

**OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL
REGULAR MEETING
OF MARCH 8, 2012**

(Published March 17, 2012, in *Finance and Commerce*)

Council Chamber
Room 317 City Hall
350 South 5th Street
Minneapolis, Minnesota
March 8, 2012 - 9:30 a.m.

Council President Johnson in the Chair.

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

Lilligren moved adoption of the agenda. Seconded.

Adopted upon a voice vote.

Absent - Colvin Roy.

Lilligren moved acceptance of the minutes of the regular meeting of February 24, 2012. Seconded.

Adopted upon a voice vote.

Absent - Colvin Roy.

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

Adopted upon a voice vote.

Absent - Colvin Roy.

PETITIONS AND COMMUNICATIONS

COMMITTEE OF THE WHOLE (See Rep):

INTERGOVERNMENTAL RELATIONS (275510)

Teachers Retirement Association Pension Obligations: authorize lump sum contribution to fully fund shortfall in historical payments.

NEIGHBORHOOD AND COMMUNITY RELATIONS (275511)

Rebuilding Our Communities Fund: 2012 Appropriation.

COMMUNITY DEVELOPMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275512)

Land Sale (2001 Washington St NE): Sale to Greater Metropolitan Housing Corporation.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275513)

West Broadway Curve Project (1926-2022 W Broadway): Preliminary approval to issue bonds for multi-family housing project.

Reclassification of Tax-forfeit Properties: 2222 McNair Ave, 2627 Oliver Ave N & 2014 Glenwood Ave.

Small Business Technical Assistance Program: Authorize development.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275514)

Spirit on Lake Limited Partnership (2930 13th Ave S & 1238 E Lake St): Preliminary approval to issue bonds for multi-family housing project.

Seward South Urban Renewal Plan: Modification No. 16 to Seward South Urban Renewal Plan & Modification No. 119 to the Common Plan.

201 Lowry Avenue Northeast Redevelopment Plan.

Environmental Remediation Grants: Accept & appropriation of grants from MN Department of Employment & Economic Development, Metropolitan Tax Base Revitalization Account & Hennepin County Environmental Response Fund.

Bridge to Success 2012 Program: Approval of loan to program.

ELECTIONS:

CITY CLERK (275515)

2011 Election Activity Report.

Redistricting: Harmonizing Precinct Boundaries (2012 – 2022) Report.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH (See Rep):

CIVIL RIGHTS (275516)

Civilian Police Review Authority: Approve reappointments and appointments for four-year terms -- Vernon Wettenschlag; Robert Briscoe; John Oskar Cetta, Jr; Nicholas Paul Cichowicz; Nimo Farah; Alvaro "Al" Giraud; Ian Pannkuk; and Lorna Pettis.

HUMAN RESOURCES (275517)

Director of Civil Rights: Approve increase of annual vacation earning for Velma Korbelt from 20 days per year to 26 days per year.

REGULATORY SERVICES (275518)

Animal Care Donations: Accept donations of dog and cat supplies for the care of animals at Minneapolis Animal Care & Control.

TURCHICK, CHUCK (275519)

Civil Rights Director: Comments relating to reappointment of Velma Korbelt.

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

POLICE DEPARTMENT (275520)

Community Justice Program: Approve \$10,000 payment to Greater Minneapolis Council of Churches in support of the community justice program for 2012.

Police Chaplain Services: Issue Request for Proposals for chaplain services, subject to approval by the Permanent Review Committee.

REGULATORY, ENERGY AND ENVIRONMENT:

LICENSES AND CONSUMER SERVICES (275521)

Hi-Lake Liquors, 2130 E Lake St: Proposed Business License Operating Conditions relating to Off-Sale Liquor License.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

LICENSES AND CONSUMER SERVICES (275522)

Carbone's Pizza on the Parkway, 4724 Cedar Ave S: Grant On-Sale Wine Class E with Strong Beer License.

Bullwinkle Saloon, 1429 Washington Ave S: Grant On-Sale Liquor Class C-2 with Sunday Sales License.

Narobi Ethiopian Market, 2518 Central Ave NE: Approve Business License Operating Conditions relating to Grocery License.

LICENSES AND CONSUMER SERVICES (275523)

Licenses: Grant applications recommended for approval.

REGULATORY SERVICES (275524)

Asbestos Shingles: Ordinance regulating the removal and disposal of asbestos shingles.

REGULATORY SERVICES (275525)

Composting: Ordinance amending provisions relating to backyard composting.

REGULATORY SERVICES (275526)

Rental Dwelling License at 3605 4th Ave S: Approve reinstatement of license to be held by Alioune Thiam.

Rental Dwelling License at 3205 3rd Ave S: Approve reinstatement of license to be held by Fardowsa Ali.

REGULATORY SERVICES (275527)

Rental Dwelling License at 4942 Bryant Ave S: Revoke license held by Robert Russell.

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

REGULATORY SERVICES (275528)

Grass Cutting and Weed/Brush Removal from Vacant Lots: Execute Memorandum of Understanding with Minneapolis Park Board for a pilot project to have teenagers from the Teen TeamWorks Program provide nuisance abatement services during summer 2012.

Commercial Hood Inspection Program: Ordinances updating the Commercial Hood and Exhaust Cleaning Article to more equitably distribute the costs of the inspection program; and amending the Director's Fee Schedule provision to include commercial hood and exhaust cleaning permits.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (275529)

Director of Public Works/City Engineer: Reappointment of Steven Kotke for a two-year term.

Collaborative Research Project Agreement with University of Minnesota Board of Regents: Site-specific research of City's water treatment operations.

18th Ave NE Bike Trail, Phase II: Contract amendment with Max Steinger, Inc.

Upton Ave S Street Resurfacing Project No 5230: Project designation.

W River Rd N Street Resurfacing Project No 5239: Project designation.

15th St E Street Resurfacing Project No 5241: Project designation.

Sheridan Ave S Street Resurfacing Project No 5228: Project designation.

Yard Waste Processing: Contract amendment with Organic Technologies, Inc.

PUBLIC WORKS AND ENGINEERING (275530)

Martin Sabo Bridge over Hiawatha Ave: Update.

Capital Project Close-Outs: Close out projects and reallocate excess revenue and Net Debt Bonds.

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

PUBLIC WORKS AND ENGINEERING (275531)

Riverside Ave Street Reconstruction & Street Lighting Project, Phase 2: Project approval and assessment public hearing.

Joint Water Commission Contract Amendment: Rebuild Golden Valley meter station.

Sentencing to Service Program: Contract with Hennepin County.

Northern Lights Express: 2012 participation in Minneapolis-Duluth/Superior Passenger Rail Alliance Board.

Winter St NE Residential/Commercial Reconstruction: Layout approval and authorization to acquire easements.

Central Corridor LRT Project: Subordinate Funding Agreements 16 and 17 with Metropolitan Council; and increase appropriation.

Yard Waste Processing: Contract with Specialized Environmental Technologies, Inc./SKB Environmental.

Bids: a) OP 7567, Only bid of Midwest Diesel Service, Inc., for OEM Crane Carrier parts and service;
b) OP 7570, low bid of Veit and Company, Inc., to complete the Riverside Ave, Phase 2 Construction

Project; c) OP 7571, Only bid of Construction Materials, Inc., for epoxy grade reinforcing rods; and d) OP 7577, Low bid of Highway Technologies, Inc., for traffic control devices.

WAYS AND MEANS BUDGET:

FINANCE DEPARTMENT (275532)
2013 Initial Budget Schedule.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (275533)
Legal Settlements: a) Steven Meldahl v. City of Minneapolis; and b) Jones v. McLean, et al.
Analytics, Inc.: Amend Claims Administration Services Agreement.
CITY CLERK (275534)
Statements of Economic Interest: City positions required to file.
FINANCE DEPARTMENT (275535)
OP #7566: Accept low bid of Century Fence Company to complete the Emergency Operations Training Facility Perimeter Fence.
MAYOR (275536)
Department Head Appointment: Public summited handout regarding reappointment of Susan Segal.
REGULATORY SERVICES (275537)
2011 HUD Healthy Homes Thriving Communities: Issue RFP to partner with eligible agencies for grant funds.

ZONING AND PLANNING:

PLANNING COMMISSION/DEPARTMENT (275538)
Appeal - Postponed
HERC (419 5th St N, aka 505 6th Ave N): Letter from Covanta Energy granting extension of 60-day law.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (275539)
Appeals:
Linden Corner (4242, 4246, 4246 1/2, 4250 and 4264 Upton Ave S): Part 1 of 4.
PLANNING COMMISSION/DEPARTMENT (275539.1)
Appeals:
Linden Corner (4242, 4246, 4246 1/2, 4250 and 4264 Upton Ave S): Part 2 of 4.
PLANNING COMMISSION/DEPARTMENT (275539.2)
Appeals:
Linden Corner (4242, 4246, 4246 1/2, 4250 and 4264 Upton Ave S): Part 3 of 4.
PLANNING COMMISSION/DEPARTMENT (275539.3)
Appeals:
Linden Corner (4242, 4246, 4246 1/2, 4250 and 4264 Upton Ave S): Part 4 of 4.
PLANNING COMMISSION/DEPARTMENT (275540)
Zoning Code Text Amendment:
Film, Video and Audio Production in commercial districts, amending Title 20, Chapters 536 and 548.
Interim Use Permit:
First & First LLC (2644 Nicollet Ave) - 3 year permit for temporary parking facility for a restaurant at 2628 Nicollet.
Appeal:
29th & Lyndale Redevelopment (2900-2910 Lyndale Ave S & 2901-2919 Aldrich Ave S).

FILED:

CHARTER COMMISSION (275541)

Municipal Recall Election Referendum Proposal: a) Written comments from Bradley Conley; b) Minnesota Statutes 410.20; and c) Minnesota Constitution Article VIII, Impeachment and removal from Office.

Lawsuit: a) Power by the People, a Political Action Committee v. The Minneapolis Charter Commission Order 27 CV 12 2043 Judge Joseph R. Klein; b) Reply to Petitioner's Memo; and c) Answer.

Minnesota Statute 410.12 relating to "form and substance": Email correspondence between Chair Clegg and Commissioner Cohen.

MAYOR (275542)

Department Head Appointments: Mayor's letter nominating Patrick Todd, City Assessor; Susan Segal, City Attorney; Gretchen Musicant, Commissioner of Health/Department of Health & Family Support; Velma Korbel, Civil Rights; and Steve Kotke, Public Works Director.

The following reports were signed by Mayor Rybak on March 9, 2012, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The COMMITTEE OF THE WHOLE submitted the following reports:

Comm of the Whole/IGR - Your Committee recommends that the City's agenda for the 2012 State Legislative Session, adopted December 9, 2011, be amended to include in the Municipal Governance, Opposition section the following language:

"Attempts to limit the functions, powers or authority of municipal civil review authorities."

Adopted.

Lilligren moved to find under Council Rule 4 that the regular Council cycle is not adequate, and to consider the action of the Committee of the Whole from March 7, 2012, supporting the Metropolitan Council's 2012 Bonding Request for Southwest Light Rail Transit at this meeting. Seconded.

Adopted upon a voice vote.

Comm of the Whole - Your Committee, having under consideration support of the Metropolitan Council's 2012 Bonding Request for the proposed Southwest Light Rail Transit line, now recommends passage of the accompanying resolution in support.

Adopted.

Resolution 2012R-108, supporting the Metropolitan Council's 2012 Bonding Request for Southwest Light Rail Transit, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-108

By Lilligren

Supporting the Metropolitan Council's 2012 Bonding Request for Southwest Light Rail Transit.

