

# OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

## REGULAR MEETING OF SEPTEMBER 19, 2014

(Published September 27, 2014, in *Finance and Commerce*)

Council President Johnson called the meeting to order at 9:30 a.m. in the Council Chamber, a quorum being present.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey, Blong Yang, Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

Absent – Council Member Abdi Warsame.

On motion by Glidden, seconded, the agenda was amended to add under the order of Resolutions a resolution designating September 26 - 28, 2014, as MINNESOTA ORCHESTRA DAYS in the City of Minneapolis.

On motion by Glidden, seconded, the agenda, as amended, was adopted.

On motion by Glidden, seconded, the minutes of the special meeting of August 27, 2014, and the regular meeting of August 29, 2014, were adopted.

On motion by Glidden, seconded, the petitions, communications, and reports of the City officers were referred to the proper Council committees and departments.

The following reports were signed by Mayor Betsy Hodges on September 22, 2014. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the office of the City Clerk.

### REPORTS OF STANDING COMMITTEES

**The COMMITTEE OF THE WHOLE submitted the following report:**

**COW** – Your Committee, to whom was referred an ordinance amending Title 16, Chapter 420 of the Minneapolis Code of Ordinances relating to Planning and Development: Public Housing Authority, amending provisions related to the Minneapolis Public Housing Authority's (MPHA) transition to their own benefit plans and administrative services, now recommends that Ordinance 2014-Or-066 be given its second reading for amendment and passage:

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2014-Or-066**  
**By Quincy**  
**Intro & 1st Reading: 8/15/2014**  
**Ref to: COW**  
**2nd Reading: 9/19/2014**

**Amending Title 16, Chapter 420 of the Minneapolis Code of Ordinances relating to Planning and Development: Public Housing Authority.**

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

Section 1. That Section 420.90 of the above-entitled ordinance be amended to read as follows:

**420.90. Personnel.**

- (1) *Executive director.* The board of commissioners shall appoint an executive director, subject to confirmation by the city council, who shall serve at the pleasure of the board as the principal operating administrator for the authority. The executive director shall be in charge of the staff of the authority and shall have final authority for all personnel decisions.
- (2) *Pension.* The authority shall make available a pension plan for its employees. The plan shall comply with all applicable laws and regulations governing qualified retirement plans and shall be the same as or substantially similar to the agency's pension plan. ~~The authority shall provide in its pension plan that employees or former employees of the agency who are hired by the authority shall be given credit for length of service with the agency for purposes of eligibility and vesting of employer contributions to the plan.~~
- (3) ~~*City benefits*~~ *Benefits.* ~~Upon request of the authority, any~~ The authority may provide benefits, including, but not limited to, health insurance, dental insurance, disability insurance, basic life insurance and optional term life insurance for its employees currently offered by the city to the agency for the benefit of the agency's employees shall be offered on the same terms to the authority for the benefit of the authority's employees. ~~The authority may adopt a Minneflex Plan and upon request of the authority, the city shall contract with the authority to administer such Minneflex Plan. The city may periodically adjust the terms and rates for such benefits and services.~~
- (4) ~~*Reciprocal benefits.* If at any time following the transfer of employees from the agency to the authority pursuant to this section, an eligible employee of the authority is hired by the agency or an eligible employee of the agency is hired by the authority, the employing entity shall provide benefits as follows:~~
  - (a) ~~**Eligible employee.** "Eligible employee" means any person who is a permanent, nonprobationary employee of the agency on the effective date of this ordinance [90-Or-203] and who has remained continuously in the employ of the agency or the authority, without any break in service, since the effective date of this ordinance [90-Or-203].~~
  - (b) ~~**Employing entity.** "Employing entity" means the agency if the agency is hiring an eligible employee of the authority and means the authority if the authority is hiring an eligible employee of the agency.~~

- ~~(c) **Former employee.** "Former employee" means the agency when an eligible employee is hired by the authority and means the authority when an eligible employee is hired by the agency.~~
- ~~(d) **Sick leave.** The employing entity shall credit an eligible employee with all sick leave accumulated and unused during employment with the former employer.~~
- ~~(e) **Vacation.** The former employer shall be responsible for the costs of any accumulated and unused vacation in accordance with applicable law, contracts and policies.~~
- ~~(f) **Length of service credit.** The employing entity shall credit an eligible employee with the employee's length of service with the former employer for purposes of establishing sick leave accrual rate and vacation leave accrual rate.~~
- ~~(5) In hiring personnel the authority shall be subject to and shall comply with all affirmative action ordinances, resolutions, rules, regulations and guidelines of the city.~~

Section 2. That Section 420.110 of the above-entitled ordinance be amended to read as follows:

~~**420.110. Administrative services Section 8 moderate rehabilitation units.** The authority may contract with the city for administrative services, including, but not limited to, any or all of the following:~~

- ~~(a) Informational management services;~~
- ~~(b) Financial management information system services;~~
- ~~(c) Financial and accounting services;~~
- ~~(d) Purchasing services;~~
- ~~(e) Human resources services, including employee benefit administration services;~~
- ~~(f) Printing, duplicating and graphics services;~~
- ~~(g) Mailing services;~~
- ~~(h) Word processing services;~~
- ~~(i) Office space and equipment;~~
- ~~(j) Labor negotiations services;~~
- ~~(k) Affirmative action and women and minority business enterprise services;~~
- ~~(l) Payroll preparation services;~~
- ~~(m) Motor vehicles and equipment procurement or loans.~~

~~Upon the request of the authority for payroll preparation services, the city shall provide such services to the authority on the same terms as such services are provided to the agency. In addition, the agency~~ The city and the authority shall ~~may~~ enter an agreement as necessary to facilitate the development by the agency and administration by the authority of section 8 moderate rehabilitation units ~~in~~ within the city. Subject to this agreement, the units shall be developed by the city and operated by the authority.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The ordinance was adopted.

**The COMMUNITY DEVELOPMENT & REGULATORY SERVICES Committee submitted the following reports:**

**CD&RS** – Your Committee, having under consideration the Downtown East Block 1 Development Rights Sales Terms, now sends forward without recommendation the following Department of Community Planning & Economic Development (CPED) staff recommendations:

a) Approve the Term Sheet between the City of Minneapolis and Ryan Companies US, Inc. (Ryan), for the Downtown East Block 1 Development Rights Project, as set forth in the CPED staff report;

b) Authorize the proper City officers to execute a purchase option development contract with Ryan (or an affiliate) and the Minnesota Sports Facilities Authority and other agreements consistent with the Term Sheet.

Frey moved to substitute an amended Term Sheet for the original Term Sheet referenced in the report. Seconded.

Adopted upon a voice vote.

Glidden moved to waive City Council Rule VIII relating to Motions, Debate & Voting, Section 1 (B), requiring that all substantive motions and amendments must be offered in writing. Seconded.

Adopted upon a voice vote.

Goodman moved to amend the substitute Term Sheet to include the following language:

"If an amenity deck is added for the Vikings or Game Days, the City will split equally any revenue above and beyond the cost to build." Seconded.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The motion was adopted.

Frey moved to approve the substitute Term Sheet, as amended, with Ryan Companies US, Inc. ("Ryan"), and authorize the proper City officers to execute a purchase option development contract with Ryan (or an affiliate) and the Minnesota Sports Facilities Authority ("MSFA") and other agreements consistent with the term sheet. Seconded.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report, as amended, was adopted.

**CD&RS** – Your Committee, to whom was referred ordinances amending Title 14 of the Minneapolis Code of Ordinances relating to Liquor and Beer, eliminating food to alcohol sales ratios for restaurants that serve alcohol and establishing operating standards for all alcohol establishments, now recommends that the following ordinances be given their second reading for amendment and passage:

- a) Ordinance 2014-Or-067, amending Chapter 360 relating to In General;
- b) Ordinance 2014-Or-068, amending Chapter 362 relating to Liquor Licenses; and
- c) Ordinance 2014-Or-069, amending Chapter 363 relating to Wine Licenses.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report and ordinances were adopted.

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

**ORDINANCE 2014-Or-067**  
**By Palmisano, Glidden and Frey**  
**Intro & 1st Reading: 5/23/2014**  
**Ref to: CD&RS**  
**2nd Reading: 9/19/2014**

**Amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to Liquor and Beer: In General.**

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

Section 1. That Section 360.10 of the above-entitled ordinance be amended to read as follows:

**360.10. Definitions.** Whenever used in this title, unless some other meaning is clearly required by the context, the following words and phrases shall mean:

*Banquet facility:* An establishment which is under the control of a single proprietor or manager which has suitable facilities for serving meals on premises where the meal service consists of no less than one entree, complete with vegetable, salad, bread or rolls, and beverage, either catered or prepared on-site; which has facilities for seating not fewer than fifty (50) guests at one time at tables; which is not open to the general public but which is available for rental by

individuals or groups for meetings, parties, weddings, or similar occasions; and in which the equipment and premises meet the provisions of all the food and health codes.

*Bar Area:* One or more spaces in an establishment that is designed and utilized primarily for the consumption of alcohol or providing entertainment. This space would include: a dance floor area, stage, game room or any space that is undefined or does not provide for seated food service. Outdoor bar areas may be calculated separately from indoor bar areas and considerations may be made for outdoor sporting courts such as bocce, volleyball or similar features. Considerations may be made for banquet rooms, set as bar area, as described in the business plan.

*Beer:* Malt liquor containing not more than three and two-tenths (3.2) percent of ethyl alcohol by weight.

*Bona fide club:* An organization for social or business purposes, or for intellectual improvement, or for the promotion of sports, where the serving of beer is incidental to and not the major purpose of the club, which organization has been an established incorporated club authorized to do business in the State of Minnesota for more than one year prior to the granting of any license to sell beer, and which, for said period, has maintained and operated a café, dining room or place for serving food or meals for its membership.

*Bowling center:* An establishment which is under the control of a single proprietor or manager which has no fewer than eight (8) fully functioning bowling lanes.

*Brewer taproom:* A brewer taproom is a facility on or adjacent to premises owned by a brewer licensed under Minn. Statute section 340A.301, Subd. 6(c), (i) or (j) and produces less than two hundred fifty thousand (250,000) barrels of malt liquor annually, and where the on-sale and consumption of malt liquor produced by the brewer is permitted pursuant to Minn. Statute section 340A.301, Subd. 6(b).

*Central Commercial District:* Commencing at a point on the southwesterly bank of the Mississippi River where said riverbank is intersected by the centerline of Third Avenue north, extended; thence southwesterly along the centerline of Third Avenue north to the centerline of Holden Street; thence westerly along the centerline of Holden Street to the centerline of Twelfth Street north; thence southerly and southeasterly along the centerline of Twelfth Street north to the centerline of Hennepin Avenue; thence southwesterly along the centerline of Hennepin Avenue to the centerline of Thirteenth Street south; thence southeasterly along the centerline of Thirteenth Street south to the centerline of LaSalle Avenue; thence southwesterly along the centerline of LaSalle Avenue to the centerline of East Grant Street; thence easterly along the centerline of East Grant Street to the centerline of Portland Avenue; thence northeasterly along the centerline of Portland Avenue to the centerline of Seventh Street south; thence south and southeasterly along the centerline of Seventh Street south to the centerline of Seventh Street south to the centerline of Thirteenth Avenue; thence northeasterly along the centerline of Thirteenth Avenue extended to the southwesterly bank of the Mississippi River; thence northwesterly along said riverbank to the point of beginning; or the East Bank Commercial District described as follows: commencing at a point on the northeasterly bank of the Mississippi River where said riverbank is intersected by the centerline of the Burlington Northern Railway right-of-way where it crosses from Nicollet Island; thence northeasterly along the centerline of the railway right-of-way to the centerline of Fifth Street Northeast; thence southeasterly along Fifth Street Northeast to the centerline of Central Avenue; thence south along the centerline of

Central Avenue to the centerline of Second Street southeast; thence easterly along the centerline of Second Street southeast to the centerline of Third Avenue Southeast to the northeasterly bank of the Mississippi River; thence northwesterly along said river bank to the point of beginning.

*Club:* A corporation organized under the laws of the State of Minnesota for civic, fraternal, social or business purposes, or for intellectual improvement or promotion of sports, which has more than fifty (50) members and for more than a year has owned, hired or leased a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable accommodation of its members, and whose affairs are conducted by a board of directors, executive committee or other similar body chosen by the members at a meeting held for that purpose, none of whose members, officers, agents or employees are paid directly or indirectly any compensation by way of profit from the distribution or sale of beverages to the members of the club or to its guests beyond the amount of such reasonable salary or wages as may be fixed and voted each year by the directors or other governing body.

*Cocktail room:* A cocktail room is a facility on or adjacent to premises owned by a micro distillery licensed under Minn. Stat. section 340A.301 subdivision 6(c) which produces premium, distilled spirits in total quantity not to exceed 40,000 proof gallons in a calendar year, and where the on-sale and consumption of distilled spirits produced by the microdistillery is permitted pursuant to Minn. Statute section 340A.301, Subd. 6(c).

*Exclusive liquor store:* An establishment used exclusively for the sale of liquor, beer, cigars, cigarettes, other forms of tobacco and soft drinks, at retail "off-sale."

*General food store:* Any place of business carrying a stock of food supplies and primarily engaged in selling food and grocery supplies to the public.

*Hotel:* An establishment with resident proprietor or manager, where, for payment, food and lodging are regularly furnished to transients, and which maintains for use of its guests not less than fifty (50) guest rooms, with bedding and other suitable and necessary furnishings in each room, and which has a main entrance with suitable lobby, desk and office for the registration of guests, on the ground floor, and which employs an adequate staff to provide suitable and usual service, and which maintains under the same management and control as the rest of the establishment and has, as an integral part thereof, a dining room with appropriate facilities for seating not less than thirty (30) guests at one time where the general public is, in consideration of payment, served with meals at tables.

*Intoxicating liquor:* See "liquor."

*Liquor:* Ethyl alcohol, and any distilled, fermented, spirituous, vinous or malt beverage containing in excess of three and two-tenths (3.2) per cent of ethyl alcohol by weight.

*Nonintoxicating malt liquor:* See "beer."

*"Off sale":* Sale of liquor or beer in original packages in drugstores, general food stores and exclusive liquor stores, for consumption off or away from the premises where sold. The package shall contain not less than seven (7) ounces for malt beverages; not less than eight (8) ounces for nonmalt beverages, except that wines with an alcoholic content of less than fourteen (14) percent by volume may also be sold in six and two-fifths (62/5) ounce packages; or the metric equivalent of any of the above.

*"On sale"*: Sale of liquor or beer by the glass (or by the bottle or can in the case of malt beverages) or by the drink for consumption on the premises where sold, only pursuant to such regulations as the state liquor control commissioner may prescribe.

*Original package*: Any container or receptacle holding liquor or beer which receptacle is sealed shut and has not been opened since being first filled.

*Resident*: A person who maintains his or her principal place of abode in the State of Minnesota and who actually lives therein with the intent that it be permanent.

*Restaurant*: A food and beverage service establishment as defined under Minnesota Statutes Chapter 157.15 other than a hotel, under the control of a single proprietor or manager, classified as a high or medium risk food and beverage service establishment under Minnesota Statutes Chapter 157, and the principal use of which is a sit-down restaurant as defined in Minneapolis Code of Ordinances 520.160, and which complies with the following minimum standards for the design, construction, operation, maintenance, and management of the establishment.

- (1) ~~having~~ Has appropriate and suitable interior facilities for the preparation and serving of meals;
- (2) Offers adequate interior seating for not less than fifty (50) guests at one time, for liquor establishments and 25 (twenty-five) guests at one time for wine establishments;
- (3) ~~and where, in~~ consideration of payment therefore, meals are regularly furnished prepared on-premises and served to guests seated at tables; ~~to the general public, and which~~
- (4) ~~employs~~ an adequate kitchen staff to prepare meals and an adequate staff to provide the usual and suitable food service to its guests; ~~and the principal part of which business is the serving of foods.~~
- (5) Complies with the provisions of all food and health-related codes pertaining to the kitchen, food and beverage preparation and service areas, and related equipment;
- (6) Derives a substantial amount of its income from the sale of foods including non-alcoholic beverages. To determine compliance with this requirement, the licensee shall fulfill/meet the following operational requirements:
  - a. Offers a substantial food menu of a type consistent with a full-service, sit-down high or medium risk food and beverage service establishment offering meals to guests. Prepackaged and reheatable food items shall not be considered meals for this purpose;
  - b. Offers full menu service during all hours of operation except two hours prior to closing of the restaurant. Beginning at 10 p.m. and until midnight, a reduced, late night food menu as approved by the licensing official is allowed;
  - c. Actively promotes food sales to all guests within the licensed premises of the restaurant during all hours of operation except those times specifically exempted herein;
  - d. Maintains a kitchen open for meal service, which is fully staffed and supplied with sufficient workers and food product for the menu in effect, during all hours of operation except those times specifically exempted herein;



(7) The business records of the licensee, including federal and state tax returns, shall be available for inspection by duly authorized representatives of the city or of the city council, at all reasonable times;

*Sell:* All barter and manners or means of furnishing liquor or beer, including the selling, exchange, barter, disposition of, or keeping for sale of such liquor or beer.

Section 2. That Section 360.30 of the above-entitled ordinance be amended to read as follows:

**360.30. Liquor caterer's license.** A holder of a State of Minnesota caterer's permit issued under the provisions of Minnesota Statutes, section 340A.404(12) may apply to operate under such caterer's permit in the City of Minneapolis using a form provided by the licensing official. Liquor catering shall be allowed in all zoning districts as defined in Chapters 546, 547, 548, 549, and 550, notwithstanding Minneapolis City Charter, Chapter 4, section 5(b). Holders of a liquor caterer's license shall comply with all provisions of the statutes, ordinances, and rules governing the retail sale of alcoholic beverages. A liquor caterer's license fee shall be as established in Appendix J, the License Fee Schedule.

Events that are catered in Minneapolis in accordance with Minnesota Statutes, section 340A.404(12) shall comply with the following provisions:

- (1) A liquor caterer shall keep a record of each event they cater in Minneapolis. The record shall include the location of the event, the date and time, the event contact name(s) and phone number(s), and shall provide this register to city staff upon request. It is the responsibility of the licensee to reapply for license bundles when the number of days has been reached for a particular amount of licenses purchased in advance.
- (2) The city council may by resolution establish a list of premises for which a liquor caterer may not provide services at an event without explicit approval of city council.
- (3) All events that a liquor caterer provides alcohol for must be private and not open to the public. The event coordinator shall provide a list of people who may attend the event to the liquor caterer.
- (4) No sale of beverage alcohol shall occur after 1:00 a.m.
- (5) All servers of alcohol at a catered event must have received alcohol server training as approved by the licensing official and shall be at least eighteen (18) years of age.
- (6) A liquor caterer shall staff the event with at least one (1) employee from the original licensed establishment.
- (7) A liquor caterer shall notify the police precinct and business licensing at least twenty-four (24) hours prior to any alcohol catered event pertinent details about the event using a form provided by the licensing official.
- (8) No single location in Minneapolis shall have a single liquor catered event lasting more than three (3) consecutive days, unless the license is issued in connection with a civic event or community festival as designated by the licensing official.

- (9) An application for a liquor caterer's license may be denied, or an issued license may be suspended, or revoked without refund, for any of the following reasons:
- a. The operation of an event does or will unreasonably disturb the peace, quiet or repose of surrounding residential or commercial areas.
  - b. The operation of an event does or will contribute to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the event's location.
  - c. Any violation of the laws relating to the sale or service of alcoholic beverages.
  - d. Licensee's refusal to supply books of account and contracts pertaining to an event as set forth in this section.
  - e. Any violation of the terms of this section.
  - f. Any other good cause related to the operation of the business or venue.
- (10) Any violation of the provisions set forth in Title 14 in the Minneapolis Code of Ordinances by a licensee or his employee, agent or servant, while operating under a liquor caterer's license which occurs on the premises being catered, shall cause the licensee and his employee, agent, or servant to be subject to civil, criminal, or administrative action as provided by Title 14 and other applicable law.
- (11) Both state and city permits/licenses must be available for display upon request of any law enforcement officer or investigator designated by the licensing official for any catered event.
- (12) Liquor caterers shall maintain adequate security at catered events in Minneapolis. The caterer may coordinate this with the host facility.
- (13) If an event is to be held outside, the applicant shall indicate how the alcohol will be confined to a particular area. Exclusive outdoor events must provide at least one (1) toilet per every fifty (50) attendees.
- (14) Liquor caterers shall submit to and/or facilitate any site inspections by police, fire, or other regulatory or health agency.
- (15) Licenses issued under this section shall expire on August first of each year.

Section 3. That Section 360.50 of the above-entitled ordinance be amended to read as follows:

**360.50. Entertainment restricted.** ~~Unless operating under a Class A, Class B, Class C, or Class D "on sale" beer license, no music of any kind, either by phonograph, automatic piano or any other musical instrument or device of any kind or character, and no singing, dancing, vaudeville or similar entertainment, stage show or amusement of any kind shall be permitted in any place operating under an "on sale" license. Nothing herein shall prohibit the use of radio, television, taped music or jukeboxes when such use does not constitute or become a nuisance. Every license issued under this title shall be deemed presumptively to be licensed as a Class E unless a higher class of license has been expressly granted by the city council in the manner prescribed by this code. The city council may further restrict the days, hours, nature, volume, and other aspects of entertainment in any establishment, including a prohibition against all~~

forms of live and non-live music and other entertainment, to protect the public interest, safety, repose, and welfare of residents, businesses and other uses near the establishment.

