

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF

### JULY 27, 2001

(Published August 4, 2001,  
in *Finance and Commerce*)

Room 132, City Hall.  
250 South 5<sup>th</sup> Street  
Minneapolis, Minnesota  
July 27, 2001 - 9:30 a.m.

Council President Cherryhomes in the Chair.

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

Absent - Niland.

Campbell moved acceptance of the minutes of the regular meeting of July 13, 2001. Seconded. Adopted upon a voice vote.

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

Adopted upon a voice vote.

## PETITIONS AND COMMUNICATIONS

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267112)

Allina Health Systems: Resolution approving Amendment No 1 to revenue bond loan agreement to permit project completion & payment costs for an additional two years.

COUNCIL MEMBER MEAD (267113)

Restart, Inc: Request for City support & endorsement for their application to Hennepin County for Housing Incentive Funds for rehabilitation of residential facilities at 614-8th St E, 4317 Elliot Ave S, 4525 Aldrich Ave S & 4654 Minnehaha Ave S.

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267114)

Commercial Corridors Program: Allocation of \$7,000 for administrative expenses related to rear facade component of Central Avenue Crime Prevention Through Environmental Design Demonstration Project; appropriation increase request.

School Site Project: Allocation of \$300,000 from Affordable Housing Set-Aside for demonstration project to identify affordable, high-quality rental options for low-income families near community schools appropriation increase request.

Near Northside Redevelopment Project: Authorize Cooperative Agreement with Mpls Public Housing Authority to allow payments in lieu of taxes for public housing units in Phase I.

GRANTS AND SPECIAL PROJECTS (267115)

Urban Ventures Leadership Foundation: Authorize Amendment No 1 to Development Agreement for the Kitchen Incubator Project, implementing Metropolitan Council Livable Communities funding.

Metropolitan Council Livable Communities Demonstration Account "Opportunity Grants": Authorize City endorsement on behalf of Mpls community-based organizations & projects.

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

HEALTH AND FAMILY SUPPORT SERVICES (267116)

Public Health Advisory Committee: Approve appointment of Billani Killoren as representative of constituency previously served by Minneapolis Advisory Committee on Drug and Alcohol Problems for term to expire December 31, 2002.

Marketing and Media Consulting Services: Amend contract with Parenteau Graves Communications to add \$40,000 for medial campaigns, promotion of department research and policy activities and assistance with community forums.

Minneapolis Public Schools: Amend Master contract with Special School District #1 to extend date through March 31, 2002 to complete existing services.

HEALTH AND FAMILY SUPPORT SERVICES (267117)

Twin Cities Healthy Start Project: Execute contract with Hennepin County, through its Pilot City Health Center, for provision of Year III services.

Twin Cities Healthy Start Project: Issue amended Fund Availability Notices and execute amendments to contracts with various agencies to extend termination dates from June 30, 2001 to September 30, 2001 to carry over Year II funding to complete previously approved projects.

Public Health Laboratory: Execute Affiliation Agreement with University of Minnesota to provide clinical education experiences in lab for medical technology students.

HEALTH AND FAMILY SUPPORT SERVICES (267118)

Youth Offenders Demonstration Project: Issue amended Fund Availability Notice to Resource Inc, through the Employment Action Center, for continuation of services to enhance the existing education, training and employment services offered to youth ages 14 to 24 who are at risk of becoming or currently are youth offenders and/or gang members.

Customized Work Initiative: Issue amended Fund Availability Notices to Resource Inc and Hmong American Mutual Assistance Association for additional training and placement of residents of the Enterprise community.

MAYOR (267119)

Latino Advisory Committee: Approve appointment of David Perez to fill the unexpired term of Jorge Saaverda for a term expiring December 31, 2001.

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

HEALTH AND FAMILY SUPPORT SERVICES (267120)

Summer Youth Employment & Training Program Educational Component C.L.A.S.S.: Accept up to \$165,750 and execute contract with Special School District #1 to support youth participants in need of passing basic skills tests.

LICENSES AND CONSUMER SERVICES (267120.1)

Lead Hazard Reduction Grant Program: Execute agreement with Sustainable Resources Center for education and outreach services and coordination of Comprehensive Lead Plan.

**INTERGOVERNMENTAL RELATIONS (See Rep):**

REGULATORY SERVICES, ENVIRONMENTAL MANAGEMENT (267121)

St Anthony Falls Hydroelectric Project Relicensing: Approve joint proposal letter from City, Park Board, Mississippi Whitewater Park Development Corporation & Minnesota Department of Natural Resources to Northern States Power/Xcel Energy setting forth desired recreational mitigation measures & authorize City Attorney to file for intervenor status in the relicensing process before Federal Energy Regulatory Commission.

**PUBLIC SAFETY AND REGULATORY SERVICES:**

LICENSES AND CONSUMER SERVICES (267122)

Safari Restaurant (1424 Nicollet Av): Consider action with respect to Restaurant License for failure to complete site plan review process.

Equatore Cafe (2835 Nicollet Av): Consider action with respect to Restaurant License for failure to complete site plan review process.

**PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET:**

LICENSES AND CONSUMER SERVICES (267123)

Food Borne Illness Prevention: Request to submit grant application to United States Public Health Service seeking \$50,000 to train community-based health workers.

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

CIVILIAN POLICE REVIEW AUTHORITY (267124)

Civilian Police Review Authority: Approve City Council reappointment of Mark Matthews for term to expire June 30, 2005.

INSPECTIONS DEPARTMENT (267125)

Housing Board of Appeals: Approve reappointments of public board members for terms to expire December 31, 2002.

LICENSES AND CONSUMER SERVICES (267126)

Licenses: Applications.

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

POLICE DEPARTMENT (267127)

Byrne Grant: Authorize apply for and accept up to \$360,000 of grant funds distributed through Minnesota Department of Public Safety, Office of Drug Policy and Prevention, for overtime, training and equipment associated with combating cocaine, crack and methamphetamine sales and production within Minneapolis.

Prevention and Intervention Initiative: Authorize apply for four grants from Minnesota Department of Human Services seeking funding for Police Department activities--Outreach Project for Latinos at Fifth Precinct; Police Somali Community Outreach Initiative at Downtown Command; Programs at Franklin Avenue Safety Center; and translation of safety and crime prevention materials.

POLICE DEPARTMENT (267128)

Youth Access to and Consumption of Alcohol: Accept \$79,016 grant and execute grant agreement with State of Minnesota, Department of Public Safety, to increase number of alcohol compliance checks, provide chemical health training to Minneapolis Peer educators, and update the Protect Your Business retailer manual, and Approve appropriation.

Bomb Squad Services: Extend contract with State of Minnesota for additional 90 days to enable the State to utilize bomb squad services, and for Police Department to accept additional reimbursement for services.

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

PLANNING COMMISSION/DEPARTMENT (267129)

MSP International Airport, Part 150 Program Update: Summary of insulation package options.

Light Rail Transit - Downtown East Station: Preliminary design.

PUBLIC WORKS AND ENGINEERING (267130)

Skyway Connection: Consent to request of Sheldon Rockler to build a connection to the Young Quinlan skyway (crossing Nicollet Mall between 9th and 10th Sts).

Alley Paving Project (1500, California to Grand St NE): Receive cost estimate and set public hearing.

Special Boulevard Permit: Pave boulevard at 2901 27th Av S.

Edina Service Connection (5330 France Av S): Request of City of Edina and property owner to connect to City water service.

Light Rail Transit - Nicollet Mall Station: Options for platform location in preparation for utility work.

Central Corridor Transit Project: Update on planning process and recommended City comments on preferred alignment.

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

**PUBLIC WORKS AND ENGINEERING (267131)**

Alley Resurfacing/Alley Retaining Wall Projects: 2500 block (Central Av NE to Polk St NE); 2500 block (Central Av NE to Jackson St NE); 2700 block (Pierce St NE - Fillmore St NE); Alley Retaining Wall Projects: 4200 block (Bryant Av N - Colfax Av N); 3100 block (Ulysses St NE - Johnson St NE); 5000 block (Penn Av S - Queen Av S); 2700 block (Pierce St NE - Fillmore St NE); 2400 block (Pillsbury Av to Pleasant Av ); 5700 block (28th Av S to 27th Av S); Authorize City Engineer to proceed with the projects, adopt special assessments, and request the Board of Estimate & Taxation to issue & sell bonds.

Chicago Av Streetscape Improvements (46th to 49th St): Accept NRP funds from Field Regina Northrup Neighborhood.

Downtown Transportation Management Organization: Grant agreement with MnDOT to receive funds to continue organization.

Phillips Neighborhood Traffic Calming: Install speed humps on Columbus and Oakland Av S (26th to 28th) to be funded by Allina/Phillips Partnership.

Priority Vehicle Control System: Agreement with MnDOT to receive funds for signal modifications.

**PUBLIC WORKS AND ENGINEERING (267132)**

Sidewalk Construction: Authorize installation of sidewalks on boulevards at 329 MetroTransit bus stops and Acorn Mini Storage (2547 5th St SE) and increase contracts with Standard Sidewalk and Gunderson Brothers to allow additional work.

**PURCHASING (267133)**

Bids: Accept a) OP #5600, low bid of Progressive Contractors for asphalt profiler and roto milling machines/operators; b) OP #5666, low bids of Crane Carrier Company and MacQueen Equipment, Inc. for refuse and recycling equipment; c) OP #5665, low bid of Lametti & Sons for steel casing pipe; d) OP #5668, bid of Northwest Pipe for 36" water main pipe.

**WAYS AND MEANS BUDGET:**

**COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267134)**

Analysis of MCDA Finances: Status Report.

**FINANCE DEPARTMENT (267135)**

Semiannual Assessment of Workers' Compensation Indemnity Payments: Receive & File report relating to release of semiannual assessment to the MN Department of Labor & Industry for the Workers' Compensation, Special Compensation Fund.

Travel Expenses: Receive & File Second Quarter 2001 Report.

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

**ATTORNEY (267136)**

Reimbursement of Legal Fees: Approve request of Officers Matthew Blade, Hien Dinh, Valerie Gologowski, Lupe Herrera and Steve Manhood.

Victim/Witness Liaison Services: Amend Contract with Council on Crime and Justice.

**COORDINATOR (267137)**

Empowerment Zone (EZ) Funding: For Bloomington-Lake Redevelopment Project, and Contract with Sherman Associates.

EZ Funding: For Turtle Bread/2000 Nicollet Avenue Mixed Use Development Project, and Contract with 2000 Nicollet Avenue Development Corporation.

EZ Funding: For West Broadway and Oliver Avenue North Revitalization Project, and Contract with Plymouth Christian Youth Center.

EZ Funding: For Franklin-Portland Gateway Project, and Contract with Central Community Housing Trust.

EZ Funding: For Lofts on Arts Avenue Project, and Contract with Brighton Development Corporation.

EZ Funding: For Many Rivers Project, and Contract with American Indian Housing and Community Development Corporation.

COORDINATOR (267138)

EZ Funding: Loan Guarantee for Green Institute loan with Community Loan Technologies for completion of Phillips Eco Enterprise Center, and Contract with Community Loan Technologies.

EZ Funding: Transfer funds to Minneapolis Employment & Training Program for the Health Careers Institute scholarship program.

CULTURAL AFFAIRS (267139)

National Arts Program: Accept funds from Hennepin County as reimbursement for the County's share of program costs.

FINANCE DEPARTMENT (267140)

Workers' Compensation Claim: Settlement with Gary Dohrwardt, with reimbursement from the State of MN Special Compensation Fund.

PLANNING COMMISSION/DEPARTMENT (267141)

Crime Prevention Through Environmental Design Demonstration Project on Central Avenue: Accept cash match payment from the Northeast Economic Development Corporation, representing participating property owners.

SOLID WASTE AND RECYCLING DIVISION (267142)

Utility Billing Insert: Insert a message in August, 2001 bills relating to household hazardous waste mobile drop-off sites.

**ZONING AND PLANNING:**

INSPECTIONS/ZONING ADMINISTRATOR (267143)

Great Brakes (& Jim Trapp of Mat Properties), 3326 University Av SE: Revoke site plan & refer action to PS&RS; Notice of public hearing.

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

INSPECTIONS/BOARD OF ADJUSTMENT (267144)

Surma, John, 2201 Fillmore St NE: Board of Adjustment: Grant appeal of Elizabeth Flamrey on behalf of Windom Park Citizens In Action & Betsy Mitchell, & deny nonconforming use as triplex; Planning staff report on application for nonconforming use with staff findings & recommendation, map, affidavits of Eleanor Lutz, David Gervais, Diane Lyseng, drawings, comments from neighbors.

Windom Park Citizens In Action: CODEFOR records of calls for service; comments of Yancey Thrift.

Yarosh, James: City record of 1922 plumbing permit.

