

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

JULY 28, 2000

(Published August 5, 2000, in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

July 28, 2000 - 9:30 a.m.

President Cherryhomes in the Chair.

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

Absent - Thurber.

Campbell moved acceptance of the minutes of the special meeting of July 13 and the regular meeting of July 14, 2000. Seconded.

Adopted upon a voice vote.

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

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT:

REGULATORY SERVICES (266055)

Neighborhood Early Warning System presentation.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266056)

Resource, Inc: Resolution granting final approval to issue bonds to acquire & rehab 3200 Penn Ave N & 900-20th Ave S.

Affordable Housing Project: Authorize agreement with Central Community Housing Trust & University of St Thomas to assist in development of affordable housing project; acceptance of loan from University of St Thomas.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266057)

Pending & Unfunded Projects: Quarterly Status Report.

FINANCE DEPARTMENT (266058)

CDBG Funds: Report on Evaluating Use of CDBG funds.

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266059)

Urban Village Tax Increment Finance District & Plan: Resolution adopting Plan to assist in the residential project bounded by Aldrich & Dupont Aves S, W 28th St & railroad corridor.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET and ZONING & PLANNING

(See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266060)

Grain Belt Brewery Redevelopment Plan & Amendment to 1996 Grain Belt Development Objectives: Resolution adopting Modification No. 1 to Plan & adopting Modification No. 74 to Common Development & Redevelopment Plan & the Common Tax Increment Finance Plan; approve proposed amendment to Development Objectives, w/Attachment.

PUBLIC SAFETY AND REGULATORY SERVICES:

ATTORNEY (266061)

Prosecution of Domestic Assault: Update report.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

INSPECTIONS DEPARTMENT (266062)

Rental Dwelling License at 3246 Emerson Ave N: Revoke license held by Arnold Schultz for failure to meet standard of conduct on licensed premises; w/comment from Council Member of Ward.

LICENSES AND CONSUMER SERVICES (266063)

Licenses: Applications.

LICENSES AND CONSUMER SERVICES (266064)

North Side Food Market (1808 W Broadway): Execute Settlement Agreement relating to pending Grocery and Tobacco Dealer Licenses.

Taxicab Driver Ghani Habib: Recommend that Taxicab Driver License not be renewed and revoked for period of one year; and in event of appeal, not grant stay of revocation.

POLICE DEPARTMENT (266065)

Mobile Data Computer Project: Solicit Request for Proposals for software development phase.

PUBLIC SAFETY AND REGULATORY SERVICES and TRANSPORTATION & PUBLIC WORKS and W&M/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (266066)

Graffiti: Ordinances making it unlawful to possess graffiti materials, and making a parent or guardian of a minor liable for malicious injury of person or property.

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

POLICE DEPARTMENT (266067)

Grant for Investigative Purposes: Accept grant of \$2,000 from Minnesota Department of Public Safety, Bureau of Criminal Apprehension, for partial reimbursement of costs associated with intensive, long-term investigations for witness protection.

PURCHASING (266068)

Bids: Accept OP #5447, low bid of Remotec Inc for Andros Mark V1-A Bomb Robot for Police Department; and Approve ten-year maintenance schedule; OP #5424, low bid meeting specifications of FieldWorks for mobile data computers for Police Department.

TRANSPORTATION AND PUBLIC WORKS:

CITY CLERK (266069)

Critical Parking Area (Stevens Square Neighborhood): Application for Type A area.

PUBLIC WORKS AND ENGINEERING (266070)

Sale of City Property: Establish public hearing to consider sale of excess property at 4401 1/2 France Ave S.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266071)

Near Northside Redevelopment Project: Authorize closure and pavement removal from certain streets within the Sumner Field and Olson project area.

PUBLIC WORKS AND ENGINEERING (266072)

43rd & Park Ave Flood Mitigation Project: Agreement with Bonestroo, Rosene, Anderlik & Associates for construction plan and specification consulting services.

Light Rail Transit: Agreement with Minnesota Department of Transportation providing for reimbursement to the City for traffic signal redesign services.

Hawthorne Transportation Center Project: Change Order #3 increasing contract with Adolphson & Peterson, Inc.

Special Boulevard Permit: Request of Laura Lee Wienen to install brick pavers in boulevard at 143 5th Ave NE.

Yard Waste: Issue request for proposals for processing & disposal of City yard waste.

Encroachment Permits: Denial and appeal of Keller's Auto Service, 3200 42nd Ave S, and Armory Development II, LLC, 500 S 6th St (Armory Parking Garage).

Excess City Property: Options for disposition of property at 228 Melbourne Ave SE.

Soft Drink Machines: Issue request for proposals to provide machines in municipal parking facilities.

Information Kiosks: Contract with Machine Dreams for downtown project.

WATER DEPARTMENT (266073)

Pump Station #5: Issue request for proposals for consultant services for design and construction management of Discharge Header Replacement Project and Alternate Reservoir Connection Project.

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

PUBLIC WORKS AND ENGINEERING (266074)

2000 Street Reconstruction Project (4th St S): Project approval and adoption of special assessments, request the Board of Estimate and Taxation to issue and sell assessment bonds, and abandonment and removal of areaways located in the public right-of-way.

Special Sidewalk Construction: Appropriate funds for sidewalk installation at Sharing and Caring Hands, 425 7th St N, and increase contract with district contractor, Standard Sidewalk.

Municipal Parking System: Report identifying operating policies for the system based on the findings of the Chance Management Advisors report.

Lowry Hill Street Lighting Project: Request the Board of Estimate and Taxation to issue and sell assessment bonds based on project costs.

Midtown Greenway Trail Project: Payment of additional construction costs and authorization to pay grand opening celebration expenses.

PURCHASING (266075)

Bids: Accept OP #5457, low bids meeting specifications of American Material Corporation and Badger Mining Corporation for gravel and sand for the Water Works; OP #5462, low bid of All Service Contracting Corporation for filter rehabilitation at the Columbia Heights Water Filtration Plant.

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

PLANNING COMMISSION/DEPARTMENT (266076)

Near Northside Master Plan: Adopt staff proposals relating to alignment of boulevard between Glenwood Ave & I-394 and configuration of superblock street system; Summary of Planning Comsn action.

WAYS AND MEANS BUDGET:

COMMUNICATIONS (266077)

Telecommunications Work Team Staff Report: Receive and File.

COORDINATOR (266078)

2001 City Objectives and Outcome Measures: Receive and File.

COORDINATOR (266079)

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

FINANCE DEPARTMENT (266080)

Semiannual Assessment for Special Compensation Fund: Receive and File.

PURCHASING (266081)

Staff Purchasing Letters: Receive and File Report.

WAYS AND MEANS BUDGET (See Rep):

ASSESSOR (266082)

Step Increase, Assessor's Office: Start Scott Lindquist at Step 5 of Supervisor, Real Estate Salary Schedule.

ATTORNEY (266083)

Settlement: Settle claim of Barbara Byrd.

Settlement: Settle Workers' Compensation matter, Arnebeck vs. the City.

Legal Services: Agreement with Smith Parker law firm.

Legal Services: Agreement with Burstein, Hertogs and McFarland law firm.

CONVENTION CENTER (266084)

Convention Center Expansion Project: Change Order to Contract with Delta T. Construction Company, Inc.

COORDINATOR (266085)

Contract Management Program: Status Report and Contract Monitoring Manual.

COORDINATOR (266086)

Section 108 Loan Guarantee: Accept funds for Portland Place Housing Project.

COUNCIL MEMBER THURBER (266087)

Juvenile Accountability Incentive Block Grant: Police Department pay the Macro Group for JNet System using grant funds.

FINANCE DEPARTMENT (266088)

Bid: OP #5443, accept low bid of Hirte Transfer & Storage for voting machines & related equipment.

HEALTH AND FAMILY SUPPORT SERVICES (266089)

McKnight & Minnesota Family Investment Funds: Contract with Hennepin County.

Federal Healthy Start Grant: Accept grant to target disparities in infant mortality rate of African American and American Indian communities.

Step Increase, Department of Health & Family Support: Start at Step 6 of Registered Professional Nurse Salary Schedule.

HUMAN RESOURCES (266090)

Labor Agreement Settlement: Agreement with International Alliance of Theatrical Stage Employees and Motion Picture Machine Operators, Local #13, AFL-CIO & Salary Ordinance.

PLANNING COMMISSION/DEPARTMENT (266091)

Metropolitan Council Livable Communities Grant: Contract with Damon Farber Associates, Inc. supporting Central Avenue Improvements.

ZONING AND PLANNING:

INSPECTIONS/ZONING ADMINISTRATOR (266092)

Dyab, Basil, 3354 Penn Ave N: Review site plan permit for Conoco automotive convenience facility.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (266093)

22nd St E, 2528 (Timothy J Leach) deck on front porch;

Franklin Ave E, 3001 (Kimberley A Lueck) bay "bump-out" on west side of property;

Washington Ave SE, 702 (Buetow & Associates) sign.

INSPECTIONS/BOARD OF ADJUSTMENT (266094)

Church of St Thomas the Apostle, 2914 W 44th St: Deny appeal of Mary M Jensen from decision approving application for variances which allow reconstruction and expansion of 2 parking lots, with attached correspondence, petition opposing variance, drawings, photos, minutes.

Nelson, Judy & Gary, 5316 Vincent Ave S: Deny appeal from decision denying application for variance of rear & side yard to permit attached garage, with attached staff findings, drawings, minutes.

De Roma, Julius, 3020 Garfield Ave S: Board of Adjustment: Grant appeal from decision denying variance of garage height & deny appeal from decision denying variances for existing parking pad, with attached application for variance with staff findings, drawings, map, photos, minutes.

De Roma, Julius: Photos in support of appeal.

Erdahl, Robert: Photos opposing appeal.

Etkin, Larry A, 3400 Pleasant Ave S: Grant appeal from decision denying application for front yard setback variance to permit attached garage, with attached staff findings, map, drawings, photos, minutes.

PLANNING COMMISSION/DEPARTMENT (266095)

Hoelscher, Scott, of Loucks Associates on behalf of Sprint Spectrum:

Planning Comsn: Appeal from decision denying application for conditional use permit to permit telecommunications tower at 501 Huron Boulevard with attached minutes. Faegre & Benson: Comments.

Minneapolis Community Development Agency: Grant application to vacate part of Ramsey St to provide parking for Grain Belt development, with findings, drawings; Summary of Planning Commission actions.

PLANNING COMMISSION/DEPARTMENT (266096)

Lagoon Theater, 1320 Lagoon Ave, Junior League, 2901 Hennepin Ave, & LSA Design: Amend Council action of June 13, 2000 regarding conditions of off-street parking variances.

PLANNING COMMISSION/DEPARTMENT (266097)

Spohn's Action Auto Systems Inc, 2328 E 38th St: Application for waiver from moratorium prohibiting expansion of auto-oriented uses near LRT stations with attached comments of Standish-Ericsson Neighborhood Association, drawing, map.

Daniel, Booker T & Bertram A Breuer, 3662 Minnehaha Ave: Approve application for waiver from moratorium prohibiting auto-oriented uses near LRT stations with attached comments of Longfellow Community Council, map.

COMMITTEE OF THE WHOLE:

COUNCIL MEMBER CAMPBELL (266098)

Lyn-Lake Parking Lot Project: Financial Summary. (See W&M Report)

TELECOMMUNICATIONS (266099)

Cable coverage of Council Committee meetings: Options.

MOTIONS:

PLANNING COMMISSION/DEPARTMENT (266100)

Hennepin County for Shingle Creek Commons/Humboldt Greenway Addition (vicinity of Humboldt Ave N & 46th Ave N): Recommend amend report & ordinance rezoning land. (See Report of July 14, 2000.)

