rolls on file in the office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

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

That the proposed assessments against the affected properties on the Water Service Line Repair List, dated September 15, 2011, in the total amount of \$442,925, as shown on the proposed assessment roll on file in the office of the City Clerk, hereby are adopted and levied;

That the proposed assessments against the affected properties on the Sewer Service Line Repair List, dated September 15, 2011, in the total amount of \$103,967.50, as shown on the proposed assessment roll on file in the office of the City Clerk, hereby are adopted and levied.

Be It Further Resolved that the assessments be collected in five (5) successive equal annual principal installments beginning on the 2012 real estate tax statements with interest charged at the rate of 5%.

Be It Further Resolved that the assessment rolls as prepared by the City Engineer be and hereby are adopted and that the City Clerk is hereby directed to transmit certified copies of said assessment rolls to the Hennepin County Auditor.

Adopted 10/7/2011.

**T&PW** - Your Committee recommends passage of the accompanying resolution approving special services, cost estimates, service charges, and the lists of service charges for 2012 in the Chicago-Lake, Bloomington-Lake, East Lake, and Lyndale-Lake Special Service Districts.

Adopted 10/7/2011.

(Published 10/12/2011)

Resolution 2011R-508, approving special services, cost estimates, service charges, and the lists of service charges for 2012 in the Chicago-Lake, Bloomington-Lake, East Lake, and Lyndale-Lake Special Service Districts and directing the City Engineer to proceed with the work, was adopted 10/7/2011 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 2011R-508**

**By Colvin Roy**

**Approving special services, the cost estimates, service charges, and the lists of service charges for 2012 in the Chicago-Lake, Bloomington-Lake, East Lake, and Lyndale-Lake Special Service Districts and directing the City Engineer to proceed with the work.**

Whereas, public hearings were held on September 27, 2011 in accordance with Laws of Minnesota, Chapter 428A, Sections 428A.01 through 428A.10 and Chapters 460, 461, 462 and 463 of the Minneapolis Code of Ordinances to consider the proposed special services, the proposed service charges, and the proposed lists of service charges as more particularly described in Petn No 275232 on file in the office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

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

That the proposed special services, the proposed cost estimate in the total amount of \$47,250 for 2012, and that the proposed service charges and the proposed list of service charges for 2012 in the total amount of \$37,708 (amount remaining after adjusting the cost estimate of \$47,250 for previous years' unexpended balances and additional costs as provided for in Section 461.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Chicago-Lake Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$44,000 for 2012, and that the proposed service charges and the proposed list of service charges for 2012 in the total amount of \$30,008 (amount remaining after adjusting the cost estimate of \$44,000 for previous years' unexpended balances and additional costs as provided for in Section 460.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Bloomington-Lake Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$53,200 for 2012, and that the proposed service charges and the proposed list of service charges for 2012 in the total amount of \$53,376 (amount remaining after adjusting the cost estimate of \$53,200 for previous years' unexpended balances and additional costs as provided for in Section 462.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the East Lake Special Service District.

Be It Further resolved that the proposed special services, the proposed cost estimate in the total amount of \$112,000 for 2012, and that the proposed service charges and the proposed list of service charges for 2012 in the total amount of \$112,000 (being a newly implemented special service district with services revenues beginning in 2011) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Lyndale-Lake Special Service District.

Be It Further Resolved that the City Engineer is hereby directed to proceed with the work.

Be It Further Resolved that the service charges be collected in one (1) installment on the 2012 real estate tax statements in the same manner as special assessments without interest charges and that the City Clerk is hereby directed to transmit certified copies of said lists of service charges to the Hennepin County Auditor.

Adopted 10/7/2011.

**T&PW** - Your Committee recommends passage of the accompanying resolution authorizing the execution of Amendment No 1 to Minnesota Department of Transportation (MnDOT) Agreement No 95546-P allowing MnDOT to provide funding for repairs on the Camden Ave Bridge resulting from tornado-related damage.

Adopted 10/7/2011.

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Resolution 2011R-509, authorizing Amendment No 1 to Minnesota Department of Transportation (MnDOT) Agreement No 95546-P to include language for MnDOT reimbursement for repairs made to the Camden Bridge, was adopted 10/7/2011 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 2011R-509**  
**By Colvin Roy**

**Authorizing Amendment No 1 to Minnesota Department of Transportation (MnDOT) Agreement No 95546-P to include language for MnDOT reimbursement of repairs made to the Camden Bridge from the May 22, 2011 tornado.**

Whereas, the Camden Bridge is a jointly owned structure by the City of Minneapolis (City) and MnDOT; and

Whereas, in 2010 the City and MnDOT entered into agreement 95546-P to cover MnDOT costs associated with oversight engineering in connection with the Camden Bridge rehabilitation for an amount of \$212,000; and

Whereas, on May 22, 2011, a tornado damaged the portion of the bridge owned by MnDOT which crosses Trunk Highway 94; and

Whereas, MnDOT has agreed to pay the \$39,035.94 to repair the bridge and reduce the City's contribution for oversight engineering by said amount;

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

That the proper City officers are hereby authorized and directed, on behalf of the City, to enter into Amendment Number 1 with the MnDOT Commissioner of Transportation prescribing the amended terms and conditions as set forth in Minnesota Department of Transportation Agreement Number 95546-P.

Adopted 10/7/2011.

**T&PW** - Your Committee, having under consideration the Pump Station No 5 Roofing Project, now recommends that the proper City officers be authorized to increase the contract with Central Roofing Company (OP 7503) by \$42,010.00, for a revised contract total of \$149,098.00, for the removal of all asbestos contaminated roofing materials. No additional appropriation required.

Adopted 10/7/2011.

**T&PW** - Your Committee, having under consideration the Dewatering Plant Improvement Project, now recommends that the proper City officers be authorized to execute an amendment to Contract No C-27146 with Graham Construction Services, increasing the contract by \$576,785.00, for a revised contract total of \$19,796,785.00, to allow for Change Order No 1 and extend the time period until completion. No additional appropriation required.

Adopted 10/7/2011.

**T&PW** - Your Committee, having under consideration the Dewatering Plant Improvement Project, now recommends that the proper City officers be authorized to increase Contract No C-28796 (scope 06) with HDR Engineering, Inc., by \$400,000.00, for a revised contract total of \$3,070,000.00, for engineering services and extend the contract duration until completion. No additional appropriation required.

Adopted 10/7/2011.

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

**T&PW & W&M/Budget** - Your Committee recommends passage of the accompanying resolution adopting and levying the special assessments and adopting the assessment roll for the 2010 operation and maintenance of the 50th St W and France Ave S Parking Facility.

Adopted 10/7/2011.

Resolution 2011R-510, adopting and levying special assessments and adopting the assessment roll for the 2010 operation and maintenance of the 50th St W and France Ave S Parking Facility, was adopted 10/7/2011 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 2011R-510  
By Colvin Roy and Hodges**

**Adopting the special assessments, levying the special assessments, and adopting the assessment roll for the 2010 operation and maintenance of the 50th St W and France Ave S Parking Facility.**

Whereas, the total amount of the proposed special assessments is \$19,927.98 and consists of 2010 operation and maintenance costs through December 31, 2010; and

Whereas, a public hearing was held on September 27, 2011 in accordance with Minnesota Statutes Section 459.14 and Minnesota Statutes Chapter 429 to consider the operation and maintenance, to consider the proposed special assessments as shown on the proposed assessment roll on file in the office of the City Clerk, and to consider all written and oral objections and statements regarding this matter;

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

That the proposed special assessments in the total amount of \$19,927.98 as on file in the office of the City Clerk be and hereby are adopted and levied upon the benefited properties.

Be It Further Resolved that the special assessments be collected in one (1) installment on the 2012 real estate tax statements without interest charges.

Be It Further Resolved that the assessment roll as prepared by the City Engineer be and hereby is adopted and that the City Clerk is hereby directed to transmit a certified copy of said assessment roll to the Hennepin County Auditor.

Adopted 10/7/2011.

**T&PW & W&M/Budget** - Your Committee recommends passage of the accompanying resolution adopting and levying the special assessments for payable 2012 and adopting the assessment roll for the Lyn/Lake Parking Facilities.

Adopted 10/7/2011.

Resolution 2011R-511, adopting and levying the special assessments for payable 2012 and adopting the assessment roll for the Lyn/Lake Parking Facilities, was adopted 10/7/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2011R-511**  
**By Colvin Roy and Hodges**

**Adopting the special assessments for payable 2012, levying the special assessments, and adopting the assessment roll for the Lyn/Lake Parking Facilities.**

Whereas, Minnesota Statutes Section 459.14 (Automobile Parking Facilities) authorizes the City of Minneapolis to acquire property interests, construct parking facilities, operate and maintain parking facilities, and finance parking facilities through special assessments levied against benefited properties; and

Whereas, the City of Minneapolis has approved the establishment of parking facilities in the Lyn/Lake area, as more particularly described in Resolutions 98R-129 passed April 24, 1998 and 98R-186 passed May 22, 1998 and in Petn Nos 263708 and 263799 on file in the office of the City Clerk; and

Whereas, any shortfall gap between parking facilities revenue and parking facilities expenditures is to be assessed to properties benefited by the parking facilities; and

Whereas, the City Engineer has recommended the amount to be specially assessed for payable 2012 to be \$38,141.76 as contained in Petn No 275233 on file in the office of the City Clerk; and

Whereas, a public hearing was held on September 27, 2011 in accordance with Minnesota Statutes Section 459.14 and Minnesota Statutes Chapter 429 to consider the proposed special assessments for payable 2012 as shown on the proposed assessment roll on file in the office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

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

That the proposed special assessments for payable 2012 in the total amount of \$38,141.76 as on file in the office of the City Clerk be and hereby are adopted and levied upon the benefited properties.