PLANNING COMMISSION/DEPARTMENT (267145)

Auto Care Inc, 5000 34th Av S: Deny appeal of Dale Haglund re conditions of site plan & approve compromise site plan; Staff response to appeal; Planning Comsn minutes of 1/16/01; Staff report on site plan review application with findings & recommendation to approve plan with conditions, maps, applicant's original site plan proposal, staff's recommended site plan, comments of neighbors, Council Member, Zoning Inspector & Nokomis East Neighborhood Association, photos, applicant's site plan proposal submitted 6/12/01; Site plan proposed by Council Member Colvin Roy; Memo from Planner Jim Voll to Council Member Colvin Roy dated 6/25/01 setting forth final approved site plan and conditions.

JN Auto Body, 1532 E 35th St: Deny appeal of Hung T Ngo & Nedul Abul-Hajj for nonconforming use certificate; Minutes of Planning Comsn meeting of 6/18/2001; Staff report on application with staff findings and recommendation, maps, license, affidavit of Steven O'Donnell, Petition to Powderhorn Park Neighborhood Association opposing nonconforming use signed by Marlon Marking & approximately 97 others.

PLANNING COMMISSION/DEPARTMENT (267146)

University of St Thomas, 1125 Harmon Place, 55 11th St S, 36 12th St S, 44 12th St S, 69 11th St S & 1128 LaSalle Av: Approve application to vacate alley to allow surface parking lot; Staff report with findings & recommendation, drawings, photo.

Alliance Housing, 1828 Central Av NE: Approve application to rezone to OR3 district; Staff report with findings & staff recommendation, maps, drawings, comments of Logan Park Neighborhood Association, Windom Park Citizens In Action, Hennepin County Board of Commissioners, photos, legal description.

Leaning Tower of Pizza, 2501 University Av SE: Planning Commission: Approve application to rezone to C3A district; Staff report with staff findings & recommendation, maps, drawings, legal description. Prospect Park East River Road Improvement Association: Maps. Planning Commission report on its actions taken 7/10/2001 relating to Alliance Housing, University of St Thomas & Leaning Tower of Pizza.

**COMMITTEE OF THE WHOLE:**

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267147)

MCDA: Pending and Unfunded Projects: Bi-Annual Report.

**RESOLUTIONS:**

CITY CLERK (267148)

Council Member Resignation: Written resignation of Brian Herron, Eighth Ward.

**FILED:**

CITY CLERK/SPECIAL PERMITS (267149)

4th St N, 2025 (Sherlene Hall) ponies;

Columbia Park (Goldbricks Mens Club) petting zoo;

Columbus Av S, 2504 (Messiah Lutheran Church) pony rides;

Hayes St NE, 2407 (Amy Meier) ponies;

Standish Av S, 4215 (Mike Pietig) move garage.

COMMUNICATIONS/CITY CLERK (267150)

Brian Herron Resignation: Communication to answer questions about the disposition of the Eighth Ward City Council seat and the upcoming City elections.

DAVE POLASCHEK (267151)

Affordable Housing and Rezoning: E-mail relating to Marcy-Holmes Neighborhood Association (MHNA) and proposed development on Main St SE betw 6th & 8th Avs SE by Stone Arch Partners.

**REPORTS OF  
STANDING COMMITTEES**

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

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing the execution of Amendment No. 1 to the Loan Agreement and any other documents between the City of Minneapolis and the parties to the Series 1998A issuance of Tax-exempt Revenue Bonds on behalf of Allina Health Systems, which were used to finance the acquisition and installation of hospital equipment and construction of improvements to buildings at various Allina locations in Minneapolis and St. Paul, as set forth in Petn No 267112. The amendment would give Allina an additional two years to complete the project and use bond proceeds to pay for the costs.

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

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-317, providing for the amendment of the loan agreement in connection with the Variable Rate Revenue Bonds issued on behalf of Allina Health System, Series 1998A, Periodic Auction Reset Securities (PARS), was passed July 27, 2001 by the City Council and approved August 2, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2001R-317**

**By Goodman**

**Providing for the amendment of the loan agreement in connection with the Variable Rate Revenue Bonds (Allina Health System), Series 1998A, Periodic Auction Reset Securities (PARS).**

Whereas, the City of Minneapolis (the "City"), by the Constitution and laws of the State of Minnesota, including Sections 469.152 to 469.165, Minnesota Statutes (the "Act"), acting jointly with the Housing and Redevelopment Authority of the City of Saint Paul (the "HRA"), is authorized to issue and sell its revenue bonds for the purpose of undertaking authorized projects and to enter into contracts necessary or convenient in the exercise of the powers granted by the Act and to pledge revenues of such projects and otherwise secure such bonds; and

Whereas, pursuant to a Bond Trust Indenture, dated as of October 1, 1998, between the City, the HRA and Wells Fargo Bank Minnesota, National Association, in Minneapolis, Minnesota, as Bond Trustee (the "Bond Indenture"), the City and the HRA (acting jointly, the "Municipality") have issued the Variable Rate Revenue Bonds (Allina Health System), Series 1998A, Periodic Auction Reset Securities (PARS) (the "Bonds") in the aggregate principal amount of \$150,000,000, under the Act; and

Whereas, the Municipality loaned the proceeds of the Bonds to the Corporation upon the terms and conditions set forth in the Loan Agreement made as of October 1, 1998, between the Municipality and the Corporation (the "Loan Agreement"), including a requirement that unspent proceeds of the Bonds as of October 8, 2001, be transferred to the Redemption Fund to be applied to the purchase of outstanding Bonds; and

Whereas, the Corporation does not presently expect to complete construction of the Project by October 8, 2001, and would like to keep remaining unspent proceeds of the Bonds available for the purpose of paying additional costs of the Project as incurred; and

Whereas, the Corporation has requested the Municipality to enter into an amendment to Loan Agreement in the form of Amendment No. 1 to Loan Agreement submitted to the City to accomplish such purpose; and

Whereas, pursuant to the Bond Indenture, the Loan Agreement may be amended without the consent of or notice to the Bondholders, but only with the consent of the Bond Insurer, in connection with any change which is not to the prejudice of the Bondholders or the Bond Trustee; and

Whereas, the consent of the Bond Insurer to Amendment No. 1 to Loan Agreement has been obtained;

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

That Amendment No. 1 to Loan Agreement shall be executed in the name and on behalf of the City by the Mayor, the Finance Officer (or the Deputy Finance Officer) and the City Clerk (or Assistant City Clerk) in substantially the form on file, but with all such changes therein, not inconsistent with the Act or other law, as may be approved by the officers executing the same, which approval shall be conclusively evidenced by the execution thereof.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** - Your Committee recommends City support and endorsement of the application of Restart Incorporated, a non-profit organization that provides residential and support services for persons with cognitive impairments, for a grant from Hennepin County for Housing Incentive Funds to assist in the rehabilitation of residential facilities at 614 - 8<sup>th</sup> St SE, 4317 Elliot Ave S, 4525 Aldrich Ave S and 4654 Minnehaha Ave S.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**Comm Dev & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute Amendment #1 to Development Agreement #015794 with Urban Ventures Leadership Foundation for the Kitchen Incubator Project at Fourth Ave and Lake St, implementing Metropolitan Council Livable Communities funding and allowing changes in the project scope, as set forth in Petn No 267115.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration endorsement of Metropolitan Council Opportunity Grant applications on behalf of Minneapolis community-based organizations and projects, now recommends that the City authorize the following project applications, as described in Petn No 267115:

a) Lowry Avenue Revitalization Project (request for \$35,000 to continue planning and predevelopment efforts along Lowry Ave);

b) Kingfield Neighborhood Association (request for \$75,000 to extend their initial Neighborhood Revitalization Program-related planning);

c) Mixed use building on Lake St between 2<sup>nd</sup> & 3<sup>rd</sup> Aves (request for \$75,000 to plan a development which will include two new constructed buildings and one renovation);

d) Service Area Neighborhoods Impacted by Transportation Improvements (SANITI) (request for \$75,000 to develop business-oriented strategies to offset possible disruption from Hwy 62 reconstruction project);

e) Ritz Theater (request of \$75,000 for predevelopment planning).

Goodman moved to divide the report so as to consider separately that portion relating to items "c" and "d". Seconded.

Adopted by unanimous consent.

Goodman moved that the separated portion of the report be referred back to the Community Development Committee. Seconded.

Adopted upon a voice vote.

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

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** - Your Committee recommends approval of the allocation of Minneapolis Community Development Agency (MCDA) Commercial Corridors funds in the amount of \$7,000 for administrative expenses related to the rear facade component of the Central Avenue Crime Prevention Through Environmental Design Demonstration Project.

Your Committee further recommends passage of the accompanying resolution increasing the MCDA appropriation in Fund FNA0 (MCDA Neighborhood Development) by \$7,000.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-318**  
**By Goodman and Campbell**

**Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund FNA0 - MCDA Neighborhood Development by \$7,000 from available fund balance.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the work of the Minneapolis Community Development Agency (MCDA) in collaboration with the Minneapolis Public Housing Authority, Family Housing Fund, Minneapolis Redesign and the Minneapolis Public Schools on a demonstration project to identify affordable, high-quality rental options for low-income families near community schools, now recommends approval of the allocation of \$300,000 from the Affordable Housing Set-Aside for the School Site Project, as set forth in Petn No 267114.

Your Committee further recommends passage of the accompanying resolution increasing the MCDA appropriation in Fund FNA0 (MCDA Neighborhood Development) by \$300,000.

Your Committee further recommends that the proper City and/or MCDA officers be authorized to execute all necessary documents to implement the project.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-319**  
**By Goodman and Campbell**

**Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund FNA0 - MCDA Neighborhood Development by \$300,000 from available fund balance.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration Phase I of the Near Northside Redevelopment Project, now recommends that the proper City and/or Minneapolis Community Development Agency officers be authorized to enter into a Cooperation Agreement with the Minneapolis Public Housing Authority that will allow annual payments to the City in lieu of property taxes for the Phase I public housing units within the Near Northside Redevelopment Project, as set forth in Petn No 267114.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**H&HS** - Your Committee recommends concurrence with the recommendation of the Mayor to appoint David Perez, 1300 Powderhorn Terrace (Ward 9) to the Latino Advisory Committee to fill the unexpired term of Jorge Saaverda expiring December 31, 2001.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee, having under consideration the Twin Cities Healthy Start Project, now recommends that the proper City Officers be authorized to execute a contract with Hennepin County, through its Pilot City Health Center, in the amount of \$144,000, for the provision of Year III Healthy Start services in North Minneapolis.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee, having under consideration the Twin Cities Healthy Start Project, now recommends that the proper City Officers be authorized to amend the following contracts and Fund Availability Notices (FANs) to extend the termination dates from June 30, 2001 to September 30, 2001 to carry over Year II funding to complete previously approved projects, payable from Health & Family Support (030-860-8624):

a. FAN #Y3-2c, under Master Contract #14764, with the Greater Minneapolis Council of Churches, Division of Indian Work, for outreach and client recruitment;

b. FAN #Y3-2b, under Master Contract #14427, with the Fremont Community Health Services, Inc. for outreach and client recruitment;

c. FAN #Y3-2c, under Master Contract #10023, with the Youth Coordinating Board/Way to Grow for outreach and client recruitment;

d. FAN #Y3-4a, under Master Contract #14764, with the Greater Minneapolis Council of Churches, Division of Indian Work, for enhanced clinical services;

e. FAN #Y3-3b, under Master Contract #14427, with Fremont Community Health Services, Inc. for enhanced clinical services;

f. Amendment #2 to Contract #14867 with the Minnesota Visiting Nurse Agency for case management services;

g. Amendment #4 to Contract #14656 with Ramsey County for case management services;

h. Amendment #2 to Contract #15232 with the American Indian Family Center for outreach and client recruitment;

i. Amendment #2 to Contract #15123 with Face to Face Health and Counseling Service, Inc. for outreach and client recruitment;

j. Amendment #2 to Contract #15085 with the Minnesota Indian Women's Resource Center for outreach and client recruitment;

k. Amendment #2 to Contract #15286 with the Minnesota Indian Women's Resource Center for enhanced clinical services;

l. Amendment #2 to Contract #15098 with the Neighborhood Health Care Network for enhanced clinical services.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved July 27, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published July 31, 2001)

**H&HS** - Your Committee recommends that the proper City Officers be authorized to execute an Affiliation Agreement between the University of Minnesota, Division of Medical Technology and the City of Minneapolis Public Health Laboratory for the purpose of providing a one-week clinical internship (educational training) program for Medical Technology students enrolled at the University. Said agreement shall be in effect from May 15, 2001 until terminated by either party, with no funding being exchanged between the parties.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee recommends concurrence with the recommendation of the City Council to appoint Billani Killoren to the Public Health Advisory Committee, representing the constituency previously served by the Minneapolis Advisory Committee on Drug and Alcohol Problems, for a two-year term to expire December 31, 2002.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee recommends that the proper City Officers be authorized to execute Amendment #4 to Contract #12055 with Parenteau Graves Communications to increase the amount by \$40,000, for a total contract amount not to exceed \$125,000, for marketing and media consulting services to assist with media campaigns, promotion of research and policy activities for the Department of Health & Family Support, and assistance with community forums, payable from Health & Family Support (060-860-8615).