Whereas, the proposed Southwest Light Rail Transit line from Eden Prairie to Minneapolis will run through the City of Minneapolis, with station locations at West Lake Street, 21st Street, Penn Avenue, Van White Blvd., and Royalston before interlining with other LRT at the Intermodal Station in downtown Minneapolis; and

Whereas, the Southwest Light Rail Transit line is a key element in our City's future as it will connect businesses and workers, support economic growth, improve transit options for residents, and provide housing choices; and

Whereas, the Southwest Light Rail Transit line will contribute to the economic vitality of our City and region and support the overall economic competitiveness of the State of Minnesota; and

Whereas, the Federal Transit Authority has determined that the relocation of freight rail from the locally preferred alternative (LPA) is a necessary part of the project and the City of Minneapolis has conditioned support for this route on the relocation of the current freight rail from the corridor; and

Whereas, the City Council is supportive of the Southwest Light Rail Transit project; and

Whereas, the Metropolitan Council has requested that \$25 million be provided in the 2012 bonding bill for the Southwest Light Rail Transit project and the Governor of the State of Minnesota supports this request; and

Whereas, approving this funding request is crucial to keeping the Southwest Light Rail Transit project on schedule as it moves through Preliminary Engineering and seeks final federal approval;

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

That the City of Minneapolis supports the bonding bill request made by the Metropolitan Council and supported by the Governor and urges all Hennepin County state legislators to support the bonding request for Southwest Light Rail Transit and to work to make sure that the State of Minnesota continues to provide resources for this crucial regional transportation project.

Adopted.

The COMMITTEE OF THE WHOLE and WAYS & MEANS/BUDGET Committees submitted the following reports:

Comm of the Whole/IGR & W&M/Budget - Your committee recommends that the proper City officials be authorized to make a \$733,924 contribution funded with available 2011 General Fund resources through the pension management fund to Teachers Retirement Association to fully fund the calculated shortfall in the City's historical payments.

Adopted.

Approved by Mayor Rybak 3/8/2012.

(Published 3/13/2012).

Comm of the Whole/IGR & W&M/Budget - Your committee, having under consideration the 2012 appropriation for the Rebuilding Our Communities Fund, now recommends:

a) Passage of the accompanying resolution amending the 2012 General Appropriation Resolution approving appropriations;

b) Authorizing City staff to engage in any necessary contracts as guided by the impacted neighborhoods identified in the related staff report presented by the Neighborhood and Community Relations Department, in accordance with City contracting procedures; and

c) Approving the use of 2013 interest earnings (up to \$103,741.28) on the existing fund balance of Fund 01SNR to fully fund the original request for \$600,000 for the Rebuilding Our Communities Fund.

Adopted.

RESOLUTION 2012R-109

By Hodges

Amending The 2012 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

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

a) Transfer of \$196,258.72 from post-2009 interest earnings on the existing fund balance of Fund 01SNR-8900-800 to Fund 01800-8450100;

b) Increase the Community Planning and Economic Development agency Fund 01SNR (01SNR-8900800) appropriation by \$196,258.72 from the available fund balance;

c) Increase the Neighborhood and Community Relations Department Special Revenue Fund 01800 (01800-8450100) appropriation by \$196,258.72 from the available fund balance.

Adopted.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the issuance of revenue bonds for the West Broadway Curve Project, a proposed multi-family rental housing project at 1926-2022 W Broadway, now recommends passage of the accompanying resolution giving preliminary approval to the issuance of up to \$5,800,000 in Tax-Exempt Multi-Family Housing Entitlement Revenue Bonds for said project.

Adopted.

Resolution 2012R-110, giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds under Minnesota Statutes, Chapter 462C, for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily rental housing development for the benefit of West Broadway Curve, Limited Partnership, a Minnesota limited partnership, at 1926-2022 West Broadway Ave, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2012R-110
By Goodman**

Giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds under Minnesota Statutes, Chapter 462C, for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily rental housing development for the benefit of West Broadway Curve, Limited Partnership, a Minnesota limited partnership, at 1926-2022 West Broadway Avenue.

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

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

Whereas, representatives of West Broadway Curve, Limited Partnership, a Minnesota limited partnership, its affiliates or assigns (the “Borrower”), have requested that the City adopt a multifamily housing development program (the “Program”) to provide for the issuance of tax-exempt multifamily housing revenue bonds in an aggregate principal amount of approximately \$5,800,000 (the “Bonds”) for the purpose of loaning the proceeds thereof to the Borrower to finance the acquisition and construction of an approximately 50-unit multifamily rental housing development and facilities functionally related and subordinate thereto, located at 1926-2022 West Broadway Avenue in the City, to be owned by Borrower (the “Project”); and

Whereas, the Community Development Committee of the Minneapolis City Council, on behalf of the City, held a public hearing on the Program and the proposed issuance of the Bonds. A notice of public hearing was published in a newspaper of general circulation in the City on a date at least fifteen (15) days prior to the public hearing; and

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

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

Whereas, the United States Department of the Treasury has promulgated final regulations governing the use of the proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City or a borrower from the City for project expenditures paid prior to the date of issuance of such bonds. Those regulations, Treasury Regulations, Section 1.150-2 (the “Regulations”), require that the City adopt a statement of official intent to reimburse an original expenditure not later than sixty (60) days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds occur within eighteen (18) months after the later of: (i) the date the expenditure is paid; or (ii) the date the project is placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid. The

Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds; and

Whereas, the City reasonably expects to reimburse the Borrower for the expenditures made for costs of the Project from the proceeds of the Bonds after the date of payment of a portion of the costs of the Project. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations and also qualifying expenditures under the Act; and

Whereas, based on representations by the Borrower, no expenditures for the Project have been made by the Borrower more than sixty (60) days before the date of adoption of this resolution other than: (i) expenditures to be paid or reimbursed from sources other than the Bonds; (ii) expenditures permitted to be reimbursed under prior regulations pursuant to the transitional provision contained in Section 1.150-2(j)(2)(i)(B) of the Regulations; (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations; or (iv) expenditures in a "de minimus" amount (as defined in Section 1.150-2(f)(1) of the Regulations); and

Whereas, based on representations by the Borrower, as of the date hereof, there are no funds of the Borrower reserved, allocated on a long term-basis, or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside) to provide permanent financing for the expenditures related to the Project to be financed from proceeds of the Bonds, other than pursuant to the issuance of the Bonds. This resolution, therefore, is determined to be consistent with the budgetary and financial circumstances of the Borrower as they exist or are reasonably foreseeable on the date hereof; and

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

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

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

That the issuance of the Bonds pursuant to the Program in an aggregate principal amount of approximately \$5,800,000 is hereby preliminarily approved.

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

That this resolution shall constitute an official intent to reimburse original expenditures with respect to the Project paid on or after the date sixty (60) days prior to the date of adoption of this resolution.

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

Adopted.

Comm Dev - Your Committee, having under consideration reclassification of tax forfeit properties, now recommends that the following properties be placed on a six-month hold for the City of Minneapolis/Department of Community Planning & Economic Development: 2222 McNair Ave, 2627 Oliver Ave N and 2014 Glenwood Ave.

Adopted.

Comm Dev - Your Committee, having under consideration development of a Small Business Technical Assistance Program, now recommends that Department of Community Planning & Economic Development staff be directed to develop a Small Business Technical Assistance Program that is consistent with the program summary outlined in the CPED staff report and to issue a Request for Proposals from local non-profit business consulting organizations to deliver technical assistance services to Minneapolis businesses.

Adopted.

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

Comm Dev & W&M/Budget – Your Committee, having under consideration the issuance of revenue bonds for the Spirit on Lake Project, a proposed multi-family housing project at 1238 E Lake St and 2930 13th Ave S, now recommends passage of the accompanying resolution giving preliminary approval to the issuance of up to \$5,500,000 in Tax-Exempt Multi-Family Housing Entitlement Revenue Bonds for said project.

Further, that the proper City officers be authorized to continue analysis of said project proposal to determine if tax increment financing (TIF) assistance is appropriate and justifiable (as previously approved in 2006); negotiate terms and conditions of a redevelopment contract with Spirit on lake, LP or an affiliated entity; and prepare redevelopment and TIF plans for the project as needed. All such terms and conditions, plans, and other provisions would be subject to City Council review, discussion, and approval or denial.

Adopted.

Resolution 2012R-111, giving preliminary approval to the issuance of multifamily housing revenue bonds under Minnesota Statutes, Chapter 462C for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily housing facility for the benefit of Spirit on Lake Limited Partnership, or an affiliate at 1238 E Lake St and 2930 13th Ave S, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-111
By Goodman and Hodges

Giving preliminary approval to the issuance of multifamily housing revenue bonds under Minnesota Statutes, Chapter 462C for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily housing facility for the benefit of Spirit on Lake Limited Partnership, or an affiliate at 2930 13th Avenue South and 1238 East Lake Street.

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

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

Whereas, representatives of Spirit on Lake Limited Partnership, a Minnesota limited partnership, or an affiliated entity (the “Developer”), has requested that the City adopt a multifamily housing development program (the “Program”) to provide for the issuance of multifamily housing revenue bonds in the aggregate principal amount of up to \$5,500,000 (the “Bonds”) for the purpose of loaning the proceeds thereof to the Developer to finance the acquisition and construction by the Developer of an approximately 46-unit multifamily housing facility for rental to low or moderate income persons and to be located at 2930 13th Avenue South and 1238 East Lake Street in the City (the “Project”); and

Whereas, the Community Development Committee of the Minneapolis City Council, on behalf of the City, held a public hearing on the Program and the proposed issuance of the Bonds after at least 15 days published notice thereof and after submission (prior to publication of the notice) of the Program to the Metropolitan Council for review and comment; and

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

Whereas, the City shall not be liable on the Bonds, and the Bonds shall not be a debt of the City within the meaning of any state constitutional provision or statutory limitation, and will not constitute or give rise to a charge against the general credit or taxing power of the City or a pecuniary liability of the City, nor shall the Bonds be payable out of any funds or properties other than those provided as security therefor;

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

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

Be It Further Resolved that the issuance of the Bonds pursuant to the Program in a principal amount of up to \$5,500,000 is preliminarily approved.

Be It Further Resolved that the City hereby reserves \$5,500,000 of its 2012 (or carryover) housing revenue bond entitlement authority for the financing of the Project.

Be It Further Resolved that the Developer may make certain preliminary capital expenditures with respect to the Project prior to the issuance of the Bonds, and that the City hereby declares its intent to reimburse such expenditures from the proceeds of the Bonds in accordance with Section 1.150-2 of the Treasury Regulations.

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

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

Adopted.

Comm Dev & W&M/Budget – Your Committee, having under consideration Modification No. 16 to the Seward South Urban Renewal Plan and Modification No. 119 to the Common Plan to facilitate the sale of excess land from construction of the Hiawatha Light Rail Transit Corridor to Z&K Development Company, a/k/a Jefferson Lines, now recommends passage of the accompanying resolution approving said Modifications.

Adopted.

Resolution 2012R-112, approving Modification No 16 to the Seward South Urban Renewal Plan and Modification No 119 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-112
By Goodman and Hodges

Approving Modification No 16 to the Seward South Urban Renewal Plan and Modification No 119 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan.

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

1.1. Pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the “City”) acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the “Project Laws”).

1.2. By Resolution duly adopted on April 28, 1967, the City approved the Seward South Urban Renewal Plan, further modified by 15 subsequent modifications, describing more precisely the Project Area, the activities to be undertaken and the property that may be acquired, all pursuant to the Project Laws.

1.3 By Resolution No 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City approved the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan (the “Common Plans”). The project area established by the Seward South Urban Renewal Plan (the “Project Area”) is geographically located within the project area established by the Common Plans (the “Common Project”).

1.4. It has been proposed and the City has prepared, and this Council has investigated the facts with respect to, Modification No 16 to the Seward South Urban Renewal Plan and Modification No 119 to the Common Plans (the “Modifications”), designating one parcel as property that may be acquired by the City.

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

Section 2. Findings

2.1. The Council hereby finds, determines and declares that the actions authorized by the Modifications are pursuant to and in accordance with the Project Laws.

2.2 The Council further finds, determines and declares that the land in the Project Area would not be made available for redevelopment without the financial aid and public assistance to be sought.

2.3. The Council further finds, determines and declares that the Modifications will afford maximum opportunity, consistent with the sound needs of the city as a whole, for the redevelopment of the project area by private enterprise.

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

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

Section 3. Approval of the Modifications

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

Section 4. Implementation of the Modifications

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

Adopted.

Comm Dev & W&M/Budget – Your Committee, having under consideration the 201 Lowry Avenue Northeast Redevelopment Plan to facilitate the redevelopment of a tax-forfeited property at 201 Lowry Ave NE (former Little Jack's restaurant), now recommends passage of the accompanying resolution approving said Plan, conditioned upon the developer not requesting tax increment financing or affordable housing subsidy funds for this development, as noted in the Department of Community Planning & Economic Development staff report.