Section 4. That Chapter 360 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 360.55 to read as follows:

**360.55. Management Responsibilities.** Establishments licensed for the sale of beverage alcohol shall monitor and be responsible for the activity of employees and patrons so as to prevent negative secondary effects directly attributable to the existence of the business. License holders shall monitor all sound levels, so as to comply with state and city noise standards, generated by amplification devices employed by the establishment; patron generated sound levels, nuisance activities, criminal activities occurring on the premises; and loitering activities associated with the licensed premises, so as to protect the safety, repose, and welfare of residents, businesses and other uses near the establishment.

Section 5. That Section 360.70 of the above-entitled ordinance be amended to read as follows:

**360.70. Special late hours food license.** (a) Any person operating under an on-sale liquor, wine or beer license who desires to remain open for the service of food later than the hours provided in section 364.100 and section 368.70 may apply to the city council for a special late hours food license. Application shall be made on a form provided by the licensing official, containing such information as the licensing official deems necessary to verify that the conditions of this section have been met and to make a recommendation regarding the application. The annual fee for a special late hours food license shall be as established in Appendix J, the License Fee Schedule.

(b) The number of special late hours food licenses at any time issued and outstanding shall not exceed fifty (50).

(c) No special late hours food license shall be issued unless the establishment complies at all times with the following conditions:

(1) The establishment shall be a banquet facility as defined in section ~~362.425(b)~~ 360.10 in which the meal service required by section ~~362.425(b)~~ 360.10 is actually available during the special hours of operation authorized under the license, or

(2) The establishment shall be a restaurant which:

(i) ~~Meets the standards set forth in section 362.390 and the standards in section 362.395 relating to percentage of revenue derived from the sale of food and nonalcoholic beverages~~ definition of a restaurant defined in Chapter 360.10 of this code while the establishment is operating with a special late hours food license, and

(ii) Maintains a substantial menu available during special late hours which includes at least four (4) entrees, sandwiches, or other principal food items, and

(iii) Keep its business open for at least eight (8) continuous hours daily except Sunday, twelve (12) months a year, not including any hours authorized by its special late hours food license.

(d) The city council may issue a special late hours food license subject to additional conditions including, but not limited to:

- (1) Limitation on the special late hours of operation or the days of the week on which special late hours are authorized;
  - (2) Requirements concerning menu items;
  - (3) Requirements concerning staffing or security levels;
  - (4) Any other requirement reasonably related to concerns of security, noise, litter, parking or traffic.
- (e) The city council may deny, revoke, suspend or refuse to renew a special late hours food license for any of the following reasons:
- (1) The existence of special late hours disturbs the peace, quiet or repose of surrounding residential or commercial areas;
  - (2) The existence of special late hours contributes to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the establishment;
  - (3) Any violation of the laws relating to sale or service of alcoholic beverages;
  - (4) Any violation of the terms of this section;
  - (5) Any other good cause related to the operation of the establishment.
- (f) Nothing herein shall permit the operation of live entertainment, singing or dancing after 2:00 a.m. regardless of the class of on-sale license held by an establishment. ~~The operation of live entertainment, singing, or dancing after 2:00 a.m. shall require a special late hours operation license under section 360.75.~~

Section 6. That Chapter 360 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 360.75 to read as follows:

**360.75. Alcohol Server Training.** Every on-sale establishment shall provide alcohol server training. The training format and training provider shall be approved by the licensing official.

Section 7. That Section 360.80 of the above-entitled ordinance be amended to read as follows:

**360.80. Special all-night bowling, pool or billiards permit.** (a) Any person operating under an "on sale" license for the sale of beer or liquor who desires to remain open twenty-four (24) hours each day for the operation of the game of bowling, pool and billiards, may apply to the city council for a special bowling, pool and billiards permit in the manner provided for the making of application for a regular bowling, pool and billiards license. The annual license fee for such special bowling, pool and billiards permit shall be as established in Appendix J, the License Fee Schedule, which shall be in addition to the fee for a regular bowling, pool and billiards license. The city council may grant or deny any such application and, if granted, the permit may be revoked for cause by the city council after due notice to the licensee and a hearing, and shall be revoked for any of the causes requiring revocation of licenses for the "on sale" of beer or liquor. No special bowling, pool and billiards permit shall be issued to anyone who is not the owner of a regular bowling, pool and billiards license. All persons holding special bowling, pool and billiards permits may keep their places of business open continuously twenty-four (24) hours each day

for twelve (12) months in a year for the purpose of permitting the public to play the game of bowling, pool and billiards upon the premises covered by the special bowling, pool and billiards permit.

(b) No special all-night bowling, pool and billiards permit is necessary for any place or premises upon which the game of bowling, pool and billiards is played where no beer or liquor is sold at any time.

Section 8. That Section 360.100 of the above-entitled ordinance be amended to read as follows:

**360.100. Regulation of outdoor areas in on-sale liquor, wine, and beer establishments.**

The following regulations shall apply to all outdoor areas in on-sale liquor, wine, and beer establishments, including establishments holding sidewalk café permits:

(a) Every outdoor area must be approved as part of the original licensed premises or by the granting of an application for expansion of the licensed premises. Any expansion of the outdoor area of a licensed premises shall require a public hearing and notification as described in section 265.300 of this Code.

(b) Entertainment:

(1) Every outdoor area shall be deemed presumptively to be licensed as Class E, unless a higher class of license has been expressly granted to the outdoor area by the city council in the manner required by this Code.

(2) In the central commercial district described in section 360.10, the city council may grant a license to an outdoor area in any class.

(3) Outside the central commercial district described in section 360.10, no outdoor area shall be granted a license higher than Class D and entertainment shall only be permitted on private property on street level.

(4) Regardless of the class of license issued to an outdoor area, the city council may further restrict the days, hours, nature, volume, and other aspects of entertainment in any outdoor area, including a prohibition against all forms of nonlive music, radio, television, and other entertainment, to protect the safety, repose, and welfare of residents, businesses and other uses near the establishment.

(5) The city council may authorize an establishment to conduct entertainment not otherwise allowed under its license in an outdoor area by permit temporarily for special events. Application for such permit shall be filed with the licensing official on a form prescribed by the licensing official. The fee for a temporary entertainment permit shall be as established in Appendix J, the License Fee Schedule.

(c) Service and capacity restrictions outside the downtown/eastbank commercial district. It is the policy of the city council that outdoor areas, located outside the downtown and eastbank commercial district described in section 360.10, are intended primarily for the service of patrons at tables and for the consumption of alcoholic beverages in conjunction with food service. Outside the downtown and eastbank commercial district described in section 360.10, no bar shall be located in an outdoor area except a service bar for the exclusive use of employees.

Service shall be provided only at tables, however, this shall not prohibit patrons from carrying beverages from an inside area to the outdoor area. Customers shall not be allowed to occupy the outdoor area in greater numbers than the seating or service area capacity permits. An exemption to the service bar requirement of this subsection may be granted to an establishment which demonstrates that it regularly maintained a bar open for service to customers in its outdoor area prior to April 1, 1989.

(d) The licensee shall provide food service in all outdoor areas during all hours of operation. Food service may consist of less than the full menu, but shall at all times offer a substantial choice of main courses, other food items, and nonalcoholic beverages.

(e) All new and remodeled outdoor areas shall be handicap accessible. All existing outdoor areas shall comply with building codes relating to handicap accessibility. No outdoor area shall reduce existing handicap accessibility.

(f) The city council may restrict the hours of operation of an outdoor area based upon proximity of the area to residential dwelling units, and upon considerations relating to the safety, repose, and welfare of residents, businesses, and other uses near the establishment.

(g) The city council may require that access to and egress from an outdoor area only be through the door connecting it to the remainder of the premises, or to property controlled by the licensee.

(h) The licensee shall be responsible for picking up trash and litter generated by the operation of the outdoor area within a reasonable distance from the area.

(i) The city council may review the operation of any outdoor area in connection with the renewal of the on-sale license for the establishment, or at any other time for good cause. Violation of the terms and conditions of this section shall be grounds for revocation, suspension, or refusal to renew the on-sale license for that portion of the licensed premises pertaining to the outside area.

(j) All special restrictions relating to the hours of operation and types of entertainment in an outdoor area shall be endorsed on an addendum to the license certificate and posted in the establishment with the license certificate.

(k) In any on-sale liquor, wine, and beer establishment where the licensee has city council approval to operate an outdoor area, and which is located within the Central Commercial District, as defined in section 360.10, the licensee is prohibited from serving any alcoholic malt beverage or non-alcoholic beverage in an original container manufactured from glass after 11:00 p.m. In addition to the prohibition on serving alcoholic malt beverages or non-alcoholic beverages in original containers manufactured from glass, the licensee shall not allow patrons to carry such beverage containers from an indoor area into an outdoor area.

Section 9. That Section 360.120 of the above-entitled ordinance be amended to read as follows:

**360.120. Proximity to schools and religious institution places of assembly.** ~~No on-sale liquor, wine or beer license, except in the B4 zoning district, shall be issued for any building, room or place within three hundred (300) feet from any building space that is used primarily and regularly for any public or parochial schools said distance to be measured in a straight line from~~

~~the principal public entrance of the school space to the main public entrance of the premises for which license is sought. No off-sale liquor license, except in the B4 zoning district, shall be issued for any building, room or place within three hundred (300) feet from any building space that is used primarily and regularly for any public or parochial schools or used primarily and regularly for any religious institution place of assembly, said distance to be measured in the shortest straight line from the property line of the premises or building proposed as the location for the license sought to the property line of the school or religious institution place of assembly. An establishment licensed for the off-sale of malt liquor pursuant to section 362.45 may be located within three hundred (300) feet from a building space that is used primarily and regularly for any religious institution place of assembly.~~

Section 10. That Section 360.125 of the above-entitled ordinance be amended to read as follows:

**360.125. Exceptions.** Section 360.120 shall not apply when:

~~(1) a. The premises for which a liquor, wine or beer license is sought is a restaurant as defined under section 362.390; and~~

~~b. Such restaurant has gross sales revenue during each fiscal year from the sale of food and beverages not containing alcohol in an amount of not less than seventy (70) percent of its total gross revenue from the sale of food and beverages; and~~

~~c. Such restaurant does not contain a bar area. "Bar area" shall mean any area not devoted exclusively to full restaurant service to customers seated at tables, in which consumption of alcoholic beverages is the primary activity.~~

~~Provided further that no person issued a liquor, wine or beer license under this exception, unless such license is issued for an establishment located in the B4, B4S and B4C zoning districts or in the Downtown or East Bank Commercial Districts described in section 360.10, shall display any sign advertising any alcoholic beverage on the exterior of the building nor in the windows of said building nor on any portable sign. Interior advertising shall be limited to signs directed primarily to patrons within the establishment.~~

~~(2) A license has been issued for a premises prior to the existence of a church or school within three hundred (300) feet of such premises. In such case such license may be renewed or transferred to, or an application for new ownership granted, for such premises if all the other provisions of this Chapter can be complied with.~~

~~(3) The license sought is a temporary "on sale" liquor license issued under section 362.35, a temporary "on sale" wine license issued under section 363.41 or a temporary "on sale" beer license issued under 366.40~~

~~(4) The premises for which a license is sought is located in the B4, B4S and B4C zoning districts or in the Downtown or East Bank Commercial Districts and is a restaurant as described in 362.390, a banquet facility as defined in section 360.10 or a hotel.~~

Section 11. That Chapter 360 of the above-entitled ordinance be amended by adding thereto a new Section 360.150 to read as follows:

**360.150 Violation Adjudication.** Violations of this section and other sections of this code or other laws where there is an admission that the violation occurred by satisfaction of the citation, or findings issued regarding violations that are adjudicated by a district, state or federal court of law, or a neutral administrative hearing officer, shall be deemed to constitute a sufficient basis for the city council to impose reasonable conditions or other adverse license action on any license or permit, including but not limited to a reduction in hours of operation, a reduction in bar area, a reduction in the levels of live entertainment allowed, amendments to security plans, or a reduction in the size of outdoor premises.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The ordinance was adopted.

**ORDINANCE 2014-Or-068**  
**By Palmisano, Glidden and Frey**  
**Intro & 1st Reading: 5/23/2014**  
**Ref to: CD&RS**  
**2nd Reading: 9/19/2014**

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

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

Section 1. That Section 362.35 of the above-entitled ordinance be amended to read as follows:

**362.35. Temporary on-sale liquor license.** (a) A club or charitable, religious or other nonprofit corporation in existence for at least three (3) years or a political committee registered under Minnesota Statutes Section 10A.14 may obtain an "on-sale" license to sell liquor for consumption on premises specified in the license, including school buildings and school grounds.

(b) Application for temporary on-sale liquor license shall be made on forms provided by the licensing official and shall contain the following:

- (1) The name, address and purpose of the organization, together with the names and addresses of its officers and evidence of nonprofit status or of its status as a club under section 360.10 above.
- (2) The purpose for which the temporary on-sale liquor license is sought, together with the place, dates and hours during which liquor is to be sold.
- (3) Consent of the owner or manager of the premises, or a person or group with lawful responsibility for the premises.



- (4) A specific description of the area in which alcoholic beverages are to be dispensed and consumed which area shall be compact and contiguous in accordance with section 360.15.
- (5) Such other information as the licensing official may deem necessary.
- (c) A temporary on-sale liquor license may be issued subject to the following conditions:
  - (1) Such license shall be issued for a period not to exceed six (6) consecutive days.
  - (2) No individual organization shall be granted more than three (3) four-day, four (4) three-day, six (6) two-day or twelve (12) one-day licenses in any combination not to exceed twelve (12) days per calendar year.
  - (3) The overall purpose of the license shall be to enhance the stated purpose of the applicant organization and no private organizer or promoter shall derive excessive profits from the event. The licensing official may require presentment of the temporary licensee's and full year on-sale licensee's books of account and contracts entered into for purposes of the event to aid in the determination of compliance with this section.
  - (4) No such license shall be issued for the sale of liquor on school grounds or in school buildings or within three hundred (300) feet thereof when regularly scheduled classes are being held in the school.
  - (5) No more than twelve (12) licenses shall be granted in any one (1) calendar year at any location.
  - (6) The licensee must contract for liquor services with the holder of a full-year on-sale intoxicating liquor license issued by the City of Minneapolis whose employees have received training within the twelve (12) month period preceding the event under an approved alcohol server awareness program and who provides evidence of liquor liability insurance covering the event.
- (d) The fee for a temporary liquor license shall be as established in ~~Appendix J~~, the License Fee Schedule.
- (e) Entertainment. A temporary on-sale liquor licensee may present entertainment as set forth in section 362.30(b) through (f) for an additional fee as established in ~~Appendix J~~, the License Fee Schedule.
- (f) The city council may deny, revoke, suspend a license for any of the following reasons:
  - (1) The existence of temporary liquor disturbs the peace, quiet or repose of surrounding residential or commercial areas.
  - (2) The existence of temporary liquor contributes to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the establishment.
  - (3) Any violation of the laws relating to the sale or service of alcoholic beverages.
  - (4) Licensee's refusal to supply books of account and contracts pertaining to the event as set forth in section 362.35(c)(3).

- (5) Any violation of the terms of this section.
- (6) Any other good cause related to the operation of the establishment.
- (g) Licenses issued under this section are subject to all laws and ordinances governing the sale of intoxicating liquor except those laws and ordinances which by their nature are not applicable.
- (h) Licensing official to grant temporary on-sale liquor license in certain instances. When an application for a license for temporary on-sale liquor has been filed too late to be considered on the regular agendas of the city council or the appropriate committee of the council prior to the scheduled date of the event, the licensing official may issue the license if the application is filed and complete, the fee including a fifty (50) percent late fee has been paid, and the required conditions listed above have been met. The licensing official may also deny, suspend or revoke those licenses which he/she has issued based on the reasons listed above for which the city council may deny, suspend or revoke such licenses. The issuance of a temporary on-sale liquor license is subject to compliance with all applicable health and safety laws. Concurrence with the issuance of the temporary on-sale liquor license shall be obtained from the chair of the appropriate committee of the city council and the council member representing the affected ward prior to the issuance of the license by the licensing official.

Section 2. That Section 362.36 of the above-entitled ordinance be amended to read as follows:

**362.36. Temporary expansion of license.** (a) On-sale liquor, wine and beer establishments may obtain a temporary expansion of license for premises directly adjacent and contiguous to a permanently licensed premises and for entertainment not otherwise allowed under the establishment's permanent license.

- (1) Application for a temporary expansion of license shall be made on forms provided by the licensing official and shall contain the following:
  - a. The name and addresses of the on-sale license holder and its owners, officers or partners.
  - b. A specific description and diagram of the area in which the temporary expansion activity is to occur. This area must be compact and contiguous to the permanently licensed premises, and be contained by physical enclosure devices.
  - c. Written consent of the owner or manager of the premises, or a person or group with lawful responsibility for the premises.
  - d. The purpose for which the temporary expansion is sought, and a detailed description of the planned activities including projected attendance, entertainment, food and beverage service, security plans, and hours of operation.
  - e. Proof that auxiliary permits for purposes of amplified music, short term food, block event, temporary structures, temporary utilities, etc., have been obtained.
  - f. Such other information as the licensing official may deem necessary.

- (2) An individual licensee may be granted up to twelve (12) temporary expansion licenses for the duration of not more than two (2) consecutive days so as not to exceed twelve (12) days in any twelve-month period. The limitation on the number of temporary expansion licenses granted in a twelve-month period may be waived by the licensing official for special events.
- (3) The applicant shall file proof that the liability insurance required by this Code of Ordinances and by Minnesota Statutes Chapter 340A apply to the expanded area.
- (4) The hours of operation of a temporary expansion of license shall not exceed those hours authorized at the permanent premises, or any lesser hours specified as a condition of the temporary expansion of premises license.
- (5) The fees for a temporary expansion license shall be as established in Appendix J, the License Fee Schedule.
- (6) The city council may deny, revoke, suspend a license for any of the following reasons:
  - a. The existence of a temporary expansion disturbs the peace, quiet or repose of surrounding residential or commercial areas.
  - b. The existence of a temporary expansion contributes to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the establishment.
  - c. Any violation of the laws relating to the sale or service of alcoholic beverages.
  - d. Any violation of the terms of this section.
  - e. Any other good cause related to the operation of the establishment.
- (7) Licenses issued under this section are subject to all laws and ordinances governing the sale of intoxicating liquor except those laws and ordinances which by their nature are not applicable.
- (8) Licensing official to grant temporary expansion license in certain instances. When an application for a license for temporary expansion license has been filed too late to be considered on the regular agendas of the city council or the appropriate committee of the council prior to the scheduled date of the event, the licensing official may issue the license if the application is filed and complete, the fee including a fifty (50) percent late fee has been paid, and the required conditions listed above have been met. The licensing official may also deny, suspend or revoke those licenses which he/she has issued based on the reasons listed above for which the city council may deny, suspend or revoke such licenses. The issuance of a temporary expansion license is subject to compliance with all applicable health and safety laws. The limitation on the number of temporary expansion licenses granted in a twelve-month period may be waived by the licensing official for special events.
  - (b) Licensing official to grant temporary expansion of premises and temporary entertainment licenses in certain places. When an application for a permit for temporary expansion of premises has been filed fewer than thirty (30) days prior to the scheduled date of the event or too late to be considered on the regular agendas of the city council or the appropriate committee of the council prior to the scheduled date of the event, the licensing official may issue the permit if the following conditions have been met:

- (1) The application form has been completed and filed.
  - (2) The fee, including a fifty (50) percent late fee has been paid.
  - (3) The applicant has not been denied an application for temporary expansion of premises by the city council since any temporary expansion granted within the previous eighteen (18) months.
  - (4) The premises have not been designated by resolution of the city council pursuant to subsection 362.36(c) as requiring city council approval for a temporary expansion of premises.
- (c) The city council may by resolution establish a list of premises for which a temporary expansion of premises must be approved by the city council and for which the licensing official may not issue a permit for a temporary expansion under subsection 362.36(b).

Section 3. That Section 362.45 of the above-entitled ordinance be amended to read as follows:

**362.45. "Off-sale" malt liquor.** (a) A brewer licensed under Minnesota Statute 340A.301, Subdivision 6(d), (i), or (j) may be licensed for the "off-sale" of malt liquor produced and packaged on the licensed premises, subject to the following conditions:

- (1) Off-sale of malt liquor may only be made during the hours that "off-sale" of liquor may be made;
  - (2) The malt liquor shall be packaged in sixty-four-ounce containers commonly known as "growlers" or in seven hundred fifty (750) milliliter bottles;
  - (3) The malt liquor sold at "off-sale" must be removed from the licensed premise before the applicable closing time at exclusive liquor stores;
  - (4) The "growler" must be sealed in such a manner that the seal must be broken in order to open the container and the seal must bear the name and address of the brewer, and the legend "Not for Consumption in Public" must be prominently displayed on the seal.
- (b) "Off-sale" malt liquor premises shall not be subject to the requirement that they be in excess of two thousand (2,000) feet from another "off-sale" liquor premise.
- (c) The annual license fee shall be as listed in ~~Appendix J~~ the License Fee Schedule.