MOTIONS (See Rep):

CITY CLERK/SPECIAL PERMITS (266101)

13th Ave S, 3015 (Russell A Gregg) begin renovations of facilities.

UNFINISHED BUSINESS (See Rep):

MAYOR (266101.1)

Veto action: T&PW and W&M report re logistical support for International Society for Animal Genetics Convention.

FILED:

CITY CLERK/SPECIAL PERMITS (266102)

41st Av S, 5212 (Trinity Lutheran Church of Minnehaha Falls) hooped animals;

44th St E, 2701 (Lake Hiawatha Council) pony rides;

Central Av NE, 2329 (Lawrence Sign) sign;

HHH Metrodome (Melrose Pyrotechnics) fireworks;

Lake St W, 800 (Suburban Lighting) sign;

Loring/Nicollet Theater District (Kay Kirscht) sidewalk chalk art;

Lyndale Av N, 3306 (Shauna Corporation) move garage;

Lyndale Av S between 28th & Lake Sts (Lyn-Lake Association) tents;

Park Av, 2540 (Blake School) overnight party;

University Av SE, 3128 (Leroy Sign) sign;
Vineland Pl, 725 (Cherie Kramer) tent;
Washington Av near Milwaukee Depot (Vikings) tailgating.
FINANCE DEPARTMENT (266103)
Investment Management System & Reconciliation report, May 31, 2000.
MINNESOTA STATE OFFICES (266104)
Ltr & Library Board Management & Compliance Report for 12/31/99.
PARK BOARD (266105)
Annual Financial report, 12/31/99.

FILED (See Rep):

NORTHERN STATES POWER (NSP) (266106)
Utilitiies: Authorize placement of poles at various locations.

REPORTS OF STANDING COMMITTEES

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev - Your Committee, having under consideration a proposal to issue revenue bonds on behalf of Resource, Inc., a non-profit agency that operates over 40 specialized programs in the areas of vocational rehabilitation, employment, chemical dependency and mental health, to finance the acquisition and rehabilitation of facilities at 3200 Penn Ave N and 900 - 20th Ave S, and the Council having given preliminary approval to issue said bonds on March 24, 2000, now recommends passage of the accompanying resolution giving final approval to the issuance of up to \$1,500,000 of Tax-exempt Minneapolis Community Development Agency (MCDA), Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 2000-2, for Resource, Inc., to be issued through the Minneapolis Common Bond Fund and designating the bonds as bonds entitled to the security provided by Ordinance No 87-Or-084, Tax Reserve and Pledge Ordinance, as set forth in Petn No 266056.

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

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

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

Niland moved to amend the report by deleting the figure "\$1,500,000" and inserting in lieu thereof "\$1,650,000," and by substituting the following resolution for the above-described resolution. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved July 31, 2000. S. Sayles Belton, Mayor.

Attest: Merry Keefe, City Clerk.

(Published August 1, 2000)

Resolution 2000R-333, giving final approval to and authorizing a project on behalf of Resource, Inc. (the "Company"), authorizing the issuance of revenue bonds of the Minneapolis Community Development Agency therefor, and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended, was passed July 28, 2000 by the City Council and approved July 31, 2000 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2000R-333

By Niland

Giving final approval to and authorizing a project on behalf of Resource, Inc. (the "Company"), authorizing the issuance of revenue bonds of the Minneapolis Community Development Agency therefor, and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended.

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

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue bonds for the purpose of providing financing for the acquisition, construction and installation of projects consisting of properties, real or personal, used or useful in connection with a revenue-producing enterprise, whether or not operated for profit; and

Whereas, by Resolution No. 92-815M, as amended, of the Agency, the Agency established a common bond fund and authorized the issuance from time to time by the Agency of bonds to be secured by such common bond fund (the "Common Fund Bonds"); and

Whereas, under the terms of Minneapolis Code of Ordinances, Title 16, Chapter 422, as amended ("Chapter 422"), adopted pursuant to Chapter 595, the City Council of the City authorized the Agency to issue Common Fund Bonds; and

Whereas, it has been proposed that the Agency issue revenue bonds in the amount of not to exceed \$1,650,000 (the "Bonds") to finance the acquisition and renovation of two buildings to be used in the human services operations of the Company (the "Project"); and

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

Whereas, the Bonds shall bear interest at an average weighted interest rate not to exceed eight percent (8.00%) per annum, shall have a final maturity date not later than December 1, 2025, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference; and

Whereas, pursuant to Minneapolis Code of Ordinances, Chapter 424, as amended ("Chapter 424"), the City may from time to time designate a series of Common Fund Bonds to be secured by the limited pledge of tax revenues authorized by Chapter 424;

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

That the City Council hereby gives final approval to the issuance by the Agency of the Bonds in the aggregate principal amount of not to exceed \$1,650,000 for the purpose of financing the Project.

Be It Further Resolved that the Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-042 of the City adopted December 12, 1997.

Be It Further Resolved that the City Council hereby designates the Bonds under Chapter 424 as bonds which are and shall be entitled to the benefit of the pledge, agreements and provisions of Chapter 424.

Be It Further Resolved that the Finance Officer of the City shall execute and deliver such certificates as may be necessary on the date of delivery of the Bonds in order to acknowledge the application of Chapter 424 to the Bonds and the designation of the Bonds thereunder.

Be It Further Resolved that this approval of the City Council of the City is hereby given as required by Chapter 422.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved July 31, 2000. S. Sayles Belton, Mayor.

Attest: Merry Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration the fast-tracking of construction and ultimate replacement of 21 single room occupancy (SRO) units of housing which are being demolished at the Cavanaugh Hotel to provide additional land for the construction of the University of St. Thomas (UST) law school facility, now recommends approval of the following actions authorizing an agreement with the UST, Central Community Housing Trust (CCHT) and the Minneapolis Community Development Agency (MCDA), which would mutually assist in the development of an affordable housing project:

- a) That the MCDA authorize CCHT to enter into an agreement with the UST;
- b) That the proper MCDA and/or City officers be directed to negotiate a housing development deal with CCHT;
- c) That the MCDA be authorized to accept a loan in the amount of \$1,960,000 from UST, which in turn will make those funds available to CCHT; and
- d) Passage of the accompanying resolution increasing the MCDA appropriation in Fund CPO0 (Capital Projects-Other) by \$1,960,000 and increase the 2000 Fund CPO0 Revenue by \$1,960,000.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: Merry Keefe, City Clerk.

RESOLUTION 2000R-334

By Niland and Campbell

Amending The 2000 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund CPO0 - Capital Projects-Other by \$1,960,000 and increasing the Fund CPO0 revenue estimate by \$1,960,000 (3911-01 - Proceeds from Notes).

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: Merry Keefe, City Clerk.

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

Comm Dev & W&M/Budget - Your Committee, having under consideration the establishment of the Urban Village Tax Increment Finance District and Plan, for the residential project which will incorporate much of the property between Aldrich and Dupont Aves S and between 28th St to the 29th Street Greenway and will be constructed in two phases, as set forth in Petn No 266059, now recommends passage of the accompanying resolution approving the Urban Village Tax Increment Finance District and Plan.

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

Your Committee further recommends that the Minneapolis Community Development Agency (MCDA) should consider investing in the Leveraged Investment Fund.

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

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: Merry Keefe, City Clerk.

Resolution 2000R-335, adopting the Urban Village Tax Increment Finance Plan was passed July 28, 2000 by the City Council and approved August 3, 2000 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2000R-335
By Niland and Campbell

Adopting the Urban Village Tax Increment Finance Plan.

Resolved by The City Council of The City of Minneapolis:
Section 1. Recitals.

1.1. Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended (the "Agency Laws") the Housing and Redevelopment Authority in and for the City of Minneapolis has been reorganized, granted additional powers, and designated the Minneapolis Community Development Agency (the "Agency") with the authority to propose and implement redevelopment projects and tax increment financing ("TIF") districts, among other things, all pursuant to Minnesota Statutes, Sections 469.001 to 469.068, 469.109 to 469.134, 469.152 to 469.165, and 469.174 through 469.179 as amended.

1.2. It has been proposed that the Agency prepare the Urban Village TIF Plan (the "Plan") to provide the legal authority for the creation of a new TIF district, which Plan designates TIF district boundaries and identifies a budget for expenditures, all pursuant to and in accordance with Minnesota Statutes, Sections 469.174 through 469.179, as amended.

1.3. The Agency has prepared, and this Council has examined the proposed Plan that describes more precisely the activities to be undertaken, the public costs, a budget for expenditures, and the facts supporting the Plan. The Council has reviewed the legal authorization to establish a new TIF district for this project, and to authorize public redevelopment activities and expenditures necessary to assist this project. Anticipated public redevelopment activities include acquisition, relocation, demolition, land disposition, public improvements and streetscaping, environmental, site preparation, and project administration, all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179 as amended.

1.4. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plan to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.5. The Urban Village TIF District is being established within and under the authority of the Urban Village Redevelopment Project.

Section 2. Findings for the Adoption of the Plans.

2.1. The Council hereby finds, determines and declares that the Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Project Area and TIF District by private enterprise as the proposed redevelopment provides homeownership and rental housing opportunities including affordable housing, removes blight, remediates pollution, and enhances the city's tax base.

2.2. The Council further finds, determines and declares that the Plan conforms to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission and Ways & Means/Budget Committee, with respect to the Plans were issued, are incorporated herein by reference, and are on file in the office of the City Clerk. Further, the Minneapolis Plan designates the Midtown Greenway Corridor as a "major housing site" and the TIF District is a part of the Corridor.

2.3. The Council further finds, determines and declares that the proposed redevelopment would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and the use of tax increment financing is deemed necessary because the land in the project area

would not be made available for redevelopment without the financial aid to be sought. The private redevelopment of the property included in the TIF District could not occur without public participation and financial assistance because the proposed project site is already developed with improvements, including three residential structures, and the majority of the project area has commercial improvements including paved and unpaved surface parking and storage lots. The property is blighted and the current legal parcelization and ownership constitute an impediment to redevelopment. Therefore, the fair market value of the assembled and cleared site is significantly less than the high costs of property acquisition, demolition, site preparation, and relocation of existing residential and commercial tenants within the project site.

2.4. The Council further finds, determines and declares that there is a construction financing gap created by the difference between the cost to develop the new housing units and the capital costs that can be supported by project rents and sales prices. This gap exists for both the subsidized (rent and income restricted) low income units, the moderate income market rate units and the non-subsidized units, both rental and for sale.

Further, the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the TIF District permitted by the Plan.

2.5. The Council further finds, determines and declares that the property to be included in the TIF District consists of property that qualifies for inclusion in a redevelopment TIF district, as the parcels to be included in the district are occupied by ten residential and commercial buildings, two paved parking lots, a vacant lot and storage yards. The vacant lot is the only parcel with no improvements. Ninety-nine percent of the square footage of the area is improved, therefore, meeting the 70 percent test.

2.6. The Council further finds, determines and declares that eight of ten buildings to be included in the District are substandard. Most are physically or functionally obsolete and in need of major repair. It is estimated that the cost to modify the buildings to satisfy the building code would be between 17% and 38% of the cost of constructing a new structure of the same square footage and type on the sites. The buildings are therefore found to be structurally substandard, and the area meets the 50 percent test.

2.7. The Council further finds, determines and declares that the objectives and actions authorized by the Plan is pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and Sections 469.174 through 469.179, as amended. The primary objective will be to carry out redevelopment activities in the project area that will provide new homeownership opportunities in a blighted area, that will stabilize and upgrade adjacent areas in the neighborhood by promoting reinvestment and rehabilitation of existing housing stock, and by arresting the decline in the existing tax base.