Adopted.

Resolution 2012R-113, approving the 201 Lowry Avenue Northeast Redevelopment Plan, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2012R-113
By Goodman and Hodges**

Approving the 201 Lowry Avenue Northeast Redevelopment Plan.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals

1.1. Pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the "City"), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the "Project Laws").

1.2. It has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, the 201 Lowry Avenue Northeast Redevelopment Plan (the "Plan"). The Plan creates a new redevelopment project area (the "Project Area"), states the City's objectives, describes proposed development activity, describes a proposed land use and identifies property that may be acquired by the City to facilitate redevelopment of the Project Area, all pursuant to and in accordance with the Project Laws.

1.3. The City has performed all actions required by law to be performed prior to the adoption of the Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood group and the City Planning Commission, and the holding of a public hearing after published notice as required by law.

Section 2. Findings

2.1. The Council hereby finds, determines and declares that the objectives and actions authorized by the Plan are all pursuant to and in accordance with the Project Laws.

2.2. The Council further finds, determines and declares that the land in the Project Area would not be made available for redevelopment without the financial aid and public assistance to be sought.

2.3. The Council further finds, determines and declares that the Plan will afford maximum opportunity, consistent with the sound needs of the city as a whole, for the redevelopment of the Project Area by private enterprise.

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

2.5. The Council further finds, determines and declares that the 201 Lowry Avenue Northeast Redevelopment Project is a redevelopment project pursuant to Minnesota Statutes, Section 469.002, Subdivisions 14 and 16 and that the Project Area is a "blighted area" pursuant to Minnesota Statutes, Section 469.002, Subdivision 11.

2.6. The Council further finds, determines and declares that the reasons and facts supporting the findings in this Resolution are described in the Plan.

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

Section 3. Approval of the Plan

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

Section 4. Implementation of the Plan

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

Adopted.

Comm Dev & W&M/Budget – Your Committee, having under consideration receipt of environmental remediation grant awards, now recommends that the proper City officers be authorized to accept and appropriate the following awards, and to execute grant and sub-recipient and/or disbursement and related agreements as may be necessary to implement the grants:

Minnesota Department of Employment and Economic Development Grants:

Project	Recipient	Grant Award:
222 Hennepin	City of Minneapolis	\$436,881
700 Central	City of Minneapolis	\$599,880
1100 2nd St S	City of Minneapolis	\$130,052
Hobbs Bar-B-Que	City of Minneapolis	\$129,826
Pillsbury Lofts	City of Minneapolis	\$284,112
Seward Commons, Phase II (Snelling Apartments)	City of Minneapolis	\$200,000
The GAV	City of Minneapolis	\$ 41,250

Metropolitan Tax Base Revitalization Account Grants:

Project	Recipient	Grant Award:
222 Hennepin	City of Minneapolis	\$442,900
430 Oak Grove	City of Minneapolis	\$265,300
Artspace Jackson Flats	City of Minneapolis	\$ 28,000
Riverside Plaza	City of Minneapolis	\$300,000
Seward Commons, Phase II (Snelling Apartments)	City of Minneapolis	\$140,600

Hennepin County Environmental Response Fund Grants:

Project	Recipient	Grant Award:
430 Oak Grove	City of Minneapolis	\$ 80,000
700 Central	City of Minneapolis	\$140,620
1100 2nd St S	City of Minneapolis	\$ 12,480
Pillsbury Lofts	City of Minneapolis	\$385,362
Seward Commons, Phase II (Snelling Apartments)	City of Minneapolis	\$135,000
Spirit on Lake	City of Minneapolis	\$235,600

Your Committee further recommends passage of the accompanying resolutions a) increasing the Department of Community Planning & Economic Development appropriation to reflect the receipt of said grant funds; and b) approving the Hennepin County ERF grants.

Adopted.

**RESOLUTION 2012R-114
By Goodman and Hodges**

Amending the 2012 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

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

a) Increasing the Department of Community Planning & Economic Development (CPED) agency in the Grants Other Fund (01600-8900320) by \$313,608 and Grants Other Fund (01600-8900220) by \$3,674,255;

b) Increasing the CPED revenue source in the Grants Other Fund (01600-8900900-321504) by \$1,822,001; Grants Other Fund (01600-8900900-321513) by \$1,176,800; and Grants Other Fund (01600-8900900-322002) by \$989,062.

Adopted.

Resolution 2012R-115, approving Hennepin County Department of Environmental Services Environmental Response Fund projects named 430 Oak Grove, 700 Central, 1100 2nd St S, MPHA Heritage Park Senior Living Redevelopment, Pillsbury Lofts, Seward Commons, Phase II and Spirit on Lake, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2012R-115
By Goodman and Hodges**

Approving various Environmental Response Fund projects.

Whereas, on November 4, 2011 the City Council authorized the submission of Environmental Response Fund (ERF) grant applications to the Hennepin County Department of Environmental Services for various brownfield investigation and/or remediation projects; and

Whereas, Hennepin County has decided to award ERF grants to the City for various projects located in the City of Minneapolis; and

Whereas, Hennepin County may not expend grant funds unless the governing body of the city in which the site is located approves the project;

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

That the City of Minneapolis approves the following ERF investigation and/or remediation projects:

Project	Recipient	Grant Award
430 Oak Grove	City of Minneapolis	\$80,000
700 Central	City of Minneapolis	140,620
1100 2nd Street S.	City of Minneapolis	12,480
MPHA Heritage Park Senior Living Redevelopment	Minneapolis Public Housing Authority	26,943
Pillsbury Lofts	City of Minneapolis	385,362
Seward Commons, Phase II (Snelling Apartments)	City of Minneapolis	135,000
Spirit on Lake	City of Minneapolis	235,600
Total Hennepin County ERF:		\$1,016,005

Be It Further Resolved that approval does not confer other benefits or waive zoning, land use, building code or other applicable requirements.

Adopted.

Comm Dev & W&M/Budget - Your Committee, having under consideration expansion of the Sustainable Home Ownership Program (SHOP), now recommends approval of a loan of \$250,000 for credit enhancement for the Bridge to Success 2012 program. Further, passage of the accompanying resolution increasing the appropriation in the Department of Community Planning and Economic Development.

Adopted.

**RESOLUTION 2012R-116
By Goodman and Hodges**

Amending the 2012 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 in the Department of Community Planning and Economic Development Residential Finance Fund (01SRF-8900000-8900220) by \$250,000 from available fund balance.

Adopted.

The PUBLIC SAFETY, CIVIL RIGHTS & HEALTH Committee submitted the following reports:

PSC&H - Your Committee recommends passage of the accompanying resolution approving donations of dog and cat supplies for the care of animals at Minneapolis Animal Care & Control.

Adopted.

Resolution 2012R-117, approving donations of dog and cat supplies for the care of animals at Minneapolis Animal Care & Control, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-117
By Samuels

Approving donations of dog and cat supplies for the care of animals at Minneapolis Animal Care & Control.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the city:

Toni Yeamans:	1 box Meaty Bones (64 oz each); 1 box Milk Bone flavor snacks (60 oz); 1 box Milk Bones dog treats (15 oz each); and 2 boxes Milk Bone gravy bones (19 oz each)
Amber Johnson:	2 packages Wet Noses dog treats (14 oz each), 2 boxed Buddy Biscuits dog treats (16 oz each), 1 package Pet Stuf rawhides (50), and 2 bags TBonz dog snacks (10 oz each)
Kelly Everding:	6 cans 9 Lives wet cat food (5.5 oz each), 1 container Whiskas wet cat food (3.5 oz), 2 boots and Barkeley wet cat food (3 oz), 3 cans Fancy Feast wet cat food (3 oz each), 3 bags Wild Cravings cat treats (3 oz each)
Gentle Touch Rescue:	50 cat toys
Anonymous:	2 bags Innova baked dog treats (4 lb each), Master Paws medium dog biscuits (4 lb), 'Ol Roy dog treats (28 oz), 1 container Milk Bones soft chews (37 oz)
A Rotta Love Plus Rescue:	1 lamb formula dog food (paste)
Mary Valiulis:	4 warming pads (homemade)
Debra Baron:	50 plastic and soft dog toys and jackets (in memory of Lucy); and

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the city in providing Animal Care and meeting our goals of Responsible Pet Ownership, as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donations offered;

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

That the donations described above are accepted and shall be used for the animals cared for at Minneapolis Animal Care and Control.

Adopted.

PSC&H – Your Committee recommends approval to increase the annual vacation earning rate for the Director of Civil Rights, Velma Korbel, from 20 days per year to 26 days per year.

Adopted.

PSC&H – Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the reappointment of Velma Korbel to serve as the Director of Civil Rights for a two-year term beginning January 3, 2012, and having held a public hearing thereon, now recommends approval of said reappointment.

Adopted.

PSC&H – Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the reappointment of Gretchen Musicant to serve as the Commissioner of Health/Department of Health & Family Support for a two-year term beginning January 3, 2012, and having held a public hearing thereon, now recommends approval of said reappointment.

Adopted.

PSC&H – Your Committee, having under consideration appointments to the Civilian Police Review Authority for four-year terms, and having held a public hearing thereon, now recommends approval of the following:

Mayoral Reappointment

Vernon Wettrenach, Ward 6, to expire December 31, 2015

Mayoral Appointments

John Oskar Cetta, Jr, Ward 10, to expire December 31, 2015

Nimo Farah, Ward 2, to expire December 31, 2015

Alvaro “Al” Giraud, Ward 7, to expire December 31, 2015

Ian Pannkuk, Ward 12, to expire December 31, 2013

City Council Appointments

Robert Briscoe, Ward 3, to expire December 31, 2013

Nicholas Paul Cichowicz, Ward 7, to expire December 31, 2015

Lorna Pettis, Ward 5, to expire December 31, 2015.

Adopted.

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

PSC&H & W&M/Budget – Your Committee recommends that the proper officers of the Police Department be authorized to pay \$10,000 to the Greater Minneapolis Council of Churches (GMCC) in support of the Community Justice Program for 2012.

Adopted.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposal (RFP) for police chaplain services for the Minneapolis Police Department and Minneapolis community, subject to approval by the Permanent Review Committee.

Adopted.

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

RE&E - Your Committee, to whom was referred an ordinance amending

Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, amending provisions relating to backyard composting, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted.

Ordinance 2012-Or-007 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, amending Section 244.770 to amend provisions relating to backyard composting, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2012-Or-007
By Gordon
Intro & 1st Reading: 1/27/2012
Ref to: RE&E
2nd Reading: 3/8/2012

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

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

Section 1. That Section 244.770 of the above-entitled ordinance be amended to read as follows:

244.770. Composting. (a) *Defined.* For the purposes of this article, composting is a microbial process that converts plant materials to a usable organic soil amendment or mulch.

(b) *Compost containers.* Composting shall be conducted within ~~an enclosed container(s) not to exceed five feet by five feet by five feet for lots less than five thousand (5,000) square feet, two (2) five-foot by five-foot by five-foot container(s) for lots five thousand (5,000) to ten thousand (10,000) square feet, and three (3) five-foot by five-foot by five-foot container(s) for lots greater than ten thousand (10,000) square feet~~ a covered or uncovered container, enclosed on all vertical sides. Containers shall be of a durable material; ~~including, but not limited to, sturdy woven wire fencing, rot-resistant wood, or a commercially purchased composting unit which will provide for adequate aeration.~~ Containers and shall be constructed and maintained in a structurally sound manner. Wood used in the construction of a compost container must be sound and free of rot.

(c) *Size.* The maximum size for a compost area on lots with a residential structure shall be two hundred and forty-five (245) cubic feet for lots smaller than five thousand (5,000) square feet, four hundred and five (405) cubic feet on lots five thousand (5,000) to ten thousand (10,000) square feet, and five hundred (500) cubic feet on lots over ten thousand (10,000) square feet. The maximum size on lots without a residential structure shall be four hundred and five (405) cubic feet on lots smaller than five thousand (5,000) square feet, seven hundred and twenty (720) cubic feet on lots five thousand (5,000) to ten thousand (10,000) square feet, and one thousand, one hundred and twenty-five (1,125) cubic feet on lots larger than ten thousand (10,000) square feet.