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee recommends that the proper City Officers be authorized to amend Contract #10019, a Master Contract with the Minneapolis Public Schools, Special School District #1, to extend the termination date from August 31, 2001 to March 31, 2002, to allow the Department of Health & Family Support to allow for the completion of existing services under said Master Contract.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee, having under consideration the Youth Offenders Demonstration Project, now recommends that the proper City Officers be authorized to issue amended Fund Availability Notice (FAN) #D6-1a, under Master Contract #10013, to Resource Inc., through the Employment Action Center, to increase the amount by \$6,758, for a total FAN not to exceed \$379,800, for the continuation of services to enhance the existing education, training and employment services offered to youth ages 14 to 24 who are at risk of becoming or who currently are youth offenders and/or gang members, payable from Health & Family Support (030-860-8600).

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee, having under consideration the Customized Work Initiative, now recommends that the proper City Officers be authorized to issue the following amended Fund Availability Notices (FANs) to provide additional funding to train and place residents of the Enterprise community during the period July 1 through December 31, 2001, payable from Health & Family Support (060-860-8600):

a. FAN #H0-1, under Master Contract #10013, to Resource, Inc., in the amount of \$12,500;

b. FAN #H0-1, under Master Contract #10018, to Hmong American Mutual Assistance Association, in the amount of \$25,000.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**H&HS & W&M/Budget** - Your Committee, having under consideration the Summer Youth Employment & Training Program educational component, C.L.A.S.S., now recommends that the proper City Officers be authorized to accept up to \$165,750 and execute a contract with Special School District #1, to enhance the Academic Enrichment Program by working with the Minneapolis Public Schools to support youth participants who are in need of passing the basic skills tests.

Your Committee further recommends passage of the accompanying Resolution appropriating \$165,750 to the Health & Family Support Agency to reflect receipt of said funds.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-320**

**By Lane and Campbell**

**Amending The 2001 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Other Fund (060-860-8600) by \$165,750 and increasing the Revenue Source (060-860-8600 - Source 3215) by \$165,750.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to execute an agreement with Sustainable Resources Center for the delivery of education and outreach services and coordination of the Comprehensive Lead Plan during the United States Department of Housing & Urban Development Round VIII Lead Hazard Reduction Grant Program.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**IGR** - Your Committee, having under consideration the application of Northern States Power (D/B/A Xcel Energy) currently before the Federal Energy Regulatory Commission (FERC) to renew its license for the St Anthony Falls Hydroelectric Project; and the City and other interested governmental agencies wishing to develop recreational uses on Hennepin Island and the adjacent Mississippi River bank as envisioned in the St Anthony Falls East Bank Park Development Master Plan, now recommends 1) that a joint proposal letter from the Minneapolis Park Board, the City, the Minnesota Department of Natural Resources and the Mississippi Whitewater Park Development Corporation, to Xcel Energy, setting forth recreational mitigation measures for the area, be approved, and that the proper City officers be authorized to execute the letter; and 2) that the City Attorney be authorized to file a motion of the City of Minneapolis to intervene in the license renewal proceeding before FERC. The letter and the motion are set forth in Petn No 267121.

Thurber moved that the report be referred back to the Intergovernmental Relations Committee. Seconded.

Adopted upon a voice vote.

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

**PS&RS** - Your Committee recommends concurrence with the recommendation of the City Council to reappoint Mark Matthews, 2509 Humboldt Av S (Ward 7), to serve on the Civilian Police Review Authority for a four-year term to expire June 30, 2005.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, to whom was referred an ordinance amending Title 11 of the Minneapolis Code of Ordinances relating to *Health and Sanitation* by adding a new Chapter 226 relating to *Graffiti Nuisance 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 none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-090 amending Title 11 of the Minneapolis Code of Ordinances relating to *Health and Sanitation* by adding a new Chapter 226 relating to *Graffiti Nuisance Property* to add provisions of Sections 85.100(e) and 244.495 which prohibit the application of graffiti to property and require owners to remove it. This Chapter provides that in certain circumstances graffiti can be removed or otherwise abated summarily by the City at its expense. The Chapter further provides that owners, after receiving

notice and an opportunity to be heard regarding an order to remove or otherwise abate graffiti, can be assessed the cost of a graffiti abatement performed by the City if the graffiti is not abated within the time provided. Graffiti, for the purposes of this Chapter, is limited to unauthorized markings which are visible to the public. The ordinance was passed July 27, 2001 by the City Council and approved August 2, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

**ORDINANCE 2001-Or-090**  
**By Ostrow, Biernat, Thurber and McDonald**

**Intro & 1st Reading: 3/24/2000**  
**Ref to: PS&RS**  
**2nd Reading: 7/27/2001**

**Amending Title 11 of the Minneapolis Code of Ordinances relating to Health and Sanitation, by adding a new Chapter 226 relating to Graffiti Nuisance Property.**

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 226 to read as follows:

**CHAPTER 226. GRAFFITI NUISANCE PROPERTY**

**226.10. Declaration of purpose.** (a) It is the purpose and intent of this chapter to provide for a procedure for abatement of graffiti from all buildings, walls and other structures in the city that are visible to the public in order to reduce social deterioration within the city and to promote the public safety and health. This chapter is supplemental to the other provisions of this code.

(b) The city council finds that there are organized groups applying graffiti within the city and that these groups are undesirable for the city and are detrimental to its youth. In conjunction with the proliferation of these groups, the city council finds that graffiti is appearing throughout the city. Graffiti is used to identify claimed areas of control or mark territory. The city council finds that quick abatement of the graffiti may assist in preventing the entrenchment of these groups.

(c) The city council finds that exposure to the graffiti of these groups adversely affects the emotional well being of city youth and creates peer pressure on city youth to join these detrimental organizations.

(d) The city council further finds that graffiti creates a condition of blight which can result in the deterioration of property values and is inconsistent with the city's property maintenance goals and aesthetic standards. In addition, unless graffiti is quickly removed, other properties soon become the targets of graffiti.

(e) The city council finds that there are groups constituted for the purpose of unlawfully applying graffiti to public and private structure without permission. These groups often commit other crimes to support and in furtherance of the purpose of applying graffiti.

(f) The city council hereby declares its intention to minimize and to quickly abate graffiti to limit its adverse impact on city youth and neighborhoods. Graffiti is hereby declared to be a public nuisance and a public health and safety hazard.

**226.20. Graffiti nuisance property.** (a) Any property, building or structure within the city which becomes a graffiti nuisance property is in violation of this chapter and is subject to its remedies.

(b) Any person who permits property under their control to become a graffiti nuisance property is in violation of this chapter and subject to its remedies.

**226.30. Definitions.** For the purpose of this chapter, the terms defined in this section shall have the following meanings unless the context clearly indicates otherwise:

*Graffiti.* Any unauthorized markings of paint, ink, chalk, dye or other similar substance which is visible from premises open to the public and that have been placed upon any real or personal property such as buildings, fences, structures, or the unauthorized etching or scratching of such described surfaces where the markings are visible from premises open to the public. "Open to the public", for the purposes of this paragraph, includes any public right-of-way, any publicly owned property, and any private property onto which the public is regularly invited or permitted to enter for any purpose.

*Graffiti nuisance property.* Property upon which graffiti has been placed and such graffiti has been permitted to remain for more than twenty (20) days after the property owner of record has been given a written notification pursuant to this chapter.

*Manager.* A graffiti abatement manager shall be designated by the Director of Public Works. The graffiti abatement manager shall be responsible for the administration of the graffiti nuisance abatement program under this chapter. In accordance with adopted procedures, the manager may appoint such officers, employees and agents as shall be authorized and necessary to enforce the provisions of this chapter. Such officers, employees and agents may perform such functions of the manager as described in this chapter as the manager may designate.

*Occupant.* Any person, lessee or sublessee, successor or assignee who has control over property.

*Owner.* Any person, agent, firm or corporation having a legal or equitable interest in a property. "Owner" includes, but is not limited to:

- (1) A mortgagor or holder of a contract for deed in possession in whom is vested:
  - a. All or part of the legal title to the property; or
  - b. All or part of the beneficial ownership and a right to present use and enjoyment of the premises.
- (2) An occupant who has control over the property/premises.

*Permit.* To knowingly suffer, allow, or acquiesce by any failure, refusal or neglect to abate.

*Property.* Any real or personal property and that which is affixed incidental or appurtenant to real property but not limited to any premises, house, building, fence, structure or any separate part thereof, whether permanent or not.

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

*Accessory structure.* A structure detached from a principal structure, incidental and subordinate to the principal structure or use, including but not limited to garages, sheds and fences.

*Unauthorized.* Without the consent of the owner or the occupant.

**226.40. Procedures.** (a) *Required graffiti abatement.* The owner or occupant of any property in the city shall remove, paint over or otherwise effectively abate any graffiti from such property within twenty (20) days of the graffiti's appearance.

(b) *Procedures, forms and policies.* The graffiti abatement manager shall adopt procedures, forms, and written policies for administering and implementing the provisions of this chapter and obtain approval of such procedures, forms, and written policies from the city council.

(c) *Notification.*

- (1) Whenever the manager determines that graffiti exists in the city on any commercial structure, industrial structure, utility structure, residential accessory structure or any structure of any kind other than a structure or part of a structure which the manager knows or should know is being used principally as a residence, the manager may issue an abatement notice pursuant to the authority of this section.
- (2) The manager shall cause the notice to be served upon any known property owner, and any known occupant. Such owner or occupant shall have twenty (20) days after the date of service of the notice in which to remove, paint over or otherwise effectively abate the graffiti.
- (3) Service shall be accomplished by addressing the notice to the owner and occupant and sending it by personal service or by U.S. mail to the last known address of such owner or occupant based upon a certified list prepared by the manager. Service on the occupant may also be accomplished by posting the notice in a visible location on the subject property.

- (4) The owner or occupant shall abate the graffiti and send written notice of the abatement to the manager within twenty (20) days after the date of service of the notice. The notice shall be sent by U. S. Mail to the address given on the graffiti abatement notice and shall state briefly how and when the graffiti was abated.
  - (5) If graffiti is not removed, painted over or otherwise effectively abated, the graffiti may be abated by or at the direction of the city as provided by this chapter or other provisions of this Code. The costs of any abatement by or at the direction of the city, with the exceptions provided herein, may be assessed to the owner and will become a lien on the affected property. The cost of any inspections, abatement mobilization or other expenses caused by the failure to comply with the notice provisions of the preceding paragraph also may be assessed to the owner and will become a lien on the affected property. In each case, the manager shall keep an accurate account of all costs incurred. All costs incurred by the city including, but not limited to, costs for service of notices, departmental costs and expenses including overhead and allowance for time of city employees, expense of equipment used, and sums of money paid out for work done shall be computed by the manager and shall be assessed, levied and collected as a special assessment under the procedures as set forth under section 227.100 of this Code, to the extent not inconsistent with the provisions of this chapter.
- (d) *Appeal.*
- (1) Within twenty (20) days of the receipt of the notice, the property owner or occupant may appeal the notice from the manager to the city council.
  - (2) Upon receipt of the appeal request, the city council shall set the matter for hearing before the council, a committee or subcommittee thereof, or a designated hearing officer within twenty (20) business days. The property owner shall be entitled to be heard on all matters relating to graffiti and the process of abatement. If the city council, after hearing or after receiving the report of its designee, finds the property to be a graffiti nuisance property, and the owner/responsible party has been given notice in accordance with subsections (c) and (d) above, the city council shall specify when and under what conditions the graffiti shall be abated.
- (e) *Abatement of graffiti in specific cases.*
- (1) The manager may without notice summarily abate any graffiti on any utility poles and cabinets including, but not limited to, traffic signs and lights or on any property owned by the city or on any property located in the public right-of-way, but privately owned. The right to summarily abate graffiti on such property shall be a condition of its permission to be in the right-of-way. Reasonable care shall be taken to avoid damage to such property.
  - (2) The manager may without notice summarily abate any graffiti on exterior walls and fences immediately abutting public streets and right-of-way or public property, or within five (5) feet of such street, right-of-way or public property, provided, however: (1) that such abatement shall not entirely penetrate the wall of any building nor impair the structural integrity of the structure involved; (2) that reasonable efforts are made to promptly and reasonably restore the area that was subject to the summary abatement; and, (3) that the wall is not in an area of a building that is designed for and used principally as a residence. In the case of a summary abatement without notice on private property or on private structures or equipment located in the right-of-way, the expense of such abatement and restoration shall be borne by the city.
- (f) *Abatement of graffiti generally.* Whenever the manager has reasonable cause to believe that there exists upon any structure any graffiti requiring abatement under this chapter, the manager may enter upon the property at all reasonable times to perform any duty imposed on the manager under this chapter, and to enforce the provisions of this code. The following steps may be taken as to any property that is not being abated pursuant to the foregoing provisions or other provisions of this Code and for which an abatement notice has been issued pursuant to paragraph (c)(1) of this section.