2.8. The City elects to exempt the Urban Village TIF District from the LGA/HACA penalty by making a qualifying local contribution to the payment of project costs from eligible local revenue sources contributed to the project by the Agency (as specified in the Department of Revenue Guidelines for Local Contributions).

2.9. The Council further finds, determines and declares that the municipality elects the method of tax increment computation set forth in Minnesota Statutes, Section 469.177, Subdivision 3(a), and that it is the intent of the City and Agency that any fiscal disparity contribution required of the City for development occurring within this TIF District be taken from outside this TIF District.

2.10. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plan.

Section 3. Approval of the Plan; Creation of TIF District.

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

3.2. Based upon the findings set forth in Section 2 hereof, the Urban Village TIF District is hereby created and established.

Section 4. Implementation of the Plans.

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

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000. J. Cherryhomes, President of Council.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: Merry Keefe, City Clerk.

The COMMUNITY DEVELOPMENT, WAYS & MEANS/BUDGET and ZONING & PLANNING Committees submitted the following report:

Comm Dev, W&M/Budget & Z&P - Your Committee, having under consideration Modification No. 1 to the Grain Belt Brewery Redevelopment Plan, Modification No. 74 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan, and the proposed amendment to the 1996 Grain Belt Brewery Area Development Objectives, which represents a more comprehensive housing development strategy for the Grain Belt area by identifying five specific sites that have housing potential, as set forth in Petn No 266060, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution adopting said Modifications and amendment, with approval of the following directions to the Minneapolis Community Development Agency (MCDA) staff:

a) Eliminate Block 2 from any Request For Proposals (RFP) at this time and make the necessary language changes to accommodate this direction to staff. The City reserves the right to revisit this issue in the future; and

b) Incorporate language in the RFP relating to Site 1 that directs any potential developer to give all consideration to preservation of the existing three residential homes on 13th Ave NE and provide policy makers options to save or remove these structures.

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

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

Biernat moved that the report be postponed. Seconded.

Adopted upon a voice vote.

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

PS&RS - Your Committee, to whom was referred an ordinance amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Licenses, changing the off-street parking requirement for Class E, Class D, Class C-2 or Class C-1 On-Sale Liquor Licenses in the Pedestrian Oriented Overlay District in the Dinkytown area to be the number of spaces required by the applicable zoning ordinance, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 2000-Or-071

By Campbell

Intro & 1st Reading: 6/23/2000

Ref to: PS&RS

2nd Reading: 7/28/2000

Amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Licenses.

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

Section 1. That Section 362.30 (g) of the above-entitled ordinance be amended by adding thereto a new subdivision (5) to read as follows:

362.30. "On sale" licenses.

(g) Off-street parking.

(5) In the Pedestrian Oriented Overlay District referenced in Section 551.160 Dinkytown area of this Code and shown on the official zoning map, the off-street parking requirement for a class E, class D, class C-2 or class C-1 on-sale liquor license shall be the number of spaces required by the applicable zoning ordinance.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, to whom was referred ordinances amending Title 14 of the Minneapolis Code of Ordinances relating to Liquor and Beer, permitting liquor establishments located within the Central Commercial District to remain open until 1:30 a.m. through October 31, 2000, now recommends that the following ordinances be given their second reading for amendment and passage:

a. amending Chapter 364 relating to Liquor Regulations; and

b. amending Chapter 368 relating to Beer Regulations.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 2000-Or-072

By Colvin Roy

Intro & 1st Reading: 6/23/2000

Ref to: PS&RS

2nd Reading: 7/28/2000

Amending Title 14, Chapter 364 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Regulations.

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

Section 1. That Section 364.100 of the above-entitled ordinance be amended to read as follows:

364.100. "On sale" premises without special licenses to close certain hours. (a) Except as provided in subsection (b), Every room, place or premises where any liquor is permitted to be or is sold, including the cafe, restaurant or dining room operated in connection therewith, or as a part thereof, and in which such liquor is sold or served by the licensee thereof pursuant to an "on sale" license, shall be closed and kept closed to the public between the hours of 1:15 a.m. and 5:00 a.m., unless the licensee is the owner and holder of a special late hours license provided for in sections 360.70, 360.75, and 360.80. During said hours, if the licensee is not the owner or holder of a special late hours license, no person shall be allowed to be or remain upon or within such room, place or premises for any purpose whatever, except that the owner or licensee, his or her agents, servants or employees may remain therein for the purpose only of cleaning, preparation of meals, necessary repairs or other work therein and in connection therewith, or as guards.

(b) In the Central Commercial District, as defined in 360.10, all of the provisions of subsection (a) shall remain in effect except, until October 15, 2000, that persons not exempt by that subsection may remain on the licensed premises until 1:30 a.m. No alcoholic beverages may be consumed on such premises after 1:15 a.m.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

ORDINANCE 2000-Or-073
By Colvin Roy

Intro & 1st Reading: 6/23/2000
Ref to: PS&RS
2nd Reading: 7/28/2000

Amending Title 14, Chapter 368 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Beer Regulations.

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

Section 1. That Section 368.70 of the above-entitled ordinance be amended to read as follows:

368.70. Premises without special license to close certain hours. (a) Except as provided in subsection (b), Every room, place or premises wherein beer is permitted to be or is sold, including the cafe, restaurant or dining room operated in connection therewith or as a part thereof, and in which such beer is sold or served by the licensee thereof pursuant to an "on sale" or "off sale" license, shall be closed and kept closed to the public between the hours of 1:15 a.m. and 5:00 a.m. unless the licensee is the owner and holder of a special late hours license provided for in sections 360.70, 360.75, and 360.80. During said hours, if the licensee is not the owner or holder of a special late hours license, no person or persons shall be allowed to be or remain upon or within such room, place or premises for any purpose whatever, except that the owner or licensee, his or her agents, servants or employees may remain therein for the purpose only of cleaning, preparation of meals, necessary repairs or other work therein and in connection therewith, or as guards.

(b) In the Central Commercial District, as defined in 360.10, all of the provisions of subsection (a) shall remain in effect except, until October 15, 2000, that persons not exempt by that subsection may remain on the licensed premises until 1:30 a.m. No alcoholic beverages may be consumed on such premises after 1:15 a.m.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, to whom was referred back on June 23, 2000 an ordinance amending Title 4, Chapter 64 of the Minneapolis Code of Ordinances relating to Animals and Fowl: Dogs and Cats, establishing procedures and fees for Off Leash Recreation Areas, establishing regulations for proper use of such areas and penalties for violation of regulations, and amending ordinance provisions relating to leash requirements, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee recommends that staff be directed to extend permits issued during calendar Year 2000 to be effective through the Year 2001, expiring December 31, 2001.

Your Committee further recommends approval of the Rules for Minneapolis Off Leash Recreation Areas, as set forth in Petn No 265981 on file in the Office of the City Clerk.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 2000-Or-074
By McDonald
Intro & 1st Reading: 2/18/2000
Ref to: PS&RS
2nd Reading: 7/28/2000

Amending Title 4, Chapter 64 of the Minneapolis Code of Ordinances relating to Animals and Fowl: Dogs and Cats.

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

Section 1. That Section 64.50 (a) of the above-entitled ordinance be amended to read as follows:

64.50. Leashing; feces clean up. (a) No person having the custody or control of any dog or animal of the dog kind shall permit the same to be on any unfenced area or lot abutting upon a street, public park, public place or upon any other private land without being effectively restrained from moving beyond such unfenced area or lot; nor shall any person having the custody or control of any dog or animal of the dog kind permit the same at any time to be on any street, public park, school ground, or public place without being effectively restrained by chain or leash not exceeding eight (8) feet in length, except in areas officially designated for off leash activities. Every person convicted of a violation of this provision shall be punished by a fine of not more than one hundred dollars (\$100.00).

Section 2. That Chapter 64 of the Minneapolis Code of Ordinances be amended by adding a new Section 64.55 to read as follows:

64.55. Off leash dog areas; permits and regulations. (a) Dogs may be unrestrained by chain or leash in areas designated for off leash activities by the City or Minneapolis Park and Recreation Board. No person shall use a designated off leash area without first having obtained a permit for each dog using such an area from the department of licenses and consumer services. A dog deemed a dangerous animal under section 64.110 of this Code, or as a dangerous or potentially dangerous dog as defined under Minnesota Statute 347.50, is not permitted to use off leash areas.

(b) The annual fee for an off leash area permit for a resident of the city shall be twenty-five dollars (\$25.00) for one dog and fifteen dollars (\$15.00) for each additional dog owned by the same person. A resident permit may only be issued upon verification that the dog has been issued a current Minneapolis dog license and verification of rabies vaccination. The annual fee for an off leash area permit for persons residing outside the city shall be fifty dollars (\$50.00) for one dog and thirty dollars (\$30.00) for each additional dog owned by the same person. A non-resident permit may only be issued upon verification of rabies vaccination. The department of licenses and consumer services shall provide a tag containing a registration number and the year registered for each permit. Permits shall be valid from the time they are issued until January thirty-first next after the date of issuance.

(c) Upon application for a permit, the applicant shall be provided with the rules for use of off leash areas. As a condition for the issuance of a permit, the applicant shall sign and agree to abide by these rules. A permit may be revoked for failure of the applicant, or any person who takes the dog into an off leash recreation area, to abide by these rules, or for violation of any of the provisions of this chapter or Park Board ordinances that occur within an off leash area. Permits may be revoked by the director of licenses and consumer services.

(d) The person responsible for a dog must have the dog restrained when entering and leaving an off leash area. If so directed by a law enforcement officer, animal control officer or animal warden, persons using an off leash area must immediately restrain their dogs and remove them from the off leash area.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Dinkytownner Inc, dba Dinkytownner, 412 14th Av SE, for an On-Sale Wine Class B with Strong Beer License (new business) to expire April 1, 2001, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved July 31, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Published August 1, 2000)

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

Off-Sale Liquor, to expire July 1, 2001
Simply Elegant Inc, dba Bottle House of Minneapolis, 150 2nd Av S;
Minnesota Vikings Ventures Inc, dba Minnesota Vikings Ventures Inc, 500 11th Av S;
Kick's Liquor Store Inc, dba Broadway Liquor Outlet, 2201 W Broadway;
On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2001
80 So 8th St Hotel Operations Inc, dba Vista Marquette Hotel, 701 Nicollet Mall, 3rd floor;
C B C Athletic Club Inc, dba Dixie's Calhoun, 2730 W Lake St, street level;
On-Sale Liquor Class A with Sunday Sales, to expire July 8, 2000
International Catering Inc, dba Atrium Cafe/Atrium Catering, 275 Market St (temporary expansion of premises, July 8, 2000, 7:00 p.m. to 1:00 a.m., Danielson-Cortright Wedding Reception);
On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2001
Caboose Enterprises, dba Caboose, 913 Cedar Av (temporary expansion of premises, July 30, 2000, Noon to 10:00 p.m., pre-Sturgis annual hog feed);
Caboose Enterprises, dba Caboose, 913 Cedar Av (temporary expansion of premises, July 16, 2000, Noon to 10:00 p.m., Cedar Avenue Reggie Fest);
On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2001
Brothers of Minneapolis Inc, dba Brothers, 430 1st Av N, Suite 100;
On-Sale Liquor Class C-1 with Sunday Sales, to expire July 1, 2001
Westbank Productions Co LLC, dba 400 Bar, 400 Cedar Av;
Minneapolis Cafe LLC, dba Minneapolis Cafe, 1110 Hennepin Av;
Loring Cafe Inc, dba Loring Cafe & Bar, 1624 Harmon Pl;
On-Sale Liquor Class D with Sunday Sales, to expire July 1, 2001
LaBonne Table Inc, dba New French Cafe, 128 4th St N;
On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2001
M A Corporation, dba Sully's Pub & Hamburger Joint, 2519 Central Av NE;
On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2001
Sterling Hospitality Corp, 1125 Marquette Av (new business);
Bob McNamara 44 Inc, dba Mac's Sports Bar/Grill, 301 Central Av SE;
Largo Enterprises Inc, dba Whitey's World Famous Saloon, 400 E Hennepin Av;
Minnesota Vikings Ventures Inc, dba Minnesota Vikings Ventures Inc, 500 11th Av S;
FCA Restaurant Holdings LLC, dba Minneapolis Life Time Athletic Club, 615 2nd Av S;
Parker Investments Inc, dba Northeast Yacht Club, 801 Marshall St;
On-Sale Liquor Class E with Sunday Sales, to expire May 19, 2000
Restaurants Unlimited Inc, dba Palamino, 825 Hennepin Av (May 19, 2000, 5:00 p.m. to 9:30 p.m., LaSalle Plaza Atrium);
Temporary On-Sale Liquor
Alliance Francaise, dba Alliance Francaise, 113 N 1st St (with entertainment, July 14, 2000, 4:00 p.m. to 7:00 p.m.; Licensed Facilitator: New French Cafe);
Minneapolis Downtown Council, dba Ribfest, 81 S 9th St, Suite 260 (with entertainment, July 26 & 27, 2000, 11:00 a.m. to 10:30 p.m.; July 28 & 29, 2000, 11:00 a.m. to 11:00 p.m., Ritz Block, 4th St & Nicollet Mall);
On-Sale Wine Class E with Strong Beer, to expire April 1, 2001
Westrum Judith E, dba Westrum's Tavern, 4415 Nicollet Av;
Off-Sale Beer, to expire April 1, 2001
Country Boy Corporation, dba Cedar Country Boy, 4164 Cedar Av (new business);