Be It Further Resolved that the special assessments be collected in one (1) installment on the 2012 real estate tax statements without interest charges.

Be It Further Resolved that the assessment roll as prepared by the City Engineer be and hereby is adopted and that the City Clerk is hereby directed to transmit a certified copy of said assessment roll to the Hennepin County Auditor.

Adopted 10/7/2011.

**T&PW & W&M/Budget** - Your Committee, having under consideration the 4th St/I-35W On-Ramp and Auxiliary Lane Project, now recommends:

a) That the proper City officers be authorized to negotiate and execute a Cooperative Agreement with Hennepin County for the City to participate in the referenced project, including cost sharing. The City's estimated cost share is \$2,000,000; and

b) Passage of the accompanying resolution decreasing the appropriation in the University Research Park Project by \$1,582,730 from Municipal State Aid (MSA) funds, allocating unappropriated excess MSA funds in the amount of \$417,270, and increasing the appropriation for the project by \$2,000,000.

Adopted 10/7/2011.

**RESOLUTION 2011R-512**  
**By Colvin Roy and Hodges**

**Amending The 2011 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

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

a) Decreasing the appropriation for the University Research Park Project (04100-9010937-CPV007 - Revenue Source 321514) by \$1,582,730 from Municipal State Aid (MSA) funds;

b) Allocating unappropriated excess MSA funds in the amount of \$417,270 available due to adjusted appropriations from closed projects to the 4th St/I-35W On-Ramp and Auxiliary Lane Project (04100-9010937-CPV077); and

c) Increasing the appropriation for the 4th St/I-35W On-Ramp and Auxiliary Lane Project (04100-9010937-CPV077 - Revenue Source 321514) by \$2,000,000.

Adopted 10/7/2011.

**T&PW & W&M/Budget** - Your Committee, having under consideration the Central Corridor Light Rail Transit (CCLRT) Project, now recommends:

a) That the proper City officers be authorized to execute Subordinate Funding Agreement 9 (SFA 9) with the Metropolitan Council to allow for City forces to provide water utility construction oversight and inspection associated with the CCLRT Project civil west construction;

b) That the proper City officers be authorized to execute SFA 15 to allow for sanitary sewer changes associated with the CCLRT Project civil west construction; and

c) Passage of the accompanying resolution increasing the appropriation for the project by \$325,778, to be reimbursed by the Metropolitan Council.

Adopted 10/7/2011.

**RESOLUTION 2011R-513**  
**By Colvin Roy and Hodges**

**Amending The 2011 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-Water Capital Fund/Department (07400-9010950) by \$325,778, to be reimbursed by the Metropolitan Council.

Adopted 10/7/2011.

**T&PW & W&M/Budget** - Your Committee, having under consideration the 7th St N and Van White Memorial Blvd Intersection Project, now recommends that the proper City officers be authorized to execute Amendment No 1 to Contract C-27903 (OP No 7286) with Thomas and Sons Construction, Inc., increasing the contract amount by \$19,174.07, for a revised contract total of \$931,662.90, to allow for additional work to complete the reconstruction of the intersection. No additional appropriation required.

Adopted 10/7/2011.

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7497 from Thomas & Sons Construction, Inc., for an estimated expenditure of \$1,061,910.08, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the Franklin Ave Streetscape Construction Project.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 10/7/2011.

(Published 10/12/2011)

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7498 from Max Steininger, Inc., for an estimated expenditure of \$1,181,561.87, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the East 22nd Street Construction Project.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 10/7/2011.

(Published 10/12/2011)

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

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

Adopted 10/7/2011.

Resolution 2011R-514, authorizing settlement of *Bonita Ruiz* and *Ameriprise Auto & Home Insurance*, was adopted 10/7/2011 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 2011R-514**

**By Hodges**

**Authorizing legal settlements.**

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of:

a) *Bonita Ruiz v. City of Minneapolis*, by payment of \$4,500 to Bonita Ruiz and her counsel Jenna C. Ruth of Beltz & Ruth, P.A., from the Internal Service Self Insurance Fund (06900-1500100-145400); and

b) *Ameriprise Auto & Home Insurance v. City of Minneapolis*, by payment of \$17,300 to Ameriprise Auto & Home Insurance, from the Internal Service Self Insurance Fund (06900-1501500-145664).

Further, authorize the City Attorney's Office to execute any documents necessary to effectuate the above settlements.

Adopted 10/7/2011.

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution authorizing proper City officers to accept a donation for travel, lodging, and meal expenses (approximate value of \$2,200) from the Association of Prosecuting Attorneys funded through a U.S. Department of Justice, Bureau of Justice Assistance Grant for City Attorney Susan Segal and Assistant City Attorney Lois Conroy to make presentations on the Downtown 100 program at the Association of Prosecuting Attorneys' Innovations in Criminal Justice Summit in Chicago, Illinois, September 28 - 30, 2011.

Adopted 10/7/2011.

**RESOLUTION 2011R-515**

**By Hodges**

**Accepting a donation for travel, lodging, and meal expenses from the Association of Prosecuting Attorneys for the Association of Prosecuting Attorneys' Innovations in Criminal Justice Summit in Chicago, Illinois.**

Resolved by The City Council of The City of Minneapolis:

That proper City officers be authorized to accept a donation for travel, lodging and meal expenses, (value \$2,200) from the Association of Prosecuting Attorneys funded through a U.S. Department of Justice, Bureau of Justice Assistance Grant.

Adopted 10/7/2011.

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution authorizing proper City officers to accept a donation for travel and lodging expenses (approximate value of \$925) from the Minneapolis Downtown Improvement District for Attorney Raymond Cantu to participate in the Association of Prosecuting Attorneys' Innovations in Criminal Justice Summit in Chicago, Illinois, September 28 - 30, 2011.

Adopted 10/7/2011.

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**RESOLUTION 2011R-516**

**By Hodges**

**Accepting a donation for travel and lodging expenses from the Minneapolis Downtown Improvement District.**

Resolved by The City Council of The City of Minneapolis:

That proper City officers be authorized to accept a donation for travel and lodging expenses, (value \$925) from the Minneapolis Downtown Improvement District.

Adopted 10/7/2011.

**W&M/Budget** - Your Committee, having under consideration the 2011 Project Services Agreement between Metropolitan Sports Facilities Commission and the City of Minneapolis, now recommends approval of the terms of the agreement for security services to be provided during the 2011 Minnesota Vikings football season, as set forth in Petn No 275236 on file in the Office of the City Clerk.

Further, authorize proper City officers to execute any documents necessary to effectuate the above agreement.

Adopted 10/7/2011.

**W&M/Budget** - Your Committee, having under consideration the Joint Powers Agreement (JPA) between the City of Minneapolis and the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension, now recommends passage of the accompanying resolution authorizing the City Attorney's Office to accept and execute a (JPA) on behalf of its City Attorney and the State of Minnesota, acting through its Department of Public Safety, Bureau of Criminal Apprehension (BCA).

Adopted 10/7/2011.

Resolution 2011R-517, approving State of Minnesota Joint Powers Agreement with the City of Minneapolis on behalf of its City Attorney, was adopted 10/7/2011 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 2011R-517**

**By Hodges**

**Approving State of Minnesota Joint Powers Agreement with the City of Minneapolis on behalf of its City Attorney.**

Whereas, the City of Minneapolis, on behalf of its City Attorney's Office, desires to enter into a Joint Powers Agreement with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension, to use systems and tools available over the State's criminal justice data communications network for which the City is eligible. The Joint Powers Agreement further provides the City with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the City to pay the costs for the network connection.

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis, Minnesota, as follows:

1. That the State of Minnesota Joint Powers Agreement by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Minneapolis, on behalf of its City Attorney's Office, are hereby approved. A copy of the Joint Powers Agreement is attached to this Resolution and made a part of it.

2. That the City Attorney, Susan L. Segal or her successor, is designated the Authorized Representative for the City Attorney's Office. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Mary Ellen Heng is appointed as the Authorized Representative's designee.

That the City Council does hereby approve the Agreement in substantially the form submitted.

Be it Further Resolved that all required City signatories are hereby authorized and directed to execute the Agreement on behalf of the City.

Adopted 10/7/2011.

**W&M/Budget** - Your Committee, having under consideration the implementation of a Laboratory Information Management System (LIMS) within the Minneapolis Police Department, now recommends authorizing the proper City officers to execute a three year contract (2011 - 2014) with STARLIMS, for an amount not to exceed \$231,899; contract to include an option for two (2) one-year extensions. No additional appropriation is required.

Adopted 10/7/2011.

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution authorizing the City of Minneapolis to apply for competitive funding through the Election Assistance for Individuals with Disabilities (EAID) Grant Program from the Office of the Secretary of State for automatic door openers at Minneapolis polling places.

Adopted 10/7/2011.

Resolution 2011R-518, authorizing the application for a grant from the Office of the Secretary of State of Minnesota for Federal funds to make Minneapolis polling places more accessible, was adopted 10/7/2011 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 2011R-518**

**By Hodges**

**Authorizing the application for a grant from the Office of the Secretary of State of Minnesota for Federal funds to make Minneapolis polling places more accessible.**

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to:

a) Apply for a grant from the Office of the Secretary of State of Minnesota for Federal funds pursuant to Title II, Section 261 of the Help America Vote Act for the sole purpose of improving access to polling places in this city for persons with disabilities;

b) Enter into an agreement with the Office of the Secretary of State governing the receipt, expenditure, reimbursement and reporting of such a grant;

c) Receive and account separately in a manner sufficient to meet generally accepted government accounting principles sufficient to pass federal audit; and

d) Expend any sums received in the manner indicated in the grant application and agreement with the Office of the Secretary of State.