- (1) If the property containing graffiti is occupied, the manager shall first present proper credentials and give notice of the purpose of the manager to abate the graffiti. The manager may then abate the graffiti. In performing graffiti abatement, the manager shall not intentionally penetrate entirely the wall of any structure or impair the structural integrity thereof.
  - (2) If the property is unoccupied, the manager may abate the graffiti. The manager shall leave a notice of the graffiti abatement in a reasonable location on the property and mail notice to the last known address of the owner or occupant that was originally served with the notice to abate. In performing graffiti abatement, the manager shall not intentionally penetrate entirely the wall of any structure or impair the structural integrity thereof.
- (g) *Grffiti abatement consent forms.*
- (1) The manager shall develop consent forms allowing the manager to enter onto property to abate the graffiti without prior notice from the manager, with financial responsibility for such abatement to be as agreed to in the consent form. The manager shall make these consent forms available to those eligible to participate.
  - (2) Property owners or occupants signing these consent forms will be issued stickers to be placed in a location on the subject property readily visible from premises open to the public, such as the public right-of-way or other publicly owned property. These stickers shall be issued on a yearly basis.

**226.50. Severability.** If any provision of this chapter or its application to any person, or circumstances is held to be invalid for any reason, the remainder of this chapter, or the application of its provisions to other persons or circumstances shall not be affected in any way.

**226.60. Graffiti abatement civil in nature.** A violation of this chapter, relating to the abatement of graffiti, shall not be treated as a misdemeanor or subject to penalty under Section 1.30 of this Code, nor shall it be criminal in nature.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, having under consideration the application of 5-JLLC, dba Daddy Rocks, 315 1st Av N, for an On-Sale Liquor Class B with Sunday Sales License (change in ownership from Daddy Rock's Inc.) to expire July 1, 2002, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved July 27, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published July 31, 2001)

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

**Off-Sale Liquor, to expire April 1, 2002**

Cedar Riverside Liquor Store Inc, dba Cedar Riverside Liquor Store, 525 Cedar Av;

**On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2002**

Hey City Theater Company, dba Hey City Theater, 824 Hennepin Av;

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

Old Chicago of Colorado Inc, dba Old Chicago, 2841 Hennepin Av;

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

River Jakes Inc, dba Nye's Polonaise Room, 112 E Hennepin Av (temporary expansion of premises with entertainment, July 1, 2001, 5:00 p.m. to 11:00 p.m.);

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

Islewest Associates, dba Nicollet Island Inn, 95 Merriam St;

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

Minneapolis Cafe LLC, dba Minneapolis Cafe, 1100 Hennepin Av (upgrade from On-Sale Liquor Class C-1 with Sunday Sales);

**On-Sale Liquor Class C-1 with Sunday Sales, to expire August 19, 2001**

Addis Inc, dba Five Corners Bar, 501 Cedar Av (temporary expansion of premises with entertainment, August 19, 2001, 1:00 p.m. to 9:00 p.m.);

**On-Sale Liquor Class C-1 with Sunday Sales, to expire July 1, 2002**

Loring Pasta Bar LLC, dba Loring Pasta Bar, 325 14th Av SE;

Loring Cafe Inc, dba Loring Cafe & Bar, 1624 Harmon Pl;

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

Union Grill & Bar LLC, dba Union Grill & Bar, 312 Central Av SE;

**On-Sale Liquor Class D with Sunday Sales, to expire July 15, 2001**

Labonne Table Inc, dba New French Cafe, 128 N 4th St (temporary expansion of premises with outdoor entertainment, July 15, 2001, 10:00 a.m. to 10:00 p.m., Bastille Day);

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

Dan Kelly's Corporation, dba Dan Kelly's Bar & Grill, 212 S 7th St;

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

Capital Grille Holdings Inc, dba Capital Grille, 801 Hennepin Av (new corporate officer);

Buca (DT Minneapolis) Inc, dba Buca Di Beppo, 11 S 12th St;

Starmac Inc, dba Champions Saloon & Eatery, 105 W Lake St;

Little Jack's Steakhouse Inc, dba Little Jack's Steakhouse, 201 Lowry Av NE;

Cuzzy's Inc, dba Cuzzy's Grill & Bar, 507 Washington Av N;

U Otter Stop Inn Inc, dba U Otter Stop Inn, 617 Central Av NE;

**On-Sale Liquor Class E with Sunday Sales, to expire July 20, 2001**

Uptown Brewing Co LLC, dba Herkimer Pub & Brewery, 2922 Lyndale Av S (temporary expansion of premises July 20, 2001, 7:00 p.m. to 11:00 p.m.);

**Temporary On-Sale Liquor**

Minneapolis Aquatennial, dba Minneapolis Aquatennial, 43 Main St SE (Peavy Plaza, with outdoor entertainment, June 28 & 29, 2001, 11:00 a.m. to 2:00 p.m. and 5:00 p.m. to 8:30 p.m., and June 30, 2001, 5:00 p.m. to 10:00 p.m.; licensed facilitator: The Local);

Minneapolis Downtown Council, dba Minneapolis Downtown Council 81 S 9th St #260 (Ritz Block, 4th St & Nicollet Mall with temporary entertainment, July 25 & 26, 2001, 11:00 a.m. to 10:30 p.m., and July 27 & 28, 2001, 11:00 a.m. to 11:00 p.m.; licensed facilitator: Ogden Target Center);

**Temporary Wine**

Minneapolis Downtown Council, dba Minneapolis Downtown Council, 81 S 9th St (July 14 & 15, 2001, Noon to 8:00 p.m. at Parade Stadium, 600 Kenwood Pkwy);

Minneapolis Downtown Council, dba Minneapolis Downtown Council, 81 S 9th St (July 21, 2001, 7:00 p.m. to 10:30 p.m. at 1000 S 2nd St);

**Off-Sale Beer, to expire April 1, 2002**

Hammad and Carlson Food Inc, dba More Valu II, 2747 Bloomington Av;

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

**Temporary On-Sale Beer**

Greater Minneapolis Crisis Nursery, dba Greater Minneapolis Crisis Nursery, 5400 Glenwood Av, Golden Valley (August 19, 2001, Noon to 10:00 p.m. at Bryn Mawr Meadows Park, 394 & Penn Av);

Church of the Holy Name, dba Church of the Holy Name, 3637 11th Av S (October 13, 2001, Noon to 4:00 p.m.);

Minneapolis Downtown Council, dba Minneapolis Downtown Council, 81 S 9th St #340 (July 29, 2001, 11:30 a.m. to 7:00 p.m., Ribfest);

St. Maron Church, dba Touch of Lebanon Festival, 600 University Av NE (August 18, 2001, 5:00 p.m. to 10:00 p.m., and August 19, 2001, 11:00 a.m. to 6:30 p.m.).

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. 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 27, 2001, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 267126):

Bed & Breakfast Facility; Building Contractor Class A; Building Contractor Class B; Carnival; Concrete Masonry Contractor Class A; Concrete Masonry Contractor Class B; Dry Cleaner - Non-Flammable; Drywall Contractor; Place of Entertainment; All Night Special Food; Confectionery; Food Distributor; Farm Produce Permit Non-Profit; Grocery; Indoor Food Cart; Food Manufacturer; Drive In Food; Restaurant; Short Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Sidewalk Cart Food Vendor; Lodging House with Boarding; Motor Vehicle Dealer - Cycles & Motorbikes; Motor Vehicle Dealer - Used Only; Motor Vehicle Dealer - Additional Lot; Motor Vehicle Repair Garage; Pet Shop; Solid Waste Hauler; Steam & Hot Water Systems Installer; Tattooing; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Theater Zone I; Tobacco Dealer; Tree Servicing; Valet Parking; and Wrecker of Buildings Class B.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. 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 Class A**

Church of St. Maron, dba Church of St. Maron, 600 University Av NE (Pulltabs, raffle & bingo August 18 & 19, 2001);

Church of the Incarnation, dba Church of the Incarnation, 3817 Pleasant Av (Bingo, raffles & pulltabs October 7, 2001 at Risen Christ School, 3800 Pleasant Av);

VFW Post 246, dba VFW Post 246, 2916 Lyndale Av S;

**Gambling-Lawful Class B**

Minnesota Amateur Rugby Minneapolis Foundation, dba Minnesota Amateur Rugby Minneapolis Foundation, 4909 Bryant Av S (Site: Joint/Cabooze, 913 & 917 Cedar Av);

National Multiple Sclerosis Society, 200 12th Av S (Site: Cloggy's Tavern, 5404 34th Av S);

Southwest Hockey Inc, dba Southwest Hockey Inc, 414 6th Av N (Site: Poodle Club, 3001 E Lake St);

**Gambling Lawful Exempt**

Ducks Unlimited Nordeast Chapter #202, dba Ducks Unlimited Nordeast Chapter #202, 2414 Central Av NE (Raffle September 13, 2001 at Jax Cafe, 1928 University Av NE);

Church of the Holy Cross, dba Church of the Holy Cross, 1621 University Av NE (Bingo, raffle, paddlewheel, pulltabs & tipboards September 15 & 16, 2001);

Human Rights Campaign, dba Human Rights Campaign, 919 18th St NW #800, Washington, DC (Raffle September 22, 2001 at Convention Center);

Childrens Cancer Research Fund, dba Childrens Cancer Research Fund, 4930 W 77th St #364, Edina (Raffle October 6, 2001 at Minneapolis Convention Center);

Courage Center, dba Courage Center, 3915 Golden Valley Rd (Raffle October 13, 2001 at Loring Cafe, 1624 Harmon Pl);

Church of St. Austin, dba Church of St. Austin, 4050 Upton Av N (Raffle October 14, 2001);

Lake Harriet Lodge #277, dba Lake Harriet Lodge #277, 4519 France Av S (Raffle November 3, 2001).

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee recommends concurrence with the recommendation of the City Council to reappoint the following persons to serve on the Housing Board of Appeals for two-year terms to expire December 31, 2002:

Tom Manion, 5215 Irving Av S (Ward 13)  
Beth Hart, 2467 Elliot Av S (Ward 8)  
Anthony Yerkew, 5035 Sheridan Av N (Ward 4)  
Sandy Loescher, 2626 Portland Av (Ward 8)  
Steven Leventhal, 239 W 7th St, St. Paul  
David Jordheim, 3741 Colgate Av S (Ward 13)  
Lauren Maker, 4059 Sheridan Av N (Ward 4)  
Matthew Knop, 3150 Harriet Av S (Ward 10).

Your Committee further recommends that the residency requirement be waived, pursuant to Section 14.180 (m)(2) of the Minneapolis Code of Ordinances, which allows a waiver for persons paying property taxes to the City of Minneapolis.

Adopted. Yeas, 11; Nays none.  
Absent - Niland.  
Passed July 27, 2001.  
Approved August 2, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, having under consideration the property at 2034 James Av N, now recommends that the proper City Officers be authorized to extend the deadline for the code compliance for said property by six months.

Adopted. Yeas, 11; Nays none.  
Absent - Niland.  
Passed July 27, 2001.  
Approved August 2, 2001. 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, having submitted a grant application to the Department of Public Safety seeking funds to reduce youth access to and consumption of alcohol, now recommends that the proper City Officers be authorized to accept a grant award of \$79,016 and execute a grant agreement with the State of Minnesota to provide funds for use by the Police Department and the Department of Health & Family Support to increase the number of compliance checks, provide chemical health training to Minneapolis Peer educators, and update the *Protect Your Business* retailer manual.

Your Committee further recommends passage of the accompanying Resolution appropriating \$79,016 to the Police Department and Health & Family Support Agencies to reflect receipt of said grant funds.