(~~e~~ d) *Location on property.* ~~The compost container(s) shall be located in the rear yard no closer than one foot to any rear or side property line~~ not be located closer than one (1) foot from the rear property line and shall not be located in any required front or side yard as defined in the zoning code, nor closer than twenty (20) feet to any habitable building, other than the resident's own home off of the subject property.

(~~d~~ e) *Compost materials.* ~~Only grass clippings, leaves, weeds that have not gone to seed, nondiseased plants, trimmings less than one-fourth inch in diameter, straw, sawdust, wood ashes, fruit or vegetable scraps, coffee grounds, eggshells, and commercially available compost ingredients may be placed in the compost container(s).~~ Compost piles shall include an appropriate mix of nitrogen-rich materials (or "greens") and carbon-rich materials (or "browns") to reduce odor and ensure adequate composting. Meat, bones, fat oils, grease, dairy products, diseased plant material in which the disease vector cannot be rendered harmless through the composting process, feces, plastics or synthetic fibers shall not be placed in the compost container(s).

(e f) *Maintenance.* ~~Compost materials shall be layered, aerated, moistened, turned, and managed and covered during inclement weather to promote effective decomposition of the materials in a safe, secure and sanitary manner.~~ Compost materials shall be covered with a layer of material such as leaves, straw, wood chips, or finished compost to reduce odor.

(f g) *Abatement.* All compost containers and/or compost materials not in compliance with this section shall be declared a public nuisance and are subject to abatement as provided in Chapter 227 of this Code. In addition, the director may require individuals whose compost containers and/or materials are not in compliance with this section to attend a Master Composter or similar educational program as a condition of continuing to compost on a subject property.

Adopted.

RE&E – Your Committee, to whom was referred an ordinance amending Title 3, Chapter 46 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection: Hazardous Waste Generation, Handling, Storage and Disposal*, regulating the removal and disposal of asbestos shingles, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted.

Ordinance 2012-Or-008 amending Title 3, Chapter 46 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection: Hazardous Waste Generation, Handling, Storage and Disposal*, amending Sections 46.30, 46.105 and 46.110 to regulate the removal and disposal of asbestos shingles, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2012-Or-008
By Reich
Intro & 1st Reading: 1/27/2012
Ref to: RE&E
2nd Reading: 3/8/2012

Amending Title 3, Chapter 46 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Hazardous Waste Generation, Handling, Storage and Disposal.

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

Section 1. That Section 46.30 of the above-entitled ordinance be amended to read as follows:

46.30. Definitions. Wherever the word "state", "agency" or "Minnesota Pollution Control Agency" is used in Minnesota Rules, Chapter 7045 and Minnesota Statutes, Sections 115A.916, 325E.10, 325E.11, 325E.112 and 325E.115, it shall be held to mean the City of Minneapolis. Wherever the word "commissioner" is used in the regulations and statutes, it shall be held to mean the ~~assistant city coordinator~~ director of regulatory services or the ~~assistant city coordinator's~~ director's authorized agent. Except as here after defined.

Category II nonfriable asbestos-containing material means any material, excluding Category I nonfriable asbestos-containing material, containing more than one (1) percent asbestos as determined using the methods specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Friable asbestos-containing material means previously nonfriable asbestos-containing material which becomes damaged to the extent that when dry all or a portion of the material may be crumbled, pulverized or reduced to powder by hand pressure.

Hazardous waste generating facility means any facility that generates, handles, stores, or disposes of hazardous waste originating at their address as defined and listed in Minnesota Rules Chapter 7045, including waste motor vehicle fluids.

Hazardous waste process facility means any facility that generates, handles, stores, or disposes of hazardous waste originating at their address or from another address as defined and listed in Minnesota Rules Chapter 7045, including waste motor vehicle fluids.

Site operator means any person(s), organization, company, group, or any other entity, public or private, that owns or is in control of a hazardous waste facility.

Section 2. That Chapter 46 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 46.105 to read as follows:

46.105. Removal of nonfriable category II asbestos containing materials. (a) This section applies but is not limited to cementitious asbestos board often referred to by its trade name "Transite®". Other category II asbestos containing materials include but are not limited to, Transite® shingles and siding, asbestos cement, asbestos putties, asbestos sealants, and certain asbestos-containing adhesives on or under exterior surfaces. This section shall apply to any building containing four or fewer residential dwelling units.

(b) Removal of nonfriable category II asbestos-containing material must be done in such a manner that does not cause it to become friable asbestos-containing material. Examples of removal methods that would render the category II asbestos-containing material to become regulated asbestos-containing material are smashing it, dropping it to the ground, intentional burning, subjecting it to crushing by heavy machinery, or specific grinding, sanding, cutting, abrading and breaking by hand tools or mechanical tools.

(c) Cementitious asbestos board is assumed to contain asbestos and must be treated in the manner described herein. A property owner or contractor not following the below prescribed methods shall upon request of the director of regulatory services or the director's authorized agent provide an analysis by a laboratory according to Minnesota Rule Part 4620.3460 collected by a certified asbestos inspector identifying whether the siding is an asbestos containing material. Until such time that a report is provided all related work shall stop and precautions shall be taken to contain the material. The director or the director's authorized agent may require a licensed asbestos contractor to perform necessary cleanup if the requirements herein have not been followed.

- (1) Water to which a surfactant has been added must be used before and during removal of asbestos-containing material to prevent fibers from becoming airborne during asbestos-related work and must be wet before removal, adequately wet during removal, and placed in sealed leak-tight containers following removal.
- (2) Prior to removal, tarps or plastic sheeting shall be put in place to prevent materials from coming in contact with the ground and shall not allow visible materials to leave the property.
- (3) Material shall be removed by hand tools to avoid rendering the asbestos-containing material friable.
- (4) Materials shall be lowered, not dropped, to the walkable surfaces, tarps, plastic sheeting or dumpster.
- (5) Materials shall be packaged, transported and disposed of as category II nonfriable asbestos-containing materials following all requirements under 40 CFR 61.150(c).
- (6) Upon request of the director of regulatory services or the director's agent the property owner shall provide a copy of the landfill waste manifest for the disposal of the category II nonfriable asbestos containing material.

Section 3. That Section 46.110 of the above-entitled ordinance be amended to read as follows:

46.110. Violations of this Code. (a) Any person who violates any provision of this chapter shall be guilty of an ordinance violation and subject to the punishment and penalties of section 1.30(a), 1.40 and Chapter 2 of this Code.

(b) License revocation. Any owner or operator of land, buildings, or structures who possesses a city license to conduct business, in addition to the fine, may have his or her license revoked for failure to comply with this chapter.

(c) Permit revocation. Any owner or operator of land, buildings, or structures, or any person or contractor who possesses a city permit to perform work at a site, in addition to the fine, may have his or her permit revoked for failure to comply with this chapter.

(d) Each day of failure to maintain the hazardous waste facility in compliance with federal, state, municipal rules or submitted plans shall constitute a separate violation of this Code.

Adopted.

RE&E - Your Committee recommends passage of the accompanying resolution granting Licenses to the following businesses:

- a) Bullwinkle Saloon, 1429 Washington Ave S
- b) Carbones Pizza on the Parkway, 4724 Cedar Ave S.

Adopted.

Approved by Mayor Rybak 3/12/2012.

(Published 3/8/2012)

Resolution 2012R-118, granting Licenses to Bullwinkle Saloon, 1429 Washington Ave S and Carbones Pizza on the Parkway, 4724 Cedar Ave S, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-118

By Glidden

Granting Liquor and Wine Licenses.

Resolved by The City Council of The City of Minneapolis:

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

On-Sale Liquor Class C-2 with Sunday Sales, to expire January 1, 2013

American Health Management Assoc LLC, dba Bullwinkle Saloon, 1429 Washington Ave S

On-Sale Wine Class E with Strong Beer, to expire April 1, 2013

Grace Lane Inc, dba Carbones Pizza on the Parkway, 4724 Cedar Ave S (new business).

Adopted.

Approved by Mayor Rybak 3/8/2012.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Grocery License held by Narobi Ethiopian Market, 2518 Central Ave NE.

Adopted.

Resolution 2012R-119, approving Business License Operating Conditions relating to the Grocery License held by Narobi Ethiopian Market, 2518 Central Ave NE, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-119

By Glidden

Approving Business License Operating Conditions relating to the Grocery License held by Narobi Ethiopian Market, 2518 Central Ave NE.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Grocery License held by Narobi Ethiopian Market, 2518 Central Ave NE:

1. "No Trespassing" signs will remain clearly posted on the exterior of the business. Store staff will immediately ask people that are observed loitering in the immediate vicinity of the store to leave. If the loitering activity persists, staff will call 911 and request police assistance to alleviate the loitering activity. The business agrees to cooperate fully in the prosecution of criminal activity.

2. The business agrees not to sell items which are commonly used by drug users and drug dealers. These items include bongos, glass pipes (sometimes with roses inside), Brillo Pads or Chore Boy products, tobacco pipes, and small zip lock bags also known as jewelry bags. The business will also agree not to supply matches to non-tobacco customers.

3. The business agrees to keep all exterior and interior lights illuminated and functioning properly.

4. All windows will be free of signs and other items that block the view in and out, as is specified in Minneapolis Ordinance 543.350.

5. Owner shall comply with the Surveillance Camera Ordinance. The owner will also install a surveillance camera in the rear of the facility with a view of the parking lot. This will be accomplished by March 5, 2012.

6. The business agrees to clean the property, and all areas within 100 feet of the property line, of litter and trash twice daily. The business shall maintain a litter receptacle in front of the business that is convenient for customer use.

7. Refuse shall be stored in a regularly serviced, closed container (dumpster) that shall be maintained screened from view as is required by Minneapolis Codes. At no time shall this refuse container be overfilled so that the cover cannot be completely closed at all times.

Adopted.

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

Adopted.

Resolution 2012R-120, granting applications for Liquor, Wine and Beer Licenses, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-120
By Glidden

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 275523):

On-Sale Liquor Class C-2 with Sunday Sales, to expire January 1, 2013

Aster Pictures Corporation, dba Aster Corporation, 125 Main St SE

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2013

Wild Bohemians Inc, dba Keys at the Foshay Bar & Grill, 114 S 9th St, Foshay Tower

The Butcher Block LLC, dba The Butcher Block, 308 E Hennepin Ave

M S & R I LLC, dba Masu Sushi & Robata, 328 E Hennepin Ave

Joes Garage Inc, dba Joes Garage, 1610 Harmon Pl

Pizza Luce IV Inc, dba Pizza Luce, 2200 E Franklin Ave

Mannings Cafe Inc, dba Mannings Cafe, 2200 Como Ave SE

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

B and B Restaurant, dba Viva Brazil Restaurant, 913 W Lake St

Temporary On-Sale Liquor

Minnesota Public Radio, dba Minnesota Public Radio, 480 Cedar St, St. Paul (Educational Event to Benefit Minnesota Public Radio, March 3 & 4, 2012, Target Field)

Liquor Catering Services, to expire August 1, 2012

Wanderers Food & Cocktail Inc, dba Thom Phams Wondrous Azian Kitchen, 533 Hennepin Ave (new business)

On-Sale Wine Class C-2 with Strong Beer, to expire April 1, 2013

Inversiones Pinguil, LLC, dba Chimborazo Restaurant, 2851 Central Ave NE

On-Sale Wine Class E with Strong Beer, to expire April 1, 2013

Eagle Shores Hospitality Inc, dba Signature Cafe & Catering, 130 Warwick St SE

Guayaquil Restaurant Inc, dba Guayaquil Restaurant, 1526 E Lake St

Pizza Joints Inc, dba Galactic Pizza, 2917 Lyndale Ave S

China Pavilion Inc, dba Szechuan Spice, 3016 Lyndale Ave S

Pizza Luce II Inc, dba Pizza Luce, 3200 Lyndale Ave S

Nelmatt LLC, dba Matt's Bar, 3500 Cedar Ave S

Temporary On-Sale Wine

Kenny School Foundation, dba Kenny School Foundation, 5428 Lyndale Ave S (Fundraiser, March 9, 2012, 7:00 p.m. to Midnight)

Hale-Field School Foundation, dba Hale-Field School Foundation, 4645 4th Ave S (Hale Field Spring Fling, March 10, 2012, 7:00 p.m. to 11:00 p.m.)