Temporary On-Sale Beer

Digital Access.Org, dba Digital Access.Org, 1600 W Lake St (fundraiser, August 20, 2000, 2:00 p.m. to 10:00 p.m.);

St. Mary's Greek Orthodox Church, 3450 Irving Av S (Taste of Greece Centennial Celebration, August 19 & 20, 2000);

Church of the Holy Cross, 1621 University Av NE (Fall festival, September 16, 2000, 5:30 p.m. to Midnight; September 17, 2000, Noon to 9:00 p.m.);

Lyn Lake Improvement Association, 626 W Lake St (Lyn Lake Street Fair, August 12, 2000, Noon to 10:00 p.m.).

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of July 28, 2000, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 266063):

Amusement Devices; Place of Amusement Class A; Place of Amusement Class B-2; Building Contractor Class A; Building Contractor Class B; Carnival; Cement Finishing Contractor; Concrete Masonry Contractor Class A; Concrete Masonry Contractor Class B; Dancing School; Dry Cleaning & Laundry Pickup Station; Laundry; Drywall Contractor; Place of Entertainment; Caterers; Confectionery; Farm Produce Permit Non-Profit; Grocery; Food Manufacturer; Milk Delivery Vehicle; Restaurant; Short Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Vending Machine; Gas Fitter Class A; Horse and Carriage; Motor Vehicle Dealer Auctioneer; Motor Vehicle Dealer - Cycles & Motorbikes; Motor Vehicle Dealer - New & Used; Motor Vehicle Dealer - Used Only; Motor Vehicle Dealer - Additional Lot; Motor Vehicle Repair Garage; Motor Vehicle Used Parts Dealer; Peddler - Special Religious; Plumber; Recycling/Salvage Yard; Secondhand Goods Class B; Antique Dealer Class B; Antique Mall Operator Class B; Exhibition Operator Class A; Tattooing; Taxicab Service Company; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Theater Zone I; Tobacco Dealer; Combined Trades; and Wrecker of Buildings Class B.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

Gambling Lawful Exempt

Church of St. Anne, 2627 Queen Av N (raffle, August 19, 2000 at St. Anne's Hall, 2620 Russell Av N);

Church of Christ the King, 5029 Zenith Av S (raffle, September 10, 2000);

American Heart Association, 4701 W 77th St (raffle, October 28, 2000 at Minneapolis Marriott City Center, 30 S 7th St);

Church of Christ the King, 5029 Zenith Av S (raffle, November 25, 2000);

Holy Rosary Church, 2424 18th Av S (raffle, October 8, 2000);

March of Dimes, 5233 Edina Industrial Blvd, Edina (raffle, October 4, 2000 at International Market Square, 275 Market St);

Church of the Holy Cross, 1621 University Av NE (bingo, raffle, paddlewheel, pulltabs & tipboards, September 16 & 17, 2000).

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration Taxicab Driver's License #01381 held by Daniel Andrew Johnson, 3323 15th Av S, and having determined that the licensee drove taxi for Blue and White Taxi with an expired Minnesota Driver's License since February 10, 2000, and having received notification that the licensee has agreed to forgo a Technical Advisory Committee (TAC) hearing thereon and to stipulate that the Findings of Fact, Conclusions and Recommendations are true and correct, now recommends adoption of the following recommendations, as more fully set forth in said Findings, which are on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee pay a fine of \$200 to the City of Minneapolis, with \$100 being stayed for a period of one year, provided there are no same or similar offenses; and

b. that a copy of the TAC Agreement be forwarded to Blue and White for possible other sanctions by the company.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration Taxicab Driver's License #4537 held by Ghani Habib, and having reviewed the Findings of Fact, Conclusions of Law and Recommendation of the Administrative Law Judge that the City Council take adverse action against the license held by Ghani Habib, and having held a hearing to consider arguments from both parties, now recommends concurrence with the recommendation of the Director of Licenses & Consumer Services, based upon the record before the Committee, that said license held by Ghani Habib not be renewed and hereby be revoked for a period of one year.

Your Committee further finds that due to conduct endangering the public safety, that a stay of said revocation, in the event of an appeal, shall not be granted.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the pending Grocery and Tobacco Dealer Licenses held by North Side Food Market, 1808 W Broadway, and the City of Minneapolis having commenced an administrative hearing before an Administrative Law Judge (ALJ) to obtain an administrative decision as to whether good cause exists to take adverse action against the licenses, now recommends that the proper City Officers be authorized to execute a Settlement Agreement with North Side Food Market, summarized as follows, with the terms more fully set forth in Petn No 266064 on file in the Office of the City Clerk:

a. North Side will close for business by August 5, 2000;

b. the business license shall be suspended for 30 days from the date of closure;

c. after the 30-day suspension, the business license shall be renewed;

d. North Side shall pay \$2,000 to the City of Minneapolis prior to reopening for business after the completion of the 30-day suspension. An additional payment of \$1,000 shall be stayed for a period of one year but will be imposed if the City finds one critical violation or finds that the two sinks within the establishment are not stocked with soap, a nail brush and paper towels;

e. North Side shall not allow any car to be repaired or to be worked on in the parking lot of the business;

f. if North Side is not in compliance with any of the terms of the Settlement Agreement, the City may schedule an administrative hearing with a shortened 15-day notice.

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the Rental Dwelling License held by Arnold Schultz for the property located at 3246 Emerson Av N, now recommends that said license be revoked for failure to meet the licensing standard of conduct on the licensed premises, pursuant to Section 244.2020 of the Minneapolis Code of Ordinances.

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends that the proper City Officers be authorized to solicit Request for Proposals for the Police Department's Mobile Data Computer Project, software development phase.

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved July 31, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Published August 1, 2000)

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

PS&RS, T&PW & W&M/Budget - Your Committee, to whom was referred ordinances amending the Minneapolis Code of Ordinances creating a new offense making it unlawful to possess graffiti materials, and making a parent or guardian of a person under the age of 18 liable for malicious injury of person or property, now recommends that the following ordinances be given their second reading for amendment and passage:

- a. amending Title 5, Chapter 85 relating to Building Code: In General;
- b. amending Title 12, Chapter 244 relating to Housing: Maintenance Code;
- c. amending Title 15, Chapter 385 relating to Offenses--Miscellaneous: In General.

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

Niland moved to divide the report so as to consider separately item "c", and to further divide the ordinance so as to consider separately Sections 385.400 and 385.410. Seconded.

Adopted by unanimous consent.

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

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

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

Nays - Lane.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2000-Or-075 amending Title 5, Chapter 85 of the Minneapolis Code of Ordinances relating to Building Code: In General, amending Section 85.100, and Ordinance 2000-Or-076 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, amending Section 244.495 to make a parent or guardian of a person under the age of 18 who willfully

or wantonly damages or defaces property in the city by the placing of marking, carving, or graffiti and who is living with the parent or guardian, responsible, in certain circumstances, to pay a civil fine of not more than \$100, were passed July 28, 2000 by the City Council and approved August 3, 2000 by the Mayor. A complete copy of these ordinances are available for public inspection in the office of the City Clerk.

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

ORDINANCE 2000-Or-075

By McDonald

Intro & 1st Reading: 3/24/2000

Ref to: PS&RS & T&PW

2nd Reading: 7/28/2000

Amending Title 5, Chapter 85 of the Minneapolis Code of Ordinances relating to Building Code: In General.

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

Section 1. That Section 85.100 of the above-entitled ordinance be amended to read as follows:

85.100. Exterior maintenance of buildings. (a) Every exterior wall, foundation and roof of any building or structure shall be reasonably weathertight, watertight, and rodentproof, and shall be kept in a workmanlike state of maintenance and repair. Exterior walls shall be maintained and kept free from dilapidation by cracks, tears or breaks or from deteriorated plaster, stucco, brick, wood or other material that is extensive and gives evidence of long neglect.

(b) The protective surface on exterior walls of a building above ground level shall be maintained in good repair so as to provide a sufficient covering and protection of the structural surface underneath against its deterioration. Without limiting the generality of this section, a protective surface of a building shall be deemed to be out of repair if one (1) more than twenty-five (25) per cent of the area of any plane or wall on which the protective surface is paint is blistered, cracked, flaked, scaled or chalked away; or two (2) more than twenty-five (25) per cent of the pointing of any brick or stone wall is loose or has fallen out.

(c) The exterior of the premises shall be maintained free of public nuisances as defined in Minneapolis Code of Ordinances Section 227.90.

(d) The exterior of the premises shall be maintained free of abandoned property as defined in Minneapolis Code of Ordinances Section 401.60.

(e) No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

(1) It shall be the responsibility of the owner to restore said surface to an approved professional state of maintenance and repair as defined in Minneapolis Code of Ordinances Section 244.495.

(2) The parent or guardian of the person of a minor, who is under the age of eighteen (18) that is living with the parent or guardian, and which minor violates the provisions of paragraph (e)1. of this in regard to any property in the city, is liable for the payment of a civil fine of not more than one hundred dollars (\$100.00) for each offense based on the conduct of such minor. The civil fine provided for in this subparagraph is in addition to and not in lieu of any compensatory or other liability which may exist at law, by statute or pursuant to ordinance.

(f) Rainwater shall be drained so as not to cause dampness in walls, ceilings or floors in any portion of the building or in any adjacent building or structure. Downspouts and gutters shall be maintained in a state of professional repair as defined in Minneapolis Code of Ordinances Section 244.520.

(g) Windows and doors may be temporarily boarded only for security reasons when the building is vacant and is unoccupied. Security boarding is permitted for up to sixty (60) days without approval from the Director of Inspections or his/her the director's designee. Permanent covering or changes in openings will require a building permit.

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

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

Nays - Lane.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

ORDINANCE 2000-Or-076

By McDonald

Intro & 1st Reading: 3/24/2000

Ref to: PS&RS & T&PW

2nd Reading: 7/28/2000

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

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

Section 1. That Section 244.495 of the above-entitled ordinance be amended to read as follows:

244.495. Defacement of property. (a) No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving, or graffiti.

(b) It shall be the responsibility of the owner to restore said surface to an approved professional state of maintenance and repair.