Adopted. Yeas, 11; Nays none.  
Absent - Niland.  
Passed July 27, 2001.  
Approved August 2, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-321**  
**By Biernat and Campbell**

**Resolved by The City Council of The City of Minneapolis:**

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

a. increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-8623) by \$49,320;

b. increasing the appropriation for the Health & Family Support Agency in the Grants - Federal Fund (030-440-8623) by \$29,696;

c. increasing the Revenue Source (030-400-C201 - Source 3215) by \$79,016.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** - Your Committee, having under consideration the provision of bomb squad services to the State of Minnesota during calendar year 2000-2001, now recommends that the proper City Officers be authorized to extend Contract #A01320 with the State of Minnesota for an additional 90 days, through September 30, 2001, to enable the State to utilize bomb squad services, and for the Police Department to accept additional reimbursement for bomb squad services rendered through said date.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to apply for and accept up to \$360,000 of Byrne Grant funds distributed through the State of Minnesota Department of Public Safety, Office of Drug Policy and Prevention, to provide for the Police Department to pay for overtime, training and equipment costs associated with combating cocaine, crack and methamphetamine sales and production within the City of Minneapolis during calendar year 2002.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to submit four grant applications totaling \$467,200 to the State of Minnesota Department of Human Services seeking funds for the following projects under the "Prevention and Intervention Initiative":

a. \$100,000 for the El Proyecto Seguro (The Security Project) at the Fifth Police Precinct to hire a Latino Community Coordinator and provide funding for block organizing, training, duplication of materials and incentives for program participation;

b. \$116,200 for the Minneapolis Police Somali Community Outreach Initiative at the Downtown Command to continue funding of two Somali employees to work with Community Crime Prevention SAFE staff to organize block clubs and provide crime prevention information with special attention paid to issues of Somali women;

c. \$90,000 for the Franklin Avenue Safety Center, a collaboration of the American Indian Business Development Corporation and the Third Police Precinct, for staffing, training and programs at the Franklin Circles Shopping Center;

d. \$170,000 for translation of Police Department materials and "buy back" time.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. 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 skyway currently being constructed across the Nicollet Mall to the building known as the Young Quinlan Building and having been informed that the owners of The Rockler Building have requested the right to connect to the skyway, now recommends that the City grant its consent as a party to the existing agreement for skyway construction, maintenance and easements for the skyway bridge crossing the Nicollet Mall between 9th and 10th Sts to allow Sheldon and Sarah Rockler the right to connect The Rockler Building to the skyway bridge at their sole cost and expense. The terms of an agreement are as included in Petn No 267130 as on file in the Office of the City Clerk.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee recommends passage of the accompanying Resolution designating the improvement of a portion of the N-S alley in the 1500 block between California St NE and Grand St NE.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-322**

**By Mead & Campbell**

**Special Improvement of Existing Alley No. FS01#11**

**Designating the improvement of a portion of the N-S alley in the 1500 NE block between California St NE and Grand St NE.**

Resolved by The City Council of The City of Minneapolis:

That the following existing alley within the City of Minneapolis is hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by constructing a concrete alley including other alley related improvements and work as needed:

1500 Block NE between California St. and Grand St.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having received a cost estimate of \$69,324.95 for new alley concrete construction improvement and a list of benefited properties for the N-S alley in the 1500 block NE between California St NE and Grand St NE, Special Improvement of Existing Alley No. FS 01#11, as designated by Resolution 2001R-322 passed July 19, 2001, now recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on August 30, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated alley paving project.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee recommends granting the request of the property owner at 2901 27th Av S (The Schooner Bar) for a Special Boulevard Permit to pave with concrete the boulevard on the 29th St E side of the building.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having under consideration a request for City water service to be connected to a property in Edina due to the location of the property, now recommends approval of the request of Jerry Hershey, Acting Utility Superintendent for the City of Edina Utility Department and the property owner for water service connections to the property at 5330 France Av S, with the cost of installing the service to be paid by the City of Edina.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having received a presentation relating to design of the Downtown East Light Rail Transit (LRT) Station, now recommends passage of the accompanying resolution approving the conceptual design of the architectural elements for the Downtown East Station on the Hiawatha LRT line.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

### **RESOLUTION 2001R-323**

**By Mead**

#### **Approving the conceptual design of the architectural elements for the proposed Downtown East Station on the Hiawatha Light Rail Transit (LRT) line.**

Whereas, the Supplementary Project Cooperation Agreement between the City, Minnesota Department of Transportation (MnDOT), and the Metropolitan Council provides that the Minneapolis City Council shall approval "conceptual design of the architectural elements for LRT station areas"; and

Whereas, MnDOT has prepared conceptual design drawings of the architectural elements of the LRT stations in Minneapolis, has made modifications to the proposed design at the request of the City, and has requested City approval of these designs; and

Whereas, staff has worked with Council Members, the public, MnDOT, the Hiawatha Project Office (HPO) and the station engineers, architects, and artists on these designs and modifications and now recommends approval of one particular station area design; and

Whereas, staff is further directed to work with the HPO and the Arts Administrator for the Hiawatha LRT Project to further develop and refine the art opportunities defined for this station;

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

That the "conceptual design of the architectural elements for LRT station areas" for the proposed Downtown East Station on the Hiawatha Light Rail Transit Line be approved.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having been informed that private utility relocation work is beginning for the Light Rail Transit (LRT) project on 5th St and that the City must inform the Hiawatha Project Office (HPO) on where LRT platforms should be located and other plans for the line and station, now recommends approval of the letter composed by City staff (as contained in Petn No. 267129 on file in the Office of the City Clerk) outlining the City's preferred options and requesting that reasonable options not be precluded until the City can make needed decisions for the Downtown Station.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having received a presentation relating to the Central Corridor Transit Project and having been informed that comments will be received by the Ramsey County Regional Rail Authority (RCRRA) on alignment options for the corridor, now recommends that the comments prepared by staff (Exhibit D included in Petn No. 267130) be submitted by July 20, 2001 to the RCRRA (as a placeholder pending full City Council action) as the City's official comments. The comments include the following overall recommendations:

- The Washington Av alignment options are preferred;

- The Bridge 9 alignments that continue along the Dinkytown railroad corridor or University Av/4th St are not recommended; and

- Washington Av should be retained as the preferred alignment alternative through the University of Minnesota, Minneapolis Campus and into Downtown.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee recommends passage of the accompanying resolution offering comments on the Minneapolis-St. Paul International Airport 14 CFR Part 150 Update.

Your Committee further recommends that said resolution be summarized for publication.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-324, offering comments on the Minneapolis-St. Paul International Airport 14 CFR Part 150 Update, was passed July 27, 2001 by the City Council and approved August 2, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2001R-324**

**By Mead, Colvin Roy, Lane, Johnson, Biernat, McDonald, Ostrow,  
Campbell, Cherryhomes, Goodman, Thurber**

**Offering comments on the Minneapolis-St Paul International Airport  
14 CFR Part 150 Update**

Whereas, the Minneapolis-Saint Paul (MSP) 14 CFR Part 150 Update: Updated Noise Exposure Map and Noise Compatibility Program is being finalized for submission to the Federal Aviation Administration; and

Whereas, the Metropolitan Airports Commission (MAC) is allowing public comment on proposed noise mitigation options for the 2005 Part 150 Update 60-64 DNL contour recommended by its staff; and

Whereas, in 1996, the Minnesota Legislature made the final decision to continue the development of MSP in its current location and directed MAC to implement the MSP 2010 Long Term Comprehensive Plan; and

Whereas, with this decision, the Legislature also directed MAC to develop a noise mitigation plan which includes aggressive steps to mitigate aircraft noise for the surrounding communities; and

Whereas, on October 28, 1996 MAC approved the MSP Noise Mitigation Committee recommendations including expansion of the Noise Mitigation Program to the 2005 60 DNL following the completion of the current program; and

Whereas, Minneapolis City Goals include the reduction of negative environmental impacts of the Airport while maintaining its economic benefits to the people who live, work, and play in Minneapolis; and

Whereas, approximately 25,253 persons or 7,924 households are directly exposed to varied levels of airport noise; and

Whereas, 73% of 10,042 single family homes in the draft MSP 2005 60-64 DNL contour map are within the City of Minneapolis; and

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

That the following comments are hereby adopted:

The City of Minneapolis fervently urges the MAC not to abandon its prior public commitment to expand the sound insulation program to incorporate the area encompassed by the 2005 60 DNL.

The City of Minneapolis views Option 1 Current 5-Decibel Reduction Package, to be provided to homes within the 2005 60-64 DNL contour, as the only option that satisfies MAC's prior obligation and promise to our citizens.

Options 6 and 6a in particular fall sharply beneath MAC's earlier commitment and are not acceptable options for Minneapolis' homeowners choosing to participate in the program.

The City requests notification and opportunity to comment further on significant changes to the 14 CFR Part 150 Update: 2005 Noise Exposure Map and Noise Compatibility Program current draft prior to submission to FAA.

The Minneapolis City Clerk is directed to submit these comments to the Metropolitan Airports Commission, Mr. Nigel D. Finney, Deputy Executive Director, 6040 28<sup>th</sup> Avenue South, Minneapolis, MN 55040 by July 31, 2001.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. 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 various alley resurfacing and alley retaining wall projects within the City and having held a public hearing to consider assessment of certain costs for said improvements and having been informed that the City portion of the costs of the projects has been appropriated to Public Works - Streets & Malls Capital Agency (4100-937-9374), now recommends passage of the accompanying resolutions ordering the work to proceed and adopting the special assessments for the following projects:

- Central Av NE and Jackson St NE from Lowry to 26th Avs NE, Alley Resurfacing, Special Improvement of Existing Street No. FS01#2.
- Ulysses and Johnson Sts NE from 31st to 32nd Avs NE Alley Retaining Wall, Special Improvement of Existing Street No. FS01#3.
- Pierce and Fillmore Sts NE from 27th to 28th Sts NE Alley Resurfacing, Special Improvement of Existing Street No. FS01#4.

- Pierce and Fillmore Sts NE from 27<sup>th</sup> to 28<sup>th</sup> Sts NE Alley Retaining Wall, Special Improvement of Existing Street No FS01#5.
- Bryant and Colfax Avs N from 42<sup>nd</sup> Av N to Webber Parkway Alley Retaining Wall, Special Improvement of Existing Street No FS01#6.
- Penn and Queen Avs S from 50<sup>th</sup> to 51<sup>st</sup> Sts W Alley Retaining Wall, Special Improvement of Existing Street No FS01#7.
- Pleasant and Pillsbury Avs S from 24<sup>th</sup> to 25<sup>th</sup> Sts W Alley Retaining Wall, Special Improvement of Existing Street No FS01#8.
- 28<sup>th</sup> and 27<sup>th</sup> Avs S from 57<sup>th</sup> to 58<sup>th</sup> Sts E Alley Retaining Wall, Special Improvement of Existing Street No FS01#9.
- Central Av NE and Polk St NE from Lowry to 26<sup>th</sup> Avs NE Alley Resurfacing, Special Improvement of Existing Street No FS01#10.

Your Committee further recommends passage of the accompanying resolutions requesting the Board of Estimate and Taxation to issue and sell City bonds for each project.

Your Committee further recommends that said resolutions be summarized for publication.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolutions 2001R-325 through 2001R-333, ordering projects to proceed and adopting special assessments for the following alley resurfacing/alley retaining wall projects, were passed July 27, 2001 by the City Council and approved August 2, 2001 by the Mayor:

**Alley Resurfacing Projects:** 2500 block (Central Av NE to Polk St NE)  
2500 block (Central Av NE to Jackson St NE)  
2700 block (Pierce St NE - Fillmore St NE)

**Alley Retaining Wall Projects:** 4200 block (Bryant Av N - Colfax Av N)  
3100 block (Ulysses St NE - Johnson St NE)  
5000 block (Penn Av S - Queen Av S)  
2700 block (Pierce St NE - Fillmore St NE)  
2400 block (Pillsbury Av to Pleasant Av )  
5700 block (28<sup>th</sup> Av S to 27<sup>th</sup> Av S)

Complete copies of these resolutions are available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2001R-325**  
**By Mead & Campbell**

**Central Av NE & Jackson St NE from Lowry to 26<sup>th</sup> Avs NE, Alley Resurfacing,  
Special Improvement of Existing Street No. FS01#2.**

**Ordering the work to proceed and adopting the special assessments for the Central Av NE  
and Jackson St NE from Lowry to 26<sup>th</sup> Avs NE, Alley Resurfacing Project.**

Whereas, a public hearing was held on July 19, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-259, passed June 22, 2001 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 2001R-259, passed June 22, 2001.

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 ten (10) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2002 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 (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-326**

**By Mead & Campbell**

**Ulysses and Johnson Sts NE from 31<sup>st</sup> to 32<sup>nd</sup> Avs NE Alley Retaining Wall,  
Special Improvement of Existing Street No. FS01#3.**

**Ordering the work to proceed and adopting the special assessments for the Ulysses and Johnson Sts NE from 31<sup>st</sup> to 32<sup>nd</sup> Avs NE Alley Retaining Wall, Special Improvement of Existing Street No. FS01#3.**

Whereas, a public hearing was held on July 19, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-263, passed June 22, 2001 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 2001R-263, passed June 22, 2001.

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 ten (10) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2002 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 (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-327  
By Mead & Campbell**

**Pierce and Fillmore Sts NE from 27<sup>th</sup> to 28<sup>th</sup> Sts NE Alley Resurfacing,  
Special Improvement of Existing Street No. FS01#4.**

**Ordering the work to proceed and adopting the special assessments for the Pierce and  
Fillmore Sts NE from 27<sup>th</sup> to 28<sup>th</sup> Sts NE Alley Resurfacing, Special Improvement of Existing  
Street No. FS01#4.**

Whereas, a public hearing was held on July 19, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-261, passed June 22, 2001 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 2001R-261, passed June 22, 2001.