Adopted 10/7/2011.

**W&M/Budget** - Your Committee, having under consideration the Minneapolis Foundation Fund for One Minneapolis, One Read, now recommends authorizing proper City officers to enter into a Memorandum of Understanding with the Minneapolis foundation to establish a separate fund within the Minneapolis Foundation to be know as the One Minneapolis, One Read Fund and to permit the Minneapolis Foundation to accept contributions and make distributions from the said fund.

Adopted 10/7/2011.

**W&M/Budget** - Your Committee recommends approval of the November 2011 utility billing insert on behalf of the Public Works Department providing information about Snow Emergencies and snow shoveling requirements.

Adopted 10/7/2011.

**W&M/Budget** - Your Committee, having under consideration the General Obligation Taxable Pension Bonds (MERF), Series 2003, now recommends passage of the accompanying resolution authorizing:

- a) Chief Financial Officer to call for redemption of all outstanding general obligation taxable pension bonds issued for the Minneapolis Employees Retirement Fund (MERF) on December 1, 2011; and
- b) Appropriation increase into the Debt Service Department by \$36,000,000.

Adopted 10/7/2011.

Resolution 2011R-519, call for redemption all outstanding general obligation taxable pension bonds issued for the Minneapolis Employees Retirement Fund (MERF) and amending the 2011 General Appropriation Resolution appropriating funds, was adopted 10/7/2011 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 2011R-519**

**By Hodges**

**Amending The 2011 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

- a) Authorizing the Chief Financial Officer to call for redemption all outstanding general obligation taxable pension bonds issued for the Minneapolis Employees Retirement Fund (MERF) on December 1, 2011 using resources on deposit in the City's Pension Management Plan; and

- b) Increasing the appropriation in the Debt Service Department Fund (1100100-05270-851001) by \$36,000,000 to allow for the redemption of the Taxable General Obligation Pension Bonds (MERF), Series 2003 on December 1, 2011.

Adopted 10/7/2011.

**W&M/Budget** - Your Committee recommends passage of the accompanying resolutions approving terms of the following collective bargaining agreements:

- a) Teamsters, Local 320, Emergency Communications Center Supervisors Unit, effective January 1, 2010 through December 31, 2011; and

- b) Minneapolis Professional Employees Association, effective January 1, 2011 through December 31, 2013.

Adopted 10/7/2011.

Resolution 2011R-520, approving a 24-month labor agreement with Teamsters, Local 320, Emergency Communications Center Supervisors Unit, was adopted 10/7/2011 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 2011R-520**

**By Hodges**

**Approving the terms of a collective bargaining agreement with the Teamsters, Local 320, Emergency Communications Center Supervisors Unit and authorizing execution and implementation of said agreement.**

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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 Teamsters, Local 320, Emergency Communications Center Supervisors Unit (Petn No 275244), 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 10/7/2011.

Resolution 2011R-521, approving a 36-month labor agreement with the Minneapolis Professional Employees Association, was adopted 10/7/2011 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 2011R-521**  
**By Hodges**

**Approving the terms of a collective bargaining agreement with the Minneapolis Professional Employees Association 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 Minneapolis Professional Employees Association (Petn No 275244), 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 10/7/2011.

**W&M/Budget** - Your Committee, having under consideration the City's Boarded Up Program and having received an update from the Fire Department on its effectiveness in serving the financial intentions of its policy, now recommends passage of the accompanying resolution amending the 2011 General Appropriation resolution to amend Regulatory Service's budget to appropriate the vacant and boarded program contract with the Fire Department from its problem properties revolving fund, on a one-time basis not to exceed a total contract cost of \$400,000 in 2011.

Further, Regulatory Services and Fire are directed to refer the 2012 implication of the shortfall to the 2012 budget process.

Adopted 10/7/2011.

**RESOLUTION 2011R-522**  
**By Hodges**

**Amending The 2011 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by decrease the appropriation from Regulatory Service Department in the Problem Properties Revolving Fund (01600-8351000) on a one-time basis not to exceed a total contract cost of \$400,000 in 2011.

Adopted 10/7/2011.

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

**Z&P** - Your Committee, having under consideration the application of River of Life Lutheran Church with St. Stephens Human Services for an interim use permit (BZZ-5263) for an overnight shelter accessory to a religious institution place of assembly at 1110 22nd Ave N/2200 Fremont Ave N, now recommends adoption of the findings of Community Planning & Economic Development staff, and approval of said application upon the following conditions:

- 1) The interim use shall expire no later than April 30, 2012.
- 2) The use shall comply with the standards for overnight shelters required by section 537.110 of the zoning code.

Adopted 10/7/2011.

**Z&P** - Your Committee, having under consideration the appeal filed by the Tower Lofts Owners Association from the decision of the Planning Commission granting an application by T.E. Miller Development for a conditional use permit amendment and site plan review amendment to add 100 dwelling units to allow a total of 243 dwelling units in a planned unit development at 701 2nd St N, now recommends that said appeal be denied, and that the related findings prepared by the Community Planning & Economic Development staff be adopted.

Adopted 10/7/2011.

**Z&P** – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Madison Avenue Homes, LLC, (BZZ-5243) to rezone the property at 2828 Blaisdell Ave from R2B to the R4 District to reestablish four dwelling units in an existing structure and adopting the related findings prepared by the Department of Community Planning & Economic Development.

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

Adopted 10/7/2011.

Ordinance 2011-Or-088 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 2828 Blaisdell Ave to the R4 District, was adopted 10/7/2011 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 2011-Or-088**  
**By Schiff**  
**1st & 2nd Readings: 10/7/2011**

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

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

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

That part of the east 60 feet of Lot 7, Block 2, Lindley and Lingenfelter Addition to Minneapolis, Hennepin County, Minnesota, and the east 60 feet of Lot 8, Block 2, Lindley and Lingenfelter Addition to Minneapolis, Hennepin County, Minnesota (2828 Blaisdell Ave - Plate 25) to the R4 District.

Adopted 10/7/2011.

**Z&P** – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of RS Eden (BZZ-5226) to rezone the property at 822 South Third St to add the B4H Downtown Housing Overlay District to permit a supportive housing facility and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.  
Adopted 10/7/2011.

Ordinance 2011-Or-089 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 822 South Third St to add the B4H District, was adopted 10/7/2011 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 2011-Or-089**  
**By Schiff**  
**1st & 2nd Readings: 10/7/2011**

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

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

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

That part of Lots 2, 3, 4 and 5, Block 44, Town of Minneapolis, Hennepin County, Minnesota. A portion of the above-described property is registered land described as follows: All that part of Lot 2 lying in the Northwest Quarter of the Northeast Quarter of Section 26, Township 29, Range 24; Lots 3 and 4; The Southeasterly 44 feet of Lot 5; That part of Lot 2 lying West of the quarter section line dividing the Northwest Quarter from the Northeast Quarter, Section 26, Township 29, Range 24, Block 44, Town of Minneapolis (822 South Third St - Plate 20) to add the B4H Overlay District.

Adopted 10/7/2011.

**Z&P** - Your Committee, to whom was referred an ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, to rezone select parcels, affecting primary zoning and assignment of the Transitional Parking Overlay District as an implementation step for the Lowry Avenue Corridor Plan adopted December 17, 2010, 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.

Your Committee further recommends that the additional finding that obtaining consent signatures would be impractical for the rezoning of properties from Residential to Commercial Districts be adopted.  
Adopted 10/7/2011.

Ordinance 2011-Or-090 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning District Maps Generally*, amending Section 521.30 to make the zoning of properties in the area of Lowry Avenue between Xerxes and 3rd Avenues N consistent with the future land use guidance in the Lowry Avenue Corridor Plan, was adopted 10/7/2011 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 2011-Or-090**  
**By Johnson**  
**Intro & 1st Reading: 7/23/2010**  
**Ref to: Z&P**  
**2nd Reading: 10/7/2011**

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

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

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning districts for parcels of land listed below and identified on Zoning District Plates 7 and 8 (area of Lowry Avenue between Xerxes and 3rd Avenues North) pursuant to MS 462.357:

<b>Property Identification Number</b>	<b>Address</b>	<b>Primary Zoning, Existing</b>	<b>Primary Zoning, Proposed</b>	<b>Transitional Parking Overlay District</b>
1002924320066	400 30th Ave N	R2B	R3	
1002924320068	406 30th Ave N	R2B	R3	
1002924320067	410 30th Ave N	R2B	R3	
1002924320069	414 30th Ave N	R2B	R3	
1002924320070	416 30th Ave N	R2B	R3	
1002924320073	420 30th Ave N	R2B	R3	
1002924320071	422 30th Ave N	R2B	R3	
1002924320072	430 30th Ave N	R2B	R3	
0902924410154	704 30th Ave N	R3	R4	
0902924410153	710 30th Ave N	R3	R4	
0902924420050	1310 30th Ave N	R4	R3	
1002924320036	400 31st Ave N	R2B	R4	
1002924320034	404 31st Ave N	R2B	R4	
1002924320035	408 31st Ave N	R2B	R4	
1002924320020	409 31st Ave N	R2B	R3	
1002924320021	415 31st Ave N	R2B	R3	
1002924320039	416 31st Ave N	R2B	R4	
1002924320166	419 31st Ave N	R2B	R3	
1002924320038	420 31st Ave N	R2B	R4	
1002924320165	424 31st Ave N	R2B	R4	
1002924320163	427 31st Ave N	R2B	R3	
1002924320164	428 31st Ave N	R2B	R4	
1002924320026	429 31st Ave N	R2B	R3	
1002924320054	616 31st Ave N	C1	R4	
1002924320019	617 31st Ave N	R2B	R3	
1002924320055	620 31st Ave N	C1	R4	
0902924410137	701 31st Ave N	R2B	R4	
0902924410135	704 31st Ave N	R2B	R4	
0902924410138	707 31st Ave N	R2B	R4	
0902924410134	710 31st Ave N	R2B	R4	
0902924410133	712 31st Ave N	R2B	R4	
0902924410139	713 31st Ave N	R2B	R4	
0902924410132	716 31st Ave N	R2B	R4	