Off-Sale Beer, to expire April 1, 2013

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

Holiday Stationstores Inc, dba Holiday Stationstore #335, 1331 Industrial Blvd

Banat Inc, dba Bobby's Corner Market, 1523 Como Ave SE

Crown Coco Inc, dba Broadway E-Z Stop Store, 1617 Broadway St NE

Crown Coco Inc, dba Old Colony EZ Stop, 1624 Washington Ave N

Holiday Stationstores Inc, dba Holiday Stationstore #2, 2124 E Franklin Ave

Good Choice Inc, dba Los Amigos, 2746 Blaisdell Ave

Holiday/Cedar Avenue LLC, dba Holiday Stationstore #407, 3550 Cedar Ave S

Kwik Mart Inc, dba Kwik Mart Inc, 3652 Cedar Ave S

Holiday Stationstores Inc, dba Holiday Stationstore #25, 5444 Nicollet Ave

Temporary On-Sale Beer

Twin Cities In Motion, dba Twin Cities In Motion, 2635 University Ave W, #190, St. Paul (Irish for a Day 5K, March 10, 2012, 9:30 a.m. to 1:30 p.m.)

Latino Economic Development Center, dba La6tino Economic Development Center, 1516 E Lake St (Cinco De Mayo, May 5, 2012, 10:30 a.m. to 10:30 p.m.).

Adopted.

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

Adopted.

Resolution 2012R-121, granting applications for Business Licenses, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2012R-121
By Glidden**

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of March 8, 2012 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 275523):

Amusement Devices; Dry Cleaning & Laundry Pickup Station; All Night Special Food; Caterers; Confectionery; Food Distributor; Food Market Distributor; Grocery; Ice Peddler; Ice Producer-Dealer/Wholesale; Indoor Food Cart; Institutional Food Service; Food Manufacturer; Food Market Manufacturer; Meat Market; Mobile Food Vendor; Restaurant; Food Shelf; Short Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Sidewalk Cart Food Vendor; Vending Machine; Gasoline Filling Station; Horse and Carriage; Hospital; Hotel/Motel; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Towing Class A; Towing Class B; Towing Class C; Plumber; Rental Halls; Residential Specialty Contractor; Sign Hanger; Taxicab Service Company; Taxicab Vehicle – Fuel Efficient; Taxicab Vehicle – Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Theater Zone I; Combined Trades; Tree Servicing; Wrecker of Buildings Class A; Wrecker of Buildings Class B; Pawnbroker Class A; Tobacco Dealer.

Adopted.

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

Adopted.

Resolution 2012R-122, granting applications for Gambling Licenses, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2012R-122
By Glidden**

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 275523):

Gambling Class B

Air Force Association, dba Air Force Association, 1528 University Ave NE (Pulltabs, Shaw's Bar & Grill)

Gambling Exempt

Carondelet Catholic School, dba Carondelet Catholic School, 3210 W 51st St (Raffle February 25, 2012, Carondelet School)

Mission Haiti Inc, dba Mission Haiti, PO Box 19401 (Raffle February 25, 2012, Annunciation Church)

Pro Truth, dba Silent No More MN, PO Box 68125 (Raffle February 26, 2012, 761 Washington Ave N)

Special Olympics Minnesota, dba Special Olympics Minnesota, 100 Washington Ave S, Suite 550 (Raffle March 3, 2012, Thomas Beach-Lake Calhoun)

Hale-Field School Foundation, dba Hale-Field School Foundation, 4645 4th Ave S (Raffle March 10, 2012, Our Lady of Peace School)

Children's Defense Fund, dba Children's Defense Fund, 555 Park St #410, St. Paul (Raffle March 16, 2012, The Depot)

Holy Rosary Church, dba Holy Rosary Church, 2424 18th Ave S (Raffle April 1, 2012, Holy Rosary Church)

Edit, dba Edit, 2608 Blaisdell Ave S (Raffle April 13, 2012, Rare Steak and Sushi)

Minnpost.Com, dba Minnpost.Com, 900 6th Ave SE, Suite 220 (Raffle April 27, 2012, Seven The Steakhouse)

Family Hope Services, dba Tree House, 5666 Lincoln Dr, Suite 201, Edina (Raffle May 1, 2012, The Depot)

Pacer Center Inc, dba Pacer Center, 8161 Normandale Blvd (Raffle May 5, 2012, Minneapolis Convention Center)

YMCA of the Greater Twin Cities, dba YMCA of the Greater Twin Cities, 2125 E Hennepin Ave (Raffle May 20, 2012, 626 W Lake St)

The Leukemia & Lymphoma Society, dba The Leukemia & Lymphoma Society, 1311 Mamaroneck Ave, White Plains, NY (Raffle June 15, 2012, Graves 601)

Jewish Family Childrens Service, dba Jewish Family Childrens Service, 13100 Wayzata Blvd, Suite 400, Minnetonka (Raffle December 1, 2012, Hilton Minneapolis).

Adopted.

RE&E - Your Committee, having under consideration the Rental Dwelling License for the property located at 3605 4th Ave S, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Director of Housing Inspections to approve the reinstatement of said license to be held by Alioune Thiam.

Adopted.

RE&E - Your Committee, having under consideration the Rental Dwelling License for the property located at 3205 3rd Ave S, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Director of Housing Inspections to approve the reinstatement of said license to be held by Fardowsa Ali.

Adopted.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Robert Russell for the property located at 4942 Bryant Ave S; and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends approval of the recommendation of the Director of Housing Inspections that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 (11) of the Minneapolis Code of Ordinances, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk as FOF-2012-07 which are hereby made a part of this report by reference.

Adopted.

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

RE&E & W&M/Budget – Your Committee, to whom was referred ordinances amending the Minneapolis Code of Ordinances relating to the Commercial Hood and Exhaust Cleaning Program, now

recommends that that the following ordinances be given their second reading for amendment and passage:

a) Title 9, Chapter 174 relating to *Fire and Police Protection: Minneapolis Fire Department; Fire Prevention Bureau*, updating the Commercial Hood and Exhaust Cleaning Article to more equitably distribute the costs of the inspection program.

b) Title 5, Chapter 91 relating to *Building Code: Permit Fees*, amending the Director's Fee Schedule provision to include commercial hood and exhaust cleaning permits.

Glidden moved that Section 174.500 (f) (9) of the ordinance be amended to read as follows:

~~“(9) Upon completion and submittal of each job, should any portion of the hood, plenum, exhaust duct work and associated building trunk-line system(s) be not cleaned the entire system fails and shall not be approved.”~~

“(9) Upon completion and submittal of each job, any portion of the hood, plenum, exhaust duct and associated building trunk-line system(s) found contaminated with grease-residue the entire system fails and shall not be approved.” Seconded.

Adopted upon a voice vote.

The report was adopted.

Ordinance 2012-Or-009 amending Title 9, Chapter 174 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Minneapolis Fire Department; Fire Prevention Bureau*, amending Section 174.500 to update the Commercial Hood and Exhaust Cleaning Article to more equitably distribute the costs of the inspection program, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2012-Or-009
By Tuthill and Glidden
Intro & 1st Reading: 1/27/2012
Ref to: RE&E
2nd Reading: 3/8/2012

Amending Title 9, Chapter 174 of the Minneapolis Code of Ordinances relating to the Fire and Police Protection: Minneapolis Fire Department; Fire Prevention Bureau.

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

Section 1. That Section 174.500 of the above-entitled ordinance be amended to read as follows:

174.500. Commercial hood and exhaust cleaning program. ~~(a) Permit fees authorized. The Minneapolis Fire Department, based on authority granted to it pursuant to the Minneapolis Code of Ordinances and the Minnesota State Fire Code, Chapter 1 Section 104.3 and State Amendment 101.6, is hereby authorized to issue commercial hood and exhaust cleaning permits for any commercial hood and exhaust cleaning required hereunder. The permit requirement imposed by this section shall apply to all commercial cooking and food service establishments using type-1 hoods inside any building or portion thereof for the preparation and serving of food that produces grease laden vapors. The term "food service" is defined to include operations such as preparing, handling, cleaning, cooking, and packaging of food items of any kind.~~

~~(b) Hood cleaning permit. A permit is required to conduct hood cleaning of all type-1 hoods. Every application for such a permit shall be made in writing to the Minneapolis Fire Department at least five (5) working days in advance of the proposed cleaning date. A permit shall be issued only after the fire marshal or the fire marshal's designee has reviewed and approved the application and the applicant has paid the required fee.~~

~~(c) Cleaning. All hoods, grease removal devices, fans, ducts and other appurtenances shall be cleaned at intervals necessary to prevent the accumulation of grease, as specified by the Minnesota State Fire Code, Section 904.11.6.3. Upon inspection, if the exhaust system is found to be contaminated with grease laden vapor deposits, the contaminated portions shall be cleaned by a properly trained, qualified, and certified company or person(s) acceptable to the Authority Having Jurisdiction (AHJ). The fire marshal is authorized to place the following conditions upon applicants requesting a hood cleaning permit:~~

- ~~(1) The entire exhaust system shall be inspected for grease and residue buildup by a properly trained, qualified, and certified company or person(s) acceptable to the Authority Having Jurisdiction (AHJ).~~
- ~~(2) Inspection and servicing of the cooking equipment shall be completed at least annually. Cooking equipment that collects grease below the surface, behind the equipment, or in cooking equipment flue gas exhaust, such as griddles or char broilers, shall be inspected and, if found with grease accumulation, cleaned to the manufacturer's recommendations.~~
- ~~(3) Kitchen hoods and duct systems shall be cleaned to bare metal pursuant to NFPA-96, Section 11.4.~~
- ~~(4) There shall be no grease or carbonized grease left in the hood, duct system, filters, or fan assemblies.~~
- ~~(5) No coatings shall be sprayed or applied on the clean ductwork.~~
- ~~(6) All ductwork access panels/doors shall be properly reassembled after complete cleaning.~~
- ~~(7) Any hardware removed from equipment shall be reinstalled after complete cleaning.~~
- ~~(8) The applicant shall identify and note all damaged equipment, missing parts and notify the owner and the fire marshal upon completed cleaning.~~
- ~~(9) Upon completion of each job, the applicant shall submit exhaust vent cleaning photos. At the discretion of the fire marshal periodic fire inspections shall be conducted. Each completed cleaning job is to be approved pursuant to submitted plans and photos. An attachment of photo requirements shall be part of the application document.~~

~~(d) Fee. The fee for a commercial hood and exhaust cleaning permit shall be based on contractual job cost and equal to the permit fee amounts as established pursuant to section 174.310(c).~~

~~(a) Permit fees authorized. Minneapolis Fire Inspection Services, based on authority granted to it by the Minnesota State Fire Code, Section 104.3 and state amendment 101.6, is hereby authorized to issue a commercial hood and exhaust cleaning permit for any commercial hood and exhaust cleaning required hereunder. The permit requirement imposed by this section shall be required every six (6) months, or upon system activation and apply to all commercial cooking and food service establishments utilizing Type-I and Type-II exhaust hoods that have been contaminated by grease laden vapors inside any building or portion thereof; portable and/or stationary, or equipped motorized mobile food service vehicles conducting business within City of Minneapolis limits for the preparation and serving of food that produces grease laden vapors. The term "food service" shall include operations such as preparing, handling, cleaning, cooking, and packaging food items of any kind.~~

~~(b) Hood cleaning permit. A permit is required every six months to conduct hood cleaning of all Type-I and Type-II hoods that have been contaminated with grease laden vapors to coincide with Minnesota State Fire Code Sections 904.11.6 to 904.11.6.5. Every application for such a permit shall be made in writing to Minneapolis Fire Inspection Services at least five (5) working days in advance of the proposed cleaning date. Permits shall be obtained every six (6) months to correspond with Minnesota State Fire Code Section 904.11.6.4 and shall only be issued to approved City of Minneapolis licensed kitchen exhaust contractors after the fire code official or the fire code official's designee have reviewed and approved the application and the applicant has paid the required fee. Businesses and establishments with commercial hood systems that require quarterly or more frequent cleanings shall only be subject to the six month permit requirements and fees.~~