(c) The parent or guardian of the person of a minor, who is under the age of eighteen (18) that is living with the parent or guardian, and which minor violates the provisions of paragraph (a) of this section in regard to any property in the city, is liable for the payment of a civil fine of not more than one hundred dollars (\$100.00) for each offense based on the conduct of such minor. The civil fine provided for in this subparagraph is in addition to and not in lieu of any compensatory or other liability which may exist at law, by statute or pursuant to ordinance.

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

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

Nays - Lane.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS, T&PW & W&M/Budget - Your Committee, to whom was referred an ordinance amending Title 15, Chapter 385 relating to Offenses-Miscellaneous: In General, adding a new Section 385.400 creating a new offense making it unlawful to possess graffiti materials, now recommends that said ordinance be given its second reading for amendment and passage.

Lost. Yeas, 4; Nays, 8 as follows:

Yeas - Biernat, Colvin Roy, McDonald, Johnson.

Nays - Niland, Goodman, Mead, Lane, Herron, Ostrow, Campbell, Cherryhomes.

Absent - Thurber.

Lost July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS, T&PW & W&M/Budget - Your Committee, to whom was referred an ordinance amending Title 15, Chapter 385 relating to Offenses-Miscellaneous: In General, adding a new Section 385.410 making a parent or guardian of a person under the age of 18 liable for malicious injury of person or property, now recommends that said ordinance be given its second reading for amendment and passage.

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

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

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

Nays - Lane.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2000-Or-077 amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to Offense--Miscellaneous: In General, adding a new Section 385.410 to make a parent or guardian of a person under the age of 18 liable for damages, under certain circumstances, in an amount not exceeding \$1,000 for malicious injury of person or property committed by such person under the age of 18 who lives with the parent or guardian, was passed July 28, 2000 by the City Council and approved August 3, 2000 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2000-Or-077

By McDonald

Intro & 1st Reading: 3/24/2000

Ref to: PS&RS & T&PW

2nd Reading: 7/28/2000

Amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to Offenses--Miscellaneous: In General.

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

Section 1. That Chapter 385 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 385.410 to read as follows:

385.410. Damage by minor; responsibility of parent, guardian, and minor. The parent or guardian of the person of a minor who is under the age of eighteen (18) and who is living with the parent or guardian and who willfully or maliciously causes injury to any person or damage to any property is jointly and severally liable with such minor for such injury or damage to an amount not exceeding one thousand dollars (\$1,000.00), if such minor would have been liable for such injury or damage if the minor had been an adult. Nothing in this section shall be construed to relieve such minor from personal liability for such injury or damage. The liability provided in this section is in addition to and not in lieu of any other liability which may exist at law, but shall be setoff against any recovery made against a parent or guardian pursuant to state statute. Recovery under this section shall be limited to special damages. This section shall not apply to persons having custody or charge of any minor under the authority of the human services or corrections department of the state.

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

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

Nays - Lane.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

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

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept a grant award of \$2,000 from the State of Minnesota, Bureau of Criminal Apprehension, for partial reimbursement of costs associated with intensive, long-term investigations for witness protection.

Your Committee further recommends passage of the accompanying Resolution appropriating \$2,000 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-336
By Biernat and Campbell

Amending The 2000 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 - Other Fund (060-400-C013) by \$2,000 and increasing the Revenue Source (060-400-C013 - Source 3215) by \$2,000.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends acceptance of low bid received on OP #5447 (Petn No 266068) submitted by Remotec, Inc., in the amount of \$125,838, for furnishing and delivering an Andros Mark V1-A Bomb Robot to the Police Department, all in accordance with City specifications.

Your Committee further recommends approval of the following ten year maintenance schedule following the first year warranty, to be payable annually:

Years 1 - 2 \$5,500; Years 3 - 5 \$6,500; Years 6 - 7 \$7,500; and Years 8 - 10 \$8,500.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends acceptance of low bid meeting specifications received on OP #5424 submitted by FieldWorks, Inc., for an estimated annual expenditure of \$280,000, for furnishing and delivering mobile data computers to the Minneapolis Police Department, as set forth in Petn No 266068 on file in the Office of the City Clerk, all in accordance with City specifications. Vendor offers to extend the terms and conditions for one additional 12-month period at the sole option of the City of Minneapolis.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, having under consideration the 43rd and Park Avenue Flood Mitigation Project and the receipt of proposals to complete plans and specifications for the project, now recommends that the proper City officers be authorized to execute a professional services contract for consulting services with Bonestroo, Rosene, Anderlik and Associates, Inc. at an estimated cost of \$120,000.00. Funds for the contract are available in the Public Works Engineering Design Agency (7300-600-6063).

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends that the proper City officers be directed to execute Agreement #78095 between the Minnesota Department of Transportation (MnDOT) and the City providing for payment by MnDOT to the City of \$55,710 as reimbursement for City costs to perform traffic signal redesign activities from Trunk Highway 62 to 3rd Av N in conjunction with planned implementation of the Light Rail Transit Project.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Hawthorne Transportation Center Project, now recommends approval of Change Order #3 increasing the City's contract with Adolphson & Peterson, Inc. by \$63,008.12, for a new total of \$24,441,454.82, payable from the project budget. The contract changes include increases and decreases relating to necessary project work.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends granting the application of Laura Lee Wienen for a Special Boulevard Permit to install brick pavers in the boulevard between the sidewalk and the street at 143 5th Av NE.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals for selection of a consultant to perform engineering and architectural services for the design and construction management of Discharge Header Replacement at Water Works Pump Station #5 and for the Alternate Reservoir Connection to Water Works Pump Station #5.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.
Approved July 31, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Published August 1, 2000).

T&PW - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals for the processing and disposal of yard waste and brush for the City. The City's current contract with SKB Environmental, Inc. expires on December 31, 2000 and is an extension of an original contract entered into in 1993.

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration a request from Keller's Auto Service for an encroachment permit to park vehicles on the right-of-way adjacent to their property at 3400 42nd Av S, now recommends concurrence with the Public Works Department's recommendation to grant said permit under the conditions agreed to by the applicant (Petn No 266072).

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration a request from Armory Development II, LLC, for an encroachment permit to allow a parking sign in the south right-of-way of 5th St S (adjacent to the Armory Parking Garage at 500 South 6th St) and having been informed that the Council Member has denied said request, now recommends that the matter be forwarded without recommendation.

Mead moved to amend the report by deleting the language, "the matter be forwarded without recommendation" and inserting in lieu thereof, "said permit be denied". Seconded.

Adopted by unanimous consent.
Mead moved to amend the report, as amended, by inserting at the end the following language:
"Your Committee further recommends that the proper City officers be directed to assure that said sign is removed." Seconded.

Adopted by unanimous consent.
The report, as amended, was adopted.
Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration options for the sale of excess City property at 228 Melbourne Av SE and having been informed that an offer has been received to purchase the property, now recommends that there needs to be further study of the property value and use and directs the proper City officers to proceed with such a study. Staff may contract for a survey and appraisal of the property and report back to the Transportation & Public Works Committee with further information.

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals seeking a vendor to supply soft drink machines for placement within City municipal parking facilities, for eventual selection of a vendor contingent upon the approval of the Permanent Review Committee.

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Downtown Minneapolis Neighborhood Association's proposal for a downtown informational kiosk system as part of their Neighborhood Revitalization Program (NRP) plan, now recommends that the proper City officers be authorized to execute an agreement with Machine Dreams, Inc. to provide design, development and project management services for an interactive kiosk system (including 911 emergency communications) in an amount not to exceed \$30,000. Funds for the contract are available in the Public Works Transportation Capital Agency (4100-943-9440).

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Master Plan for the Near Northside Redevelopment Project that calls for a new street system through the Sumner Field and Olson project areas, now recommends approval of the closing of the following streets and authorization for the removal of pavement from said streets:

Dupont Av N from Olson Memorial Highway to 11th Av N;
Bryant Av N from Olson Memorial Highway to 11th Av N;
10th Av N from Emerson Av N to Bryant Av N;
8th Av N from Emerson Av No to Lyndale Av N;
(former) N frontage road of Olson Memorial Highway from Bryant Av N to Dupont Av N.

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Metropolitan Airports Commission plans to construct a number of tunnels within Minneapolis-St. Paul International Airport property using "dewatering" as a part of the construction and having been informed of the requirement of a permit from the Minnesota Department of Natural Resources (DNR) for said work, now recommends that the City formally request that the DNR conduct a contested case hearing in a South Minneapolis location prior to their issuance of a permit for the purpose of receiving evidence and public comments regarding the proposed permit.

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

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

T&PW & W&M/Budget - Your Committee, having under consideration the 2000 Street Reconstruction Program, 4th St S (4th Av S to 5th Av S) and having held a public hearing thereon, now recommends passage of the accompanying Resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the 4th St S Street Reconstruction Project, Special Improvement of Existing Street No. 6686;
- b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$25,000 for the 4th St S Street Reconstruction Project; and
- c) Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction project in the 4th St S area.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved July 31, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 1, 2000)

RESOLUTION 2000R-337

By Mead & Campbell

4th STREET SOUTH STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6686

Ordering the work to proceed, adopting the special assessments for the 4th St S Street Reconstruction Project.

Whereas, a public hearing was held on July 20, 2000 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2000R-298 passed June 23, 2000, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2000R-298 passed June 23, 2000.

Be It Further Resolved that the proposed special assessments in the total amount of \$25,802.95 as on file in the Office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that interest be charged at the same rate as assessment bonds are sold for in 2000 with collection of the special assessments to begin on the 2001 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as assessment bonds are sold for in 2000 with collection of the special assessments on the 2001 real estate tax statements.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved July 31, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 1, 2000)

RESOLUTION 2000R-338

By Mead & Campbell

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$25,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the 4th St S Reconstruction Project, Special Improvement of Existing Street No 6686, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved July 31, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 1, 2000)

RESOLUTION 2000R-339

By Mead & Campbell

Ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the street reconstruction project in the 4th Street South area.

Whereas, the City of Minneapolis has scheduled the street reconstruction improvements during 2000 in the 4th St S area of Minneapolis; and

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

Whereas, a public hearing was held on July 20, 2000 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances to consider the proposed abandonment and removal of the above mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

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

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street r/w adjoining the properties along 4th St S (both sides) from 4th Av S to 5th Av S.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved July 31, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 1, 2000)

T&PW & W&M/Budget - Your Committee, having under consideration the completed Lowry Hill Street Lighting Project and having been informed of the actual assessable costs to the property owners, now recommends passage of the accompanying resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$1,700,000 for said project.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-340

By Mead & Campbell

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$1,700,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street lighting improvements in the Lowry Hill Area Street Lighting Project, Special Improvement of Existing Street No. 2973, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the Midtown Greenway Trail Project (Phase I) and having received a report outlining cost increases totaling \$345,000 associated with retaining walls, security features and fencing for the project, now recommends:

a) That the proper City officers be authorized to pay \$193,815 as the City's share of cost additions to the Midtown Greenway Trail (Phase I) construction, with \$160,815 to be paid to the Minnesota Department of Transportation and \$33,000 to be paid to Veit Companies, all payable from the Bicycle Commuter Route System Capital budget (4100-943-9470); and

b) That the Department of Public Works be authorized to pay for Midtown Greenway Trail Project (Phase I) grand opening celebration costs as they are submitted in an amount not to exceed \$10,000.

Cherryhomes moved to divide the report so as to consider separately that portion relating to payment for Midtown Greenway Trail Project grand opening celebration costs. Seconded.

Adopted by unanimous consent.