Section 4. That Section 362.50 of the above-entitled ordinance be amended to read as follows:

**362.50. License fees established.** (a) The annual fees for the licenses required by this chapter shall be as established in ~~Appendix J~~, the License Fee Schedule.

- (b) The annual license fee for any "on sale" liquor license may be paid in advance in two (2) equal installments, one sixty (60) days prior to the expiration of the license year and the other on or before six (6) months prior to the expiration of the license.

(c) All "on sale" and "off sale" applicants shall pay a nonrefundable investigative filing fee as established in ~~Appendix J~~, the License Fee Schedule. No fee shall be paid when the following changes are filed with the department of licenses and consumer services:

- (1) When a partner sells or transfers any share of the partnership to other members of the partnership;
- (2) When a shareholder sells all or part of his or her shares of stock to persons who are already shareholders, officers, directors, or managers of the corporation and who are already listed as such on the current application;
- (3) Any corporate reorganization where the new officers, directors, managers and shareholders are already named on the original application;
- (4) When a business wishes to eliminate Sunday sales or wishes to downgrade the class of license it holds;
- (5) When a personal representative of the estate of a deceased licensee files a certified copy of his or her appointment; or
- (6) When the licensed premises have been diminished.

Section 5. That Section 362.60 of the above-entitled ordinance be amended to read as follows:

**362.60. Payment and receipt for fee; refunds.** (a) The applicant shall, on or before filing of an application, pay to the licensing official the fees required under section 362.50, as established in ~~Appendix J~~, the License Fee Schedule, and the licensing official shall give to such applicant a receipt in duplicate, a copy of which receipt shall be filed with such application.

(b) If any application for a new "on sale" or "off sale" license or for a renewal of an "on sale" or "off sale" license is denied or withdrawn, the fee paid under section 362.50(a) shall be retained according to the sum specified in ~~Appendix J~~, the License Fee Schedule. If any application for a special license permitting the sale of intoxicating liquor on Sunday is denied or withdrawn, the sum established in ~~Appendix J~~, the License Fee Schedule shall be retained, and any sum over the amount specified in ~~Appendix J~~, the License Fee Schedule may be refunded.

Section 6. That Section 362.90 of the above-entitled ordinance be amended to read as follows:

**362.90. Penalty for late installment.** (a) Any installment of license fee which is not paid by the due date, may be paid within fifteen (15) days thereafter upon payment of an additional fee in the amount of twenty (20) percent of the installment due. Failure to make such payment within the time provided shall ipso facto cancel all rights of the licensee under the license, and the police department shall immediately close the place of business operated under such license.

(b) Provided, further, that if any former licensee, whose license has been canceled pursuant to the provisions of this section, makes an application for another license after such cancellation, such applicant shall, in addition to the payment of the required license fee, pay an additional amount as established in ~~Appendix J~~, the License Fee Schedule, to cover the necessary costs incurred by the city.

Section 7. That Section 362.120 of the above-entitled ordinance be amended to read as follows:

**362.120. Contents of application.** In addition to the information which may be required by the state liquor control commissioner's form, the application shall contain the following:

- (a) True name, place and date of birth, and street residence address of applicant.
- (b) Whether applicant is married or single. If married, true name, place and date of birth, and street residence address of applicant's spouse.
- (c) Whether applicant and spouse maintain their principal place of abode in the State of Minnesota.
- (d) Street addresses at which applicant has lived during the preceding ten (10) years.
- (e) Kind, name and location of every business or occupation applicant has been engaged in during the preceding ten (10) years.
- (f) Names and addresses of applicant's employers for the preceding ten (10) years.
- (g) Whether or not applicant has ever been convicted of any felony crime or ordinance violation since January 6, 1934. If so, when, where and for what such convictions were had.
- (h) Whether applicant has ever been engaged as an employee in operation of a saloon, café, soft drink parlor or other business of similar nature. If so, when, where and for how long.
- (i) Whether applicant is a natural person, corporation, partnership or unincorporated association.
- (j) If applicant is other than a natural person, the name of the manager or proprietor of the premises to be licensed, giving all the information about said manager or proprietor as is required about the applicant by subsections (a) through (h) above.
- (k) If applicant is other than a natural person, the names of all the members or owners thereof, giving all the information about said members or owners as is required about the applicant by subsections (a) through (h) above. This subsection (k), however, shall not apply to a corporation whose stock is publicly traded on a stock exchange and who is applying for an "on sale" license to be owned or operated by it.
- (l) The floor number and street number where sale of liquor is to be conducted, and if to be conducted in a hotel, the number of dining rooms open to the public where meals are regularly served to guests.
- (m) Names and addresses of the owner and any lessees of the land upon which is located the building which houses the premises to be licensed.
- (n) Names and addresses of all owners, lessees, mortgagors or vendors of fixtures or furniture used or to be used in the premises to be licensed.

- (o) Name and address of every person who shall have charge, management or control of the place licensed.
- (p) Names and residence and business addresses of three (3) persons, residents of the County of Hennepin, of good moral character, not related to the applicant, who may be referred to as to his or her character.
- (q) If applicant is a corporation, partnership, unincorporated association or club, the name and general purpose of such corporation, partnership, unincorporated association or club, and the names and street addresses of all officers. In addition, corporations shall file with the application two (2) certified copies of the bylaws, articles of incorporation and minutes of the meeting setting forth the officers of the corporation.
- (r) If applicant is a corporation, the state of incorporation, and a complete list of all stockholders with number of shares owned by each. This subsection (r), however, shall not apply to a corporation whose stock is publicly traded on a stock exchange and who is applying for an "on sale" license to be owned or operated by it.
- (s) If applicant is a partnership, the names and addresses of all partners.
- (t) If a permit from the federal government is required by the laws of the United States, whether or not such permit has been issued, and, if so, in what name.
- (u) Exact legal description of the premises to be licensed including the plat and parcel number.
- (v) Whether or not all real estate and personal property taxes for the premises to be licensed have been paid, and if not paid, the years for which delinquent.
- (w) Such other information as the city council may require.
- (x) An applicant for any "on sale" or "off sale" liquor license shall file with the application, a notarized agreement that in consideration of the granting of such a license he or she will, in the event that he or she ever hires any off-duty city employee to work at the licensed premises, hold the city harmless and assume the defense of the city against any claim or lawsuit against it, by reason of the licensee's employee also being an off-duty city employee, and that during all periods of employment of an off-duty city employee, he or she will maintain in force and effect an insurance policy written by a company authorized to do business in the State of Minnesota, insuring against public liability or damages in the sum of one hundred thousand dollars (\$100,000.00) for injury or death to one person, and three hundred thousand dollars (\$300,000.00) for each accident or occurrence, and five thousand dollars (\$5,000.00) property damage, with the city and any off-duty city employee so employed as additional named assureds, and further that during such periods of employment he or she will maintain in effect an insurance policy with workmen's compensation coverage, fully covering the off-duty city employee during periods of employment by the licensee. The granting of a license shall be deemed to be acceptance of the agreement by the city, causing it to be in full force and effect during the license period.
- (y) Evidence that notification of the application has been mailed or delivered to the ward council member, the neighborhood group(s), and the business association(s), if any, for the area in which the premises is located. The neighborhood group(s) and the business association(s) to be notified are those organizations that appear on a list maintained by the planning

department for this purpose. Where the premises for which the license is sought is located on a public street that acts as a boundary between two or more such neighborhood or business organizations, the notification shall be provided to the organizations that represent the adjacent area(s). The notification shall include the following information:

- (1) The type of license applied for.
- (2) The address of the premises for which the license is sought.
- (3) The applicant's name, address and telephone number.
- (4) The type of entertainment, if any, that the applicant intends to conduct on the premises.
- (z) A business plan which shall include the following information:
  - (1) Hours of operation for the licensed premises, including a listing of hours and days of the week when live entertainment, dancing, or amplified music is allowed and/or provided;
  - (2) A copy of the menu and a listing of the hours each day of the week that food from the menu is available;
  - (3) Description of the alcohol server awareness program training that the applicant will provide to all staff;
  - (4) Description of the type of entertainment, if any, that the applicant intends to offer on the premises and where on the premises the entertainment activity will be provided;
  - (5) A security plan that describes the security features, including personnel and equipment, that the applicant will employ and how they will be utilized;
  - (6) Description of how the applicant will maintain the orderly appearance and operation of the premises with respect to litter, graffiti and noise refuse control; and
  - (7) A sound and noise management plan that describes the purpose and location of sound amplification equipment and the hours and days of the week that amplified music will be provided;
- (7 8) Such other reasonable and pertinent information as the city council may require. An applicant shall promptly notify the ~~director~~ licensing official, in writing, of any amendment to the submitted business plan.
- (9) A public hearing may be held to accept public comments and to provide fact finding regarding whether any proposed change in business plan is in the public interest.

Section 8. That Section 362.270 of the above-entitled ordinance be amended to read as follows:

**362.270. False statements in application.** No person shall make any material false statement in any written application, or operate the business in a manner other than as described in the application, and in addition to all other penalties, his or her license shall be revoked by the city



council for a violation of this section after notice to the licensee and hearing, and an opportunity of the licensee to be heard.

Section 9. That Section 362.290 of the above-entitled ordinance be amended to read as follows:

**362.290. Hearings on applications.** If the application shall be for a new license under this chapter, including an application for a new Class A through Class D liquor license for premises which have not previously been licensed for music, dancing or live entertainment, such application shall be referred to the appropriate committee of the city council. The licensing official shall notify by mail all residents, to the extent such notice is feasible, and property owners within six hundred (600) feet of the main entrance of the proposed establishment, except that where the application is for a license within a B4 zoned district or in the downtown or East Bank commercial districts described in section 362.430, the licensing official shall only be required to notify all residents and property owners within ~~three~~ four hundred fifty (~~300~~450) feet of the main entrance of the proposed establishment. Said notice shall go to the owners of record in the office of the county auditor of the time and place at which such application shall be considered by the appropriate committee of the city council. The licensing official shall also notify the appropriate neighborhood group(s) and business association(s) of the time and place of the hearing. The licensing official shall assess and the applicant shall remit to the Minneapolis Finance Department prior to public notification, all specific expenses incurred by the city, including those from identification of the property residents and owners, production of the notice, interdepartmental processing fees, and postage costs. The first hearing on said application shall be held at the time and place regularly fixed for the meeting of the committee.

After the first hearing on any application for a new license or for a new Class A through Class D license where any of the area within ~~three~~ four hundred fifty (~~300~~450) feet is within a residentially zoned district, the council member of the ward where the proposed premises would be located may hold a meeting on the application during evening hours at a location in the approximate vicinity of the premises proposed to be licensed. If that council member holds such a meeting, he or she shall notify the appropriate committee of the city council of the time and place of the meeting and that committee shall not act on the application until after that meeting, if that meeting is held within forty-five (45) days after the first hearing on the application. If the council member of the ward where the proposed premises would be located does not hold such a meeting within forty-five (45) days after the first hearing on the application, the committee or two (2) of its members or its staff shall hold a meeting on the application during evening hours at a location in the approximate vicinity of the premises proposed to be licensed. The chair of said committee shall notify the council member of the ward affected by the application of the time and place when the committee will consider the application, and the application shall not be disposed of by the committee until after such meeting if the application is for a new license or a new Class A through Class D license and until after the application shall have been brought before and considered by the committee at two (2) regular meetings thereof.

The final action of the committee upon any application referred to in this chapter shall be reported to the city council and by it considered and acted upon according to law.

Section 10. That Section 362.390 of the above-entitled ordinance be amended to read as follows:

**362.390. "On sale" licenses outside former patrol limits.** (a) "On sale" licenses shall be issued for any premises outside the liquor patrol limits existing on January 1, 1975, only to

restaurants, hotels, brewer taprooms, cocktail rooms, and clubs which qualify under the definitions for such establishments contained in section 360.10 of this Code of Ordinances, ~~and which comply with Minneapolis City Charter, Chapter 4, Section 5 (first) and the additional restaurant requirements in subsection (b).~~

~~(b) As used in this section, "restaurant" shall mean an establishment:~~

~~(1) Which is under the control of a single proprietor or manager.~~

~~(2) Which has suitable kitchen facilities including a stove, refrigerator, work table, dishwashing and utensil washing sink with sanitizing heater.~~

~~(3) Which has facilities for seating not fewer than fifty (50) guests at one (1) time at tables.~~

~~(4) Which employs an adequate staff to provide the usual and suitable table service to its guests.~~

~~(5) Where, in consideration of payment of money, meals are regularly served at tables to the general public.~~

~~(6) Where the meal service consists of no less than four (4) entrees, complete with vegetable, salad, bread or rolls, or sandwiches or other principal food items as approved by the licensing official, and a choice of non-alcoholic beverages. Prepackaged complete meals shall not be included in the enumerated main entrees.~~

~~(7) Where such meal service is provided through the normal operating hours.~~

~~(8) In which the equipment and premises meet the provisions of all food and health codes.~~

~~(c) The business records of the licensee, including federal and state tax returns, shall be available for inspection by duly authorized representatives of the city or of the city council, at all reasonable times.~~

Section 11. That Section 362.395 of the above-entitled ordinance be amended to read as follows:

**362.395. "On sale" licenses in proximity to residentially zoned property.** (a) It is the policy of the city council that establishments operating under this section are intended primarily for the service of patrons at tables and for the consumption of alcoholic beverages in conjunction with food service that is prepared on-site. The minimum seating capacity for an on sale liquor establishment shall be 50.

(b) After October 14, 1983, "on sale" licenses for new premises, in which the main entrance is within five hundred (500) feet from residentially zoned property, shall be issued only for premises which qualify as a "restaurant" under subsection ~~362.390(b)~~ 360.10 and have a maximum bar area of not more than 30% of the total public premises, which comply with the following requirements:

~~(1) The establishment shall maintain, on a monthly basis, gross sales revenue during each fiscal year from the sale of food and beverages not containing alcohol in an amount of not less than sixty (60) percent of its total gross revenue from the sale of food and beverages,~~

~~except that a bowling center shall maintain such revenue in an amount not less than fifty (50) percent.~~

~~(2) No such premises shall contain a "bar area" except as permitted herein. A "bar area" shall mean any area not devoted exclusively to full restaurant service to customers seated at tables, in which consumption of alcoholic beverages is a substantial activity, except an area predominantly used as a holding area for customers waiting for restaurant seating. The size and capacity of such an area must bear a relationship to the size and capacity of the restaurant area which is consistent with its purpose as a waiting area. A waiting area of excessive size shall not be approved.~~

~~(b) The business records of the licensee, including federal and state tax returns, shall be available for inspection by duly authorized representatives of the city or of the city council at all reasonable times.~~

~~(c) In the event the city disputes the license applicant's statements, the matter shall be submitted to a neutral certified public accountant determined by the city. The certified public accountant shall make a determination based on accepted accounting principles, which shall be binding on both parties. The license applicant shall make any records available to such person as may be necessary to verify the statements. The entire cost of such audit and determination shall be paid by the applicant. Prior to such audit, the applicant shall post a bond or cash in an amount which the city believes reasonably necessary to pay the cost of the audit.~~

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The ordinance was adopted.

**ORDINANCE 2014-Or-069**  
**By Palmisano, Glidden and Frey**  
**Intro & 1st Reading: 5/23/2014**  
**Ref to: CD&RS**  
**2nd Reading: 9/19/2014**

**Amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Wine License.**

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

Section 1. That Section 363.10 of the above-entitled ordinance be amended to read as follows:

**363.10. Definitions.** As used in this chapter, unless some other meaning is clearly required by the context, the following words and phrases shall mean:

*Bar Area:* As defined in Chapter 360.10 of this code.

*Beverages:* A drink of any kind.

*Food:* What is eaten for nourishment but excluding beverages.

*Gross revenue:* The total amount of receipts without regard to taxes or any other imposition.

*Restaurant:* ~~An establishment, under the control of a single proprietor or manager, having appropriate facilities for serving meals, having facilities for interior seating of not fewer than fifty (50) guests at one (1) time at tables if the application is for a Class A through Class E wine license and having facilities for seating not fewer than twenty-five (25) guests at one (1) time at tables if the application is for a Class D through Class E wine license, and where, in consideration of payment therefore, meals are regularly served at tables to the general public, and which employs an adequate staff to provide the usual and suitable service to its guests, and which has gross sales revenue during each fiscal year from the sale of food and beverages not containing alcohol in an amount of not less than sixty (60) per cent of its total gross revenue from the sale of food and beverages. As defined in Chapter 360.10 of this code.~~

*Wine:* A vinous beverage containing not more than twenty-four (24) per cent alcohol by volume.

Section 2. That Section 363.25 of the above-entitled ordinance be amended to read as follows:

**363.25. On-sale intoxicating malt liquor licenses for holders of wine licenses.** (a) A holder of an on-sale wine license may apply for an on-sale intoxicating malt liquor (strong beer) license in the same class as the on-sale wine license. The on-sale intoxicating malt liquor license shall be coterminous with the on-sale wine license, and shall be deemed revoked, suspended, expired, or cancelled upon the revocation, suspension, expiration, or cancellation of the on-sale wine license.

(b) The city council may grant an application for on-sale intoxicating malt liquor license upon a finding that:

~~(1) The applicant meets all of the conditions and requirements for an on-sale wine license;~~

~~(2) The licensed premises does not contain a "bar area" except as permitted herein. A "bar area" shall mean any area not devoted exclusively to full restaurant service to customers seated at tables, in which consumption of alcoholic beverages is the primary activity, except an area predominantly used as a holding area for customers waiting for restaurant seating. The size and capacity of such an area must bear a relationship to the size and capacity of the restaurant area which is consistent with its purpose as a waiting area. A waiting area of excessive size shall not be approved.~~

(c) The on-sale intoxicating malt liquor license, when held in conjunction with an on-sale wine license, shall permit the on-sale of both intoxicating and nonintoxicating malt liquor.

(d) When the provisions of this title relating to on-sale wine licenses and on-sale beer licenses are inconsistent, the provisions relating to on-sale wine licenses shall govern.

(e) The annual fee for an on-sale intoxicating malt liquor license, when issued to the holder of an on-sale wine license, shall be as established in ~~Appendix J,~~ the License Fee Schedule, due and payable at the same time as the on-sale wine license fee.

Section 3. That Section 363.26 of the above-entitled ordinance be amended to read as follows:

**363.26. On-sale nonintoxicating malt liquor licenses for holders of wine licenses.** (a) A holder of an on-sale wine license may apply for an on-sale nonintoxicating malt liquor (3.2 beer) license in the same class as the on-sale wine license. The on-sale nonintoxicating malt liquor license shall be coterminous with the on-sale wine license, and shall be deemed revoked, suspended, expired, or cancelled upon the revocation, suspension, expiration, or cancellation of the on-sale wine license.

(b) The city council may grant an application for an on-sale nonintoxicating malt liquor license upon a finding that the applicant meets all of the requirements and conditions for an on-sale wine license.

(c) The on-sale nonintoxicating malt liquor license, when held in conjunction with an on-sale wine license, shall permit the on-sale of nonintoxicating malt liquor (3.2 beer).

(d) When the provisions of this title relating to on-sale wine licenses and on-sale beer licenses are inconsistent, the provisions relating to on-sale wine licenses shall govern.

(e) The annual fee for an on-sale nonintoxicating malt liquor license, when issued to the holder of an on-sale wine license, shall be as established in ~~Appendix J,~~ the License Fee Schedule due and payable at the same time as the on-sale wine license fee.

Section 4. That Section 363.41 of the above-entitled ordinance be amended to read as follows:

**363.41. Temporary on-sale wine license.** (a) A club or charitable, religious or other nonprofit corporation in existence for at least three (3) years or a political committee registered under Minnesota Statutes, Section 10A.14, may obtain an "on-sale" license to sell wine for consumption on premises specified in the license, including school buildings and school grounds. The license may also include the sale of intoxicating malt beverages or 3.2 percent malt beverages.

(b) Application for temporary on-sale wine license shall be made on forms provided by the ~~director~~ licensing official and shall contain the following:

(1) The name, address and purpose of the organization, together with the names and addresses of its officers and evidence of nonprofit status or of its status as a club under section 362.35(a) above.

(2) The purpose for which the temporary on-sale wine license is sought, together with the place, dates and hours during which wine is to be sold.

(3) Consent of the owner or manager of the premises, or a person or group with lawful responsibility for the premises.

(4) A specific description of the area in which alcoholic beverages are to be dispensed and consumed which area shall be compact and contiguous in accordance with section 360.15.

(5) Such other information as the ~~director~~ licensing official may deem necessary.