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 ten (10) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2002 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 (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-328  
By Mead & Campbell**

**Pierce and Fillmore Sts NE from 27<sup>th</sup> to 28<sup>th</sup> Sts NE Alley Retaining Wall,  
Special Improvement of Existing Street No. FS01#5.**

**Ordering the work to proceed and adopting the special assessments for the Pierce and  
Fillmore Sts NE from 27<sup>th</sup> to 28<sup>th</sup> Sts NE Alley Retaining Wall Project.**

Whereas, a public hearing was held on July 19, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-265, passed June 22, 2001 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 2001R-265, passed June 22, 2001.

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 ten (10) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2002 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 (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-329  
By Mead & Campbell**

**Bryant & Colfax Avs N from 42<sup>nd</sup> Av N to Webber Parkway Alley Retaining Wall,  
Special Improvement of Existing Street No. FS01#6.**

**Ordering the work to proceed and adopting the special assessments for the Bryant and  
Colfax Avs N from 42<sup>nd</sup> Av N to Webber Parkway Alley Retaining Wall Project.**

Whereas, a public hearing was held on July 19, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-262, passed June 22, 2001 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 2001R-262, passed June 22, 2001.

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 ten (10) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2002 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 (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-330  
By Mead & Campbell**

**Penn and Queen Avs S from 50<sup>th</sup> to 51<sup>st</sup> Sts W Alley Retaining Wall,  
Special Improvement of Existing Street No. FS01#7.**

**Ordering the work to proceed and adopting the special assessments for the Penn and Queen Avs S from 50<sup>th</sup> to 51<sup>st</sup> Sts W Alley Retaining Wall Project.**

Whereas, a public hearing was held on July 19, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-264, passed June 22, 2001 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 2001R-264, passed June 22, 2001.

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 ten (10) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2002 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 (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-331**

**By Mead & Campbell**

**Pleasant and Pillsbury Avs S from 24<sup>th</sup> to 25<sup>th</sup> Sts W Alley Retaining Wall,  
Special Improvement of Existing Street No. FS01#8.**

**Ordering the work to proceed and adopting the special assessments for the Pleasant and Pillsbury Avs S from 24<sup>th</sup> to 25<sup>th</sup> Sts W Alley Retaining Wall Project.**

Whereas, a public hearing was held on July 19, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-266, passed June 22, 2001 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 2001R-266, passed June 22, 2001.

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 ten (10) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2002 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 (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-332**

**By Mead & Campbell**

**28<sup>th</sup> and 27<sup>th</sup> Avs S from 57<sup>th</sup> to 58<sup>th</sup> Sts E Alley Retaining Wall,  
Special Improvement of Existing Street No. FS01#9.**

**Ordering the work to proceed and adopting the special assessments for the 28<sup>th</sup> and  
27<sup>th</sup> Avs S from 57<sup>th</sup> to 58<sup>th</sup> Sts E Alley Retaining Project.**

Whereas, a public hearing was held on July 19, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-267, passed June 22, 2001 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 2001R-267, passed June 22, 2001.

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 ten (10) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2002 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 (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-333**

**By Mead & Campbell**

**Central Av NE and Polk St NE from Lowry to 26<sup>th</sup> Avs NE Alley Resurfacing,  
Special Improvement of Existing Street No. FS01#10.**

**Ordering the work to proceed and adopting the special assessments for the Central Av  
NE and Polk St NE from Lowry to 26<sup>th</sup> Avs NE Alley Resurfacing Project.**

Whereas, a public hearing was held on July 19, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-260, passed June 22, 2001 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 2001R-260, passed June 22, 2001.

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 ten (10) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2002 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 (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolutions 2001R-334 through 2001R-342, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the assessed costs of the following alley resurfacing/alley retaining wall projects, were passed July 27, 2001 by the City Council and approved August 2, 2001 by the Mayor:

**Alley Resurfacing Projects:** 2500 block (Central Av NE to Polk St NE), \$5,200  
2500 block (Central Av NE to Jackson St NE), \$5,100  
2700 block (Pierce St NE - Fillmore St NE), \$5,600

**Alley Retaining Wall Projects:** 4200 block (Bryant Av N - Colfax Av N), \$16,000  
3100 block (Ulysses St NE - Johnson St NE), \$7,750  
5000 block (Penn Av S - Queen Av S), \$6,875  
2700 block (Pierce St NE - Fillmore St NE), \$5,200  
2400 block (Pillsbury Av to Pleasant Av ), \$5,600  
5700 block (28th Av S to 27th Av S), \$4,200

Complete copies of these resolutions are available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2001R-334**  
**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis Bonds in the amount of \$5,100 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 alley improvements in the area of Central Av NE and Jackson St NE from Lowry to 26<sup>th</sup> Avs NE (Alley Resurfacing), Special Improvement of Existing Street No. FS01#2, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-335**  
**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis Bonds in the amount of \$7,750 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 alley improvements in the area of Ulysses St NE and Johnson St NE from 31<sup>st</sup> to 32<sup>nd</sup> Avs NE Alley (Retaining Wall), Special Improvement of Existing Street No. FS01#3, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-336**  
**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis Bonds in the amount of \$5,600 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 alley improvements in the area of Pierce St NE and Fillmore St NE from 27<sup>th</sup> to 28<sup>th</sup> Sts NE (Alley Resurfacing), Special Improvement of Existing Street No. FS01#4, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-337**  
**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis Bonds in the amount of \$5,200 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 alley improvements in the area of Pierce St NE and Fillmore St NE from 27<sup>th</sup> to 28<sup>th</sup> Sts NE (Alley Retaining Wall), Special Improvement of Existing Street No. FS01#5, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-338**

**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis Bonds in the amount of \$16,000 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 alley improvements in the area of Bryant Av N and Colfax Av N from 42<sup>nd</sup> Av N to Webber Parkway (Alley Retaining Wall), Special Improvement of Existing Street No. FS01#6, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-339**

**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis Bonds in the amount of \$6,875 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 alley improvements in the area of Penn Av S and Queen Av S from 50<sup>th</sup> to 51<sup>st</sup> Sts W (Alley Retaining Wall), Special Improvement of Existing Street No. FS01#7, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-340**  
**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis Bonds in the amount of \$5,600 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 alley improvements in the area of Pleasant Av S and Pillsbury Av S from 24<sup>th</sup> to 25<sup>th</sup> Sts W (Alley Retaining Wall), Special Improvement of Existing Street No. FS01#8, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-341**  
**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis Bonds in the amount of \$4,200 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 alley improvements in the area of 28<sup>th</sup> Av S and 27<sup>th</sup> Av S from 57<sup>th</sup> to 58<sup>th</sup> Sts E (Alley Retaining Wall), Special Improvement of Existing Street No. FS01#9, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**RESOLUTION 2001R-342**  
**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis Bonds in the amount of \$5,200 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 alley improvements in the area of Central Av NE and Polk St NE from Lowry to 26<sup>th</sup> Avs NE (Alley Resurfacing), Special Improvement of Existing Street No. FS01#10, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** - Your Committee, having under consideration the Chicago Av Streetscape Project (Chicago Av between 46th and 49th Sts) and having been informed that the Field Regina Northrup Neighborhood Revitalization Plan (NRP) includes \$126,938.78 for said improvements, now recommends that the proper City officers be authorized to accept said NRP funds.

Your Committee further recommends passage of the accompanying resolution increasing the Public Works - Streets & Malls Capital Agency by \$126,938.78 to reflect the receipt of funds for the Chicago Av Streetscape Project.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-343**

**By Mead & Campbell**

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

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Streets & Malls Agency in the Permanent Improvement Projects Fund (4100-937-9372) by \$126,938.78 and increasing the revenue source (4100-937-9372 - Source 3455) by \$126,938.78.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** - Your Committee, having under consideration the Downtown Transportation Management Organization (TMO) that is funded by Federal Transit Administration funds administered by the Minnesota Department of Transportation (MnDOT) and having been informed that the City will receive funds to continue operation of the TMO, now recommends:

1. That the proper City officers be authorized to execute Grant Agreement #81797 in the amount of \$517,000, in effect for the period of July 1, 2001 through June 30, 2003; and

2. Passage of the accompanying resolution increasing the Public Works - Transportation Agency appropriation by \$517,000 and increasing the revenue source, to reflect the receipt of said funds.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-344**  
**By Mead & Campbell**

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

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Agency in the Permanent Improvement Projects Fund (4100-943-9462) by \$517,000 and increasing the revenue source (4100-943-9462 - Source 3215) by \$517,000.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration traffic calming measures proposed by the Allina/Phillips Partnership for the Phillips Neighborhood, now recommends:

1. Approval to install speed humps on Columbus Av S between 26<sup>th</sup> St S and 28<sup>th</sup> St S (two sets) and on Oakland Av S between 26<sup>th</sup> St S and 28<sup>th</sup> St S (two sets) subject to funding reimbursement from the Allina/Phillips Partnership; and

2. Passage of the accompanying resolution increasing the Public Works - Transportation Capital appropriation by \$18,000 and increasing the revenue source to reflect that funding for the improvements will be provided by the Allina/Phillips Partnership.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-345**  
**By Mead & Campbell**

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

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$18,000 and increasing the revenue source (4100-943-9440 - Source 3755) by \$18,000, for Phillips Neighborhood traffic calming measures.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget**- Your Committee, having under consideration the availability of Federal Aid Funds to be used for the Priority Vehicle Control System (allowing priority signaling for MetroTransit buses at certain intersections on Central Av NE and Nicollet Av S), now recommends:

1. That the proper City officers be authorized to execute Agreement #81660 with the Minnesota Department of Transportation (MnDOT) in the amount of \$575,834 to allow the City to use federal funds in the amount of \$461,000 for signal system modifications to be performed by City crews (with designation of City Municipal State Aid funds in the amount of \$114,834 as the twenty percent required match for the funds); and

2. Passage of the accompanying resolution increasing the Public Works - Transportation Field Operations Agency by \$461,000 and increasing the revenue source, to reflect the receipt of said funds. Adopted. Yeas, 11; Nays none.  
Absent - Niland.  
Passed July 27, 2001.  
Approved August 2, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-346**  
**By Mead & Campbell**

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

Resolved by The City Council of The City of Minneapolis:  
That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Field Operations Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$461,000 and increasing the revenue source (4100-943-9440 - Source 3215) by \$461,000.  
Adopted. Yeas, 11; Nays none.  
Absent - Niland.  
Passed July 27, 2001. J. Cherryhomes, President of Council.  
Approved August 2, 2001. 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 267133):

- a) OP #5600, low bid submitted by Progressive Contractors, Inc. for an estimated annual expenditure of \$175,000 to furnish and deliver an asphalt profiler and roto milling machine with operator;
- b) OP #5666, low bid of Crane Carrier Company in the amount of \$229,467 and MacQueen Equipment, Inc. in the amount of \$187,146 for furnishing and delivering refuse and recycling equipment;
- c) OP #5665, low bid of Lametti & Sons, Inc. in the amount of \$78,700 to furnish and install steel casing pipe; and
- d) OP #5668, bid of Northwest Pipe Company in the amount of \$113,830 to furnish and deliver 36 inch steel pipe.

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, 11; Nays none.  
Absent - Niland.  
Passed July 27, 2001.  
Approved July 27, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.  
(Published July 31, 2001)

**T&PW & W&M/Budget** – Your Committee, having been informed of the request of MetroTransit for installation of sidewalks on boulevards at 329 bus stop locations, now recommends passage of the accompanying resolution increasing the Public Works - Streets & Malls Capital Agency by \$100,000 to be reimbursed to the City by MetroTransit.

Your Committee further recommends that the proper City officers be authorized to extend the contract with Standard Sidewalk (District 1 and District 3) by \$25,000 and with Gunderson Brothers Cement (District 2) by \$75,000.

Your Committee further recommends that proper notification be provided to adjacent property owners about the intent to place sidewalks at the 329 bus stops.

Colvin Roy moved to amend the report by adding the following language to the end of the first paragraph:

“with the clear understanding that MetroTransit will be responsible for removing snow and ice on the boulevard sidewalks.” Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-347**

**By Mead & Campbell**

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

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Streets & Malls Capital Agency in the Permanent Improvement Projects Fund (4100-937-9390) by \$100,000 and increasing the revenue source (4100-937-9390 - Source 3740) by \$100,000.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having been informed of the request of Acorn Mini-Storage for sidewalk and other related concrete work to be constructed within the right of way adjacent to their site at 2547 5<sup>th</sup> St NE, now recommends passage of the accompanying resolution increasing the Public Works - Streets & Malls Capital Agency by \$20,000 to be reimbursed by special assessment.

Your Committee further recommends that the proper City officers be authorized to extend the contract with Standard Sidewalk (District 1) by \$20,000.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-348**

**By Mead & Campbell**

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

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Streets & Malls Capital Agency in the Permanent Improvement Projects Fund (4100-937-9390) by \$20,000 and increasing the revenue source (4100-937-9390 - Source 3650) by \$20,000.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

**W&M/Budget** - Your Committee recommends approval of a request from Officers Matthew Blade, Hien Dinh, Valerie Goligowski, Lupe Herrera and Steve Manhood for the City to provide reimbursement of legal fees, in the amount of \$12,707.52, payable to Frederic Bruno & Associates from the Self Insurance Fund (6900-150-1500-4000).