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

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends that the Department of Public Works be authorized to pay for Midtown Greenway Trail Project (Phase I) grand opening celebration costs as they are submitted in an amount not to exceed \$10,000.

Adopted. Yeas, 6; Nays, 4 as follows:

Yeas - Niland, McDonald, Mead, Lane, Herron, Ostrow.

Nays - Colvin Roy, Johnson, Campbell, Cherryhomes.

Declining to vote - Biernat, Goodman.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends acceptance of the following bids in accordance with City specifications (Petn No 266075):

a) OP #5457, low bids meeting specifications submitted by American Material Corporation in the amount of \$37,175 for gravel and Badger Mining Corporation in the amount of \$161,700 for silica sand for the Water Works; and

b) OP #5462, low bid of All Service Contracting Corporation in the amount of \$496,688.92 for furnishing and delivering all labor, materials, equipment and incidentals necessary to accomplish filter rehabilitation at the Columbia Heights Filtration Plant.

Your Committee further recommends that the proper City officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved July 31, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 1, 2000)

T&PW & W&M/Budget - Your Committee, having been informed of the special request of Mr. and Mrs. Copeland for sidewalk work on the Royalston Av N side of the Sharing and Caring Hands facility at 425 7th St N, now recommends passage of the accompanying resolution increasing the PW - Streets & Malls Capital Agency by \$13,000 to fund said improvements and to be reimbursed by special assessment.

Your Committee further recommends that the proper City officers be authorized to extend the contract with Standard Sidewalk, Inc. (District #1 contractor) by \$13,000.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-341

By Mead & Campbell

Amending The 2000 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 - Streets & Malls Capital Agency in the Permanent Improvement Projects Fund (4100-937-9390) by \$13,000 and increasing the revenue source (4100-937-9390 - Source 3650) by \$13,000.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration a report from the Public Works Transportation and Parking Services Division identifying operating policies for the municipal parking system based on the findings of the Chance Management Advisors operational overview report on the City's Municipal Parking System, now recommends:

a) Authorization for the Transportation and Parking Services Division to add one new Parking Systems Analyst position as identified in the 2000 budget;

b) Authorization for the Transportation and Parking Services Division to establish and fill one new Engineer III position.

Funding for both positions are available within the department budget.

Your Committee further recommends that the remainder of the policies and recommendations included in the report (Petn No 266074) be referred back to staff.

Mead moved to amend the report by adding the following language to the end of the final paragraph:

"and recommends that the Finance Director be added as a member of the evaluation team that reports back to the Transportation & Public Works Committee." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.
Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

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

T&PW & Z&P - Your Committee, having under consideration the Near Northside Master Plan, approved by Council action of March 24, 2000, and two unresolved issues relating to that plan, namely,

a. Alignment of the new boulevard between Glenwood Av and Highway I-394; and

b. Configuration of the super-block street system between the new development and the existing residential community to its west,

now concurs in the recommendation of the Planning Commission:

T&PW - to support the recommendation of the City Owned Land Work Group and adopt the central alignment boulevard corridor as a refinement of the Near Northside Master Plan.

Z&P - to support the recommendation of the City Owned Land Work Group and adopt the central alignment boulevard corridor as a refinement of the Near Northside Master Plan; and further, to support the Proposal by Affected Institutions for the super-block street system and adopt the proposal as a refinement of the Near Northside Master Plan. (Petn No 266076)

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

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

W&M/Budget - Your Committee, having under consideration the City's Contract Management Program, now recommends the following:

a) approval of the Roles and Responsibilities document for the Contract Management Program, a document which illustrates the duties of various work groups as a contract proceeds through the process;

b) approval of the staff direction to add to the Contract Management Program the requirement that department heads must sign all contracts to be monitored by their departments, in addition to other required signatures;

c) approval of the Procedures Manual, which relates to monitoring and evaluating contracts; and

d) approval to direct the Contract Administrator to conduct contract procedures training for City departments.

Your Committee further recommends that the Contract Management Redesign Project Report be received and filed.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that a lawsuit filed against the City be settled and be payable in two separate checks, payable from the Self Insurance Fund (6900-150-1500-8350), as follows:

- a) one check payable to Barbara J. Byrd, in the amount of \$6,666.67 (less deductions for state and federal income tax, FICA, and Medicare); and,
- b) one check payable to her attorney, Miller-O'Brien, in the amount of \$3,333.33.

Your Committee further recommends that the City Attorney be authorized to execute all settlement documents necessary to effectuate this full, final and complete settlement.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends settlement in the matter of Arnebeck vs. the City of Minneapolis, United States District Court File No. 98-2226 MJD/RLE, and Arnebeck vs. the City of Minneapolis, Workers' Compensation Court File No. 476-56-6845, in the amount of \$207,000, payable from the Self Insurance Fund (6900-150-1500-6750).

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment #1 to Master Agreement #14423 with Smith Parker law firm, to cover legal services beginning May 1, 2000, increasing the amount by \$75,000, for a new total not to exceed \$175,000, payable from the Attorney Agency in the Self Insurance Fund (6900-140-1440), pursuant to the City's legal services panel and Master Agreement Policy.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment #1 to Master Agreement #13954 with the Burstein, Hertogs and McFarland law firm, to cover legal services for a period from June 1, 2000 through May 30, 2002, increasing the amount by \$175,000, for a new total not to exceed \$275,000, payable from the Attorney Agency in the Self Insurance Fund (6900-140-1440), pursuant to the City's legal services panel and Master Agreement Policy.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Change Order #1 to Contract #14688 with Delta T. Construction Company, Inc., to repair fireproofing at existing columns in Exhibit Hall #1 of the Convention Center Expansion Project, increasing said contract by \$2,955, for a new contract total of \$561,138, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751).

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.
Approved July 31, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Published August 1, 2000)

W&M/Budget - Your Committee recommends acceptance of Section 108 Loan Guarantee funds from the United States Department of Housing and Urban Development, in the amount of \$610,000, for the Portland Place Housing Project.

Your Committee further recommends that the proper City officers be authorized to execute the Section 108 loan agreement and sub-recipient agreements necessary to implement said project.

Your Committee further recommends passage of the accompanying resolution increasing the Non-Departmental Agency Appropriation by \$610,000.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-342

By Campbell

Amending The 2000 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 Non-Departmental Agency in the CDBG/UDAG Fund (0400-123-1232) by \$610,000, and increasing the Non-Departmental Agency revenue estimate in the CDBG/UDAG Fund (0400-123-1232-Source 3210) by \$610,000.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to pay the Macro Group for development of the adult criminal justice integrated data system, the JNet System, which is being designed to assist professionals working with troubled or at-risk youth by providing background information in one location and by also providing phone and e-mail information relating to other professionals in the field, in the amount of \$542,220, payable from the Police Department Agency in the Federal Grants Fund (0300-400-C011), for reimbursement by Hennepin County Criminal Justice Coordinating Committee (CJCC), utilizing funds from the Juvenile Accountability Incentive Block Grant.

Your Committee further recommends waiving the normal procedure requiring sign-off by the Director of Information and Technology Services.

Your Committee further recommends passage of the accompanying resolution increasing the Police Department Agency by \$542,220.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-343

By Campbell

Amending The 2000 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 Federal Grants Fund (0300-400-C011) by \$542,220, and increasing the Police Department Agency revenue estimate in the Federal Grants Fund (0300-400-C011-Source 3210) by \$542,220.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends acceptance of the low bid received on OP #5443 (Petn No 266088), submitted by Hirte Transfer and Storage, for an estimated annual expenditure of \$22,260 for transportation and delivery of voting machines and related equipment for elections, as required through December 31, 2000, all in accordance with City specifications.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service, with the understanding that the City shall have the sole option to extend the contract for an additional two years (in one-year increments), for a period to expire December 31, 2002, and that the City reserves the right to increase and/or decrease quantities of election equipment to be transported, based upon voter projections.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with Hennepin County to provide funds to the City, in the amount of \$271,975, of which \$179,700 is the City's share of Year 2000, Phase 2, McKnight funds and \$92,275 is the City's share of Minnesota Family Investment Plan (MFIP) funds.

Your Committee further recommends passage of the accompanying resolution increasing the Health and Family Support Agency by \$61,515, which is the amount that has not been appropriated by Council action.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-344

By Campbell

Amending The 2000 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health and Family Support Agency in the Grants - Other Fund (0600-860-8605) by \$61,515 and increasing the Health and Family Support Agency revenue estimate in the Grants - Other Fund (0600-860-8605-Source 3220) by \$61,515.

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000. J. Cherryhomes, President of Council.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends acceptance of a grant award, in the amount of \$1,000,000, for the Healthy Start Initiative on Eliminating Racial/Ethnic Disparities in Perinatal Health, in order to continue to target disparities in infant mortality rates of African American and American Indian communities of Minneapolis and St. Paul, in collaboration with Hennepin County, St. Paul-Ramsey County Department of Health, Minnesota Visiting Nurses Agency (MVNA), Way to Grow, Neighborhood Health Care Network and other partners from targeted communities.

Your Committee further recommends passage of the accompanying resolution increasing the Health and Family Support Agency by \$1,000,000.

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-345
By Campbell

Amending The 2000 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health and Family Support Agency in the Federal Grants Fund (0300-860-8624) by \$1,000,000, and increasing the Health and Family Support Agency revenue estimate in the Federal Grants Fund (0300-860-8624-Source 3210) by \$1,000,000.

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000. J. Cherryhomes, President of Council.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the Department of Health and Family Support be granted approval to start Robin Larson at Step 6 of the Registered Professional Nurse salary schedule, to be payable from the Health and Family Support Agency in the General Fund (0100-860-8622).

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the City Assessor's Office be granted approval to start Scott Lindquist at Step 5 of the Supervisor, Real Estate salary schedule, to be payable from the Assessor Agency in the General Fund (0100-100-1000).

Adopted. Yeas, 12; Nays none.
Absent - Thurber.
Passed July 28, 2000.
Approved August 3, 2000. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with Damon Farber Associates, Inc., to provide design services supporting the Central Avenue Crime Prevention Through Environmental Design Improvements Project, utilizing Metropolitan Council Livable Communities Grant funds, in an amount not to exceed \$49,750, payable from the Non-Departmental Agency in the Grants - Other Fund (0600-123-1232).

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee, having under consideration net proceeds from the sale of City-owned properties located at 2933 Lyndale Avenue S, 2937 Lyndale Avenue S, and a portion of 600 W Lake St., and having considered the capture of said net proceeds to the Parking Fund (7500-9464), as repayment for the loan granted to acquire the properties and to complete construction of the Lyn-Lake Municipal Parking Lots, now recommends that the matter of the capture of said net proceeds be sent forward without recommendation.

Niland moved a substitute motion that the report be amended by deleting the language, "the matter of the capture of said net proceeds be sent forward without recommendation," and inserting in lieu thereof the language, "the proceeds of the sale of 2933 and 2937 Lyndale Avenue S be captured by the Parking Fund and that the proceeds from the sale of 600 W Lake St be used to hold down the assessments of property owners assessed for the Lyn-Lake Municipal Parking Lots." Seconded.

Niland's motion to substitute was adopted.

Yeas, 7; Nays 5, as follows:

Yeas - Biernat, Niland, Goodman, McDonald, Lane, Herron, Johnson.

Nays - Colvin Roy, Mead, Ostrow, Campbell, Cherryhomes.

Absent - Thurber.

Niland's substitute motion was adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 7; Nays 5, as follows:

Yeas - Biernat, Niland, Goodman, McDonald, Lane, Herron, Johnson.

Nays - Colvin Roy, Mead, Ostrow, Campbell, Cherryhomes.

Absent - Thurber.

Passed July 28, 2000.