(c) A temporary on-sale wine license may be issued subject to the following conditions:

- (1) Such license shall be issued for a period not to exceed six (6) consecutive days.
- (2) No individual organization shall be granted more than three (3) four-day, four (4) three-day, six (6) two-day or twelve (12) one-day, licenses, in any combination not to exceed twelve (12) days per calendar year.
- (3) The overall purpose of the license shall be to enhance the stated purpose of the applicant organization and no private organizer or promoter shall derive excessive profits from the event. The licensing official may require presentment of the temporary licensee's and full year on-sale licensee's books of account and contracts entered into for purposes of the event to aid in the determination of compliance with this section.
- (4) No such license shall be issued for the sale of wine on school grounds or in school buildings or within three hundred (300) feet thereof when regularly scheduled classes are being held in the school.
- (5) No more than twelve (12) licenses shall be granted in any one (1) calendar year at any location.
- (6) The licensee must contract for wine services with the holder of a full-year on-sale intoxicating liquor or on-sale wine license issued by the City of Minneapolis whose employees have received training within the twelve (12) month period preceding the event under an approved alcohol server awareness program and who provides evidence of liquor liability insurance covering the event.

(d) The fee for a temporary wine license shall be as established in ~~Appendix J~~, the License Fee Schedule.

(e) *Entertainment.* A temporary on-sale wine licensee may present entertainment as set forth in section 362.30(b) through (f) for an additional fee of as established in ~~Appendix J~~, the License Fee Schedule.

(f) The city council may deny, revoke, suspend a license for any of the following reasons:

- (1) The existence of temporary wine disturbs the peace, quiet or repose of surrounding residential or commercial areas.
- (2) The existence of temporary wine contributes to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the establishment.
- (3) Any violation of the laws relating to the sale or service of alcoholic beverages.
- (4) Licensee's refusal to supply books of account and contracts pertaining to the event as set forth in section 362.35(c)(3).
- (5) Any violation of the terms of this section.
- (6) Any other good cause related to the operation of the establishment.

(g) Licenses issued under this section are subject to all laws and ordinances governing the sale of intoxicating liquor except those laws and ordinances which by their nature are not applicable.

(h) Licensing official to grant temporary on-sale wine license in certain instances. When an application for a license for temporary on-sale wine has been filed too late to be considered on the regular agendas of the city council or the appropriate committee of the council prior to the scheduled date of the event, the licensing official may issue the license if the application is filed and complete, the fee including a fifty (50) percent late fee has been paid, and the required conditions listed above have been met. The licensing official may also deny, suspend or revoke those licenses which he or she has issued based on the reasons listed above for which the city council may deny, suspend or revoke such licenses. The issuance of a temporary on-sale wine license is subject to compliance with all applicable health and safety laws. Concurrence with the issuance of the temporary on-sale wine license shall be obtained from the chair of the appropriate committee of the city council and the council member representing the affected ward prior to the issuance of the license.

Section 5. That Section 363.42 of the above-entitled ordinance be amended to read as follows:

**363.42. Wine license issued pursuant to Charter Amendment Number 144.** Restaurants located in certain zoning districts may obtain an on-sale wine license notwithstanding the seven (7) acre commercial zoning requirement of Chapter 4, Section 5 of the Minneapolis Charter, subject to the following provisions:

(a) *Definitions.* As used in this section, unless some other meaning is clearly required by the context, the following words and phrases shall mean:

~~*Restaurant:* An establishment, under the control of a single proprietor or manger, having appropriate facilities for the preparation and serving of a variety of at least four (4) complete meals, having not fewer than twenty five (25) seats at tables and the application is for a Class C-2, Class E or Class D wine license, and where, in consideration of payment therefore, meals are regularly served at tables to the general public, and which employs an adequate staff to provide the usual and suitable service to its guests, and which has gross sales revenue during each fiscal year from the sale of food and beverages not containing alcohol in an amount of not less than seventy (70) percent of its total gross revenue from the sale of food and beverages. As defined in Chapter 360.10 of this code.~~

~~*Bar or bar area:* Structures, furniture other than freestanding tables and booths, or waiting areas, where consumption of alcoholic beverages is the primary activity. As defined in Chapter 360.10 of this code.~~

*Meal:* A variety and combination of food items which may contain entrees, sandwiches, combination salads, pizza, soup, breads, vegetables or fruits, contained in a menu as approved by the licensing official.

~~(b) *Wine, intoxicating malt liquor, or 3.2 percent malt liquor.* May only be served to patrons seated for regular dining that have ordered or have been served a meal.~~

~~(c) *Establishments licensed under this section may not have a bar or bar area, as defined in Chapter 360.10 of this code that exceeds 20% of the public premises.* Counter areas existing as of the effective date of this section equipped for the service of food and drink to patrons in full~~

view of and conducted as part of the service of the dining room shall not be considered a bar or bar area.

(c) Allowed classes of entertainment shall be Class E, Class D, and Class C-2.

*(d) Hours of operation.* Establishments licensed under this section shall not exceed the lawful hours of operation established in chapter 363.40 (a) of this Code. The city council may require establishments licensed under this section to further reduce their hours of operation upon consideration of, but not limited to, one (1) or more of the following factors:

- (1) Proximity to permitted or conditional residential uses.
- (2) Nature of the business and its impact of noise, light, and traffic.
- (3) Conformance with applicable zoning regulations, including but not limited to use, yards, gross floor area, and specific development standards.
- (4) History of complaints related to the use.
- (e) Full menu service shall remain available during all of the establishments hours of operation.

*(f) Percentage of food sold.*

~~(1) Establishments licensed under this section shall provide an accounting of the actual percentage of gross receipts attributable to the sale of food and non-alcoholic beverages during the immediately preceding calendar year. This requirement shall be established by an affidavit of the licensee on a form provided by the licensing official. Such affidavit shall be submitted with each application for issuance of renewal of the license, or at other times as the licensing official may request. Such statements shall be subject to verification by the city and the license applicant shall make such records available as may be necessary to verify such statements. The applicant shall upon request furnish the city certified copies of any state sales tax returns covering the sale of food and beverages. The licensing official, and any time and from time to time, may require that such accounting be verified and confirmed by an independent and licensed certified public accountant who is a member of the Minnesota Society of Certified Public Accountants. Failure or refusal of a licensee to provide such accountings upon request, or any false statements in any such accounting, shall be grounds for denial, suspension or revocation of all licenses held by such licensee for the on-sale of wine.~~

~~(2) In the event the city disputes the license applicant's statements, the matter shall be submitted to a neutral certified public accountant agreed upon by the city and the applicant. The certified public accountant shall make a determination based on accepted accounting principles, which shall be binding on both parties. The license applicant shall post a bond or cash in an amount that the city believes reasonably necessary to pay the cost of the audit.~~

*(g) Posting of license and outdoor seating plan.* Each licensee under this section shall conspicuously post the license certificate that shall list the authorized number of both indoor and outdoor seats. The licensee shall also post the approved outdoor seating plan immediately adjacent to the license certificate.



(h g) All other provisions of this Title 14 shall apply unless by their nature are not applicable.

~~(i) This section 363.42 shall not apply to establishments in the Linden Hills neighborhood, until adoption of the Linden Hills Zoning Code Overlay. The Linden Hills neighborhood is defined as the area bounded by 36th Street and Lake Calhoun Parkway to the north, William Berry Parkway and Lake Harriet to the east, 47th Street and Fulton neighborhood to the south, and France Avenue and the cities of Edina and St. Louis Park to the west.~~

Section 6. That Section 363.50 of the above-entitled ordinance be amended to read as follows:

**363.50. License fees established.** (a) The annual fees for the licenses as required by this chapter shall be as established in ~~Appendix J,~~ the License Fee Schedule.

(b) The annual fee for any type of wine license must be paid sixty (60) days prior to April first of each year.

(c) All "on sale" applicants shall pay a nonrefundable investigative filing fee as established in ~~Appendix J,~~ the License Fee Schedule; except that no fee shall be paid when the following changes are filed with the department of licenses and consumer services:

- (1) When a partner sells or transfers his or her share of the partnership to other members of the partnership;
- (2) When a shareholder sells all or part of his or her shares of stock to persons who are already shareholders, officers, directors, or managers of the corporation and who are already listed as such on the current application;
- (3) Any corporate reorganization where the new officers, directors, managers and shareholders are already named on the original application;
- (4) When a business wishes to eliminate Sunday sales or wishes to downgrade the class of license it holds;
- (5) When a personal representative of the estate of a deceased licensee files a certified copy of his or her appointment; or (6) When the licensed premises have been diminished.

Section 7. That Section 363.80 of the above-entitled ordinance be amended to read as follows:

**363.80. Penalty for late renewal.** In the event any application is granted which has not been filed on or before sixty (60) days prior to the expiration of the license year, before the license can be issued the applicant shall pay an additional fee in the amount as established in ~~Appendix J,~~ the License Fee Schedule, in addition to the regular license fee.

Section 8. That Section 363.90 of the above-entitled ordinance be amended to read as follows:

**363.90. Penalty for late installment.** (a) Any installment of license fee which is not paid by the due date, may be paid within fifteen (15) days thereafter upon payment of an additional fee in the amount of twenty (20) per cent of the installment due. Failure to make such payment within the time provided shall cancel all rights of the licensee under such license, and the police department shall immediately close the place of business operated under such license.

(b) Provided, further, that if any former licensee, whose license has been canceled pursuant to the provisions of this section, makes an application for another license after such cancellation, such applicant shall, in addition to the payment of the required license fee, pay an additional amount as established in ~~Appendix J~~, the License Fee Schedule to cover the necessary costs incurred by the city.

Section 9. That Section 363.270 of the above-entitled ordinance be amended to read as follows:

**363.270. False statements in application.** No person shall make any material false statement in any written application, or operate the business in a manner other than as described in the application, and in addition to all other penalties, his or her license shall be revoked by the city council for a violation of this section after notice to the licensee and hearing, and an opportunity of the licensee to be heard.

Section 10. That Chapter 363 of the above-entitled ordinance be amended by adding thereto a new section 363.295 to read as follows:

**363.295 On sale wine licenses in proximity to residentially zoned property.** (a) After October 14, 1983, "on sale" licenses for new premises, in which the main entrance is within five hundred (500) feet from residentially zoned property, shall be issued only for premises which qualify as a "restaurant" as defined in subsection 360.10 and have a maximum bar area of not more than 30% of the total public premises and which comply with the following requirements:

- (1) It is the policy of the city council that establishments operating under this section are intended primarily for the service of patrons at tables and for the consumption of alcoholic beverages in conjunction with food service that is prepared on-site.
- (2) Every license issued under this section shall be deemed presumptively to be licensed as a Class E unless a higher class of license has been expressly granted by the city council in the manner prescribed by this code. The city council may further restrict the days, hours, nature, volume, and other aspects of entertainment in any establishment, including a prohibition against all forms of live and non-live music and other entertainment, to protect the public interest, safety, repose, and welfare of residents, businesses and other uses near the establishment.
- (3) Establishments licensed for the sale of beverage alcohol shall monitor and be responsible for the activity of employees and patrons so as to prevent negative secondary effects directly attributable to the existence of the business. License holders shall monitor all sound levels, so as to comply with state and city noise standards, generated by amplification devices employed by the establishment; patron generated sound levels, nuisance activities, criminal activities occurring on the premises; and loitering activities associated with the licensed premises, so as to protect the safety, repose, and welfare of residents, businesses and other uses near the establishment.

(b) Violations of this section and other sections of this code or other laws where there is an admission that the violation occurred by satisfaction of the citation, or findings issued regarding violations that are adjudicated by a district, state or federal court of law, or a neutral administrative hearing officer, shall be deemed to constitute a sufficient basis for the city council

to impose reasonable conditions or other adverse license action on any license or permit, including but not limited to a reduction in hours of operation, a reduction in bar area, a reduction in the levels of live entertainment allowed, amendments to security plans, or a reduction in the size of outdoor premises.

Section 11. That Section 363.430 of the above-entitled ordinance is hereby repealed.

~~**363.430. Certified copy of audit required.** (a) No license shall be renewed without the applicant having filed with the police license inspector a certified copy of an audit conducted by a certified public accountant which certifies that the gross sales revenue during the preceding fiscal year from the sale of food and beverages not containing alcohol was in an amount of not less than sixty (60) percent of the total gross revenue from the sale of food and beverages. Such statements shall be subject to verification by the city and the license applicant shall make such records available as may be necessary to verify such statements. The applicant shall upon request furnish the city certified copies of any state sales tax returns covering the sale of food and beverages.~~

~~(b) In the event the city disputes the license applicant's statements, the matter shall be submitted to a neutral certified public accountant agreed upon by the city and the applicant. The certified public accountant shall make a determination based on accepted accounting principles, which shall be binding on both parties. The license applicant shall make any records available to such person as may be necessary to verify the statements. The entire cost of such audit and determination shall be paid by the applicant. Prior to such audit, the applicant shall post a bond or cash in an amount which the city believes reasonably necessary to pay the cost of the audit.~~

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The ordinance was adopted.

**CD&RS** - Your Committee, having under consideration the Rental Dwelling License held by MN Realty & Management, LLC and Eng Tat Ng, for the property at 3526 Lyndale Ave N, Minneapolis, and a hearing having been held before an Administrative Hearing Officer who issued Findings of Fact, Conclusions and a Recommendation that the rental dwelling license be revoked, now recommends approval of the recommendation to revoke said license for failure to meet licensing standards pursuant to Section 244.1910 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, which are hereby made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**CD&RS** – Your Committee recommends approval of the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business and Gambling licenses as set forth in Petition No. 277494 on file in the office of the City Clerk, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

Approved by Mayor Betsy Hodges 9/22/2014.

(Published 9/23/2014)

**CD&RS** - Your Committee recommends passage of Resolution 2014R-369 approving Business License Operating Conditions relating to the On Sale Liquor, Class E with Sunday Sales License held by Salea, LLC, d/b/a CC Club, 2600 Lyndale Ave S, Minneapolis.

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

**RESOLUTION 2014R-369**  
**By Goodman**

**Approving Business License Operating Conditions relating to On Sale Liquor, Class E with Sunday Sales License held by Salea, LLC, d/b/a CC Club, 2600 Lyndale Avenue South, Minneapolis.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the On Sale Liquor, Class E with Sunday Sales License held by Salea, LLC, d/b/a CC Club, 2600 Lyndale Avenue South, Minneapolis.

1. The canopy tree installed by the former owner of the CC Club must be maintained to provide a buffer from the outdoor deck for noise.
2. All lighting previously installed for the outdoor deck must be hooded and project downward, thereby reducing glare and minimizing disturbance to adjacent uses.
3. No outdoor music shall be played in or projected into the outdoor area.
4. All exiting and entering from the outdoor deck, with the exception of handicapped individuals and in emergency situations must be through the entrance on 26th Street West and that signs will be posted near both the handicap entrance on the deck and at 26th Street West.
5. The licensee will ensure that all trash and recycling pickups must occur after 7:00 a.m.
6. Signs shall be posted in the deck area reminding patrons to respect the neighborhood by keeping the noise level down.

7. The licensee will be responsible for posting one employee at or on the deck area and for ensuring that patrons do not create disturbances for the surrounding area. All patrons shall be removed from the deck area by 2:00 a.m.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**CD&RS** - Your Committee recommends passage of Resolution 2014R-370 approving Business License Operating Conditions relating to the Restaurant License held by Mykonos Coffee & Grill, Inc, 4171 Lyndale Ave N, Minneapolis.

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

**RESOLUTION 2014R-370**  
**By Goodman**

**Approving Business License Operating Conditions relating to the Restaurant License held by Mykonos Coffee & Grill, Inc, 4171 Lyndale Avenue North, Minneapolis.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Restaurant License held by Mykonos Coffee & Grill, Inc, 4171 Lyndale Avenue North, Minneapolis.

1. "No Trespassing" signs shall 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 9-1-1 and request police assistance to alleviate the loitering activity. The business agrees to cooperate fully in the prosecution of criminal activity. Mpls Ord 259.250(1)(i) and Minnesota Statute 609.605.
2. The business agrees to have a manager or owner as listed on the application present during all hours of operation.
3. The business agrees to notify Business Licensing prior to any future changes in the status or structure of leasing or ownership in the business. The business understands that no transfer or sale of the license is allowed.
4. The business agrees to be a food business only, where no retail items to include t-shirts, cell phones, or books will be sold.
5. The business agrees to clean the property, and all areas within 100 feet of the property line, of litter and trash regardless of its origin, a minimum of four times daily. A log is to be kept of day and times litter is picked up and shall be available upon request. The business shall maintain a litter receptacle in front of the business that is convenient for customer use.

6. Refuse shall be stored in a regularly serviced, closed container (dumpster) that shall be maintained and screened from view as is required by Minneapolis Ordinance 259.125(3). At no time shall this refuse container be overfilled so that the cover cannot be completely closed at all times.

7. The business shall comply with hours of operation, no earlier than 6:00 a.m. and no later than 9:00 p.m., Sunday through Thursday; and no earlier than 6:00 a.m. and no later than 10:00 p.m., Friday and Saturday.

8. The business shall establish and maintain beautification efforts (i.e. plants and shrubs on property).

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**CD&RS** - Your Committee recommends passage of Resolution 2014R-371 approving Business License Operating Conditions relating to the Food Grocery and Tobacco Dealer Licenses held by KR & Sons, Inc, 5200 Bryant Ave N, Minneapolis.

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

**RESOLUTION 2014R-371**  
**By Goodman**

**Approving Business License Operating Conditions relating to the Food Grocery and Tobacco Dealer Licenses held by KR & Sons, Inc, 5200 Bryant Avenue North, Minneapolis.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Food Grocery and Tobacco Dealer Licenses held by KR & Sons, Inc, 5200 Bryant Avenue North, Minneapolis.

1. "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 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. Minneapolis Ordinance 259.250(1)(i) and Minnesota Statute 609.605.

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

3. The business agrees to keep all exterior and interior lights illuminated and functioning properly per Minneapolis Ordinance 259.250(8).

4. The business agrees to comply with the surveillance camera requirements per Minneapolis Ordinance 259.230.

5. The business agrees not to install temporary advertising banners or signs on the exterior of the premises, including the walls, sidewalks or other fixtures of the property.
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. The business will stock a variety of common staple food items such as milk, bread, canned and frozen vegetables, soups, fruit juice and cereals, etc. Food items shall be removed from stock when the printed shelf life date has expired.
8. Refuse shall be stored in a regularly serviced, closed container (dumpster) that shall be maintained and screened from view as required by Minneapolis Ordinance 259.125(3). At no time shall this refuse container be overfilled so that the cover cannot be completely closed at all times.
9. Staff will wear uniform shirts at all times while on duty so that they are easily identified as staff working for Pantry Food Market.
10. The business owner will ensure that visibility into the windows of the store will go above and beyond what is required by Minneapolis Ordinance 543.480.
11. The business agrees to maintain a litter and premises check log for staff to record when they do these activities on a daily basis.
12. The business owner will attend the neighborhood organization meetings on a bi-monthly basis.
13. The business agrees to add and maintain a sign that advises people that video surveillance is occurring.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**CD&RS** - Your Committee recommends passage of Resolution 2014R-372 approving a Stipulated Agreement and Conditions relating to the Rental Dwelling License held by Serendipity Investment LLC and Ying Que for the property at 2825 15th Ave S, Minneapolis.

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

**RESOLUTION 2014R-372  
By Goodman**

**Approving a Stipulated Agreement and Conditions relating to the Rental Dwelling License held by Serendipity Investment LLC and Ying Que for the property at 2825 15th Ave S, Minneapolis.**

Whereas, a Rental License Conditions meeting was held on August 19, 2014, regarding the Rental Dwelling License for the above-mentioned property and the licensee did appear at the hearing; and

Whereas, pursuant to negotiations between the City of Minneapolis and the licensee, the parties agreed to a Stipulated Agreement in order to allow the licensee to retain the Rental Dwelling License for said property;

## SEPTEMBER 19, 2014

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

That Serendipity Investment LLC and Ying Que be allowed to retain the Rental Dwelling License for the property located at 2825 15th Ave S, Minneapolis, subject to the following Stipulated Agreement and Conditions, as on file in the office of the City Clerk:

1. The Respondent, Ying Que, hereby agrees to verify and disclose to the Deputy Director of Housing Inspections, any and all properties he has any financial interest in, including the names of any LLC's and partners, names of agents and managers.
2. The Respondent, Ying Que, hereby agrees to keep the rental license current on the property located at 2825 – 15th Avenue South.
3. The Respondent, Ying Que, hereby agrees to implement and apply his management plan given to the Minneapolis Police Department c/o Luther Krueger, Crime Prevention Analyst, for the property located at 2825 – 15th Avenue South effective immediately.
4. The Respondent, Ying Que, hereby agrees to attend a Rental Property Owner's Workshop within three months of signing the Stipulated Agreement.
5. The Respondent, Ying Que, hereby agrees to work with the Crime Prevention Specialist, Don Greeley to guarantee the property will be monitored for nuisance behavior of the tenants at the property.
6. The Respondent, Ying Que, hereby agrees to attend a block club or neighborhood association meeting when the property is on the agenda.
7. The Respondent, Ying Que, hereby agrees to allow a full rental license inspection to take place at the property on or before September 15th, 2014.
8. The Respondent, Ying Que, hereby agrees to comply with any written orders issued by Housing Inspection Services in a timely manner such that an administrative enforcement method is not required to obtain compliance.
9. The Respondent, Ying Que, hereby agrees to allow re-inspections on any open orders when notified by Housing Inspectors and work with them to abate any open orders on any of his properties within the timeframe given by the Inspector.
10. The Respondent Ying Que, agrees not to allow any nuisance conditions on the property so the City has to send a contractor to clean up the property or mow the lawn.
11. The Respondent Ying Que, agrees to add an animal addendum to his lease regarding the tenants management of behavior issues of their animals and submit a copy of the lease and addendum to the City no later than September 30th, 2014.
12. The Respondent, Ying Que, hereby agree to the above stated conditions for a period of 18 months from the date of signature. If any of the agreed upon conditions placed on the license are not complied with in the timeframe agreed upon, Housing Inspections will begin revocation action on the rental license based on "Good Cause".