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. 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 #3 to Contract #13412 with the Council on Crime and Justice, to provide victim/witness liaison services, increasing the contract amount by \$138,321, for a new contract total of \$603,576, payable from the City Attorney Agency in the General Fund (0100-140-1410).

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends concurrence with the recommendation of the Empowerment Zone (EZ) Governance Board to use federal EZ funds for the Bloomington-Lake Redevelopment Project, in the amount of \$50,000, payable from the City Coordinator Agency in the Federal Grants Fund (0300-840-8460).

Your Committee further recommends that the proper City officers be authorized to execute a contract with Sherman Associates, as developer, setting forth the terms and conditions of project services.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends concurrence with the recommendation of the Empowerment Zone (EZ) Governance Board to use federal EZ funds, in the amount of \$50,000, for the Turtle Bread/2000 Nicollet Avenue Mixed Use Development Project, payable from the City Coordinator Agency in the Federal Grants Fund (0300-840-8460).

Your Committee further recommends that the proper City officers be authorized to execute a contract with 2000 Nicollet Avenue Development Corporation, setting forth the terms and conditions of project services.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends concurrence with the recommendation of the Empowerment Zone (EZ) Governance Board to use federal EZ funds for the West Broadway and Oliver Avenue North Revitalization Project, in the amount of \$175,000, payable from the City Coordinator Agency in the Federal Grants Fund (0300-840-8460).

Your Committee further recommends that the proper City officers be authorized to execute a contract with the Plymouth Christian Youth Center to assist with project implementation, setting forth the terms and conditions of project services.

Adopted. Yeas, 11; Nays none.

Absent - Niland.  
Passed July 27, 2001.  
Approved August 2, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends concurrence with the recommendation of the Empowerment Zone (EZ) Governance Board to use federal EZ funds for the Franklin-Portland Gateway Project, in the amount of \$180,000, payable from the City Coordinator Agency in the Federal Grants Fund (0300-840-8460).

Your Committee further recommends that the proper City officers be authorized to execute a contract with Central Community Housing Trust, as developer, setting forth the terms and conditions of project services.

Adopted. Yeas, 11; Nays none.  
Absent - Niland.  
Passed July 27, 2001.  
Approved August 2, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends concurrence with the recommendation of the Empowerment Zone (EZ) Governance Board to use federal EZ funds for the Lofts on Arts Avenue Project, in the amount of \$200,000, payable from the City Coordinator Agency in the Federal Grants Fund (0300-840-8460).

Your Committee further recommends that the proper City officers be authorized to execute a contract with the Brighton Development Corporation, setting forth the terms and conditions for project services.

Adopted. Yeas, 10; Nays none.  
Declining to Vote - McDonald.  
Absent - Niland.  
Passed July 27, 2001.  
Approved August 2, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends concurrence with the recommendation of the Empowerment Zone (EZ) Governance Board to use federal EZ funds for the Many Rivers Project, in the amount of \$400,000, payable from the City Coordinator Agency in the Federal Grants Fund (0300-840-8460).

Your Committee further recommends that the proper City officers be authorized to execute a contract with the American Indian Housing and Community Development Corporation, setting forth the terms and conditions for project services.

Adopted. Yeas, 11; Nays none.  
Absent - Niland.  
Passed July 27, 2001.  
Approved August 2, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends concurrence with the recommendation of the Empowerment Zone (EZ) Governance Board to set aside federal EZ funds, in the amount of \$112,000, as an 80% loan guarantee that will enable Green Institute to acquire a loan of \$140,000 from Community Loan Technologies for completion of commercial space in the Phillips Eco Enterprise Center, with said \$112,000 loan guarantee to be payable from the City Coordinator Agency in the Federal Grants Fund (0300-840-8460), if funds are needed.

Your Committee further recommends that the proper City officers be authorized to execute a contract with Community Loan Technologies, setting forth terms and conditions of the loan guarantee.

Adopted. Yeas, 10; Nays none.  
Declining to Vote - Goodman.

Absent - Niland.  
Passed July 27, 2001.  
Approved August 2, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having approved by Council action of June 22, 2001 the use of federal Empowerment Zone (EZ) funds for the Health Careers Institute, in the amount of \$210,000, (\$200,000 for a scholarship program for EZ residents and \$10,000 for program administration), now recommends transfer of funds to the Minneapolis Employment and Training Program (METP) for said program administration.

Your Committee further recommends passage of the accompanying Resolution, increasing the appropriation and revenue estimate for the Health and Family Support Agency for METP administration.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-349**

**By Campbell**

**Amending The 2001 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

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

a) decreasing the appropriation for the City Coordinator Agency in the Federal Grants Fund (0300-840-8460) by \$210,000; and

b) increasing the appropriation for the Health and Family Support Agency in the Federal Grants Fund (0300-860-8600) by \$210,000, and increasing the revenue estimate for the Health and Family Support Agency in the Federal Grants Fund (0300-860-8600-Source 3210) by \$210,000, transferring Empowerment Zone funds to the Minneapolis Employment and Training Program for administration of the Health Careers Institute scholarship program.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends acceptance of funds from Hennepin County, in the amount of \$699.76, as reimbursement for the County's share of National Arts Program costs.

Your Committee further recommends passage of the accompanying Resolution increasing the City Coordinator Agency appropriation and revenue estimate by \$699.76.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-350**

**By Campbell**

**Amending The 2001 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the City Coordinator Agency in the Grants - Other Fund (0100-840-8450) by \$699.76, and increasing the City Coordinator Agency revenue estimate in the Grants - Other Fund (0100-840-8450-Source 3220) by \$699.76, as reimbursement to the Office of Cultural Affairs for the County's share of National Arts Program costs.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished August 8, 2001)

**W&M/Budget** - Your Committee recommends approval of a request from the Division of Solid Waste and Recycling to insert in the August, 2001 utility bills a message relating to the 2001 schedule and guidelines for household hazardous waste mobile drop-off sites, with the understanding that City departments are not charged an insertion fee.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. 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 settlement agreement with Gary Dohrwardt, as full, final and complete settlement of a Workers' Compensation claim, in the amount of \$190,000, payable from the Workers' Compensation Agency in the Self-Insurance Fund (6900-145-1451), with reimbursement from the State of Minnesota Special Compensation Fund.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having accepted a Metropolitan Council Livable Communities Grant (by Council action of March 3, 2000) to conduct a Crime Prevention Through Environmental Design Demonstration Project on Central Avenue, now recommends acceptance of \$27,701 from the Northeast Economic Development Corporation as a cash match payment from participating property owners to cover certain improvements relating to said project.

Your Committee further recommends passage of the accompanying Resolution increasing the Non-Departmental Agency appropriation and revenue estimate by \$27,701.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-351**

**By Campbell**

**Amending The 2001 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Non-Departmental Agency in the Grants - Other Fund (0600-123-1232) by \$27,701, and increasing the Non-Departmental Agency revenue estimate in the Grants - Other Fund (0600-123-1232-

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Source 3720) by \$27,701, as cash match payment for improvements relating to the Crime Prevention Through Environmental Design Demonstration Project on Central Avenue.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. 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 application of University of St Thomas (Vac #1365) to vacate the public alley between 12th St and LaSalle Av to permit an interim use, 156-car, surface parking lot at 1125 Harmon Place, 55 11th St S, 36 12th St S, 44 12th St S, 69 11th St S and 1128 LaSalle Av, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 267146 and to grant said vacation.

Your Committee further recommends passage of the accompanying resolution vacating said alley and publication in summary form.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished September 22, 2001)

Resolution 2001R-352, entitled "Vacating the public alley between 12th Street and LaSalle Avenue (Vac #1365)," was passed July 27, 2001 by the City Council and approved August 2, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2001R-352**

**By McDonald**

**Vacating the public alley between 12th Street and LaSalle Avenue (Vac #1365).**

Resolved by The City Council of The City of Minneapolis:

That part of the public alley bounded by 12th Street South and LaSalle Avenue subject to retention of an easement by Xcel Energy is hereby vacated except that such vacation shall not affect the existing authority of Xcel Energy, their successors and assigns, to enter upon that portion of the aforescribed utilities which is described in regard to each of said corporations as follows, to wit:

An easement in favor of Xcel Energy, 8 feet in width, over, under, and across the alley as widened March 30, 1917 (Volume 43, Page 242), said alley being a part of Lot 51, Auditor's Subdivision No. 30, Lots 7 and 8, Harmon's Second Addition to Minneapolis and the alley as dedicated in said Harmon's Second Addition to Minneapolis, the centerline of said easement described as follows:

Beginning at the intersection of a line drawn parallel with and 7.00 feet northwesterly of the southeasterly line of said alley as widened March 30, 1917, hereinafter referred to as Line A, with the northeasterly line of 12th Street South as opened by the Minneapolis City Council on April 8, 1921; thence North 61 degrees 25 minutes 55 seconds East, assumed bearing, along said Line A a distance of 96.23 feet; thence North 28 degrees 34 minutes 05 seconds West a distance of 12.60 feet, more or less, to the northwesterly line of said alley as widened March 30, 1917 and there terminating,

and said easement right and authority is hereby expressly reserved to the above-named corporation.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** – Your Committee, having under consideration the application of Alliance Housing (BZZ-157) to rezone property at 1828 Central Av NE from the C2 to the OR3 district to permit 61 units of supportive housing, now concurs in the recommendation of the Planning Commission to adopt the related findings set forth in Petn No 267146 and to approve said application. (64379).

Your Committee further recommends passage of the accompanying amendment to the Zoning Code and publication of the amendment in summary form.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-091, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 1828 Central Av NE to the OR3 district, was passed July 27, 2001 by the City Council and approved August 2, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

**ORDINANCE 2001-Or-091**  
**By McDonald**  
**1st & 2nd Readings: 7/27/2001**

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

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

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

A. That part of Tract A: Lot 5 and the west 40 feet of Lots 6 & 7, Blk 33, Wilson's Rearrangement of Blocks 2, 3, 6, 7, 9, 10, 11, 14, 15, 19, 20, 21, 24, 26, 29, 31, 33, 35, 37, 39, 41 of East Side Addition to City of Minneapolis, Hennepin County, MN, and Tract B: East 135 ft of Lots 6 & 7, Blk 33, Wilson's Rearrangement of Blks 2, 3, 6, 7, 9, 10, 11, 14, 15, 19, 20, 21, 24, 26, 29, 31, 33, 35, 37, 39, 41 of East Side Addition to City of Minneapolis, Hennepin County, MN (1828 Central Av NE - Plate 10) to the OR3 District.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration the appeal of Elizabeth Flamrey on behalf of Windom Park Citizens in Action and Betsy Mitchell from the decision of the Board of Adjustment approving the application of John Surma for a nonconforming use certificate to maintain rights to use the building at 2201 Fillmore St NE as three dwelling units in the R2B district (BZZ-70), and having conducted a public hearing thereon, now recommends that the appeal be granted and that the findings prepared by staff and on file in Petn No 267144 be adopted.

Adopted. Yeas, 11; Nays none.

Absent - Niland.  
Passed July 27, 2001.  
Approved August 2, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration the appeal of Dale Haglund from the decision of the Planning Commission approving with conditions the application of Auto Care Inc for a site plan review permit for the property at 5000 34th Av S (SP-213), and having conducted a public hearing thereon, now recommends that the appeal be denied and that the site plan and conditions set forth in staff's memo of June 25 to Council Member Colvin Roy (Petn No 267145) be approved. The plan requires a black steel fence on 50th St and 34th Av.

Adopted. Yeas, 10; Nays none.  
Declining to Vote - Colvin Roy.  
Absent - Niland.  
Passed July 27, 2001.  
Approved August 2, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration the appeal of Hung T Ngo and Nedal Abul-Hajj from the decision of the Planning Commission denying the application of J N Auto Body for a nonconforming use certificate to allow an automobile body repair shop at 1532 E 35th St (BZZ-37), and having conducted a public hearing thereon, now recommends that said appeal be denied and the decision of the Planning Commission be upheld, and that the findings of fact prepared by the Planning Department Staff and set forth in Petn No 267145 be adopted.

Adopted. Yeas, 11; Nays none.  
Absent - Niland.  
Passed July 27, 2001.  
Approved August 2, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration the application of the Leaning Tower of Pizza (BZP-55) to rezone property at 2501 University Av SE from the OR2 to the C3A district to permit a new restaurant with 159 seats and liquor service in the existing University Village student housing complex, and having received the recommendation of the Planning Commission to deny the application, now recommends that the application be granted and that the findings prepared by Planning Department staff and set forth in Petn No 267146 be adopted. (64380).

Your Committee further recommends passage of the accompanying amendment to the Zoning Code and publication in summary form.