NOT APPROVED BY THE MAYOR

Attest: M. Keefe, City Clerk.

CITY OF MINNEAPOLIS
CERTIFICATION

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss
CITY OF MINNEAPOLIS)

I, STEVEN J. RISTUBEN, Assistant City Clerk of the City of Minneapolis, County of Hennepin, State of Minnesota, do hereby certify that a report of the Ways & Means/Budget Committee relating to a land sale of properties at 2933 and 2937 Lyndale Avenue South and a portion of 600 West Lake Street, as acted upon by the City Council of Minneapolis, Minnesota, and designated as "Not Approved by the Mayor", for her approval and signature as such Mayor; that Mayor Sayles Belton did not thereafter, within five days, Sundays excepted, approve or sign such action within the time specified.

Therefore, in accordance with the provisions of Chapter 3, Section 1, of the City Charter, said action has become and is valid, and I hereby certify that it has the same force and effect as if approved by said Mayor.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, this 4th day of August, 2000.

STEVEN J. RISTUBEN, Assistant City Clerk.

W&M/Budget - Your Committee recommends approval of the labor agreement settlement with the International Alliance of Theatrical Stage Employees and Motion Picture Machine Operators, Local Union #13, AFL-CIO, as more fully set forth in Petn No 266090, which summarizes the major proposed terms of said agreement.

Your Committee further recommends that the proper City officers be authorized to execute a three-year contract to reflect the terms of said agreement, effective January 1, 2000 through December 31, 2002.

Your Committee further recommends passage of the accompanying amendments to the Salary Ordinance, providing for implementation of salary adjustments, as set forth in said labor agreement settlement.

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

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2000-Or-078, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel, reflecting the terms of the labor agreement settlement with the International Alliance of Theatrical Stage Employees and Motion Picture Machine Operators, Local Union #13, AFL-CIO, was passed July 28, 2000 by the City Council and approved August 3, 2000 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

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

ORDINANCE 2000-Or-078

By Campbell

1st & 2nd Readings: 7/28/2000

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

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

20.10.01 Council Jurisdiction: The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of January 1, 2000, January 1, 2001, and January 1, 2002, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

The rates stated herein shall be the Hourly rates unless stated otherwise.

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2000:

International Alliance of Theatrical Stage Employees
(IATSE), Local Union No. 13 Effective January 1, 2000

Group 1: Permanent Employees

FLSA	OTC	CODE	CLASSIFICATION	P	*Optional 6-Month Rate	Hourly Rate
N	2	08310C	Production Technician - Permanent	H	17.41	19.34
		Premium	Rigger Rate** (Total Hourly rate= \$27.55)	H	8.21	8.21

** Rate for heavy rigging as defined in the Labor Agreement.

*Provided that the Optional 6 month rate shall only be used for employees who elect Optional Health Care coverage, which provides City-paid Health insurance the first of the month following 30 days of employment.

Provided that a \$1.50 per hour shift differential be paid for shifts which start between the hours of 5:00 p.m. and 4:00 a.m.

Provided further that a \$.75 per hour shift differential be paid for shifts which start between the hours of 5:00 a.m. and 6:00 a.m. or between the hours of 4:00 p.m. and 5:00 p.m.

Provided that employees designated by the Employer as a leadworker shall be paid a premium of one dollar (\$1.00) for each hour worked as a leadworker.

Provided that employees shall receive the following longevity.

These payments shall be based on a maximum of 80 hours bi-weekly.

\$.09 cents per hour additional at the beginning of the 10th year of service.

\$.20 cents per hour additional at the beginning of the 15th year of service.

\$.25 cents per hour additional at the beginning of the 20th year of service.

\$.46 cents per hour additional at the beginning of the 25th year of service.

Group 2: Temporary Employees

FLSA	OTC	CODE	CLASSIFICATION	P	Hourly Rate	(Total Hourly Rate)
N	2	09300C	Stagehand (Temporary) General Work	H	16.98	16.98
		Premium	Stagehand (Temporary) Performance (1)	H	1.16	18.14
		Premium	Stagehand (Temporary) Performance (2)	H	4.25	21.23
		Premium	Rigger Rate (Temporary)**	H	10.57	27.55

** Rate for heavy rigging as defined in the Labor Agreement.

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2001:

International Alliance of Theatrical Stage Employees
(IATSE), Local Union No. 13 Effective January 1, 2001

Group 1: Permanent Employees

FLSA	OTC	CODE	CLASSIFICATION	P	*Optional 6-Month Rate	Hourly Rate
N	2	08310C	Production Technician - Permanent	H	17.94	19.93
		Premium	Rigger Rate** (Total Hourly rate=\$28.38)	H	8.45	8.45

** Rate for heavy rigging as defined in the Labor Agreement.

*Provided that the Optional 6 month rate shall only be used for employees who elect Optional Health Care coverage, which provides City-paid Health insurance the first of the month following 30 days of employment.

Provided that a \$1.50 per hour shift differential be paid for shifts which start between the hours of 5:00 p.m. and 4:00 a.m.

Provided further that a \$.75 per hour shift differential be paid for shifts which start between the hours of 5:00 a.m. and 6:00 a.m. or between the hours of 4:00 p.m. and 5:00 p.m.

Provided that employees designated by the Employer as a leadworker shall be paid a premium of one dollar (\$1.00) for each hour worked as a leadworker.

Provided that employees shall receive the following longevity.

These payments shall be based on a maximum of 80 hours bi-weekly.

\$.09 cents per hour additional at the beginning of the 10th year of service.

\$.21 cents per hour additional at the beginning of the 15th year of service.

\$.26 cents per hour additional at the beginning of the 20th year of service.

\$.47 cents per hour additional at the beginning of the 25th year of service.

Group 2: Temporary Employees

FLSA	OTC	CODE	CLASSIFICATION	P	Hourly Rate	(Total Hourly Rate)
N	2	09300C	Stagehand (Temporary) General Work	H	17.49	17.49
		Premium	Stagehand (Temporary) Performance (1)	H	1.19	18.68
		Premium	Stagehand (Temporary) Performance (2)	H	4.38	21.87
		Premium	Rigger Rate (Temporary)**	H	10.89	28.38

** Rate for heavy rigging as defined in the Labor Agreement.

Section 3. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2002:

International Alliance of Theatrical Stage Employees
(IATSE), Local Union No. 13 Effective January 1, 2002

Group 1: Permanent Employees

FLSA	OTC	CODE	CLASSIFICATION	P	*Optional 6- Month Rate	Hourly Rate
N	2	08310C	Production Technician - Permanent	H	18.47	20.52
		Premium	Rigger Rate** (Total Hourly rate=\$29.22)	H	8.70	8.70

** Rate for heavy rigging as defined in the Labor Agreement.

*Provided that the Optional 6 month rate shall only be used for employees who elect Optional Health Care coverage, which provides City-paid Health insurance the first of the month following 30 days of employment.

Provided that a \$1.50 per hour shift differential be paid for shifts which start between the hours of 5:00 p.m. and 4:00 a.m.

Provided further that a \$.75 per hour shift differential be paid for shifts which start between the hours of 5:00 a.m. and 6:00 a.m. or between the hours of 4:00 p.m. and 5:00 p.m.

Provided that employees designated by the Employer as a leadworker shall be paid a premium of one dollar (\$1.00) for each hour worked as a leadworker.

Provided that employees shall receive the following longevity.

These payments shall be based on a maximum of 80 hours bi-weekly.

\$.09 cents per hour additional at the beginning of the 10th year of service.

\$.22 cents per hour additional at the beginning of the 15th year of service.

\$.27 cents per hour additional at the beginning of the 20th year of service.

\$.48 cents per hour additional at the beginning of the 25th year of service.

Group 2: Temporary Employees

FLSA	OTC	CODE	CLASSIFICATION	P	Hourly Rate	(Total Hourly Rate)
N	2	09300C	Stagehand (Temporary) General Work	H	18.01	18.01
		Premium	Stagehand (Temporary) Performance (1)	H	1.23	19.24
		Premium	Stagehand (Temporary) Performance (2)	H	4.51	22.52
		Premium	Rigger Rate (Temporary)**	H	11.21	29.22

** Rate for heavy rigging as defined in the Labor Agreement.

Adopted. Yeas, 12; Nays none

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee, having under consideration the petition of the Minneapolis Community Development Agency (Vac #1324) to vacate part of Ramsey St NE between 13th Av NE and Broadway St NE to permit additional parking for the Grain Belt development, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 266095 and to grant said vacation, subject to retention of easement rights by the Burlington Northern and Santa Fe Railway Company.

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

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2000R-346, entitled "Vacating Ramsey Street Northeast between 13th Avenue Northeast and Broadway Street Northeast. (Vac #1324)" was passed July 28, 2000 by the City Council and approved August 3, 2000 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2000R-346

By McDonald

Vacating Ramsey Street Northeast between 13th Avenue Northeast and Broadway Street Northeast. (Vac #1324)

Resolved by The City Council of The City of Minneapolis:

That all that part of Ramsey Street dedicated as Pembina Street in the plat of Orth's Addition to the Town of St. Anthony, according to the recorded plat thereof, Hennepin County, Minnesota which lies between the southeasterly right of way line of 13th Avenue Northeast and the Northerly right of way line of Broadway Street Northeast is hereby vacated except that such vacation shall not affect the existing easement right and authority of Burlington Northern and Santa Fe Railway Company, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to Burlington Northern and Santa Fe Railway Company: The westerly one half of that part of Ramsey Street dedicated as Pembina Street in the plat of Orth's Addition to the Town of St. Anthony, according to the recorded plat thereof, Hennepin County, Minnesota which lies between the southeasterly right of way line of 13th Avenue Northeast and the Northerly right of way line of Broadway Street Northeast;

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities, and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the corporations having utility facilities located within the area involved authorizing them to do so.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of Gary and Judy Nelson from the

decision of the Board of Adjustment denying a variation of the required north interior side yard and rear (west) yard setbacks from 6 ft to 1 ft to permit an attached garage 1 ft from the side and rear lot lines at 5316 Vincent Av S (V-0227), and having conducted a public hearing thereon, now recommends that the appeal be denied and the decision of the Board of Adjustment be upheld. (Petr No 266094)

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z & P - Your Committee, having under consideration the application of Spohn's Action Auto Systems, Inc for a waiver from Interim Ordinance 99-Or-016, providing for a moratorium prohibiting the establishment or expansion of commercial parking lots and auto-oriented uses in the areas bounded by a 1/2 mile radius around each station-site, and prohibiting the establishment or expansion of commercial parking lots and auto-oriented uses as well as the siting of new or expanded commercial and industrial construction in the areas bounded by a 1/4 mile radius around each station-site, at the intersection of the Soo Line right-of-way and 16th Av, Soo Line right-of-way and Franklin Av, Hiawatha Av and Lake St, Hiawatha Av and 38th St, Hiawatha Av and 46th St, and Hiawatha Av and 50th St, passed January 22, 1999 and extended by Ordinance 2000-Or-004, passed January 27, 2000, to permit expansion and remodeling of an existing minor auto repair garage at 2328 E 38th St (Petr No 266097); and having conducted a public hearing thereon, now forwards without recommendation.

McDonald moved that the following report be substituted for the above report. Seconded.

Adopted upon a voice vote. Ostrow, at his request, recorded as voting "No".