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.



**CD&RS** – Your Committee recommends that the proper City officers be authorized to re-convey the tax forfeited property at 4831 Colfax Ave N and to execute a Quit Claim Deed to the State of Minnesota, to correct outstanding issues relating to the tax forfeit process.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**CD&RS** – Your Committee, having under consideration the Metropolitan Council’s Housing Policy Plan, one of four policy plans developed by the Metropolitan Council to implement Thrive MSP 2040, now recommends that Department of Community Planning & Economic Development staff be directed to submit City of Minneapolis’ comments on the Housing Policy Plan to the Metropolitan Council by the end of the 45-day comment period of September 26, 2014.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**The COMMUNITY DEVELOPMENT & REGULATORY SERVICES and HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT Committees submitted the following report:**

**CD&RS & HE&CE** – Your Committee, to whom was referred ordinances amending the Minneapolis Code of Ordinances relating to restroom and toilet facilities to delete redundant language from ordinances and add language indicating that in establishments where liquor or beer is sold, restroom facilities must comply with all requirements in applicable code, statute, rule or regulation, now recommends that the following ordinances be given their second reading for amendment and passage:

a) Ordinance 2014-Or-070 amending Title 10, Chapter 188 relating to Food Code: Administration and Licensing, repealing Section 188.450;

b) Ordinance 2014-Or-071 amending Title 14, Chapter 364 relating to Liquor and Beer: Liquor Regulations, amending Section 364.110; and

c) Ordinance 2014-Or-072 amending Title 14, Chapter 368 relating to Liquor and Beer: Beer Regulations, repealing Section 368.90.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The ordinances were adopted.

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

**ORDINANCE 2014-Or-070**  
**By A. Johnson**  
**Intro & 1st Reading: 3/28/2014**  
**Ref to: CD&RS**  
**2nd Reading: 9/19/2014**

**Amending Title 10, Chapter 188 of the Minneapolis Code of Ordinances relating to Food Code: Administration and Licensing.**

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

That Section 188.450 of the above-entitled ordinance be and is hereby repealed:

~~**188.450. Toilet facilities required.** Each food establishment shall provide water flush toilet facilities that are completely enclosed and which are connected to a sewerage system for use of its employees. Separate toilets must be furnished for each sex when five (5) or more employees of opposite sex are on duty at any one time. In every new or remodeled toilet room mechanical ventilation must be installed and used in a manner as to provide at least ten (10) changes of air per hour. Toilet seats and fixtures shall be of sanitary design, shall be kept clean and in good repair. The doors of all toilet rooms shall be self-closing. If vestibules are provided, they must be well lighted and kept clean. When toilet facilities are provided for patrons, such facilities shall meet the requirements of this section. Hand-washing signs shall be posted in the employees' toilet room, directing them to wash their hands before returning to work. Conveniently located toilet facilities must be provided for patrons of all food establishments which sell hot drinks and other prepared hot foods for consumption on the premises.~~

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The ordinance was adopted.

**ORDINANCE 2014-Or-071**  
**By A. Johnson**  
**Intro & 1st Reading: 3/28/2014**  
**Ref to: CD&RS**  
**2nd Reading: 9/19/2014**

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

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

That Section 364.110 of the above-entitled ordinance be amended to read as follows:

**364.110. Restroom facilities required.** In each establishment wherein liquor or beer is sold pursuant to an "on sale" license, there shall be installed and maintained proper restroom facilities which comply with all requirements of any applicable code, statute, rule or regulation at

~~least one toilet room for each sex. In each toilet room for use by women there shall be installed and maintained at least one water closet and one lavatory. In each toilet room for use by men there shall be installed and maintained at least one water closet, one lavatory, one urinal and a properly installed and maintained floor drain sufficient at all times to keep such floor dry and in a sanitary condition. All water closet bowls shall be of extended lip pattern styles equipped with an open front without covers, and shall at all times be kept clean, sanitary and in good working condition. The floors and side walls, except doors, to a height of at least three (3) feet above the floor, of all toilet rooms and urinal compartments shall be constructed of noncorrosive and nonabsorbent materials, and approved by the director of inspections. Whenever possible, toilet rooms shall not be installed in cellars or basements, but when necessary, toilets may be located in a basement. When all toilet rooms are on the same floor, the entrances thereto shall be located as far apart as practicable, and each shall be plainly marked to indicate whether for men or women. Stairways to basement toilets shall be at least thirty (30) inches wide and of safe and substantial construction and with sufficient headroom. An iron pipe or other suitable handrail or guide shall be installed for the full length of such stairway, and the same shall be well lighted at all times.~~

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The ordinance was adopted.

**ORDINANCE 2014-Or-072**  
**By A. Johnson**  
**Intro & 1st Reading: 3/28/2014**  
**Ref to: CD&RS**  
**2nd Reading: 9/19/2014**

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

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

That Section 368.90 of the above-entitled ordinance be and is hereby repealed:

~~**368.90. Restroom facilities.** In each tavern where beer is sold pursuant to an on-sale beer license there shall be installed and maintained for the public use at least one toilet room for each sex. In each restaurant where beer is sold pursuant to an "on sale" license, where the room or rooms in which meals or beverages are sold occupy or have a floor area of more than six hundred (600) square feet inclusive of the space occupied by or used for counters, fountains, iceboxes, coolers, bars or toilet facilities, there shall be installed and maintained for the public use at least one toilet room for each sex, except businesses catering only to men, and in each such restaurant where the room or rooms in which meals or beverages are served occupy or have a floor area of less than six hundred (600) square feet including the space occupied by or used for counters, fountains, iceboxes, coolers, bars or toilet facilities, there shall be installed and maintained for public use at least one toilet room. Where but one toilet room is required, it shall be equipped with at least one water closet, one lavatory and a properly installed and constructed floor drain sufficient at all times to keep the floor thereof dry and in a sanitary condition. In each toilet room for use by women there shall be installed and maintained~~

~~at least one water closet and one lavatory. In each toilet room for use by men there shall be installed and maintained at least one water closet, one lavatory, one urinal and a properly installed and maintained floor drain sufficient at all times to keep such floor dry and in a sanitary condition. All water closet bowls shall be of extended lip pattern style and equipped with an open-front seat without covers, and shall at all times be kept clean, sanitary and in good working condition. The floor and side walls (except doors) to a height of at least three (3) feet above the floor, of all toilet rooms and urinal compartments shall be constructed of noncorrosive and nonabsorbent materials and approved by the director of inspections. Whenever possible, toilet rooms shall not be installed in cellars or basements, but when necessary, toilets may be located in a basement. When all toilet rooms are on the same floor, the entrances thereto shall be located as far apart as practicable, and each shall be plainly marked to indicate whether for men or women. Stairways to basement toilets shall be at least thirty (30) inches wide and of safe and substantial construction and with sufficient headroom. An iron pipe or other suitable handrail or guide shall be installed for the full length of such stairway, and the same shall be well lighted at all times.~~

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The ordinance was adopted.

**The COMMUNITY DEVELOPMENT & REGULATORY SERVICES and HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS Committees submitted the following report:**

**CD&RS, HE&CE & W&M** – Your Committee, having under consideration 2015 License Fees, now recommends approval of the 2015 License Fee schedule containing no increase from the 2014 License Fee Schedule, and that the proper City staff be directed to review the various license fees to simplify the structure and administration of the fee schedule and incorporate a cost-recovery financial model, with proposals to be brought to the City Council for review prior to incorporation into the 2016 Fee Schedule.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**The ELECTIONS & RULES Committee submitted the following report:**

**E&R** - Your Committee recommends:

- a) Extending service hours for in-person absentee voting during the two-week period prior to the 2014 General Election as follows:
  - Increase service hours each weekday during the two-week period leading to the General Election from 7 a.m. to 6 p.m., which corresponds with plans identified by Hennepin County for service hours;

- Retain existing service hours on the two Saturdays immediately prior to the General Election, from 9 a.m. to 4 p.m.; and
- Add service hours on the two Sundays immediately prior to the General Election, from Noon to 5 p.m.;

b) Authorizing the Director of Elections & Voter Services to schedule additional staff hours to serve in-person absentee voters as needed; and

c) Directing City Clerk staff to report back to the Elections & Rules Committee after the 2014 General Election with details about the actual impact of extended in-person absentee voting hours to determine if and how in-person absentee voting hours should be managed, including both policy and operational issues of recommendations for application in future elections.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS Committees submitted the following report:**

**HE&CE & W&M** - Your Committee recommends that the proper City officers be authorized to execute a contract with Minneapolis Public Schools to accept an estimated revenue of \$3,900 to be used in the School Based Clinic Services Program for mental health services and sports physicals.

Your Committee further recommends passage of Resolution 2014R-373 increasing the appropriation in the Health Department Grants-Other Fund by \$3,900.

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

**RESOLUTION 2014R-373  
By Gordon and Quincy**

**Amending The 2014 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants-Other Fund (01600-8600152) by \$3,900 and increasing the revenue estimate (01600-8600152-322502) by \$3,900.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report and resolution were adopted.

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

**T&PW** - Your Committee, having under consideration the Downtown Business Improvement Special Service District, now recommends passage of Resolution 2014R-374 approving special services, the cost estimates, service charges and the lists of service charges for 2015 and directing the City Engineer (with the Minneapolis Downtown Improvement Service District) to proceed with the work.

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

**RESOLUTION 2014R-374**  
**By Reich**

**Approving special services, the cost estimates, service charges, and the lists of service charges for 2015 in the Downtown Business Improvement Special Service District and directing the City Engineer to proceed with the work.**

Whereas, a public hearing was held on September 9, 2014, in accordance with Minnesota Statutes, Chapter 428A, Sections 428A.01 through 428A.10 and Chapter 465 of the Minneapolis Code of Ordinances to consider the proposed special services, the proposed service charges, and the proposed lists of service charges as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

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

That the proposed services, service charges, and the proposed list of service charges (special assessments) for 2015 in the total amount of \$6,184,034.36 as provided for in Section 465.80 of the Minneapolis Code of Ordinances, as prepared by the City Engineer and on file in the office of the City Clerk, be and hereby are approved for the Downtown Business Improvement Special Service District.

Be It Further Resolved that the City Engineer (with the Minneapolis Downtown Improvement District) is hereby directed to proceed with the work.

Be It Further Resolved that the service charges be collected in one (1) installment on the 2015 real estate tax statements in the same manner as special assessments without interest charges and that the City Clerk is hereby directed to transmit certified copies of said lists of service charges to the Hennepin County Auditor.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

Approved by Mayor Betsy Hodges 9/22/2014.

(Published 9/23/2014)

**T&PW** - Your Committee recommends passage of Resolution 2014R-375 approving special services, the cost estimates, service charges, and the lists of service charges for 2015 in the Chicago-Lake, Bloomington-Lake, East Lake, Lyndale-Lake and 54th and Lyndale Special Service Districts and directing the City Engineer to proceed with the work.

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

**RESOLUTION 2014R-375**  
**By Reich**

**Approving special services, the cost estimates, service charges, and the lists of service charges for 2015 in the Chicago-Lake, Bloomington Lake, East Lake, Lyndale-Lake and 54th and Lyndale Special Service Districts and directing the City Engineer to proceed with the work.**

Whereas, public hearings were held on September 9, 2014, in accordance with Laws of Minnesota, Chapter 428A, Sections 428A.01 through 428A.10 and Chapters 460, 461, 462, 463 and 432 of the Minneapolis Code of Ordinances to consider the proposed special services, the proposed service charges and the proposed lists of service charges as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

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

That the proposed special services, the proposed cost estimate in the total amount of \$47,000 for 2015 and that the proposed service charges and the proposed list of service charges for 2015 in the total amount of \$31,944 (amount remaining after adjusting the cost estimate of \$47,000 for previous years' unexpended balances and additional costs as provided for in Section 461.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Chicago-Lake Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$57,000 for 2015 and that the proposed service charges and the proposed list of service charges for 2015 in the total amount of \$43,323 (amount remaining after adjusting the cost estimate of \$57,000 for previous years' unexpended balances and additional costs as provided for in Section 460.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Bloomington-Lake Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$64,059 for 2015 and that the proposed service charges and the proposed list of service charges for 2015 in the total amount of \$48,882 (amount remaining after adjusting the cost estimate of \$64,059 for previous years' unexpended balances and additional costs as provided for in Section 462.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the East Lake Special Service District.

Be It Further resolved that the proposed special services, the proposed cost estimate in the total amount of \$147,000 for 2015 and that the proposed service charges and the proposed list of service charges for 2015 in the total amount of \$126,478 (amount remaining after adjusting the cost estimate of \$147,000 for previous years' unexpended balances and additional costs as provided for in Section 463.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Lyndale-Lake Special Service District.

Be It Further resolved that the proposed special services and the proposed cost estimate in the total amount of \$14,871 for 2015 (being a newly implemented special service district with services and revenues beginning in 2015 with no previous years' unexpended balances or additional costs as provided for in Section 432.60 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the 54th and Lyndale Special Service District.

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

Be It Further Resolved that the service charges be collected in one (1) installment on the 2015 real estate tax statements in the same manner as special assessments without interest charges and that the City Clerk is hereby directed to transmit certified copies of said lists of service charges to the Hennepin County Auditor.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

Approved by Mayor Betsy Hodges 9/22/2014.

(Published 9/23/2014)

**T&PW** - Your Committee, having under consideration the West Broadway Improvement Special Service District, now recommends passage of Resolution 2014R-376 approving the terms of a professional services agreement with the West Broadway Business and Area Coalition to serve as the district management entity, the special services, the cost estimates, service, charges and the lists of service charges for 2015 in the West Broadway Improvement Special Service District and directing the City Engineer (with the West Broadway Business and Area Coalition) to proceed with the work.

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

**RESOLUTION 2014R-376**

**By Reich**

**Approving special services, the cost estimates, service charges, and the lists of service charges for 2015 in the West Broadway Improvement Special Service District and directing the City Engineer to proceed with the work.**

Whereas, a public hearing was held on September 9, 2014, in accordance with Minnesota Statutes, Chapter 428A, Sections 428A.01 through 428A.10 and Chapter 434 of the Minneapolis Code of Ordinances to consider the proposed special services, the proposed service charges and the proposed lists of service charges as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

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

That the terms of the Professional Services Agreement with the West Broadway Business and Area Coalition to serve as the District Management Entity for the West Broadway Improvement Special Service District be and hereby is approved; and



Be It Further Resolved that the proposed special services and the proposed cost estimate in the total amount of \$135,440 for 2015, be and hereby are approved for the West Broadway Improvement Special Service District; and

Be It Further Resolved that the proposed service charges and the proposed list of service charges (special assessments) for 2015 in the total amount of \$103,796 as provided for in Section 434.50 of the Minneapolis Code of Ordinances as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the West Broadway Improvement Special Service District.

Be It Further Resolved that the City Engineer (with the West Broadway Business and Area Coalition) is hereby directed to proceed with the work.

Be It Further Resolved that the service charges be collected in one (1) installment on the 2015 real estate tax statements in the same manner as special assessments without interest charges and that the City Clerk is hereby directed to transmit certified copies of said lists of service charges to the Hennepin County Auditor.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

Approved by Mayor Betsy Hodges 9/22/2014.

(Published 9/23/2014)

**T&PW** - Your Committee, having under consideration the LaSalle Ave Reconstruction Project No. 2227 between 12th St S and 8th St S, now recommends:

- a) Approval of the project layout as set forth in Petition No. 277509; and
- b) That the proper City officers be authorized to negotiate with private property owners to acquire and execute additional easements and additional right-of-way, if needed.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**T&PW** - Your Committee recommends that the proper City officers be authorized to execute an agreement with Sebesta, Inc. to provide electrical engineering services for two electrical improvement projects at the Fridley Water Treatment Campus at a set hourly rate for a contract total of up to \$100,000. No additional appropriation required. Funding is available in the existing project budget.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**T&PW** - Your Committee recommends approval of comments relating to the Metropolitan Council Draft 2040 Transportation Policy Plan, as set forth in Petition No. 277510, for submittal to the Metropolitan Council by the October 1, 2014, deadline.

Your Committee further recommends that staff be directed to include the following comments on the Draft 2040 Transportation Policy Plan in their submittal to the Metropolitan Council:

- The purple line running along Emerson and Fremont Avenues N in Minneapolis should be widened to also include Humboldt and Irving Avenues N.
  - REASON: This wider priority route line reflects an undefined alignment within the corridor, recognizing that engagement and studies are active both on a potential North Minneapolis Greenway and potential protected bike lanes on Emerson and/or Fremont.
- The green line that runs along Lowry Ave N should be widened to include adjacent streets as far north and south as 27th Ave NE to 22nd Ave NE.
  - REASON: Hennepin County has an ongoing Community Works project on Lowry and a decision has not yet been made with regards to the bicycle routing in that corridor.

Further, that staff include a comment requesting further discussion with Met Council staff regarding the possibility of making the following additions to the Regional Bicycle Transportation Network as long as these additions would not result in other corridors being removed from the Regional Bicycle Transportation Network. Given the high bicycling demand in Minneapolis, greater density of the network may be justified.

- Adding a purple line along Dunwoody Blvd from Hennepin Ave and I-94 to connect to the proposed Van White Blvd Green Line Extension Station and then extending north along the trails to Plymouth Ave.
  - REASON: This route is an important connection between the proposed Van White Blvd station and North Minneapolis neighborhoods as well as downtown.
- The purple line along the Mississippi River Trail (MRT) along Marshall St NE should be extended to connect to the Dinkytown Greenway and E River Rd.
  - REASON: The current map leaves a gap in the statewide MRT.
- Adding a purple line (alignment undetermined) to the Hennepin Ave Bridge and connecting to the green line along 5th St NE.
  - REASON: This is a critical access point into downtown Minneapolis and is being studied currently for a potential protected bike lane.
- Adding a purple line (alignment undetermined) that includes Marquette to 3rd Ave S in downtown.

- REASON: Marquette, 2nd Ave S, and 3rd Ave S are all being studied for potential protected bike lanes; this route provides critical access to the heart of employment in the region.

Reich moved to amend the report to include passage of Resolution 2014R-377 supporting the Nicollet-Central Modern Streetcar Project to be included with the comments submitted to the Metropolitan Council. Seconded.

Adopted by unanimous consent.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report and resolution were adopted.

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

**RESOLUTION 2014R-377**  
**By Reich**

**Supporting the Nicollet-Central Modern Streetcar Project.**

Whereas, the City of Minneapolis in cooperation with the Metropolitan Council and with significant public, partner agency, and stakeholder engagement completed the Minneapolis Streetcar Feasibility Study in 2008, the Minneapolis Streetcar Funding Study in 2010, and the Nicollet-Central Transit Alternatives Study in 2013; and

Whereas, the City of Minneapolis approved Resolution 2013R-422 on October 4, 2013, recommending that the Locally Preferred Alternative (LPA) for the Nicollet-Central Transit Corridor be modern streetcar running between Lake St and at least 5th St NE on Nicollet Ave, Nicollet Mall, and Hennepin/1st, Central Aves, using the Hennepin Avenue Bridge to cross the Mississippi River; and

Whereas, the City of Minneapolis, in partnership with the Metropolitan Council and Federal Transit Administration (FTA), is in the process of completing the Environmental Assessment and Section 106 process for the Nicollet-Central Modern Streetcar; and

Whereas, the City of Minneapolis and the Metropolitan Council entered into a master funding agreement for preliminary project development for the Nicollet-Central Modern Streetcar in April 2014, including activities related to completing the environmental review process, preparing an application to enter the Federal Transit Administration Small Starts project development process, and preparing a Request for Proposals for a design services contract for the project; and

Whereas, the Metropolitan Council is the presumed owner and operator of the Nicollet-Central Modern Streetcar; and

Whereas, to be eligible for federal and regional funding, the LPA must be approved by the Metropolitan Council and amended into the Regional Transportation Policy Plan; and

Whereas, a reasonable funding plan is required for the Metropolitan Council to approve the LPA and amend the LPA into the Regional Transportation Policy Plan; and

Whereas, following passage of enabling legislation by the State of Minnesota in the Spring of 2013, the City of Minneapolis approved Resolution 2013R-268 on June 25, 2013, establishing a streetcar value capture district by which future tax revenues within the district may be used to fund the costs to develop and construct streetcar in the Nicollet-Central Corridor; and

Whereas, the Nicollet-Central Modern Streetcar Project is estimated to cost approximately \$200 million in capital costs, funded by an estimated \$60 million in City value capture district revenues and \$75 million in anticipated FTA Small Starts program funds, leaving an estimated \$65 million funding gap;

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

That the City of Minneapolis commits to securing the remaining estimated \$65 million in capital funds needed for the Nicollet-Central Modern Streetcar Project through other federal, state, regional, or local funding sources.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**T&PW** - Your Committee recommends approval of the layout for the reconstruction of the Hennepin-Lyndale Corridor Reconstruction Project No 6726 between Franklin Ave W and Dunwoody Blvd, as set forth in Petition No. 277508.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

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

**T&PW & W&M** - Your Committee recommends passage of Resolution 2014R-378 adopting the special assessments, levying the special assessments, and adopting the assessment roll for the 2013 operation and maintenance charges for the 50th St W and France Ave S Parking Facility (Ewing Municipal Parking Lot).