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0902924410236	722 31st Ave N	R2B	R4
0902924410235	726 31st Ave N	R2B	R4
0902924410130	730 31st Ave N	R2B	R4
0902924410129	734 31st Ave N	R2B	R4
0902924410128	738 31st Ave N	R2B	R4
0902924410192	804 31st Ave N	R2B	R4
0902924410191	810 31st Ave N	R2B	R4
0902924410190	814 31st Ave N	R2B	R4
0902924410189	818 31st Ave N	R2B	R4
0902924410188	902 31st Ave N	R2B	R4
0902924410187	908 31st Ave N	R2B	R4
0902924410186	912 31st Ave N	R2B	R4
0902924410185	920 31st Ave N	R2B	R4
0902924130182	1115 33rd Ave N	R2B	R3
0902924130181	1121 33rd Ave N	R2B	R3
0902924130130	1311 33rd Ave N	R4	R3
1002924230165	3201 3rd St N	C1	OR1
1002924230164	3211 3rd St N	R2B	R4
1002924320065	3013 4th St N	R2B	R3
1002924320064	3019 4th St N	R2B	R3
1002924320063	3023 4th St N	R2B	R3
1002924320062	3031 4th St N	R2B	R3
1002924320061	3033 4th St N	R2B	R3
1002924320033	3115 4th St N	R2B	R4
1002924320031	3119 4th St N	R2B	R4
1002924230153	3201 4th St N	R2B	R4
1002924230176	3206 4th St N	C1	R4
1002924230152	3207 4th St N	R2B	R4
1002924230170	3210 4th St N	R2B	R4
1002924230151	3211 4th St N	R2B	R4
1002924320009	3001 6th St N	R2B	R3
1002924320008	3009 6th St N	R2B	R3
1002924320075	3010 6th St N	R2B	R3
1002924320007	3011 6th St N	R2B	R3
1002924320006	3015 6th St N	R2B	R3
1002924320074	3016 6th St N	R2B	R3
1002924320076	3018 6th St N	R2B	R3
1002924320005	3019 6th St N	R2B	R3
1002924320077	3020 6th St N	R2B	R3
1002924320027	3024 6th St N	R2B	R3
1002924320004	3025 6th St N	R2B	R3
1002924320003	3029 6th St N	R2B	R3
1002924320002	3033 6th St N	R2B	R3
1002924320001	3035 6th St N	R2B	R3
1002924320053	3101 6th St N	R5	R4
1002924320052	3107 6th St N	R2B	R4
1002924320040	3112 6th St N	R2B	R4
1002924320051	3113 6th St N	R2B	R4
1002924320041	3114 6th St N	R2B	R4
1002924320042	3116 6th St N	R2B	R4
1002924320050	3117 6th St N	R2B	R4
1002924230141	3201 6th St N	R2B	R4
1002924230155	3202 6th St N	R2B	R4
1002924230140	3205 6th St N	R2B	R4

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1002924230156	3206 6th St N	R2B	R4
1002924230157	3210 6th St N	R2B	R4
1002924230139	3211 6th St N	R2B	R4
0902924410193	3101 Aldrich Ave N	R2B	R4
0902924140204	3200 Aldrich Ave N	R2B	R4
0902924140205	3206 Aldrich Ave N	R2B	R4
0902924140210	3210 Aldrich Ave N	R2B	R4
0902924140192	3211 Aldrich Ave N	R2B	R4
0902924140182	3201 Bryant Ave N	R2B	R4
0902924140181	3207 Bryant Ave N	R2B	R4
0902924140195	3210 Bryant Ave N	R2B	R4
0902924140180	3211 Bryant Ave N	R2B	R4
0902924140183	3200 Colfax Ave N	R2B	R4
0902924140184	3206 Colfax Ave N	R2B	R4
0902924140167	3207 Colfax Ave N	R2B	R4
0902924140185	3210 Colfax Ave N	R2B	R4
0902924140166	3211 Colfax Ave N	R2B	R4
0902924410200	3110 Dupont Ave N	R2B	R4
0902924410199	3114 Dupont Ave N	R2B	R4
0902924420003	3115 Dupont Ave N	R2B	R4
0902924410198	3118 Dupont Ave N	R2B	R4
0902924420002	3119 Dupont Ave N	R2B	R4
0902924420001	3123 Dupont Ave N	R2B	R4
0902924140173	3210 Dupont Ave N	R2B	R4
0902924130184	3211 Dupont Ave N	R2B	R4
0902924130183	3213 Dupont Ave N	R2B	R4
0902924420199	3000 Emerson Ave N	R2B	R3
0902924420032	3001 Emerson Ave N	R2B	R3
0902924420016	3006 Emerson Ave N	R2B	R3
0902924420017	3008 Emerson Ave N	R2B	R3
0902924420031	3009 Emerson Ave N	R2B	R3
0902924420018	3014 Emerson Ave N	R4	R3
0902924420030	3015 Emerson Ave N	R2B	R3
0902924420019	3018 Emerson Ave N	R4	R3
0902924420029	3019 Emerson Ave N	R2B	R3
0902924420020	3022 Emerson Ave N	R4	R3
0902924420028	3023 Emerson Ave N	R2B	R3
0902924420022	3100 Emerson Ave N	R2B	R4
0902924420023	3110 Emerson Ave N	C2	C1
0902924420024	3112 Emerson Ave N	C2	C1
0902924420025	3116 Emerson Ave N	C2	C1
0902924420026	3120 Emerson Ave N	C2	C1
0902924130171	3210 Emerson Ave N	R2B	R4
0902924130172	3214 Emerson Ave N	R2B	R4
0902924130173	3218 Emerson Ave N	R2B	R4
0902924130174	3222 Emerson Ave N	R2B	R4
0902924130175	3226 Emerson Ave N	R2B	R4
0902924130176	3230 Emerson Ave N	R2B	R3
0902924130177	3234 Emerson Ave N	R2B	R3
0902924130178	3238 Emerson Ave N	R2B	R3
0902924130179	3242 Emerson Ave N	R2B	R3
0902924130180	3246 Emerson Ave N	R2B	R3
0902924420052	3001 Fremont Ave N	R4	R3
0902924420033	3004 Fremont Ave N	R4	R3

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0902924420051	3007 Fremont Ave N	R4	R3
0902924420034	3010 Fremont Ave N	R4	R3
0902924420049	3011 Fremont Ave N	R4	R3
0902924420035	3014 Fremont Ave N	R4	R3
0902924420048	3015 Fremont Ave N	R4	R3
0902924420047	3017 Fremont Ave N	R4	R3
0902924420036	3018 Fremont Ave N	R4	R3
0902924420037	3022 Fremont Ave N	R4	R3
0902924420046	3023 Fremont Ave N	R4	R3
0902924420041	3116 Fremont Ave N	C2	C1
0902924130135	3231 Fremont Ave N	R4	R3
0902924130134	3235 Fremont Ave N	R4	R3
0902924130133	3239 Fremont Ave N	R4	R3
0902924130132	3243 Fremont Ave N	R4	R3
0902924130131	3245 Fremont Ave N	R4	R3
0902924130129	3251 Fremont Ave N	R4	R3
0902924420064	3117 Girard Ave N	R2B	R4
0902924420085	3116 Humboldt Ave N	R1A	R4
0902924310023	3119 Humboldt Ave N	R1A	R4
0902924420086	3120 Humboldt Ave N	R1A	R4
0902924240076	3215 Humboldt Ave N	R4	R1A
0902924310046	3118 Irving Ave N	R1A	R4
0902924310051	3119 Irving Ave N	R1A	R4
0902924240002	3212 Irving Ave N	R4	R1A
0902924310073	3116 James Ave N	R1A	R4
0902924310076	3123 James Ave N	R1A	R4
0902924240073	3211 James Ave N	R1A	R4
0902924240072	3215 James Ave N	R1A	R4
0902924240216	3210 Knox Ave N	R1A	R4
0902924320057	3119 Logan Ave N	R1A	R4
0902924320056	3121 Logan Ave N	R2B	R4
0902924320055	3125 Logan Ave N	C1	R4
0902924230123	3203 Logan Ave N	C1	R4
0902924240005	3208 Logan Ave N	R1A	R4
0902924230121	3209 Logan Ave N	R1A	R4
1002924230166	308 Lowry Ave N	C1	R4
1002924320160	315 Lowry Ave N	R5	R4
1002924230167	318 Lowry Ave N	C1	R4
1002924230175	318 1/2 Lowry Ave N	C1	R4
1002924230168	324 Lowry Ave N	C1	R4
1002924320192	401 Lowry Ave N	OR1 & R5 & R2B	R4
1002924230154	406 Lowry Ave N	R2B	R4
1002924320193	617 Lowry Ave N	C1 & R2B	OR2
0902924410238	701 Lowry Ave N	C2 & R2B	OR2
0902924140203	710 Lowry Ave N	C2	C1
0902924140193	800 Lowry Ave N	C2	R4
0902924410237	807 Lowry Ave N	C1 & R2B	R4
0902924140194	808 Lowry Ave N	C2	R4
0902924140209	818 Lowry Ave N	C1	R4
0902924410194	1001 Lowry Ave N	R2B	R4
0902924140169	1002 Lowry Ave N	R2B	R4
0902924140168	1008 Lowry Ave N	R2B	R4
0902924410195	1011 Lowry Ave N	R2B	R4