~~(c) Cleaning. All hoods, grease-removal devices, fans, ducts and other appurtenances shall be cleaned at intervals necessary to prevent the accumulation of grease, as specified by Minnesota State Fire Code Section 904.11.6.3 and NFPA-96 and 17A. Upon inspection, if exhaust system(s) are found to be contaminated with grease laden vapor deposits, the entire exhaust system shall be cleaned.~~

~~(d) Type I and II exhaust systems. Type I and Type II exhaust systems shall only be cleaned by approved/certified City of Minneapolis licensed kitchen exhaust contractors.~~

~~(e) Fee. The fee for any permit required by this section shall be as established in the director's fee schedule pursuant to section 91.70.~~

~~(f) Required conditions authorized. The fire code official is authorized to place conditions upon kitchen exhaust contractor applicants requesting hood cleaning permits, including but not limited to the following:~~

- ~~(1) The entire exhaust system shall be inspected for grease and residue buildup by an approved/certified City of Minneapolis licensed kitchen exhaust contractor.~~
- ~~(2) Inspection and servicing of cooking equipment shall be completed at least annually. Cooking equipment that collects grease below the surface or behind the equipment, such~~

- as griddles or char broilers, shall be inspected and, if found with grease accumulation, cleaned to the manufacturer's recommendations.
- (3) Hoods, grease removal devices, fans, ducts, and other appurtenances shall be cleaned to remove combustible contaminants to a minimum of 0.002 inches pursuant to NFPA-96 Section 11.6.2
 - (4) There shall be no grease or carbonized grease left in the hood, duct system, filters, or fan assemblies.
 - (5) No coatings shall be sprayed or applied on the clean ductwork.
 - (6) All exhaust/ductwork access panels/doors shall be properly reassembled and secured after cleaning.
 - (7) Any portion of the exhaust hardware/appurtenances removed for cleaning and/or maintenance shall be reinstalled to code specifications.
 - (8) Kitchen exhaust contractors shall identify all damaged equipment, deficiencies, missing parts, or lack of necessary access panels and notify in writing the tenant and owner and the fire code official upon completion.
 - (9) Upon completion and submittal of each job, any portion of the hood, plenum, exhaust duct and associated building trunk-line system(s) found contaminated with grease-residue the entire system fails and shall not be approved.
 - (10) Upon completion, and within thirty (30) days, kitchen exhaust contractors shall submit to fire inspection services cleaning photographs of the entire hood, plenum, exhaust duct, including associated building trunk-line system(s) and appurtenances in a format and specification designated by the fire code official.
 - (11) At the discretion of the fire code official, periodic fire inspections shall be conducted. Each permitted cleaning shall only be approved pursuant to kitchen exhaust contractors submittal of documented photographs to fire inspection services.

Adopted.

Ordinance 2012-Or-010 amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to *Building Code: Permit Fees*, amending Section 91.70 to amend the Director's Fee Schedule provision to include commercial hood and exhaust cleaning permits, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2012-Or-010
By Tuthill and Glidden
Intro & 1st Reading: 2/10/2012
Ref to: RE&E
2nd Reading: 3/8/2012

Amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to Building Code: Permit Fees.

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

Section 1. That Section 91.70 of the above-entitled ordinance be amended to read as follows:

91.70. Unit based permit fee adjustment; director's fee schedule. (a) The minimum fee as shown in section 91.40 and certificate, permit, service or other fees calculated on a unit item or other basis, as shown in sections 46.40, 48.310, 50.70, 56.110, 56.30, 59.40, 59.50, 91.15, 91.20, 91.35, 91.55, 91.105, 91.115, 91.120, 91.150, 91.190, 91.220, 91.270, 91.380, 91.390, 91.410, 91.460, 91.465, 91.610, 91.620, 91.740, 91.750, 91.770, 91.780, 91.900, 108.30, 174.500, 249.80, and 389.105 shall be subject to automatic adjustment based on annual increases in the construction cost index (CCI) for the City of Minneapolis as published quarterly by the Engineering News Record. Such adjustment, rounded off to the nearest one (1) percent, shall be effective on April first of each year based on the construction cost index for the period ending December 31 of the preceding calendar year. Thereafter the director's fee schedule shall be subject to automatic annual adjustment pursuant to the terms of subsection (a) and

shall be made available to the public at least thirty (30) days prior to going into effect. In the event CCI for the preceding calendar year is less than three (3) percent, the annual increase will be three (3) percent.

(b) The director of inspections shall publish, maintain and make available to the public via all readily available means, including posting to the city's designated Internet site(s), a schedule of all such fees referenced in subsection (a). Such schedule shall be titled the director's fee schedule and shall be promptly revised and updated by the director on April first of each year. The council shall approve the initial director's fee schedule to be effective April 1, 2004. Thereafter the director's fee schedule shall be subject to automatic annual adjustment pursuant to the terms of subsection (a) and shall be made available to the public at least thirty (30) days prior to going into effect.

(c) The building permit fee amounts herein established shall be effective April 1, 2004 and shall be subject to automatic annual adjustment each April first thereafter in a percentage equal to annual increases in the consumer price index (CPI) for the period ending December 31 of the preceding calendar year. In the event CPI for the preceding calendar year is less than three (3) percent, the annual increase will be three (3) percent. Such building permit fees and subsequently adjusted building permit fees shall be published and maintained in the director's fee schedule referenced in section 91.70 and shall be based on the following valuation categories:

Valuation Categories

\$1.00 to \$500.00
\$501.00 to \$2,000.00
\$2,001.00 to \$25,000.00
\$25,001.00 to \$50,000.00
\$50,001.00 to \$100,000.00
\$100,001.00 to \$500,000.00
\$500,001.00 to \$1,000,000.00
\$1,000,001.00 and up

Adopted.

RE&E & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a Memo of Understanding with the Minneapolis Park Board for a pilot project to have teenagers from the Teen TeamWorks Program provide nuisance abatement grass cutting, weed removal and brush removal services for most vacant Minneapolis lots during summer 2012. The expense associated with the Memo of Understanding is estimated at \$50,000.

Adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the reappointment of Steven A. Kotke to serve as Director of Public Works/City Engineer for a two-year term beginning January 3, 2012, and having held a public hearing thereon, now recommends approval of said reappointment.

Adopted.

T&PW - Your Committee recommends that the proper City officers be authorized to enter into an agreement with the University of Minnesota Board of Regents to conduct research in characterizing chemical, physical, and biological parameters impacting the performance of granular activated carbon filters with respect to particle removal, taste, and odor removal in the City's water treatment process. Funding for the project is available in the Water Treatment & Distribution Services budget.

Adopted.

T&PW - Your Committee, having under consideration the 18th Ave NE Bike Trail, Phase II, now recommends that the proper City officers be authorized to amend Contract No C-28174 with Max Steinger, Inc., increasing the contract by \$90,535.78, for a revised contract total of \$716,949.76, to allow for payment for additional work performed as part of the federal project. Funds are available in the existing project budget.

Adopted.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 2012 Street Resurfacing Program, Upton Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5230.
Adopted.

Resolution 2012R-123, designating the locations and streets to be improved in the Upton Ave S Street Resurfacing Project No 5230, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2012R-123
By Colvin Roy**

**2012 STREET RESURFACING PROGRAM
UPTON AVE S STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5230**

Designating the improvement of certain existing streets in the 2012 Street Resurfacing Program at the locations described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing related improvements as needed:

Upton Ave S from 43rd St W to 54th St W.
Adopted.

T&PW - Your Committee, having received a cost estimate of \$419,174 for street resurfacing improvements and a list of benefited properties for certain locations in the Upton Ave S (43rd St W to 54th St W) Street Resurfacing Project, Special Improvement of Existing Street No 5230, as designated by Resolution 2012R-123 passed March 8, 2012, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2012 Uniform Assessment Rates as per Resolution 2011R-571, passed November 4, 2011.

Your Committee further recommends that a public hearing be held on April 3, 2012 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 resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 2012 Street Resurfacing Program, Sheridan Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5228.
Adopted.

Resolution 2012R-124, designating the locations and streets to be improved in the Sheridan Ave S Street Resurfacing Project No 5228, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2012R-124
By Colvin Roy**

**2012 STREET RESURFACING PROGRAM
SHERIDAN AVE S STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5228**

Designating the improvement of certain existing streets in the 2012 Street Resurfacing Program at the locations described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing related improvements as needed:

Sheridan Ave S from 39th St W to 43rd St W.

Adopted.

T&PW - Your Committee, having received a cost estimate of \$185,856 for street resurfacing improvements and a list of benefited properties for certain locations in the Sheridan Ave S (39th St W to 43rd St W) Street Resurfacing Project, Special Improvement of Existing Street No 5228, as designated by Resolution 2012R-124 passed March 8, 2012, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2012 Uniform Assessment Rates as per Resolution 2011R-571, passed November 4, 2011.

Your Committee further recommends that a public hearing be held on April 3, 2012 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 resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 2012 Street Resurfacing Program, W River Rd N Street Resurfacing Project, Special Improvement of Existing Street No 5239.

Adopted.

Resolution 2012R-125, designating the locations and streets to be improved in the W River Rd N Street Resurfacing Project No 5239, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2012R-125
By Colvin Roy**

**2012 STREET RESURFACING PROGRAM
W RIVER RD N STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5239**

Designating the improvement of certain existing streets in the 2012 Street Resurfacing Program at the locations described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing related improvements as needed:

W River Rd N from Plymouth Ave to W Broadway Ave.

Adopted.

T&PW - Your Committee, having received a cost estimate of \$750,000 for street resurfacing improvements and a list of benefited properties for certain locations in the W River Rd N (Plymouth Ave to W Broadway Ave) Street Resurfacing Project, Special Improvement of Existing Street No 5239, as designated by Resolution 2012R-125 passed March 8, 2012, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2012 Uniform Assessment Rates as per Resolution 2011R-571, passed November 4, 2011.

Your Committee further recommends that a public hearing be held on April 17, 2012 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 resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 2012 Street Resurfacing Program, 15th St E Street Resurfacing Project, Special Improvement of Existing Street No 5241.

Adopted.

Resolution 2012R-126, designating the locations and streets to be improved in the 15th St E Street Resurfacing Project No 5241, was by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-126

By Colvin Roy

**2012 STREET RESURFACING PROGRAM
15TH ST E STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5241**

Designating the improvement of certain existing streets in the 2012 Street Resurfacing Program at the locations described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing related improvements as needed:

15th St E from 5th Ave S to Chicago Ave S.

Adopted.

T&PW - Your Committee, having received a cost estimate of \$345,000 for street resurfacing improvements and a list of benefited properties for certain locations in the 15th St E (5th Ave S to Chicago Ave S) Street Resurfacing Project, Special Improvement of Existing Street No 5241, as designated by Resolution 2012R-126 passed March 8, 2012, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2012 Uniform Assessment Rates as per Resolution 2011R-571, passed November 4, 2011.

Your Committee further recommends that a public hearing be held on April 17, 2012 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 resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted.

T&PW - Your Committee, having under consideration the processing and disposal of yard waste and street sweepings, now recommends that the proper City officers be authorized to negotiate and execute an amendment to contract No C-26267A with Organic Technologies, Inc., (OTI) to include the following provisions:

- a) The City (Department of Public Works) will deliver approximately 50% of the residential yard waste volume to the current OTI site;
- b) The remaining 50% of the City's yard waste will be delivered to a separate contractor;
- c) Current contract rates of OTI to the City will not change;
- d) All residual, contaminated yard waste (including plastic bags) will be removed from site and disposed of by April 1, 2012;
- e) Strict performance standards for odor and environmental concerns will be enforced; failure to perform following execution of the amendment will result in contract termination notwithstanding any other terms; and
- f) The City (Department of Public Works) will reserve the right to direct yard waste to an alternate site if it is determined that performance standards are not being met.

Adopted.

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

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to negotiate and execute a contract with Specialized Environmental Technologies, Inc./SKB Environmental (SET/SKB) for the processing and disposal of approximately 50% of the volume of the City's yard waste and street sweepings for a period of three (3) years at a rate of \$50/ton.

Adopted.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend Contract C-22438 with the Joint Water Commission for the purpose of rebuilding the Golden Valley meter station and changing the ownership of the meter. The cost of the project will be shared between the two entities, and the City's portion will be funded from the operating budget appropriation.

Adopted.