Reich moved that the resolution be amended by decreasing the total assessment amount by \$4,189.91 (from \$60,973.21 to \$56,783.30) due to the removal of a duplicate expense cost. Seconded.

Adopted by unanimous consent.

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

**RESOLUTION 2014R-378  
By Reich and Quincy**

**Adopting the special assessments, levying the special assessments, and adopting the assessment roll for the 2013 operation and maintenance of the 50th St W and France Ave S Parking Facility.**

Whereas, the total amount of the proposed special assessments is \$60,973.21 and consists of 2013 operation and maintenance costs through December 31, 2013; and

Whereas, a public hearing was held on September 9, 2014, in accordance with Minnesota Statutes, Section 459.14 and Minnesota Statutes, Chapter 429 to consider the operation and maintenance proposed special assessments as shown on the proposed assessment roll on file in the office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

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

That the proposed special assessments in the total amount of \$56,783.30, as on file in the office of the City Clerk, be and hereby are adopted and levied upon the benefited properties.

Be It Further Resolved that the special assessments be collected in one (1) installment on the 2015 real estate tax statements without interest charges.

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

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution, as amended, was adopted.

**T&PW & W&M** - Your Committee, having under consideration the 8th St SE Street Reconstruction Project, Special Improvement of Existing Street No. 2283, now recommends:

- a) Passage of Resolution 2014R-379 ordering the work to proceed and adopting the special assessments for the project;
- b) Passage of Resolution 2014R-380 requesting the Board of Estimate and Taxation to authorize the City's issuance and sale of assessment bonds for the project; and
- c) Passage of Resolution 2014R-381 ordering the City Engineer to abandon and remove areaways located in the public right-of-way in conflict with the project.

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

**RESOLUTION 2014R-379  
By Reich and Quincy**

**8TH ST SE STREET RECONSTRUCTION PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 2283**

**Ordering the work to proceed and adopting the special assessments for the 8th St SE Street Reconstruction Project.**

Whereas, a public hearing was held on September 9, 2014, 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 2014R-330, passed August 1, 2014, to consider the proposed special assessments 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 2014R-330, passed August 1, 2014.

Be It Further Resolved that the proposed special assessments in the total amount of \$43,970.38, 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 assessment bonds are sold for, with collection of the special assessments to begin on the 2016 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 assessment bonds are sold for, with collection of the special assessments to begin on the 2016 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**RESOLUTION 2014R-380  
By Reich and Quincy**

**Requesting the Board of Estimate and Taxation to authorize the City's issuance and sale of assessment bonds in the amount of \$43,970 for the 8th St SE Street Reconstruction Project.**

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 8th St SE Street Reconstruction Project, Special Improvement of Existing Street No 2283, 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.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**RESOLUTION 2014R-381**  
**By Reich and Quincy**

**Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the 8th St SE Street Reconstruction Project.**

Whereas, the City of Minneapolis has scheduled the street reconstruction improvements starting in 2014 in the 8th St SE area of Minneapolis; and

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

Whereas, a public hearing was held on September 9, 2014, in accordance with Chapter 10, Section 8 of the Minneapolis Code of Ordinances 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 8th St SE (both sides) from 15th Ave SE to approximately 1,100 feet east.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**T&PW & W&M** - Your Committee, having under consideration the 8th St SE Street Lighting Project, Special Improvement of Existing Street No 2283L, now recommends:

a) Passage of Resolution 2014R-382 ordering the work to proceed and adopting the special assessments for the project; and

b) Passage of Resolution 2014R-383 requesting the Board of Estimate and Taxation to authorize the City's issuance and sale of assessment bonds for the project.

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

**RESOLUTION 2014R-382  
By Reich and Quincy**

**8TH ST SE STREET LIGHTING PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 2283L**

**Ordering the work to proceed and adopting the special assessments for the 8th St SE Street Lighting Project.**

Whereas, a public hearing was held on September 9, 2014, 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 2014R-331, passed August 1, 2014, to consider the proposed special assessments 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 2014R-331, passed August 1, 2014.

Be It Further Resolved that the proposed special assessments in the total amount of \$36,623.03, 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 assessment bonds are sold for, with collection of the special assessments to begin on the 2016 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 assessment bonds are sold for, with collection of the special assessments to begin on the 2016 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**RESOLUTION 2014R-383  
By Reich and Quincy**

**Requesting the Board of Estimate and Taxation to authorize the City's issuance and sale of assessment bonds in the amount of \$36,625 for the 8th St SE Street Lighting Project.**

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 8th St SE Street Lighting Project, Special Improvement of Existing Street No 2283L, 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.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**T&PW & W&M** - Your Committee recommends that the proper City officers be authorized to execute Amendment No 1 to Subordinate Funding Agreement No SWMI-002 with the Metropolitan Council Environmental Services for the 1-MN-342 Southwest Minneapolis Interceptor Rehabilitation Project (MCES Project Number 807616) to increase the maximum reimbursement amount to the City of Minneapolis to \$159,578.05 for additional work completed by the Minneapolis Public Works Department on City infrastructure affected by the project.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**T&PW & W&M** - Your Committee, having under consideration sidewalk, curb and gutter damage caused by falling boulevard trees during storms, now recommends:

- a) That the proper City officers be authorized to repair public sidewalk panel and curb and gutter damage caused by the June 14, 2014, storms without assessing the abutting property owners; and
- b) Passage of Resolution 2014R-384 authorizing Public Works to replace all public sidewalks, curbs and gutters damaged by storms at no cost to the adjoining property owner.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report and resolution were adopted.

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

**RESOLUTION 2014R-384  
By Reich & Quincy**

**Supporting the replacement of public sidewalks, curbs and gutters damaged by storms and other natural disasters at no expense to the abutting property owner.**

Whereas, Public Works supports green space in the City of Minneapolis through the City's strategic goal: "Great Places: Natural and built spaces work together and our environment is protected"; and

Whereas, Public Works wants to encourage boulevard trees; and

Whereas, natural acts such as wind and storms can topple trees, resulting in damage to public sidewalk and curb and gutter; and

Whereas, adopting a consistent policy for the replacement of public sidewalks and curb and gutter damaged by toppled trees is preferred by FEMA;

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

That the City Council of the City of Minneapolis actively supports the replacement of public sidewalks, curbs and gutters damaged by storms and other natural disasters at no expense to the abutting property owner.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**T&PW & W&M** - Your Committee recommends acceptance of the low responsive bid submitted to the Public Works Department on OP No 7982 from Terra General Contractors, LLC, in the amount of \$280,905.00, to furnish and deliver all labor, materials, and incidentals necessary for the Hiawatha Maintenance Facility Liquid AC Tank Project for the Public Works and Finance and Property Services Departments. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**T&PW & W&M** - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7983 from PCI Roads, in the amount of \$2,479,542.00, to furnish and deliver all labor, materials, equipment, and incidentals necessary for the 10th Ave Storm Tunnel Repairs - Phase 3 for the Public Works Surface Water and Sewer Division. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**T&PW & W&M** - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7989 from Zahl Petroleum Maintenance, in the amount of \$49,298.00, to furnish and deliver all labor, materials, equipment, and incidentals necessary for the abandonment in place of three (3) 30,000 gallon fuel oil underground storage tanks for the Public Works Water Treatment and Distribution Division. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

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

**W&M** - Your committee recommends passage of Resolution 2014R-385 authorizing settlement of the following legal matters, as recommended by the City Attorney.

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

**RESOLUTION 2014R-385  
By Quincy**

**Authorizing legal settlements.**

Resolved by The City Council of The City of Minneapolis:

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

- a) Sadik Abdi by payment of \$11,500.00 payable to Sadik Mohamed Ugas Abdi and his attorneys, Law Office of Fay & Associates, LLC, from Fund/Org. 06900-1500100-602013-145400.
- b) Allstate Insurance Company by payment of \$2,340.53 to Allstate Insurance Company and their attorney, and his attorney, Anthony U. Wacker, from Fund/Org. 06900-1500100-145685.
- c) Alicia Joneja by payment of \$50,000 to Ms. Joneja and her attorney, Andrew Irlbeck, from Fund/Org. 06900-1500100-145400.

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

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to execute an amendment to the existing contract with Thomson Reuters for Westlaw and other research services by increasing the amount by \$3,600 for the remainder of 2014 for online access, and to modify the following additional terms:

- a) Reducing the number of books in the subscription;
- b) Increasing the terms of the online access subscription; and
- c) Exercising the option to extend the current contract for an additional two years:  
Calendar year 2015, in the amount of \$92,000; and  
Calendar year 2016 in the amount of \$94,000.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to amend the existing contract with Barr Engineering to increase the amount by \$100,000, for a new total amount of \$150,000 for the balance of the term of the agreement. Said agreement allows the City Attorney's Office to contract for expert consulting services, initially utilized in the 1800 Knox matter, a complex environmental lawsuit.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to accept grant funds from the Energy Foundation, in the amount of \$30,000, for resources used to support the City Coordinator's Building Benchmarking and Disclosure Ordinance to provide assistance and outreach resources for building owners and managers and support for City activities including data analysis, coordination with information technology processes and ordinance compliance activities. Further passage of Resolution 2014R-386 appropriating said funds to the City Coordinator's Office.

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

**RESOLUTION 2014R-386  
By Quincy**

**Amending the 2014 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the City Coordinator Agency in the Grants-Other Fund (01600-8400200) by \$30,000 and increasing the revenue source (01600-8400200-372001) by \$30,000.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report and resolution were adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to accept grant funds from the McKnight Foundation, in the amount of \$150,000 distributed over a 24-month period, to support the implementation of the Minneapolis commercial building energy rating and disclosure ordinance used to provide building owners and managers with technical assistance and outreach resources as well as support for City activities including data analysis, coordination with information technology processes and ordinance compliance activities. Further passage of Resolution 2014R-387 appropriating said funds to the City Coordinator's Office.

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

**RESOLUTION 2014R-387**  
**By Quincy**

**Amending the 2014 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the City Coordinator Agency in the Grant-Other Fund (01600-8400200) by \$150,000 and increasing the revenue source (01600-8400200-372001) by \$150,000.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report and resolution were adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to execute the following contracts with the State of Minnesota to operate air quality monitoring stations on various City properties:

a) Extend and amend the current agreement (City Contract No. C-28033) to change the responsible entity from the Minnesota Pollution Control Agency to the Minnesota Department of Health and to extend the lease term through August 31, 2024 for air quality monitoring equipment located on City property, as follows:

Fire Station No. 20, 4646 Humboldt Ave N;  
Police Precinct No. 2, 1911 Central Ave NE;  
City of Lakes Building, 309 2nd Ave S;  
Fire Station No. 7, 2000 E Franklin Ave;  
Police Precinct No. 5, 3101 Nicollet Ave S.

b) Execute a new agreement under the jurisdiction of the Minnesota Pollution Control Agency (MPCA) to operate monitoring equipment at the following four locations on City property for various periods:

Fire Station No. 20, 4646 Humboldt Ave N, to expire on August 31, 2019;  
City of Lakes Building, 309 2nd Ave S, to expire on August 31, 2019;  
Police Precinct No. 5, 3101 Nicollet Ave S, to expire March 31, 2015;  
Fire Station No. 16, 1600 Glenwood Ave N, to expire December 31, 2014.

Both State entities will pay the City \$600 per year for each equipment station, as reimbursement for electricity expenses. Revenue will be deposited in the Finance & Property Services budget (6200-8201340).

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to negotiate and execute the First Amendment to Lease Agreement C-27210 with Froid Holdings, LLC to extend the office space lease in the Mill Quarter Ramp at 709 2nd Street South for five years, including an option to renew. Revenue will be deposited into the Public Works Parking Fund (07500-685072R 685MILL).

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to execute a three-year contract with Jones Lang LaSalle, Inc. for real estate consulting and brokerage services. Said contract will consist of an initial consulting phase to determine the City's long-term goals for the Downtown Campus office space needs and to develop financially viable options for consideration. Jones Lang LaSalle will provide \$50,000 of consulting at no charge and will rebate to the City a percentage of any commissions earned from the City's real estate transactions. Expenses shall be paid from the Finance & Property Services budget (06200-8201340).

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to negotiate and execute an agreement with Sprint Spectrum, L.P., to allow for a temporary portable cell tower (called a COW or "Cell on Wheels") to be installed on the Fire Station No. 19 parking lot during 2014 Minnesota Vikings home football games (September through December 2014). Sprint Spectrum will be instructed to comply with all permit conditions and regulatory requirements and will pay the City \$20,000. Revenue shall be deposited into the Finance & Property Services budget (06200-8201340).

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to negotiate and execute the Third Amendment to the License Agreement with FSP 50 South Tenth Street Corp for the UCARE Skyway Senior Center to occupy 2,182 square feet of office space at the downtown Target Store and Office Complex. Said amendment will extend the current arrangement for an additional three years, to be funded through grants from UCARE and support from the non-profit Friends of the Skyway Senior Center with financial oversight by the Minneapolis Health Department.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** – Your Committee, having under consideration the provision of medical review billing services, now recommends that the proper City officers be authorized to execute an amendment to the contract with Alpha Review Corporation to extend the term for three months through December 1, 2014, with the same fee structure and scope of services. Said contract amendment will require a renewal of the Affirmative Action Plan. Further, that staff be authorized to issue a Request for Proposals (RFP) for medical review billing services in the near future, subject to review by the Permanent Review Committee.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** – Your Committee recommends passage of Resolution 2014R-388 approving an appropriation increase in the amount of \$1,376,000 to the Department of Finance & Property Services for completion of the Traffic Maintenance Building Project.

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

**RESOLUTION 2014R-388**  
**By Quincy**

**Amending the 2014 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Finance & Property Services Agency in the Property Disposition Fund (06210-9010923) by \$1,376,000.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**W&M** - Your Committee recommends passage of Resolution 2014R-389 accepting gift of airfare, hotel costs, meals and transportation for the City's Energy Manager, Brian Millberg, to tour Aerco International's boiler manufacturing facility from October 16 to 19, 2014, in Blauvelt, New York.

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

**RESOLUTION 2014R-389**  
**By Quincy**

**Accepting gift of airfare, hotel costs, meals and transportation for the City of Minneapolis' Energy Manager, Brian Millberg, to tour the Aerco International's boiler manufacturing facility located in Blauvelt, New York.**

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 for the below to the City:

<u>Name of Donor</u>	<u>Gift</u>
Aerco International	Airfare, hotel costs, meal and transportation

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

Whereas, the City Council finds that it is appropriate to accept the donation 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 to cover airfare, hotel cost, meals and transportation for Brian Millberg to attend the tour.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to execute a ten-year license and power agreement with Xcel Energy, for a not-to-exceed amount of \$347,500 through September 30, 2024, to allow for the installation of public safety cameras in the Minneapolis area.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.



**W&M** – Your Committee recommends that the proper City officers be authorized to amend contract C-24593 with Bentley Systems Inc. as follows:

- a) Extend said contract for the support and maintenance of the enhanced Bentley Enterprise License Subscription (ELS) for five additional years, through December 31, 2017.
- b) Increase the contract in the amount of \$775,000 for a not-to-exceed total of \$1,923,848.
- c) Update Terms and Conditions to reflect current standards.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to amend contract C-288077 with Computer Sciences Corporation as follows:

- a) Expand the scope of services for the Risk Management Information & Claims Processing System.
- b) Increase said contract in the amount of \$42,000 for a not-to-exceed total of \$354,964.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** – Your Committee, having under consideration the contract C-37889 with Hubb Systems, LLC, dba Data 911 for the mobile data computer support and maintenance of Mobile Data Computers (MDCs), now recommends that the proper City officers be authorized to:

- a) Extend said contract for three additional years, through October 31, 2017.
- b) Increase said contract in the amount of \$230,000, for a not-to-exceed total of \$279,500.
- c) Update terms and conditions to reflect current standards.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** - Your Committee, having under consideration the Information Technology Master Contract, now recommends that the proper City officers be authorized to extend the following active Master contracts through February 28, 2015, in order to complete proposal evaluations, award contracts and properly go through the City procurement process:

- a) DeltaWrX – C-37360;
- b) Globalsource IT – C-37366;
- c) Iceberg Technology Group – C-28041;
- d) InTech Software Systems – C-28423;
- e) Labyrinth Consulting – C-27986;
- f) Macro Group – C-27989; and
- g) FarstadUS, LLC – C-29045.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

(Republished 10/8/2014)

**W&M** - Your Committee recommends that the proper City officers be authorized to amend the existing contract with StarLIMS (C-34067) for the maintenance and support of the Laboratory Information Management System for the Police Department Crime Lab as follows:

- a) Extend said contract for the maintenance and support of LIMS for the Police Department's Crime Lab, to exercise the two one-year options, through October 27, 2016.
- b) Increase said contract in the amount of \$45,000 for a not-to-exceed total of \$276,899.
- c) Update Terms and Conditions to reflect current standards.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to execute the following one-year contracts to provide equipment, service and video storage for test and evaluation of officer worn body cameras through September 30, 2015:

- a) Taser International, for an amount not-to-exceed \$85,000.
- b) VIEVU, for a not-to-exceed amount of \$85,000.

Your Committee further recommends approval of the following staff direction:

Police Department (MPD) staff be directed to report at the next scheduled Public Safety, Civil Rights and Emergency Management meeting (September 24, 2014) to address the following regarding the pilot study's design and scope:

- a) How MPD is ensuring a randomized and controlled study sample;
- b) Measures of success for the study;
- c) How practical and seasonal challenges unique to other study sites be addressed;

- d) How the study will be independently designed/reviewed; and
- e) Policy framework initiatives (the committee's efforts).

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to amend contract C-34030 with Duncan Parking Technologies, Inc. for licensing, professional services, support and maintenance of the citation system as follows:

- a) Extend contract to exercise the two one-year options, through September 30, 2016.
- b) Increase said contract in the amount of \$300,000, for a not-to exceed total of \$1,100,000 over the life of the contract.
- c) Update Terms and Conditions to reflect current standards.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** - Your Committee, having under consideration the request for proposals for a "Three-Year Master Contract List for Emergency Management and Preparedness Services", now recommends that the proper City officers be authorized to execute the following contractors for the Office of Emergency Management Master Contract Program:

- a) All Hands Consulting
- b) ARCADIS
- c) BOLDplanning
- d) CH Consulting
- e) ECHO Minnesota
- f) Gannett Fleming, Inc.
- g) Good Harbor Techmark
- h) Hagerty Consulting
- i) Leidos, Inc.
- j) Leitmotiv Consulting, LLC
- k) Security Solutions International
- l) Technotronic
- m) Tetra Tech

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to extend the contract agreement with Horsemen, Inc. for the boarding of police mounted patrol horses, increasing the contract to approximately \$92,000 for one year, through July 31, 2015, and to execute any documents necessary to effectuate the agreement.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to execute an agreement with the Fourth Judicial District Court to receive \$70,900 in fund wages for continuation for Minneapolis police officers to participate in the Adult DWI Court in Hennepin County, requiring a match of \$10,900.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to enter into a contract agreement with Dynamic Imaging Systems, Inc. for the maintenance of photo imaging equipment in the Police Crime Lab in the amount of \$8,825 for the 2014 calendar year, and to execute any documents necessary to effectuate the agreement.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to accept a grant award and execute an agreement with the Minnesota Department of Public Safety – Office of Justice Programs, in the amount of \$1,695, for the Coverdell Forensic Science Improvement Program. Further, passage of Resolution 2014R-390 appropriating \$1,695 to the Police Department.

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

**RESOLUTION 2014R-390**  
**By Quincy**

**Amending the 2014 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

## SEPTEMBER 19, 2014

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That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Federal Grants Fund (01300-4004400) by \$1,695, and increasing the revenue source (01300-4004400-321010) by \$1,695.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report and resolution were adopted.

Approved by Mayor Betsy Hodges 9/22/2014.

(Published 9/23/2014)

**W&M** - Your Committee recommends that the proper City officers be authorized to execute a three year lease agreement with Blue Sky Veterinary Services, LLC, in conjunction with the Minnesota Spay and Neuter Assistance Program, for use of space at the Minneapolis Animal Care and Control facility located at 212 17th Avenue North, to provide low cost spay and neutering services, valued at \$17,000.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was adopted.