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0902924140171	1014 Lowry Ave N	R2B	R4
0902924410196	1015 Lowry Ave N	R2B	R4
0902924410197	1017 Lowry Ave N	R2B	R4
0902924140172	1018 Lowry Ave N	R2B	R4
0902924140170	1020 Lowry Ave N	R2B	R4
0902924130169	1100 Lowry Ave N	C1	R4
0902924130168	1110 Lowry Ave N	C1	OR1
0902924130207	1214 Lowry Ave N, Unit 305	R4	R5
0902924130206	1214 Lowry Ave N, Unit 304	R4	R5
0902924130200	1214 Lowry Ave N, Unit 206	R4	R5
0902924130194	1214 Lowry Ave N, Unit 108	R4	R5
0902924130188	1214 Lowry Ave N, Unit 102	R4	R5
0902924130204	1214 Lowry Ave N, Unit 302	R4	R5
0902924130199	1214 Lowry Ave N, Unit 205	R4	R5
0902924130203	1214 Lowry Ave N, Unit 301	R4	R5
0902924130209	1214 Lowry Ave N, Unit 307	R4	R5
0902924130210	1214 Lowry Ave N, Unit 308	R4	R5
0902924130190	1214 Lowry Ave N, Unit 104	R4	R5
0902924130189	1214 Lowry Ave N, Unit 103	R4	R5
0902924130191	1214 Lowry Ave N, Unit 105	R4	R5
0902924130196	1214 Lowry Ave N, Unit 202	R4	R5
0902924130197	1214 Lowry Ave N, Unit 203	R4	R5
0902924130205	1214 Lowry Ave N, Unit 303	R4	R5
0902924130193	1214 Lowry Ave N, Unit 107	R4	R5
0902924130202	1214 Lowry Ave N, Unit 208	R4	R5
0902924130198	1214 Lowry Ave N, Unit 204	R4	R5
0902924130208	1214 Lowry Ave N, Unit 306	R4	R5
0902924130195	1214 Lowry Ave N, Unit 201	R4	R5
0902924130201	1214 Lowry Ave N, Unit 207	R4	R5
0902924130192	1214 Lowry Ave N, Unit 106	R4	R5
0902924130187	1214 Lowry Ave N, Unit 101	R4	R5
0902924420042	1215 Lowry Ave N	C2	C1
0902924130142	1300 Lowry Ave N	OR2	R4
0902924130141	1310 Lowry Ave N	OR2	R4
0902924420043	1315 Lowry Ave N	R4 & R2B	OR2
0902924130143	1324 Lowry Ave N	OR2	R4
0902924420087	1423 Lowry Ave N	C1	R4
0902924420088	1425 Lowry Ave N	C1	R4
0902924310022	1501 Lowry Ave N	C2	R4
0902924240003	1610 Lowry Ave N	OR2	R4
0902924240074	1700 Lowry Ave N	C1	R4
0902924310075	1701 Lowry Ave N	C1	R4
0902924240075	1718 Lowry Ave N	C1 & R1A	R4
0902924230122	1910 Lowry Ave N	R5	R4
0902924320082	1919 Lowry Ave N	C1	R4
0902924230149	2002 Lowry Ave N	C1	R4
0902924320152	2023 Lowry Ave N	OR1	R4
0902924320083	2109 Lowry Ave N	C1	R4
0902924230015	2136 Lowry Ave N	C1	R4
0802924140162	2220 Lowry Ave N	C1	C2
0802924410116	2305 Lowry Ave N	OR1	R4
0802924140015	2400 Lowry Ave N	R4 & R1A	R4
0802924140014	2406 Lowry Ave N	R4 & R1A	R4
0802924140013	2410 Lowry Ave N	R4 & R1A	R4

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0802924140016	2414 Lowry Ave N	R4 & R1A	R4
0802924140017	2416 Lowry Ave N	R4 & R1A	R4
0802924140044	2500 Lowry Ave N	OR1 & R1A	R4
0802924140043	2506 Lowry Ave N	OR1 & R1A	R4
0802924140045	2510 Lowry Ave N	OR1 & R1A	R4
0802924140047	2512 Lowry Ave N	OR1 & R1A	R4
0802924140049	2516 Lowry Ave N	OR1 & R1A	R4
0802924140048	2518 Lowry Ave N	C1 & R1A	R4
0802924140046	2520 Lowry Ave N	C1 & R1A	R4
0802924130177	2610 Lowry Ave N	C1	R4
0802924130178	2618 Lowry Ave N	C1	R4
0802924130204	2800 Lowry Ave N	R4 & R1A	R4
0802924130206	2804 Lowry Ave N	R4 & R1A	R4
0802924130205	2810 Lowry Ave N	R4 & R1A	R4
1002924320010	3000 Lyndale Ave N	R2B	R3
0902924410155	3007 Lyndale Ave N	R3	R4
1002924320011	3008 Lyndale Ave N	R2B	R3
1002924320012	3012 Lyndale Ave N	R2B	R3
1002924320013	3014 Lyndale Ave N	R2B	R3
1002924320014	3018 Lyndale Ave N	R2B	R3
1002924320015	3022 Lyndale Ave N	R2B	R3
1002924320016	3026 Lyndale Ave N	R2B	R3
1002924320017	3030 Lyndale Ave N	R2B	R3
1002924320018	3034 Lyndale Ave N	R2B	R3
1002924320056	3100 Lyndale Ave N	C1	R4
0902924410136	3107 Lyndale Ave N	C2	R4
1002924320161	3110 Lyndale Ave N	C1	R4
1002924320059	3116 Lyndale Ave N	C1	R4
0902924140202	3203 Lyndale Ave N	C2 & R2B	C1
1002924230181	3210 Lyndale Ave N	R5	R4
0902924140201	3215 Lyndale Ave N	R2B	R4
1002924230180	3218 Lyndale Ave N	R5	R4
0902924140200	3219 Lyndale Ave N	R2B	R4
0902924140199	3221 Lyndale Ave N	R2B	R4
1002924230147	3222 Lyndale Ave N	R2B	R4
1002924230129	3224 Lyndale Ave N	R2B	R4
0902924140113	3225 Lyndale Ave N	R2B	R4
1002924230130	3230 Lyndale Ave N	R2B	R3
0902924140112	3231 Lyndale Ave N	R2B	R3
1002924230131	3234 Lyndale Ave N	R2B	R3
0902924140111	3235 Lyndale Ave N	R2B	R3
1002924230132	3236 Lyndale Ave N	R2B	R3
0902924140110	3239 Lyndale Ave N	R2B	R3
1002924230133	3242 Lyndale Ave N	R2B	R3
0902924140109	3243 Lyndale Ave N	R2B	R3
0902924140108	3247 Lyndale Ave N	R2B	R3
1002924230134	3250 Lyndale Ave N	R2B	R3
0902924140107	3251 Lyndale Ave N	R2B	R3
0902924320080	3118 Morgan Ave N	R1A	R4
0902924320127	3119 Morgan Ave N	R1A	R4
0902924320081	3122 Morgan Ave N	R1A	R4
0902924320125	3127 Morgan Ave N	R1A	R4
0902924230124	3200 Morgan Ave N	R5	R4
0902924230125	3210 Morgan Ave N	R1A	R4

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0902924230148	3211 Morgan Ave N	R1A	R4	
0902924320086	3117 Newton Ave N	R2B	R4	
0902924320150	3118 Newton Ave N	R2B	R4	
0902924320084	3127 Newton Ave N	C1	R4	
0902924230152	3210 Newton Ave N	R1A	R4	
0902924320122	3001 Oliver Ave N	R2B	R4	
0902924320121	3007 Oliver Ave N	R2B	R4	
0902924320120	3011 Oliver Ave N	R2B	R4	
0902924320119	3015 Oliver Ave N	R2B	R4	
0902924320118	3019 Oliver Ave N	R2B	R4	
0902924320105	3022 Oliver Ave N	R2B	R3	
0902924320226	3025 Oliver Ave N	C1 & R2B	C1	Remove
0902924320106	3026 Oliver Ave N	R2B	R3	
0902924320107	3102 Oliver Ave N	R2B	R3	
0902924320108	3104 Oliver Ave N	R2B	R3	
0902924230016	3201 Oliver Ave N	C1	R4	
0902924230012	3215 Oliver Ave N	R1A	R4	
0902924230011	3219 Oliver Ave N	R1A	R4	
0902924230010	3223 Oliver Ave N	R1A	R4	
0802924410071	3003 Penn Ave N	R5	R4	
0902924320224	3010 Penn Ave N	C2	C1	
0802924410070	3011 Penn Ave N	R5	R4	
0802924410069	3015 Penn Ave N	R5	R4	
0802924410067	3023 Penn Ave N	R5	R4	
0802924410066	3027 Penn Ave N	R5	R4	
0802924410065	3031 Penn Ave N	R5	R4	
0802924410064	3103 Penn Ave N	R5	R4	
0802924410063	3111 Penn Ave N	C2	C1	
0802924410061	3119 Penn Ave N	C1	C2	
0802924410230	3121 Penn Ave N	C1	C2	
0802924140161	3201 Penn Ave N	C1	C2	
0902924230019	3212 Penn Ave N	C1	R4	
0902924230020	3218 Penn Ave N	C1	R4	
0802924140158	3219 Penn Ave N	C2	C1	
0802924140157	3221 Penn Ave N	C2	R4	Add
0802924410081	3104 Queen Ave N	R2B	R4	
0802924410082	3110 Queen Ave N	R2B	R4	
0802924410083	3114 Queen Ave N	R2B	R4	
0802924410084	3118 Queen Ave N	R2B	R4	
0802924410118	3119 Queen Ave N	R2B	R4	
0802924410117	3121 Queen Ave N	R2B	R4	
0802924140163	3214 Queen Ave N	R1A	R4	
0802924410143	3118 Russell Ave N	R2B	R4	
0802924410178	3119 Russell Ave N	R2B	R4	
0802924410197	3118 Sheridan Ave N	R1A	R4	
0802924410201	3119 Sheridan Ave N	OR1 & R1A	R4	
0802924410200	3125 Sheridan Ave N	OR1	R4	
0802924410224	3118 Thomas Ave N	R1A	R4	
0802924420079	3119 Thomas Ave N	R1A	R4	
0802924130176	3211 Thomas Ave N	R1A	R4	
0802924420102	3118 Upton Ave N	R1A	R4	
0802924420109	3119 Upton Ave N	R1A	R4	
0802924130190	3209 Upton Ave N	C1 & R1A	R4	
0802924130179	3210 Upton Ave N	R1A	R4	