Adopted. Yeas, 11; Nays none.  
Absent - Niland.  
Passed July 27, 2001.  
Approved August 2, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-092, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 2501 University Av SE to the C3A district, was passed July 27, 2001 by the City Council and approved August 2, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

**ORDINANCE 2001-Or-092**  
**By McDonald**  
**1st & 2nd Readings: 7/27/2001**

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

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

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

A. That part of Lot 1, except the Southeasterly 144 feet thereof, Auditor's Subdivision Number Two hundred Sixty (260), Hennepin County, MN (2501 University Av SE - Plate 22) to the C3A District.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M . Keefe, City Clerk.

**Motions**

Cherryhomes moved to waive the residential block event requirement for signatures representing 75% of the households approving of an event on the block abutting the street, as shown in Chapter 455 of the Minneapolis Code of Ordinances, for applicant Moiria Ackerman on behalf of Alliance Housing, Inc. for an event to be held Tuesday, August 7, 2001, between the hours of 6:00 p.m. and 9:30 p.m. on Oakland Avenue South between 30th and 31st Streets East, approval being granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Cherryhomes moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Evelyn Hurse, for Southside Neighborhood, for a residential block event to be held Saturday, July 28, 2001, between the hours of 1:00 and 4:00 p.m. on 5<sup>th</sup> Avenue South between 34<sup>th</sup> and 35<sup>th</sup> Streets East, subject to approval being granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Mead moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicants Rachelle and Kerry Hansen for a residential block event to be held Sunday, August 5, 2001, between the hours of 3:00 and 10:00 p.m. on Harriet Avenue South between 45<sup>th</sup> and 46<sup>th</sup> Streets West, subject to the remainder of the fee being paid, approval having been granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Campbell moved to designate City Clerk Merry Keefe, during the absence of Craig Steiner, as the Responsible Authority and the Data Compliance Official for the purposes of meeting all requirements of Minnesota Statutes, Section 13.02 through 13.87 and all rules promulgated by the Commissioner of Administration. **Seconded.**

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Campbell moved to direct that:

(1) There be an independent investigation into the City's regulatory programs and practices; and  
(2) The City Attorney retain an outside investigator using the following five criteria to guide his decision:

- a. Does the attorney/firm have significant experience with public law and governmental process?
- b. Is the attorney associated with a firm that has sufficient "capacity" (paralegals, support staff, etc.) to conduct complicated investigations?
- c. Does the attorney/firm have significant personal experience conducting complex internal investigations?
- d. Does the attorney/firm have experience with the federal government - either with the United States Department of Justice or with the U.S. Attorney's Office in Minnesota?
- e. Is the attorney/firm outside of the seven county Twin Cities metropolitan area?

Further, the City Attorney is directed to report back to the Council's Ways & Means/Budget Committee as soon as possible on the selection of an outside investigator. **Seconded.**

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

### **Resolutions**

#### **RESOLUTION 2001R-353**

**By Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Goodman,  
Thurber, McDonald, Mead, Colvin Roy and Lane**

**Receiving and consent to the resignation of Brian Herron, Council Member of the Eighth Ward.**

Whereas, the City Clerk on July 17, 2001, received the written resignation of Brian Herron, Council Member of the Eighth Ward for the City of Minneapolis; and

Whereas, by operation of law the position of Eighth Ward Council Member is vacant, effective upon receipt by the City Clerk of the resignation on July 17, 2001; and

Whereas, the City Council is authorized to consent to the resignation pursuant to Minneapolis Charter Chapter 2, Section 17;

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

That the City Council consents to the written resignation of Brian Herron, Council Member of the Eighth Ward, and confirms that the position is vacant.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved. August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-354**

**By Campbell, Biernat, Goodman, Colvin Roy, McDonald, Mead, Lane,  
Johnson, Thurber, Ostrow and Cherryhomes**

**Thanking the Honorable James M. Rosenbaum for allowing the City to use his chambers  
as temporary City Council chambers.**

Whereas, in January 2000, the Municipal Building Commission began renovation of the Minneapolis City Council offices and chambers to address health and safety issues relating to the ventilation system, and to modernize the facility to enable the City Council to better serve the public; and

Whereas, the renovation was expected to last through 2001, which would limit the public's ability to participate in Council Committee and City Council meetings; and

Whereas, the City was experiencing significant difficulty in locating suitable temporary Council chambers which would permit the public to participate in the Council's activities; and

Whereas, the Honorable James M. Rosenbaum, Chief Judge of the Federal District Court, graciously volunteered his chambers for use by the City Council to conduct its regularly scheduled meetings; and

Whereas, Chief Judge Rosenbaum offered the Council Members and the public a dignified and appropriate setting in which to conduct the City Council's activities on behalf of the public; and

Whereas, the City Council is extremely grateful to Chief Judge Rosenbaum for his graciousness and his hospitality while the City Council used his chambers;

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

That The City of Minneapolis thanks Chief Judge Rosenbaum on behalf of the City Council, the Mayor, City staff, and the public for his willingness to allow the City to use his chambers as a temporary Council meeting place and for his gracious hospitality.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved. August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Unfinished Business**

Auto Care Inc (5000 34<sup>th</sup> Av S): Revoke Motor Vehicle Repair Garage License for failure to complete the site plan review process. (Postponed 9/29/2000, PS&RS)

Goodman moved that the report be deleted from the agenda. Seconded.

Adopted upon a voice vote.

Minneapolis Community Development Agency (Guthrie Theater): Passage of Resolution vacating part of 20<sup>th</sup> Av S between 2<sup>nd</sup> St S & Mississippi River; Authorize summary publication. (Postponed 5/18/2001, Z&P)

**Z&P** - Your Committee, having under consideration the application of the Minneapolis Community Development Agency to vacate that part of 10<sup>th</sup> Av S lying between 2<sup>nd</sup> St S and the Mississippi River (Vac #1353) to permit the Guthrie Theater, now concurs in the recommendation of the Planning Commission to adopt the related findings set forth in Petn No 266964 and approve the vacation application provided any requested easements are granted by the applicant.

Your Committee further recommends passage of the accompanying vacation resolution, and summary publication of the resolution.

McDonald moved to substitute a new Resolution for the above-mentioned Resolution. Seconded.

Adopted upon a voice vote.

The report, with substituted resolution, was adopted.

Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-355, entitled "Vacating that part of 10<sup>th</sup> Avenue South lying between 2<sup>nd</sup> Street South and the Mississippi River (Vac # 1353)," was passed July 27, 2001 by the City Council and approved August 2, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2001R-355**  
**By McDonald**

**Vacating that part of 10th Avenue South lying between 2nd Street South and the Mississippi River (Vac # 1353).**

Resolved by The City Council of The City of Minneapolis:

That part of 10th Avenue South (also known as Smith Street) dedicated or shown in the plats of Town of Minneapolis and Auditor's Subdivision No. 41, Hennepin County, Minneapolis, lying northeasterly of the northeasterly right of way line of Second Street South;

Reserving, however, an easement in favor of Xcel Energy, its successors and assigns, for access to electric utilities lying in a tunnel within Second Street South and/or the unvacated portion of 10th Avenue South, which easement is located beneath said vacated portion of 10th Avenue South that is legally described as follows:

An area lying below 767.00 feet, NGVD 1929 datum, which is 6.0 feet in width lying 3.0 feet on either side of the following described centerline:

Commencing at the intersection of the northeasterly line of Second Street South and the southeasterly line of 10th Avenue South; thence North 59 degrees 10 minutes 15 seconds West on an assumed bearing along said northeasterly line of Second Street South a distance of 40.55 feet to the point of beginning of said easement; thence North 30 degrees 22 minutes 24 seconds East a distance of 494.80 feet to a point on the southerly line of said West River Parkway, which bears North 72 degrees 01 minutes 48 seconds West a distance of 45.32 feet from the intersection of said southeasterly line of 10th Avenue South and the southerly line of West River Parkway; thence continuing North 30 degrees 22 minutes 24 seconds to the northeasterly line of Auditor's Subdivision No. 41; and there terminating.

This easement does not extend to any facilities or access thereto that did not exist on the date of the reservation of this easement, and said easement right and authority is hereby expressly reserved to the above-named corporation pursuant to Minnesota Statutes Section 160.29, Subd. 2.

Adopted. Yeas, 11; Nays none.

Absent - Niland.

Passed July 27, 2001. J. Cherryhomes, President of Council.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Marchant Investment & Management Co. Inc: Passage of Resolution vacating 18<sup>th</sup> St NE between University Av & 2<sup>nd</sup> St to permit Bottineau Commons; Authorize summary publication. (Postponed 6/22/2001, Z&P)

Arnold Gregory: Passage of Resolution vacating alley bounded by 1<sup>st</sup> Av NE, 2<sup>nd</sup> Av NE, Main St NE & 2<sup>nd</sup> St NE to permit condominiums & townhomes in residential development. (Postponed 7/13/2001, Z&P)

By unanimous consent, the above two reports continued to be postponed.

**New Business**

Goodman offered an Ordinance amending Title 16, Chapter 424 of the Minneapolis Code of Ordinances relating to *Planning and Development: Tax Levy to Secure Industrial Development Bonds*, which was given its first reading and referred to the Community Development Committee. (Correcting an MCDA resolution number)

The City Council recessed to Room 327M City Hall at 10:25 a.m. for consideration of the following lawsuits:

- a) *David Armstrong vs. Kaneko, Garman, Menter and the City of Minneapolis.*
- b) *Leo A. Hodroff vs. City of Minneapolis.*

The City Council reconvened at 10:33 a.m. in Room 327M City Hall.

President Cherryhomes in the Chair.

Present - Council Members Campbell, Biernat, Goodman, Colvin Roy, McDonald (In at 10:47; Out at 11:15), Mead (In at 10:45), Lane, Johnson (In at 10:38), Thurber (Out at 11:15), Ostrow, Cherryhomes.

Absent - Niland.

Jay Heffern, City Attorney, stated that both cases are in active litigation. The meeting may be closed for the purpose of receiving confidential information on the above-named lawsuits.

Lane moved to close the meeting for the purpose of considering the lawsuits. Seconded.

Adopted upon a voice vote.

The meeting was closed at 10:33 a.m.

Also present - Jay Heffern, City Attorney; Michael Norton, Deputy City Attorney; Jim Moore and Bruce Gritters, Assistant City Attorneys; Fred Berstein, Attorney representing the City of Minneapolis; Rodney Liebold and Bo Spurrier, Convention Center Expansion Project (Out at 10:54, In at 11:03); Colleen Moriarty, Mayor's office; William Jones, Deputy Chief, Police Department; Kathleen O'Brien (In at 10:39); Merry Keefe, City Clerk; Pat Kelly, Council Member Assistant; Jan Hrnrcir, City Clerk's office.

Jim Moore, Assistant City Attorney, summarized the *David Armstrong vs. Kaneko, Garman, Menter and the City of Minneapolis* lawsuit from 10:33 a.m. to 11:03 a.m.

Fred Berstein, Attorney, summarized the *Leo A. Hodroff vs. City of Minneapolis* lawsuit from 11:03 to 11:15 a.m.

The closed portion of the meeting was tape recorded with the tape on file in the office of the City Clerk.

Ostrow moved that the meeting be opened for the purpose of taking action on the lawsuits. Seconded.

Adopted upon a voice vote.

Campbell moved that the City Attorney be authorized to settle the lawsuit entitled *David Armstrong vs. Kaneko, Garman, Menter and the City of Minneapolis*, United States District Court File No.: 00-1152 RHK/JMM in accordance with the agreement reached at the pretrial/settlement conference held July 18, 2001, and pursuant to the discussion and direction given at the closed Council session of July 27, 2001, in the amount of \$20,000.00. Said payment shall be made to David Armstrong and his attorneys, Thill Law Firm, P.A., and is payable from Fund/Org No. 6900 1500 4000. The City Attorney's Office is authorized to execute any documents necessary to finalize this settlement. Seconded.

Adopted. Yeas, 9; Nays none.

Absent - Niland, McDonald, Thurber.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**JULY 27, 2001**

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Ostrow moved to refer the subject matter of off duty stop and arrest to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote.

Campbell moved that the City Attorney be authorized to take all necessary actions including, but not limited to, executing all appropriate documents to settle the matter of *Leo A. Hodroff vs. City of Minneapolis*, by payment of \$795,812.50, payable to Leo A. Hodroff and his attorney, David Meyer, of the law firm of Fredrikson & Byron, payable from Convention Center Site Agency Permanent Improvement Fund 41009759751. Seconded.

Adopted. Yeas, 9; Nays none.

Absent - Niland, McDonald, Thurber.

Passed July 27, 2001.

Approved August 2, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The meeting was adjourned to Thursday, August 9, 2001, at 1:00 p.m. in Room 324 City Hall, to hear the Mayor's Budget Framework Address.

MERRY KEEFE,  
City Clerk.

Created: 7/30/2001; Modified: 8/1/2001;  
9/11/2001; 10/01/2001