Z & P - Your Committee, having under consideration the application of Spohn's Action Auto Systems, Inc for a waiver from Interim Ordinance 99-Or-016, providing for a moratorium prohibiting the establishment or expansion of commercial parking lots and auto-oriented uses in the areas bounded by a 1/2 mile radius around each station-site, and prohibiting the establishment or expansion of commercial parking lots and auto-oriented uses as well as the siting of new or expanded commercial and industrial construction in the areas bounded by a 1/4 mile radius around each station-site, at the intersection of the Soo Line right-of-way and 16th Av, Soo Line right-of-way and Franklin Av, Hiawatha Av and Lake St, Hiawatha Av and 38th St, Hiawatha Av and 46th St, and Hiawatha Av and 50th St, passed January 22, 1999 and extended by Ordinance 2000-Or-004, passed January 27, 2000, to permit expansion and remodeling of an existing minor auto repair garage at 2328 E 38th St (Petr No 266097); and having conducted a public hearing thereon, now recommends that the waiver be granted; and further recommends adoption of the Findings of Fact prepared by the City Attorney's Office, on file in the Office of the City Clerk and made a part of this report by reference.

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

Yeas - Biernat, Niland, Goodman, Colvin Roy, McDonald, Mead, Lane, Herron, Johnson, Campbell, Cherryhomes.

Nays - Ostrow.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z & P - Your Committee, having under consideration the application of Booker T Daniel and Bertram A Breuer for a waiver from Interim Ordinance 99-Or-016, providing for a moratorium prohibiting the establishment or expansion of commercial parking lots and auto-oriented uses in the areas bounded by a 1/2 mile radius around each station-site, and prohibiting the establishment or expansion of commercial parking lots and auto-oriented uses as well as the siting of new or expanded commercial and industrial construction in the areas bounded by a 1/4 mile radius around each station-site, at the intersection of the Soo Line right-of-way and 16th Av, Soo Line right-of-way and Franklin Av, Hiawatha Av and Lake St, Hiawatha Av and 38th St, Hiawatha Av and 46th St, and Hiawatha Av and 50th St, passed January 22,

1999 and extended by Ordinance 2000-Or-004, passed January 27, 2000, to operate auto repair businesses at 3662 Minnehaha Av; and having conducted a public hearing thereon, now recommends that the findings prepared by the Planning Department staff and set forth in Petn No 266097 be adopted and said waiver be granted.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of Mary M Jensen from the decision of the Board of Adjustment granting to the Church of St Thomas the Apostle a variance to permit 6 parking stalls between the principal structure (parish house) and the street on the western end of the lot at 2914 W 44th St and a variance of the required front yard from 20 ft to 0 ft to permit reconstruction and expansion of the existing parking lot on the eastern end of the lot (V-0216), and having conducted a public hearing thereon, now recommends that the appeal be denied and the decision of the Board of Adjustment be upheld. (Petn No 266094)

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of Julius De Roma from the decision of the Board of Adjustment granting variation of the maximum permitted garage height at 3020 Garfield Av S from 12 ft to 14 ft rather than the 15 ft 9 in requested, and denying variation of the front yard along Garfield Av from the required 20 ft to zero ft to allow the existing parking space to remain and denying the location requirements for on-site parking, also to allow the existing parking space to remain (V-0236); and having conducted a public hearing thereon, now recommends granting the variation of garage height from 12 ft to 15 ft 9 in, with the gable above the garage door, notwithstanding the decision of the Board of Adjustment; and further recommends denying the appeal for variations relating to the existing parking space, in accordance with the Findings of Fact prepared by the City Attorney, on file in the Office of the City Clerk, and made a part of this report by reference. (Petn No 266094)

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of Larry Etkin from the decision of the Board of Adjustment approving a setback variation of the required front yard facing W 34th St from 20 ft to 5 ft, rather than the 0 ft requested, to permit an attached garage at 3400 Pleasant Av S, (V-0213), and having conducted a public hearing thereon, now recommends that the appeal be granted notwithstanding the decision of the Board of Adjustment. (Petn No 266094)

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of Scott Hoelscher of Loucks Associates on behalf of Sprint Spectrum from the decision of the Planning Commission denying an application for a conditional use permit to construct a 65 foot telecommunications tower with equipment located near the base of the tower at 501 Huron Boulevard (CU-130), and having conducted a public

hearing thereon, now forwards without recommendation. (Petn No 266095)

Campbell moved that the report be amended by deleting the phrase "now forwards without recommendation" and inserting in lieu thereof the following language:

"now recommends that the appeal be granted and that a conditional use permit be granted upon the following conditions:

1. The Planning Department shall approve the final site and landscaping plans before building permits are issued.

2. The height of the tower, including the antennas, shall not exceed 67 feet.

3. The tower shall be painted a light gray to blend in more with the surrounding area.

4. All work shall be completed by March 15, 2001, or the permit may be revoked for non-compliance.

5. The parties will continue to pursue a co-location option and if successful will use that option.

Your Committee further recommends adoption of the Findings of Fact prepared by the City Attorney, on file in the Office of the City Clerk, and made a part of this report by reference." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends granting the following applications for special permits, notwithstanding the Zoning Code:

a. Robert Scherer on behalf of Robert Scherer Buetow & Associates: Application to allow freestanding pole sign, 4 ft x 4 ft, and a 5.5 sq ft addition to the allowable wall signage to permit an ice cream cone sign at 702-704 Washington Av SE (2000-112);

b. Timothy J Leach: Application to repair and bring up to code an existing deck on front porch at 2528 E 22nd St, on condition that applicant obtain approval of a variance for a 1 ft encroachment into the front yard (2000-126); and

c. Kimberley A Lueck: Application to begin construction on 18 inch bay bump-out on the west side of the property at 3001 E Franklin Av, on condition that applicant obtain approval of a variance and that non-conforming issue is resolved (2000-133).

Adopted. Yeas, 11; Nays none.

Declining to Vote - Lane.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration Council action of June 23, 2000 granting the appeal of LSA Design to condition approval for variation of parking spaces for the Lagoon Theater (Theater), 1320 Lagoon Av, and the Junior League, 2901 Hennepin Av, upon the Uptown Transit Station receiving a certificate of occupancy, now recommends that the conditions of approval for granting the variance of off-street parking spaces for the Theater (V-4504) from 228 spaces to 171 spaces be amended as follows:

1. The number of seats in the Theater shall not exceed 806. Fifty-three seats were installed in excess of the number of seats approved as part of the original Transportation Management Plan (TMP). The Theater was approved for 806 seats but 859 were installed. The Theater shall provide the required 171 parking spaces exclusive of any parking spaces dedicated to other uses through covenants or leases.

2. That staff be directed to amend the TMP to correct discrepancies related to parking for both the

Theater and the reconfigured site plan, and that the amended TMP be passed administratively.

3. That the appeal of LSA Design be granted. Accordingly, the off-street parking variance for the Lagoon Theater shall become invalid if permits are not obtained for construction of the Uptown Transit Station within 2 years.

4. That the above conditions replace all conditions previously approved by the City Planning Commission, the Zoning & Planning Committee and the City Council related to variance V-4504.

Your Committee further recommends that the conditions of approval for granting the variance of off-street parking spaces for the Junior League (V-4510) from 19 spaces to 9 spaces be amended as follows:

5. The variance is subject to approval of an amended TMP.

6. That the appeal of LSA Design be granted. Accordingly, the off-street parking variance for the Junior League shall become invalid if permits are not obtained for construction of the Uptown Transit Station within 2 years.

7. That the above conditions replace all conditions previously approved by the City Planning Commission, Zoning & Planning Committee and City Council related to the variance V-4510. (Petn No 266096)

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

MOTIONS

Biernat moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Jordan New Life Community Church for a residential block event to be held July 22, 2000, between the hours of 10:00 a.m. and 4:00 p.m. on an alley between 25th and 26th Avenue North from Newton to Morgan Avenues North, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Johnson moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Roberta Englund for a residential block event to be held Saturday, July 22, 2000, between the hours of 3:00 and 9:00 p.m. on Newton Avenue North between 34th & 35th Avenues, having approval granted by the Public Works department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

McDonald moved that Council action relating to rezoning property to permit the Shingle Creek Commons Project passed July 14, 2000, be amended by deleting the address "4617 Humboldt Av N" in both the Zoning & Planning Committee report and Ordinance 2000-Or-070 and inserting in lieu thereof the address "4614 Humboldt Av N". Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Cherryhomes introduced the subject matter of an Ordinance amending Title 21 of the Minneapolis Code of Ordinances to add an Interim Ordinance, Chapter 577, establishing a moratorium prohibiting the establishment or expansion of any use or development in the Bassett Creek Valley study area, which was given its first reading and referred to the Zoning & Planning Committee.

Herron moved to grant the application of Russell A. Gregg for a special permit, notwithstanding the Zoning Code, to begin renovations of the facilities at 3015 13th Avenue South subject to the applicant applying for a Conditional Use Permit. The applicant may pull building permits but must undo work if the Conditional Use Permit is denied, including demolition of the renovation. (#2000-140) Seconded.

Adopted. Yeas, 10; Nays none.

Declining to Vote - Lane, Ostrow.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

UNFINISHED BUSINESS

Tires for Less (3011 3rd Av S): Revoke Motor Vehicle Repair Garage License, due to non-compliance with site plan and conditional use permits. (Postponed 12/17/99, PS&RS)

Herron moved to continue postponement. Seconded.

Adopted upon a voice vote.

Fire Department Reorganization: Passage of Ordinance amending Title 9, Chapter 173 relating to Fire and Police Protection: Fire, to accommodate reorganization of personnel. (Postponed 6/23/2000, PS&RS)

Biernat moved to continue postponement. Seconded.

Adopted upon a voice vote.

Airbourne Service Center (2601 Central Av NE): Revoke Motor Vehicle Repair Garage License for failure to complete site plan review process (Postponed 7/14/2000, PS&RS)

McDonald moved to continue postponement. Seconded.

Adopted upon a voice vote.

Hunt Gregory (13 2nd St NE): Passage of Resolution vacating alley between University Av & 2nd St NE to permit mixed use development; Authorize summary publication. (9 votes) (Postponed 7/14/2000, Z&P)

Z&P - Your Committee, having under consideration the petition of Hunt Gregory (V-1312) to vacate the alley bounded by University Av and 2nd St NE to allow a planned unit development, now recommends passage of the accompanying resolution vacating said alley, and summary publication of said resolution. (Petn No. 266006)

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-347
By McDonald

Vacating part of the alley bounded by University Avenue NE, 2nd Street NE, Hennepin Avenue & 1st Avenue (Vacation File No. 1312)

Resolved by The City Council of The City of Minneapolis:

That all that part of the particular alley easement recorded in Document No. 1614369 which lies within Lot 2, Block 40, St. Anthony Falls, according to the plat thereof on file or of record in the office of the County Recorder in and for Hennepin County is hereby vacated except that such vacation shall not affect the existing easement right and authority of US West and NSP, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to NSP: All of the portion of the alley to be vacated.

As to US West: All of the portion of the alley to be vacated.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the corporations having utility facilities located within the area involved authorizing them to do so.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Passed July 28, 2000. J. Cherryhomes, President of Council.

Approved August 3, 2000. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

CONSIDERATION OF MAYOR'S VETO

Mayor Sayles Belton returning with her veto the report of the Transportation & Public Works and Ways & Means/Budget Committees relating to Logistical Support for the Upcoming International Society for Animal Genetics Convention, and stating her objections thereto.

Mead moved to delete the Mayor's veto action from the agenda. Seconded.

Adopted upon a voice vote.

NEW BUSINESS

Biernat offered an Ordinance amending Title 10, Chapter 188 of the Minneapolis Code of Ordinances relating to Food and Food Handlers: Establishments Generally, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (Providing technical amendments to update referenced section numbers).

Notice of Council consideration at the August 11, 2000, City Council meeting of a proposed amendment to the Rules of the City Council changing the time of the regular Committee of the Whole meetings.

Campbell moved to adjourn. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Thurber.

Adjourned.

MERRY KEEFE,
Created 8/1/2000; City Clerk.
Modified 8/3/2000