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0802924420130	3118 Vincent Ave N	R1A	R4
0802924130193	3210 Vincent Ave N	R1A	R4
0802924130210	3210 Washburn Ave N	R1A	R4

Section 2. That Section 521.30 of the above entitled ordinance be amended by changing the zoning district boundaries so that they follow the centerline of public rights-of-way in a manner identified on maps accompanying the Lowry Avenue rezoning study, recommended for approval by the City Planning Commission on November 15, 2010.

Adopted 10/7/2011.

**Z&P** - Your Committee, having under consideration the environmental review process for the Dock Street Residential Development at 333 Washington Ave N, 300 5th St N, 422 3rd Ave N, 328 4th St N, 408 4th Ave N, and 405 4th Ave N, now recommends that development of an Environmental Impact Statement not be ordered, therefore making a negative declaration, and that the four specific findings outlined by staff and the Findings of Fact and Record of Decision set forth in the Department of Community Planning and Economic Development staff report be adopted.

Adopted 10/7/2011.

### MOTION

Hodges moved that the regular payrolls for all City employees under City Council jurisdiction for the month of November, 2011, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 10/7/2011.

### RESOLUTION

Resolution 2011R-523, celebrating the 2011 *One Minneapolis, One Read* and Michele Norris's book "The Grace of Silence", was adopted 10/7/2011 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 2011R-523

**By Reich, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman,  
Glidden, Schiff, Tuthill, Quincy, Colvin Roy and Hodges**

**Celebrating the 2011 *One Minneapolis, One Read* and Michele Norris's book "The Grace of Silence".**

Whereas, the City of Minneapolis commenced the city's first-ever community read in 2011 and named it *One Minneapolis, One Read*; and

Whereas, *One Minneapolis, One Read* is intended to bring families and neighbors together around the joy of reading and a common dialogue; and

Whereas, the book selected for the 2011 *One Minneapolis, One Read*, "The Grace of Silence," is written by Minneapolis native Michele Norris and describes her family's experience as the first black family on their block in south Minneapolis; and

Whereas, "The Grace of Silence" encourages conversation about race, family relationships, and neighborhood history and provides an opportunity to reconnect neighbors and family members separated by race, culture, and generational divide; and

Whereas, *One Minneapolis, One Read* was inspired by a group of neighbors who came together after a local issue highlighted a racial divide in the community; one of the core leaders in this resident group, called **Building Bridges**, is Michele Norris' Aunt Doris Christopher; and

Whereas, the City of Minneapolis thanks the many partners that have made One Minneapolis, One Read possible, including Hennepin County Library, the Minneapolis Public Schools, and many other public, non-profit, and private partners who have contributed time, financial support, and in-kind goods; and

Whereas, the City of Minneapolis and its partners have planned a series of events from October through February to promote the *One Minneapolis, One Read* and to foster community engagement and participation at all levels;

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

That the Mayor and City Council of the City of Minneapolis hereby designate the week of October 3 - 9, 2011, as *One Read Week* and encourage all Minneapolitans to participate in One Minneapolis, One Read by reading "The Grace of Silence" and joining the community conversation.

Be It Further Resolved that the Mayor and City Council hereby express our gratitude and appreciation to Michele Norris, author of "The Grace of Silence," for her enthusiasm and generosity in supporting *One Minneapolis, One Read* so wholeheartedly; we thank her for her willingness to engage residents in Minneapolis and across the United States in productive conversations about race, family relationships, and neighborhood history through discussion of her book, "The Grace of Silence."

Adopted 10/7/2011.

## UNFINISHED BUSINESS

**RE&E** - Your Committee, to whom was referred an ordinance amending Title 13, Chapter 305 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Pedicabs*, amending various pedicab regulations including driver requirements, hours of operation, and vehicle specifications, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends that the License Fee Schedule be amended to include an annual license fee of \$59 for each pedicab driver.

Lilligren moved adoption of the ordinance. Seconded.

Gordon moved to substitute a new ordinance for the above-mentioned ordinance. Seconded.

Schiff moved a substitute to Gordon's motion that would allow voting on the ordinance with amendments rather than as a substitute ordinance. Seconded.

Gordon withdrew his motion.

Schiff's motion was adopted upon a voice vote.

Gordon and Schiff moved to amend the ordinance to read as follows:

**"305.10. Definitions.** As used in this chapter, the following terms shall mean:

(a) *Pedicab*: A nonmotorized three-wheel bicycle ~~used to carry passengers for hire that transports or is capable of transporting passengers on attached seats. A pedicab is not power assisted. A pedicab shall not exceed one-hundred twenty (120) inches in length and fifty-five sixty-six (55 66) inches in width.~~

(b) *Pedicab business*: The business of operating a one (1) or more pedicabs for hire for the recreational or physical transportation of the general public for profit, not-for-profit, or as a free service accepting tips or displaying advertising.

**305.50. License application.**

~~(5) Shall not have been convicted of a felony within the last five (5) years. The issuing authority for the license may grant an exception to the above provisions upon evidence that the offense is not related to the occupation of a pedicab driver.~~ The provisions of Minnesota Statutes, Chapter 364 shall govern the eligibility of an applicant or license holder to acquire or maintain a pedicab driver license based on a prior or present criminal conviction or convictions.

**305.60. Insurance required.** No license shall be issued or renewed without proof of general liability insurance in the minimum amount of ~~three hundred thousand~~ one million dollars (~~\$300,000.00~~) (\$1,000,000.00). Proof of insurance shall comply with section 259.160 of this Code.

**305.90. Operating restrictions and conditions.**

(j) No pedicab driver shall permit more than three (3) passengers to be carried in a pedicab ~~than there are proper seating for~~ except that passengers weighing forty (40) pounds or less may be seated on the lap of a passenger who occupies a permanently affixed seat, and at no time shall the driver allow any passenger to ride in any area of the pedicab that was not specifically designed as a seat. No more than three (3) passengers shall be allowed in any affixed trailer except that passengers weighing forty (40) pounds or less may be seated on the lap of a passenger who occupies a permanently affixed seat."  
Seconded.

Gordon moved to amend the ordinance to read as follows:

**"305.20. License required.**

(b) No person shall operate a pedicab, **engaged in a pedicab business**, without a pedicab driver license required under this chapter." Seconded.

Adopted upon a voice vote.

Schiff's motion was adopted.

Schiff moved to amend Section 305.95 of the ordinance to read as follows:

**"305.95. Vehicle safety and equipment standards.**

(3) *Brakes.* It shall be unlawful for a licensee to operate, or cause to be operated, a pedicab that is not equipped with a front and rear braking system capable of being manipulated by the licensee from his normal position of operation and is capable of causing a pedicab with a loaded passenger compartment to come to a complete stop **within a distance of fifteen (15) feet from a speed of ten (10) miles per hour** in a linear path of motion when each wheel of the pedicab is in contact with the ground on dry, level, clean pavement. The braking system controlling the rear wheels shall be hydraulic or mechanical disc or drum brakes which are unaffected by rain or wet conditions."

Seconded.

Reich moved to amend the Schiff motion to read as follows:

(3) *Brakes.* It shall be unlawful for a licensee to operate, or cause to be operated, a pedicab that is not equipped with a ~~front and rear~~ braking system capable of being manipulated by the licensee from his normal position of operation and is capable of causing a pedicab with a loaded passenger compartment to come to a complete stop **within a distance of fifteen (15) feet from a speed of ten (10) miles per hour** in a linear path of motion when each wheel of the pedicab is in contact with the ground on dry, level, clean pavement. The ~~braking system~~ controlling the rear wheels shall be ~~hydraulic or mechanical disc or drum~~ brakes which are unaffected by rain or wet conditions." Seconded.

Goodman moved to call the question on Reich's motion. Seconded.

Adopted upon a voice vote.

Reich's motion lost. Yeas, 3; Nays, 10 as follows:

Yeas - Gordon, Reich, Lilligren.

Nays - Goodman, Hodges, Samuels, Hofstede, Schiff, Colvin Roy, Tuthill, Quincy, Glidden, Johnson.

Schiff's motion was adopted upon a voice vote.

The report was adopted 10/7/2011.

Yeas, 11; Nays, 2 as follows:

Yeas - Goodman, Hodges, Samuels, Reich, Hofstede, Schiff, Colvin Roy, Tuthill, Quincy, Glidden, Johnson.

Nays - Gordon, Lilligren.