**W&M** - Your Committee, having under consideration a recommendation from the Executive Committee to establish a new appointed position in the Public Works Department, now recommends the following:

- a) Finds that the position meet the criteria in Section 20.1010 of the Minneapolis Code of Ordinances, Council to Establish (Appointed) Positions, as set forth in Petition No. 277527 on file in the Office of the City Clerk.
- b) That the position of Director of Business Administration Public Works be approved, 678 points/Grade 15; FLSA - Exempt, effective September 21, 2014.
- c) Passage of Ordinance 2014-Or-073 establishing the salary for said appointed position.

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

**ORDINANCE 2014-Or-073**  
**By Quincy**  
**Intro & 1st Reading: 1/6/2014**  
**Ref to: W&M**  
**2nd Reading: 9/19/2014**

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

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

## SEPTEMBER 19, 2014

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

**Appointed Officials (CAP)**

**Effective: September 21, 2014**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start Rate	Step B After 1 "A" Year	Step C After 2 "B" Years	Step D After 3 "C" Years
E	1	<u>Director Business</u> <u>Administration Public Works</u>	678	15	A	\$107,958	\$113,640	\$117,049	\$119,322

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report and ordinance were adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to execute a contract with the Humphrey School of Public Policy at the University of Minnesota, in the amount of \$1,549.50, for space rental to host the Minneapolis Trans Equity Summit, an event to review issues facing the Transgender community.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report was 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, Farmstand Regulations, now recommends that the following ordinances be given their second reading for amendment and passage:

- a) Ordinance 2014-Or-074 amending Chapter 520 relating to Introductory Provisions
- b) Ordinance 2014-Or-075 amending Chapter 535 relating to Regulations of General Applicability
- c) Ordinance 2014-Or-076 amending Chapter 536 relating to Specific Development Standards
- d) Ordinance 2014-Or-077 amending Chapter 537 relating to Accessory Uses and Structures.

Bender moved to substitute new ordinances for Chapters 520, 536, and 537 to include language regarding community gardens. Seconded.

Adopted upon a voice vote.

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

**ORDINANCE 2014-Or-074**  
**By Gordon**  
**Intro & 1st Reading: 4/26/2013**  
**Ref to: Z&P**  
**2nd Reading: 9/19/2014**

**Amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions.**

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

Section 1. That Section 520.160 of the above-entitled ordinance be amended by amending the definition in alphabetical sequence to read as follows:

*Farmstand.* A temporary structure for the display and sale of food or ornamental crops grown ~~on-site~~ at a community garden, market garden or urban farm.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano (10)

Noes: Goodman, President Johnson (2)

Absent: Warsame (1)

The ordinance was adopted.

**ORDINANCE 2014-Or-075**  
**By Gordon**  
**Intro & 1st Reading: 4/26/2014**  
**Ref to: Z&P**  
**2nd Reading: 9/19/2014**

**Amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to Zoning Code: Regulations of General Applicability.**

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

Section 1. That Section 535.360 of the above-entitled ordinance be amended to read as follows:

**535.360. Permitted temporary uses and structures.** The following temporary uses and structures shall be permitted in all zoning districts, except as otherwise specified below, provided such temporary use or structure shall comply with the regulations of the zoning district in which it is located and all other applicable regulations of this article. Outdoor temporary uses shall be exempt from the enclosed building requirement.

- (1) *Storage of building materials and equipment or temporary buildings.* The indoor or outdoor storage of building materials and equipment and temporary buildings for construction purposes may be allowed as a temporary use, provided that such storage or temporary building shall be located on the site under construction and shall not exceed the duration of such construction or one (1) year, whichever is less. The zoning administrator, upon written request, may for good cause shown grant extensions to this time limit.

- (2) *Temporary real estate tract office.* Temporary real estate tract offices for the purpose of conducting the sale of lots of the tract upon which the tract office is located may be allowed as a temporary use, provided such office shall be located on the tract for a period not to exceed one (1) year. The zoning administrator, upon written request, may for good cause shown grant extensions to this time limit.
- (3) *Temporary amusement events.* Indoor or outdoor temporary amusement events, including the erection of tents for such event, may be allowed as a temporary use, provided such use shall not exceed a duration of fifteen (15) days in one (1) calendar year. In the residence and office residence districts, such temporary amusement events shall be located on institutional and public uses property only.
- (4) *Seasonal outdoor sale of holiday items.* The seasonal outdoor sale of holiday items may be allowed as a temporary use. Such temporary use shall not exceed a duration of thirty-five (35) days in one (1) calendar year. In the residence and OR1 districts, such seasonal outdoor sale of holiday items shall be located on institutional and public uses property only.
- (5) *Farmers' markets, mini-markets and produce and craft markets.* Farmers' markets, mini-markets and produce and craft markets may be allowed as a temporary use. Such temporary use shall not exceed a duration of seventy-five (75) days in one (1) calendar year. In the residence and OR1 districts, farmers' markets, mini-markets and produce and craft markets shall be located on institutional or public use sites or on zoning lots of not less than twenty thousand (20,000) square feet. Temporary farmers' markets, mini-markets and produce and craft markets shall not be located in the I3 zoning district.
- (6) *Promotional activities involving outdoor sales and display.* Outdoor sales and display not otherwise allowed, may be allowed as a temporary use, provided such use shall not be located in a residence or office residence district. Such temporary use shall not exceed a duration of fifteen (15) days in one (1) calendar year.
- (7) *Searchlights.* Searchlights may be allowed in the commercial and downtown districts as a temporary use, provided such use shall not exceed a duration of three (3) consecutive days and no more than fifteen (15) days in one (1) calendar year.
- ~~(8) *Farmstand.* Farmstands may be allowed as a temporary use provided that such temporary farmstand shall only sell products grown onsite and shall not exceed a duration of fifteen (15) days in one (1) calendar year. Such sales shall be limited to between 7:00 a.m. and 7:00 p.m. Farmstands shall be allowed only accessory to a lawfully established market garden, urban farm or community garden. Farmstands must be removed from the premises or stored inside a structure when not in operation. Only one (1) farmstand is permitted per zoning lot. One (1) temporary sign advertising only products grown on-site may be displayed during sales but must be removed from the premises or stored inside a structure when the farmstand is not in operation. Temporary farmstands shall not be located in the I3 zoning district.~~
- ~~(9)~~ (8) *Exhibition or temporary market.* Exhibition or temporary markets may be allowed as a temporary use. Such temporary use shall not exceed a duration of one hundred eighty (180) days in one (1) calendar year. In the residence and OR1 districts, exhibition or temporary markets shall be located on institutional or public use sites.



(40) (9) *Additional temporary uses.* In addition to the temporary uses and structures listed above, the zoning administrator may allow other temporary uses and structures, not exceeding fifteen (15) days in one (1) calendar year, provided the zoning administrator determines that the proposed temporary use or structure is substantially similar to a temporary use or structure listed above in the manner provided for in Chapter 525, Administration and Enforcement, governing determination of substantially similar uses.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano (10)

Noes: Goodman, President Johnson (2)

Absent: Warsame (1)

The ordinance was adopted.

**ORDINANCE 2014-Or-076**

**By Gordon**

**Intro & 1st Reading: 7/18/2014**

**Ref to: Z&P**

**2nd Reading: 9/19/2014**

**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 the following specific development standards in alphabetical sequence to read as follows:

*Community garden.*

- (1) Overhead lighting shall be prohibited.
- (2) No more than two (2) vehicles shall be parked on-site, excluding those parked within an enclosed structure.
- (3) ~~No retail sales shall be permitted, except as an approved temporary use, as specified in Chapter 535, Regulations of General Applicability.~~ Accessory retail sales are subject to the development standards for farmstands specified in Chapter 537, Accessory Uses and Structures.
- (4) The use shall not be located in a required interior side yard.
- (5) Outdoor growing associated with a community garden shall be exempt from the enclosed building requirements of the zoning ordinance.
- (6) Keeping of animals is prohibited.

*Market gardens.*

- (1) In the Residence and OR1 districts:

- a. Mechanized equipment similar in scale to that designed for household use shall be permitted. Use of larger mechanized farm equipment is generally prohibited; provided, however, that during the initial preparation of the land heavy equipment may be used to prepare the land between 7:00 a.m. and 7:00 p.m.
  - b. ~~No retail sales shall be permitted, except as an approved temporary use, as specified in Chapter 535, Regulations of General Applicability. Accessory retail sales are subject to the development standards for farmstands specified in Chapter 537, Accessory Uses and Structures.~~
  - c. No more than two (2) vehicles shall be parked on-site, excluding those parked within an enclosed structure.
  - d. Shipment and delivery of products or supplies shall be limited to between 7:00 a.m. and 7:00 p.m. and shall regularly occur only in single rear axle straight trucks or smaller vehicles normally used to serve residential neighborhoods.
  - e. Overhead lighting shall be prohibited.
- (2) In the C3A and downtown zoning districts market gardens shall be limited to rooftops or indoor operations unless accessory to a principal use located on the same zoning lot.
  - (3) Any equipment or supplies needed for garden operations shall be enclosed or otherwise screened from the street and any adjacent residential uses.
  - (4) The use shall not be located in a required interior side yard.
  - (5) Keeping of animals is prohibited.
  - (6) Outdoor growing associated with a market garden shall be exempt from the enclosed building requirements of the zoning ordinance.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano (10)

Noes: Goodman, President Johnson (2)

Absent: Warsame (1)

The ordinance was adopted.

**ORDINANCE 2014-Or-077**

**By Gordon**

**Intro & 1st Reading: 4/26/2013**

**Ref to: Z&P**

**2nd Reading: 9/19/2014**

**Amending Title 20, Chapter 537 of the Minneapolis Code of Ordinances relating to Zoning Code: Accessory Uses and Structures.**

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

Section 1. That Section 537.110 of the above-entitled ordinance be amended by amending the following development standards in alphabetical sequence to read as follows:

*Farmstand.* Farmstands shall be allowed accessory to a community garden, market garden or urban farm, subject to the provisions of Chapter 535, Regulations of General Applicability, following:

- (1) The farmstand shall only sell products of the farm or garden occupied and cultivated by the same producer within the City of Minneapolis.
- (2) The farmstand shall not exceed a duration of seventy-five (75) days in one (1) calendar year.
- (3) Sales shall be limited to between 7:00 a.m. and sunset.
- (4) Farmstands must be removed from the premises or stored inside a structure when not in operation.
- (5) Only one (1) farmstand is permitted per zoning lot.
- (6) One (1) sign may be displayed during the growing season but must be removed from the premises or stored inside a structure at other times of the year. The growing season is considered to be the months of April through October.
- (7) Farmstands shall not be located in the I3 zoning district.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano (10)

Noes: Goodman, President Johnson (2)

Absent: Warsame (1)

The ordinance was adopted.

**Z&P** – Your Committee concurs in the recommendation of the Heritage Preservation Commission that the Webster/Deinard Residence at 1729 Morgan Ave S be designated as a local historic landmark, and that the findings and designation study be adopted with the following conditions:

- a) The designation includes the entire property including the exteriors of the principal structure (constructed in 1924) and the landscaping elements identified in the designation study (constructed in 1924).
- b) The Secretary of Interior's Standards for Treatment of Historic Properties will be used to evaluate alterations to the property.

Your Committee further recommends passage of Resolution 2014R-391 designating the Webster/Deinard Residence as a local landmark.

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

**RESOLUTION 2014R-391**  
**By Bender**

**Designating the Webster/Deinard Residence at 1729 Morgan Avenue South as a Historic Landmark.**

Whereas, the Minneapolis Heritage Preservation Commission (HPC) held a public hearing on August 5, 2014 and recommended to the Standing Committee on Zoning and Planning that the Webster/Deinard Residence at 1729 Morgan Avenue South become a landmark; and

Whereas, the recommended local designation of the Webster/Deinard Residence will include the entire property including the exteriors of the principal structure (constructed in 1924) and the landscaping elements identified in the designation study (constructed in 1924); and

Whereas, the Webster/Deinard Residence local designation meets Local Designation Criterion One: The property is associated with periods that exemplify broad patterns of cultural, political, economic, or social history; Local Designation Criterion Two: the property is associated with the lives of significant persons or groups; Local Designation Criterion Four: the property embodies the distinctive characteristics of an architectural style; Local Designation Criterion Five: the property exemplifies a development pattern distinguished by innovation, rarity, uniqueness or quality of design or detail; and Local Designation Criterion Six: the property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects; and

Whereas, prior to such recommendation, and in compliance with Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation Regulations, the HPC did refer the subject matter to the City Planning Commission (CPC) for review and recommendation, such CPC recommendation being made on June 12, 2014; and further did refer the subject matter to the Minnesota State Historic Preservation Office for review and comment, such favorable comment being made in a letter dated June 13, 2014; and

Whereas, on September 11, 2014 the Standing Committee on Zoning and Planning recommends designation as a historic landmark;

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

That the Webster/Deinard Residence is hereby designated as a Landmark.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

The report and resolution were adopted.

## RESOLUTIONS

Resolution 2014R-392 recognizing Breast Cancer Month and Metastatic Breast Cancer Awareness Day was adopted.

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

### RESOLUTION 2014R-392

**By Bender, Reich, Gordon, Frey, B. Johnson, Yang, Warsame,  
Goodman, Glidden, Cano, Quincy, A. Johnson, and Palmisano**

**Recognizing Breast Cancer Awareness Month and Metastatic Breast Cancer Awareness Day.**

Whereas, there are more than 3.1 million women in the United States living with a history of invasive breast cancer; and

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Whereas, this year 3,820 women in Minnesota are expected to be diagnosed with breast cancer and 620 to die from the disease; and

Whereas, breast cancer ranks second as a cause of cancer death in women; and

Whereas, breast cancer screening has been found to reduce breast cancer mortality and when breast cancers are detected at an early stage, survival is 99%; and

Whereas, since 2002, approximately 80% of Minnesota women ages 40+ had received a mammogram in the previous two years; and

Whereas, only 46% of uninsured women in Minnesota received a recent mammogram in 2010; and

Whereas, the uninsured, underinsured and underserved are least likely to get screening for breast cancer, which means they are more likely to be diagnosed at a late stage when chances of survival drop to 24%; and

Whereas, in Minnesota, non-Hispanic white women are at the greatest risk of being diagnosed with breast cancer, but African American women are at the greatest risk of dying of breast cancer; and

Whereas, the American Cancer Society recommends annual screening mammography for women age 40 and older and clinical breast exams every three years for women in the 20s and 30s; and

Whereas, no effective breast-cancer screening tool yet exists for women ages 40 or younger; and

Whereas, women ages 15 - 54 die more frequently from breast cancer than any other cancer and African American women under the age of 35 die from breast cancer at three times the rate of white women; and

Whereas, the federal government has invested more than \$1.8 billion in breast cancer research since 2010 leading to the discovery of life-extending drugs; and

Whereas, there is no cure for breast cancer;

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

That October 2014 is hereby declared to be "Breast Cancer Awareness Month" in the City of Minneapolis and that October 13, 2014, is hereby declared to be "Metastatic Breast Cancer Awareness Day" in the City of Minneapolis.

Be It Further Resolved that the City requests to light the I-35W Memorial Bridge on October 1 in the color pink and the Lowry Avenue Bridge on October 13 in the colors teal, green, and pink in honor of this declaration.

Resolution 2014R-393 designating October 23, 2014, as "Lights On Afterschool Day" in the City of Minneapolis was adopted.

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

**RESOLUTION 2014R-393**

**By Gordon, Reich, Frey, B. Johnson, Yang, Warsame,  
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, and Palmisano**

**Designating October 23, 2014, as “Lights On Afterschool Day” in the City of Minneapolis.**

Whereas, each year, “Lights On Afterschool” is observed nationwide in celebration and support of afterschool programs; and

Whereas, Minneapolis is recognized for the positive effects of quality afterschool programs on our children, families and communities; and

Whereas, quality afterschool programs provide the types of enriching experiences that develop children’s skills which are necessary for success in school, work and life, and promote community engagement; and

Whereas, afterschool programs support working families by ensuring their children are safe and productive after the regular school day ends; and

Whereas, afterschool programs also help build stronger communities by involving students, parents, business leaders and adult volunteers in the lives of young people, thereby promoting positive relationships among youth, families and adults; and

Whereas, Minneapolis is committed to the healthy development and safety of our youth and recognizes afterschool programs for the opportunities they provide; and

Whereas, Minneapolis will continue to lead in the development and well-being of our youth, grounded in the principle that investments in quality afterschool programs are beneficial to our children’s academic, social, physical, and emotional development; and

Whereas, a variety of community-based events are planned as part of “Lights On Afterschool” 2014, and its goals to ensure that in every community across the state the lights stay on and the doors stay open for all children after school;

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

That October 23, 2014, is hereby declared to be “Lights On Afterschool Day” in the City of Minneapolis.

Be It Further Resolved that the City requests that the Minnesota Department of Transportation light the I-35W Memorial Bridge in gold – RGB 255; 215; 0 – on October 23, 2014, as a sign of support for “Lights On Afterschool Day.”

Resolution 2014R-394 encouraging gender-neutral single user restrooms in Minneapolis was adopted.

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

**RESOLUTION 2014R-394**

**By A. Johnson, Reich, Gordon, Frey, Yang, B. Johnson,  
Warsame, Goodman, Glidden, Cano, Bender, Quincy, and Palmisano**

**Encouraging gender-neutral single-user restrooms in Minneapolis.**

Whereas, a single-user restroom is understood to be a restroom with a lockable door and, at minimum, a sink and toilet, intended for use by one person with or without an assistant; and

Whereas, many businesses, educational facilities, and buildings of every description within Minneapolis offer single-user restrooms; and

Whereas, the State of Minnesota Building Code is being amended to incorporate the 2012 International Building Code, which will permit single-user restrooms to be gender-neutral; and

Whereas, ensuring public and private restrooms are easily and comfortably accessible to as many people as possible supports the city's goal to have One Minneapolis where disparities are eliminated so all Minneapolis residents can participate and prosper, and is a goal supported by the Transgender Issues Work Group; and

Whereas, the City of Minneapolis has amended City code on this day to eliminate all requirements to provide gender-specific single-user restrooms; and

Whereas, the provision of single-user restrooms is of tremendous value and convenience to families with children, those who need assistance, persons with disabilities, transgender individuals, and any others who value privacy or feel vulnerable in shared restroom facilities; and

Whereas, gender-specific restrooms have resulted in many people needlessly waiting for a particular restroom to be vacated while another identical restroom is available nearby; and

Whereas, many restroom providers would prefer their restrooms to be gender-neutral but have previously been unable to exercise a choice due to City and State code;

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

That the City of Minneapolis strongly encourages businesses, educational facilities, and buildings of every description within Minneapolis who offer single-user restrooms for use by employees and/or the public to provide such facilities in a gender-neutral manner wherever possible.

Be It Further Resolved that the City of Minneapolis directs its regulatory-compliance, zoning, and similar departments and staff to affirmatively promote gender-neutrality in the provision of single-user restrooms in existing or new construction within Minneapolis.

Resolution 2014R-395 authorizing Fire Fighters employed by the City to participate in the partnership between the International Association of Fire Fighters and the Muscular Dystrophy Association by soliciting for donations during the 2014 "Fill the Boot" campaign was adopted.

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

**RESOLUTION 2014R-395**

**By B. Johnson, Reich, Gordon, Frey, Yang, Warsame,  
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano**

**Authorizing Fire Fighters employed by the City to participate in the partnership between the International Association of Fire Fighters and the Muscular Dystrophy Association by soliciting for donations during the 2014 “Fill the Boot” campaign.**

Whereas, the International Association of Fire Fighters (IAFF) is the labor organization that represents the 300,000 professional fire fighters who serve the public by saving lives and protecting property in cities and governmental units throughout the United States and Canada; and

Whereas, the IAFF is the single largest national sponsor of the Muscular Dystrophy Association (MDA); and

Whereas, since 1954, when it first initiated its partnership with the MDA, IAFF members have raised over \$275 million toward the worldwide research efforts of MDA to eradicate 40 neuromuscular diseases as well as help support MDA's summer camps for children, professional and public health education, and other programs; and

Whereas, each year fire fighters raise millions of dollars nationwide through their Fill the Boot campaigns, in which fire fighters collect donations of money to MDA in their fire boots; and

Whereas, the commitment of the fire fighters to the cause of MDA has further elevated their image as extraordinary professionals who not only put their own lives at stake to save others from fires, explosions, structural collapses, and other disasters but also as heroes helping to work toward saving the lives of the innocent victims of neuromuscular diseases; and

Whereas, the devoted support of IAFF members to the MDA not only provides significant financial assistance to finding a cure for these diseases, but also strengthens the relationship between the fire fighters and the members of the community they serve through the face-to-face interactions during the Fill the Boot campaign; and

Whereas, several cities across the United States annually allow their fire fighter crews to conduct the Fill the Boot campaign activities while on-duty in a manner that leaves them available and responsible to responding to emergency calls; and

Whereas, Minneapolis fire fighters conduct their Fill the Boot activities with their assigned fire rigs such as to permit immediate response to any call for service; and

Whereas, Minneapolis fire fighters are active members of IAFF Local 82 and have previously participated in the Fill the Boot campaign; and

Whereas, the Charitable Organization Policy adopted October 30, 2009, precludes on-duty fire fighter participation in the Fill the Boot campaign; and

Whereas, unlike other City of Minneapolis employees, fire fighters work a twenty-four hour shift that includes down time for personal activities; and



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Whereas, Minneapolis fire fighters intend to conduct their 2014 Fill the Boot activities on September 16, 17 and 18, 2014; and

Whereas, the Minnesota Chapter of the MDA has recognized the significant and valuable contribution of Minneapolis fire fighters to their annual fundraising efforts and strongly seeks their continued participation; and

Whereas, the City of Minneapolis supports the efforts of IAFF Local 82 and the MDA to find a cure for these terrible diseases; and

Whereas, the City of Minneapolis recognizes that participation by its fire fighters in the nationwide MDA Fill the Boot campaign serves not only to raise money for MDA but also benefits the City by greatly enhancing the image of its fire fighters as dedicated public servants engaged in the community through their employment and in service to charitable causes;

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

That Minneapolis fire fighter participation in the 2014 Fill the Boot campaign while on-duty will neither interfere with nor preclude the performance of their regular daily duties nor detract from other work-related obligations to the public.