T&PW & W&M/Budget - Your Committee, having under consideration the Hennepin County Sentencing to Service Program, now recommends that the proper City officers be authorized to negotiate and execute a new three (3) year contract, with the option to renew, with Hennepin County for the routine removal of snow at bus stops and intersection corners, turf maintenance, debris pick-up, and other maintenance services for the Public Works Transportation Maintenance and Repair Division for a not-to-exceed amount of \$75,000 for the life of the contract.

Adopted.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to expend \$30,875 from the Public Works Operating Budget (00100 6000200) to allow for 2012 City of Minneapolis participation in the Minneapolis-Duluth/Superior Passenger Rail Alliance Board for the development of the Northern Lights Express (NLX).

Adopted.

T&PW & W&M/Budget - Your Committee, having under consideration the Winter St NE Residential/Commercial Reconstruction Project, now recommends:

- a) Approval of the project layout, as set forth in Petn No 275531; and

b) That the proper City officers be authorized to negotiate with private property owners to reacquire a portion of a previously vacated street at the intersection of Winter St NE and 15th Ave SE and execute additional easements and rights-of-way to accommodate the project.

Adopted.

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

a) That the proper City officers be authorized to execute Subordinate Funding Agreement 16 (SFA 16) with the Metropolitan Council to allow for water gate valve installation work associated with the CCLRT Project civil west construction;

b) That the proper City officers be authorized to execute SFA 17 to allow for traffic and pedestrian signal work at 29th Ave and University Ave associated with the CCLRT Project civil west construction; and

c) Passage of the accompanying resolution increasing the appropriation for the project by \$217,592.48, to be reimbursed by the Metropolitan Council.

Adopted.

RESOLUTION 2012R-127
By Colvin Roy and Hodges

Amending The 2012 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW-Water Capital Fund/Department (07400-9010950) by \$217,592.48, to be reimbursed by the Metropolitan Council.

Adopted.

T&PW & W&M/Budget - Your Committee, having under consideration the Riverside Ave, Phase 2 (Cedar Ave to 23rd Ave S) Street Reconstruction Project, Special Improvement of Existing Street No 6746, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments for the street reconstruction project; and

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the street reconstruction project.

Adopted.

Resolution 2012R-128, ordering the work to proceed and adopting the special assessments for the Riverside Ave, Phase 2, Street Reconstruction Project No 6746, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-128
By Colvin Roy and Hodges

RIVERSIDE AVE PHASE 2 (CEDAR AVE TO 23RD AVE S)
STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6746

Ordering the work to proceed and adopting the special assessments for the Riverside Ave Phase 2 (Cedar Ave to 23rd Ave S) Street Reconstruction Project.

Whereas, a public hearing was held on February 28, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2012R-036 passed January 27, 2012, 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 2012R-036 passed January 27, 2012.

Be It Further Resolved that the proposed special assessments in the total amount of \$334,905.23, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2013 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2013 real estate tax statements.

Adopted.

Resolution 2012R-129, requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$334,910 for the purpose of paying the assessed cost of street improvements in the Riverside Ave, Phase 2, Street Reconstruction Project No 6746, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-129
By Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$334,910 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Riverside Ave, Phase 2 (Cedar Ave to 23rd Ave S) Street Reconstruction Project, Special Improvement of Existing Street No 6746, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted.

T&PW & W&M/Budget - Your Committee, having under consideration the Riverside Ave, Phase 2 (Cedar Ave to 23rd Ave S) Street Lighting Project, Special Improvement of Existing Street No 6746L, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments for the street lighting project; and

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the street lighting project.

Adopted.

Resolution 2012R-130, ordering the work to proceed and adopting the special assessments for the Riverside Ave, Phase 2, Street Lighting Project No 6746L, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2012R-130
By Colvin Roy and Hodges**

**RIVERSIDE AVE PHASE 2 (CEDAR AVE TO 23RD AVE S)
STREET LIGHTING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6746L**

Ordering the work to proceed and adopting the special assessments for the Riverside Ave, Phase 2 (Cedar Ave to 23rd Ave S) Street Lighting Project.

Whereas, a public hearing was held on February 28, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2012R-037 passed January 27, 2012, 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 Resolution 2012R-037 passed January 27, 2012.

Be It Further Resolved that the proposed special assessments in the total amount of \$160,380.67, as on file in the office of the City Clerk, are hereby adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2014 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments on the 2014 real estate tax statements.

Adopted.

Resolution 2012R-131, requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$160,385 for the purpose of paying the assessed cost of street improvements in the Riverside Ave, Phase 2, Street Lighting Project No 6746L, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2012R-131
By Colvin Roy and Hodges**

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$160,385 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Riverside Ave, Phase 2 (Cedar Ave to 23rd Ave S) Street Lighting Project, Special Improvement of Existing Street No 6746L, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted.

T&PW & W&M/Budget - Your Committee, having under consideration the Riverside Ave, Phase 2 (Cedar Ave to 23rd Ave S) Street Reconstruction and Street Lighting Project, Special Improvement of Existing Street No 6746, now recommends passage of the accompanying resolutions:

- a) Ordering the City Engineer to abandon and remove areaways located in the public street right-of-way that are in conflict with the street reconstruction and street lighting projects; and
- b) Directing the City Engineer to establish rush hour parking restrictions on Riverside Ave between 23rd Ave S and Cedar Ave.

Adopted.

Resolution 2012R-132, ordering the City Engineer to abandon and remove areaways located in the public street right-of-way that are in conflict with the Riverside Ave, Phase 2, Street Reconstruction and Street Lighting Project No 6746, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-132
By Colvin Roy and Hodges

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction and street lighting projects in the Riverside Ave, Phase 2 (Cedar Ave to 23rd Ave S) area.

Whereas, the City of Minneapolis has scheduled the reconstruction and street lighting improvements starting in 2012 in the Riverside Ave Phase 2 (Cedar Ave to 23rd Ave S) area of Minneapolis; and

Whereas, there are areaways located in the public street right-of-way that are in conflict with said reconstruction and street lighting installation; and

Whereas, a public hearing was held on February 28, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances to consider the proposed abandonment and removal of the above-mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

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

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street right-of-way adjoining the properties along Riverside Ave (both sides) from Cedar Ave to 23rd Ave S.

Adopted.

Resolution 2012R-133, directing the City Engineer to establish rush hour parking restrictions on Riverside Ave between 23rd Ave S and Cedar Ave S in conjunction with the Riverside Ave, Phase 2, Street Reconstruction and Street Lighting Project No 6746, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-133
By Colvin Roy and Hodges

Directing the City Engineer to establish rush hour parking restrictions on Riverside Ave between the limits of 23rd Ave S and Cedar Ave S described herein.

Whereas, the City of Minneapolis and Hennepin County wish to reconstruct Riverside Ave between the limits of 23rd Ave S and Cedar Ave S; and

Whereas, Minnesota Department of Transportation (Mn/DOT) State Aid Rule 8820 requires parking provisions to meet the existing average daily traffic and peak hour traffic volumes; and

Whereas, the project requires a minimum number of drive lanes and lane widths; and

Whereas, to meet State Aid Rule 8820 the County and the City recommend establishing No Parking Anytime at the following locations:

- Southwesterly side of Riverside beginning at the easterly curb line of Cedar Ave S and thence extending 180' southeasterly
- Both the northeasterly and southwesterly sides of Riverside Ave between the limits of 5th St S and 20th Ave S
- Both the Northeastly and southwesterly sides of Riverside Ave between the limits of 21st Ave S and 22nd Ave S
- Northeastly side of Riverside Ave between the limits of 23rd Ave S and 22nd Ave S; and
Whereas, State Aid Rules require a certified resolution documenting the requested action;
Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:
That the City Engineer is hereby directed to install the parking restrictions and to submit this resolution to the Commissioner of Transportation to meet State Aid Rule 8820.
Adopted.

T&PW & W&M/Budget - Your Committee recommends acceptance of the only bid submitted to the Public Works Department on OP No 7567 from Midwest Diesel Service, Inc., for an estimated annual expenditure of \$150,000.00, to furnish and deliver OEM Crane Carrier parts and service for two (2) years through December 31, 2013 for the Solid Waste and Recycling Division.

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

Adopted.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7570 from Veit and Company, Inc., for an estimated total expenditure of \$1,395,447.85, to complete the Riverside Ave, Phase 2, Construction Project for the Public Works Paving Division.

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

Adopted.

Approved by Mayor Rybak 3/8/2012.

(Published 3/13/2012)

T&PW & W&M/Budget - Your Committee recommends acceptance of the only bid submitted to the Public Works Department on OP No 7571 from Construction Materials, Inc., for an estimated expenditure of \$87,055.00, to furnish and deliver Epoxy Grade Reinforcing Rods to the Public Works Paving Division.

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

Adopted.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7577 from Highway Technologies, Inc., for an estimated annual expenditure of \$500,000.00, to provide all labor, materials, and equipment to furnish, install, maintain, and remove traffic control devices as needed through January 31, 2013.

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

Adopted.

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

W&M/Budget – Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the appointment of Patrick Todd to serve as the City Assessor, for a two (2) year term beginning January 3, 2012, and having held a public hearing thereon, now recommends approval of said reappointment.

Adopted.

W&M/Budget – Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the appointment of Susan Segal to serve as the City Attorney, for a two (2) year term beginning January 3, 2012, and having held a public hearing thereon, now recommends approval of said reappointment.

Adopted.

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

Adopted.

Resolution 2012R-134, authorizing settlement of *Steven Meldahl v. City of Minneapolis*, and *Jones v. McLean, et al.*, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-134
By Hodges

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

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

a) *Steven Meldahl v. City of Minneapolis*, by payment of \$4,830 for the judgment entered by Hennepin County Conciliation Court in favor of Plaintiff Steven Meldahl from the Internal Service Self Insurance Fund (06900-1500100-145400); and

b) *Jones v. McLean, et al.*, by payment of \$2,500 to the Law Office of Joshua R. Williams Trust Account, from the Internal Service Self Insurance Fund (06900-1500100-145400).

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

Adopted.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend the Claims Administration Agreement between the City of Minneapolis and Analytics, Inc. (C-26744), by extending the term of this agreement until September 1, 2012.

Adopted.

W&M/Budget - Your Committee, having under consideration the list of City positions that are subject to the Statement of Economic Interest (SEI) filing requirements (Section 15.80(a)(3) Minneapolis Code of Ordinances), now recommends approval of said list (Petn 275534); and that it be submitted to the MN Campaign Finance and Public Disclosure Board.

Adopted.

W&M/Budget - Your Committee recommends acceptance of the low bid received on OP #7566 from Century Fence Company for an estimated expenditure in the amount of \$54,987, to furnish and deliver all labor, materials, equipment and incidentals necessary to complete the Emergency Operations Training Facility perimeter fence for the Minneapolis Finance Property Services Division.

Further, that the proper City officers be authorized and directed to execute a contract for this service, all in accordance with our specifications.

Adopted.

W&M/Budget - Your Committee recommends that the proper City Officers be authorized to issue a Request for Proposals (RFP) to enter into partnership with eligible agencies for the 2011 HUD Healthy Homes Thriving Communities grant. The grant is to be used for the purpose of reducing health hazard in homes, and the project work split among agencies that are able to provide matching dollars in eligible housing rehabilitation, weatherization and in-kind staff time.

Adopted.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee, to whom was referred ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code*, regarding film, video, and audio production as a permitted use in commercial districts and to establish specific development standards for these uses, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that the following ordinances be given their second reading for amendment and passage:

- a. Amending Chapter 536 relating to *Specific Development Standards*; and
- b. Amending Chapter 548 relating to *Commercial Districts*.

Adopted.

Ordinance 2012-Or-011 amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to *Zoning Code: Specific Development Standards*, amending Section 536.20 to establish specific development standards for film, video and audio production uses, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2012-Or-011
By Reich
Intro & 1st Reading: 12/9/2011
Ref to: Z&P
2nd Reading: 3/8/2012

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Specific Development Standards.

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

Section 1. That Section 536.20 of the above-entitled ordinance be amended by amending thereto the following specific development standard in alphabetical sequence to read as follows:

536.20. Specific development standards. The uses listed below are subject to the following specific development standards, in addition to all other applicable regulations:

Film, video, and audio recording-production. Except in the I3 District, all activity shall be within a completely enclosed building with soundproofing, and sound shall not be audible outside the building.