Ordinance 2011-Or-091 amending Title 13, Chapter 305 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Pedicabs*, amending Sections 305.10, 305.20, 305.30, 305.45, 305.50, 305.60, 305.70, 305.90, 305.95, 305.100, 305.110, and 305.120 to amend various pedicab regulations including driver requirements, hours of operation, and vehicle specifications, was adopted 10/7/2011 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 2011-Or-091**  
**By Schiff**  
**Intro & 1st Reading: 5/13/2011**  
**Ref to: RE&E**  
**2nd Reading: 10/7/2011**

**Amending Title 13, Chapter 305 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Pedicabs.**

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

Section 1. That Section 305.10 of the above-entitled ordinance be amended to read as follows:

**305.10. Definitions.** As used in this chapter, the following terms shall mean:

(a) *Pedicab*: A nonmotorized three-wheel bicycle used to carry passengers for hire that transports or is capable of transporting passengers on attached seats. A pedicab is not power assisted. A pedicab shall not exceed one-hundred twenty (120) inches in length and sixty six (66) inches in width.

(b) *Pedicab business*: The business of operating a one (1) or more pedicabs for hire for the recreational or physical transportation of the general public for profit, not-for-profit, or as a free service accepting tips or displaying advertising.

*Darkness*: Any time from one-half hour after sunset to one-half before sunrise or any time when visibility is obstructed by elements such as fog, rain or snow.

*Pedicab driver*: Any person who operates, drives, or propels a pedicab.

*Pedicab driver license*: A license granted in accordance with this chapter.

*Pre-arranged pedicab services*: Pedicab service for events such as weddings, group transportation, downtown tours or similar events which are pre-arranged with the pedicab company.

*Street*: Any street or roadway under the jurisdiction of the city.

*Pedicab trailer*: A two (2) wheeled vehicle no wider than fifty-five (55) inches and capable of carrying a maximum of three (3) passengers and securely attached and locked to the pedicab vehicle. Children aged twelve (12) and under are not allowed to ride in a trailer unless accompanied by an adult.

*Vehicle* means every device in, upon, or by which any person is or may be transported or drawn upon a highway or street.

Section 2. That Section 305.20 of the above-entitled ordinance be amended to read as follows:

**305.20. License required.** (a) No person shall engage in the pedicab business without a license required under this chapter.

(b) No person shall operate a pedicab, engaged in a pedicab business, without a pedicab driver license required under this chapter.

Section 3. That Section 305.30 of the above-entitled ordinance be amended to read as follows:

**305.30. License fee.** (a) The annual fee for a pedicab business license shall be as established in the Appendix J, License Fee Schedule, for each pedicab in operation on the streets at any time during the license year.

(b) The annual fee for a pedicab driver license shall be as established in the License Fee Schedule for each pedicab driver in operation on the streets at any time during the license year.

Section 4. That Chapter 305 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 305.45 to read as follows:

**305.45 License number.** All pedicabs shall be assigned a number or number series by the department of licenses and consumer services. The number assigned shall be displayed on the lower left rear side of the pedicab and shall be a minimum of three (3) inches in height and in a contrasting color that does not blend into the paint color of the pedicab. All trailers attached to a pedicab shall display the same number of the pedicab so attached on the trailer.

Section 5. That Section 305.50 of the above-entitled ordinance be amended to read as follows:

**305.50. License application.** (a) Application for a pedicab license under this chapter shall be made on forms provided by the department of licenses and consumer services and shall contain such information as the department may require, including the name, address and telephone number of the applicant; whether the applicant is a natural person, partnership, corporation or unincorporated association; the names and addresses of all partners, if a partnership, or of all officers and directors, if a corporation; and the names and addresses of all persons authorized to operate a pedicab on behalf of the licensee.

(b) Application for a pedicab driver license under this chapter shall be made on forms provided by the department of licenses and consumer services and shall contain such information as the department may require, including the name, address, and telephone number of the applicant. Each pedicab license shall indicate the name of the pedicab company for which the driver works. No pedicab driver shall drive for a different pedicab company without first notifying the licensing department and obtaining a new driver's license indicating the new pedicab company. Every pedicab driver shall meet and maintain the following requirements in order to hold a pedicab driver license:

- (1) Possess a valid Minnesota driver license or a valid driver license from their home state. Those with out of state driver licenses must not have a currently cancelled, revoked or suspended Minnesota driver license. Those with out of state driver licenses, must provide a certified copy of their driving and criminal history from their home state.
- (2) Be a minimum of eighteen (18) years old.
- (3) Shall not have had more than three (3) moving violations in the last three (3) years and no more than two (2) moving violations in the last year.
- (4) Shall not have been convicted of careless or reckless driving within the last three (3) years.

- (5) The provisions of Minnesota Statutes, Chapter 364 shall govern the eligibility of an applicant or license holder to acquire or maintain a pedicab driver license based on a prior or present criminal conviction or convictions.

Section 6. That Section 305.60 of the above-entitled ordinance be amended to read as follows:

**305.60. Insurance required.** No license shall be issued or renewed without proof of general liability insurance in the minimum amount of ~~three hundred thousand~~ one million dollars (~~\$300,000.00~~) (\$1,000,000.00). Proof of insurance shall comply with section 259.160 of this Code.

Section 7. That Section 305.70 of the above-entitled ordinance be amended to read as follows:

**305.70. Hours of operation Annual pedicab inspection.** No person shall operate a pedicab for hire on a public street during the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on any weekday, excluding national holidays, in that part of downtown Minneapolis within the boundary of the point commencing at the western bank of the Mississippi River where it intersects with the centerline of Third Avenue North; thence westerly to the centerline of Glenwood Avenue; thence westerly to the approximate centerline of Interstate 94 as it travels south and east where it intersects with Interstate 35W; thence northeasterly along the approximate centerline of Interstate 35W to the western bank of the Mississippi River; and thence northwesterly along said river bank to the point of beginning. The director of licenses and consumer services shall require an annual pedicab inspection and may designate minimum safety standards for equipment and body defects. Pedicabs found to not meet minimum inspection standards may be identified as "out of service" and shall not operate until such defects have been repaired and approved by the director or their designee.

Section 8. That Section 305.90 of the above-entitled ordinance be amended to read as follows:

**305.90. Operating restrictions and conditions.** (a) No pedicab shall be operated upon a public sidewalk or other city property where the operation of a pedicab is prohibited.

(b) No pedicab shall use any public street or other public property as a waiting or parking area unless such area is a legal motor vehicle parking area or as permitted pursuant to Section 482.30, or in an established pedicab stand. Parked pedicabs shall not be attached to any object in accordance with Minneapolis Code of Ordinances Section 490.150.

(c) All pedicabs, when operating between dusk and dawn, shall make use of working battery powered lights. Each pedicab shall be equipped with one (1) headlight capable of projecting a beam of white light for a distance of three hundred (300) feet, and two (2) red taillights mounted on the right and left, respectively, on the rear exterior of the vehicle. Taillights shall be plainly visible from all distances within five hundred (500) feet to the rear of the pedicab. No pedicab driver shall consume an alcoholic beverage while on duty or allow any passenger of the pedicab to drink or consume alcoholic beverages or to possess an open container of alcoholic beverages.

(d) All pedicabs shall be; clean and maintained in a good state of repair. All pedicabs shall be maintained by the company so as to be well painted and have a damage or deterioration free appearance, and in safe operational condition. Pedicabs shall be, at all reasonable times, subject to inspection by the department of licenses and consumer services.

(e) All pedicabs shall display a valid license decal, centered on the rear of the pedicab vehicle or between the turn signals, issued by the director of licenses and consumer services, and the name and phone number of the licensee, and the schedule of the rates or fees charged for passenger services.

(f) Pedicab operators drivers shall have in their possession a valid driver's license, proof of insurance and a pedicab driver license while in control of any pedicab, and shall operate the pedicab in compliance

with all applicable federal, state, and local traffic laws, Minneapolis City Ordinance and in a manner so as to assure the safety of persons and property.

(g) All pedicab operators shall obey and comply with any lawful order or direction of any police officer, traffic control agent, or regulatory services inspector, and shall refrain from the use of any profane language or from interference with such officials while in the performance of their duties.

(h) No pedicab driver shall have in his or her possession a lighted cigarette, cigar, or pipe while driving a pedicab which is occupied by a passenger.

(i) A pedicab driver license issued under this chapter shall be coterminous with the licensee's driver license. Any time that a licensee's driver's license is suspended, revoked, or cancelled, his or her pedicab driver's license shall likewise be immediately suspended, revoked, or cancelled. The pedicab driver's license shall immediately be surrendered to the department of licenses and consumer services until such time his or her driver's license is reinstated.

(j) No pedicab driver shall permit more than three (3) passengers to be carried in a pedicab except that passengers weighing forty (40) pounds or less may be seated on the lap of a passenger who occupies a permanently affixed seat, and at no time shall the driver allow any passenger to ride in any area of the pedicab that was not specifically designed as a seat. No more than three (3) passengers shall be allowed in any affixed trailer except that passengers weighing forty (40) pounds or less may be seated on the lap of a passenger who occupies a permanently affixed seat.

(k) At no time shall anyone other than a licensed pedicab driver be allowed to operate the pedicab.

(l) At no time shall a pedicab driver play or allow the playing of any amplified sound equipment in violation of Chapter 389 of the Minneapolis Code of Ordinances.

(m) Pedicab drivers must be properly attired with a shirt, pants or shorts and secure footwear.

(n) Pedicab drivers shall not stop to load or unload passengers or their belongings in the intersections of any street, crosswalks or in any manner or other location that would be considered unsafe. No pedicab shall load or unload in any such manner that will in any way impede or interfere with the orderly flow of traffic on the streets.

(o) It shall be unlawful for any pedicab owner or driver to allow or cause to be operated a pedicab in any unsafe manner or operating condition.

(p) In the event that a passenger leaves an article in the pedicab, the driver shall immediately attempt to return it. If the driver is unable to immediately return the article, it shall be turned into the pedicab company office at the end of the driver's shift or the first available opportunity.

(q) Any pedicab not in compliance with the minimum requirements of Section 305.95 will be cited and placed "immediately-out-of-service". Any vehicle which has been so removed from service shall not be returned to service until such vehicle has been approved by the department of licenses and consumer services for service.

Section 9. That Chapter 305 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 305.95 to read as follows:

**305.95. Vehicle safety and equipment standards.** No pedicab owner or driver shall operate or allow the operation of a pedicab on any street unless the pedicab meets the following equipment and safety standards:

- (1) Tires. Tires shall be of a size appropriate for the pedicab with no mismatched tires. There shall be no cuts to the tire, localized worn spots that expose the ply, or visible tread wear indicators.
- (2) Operational horn. The pedicab shall be equipped with a fully operational horn or bell.
- (3) Brakes. It shall be unlawful for a licensee to operate, or cause to be operated, a pedicab that is not equipped with a front and rear braking system capable of being manipulated by the licensee from his normal position of operation and is capable of causing a pedicab with a loaded passenger compartment to come to a complete stop within a distance of fifteen (15) feet from a speed of ten (10) miles per hour in a linear path of motion when each wheel of the pedicab is in contact with the ground on dry, level, clean pavement. The braking system controlling the rear wheels shall be hydraulic or mechanical disc or drum brakes which are unaffected by rain or wet conditions
- (4) Headlights, tail lights, mirrors, turn signals, and other requirements. Every pedicab shall be equipped with the operational equipment set forth in the subsections below:
  - a. A headlight capable of projecting a beam of white light for a distance at a minimum of three hundred (300) feet which shall be clearly visible during darkness and must be illuminated at all times during darkness.
  - b. A side mounted mirror affixed to the pedicab to reflect to the pedicab driver a view of the street for a distance of at least two hundred (200) feet from the rear of the pedicab.
  - c. A red tail light and brake light affixed to the rear of the pedicab which must be visible for a distance of at least five hundred (500) feet from the rear of the pedicab and must be illuminated at all times during darkness. Turn signals must be affixed to the front and rear of the vehicle.
  - d. All pedicabs shall have reflectors on each pedal, the front of the pedicab frame, mounted on the spokes of each wheel, and a red reflector mounted on each side of the rear of the pedicab, at least one (1) inch from the outer edge and centered.
- (5) No more than one (1) trailer may be attached to any pedicab. All attached trailers must be equipped with turn signals and red tail lights. Trailers may only be used for prearranged services as defined in the Section 305.10.

Section 10. That Section 305.100 of the above-entitled ordinance be amended to read as follows:

**305.100. Revocation or suspension.** In addition to all other penalties, any violation of the terms of this article shall be grounds for revocation, suspension, or nonrenewal of the license provided for in this chapter. **Advertising on pedicabs.** Advertisements shall only be allowed on the manufactured body of the pedicab as permitted by this article. No banners, poles, flags, detached signs, or any other addition or object will be permitted. No amplified sound for the purpose of advertising or solicitation for passengers shall be allowed on a pedicab.

Section 11. That Chapter 305 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 305.110 to read as follows:

**305.110. Pedicab company licenses.** Every licensed pedicab company shall:

- (1) Take affirmative measures to insure that all of its owners and drivers comply with the terms of this chapter.

- (2) Be responsible for the operation of an unlicensed pedicab driver.
- (3) Insure that no pedicab is operated in unsafe mechanical condition or continues to operate after it has been ordered out of service.
- (4) Promptly respond to all requests for information from the department of licenses and consumer services.
- (5) Promptly report any and all accidents involving pedicabs operating in Minneapolis to the department of licenses and consumer services.
- (6) Every licensed pedicab company shall be deemed the agent for service of all notices, orders, and other correspondence from the City of Minneapolis to pedicab drivers operating under their company license.

Section 12. That Chapter 305 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 305.120 to read as follows:

**305.120. Revocation or suspension.** In addition to all other penalties, any violation of the terms of this article shall be grounds for revocation, suspension, or nonrenewal of the license provided for in this chapter.

Adopted 10/7/2011.

Yeas, 11; Nays, 2 as follows:

Yeas - Goodman, Hodges, Samuels, Reich, Hofstede, Schiff, Colvin Roy, Tuthill, Quincy, Glidden, Johnson.

Nays - Gordon, Lilligren.

Pursuant to notice, Colvin Roy moved to introduce the subject matter of an ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to *Traffic Code: Parking, Stopping and Standing* for first reading and referral to the Transportation & Public Works Committee (modifying or deleting outdated language pertaining to snow emergency and residential street emergency parking restrictions, to create additional provisions for continuous winter parking restrictions and clarify definitions). Seconded.

Adopted upon a voice vote 10/7/2011.

Pursuant to notice, Colvin Roy moved to introduce the subject matter of an ordinance amending Title 18, Chapter 468 of the Minneapolis Code of Ordinances relating to *Traffic Code: Violation Procedure* for first reading and referral to the Transportation & Public Works Committee (allowing foremen of the city engineer's office to issue tags for vehicles parked in violation of traffic code restrictions during officially authorized street maintenance activities). Seconded.

Adopted upon a voice vote 10/7/2011.

Pursuant to notice, Colvin Roy moved to introduce the subject matter of an ordinance amending Title 19, Chapter 509 of the Minneapolis Code of Ordinances relating to *Water, Sewers and Sewage Disposal: Water*, for first reading and referral to the Transportation & Public Works Committee (creating a fixed rate fee structure for water utility service). Seconded.

Adopted upon a voice vote 10/7/2011.

Pursuant to notice, Colvin Roy moved to introduce the subject matter of an ordinance amending Title 19, Chapter 511 of the Minneapolis Code of Ordinances relating to *Water, Sewers and Sewage Disposal: Sewers and Sewage Disposal* for first reading and referral to the Transportation & Public Works Committee (creating a fixed rate fee structure for sewer utility service). Seconded.

Adopted upon a voice vote 10/7/2011.

Pursuant to notice, Schiff moved to introduce the subject matter of ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code* for first reading and referral to the Zoning & Planning Committee (to amend regulations related to automated dispensing of gasoline) as follows:

Amending Chapter 520 related to *Introductory Provisions*;  
Amending Chapter 525 related to *Administration and Enforcement*;  
Amending Chapter 536 related to *Specific Development Standards*; and  
Amending Chapter 537 related to *Accessory Uses and Structures*. Seconded.  
Adopted upon a voice vote 10/7/2011.

### NEW BUSINESS

Gordon moved that the property located at 70 Melbourne Av SE be deemed to constitute an immediate hazard to the public health and safety, pursuant to Section 249.30 of the Minneapolis Code of Ordinances, and approves a waiver of the 60-day waiting period set forth in Chapter 249, and that the other procedures as set out in Chapter 249 may be implemented immediately. Seconded.

Adopted 10/7/2011.

Quincy moved to authorize City officials to enter into an agreement to act as the fiscal agent for the Minneapolis Youth Baseball Association in its application for Hennepin County Sports Equipment Grant through the Minnesota Amateur Sports Commission. Seconded.

Adopted 10/7/2011.

Schiff and Colvin Roy gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13, Chapter 333 of the Minneapolis Code of Ordinances relating to *Licenses & Business Regulations: Solicitors* (amending Section 333.80 to require the display of a City issued identification card at all times).

Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13, Chapter 289 of the Minneapolis Code of Ordinances relating to *Licenses & Business Regulations: Fire Extinguisher Sales and Service* (amending regulations on fire extinguisher sales and service, removing the fire marshal and fire department from the process of licensing fire extinguisher servicers and making it a function of Regulatory Services).

Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 9, Chapter 174 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Minneapolis Fire Department; Fire Prevention Bureau* (amending the ordinance to allow the certificate of registration be issued upon application and payment of the fee).

Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code* (amending the ordinance to update, clarify and clean up the code).

Schiff gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 10 of the Minneapolis Code of Ordinances relating to *Zoning Code* (to revise regulations for currency exchanges) as follows:

Amending Chapter 520 relating to *Introductory Provisions*;  
Amending Chapter 536 relating to *Specific Development Standards*;  
Amending Chapter 541 relating to *Off-Street Parking and Loading*;  
Amending Chapter 548 relating to *Commercial Districts*; and  
Amending Chapter 549 relating to *Downtown Districts*.

## OCTOBER 7, 2011

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Glidden moved to direct staff from the Department of Community Planning & Economic Development, City Attorney and other relevant departments to develop a process and criteria for organizations to request City support and sponsorship for Hennepin Youth Sports Program funding, and report to the Intergovernmental Relations Committee by March 31, 2012. Staff is further directed to work with partner public jurisdictions, including the Minneapolis Park & Recreation Board, in developing such process and criteria. Seconded.

Adopted 10/7/2011.

Gordon moved to suspend City Council Rule 5 requiring introduction of an ordinance to be referred to an appropriate committee so as to refer subject matter of an ordinance directly to the Department of Community Planning & Economic Development/Planning. Seconded.

Adopted upon a voice vote 10/7/2011.

Gordon moved to introduce the subject matter of an ordinance amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to *Zoning Code: Overlay Districts*, for first reading and referral directly to the Department of Community Planning & Economic Development/Planning in lieu of the Zoning & Planning Committee (to classify additional Pedestrian Oriented Overlay Districts as transit station areas).

Adopted 10/7/2011.

Hodges moved to adjourn. Seconded.

Adopted upon a voice vote 10/7/2011.

Casey Joe Carl,  
City Clerk.

Unofficial Posting: 10/12/2011  
Official Posting: 12/14/2011  
Correction: 2/22/2012