Adopted.

Ordinance 2012-Or-012 amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to *Zoning Code: Commercial Districts*, amending Sections 548.30 and 548.240 to make film, video and audio production a permitted use in all commercial zoning districts, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2012-Or-012
By Reich
Intro & 1st Reading: 12/9/2011
Ref to: Z&P
2nd Reading: 3/8/2012

Amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to Zoning Code: Commercial Districts.

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

Section 1. That Section 548.30(f)(2) of the above-entitled ordinance be amended to read as follows:

548.30. Principal uses for the commercial districts. (a) In general. Table 548-1, Principal Uses in the Commercial Districts, lists all permitted and conditional uses in the commercial districts.

(f) *General use categories.* Table 548-1 employs general use categories for some types of uses. A particular use may be determined to be within a general use category if not listed specifically elsewhere in Table 548-1 and if not determined to be within another general use category. Determination of whether a particular use is included within a general use category shall be made by the zoning administrator in the manner provided for in Chapter 525, Administration and Enforcement, governing determination of substantially similar uses.

(2) *Limited production and processing.* Limited production and processing uses include activities that are consistent and compatible with retail sales and services. These uses produce minimal off-site impacts due to their limited nature and scale. Limited production and processing shall not include any use which may be classified as a medium industrial use or a general industrial use or any use which is first allowed in the I2 or I3 Districts. Limited production and processing is allowed as a principal use, and may include wholesale and off-premise sales, notwithstanding the restrictions of this chapter, provided the use shall not exceed one thousand two hundred (1,200) square feet of gross floor area, and the main entrance shall open to a retail or office component equal to not less than fifteen (15) percent of the floor area of the use, except in the C4 District where such district standards shall apply. Limited production and processing includes but is not limited to the following uses:

- a. Apparel, and other finished products made from fabrics.
- b. Computers and accessories, including circuit boards and software.
- c. Electronic components and accessories
- ~~d. Film, video and audio production.~~
- e d. Food and beverage products, except no live slaughter, grain milling, cereal, vegetable oil or vinegar.
- ƒ e. Precision medical and optical goods.
- g f. Printing and publishing.
- h g. Signs, including electric and neon signs.
- † h. Watches and clocks.
- j i. Wood crafting and carving.
- k j. Wood furniture and upholstery.

Section 2. That the following portion of Table 548-1 of the above-entitled ordinance be amended to read as follows:

Table 548-1 Principal Uses in the Commercial Districts

Use	C1	C2	C3A	C3S	C4	Specific Development Standards
PRODUCTION, PROCESSING AND STORAGE						
Film, video and audio production	<u>P</u>	<u>CP</u>	<u>CP</u>	<u>P</u>	<u>CP</u>	✓

Section 3. That Section 548.240 (1)(a) of the above-entitled ordinance be amended to read as follows:

548.240. General district regulations. The following conditions govern uses in the C1 District:

(1) *Maximum floor area.*

- a. In general. All commercial uses, including shopping centers, and film, video and audio production uses, shall be limited to a maximum gross floor area of four thousand (4,000) square feet per use, except for planned unit developments and as provided in sections b. and c. below.

Adopted.

Z&P - Your Committee, having under consideration the application of Patrick Sarver on behalf of First & First LLC for an interim use permit (BZZ-5470) for a parking facility located at 2644 Nicollet Ave for a 3 year period, now recommends adoption of the findings of Community Planning & Economic Development staff, and approval of said application upon the following conditions:

1. The interim use shall expire no later than March 1, 2015.
2. The curb cut along Nicollet Ave shall be closed and only one (1) curb cut along 27th St shall be constructed to serve the proposed parking facility.
3. CPED Planning staff review and approval of the final site and landscaping plans.
4. The applicant shall discuss with Planning staff and Public Works staff the option of permeable surfaces versus paved surface.
5. The applicant shall work with staff to incorporate some storm water features that help retain and collect storm water onsite.
6. Pedestrian paths shall be included through the sodded area.

Adopted.

Z&P - Your Committee, having under consideration the appeal filed by Soren Jensen on behalf of the Midtown Greenway Coalition from the decision of the Planning Commission granting land use applications for a mixed use building with ground floor commercial uses and 171 dwelling units at 2900-2910 Lyndale Ave S and 2901-2919 Aldrich Ave S, now recommends that said appeal be granted in part and denied in part, as follows:

a) Approving a conditional use permit to increase the maximum building height to 7 stories and 87 feet and adopting the findings prepared by CPED Planning Staff, subject to the following conditions:

- 1) The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.
- 2) To reduce the amount of time that the building shadows the greenway during the winter months, the fifth floor shall be set back at least 25 feet from the property line adjacent to 29th St and the sixth floor shall be set back at least 35 feet from the property line adjacent to 29th St.

b) Approving a variance of the PO Overlay District standard to allow first floor to be set back more than 8 feet from Lyndale Ave and 29th St and adopting the findings prepared by CPED Planning Staff, subject to the following condition:

- 1) The transformer proposed at the corner of 29th St and Aldrich Ave shall be located in the interior of the site.

c) Approving a variance of the PO Overlay District standard to allow a 25.5 foot wide curb cut on Aldrich Ave;

d) Approving a variance to reduce the interior side yard requirement to 0 feet and the rear yard requirement to 0 feet and adopting the findings prepared by CPED Planning Staff;

e) Approving a variance to reduce the minimum drive aisle width requirement to allow 2 parking spaces located north of the parking garage ramp to maneuver in the public alley and adopting the findings prepared by CPED Planning Staff;

f) Approving a variance to increase the maximum size of a projecting sign and the amount of signage allowed on a primary building wall, subject to the following conditions:

- 1) The total amount of signage located on the Lyndale Avenue elevation shall not exceed 482 square feet and the projecting sign shall not exceed 320 square feet.
- 2) The total amount of signage for on-site uses shall not exceed 184 square feet on the Lyndale Ave elevation.

3) The total amount of signage located on the 29th St elevation shall not exceed 50 square feet.

4) The projecting sign shall be turned off at 3:00 a.m.

g) Approving a site plan review application and adopting the findings prepared by CPED Planning Staff, subject to the following conditions:

1) An open decorative metal fence and landscaping that complies with the screening requirements of section 535.70 of the zoning code shall be provided between Aldrich Ave and the generator, transformer, and parking area in lieu of the landscaping requirements of 530.70 of the zoning code.

2) Community Planning and Economic Development Department - Planning Division staff review and approval of the final elevations, floor, site, lighting and landscape plans.

3) Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by February 6, 2013, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

4) At least 30 percent of the ground floor parking garage wall facing Aldrich Ave shall be openings.

Schiff moved to amend condition (2) on application (a) for a conditional use permit to increase the maximum building height as follows:

2) To reduce the amount of time that the building shadows the greenway during the winter months, the fifth floor shall be ~~set back at least 25 feet~~ shifted back at least an additional 10 feet from the property line adjacent to 29th St and the sixth floor shall be set back at least 35 feet from the property line adjacent to 29th St. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Z&P - Your Committee, having under consideration the appeals filed by Dave Scott, Jane Prince on behalf of Linden Hills Residents for Responsible Redevelopment LLC, and the Upton Manor Condominium Association, Inc., from the decision of the Planning Commission granting applications for a conditional use permit to increase building height to 5 stories and 59 feet, a variance to allow a building to be located more than 8 feet from the front and/or corner side property lines adjacent to Upton Ave S and W 43rd St, a variance to allow bicycle racks and a vehicle height limiter in the required front yard setback along Upton Ave S, and a site plan review application, all to allow for a mixed-use building with 40 dwelling units and 11,227 square feet of ground floor commercial space at 4242, 4246, 4246 1/2, 4250 and 4264 Upton Ave S, now recommends notwithstanding the recommendation of staff that said appeals be granted, and the applications denied.

Your Committee also recommends, notwithstanding the recommendation of staff and the Planning Commission, denying the application for a right-of-way vacation (#1596) for a trapezoidal area adjacent to 4264 Upton Ave S.

Your Committee further recommends that the Findings of Fact and Recommendation prepared by the City Attorney and on file as FoF2012-08 in the Office of the City Clerk be adopted and made a part of this report by reference.

Adopted.

MOTIONS

Hodges moved that the regular payrolls for all City employees under City Council jurisdiction for the month of April, 2012, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted.

RESOLUTION

Resolution 2012R-135, supporting Earth Hour 2012, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2012R-135

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

Supporting Earth Hour 2012.

Whereas, the inaugural Earth Hour took place in Sydney, Australia in March 2007 with more than 2.2 million people participating in an effort that darkened icons such as the Sydney Opera House and the Harbour Bridge and resulted in a ten per cent drop in energy usage - double what had been predicted; and

Whereas, the World Wildlife Federation (WWF) launched Earth Hour as a global initiative in which cities and communities will turn out their lights to symbolize their leadership and commitment to finding solutions for climate change; and

Whereas, cities from around the world, including Minneapolis since 2008, have participated; and

Whereas, during Earth Hour, governments, businesses, community leaders and individuals will be turning out their lights and switching on their support for actions that can help make a difference in one of the most significant challenges facing the world today; and

Whereas, Earth Hour reminds us that each of us can be part of the solution to climate change, and

Whereas, in Minneapolis 38% of Greenhouse Gas emissions comes from electricity; and

Whereas, those Minneapolis buildings participating in Audubon Minnesota's "Lights Out" Campaign are to be commended for turning off lights during spring and fall bird migration in order to reduce the risk of birds hitting tall office buildings during the night;

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

That on March 31, 2012 from 8:30 p.m. - 9:30 p.m. the City will participate in Earth Hour by turning off all uses of electricity in municipal buildings not required for life, safety or operations, and will turn off the decorative lighting on the Stone Arch Bridge for the entire night as a symbol of the City's commitment to being part of the solution to climate change.

Be It Further Resolved that residents of Minneapolis are encouraged to participate in Earth Hour and reduce their energy usage during every hour of the year.

Be It Further Resolved that we encourage all Minneapolis businesses to participate in Earth Hour and specifically recognize and thank the following for their leadership and participation in the Lights Out for migrating birds campaign:

- 20, 100 & 111 Washington Square
- 225 South Sixth Street
- 33 South Sixth St./City Center
- Accenture Tower
- Ameriprise Financial
- Campbell Mithun Tower
- Carlyle Condominium
- Fifth Street Towers - 100 & 150 South Fifth Street
- Fifty South Sixth
- Grant Park Tower
- Hennepin County Central Library
- Hennepin County Government Center
- Hennepin County Health Services Building
- IDS Center
- LaSalle Plaza
- Mill Ruins Building
- Mill City Museum

- One Financial Plaza
 - Plaza Seven
 - RBC Plaza/Gaviidae Common II
 - Retek on the Mall
 - Riverplace
 - Thrivent Financial for Lutherans
 - U.S. Bancorp Center
 - US Bank Center
 - U.S. Bank Plaza
 - Wells Fargo Center
- Adopted.

UNFINISHED BUSINESS

Pursuant to notice, Schiff moved to introduce the subject matter of an ordinance amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations, for first reading and referral to the Regulatory, Energy & Environment Committee (adding a new Chapter 332 entitled *Solicitors, Peddlers and Transient Merchants*). Seconded.

Adopted upon a voice vote.

Pursuant to notice, Gordon moved to introduce the subject matter of an ordinance amending Title 10, Chapter 186 of the Minneapolis Code of Ordinances relating to *Food Code: In General*, for first reading and referral to the Regulatory, Energy & Environment Committee (creating a new food vendor category to allow non-profit organizations to distribute free food from a food vending vehicle). Seconded.

Adopted upon a voice vote.

NEW BUSINESS

Lilligren moved to introduce the subject matter of an ordinance amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to *Zoning Code: Overlay Districts*, for first reading and referral to the Zoning & Planning Committee (considering additional limitations on parking lots in the Pedestrian Oriented Overlay District in the Nicollet and Franklin area). Seconded.

Adopted by unanimous consent.

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to *Heritage Preservation: Heritage Preservation Regulations* (establishing a process to create historic conservation districts).

Lilligren moved to adjourn. Seconded.

Adopted upon a voice vote.

Casey Joe Carl,
City Clerk.

Unofficial Posting:3/13/2012
Official Posting: 3/16/2012