Be It Further Resolved that Minneapolis fire fighter participation in the 2014 Fill the Boot campaign will be in the public interest and primarily serve a public purpose.

Be It Further Resolved that Minneapolis fire fighter participation in the 2014 Fill the Boot campaign is contingent upon 1) the compliance of the MDA with Minneapolis Code of Ordinances, Chapter 333, Article II, Charitable Solicitations; 2) the completed execution of an agreement between the City and the MDA in which the MDA agrees to defend and indemnify and hold harmless the City of Minneapolis for all workers' compensation claims and tort claims arising out of the Minneapolis fire fighter participation in the Fill the Boot campaign, including any costs incurred by the City pursuant to Minnesota Statutes, Chapter 299A; and 3) the MDA's provision of proof of commercial general liability insurance policy against claims for bodily injury and property damage with a limit of no less than \$1,500,000 per occurrence and an endorsement to the policy naming the City of Minneapolis as an additional insured.

Be It Further Resolved that the fire fighters participation in the 2014 Fill the Boot campaign is exempted from the restrictions of the Charitable Organizations Policy.

Be It Further Resolved that Minneapolis firefighters' participation in the 2014 Fill the Boot campaign is subject to reasonable conditions and limitations as may be established by the Fire Chief.

Resolution 2014R-396 recognizing Pancreatic Cancer Action Network was adopted.

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

### **RESOLUTION 2014R-396**

**By B. Johnson, Reich, Gordon, Frey, Yang, Warsame,  
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano**

#### **Recognizing Pancreatic Cancer Action Network.**

Whereas, Pancreatic cancer has one of the lowest survival rates of all major cancers - 73 percent die within one year of diagnosis and the five-year survival rate is just six percent.

Pancreatic cancer is anticipated to move from the fourth to the second leading cause of cancer death in the United States by 2020; and

Whereas, Pancreatic Cancer Action Network, established in 1999, is the national organization creating hope in a comprehensive way through research, patient support, community outreach and advocacy for a cure. The organization raises money for direct private funding of research—and advocates for more aggressive federal research funding of medical breakthroughs in prevention, diagnosis and treatment of pancreatic cancer; and

Whereas, Local residents, pancreatic cancer survivors and volunteers with the Twin Cities Affiliate of the Pancreatic Cancer Action Network will join thousands of people at more than 50 PurpleLight events taking place in communities across the country on October 26, 2014 to call attention to one of our nation's deadliest cancers – pancreatic cancer; and

Whereas, The event will commence National Pancreatic Cancer Awareness Month in November by remembering those who have lost their battle against pancreatic cancer and honor our inspiring pancreatic cancer survivors; and

Whereas, Pancreatic Cancer Action Network advocates enabled the passage of the Recalcitrant Cancer Research Act on January 2, 2013, which directs the National Cancer Institute to develop scientific frameworks (strategic plans) that will help provide the strategic direction and guidance needed to make true progress on pancreatic and other deadly cancers; and

Whereas, Patient and Liaison Services (PALS) is a comprehensive service providing patients and families with immediate and free information and education about pancreatic cancer, diagnosis, treatment options, clinical trials, diet and nutrition, specialists and support resources; and

Whereas, PALS (Patient and Liaison Services) has served more than 80,000 patients and families since the program was started in 2002;

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

That the City Council declares October 26, 2014, to be Pancreatic Cancer Action Network Day.

Resolution 2014R-397 designating September 26 - 28, 2014, as MINNESOTA ORCHESTRA DAYS in the City of Minneapolis was adopted.

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

**RESOLUTION 2014R-397**

**By B. Johnson, Reich, Gordon, Frey, Yang, Warsame,  
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, and Palmisano**

**Designating September 26 - 28, 2014, as MINNESOTA ORCHESTRA DAYS in the City of Minneapolis.**

Whereas, the Minnesota Orchestra, in its capacity as a foundational member of our city's society-building cultural community, works to promote Minneapolis as an exciting epicenter of the Arts, helping promote, market, and brand Minneapolis and Orchestra Hall for the cultural and economic benefit of our community, making Minneapolis the destination of choice among music lovers; and

Whereas, through its work, the Minnesota Orchestra is recognized as a world class institution that engages the public with each season of extraordinary music, and, together with the Friends of the Minnesota Orchestra, creates and conducts music education programs for young people, families, and adults to continually build existing and future audiences for the vibrant life of the city of Minneapolis; and

Whereas, the Minnesota Orchestra's Season Opening: A Grand New Beginning concerts will be held in Minneapolis at the newly renovated Orchestra Hall from September 26 through 28, 2014, bringing thousands of music lovers from around the region to Minneapolis, thereby allowing the city to showcase its preeminent place for all citizens to engage in and enjoy the Arts; and

Whereas, the Minnesota Orchestra celebrates rebirth and reunion at Orchestra Hall with a full and varied season of classical, jazz, choral, holiday, and popular concerts along with many community-based events that are planned as part of the 2014-2015 Minnesota Orchestra season, and the City desires to highlight its best features, including the lighting of the I-35W Memorial Bridge in the Minnesota Orchestra colors—blue and white—as a sign of welcome and support during this Season Opening.

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

That September 26 through 28, 2014, are hereby declared to be MINNESOTA ORCHESTRA DAYS in the City of Minneapolis.

Be It Further Resolved that the City of Minneapolis extends to the MINNESOTA ORCHESTRA and all its audience members, musicians, management, patrons, donors, and staff best wishes for a successful, entertaining, productive, engaging and enjoyable season.

### **MOTIONS**

On motion by Quincy, seconded, the regular payrolls for all City employees under City Council jurisdiction for the month of October 2014 were approved and ordered paid subject to audit by the Finance Officer.

### **UNFINISHED BUSINESS**

Pursuant to notice, on motion by A. Johnson and Frey, seconded, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Community Development & Regulatory Services Committee:

Amending Title 13, Chapter 283 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Courtesy Benches (amending regulations on the number and implementation of courtesy benches).

Pursuant to notice, on motion by Bender, seconded, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Transportation & Public Works Committee:

Amending Title 17, Chapter 455 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: Block Events (reforming and streamlining block event conditions and restrictions to increase permit attainability and compliance).

**NEW BUSINESS**

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 10, Chapter 188 of the Minneapolis Code of Ordinances relating to Food Code: Administration and Licensing (amending provisions related to short term food permits).

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 11, Chapter 234 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Indoor Smoking (adopting the Minnesota Clean Indoor Air Act and broadening the regulation of electronic cigarettes and electronic delivery devices).

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Appendix C of the Minneapolis Code of Ordinances relating to Minnegasco, Inc., Franchise (repealing existing franchise ordinance for gas distribution system and passing new franchise ordinance for gas distribution).

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Appendix D of the Minneapolis Code of Ordinances relating to Northern States Power Company: Charge for Use of Streets (repealing existing franchise ordinance for electric distribution system and passing new franchise ordinance for electric distribution).

On motion by Glidden, seconded, the meeting was adjourned.

Casey Joe Carl,  
City Clerk

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

HUMAN RESOURCES (277486)

Minneapolis Public Housing Authority (MPHA) Benefit Plan Ordinance Amendment.

**COMMUNITY DEVELOPMENT & REGULATORY SERVICES:**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277487)

Ahmed's Certified Auto Care (616 45th Ave N): Renewal of Motor Vehicle Repair Garage license.

**COMMUNITY DEVELOPMENT & REGULATORY SERVICES (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277488)

Downtown East Block 1 Development Rights Sale Terms: Term Sheet between the City of Minneapolis and Ryan Companies US, Inc. for the Downtown East Block 1 Development Rights Project.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277489)

Metropolitan Council's Housing Policy Plan: Direction to staff to submit the City's comments on the Housing Policy Plan to the Metropolitan Council by the end of the 45-day comment period of 9/26/2014.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277490)

Tax Forfeited Property at 4831 Colfax Ave N: Authorize the re-conveyance of property and execution of a Quit Claim Deed to the State of Minnesota.

LICENSES AND CONSUMER SERVICES (277491)

CC Club, 2600 Lyndale Ave S: Business License Operating conditions relating to On Sale Liquor Class E with Sunday Sales License.

LICENSES AND CONSUMER SERVICES (277492)

Food to Alcohol Sales Ratio Ordinance Amendments: Ordinances amending Title 14, Chapters 360, 362 & 363 relating to Liquor and Beer, eliminating food to alcohol sales ratios for restaurants that serve alcohol and establishing operating standards for all alcohol establishments.

LICENSES AND CONSUMER SERVICES (277493)

KR & Sons, Inc (Pantry Food Market, 5200 Bryant Ave N): Business License Operating conditions relating to Food Grocery and Tobacco Dealer Licenses.

LICENSES AND CONSUMER SERVICES (277494)

Liquor, Business & Gambling License Applications: Department of Licenses & Consumer Services agenda recommendations for Liquor, Business & Gambling licenses.

LICENSES AND CONSUMER SERVICES (277495)

Mykonos Coffee & Grill, Inc (4171 Lyndale Ave N): Business License Operating conditions relating to Restaurant License.

REGULATORY SERVICES (277496)

Rental Dwelling License (2825 15th Ave S - Owner Ying Que, Serendipity Investment, LLC): Stipulated Agreement and Conditions to be placed on license.

REGULATORY SERVICES (277497)

Rental Dwelling License (3526 Lyndale Ave N - Owner Eng Tat Ng-MN Realty & Management, LLC): Revocation of license.

**COMMUNITY DEVELOPMENT & REGULATORY SERVICES and HEALTH & HUMAN SERVICES and W&M (See Rep):**

FINANCE DEPARTMENT (277498)

2015 License Fees: Approve 2015 License Fee Schedule with no increase from the current 2014 License Fee and direct staff to review the various license fees to simplify the structure and administration of the fee schedule and incorporate a cost-recovery financial model.

HEALTH DEPARTMENT (277499)

Restroom Facilities Ordinance Amendments: Ordinances relating to restroom and toilet facilities to delete redundant language from ordinances and add language indicating that in establishments where liquor or beer is sold, restroom facilities must comply with all requirements in applicable code, statute, rule or regulation: Amending Title 10, Chapter 188 and Title 14, Chapter 364 and 368.

**ELECTIONS & RULES (See Rep):**

CITY CLERK (277500)

Absentee Voting: Extending Voter Service Hours for 2014 General Election.

**HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT:**

HEALTH DEPARTMENT (277501)

Health Disparities: PowerPoint Presentation.

**HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT (See Rep):**

HEALTH DEPARTMENT (277502)

School Based Clinic Program: Accept estimated \$3,900 from Minneapolis Public Schools; Increase appropriation.

**TRANSPORTATION AND PUBLIC WORKS:**

PUBLIC WORKS AND ENGINEERING (277503)

Sanitary Service Availability Charges (SAC): Set assessment public hearing for October 21, 2014.

PUBLIC WORKS AND ENGINEERING (277504)

Uptown (Hennepin-Lake), Dinkytown, Central Ave, Stadium Village, Nicollet Ave S, S Hennepin Ave, 48th St E and Chicago Ave S, and Linden Hills (43rd St W and Upton Ave S) Special Service Districts: Set assessment public hearing for October 7, 2014.

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

PUBLIC WORKS AND ENGINEERING (277505)

Bloomington-Lake, Chicago-Lake, East Lake, Lyndale-Lake, and 54th and Lyndale Special Service Districts: Assessment public hearing.

PUBLIC WORKS AND ENGINEERING (277506)

Downtown Business Improvement Special Service District (DID): a) Assessment public hearing; b) Assessment roll; c) PowerPoint; and d) Comments.

PUBLIC WORKS AND ENGINEERING (277507)

Fridley Water Treatment Campus: Agreement with Sebesta, Inc. for electrical engineering services.

PUBLIC WORKS AND ENGINEERING (277508)

Hennepin-Lyndale Corridor Reconstruction Project (Franklin Ave W to Dunwoody Blvd): Layout approval; Comments.

PUBLIC WORKS AND ENGINEERING (277509)

LaSalle Ave Street Reconstruction Project (12th St S to 8th St S): Layout approval.

PUBLIC WORKS AND ENGINEERING (277510)

Metropolitan Council Draft 2040 Transportation Policy Plan: Comments.

PUBLIC WORKS AND ENGINEERING (277511)

West Broadway Improvement Special Service District: Assessment public hearing.

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

**PUBLIC WORKS AND ENGINEERING (277512)**

8th St SE Street Reconstruction and Street Lighting Projects: Assessment public hearing.

**PUBLIC WORKS AND ENGINEERING (277513)**

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

**PUBLIC WORKS AND ENGINEERING (277514)**

OP 7982, Low responsive bid of Terra General Contractors, LLC for Hiawatha Maintenance Facility Liquid AC Tank Project.

**PUBLIC WORKS AND ENGINEERING (277515)**

OP 7983, Low bid of PCI Roads for 10th Ave Storm Tunnel Repairs-Phase 3.

**PUBLIC WORKS AND ENGINEERING (277516)**

OP 7989, Low bid of Zahl Petroleum Maintenance for abandonment of fuel oil underground storage tanks.

**PUBLIC WORKS AND ENGINEERING (277517)**

Public Sidewalk Replacement: a) Authorize public sidewalk repair caused by June 14, 2014 storms without assessing property owners; and b) Authorize public sidewalk repair damaged by storms and other natural disasters without assessing property owners.

**PUBLIC WORKS AND ENGINEERING (277518)**

Southwest Minneapolis Interceptor Rehabilitation Project: Amendment to Subordinate Funding Agreement with Metropolitan Council.

**WAYS AND MEANS:**

**FINANCE DEPARTMENT (277519)**

2015 Supplemental Taxation Notice: Receive and file information to be submitted to the County for distribution with proposed property tax statements.

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

**ATTORNEY (277520)**

Barr Engineering Contract Amendment: Authorize amend the Professional Service Agreement (C-38588) between the City and Barr Engineering Company to increase amount by \$100,000 for a not-to-exceed amount of \$150,000.

**ATTORNEY (277521)**

Legal Settlements:

a) Sadik Abdi vs., City of Minneapolis, \$11,500.00.

b) Allstate vs., City of Minneapolis, \$2,340.53.

c) Alicia Joneja vs., Officer Heather Sterzinger, Sundiata Bronson and the City of Minneapolis, \$50,000.

**ATTORNEY (277522)**

Thomson Reuters Contract Amendment: Authorize amend contract for Westlaw and other legal research services and exercise the option to extend the current contract for two additional years.

COORDINATOR (277523)

Energy Foundation Grant Gift Acceptance: \$30,000 from the Energy Foundation for the support of Building Benchmarking and Disclosure Ordinance.

COORDINATOR (277524)

McKnight Foundation Grant Gift Acceptance: Accept gift of \$150,000 from McKnight Foundation to support implementation of the Minneapolis commercial building energy rating and disclosure ordinance.

COORDINATOR (277525)

Minneapolis Trans Equity Summit: Authorize execute contract, \$1549.50, for space rental at the Humphrey School of Public Affairs - University of Minnesota, to host the event for reviewing issues facing the Transgender community.

EMERGENCY MANAGEMENT (277526)

Office of Emergency Management & Preparedness Services: Authorize execute three-year master contract list for Emergency Management and Preparedness Services with the following contractors: All Hands Consulting; ARCADIS, BOLDplanning, CH Consulting, ECHO Minnesota, Gannett Fleming, Inc, Good Harbor Techmark, Hagerty Consulting, Leidos, Inc, Leitmotiv Consulting, LLC, Security Solutions International, Technotronic, Tetra Tech.

EXECUTIVE COMMITTEE (277527)

New Appointed Position - Director Business Administration Public Works: Find that the proposed position meets the criteria in the Minneapolis Code of Ordinances; approve the position titled Director Business Administration Public Works; and approve annual salary for the position.

FINANCE DEPARTMENT (277528)

Air Quality Monitoring Stations: Authorize execute the following contracts with the State of Minnesota to operate air quality monitoring stations on various City properties:

- a) Extend and amend agreement C-28033 to change the responsible entity from the Minnesota Pollution Control Agency to the Minnesota Department of Health and extend the lease term through August 31, 2024; and b) Execute a new agreement under the jurisdiction of the Minnesota Pollution Control Agency (MPCA) to operate monitoring equipment at the following locations for various periods of time: Fire Station No. 20; City of Lakes Building; Police Precinct No. 5; and Fire Station No. 16.

FINANCE DEPARTMENT (277529)

Medical Review Billing Services: a) Authorize execute amendment to contract with Alpha Review Corporation to extend the term for three months to December 1, 2014, for medical review billing services; and including the requirement of renewal of the Affirmative Action Plan. b) Authorize issue a Request for Proposals (RFP) for medical review billing services, subject to review by the Permanent Review Committee.

FINANCE DEPARTMENT (277530)

Mill Quarter Ramp Office Space: Authorize execute the First Amendment to Lease Agreement with Froid Holding, LLC, extending lease in the Mill Quarter Ramp for five years, including an option to renew.

FINANCE DEPARTMENT (277531)

Portable Cell Tower: Authorize execute contract with Sprint Spectrum, L.P., allowing a temporary portable cell tower on the Fire Station No. 19 parking lot during 2014 Minnesota Vikings home Games.



FINANCE DEPARTMENT (277532)

Real Estate and Brokerage Services: Authorize execute a three-year contract with Jones Lang LaSalle, Inc. for real estate consulting and brokerage services related to the Downtown Campus office space and financing options.

FINANCE DEPARTMENT (277533)

Traffic Maintenance Building Renovation Project: Passage of Resolution approving an appropriation increase of \$1,376,000 to the Department of Finance & Property Services for completion of the project.

FINANCE DEPARTMENT (277534)

Travel Donation: Accept gift of a business trip from Aerco International for Brian Millberg to tour their boiler manufacturing facility in Blauvelt, New York from October 16 to 19, 2014.

FINANCE DEPARTMENT (277535)

UCARE Skyway Senior Center: Authorize execute Third Amendment to License Agreement with FSP 50 South Tenth Street Corp for the UCARE Skyway Senior Center to occupy office space located in the downtown Target Store and Office Complex.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277536)

Bentley Enterprise License Subscription (ELS): Extend contract with Bentley Systems, Inc., for five additional years through December 31, 2017, and increase the amount by \$775,000 Bentley License Subscription (ELS) software application.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277537)

Body Camera Test and Evaluation: a) Contract with Taser International and VIEVU, (\$85,000), to provide equipment, service, and video storage for test and evaluation of officer worn body cameras through September 30, 2015; and b) Direct Police Department staff to report at the next scheduled Public Safety, Civil Rights & Emergency Management meeting to address matters regarding the pilot study's design and scope.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277538)

Citation System Services: a) Extend contract with Duncan Parking Technologies, Inc. term through September 30, 2016, for licensing, professional services, support and maintenance of the citation system; b) Increase the contract amount by \$300,000, for a not-to-exceed total of \$1,100,000; and c) Update Terms and Conditions to reflect current standards.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277539)

Information Technology Master Contract Program: Authorize execute amendments to the following active Master Contracts to extend the term through February 28, 2015, in order to complete proposal evaluations, award contracts and properly go through the City procurement process: DeltaWrx; Globalsource IT; Iceberg Technology Group; InTech Software Systems; Labyrinth Consulting; Macro Group; and FarstadUS, LLC.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277540)

Laboratory Information Management System: a) Extend contract with StarLIMS through October 27, 2016, for maintenance and support of the Laboratory Information Management System for the Police Department's Crime Lab; and b) Increase the contract (\$45,000), for a new total of \$276,899.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277541)

Mobile Data Computer Support and Maintenance: a) Extend contract with Hubb Systems, LLC, dba Data 911 to extend the term for three years through October 31, 2017, for support and maintenance of the Mobile Data Computers; and b) Increase contract (\$230,000), for a not-to-exceed total of \$279,500.

**INFORMATION AND TECHNOLOGY SERVICES (ITS) (277542)**

Public Safety Camera Installation: Authorize execute ten-year license and power agreement with Xcel Energy through September 30, 2024, (\$347,500) to allow for installation of public safety cameras in the Minneapolis area.

**INFORMATION AND TECHNOLOGY SERVICES (ITS) (277543)**

Risk Management Information & Claims Processing System: Amendment to contract with Computer Sciences Corporation to expand the scope of services for the Risk Management Information & Claims Processing System; and increase contract (\$42,000) for a new total of \$354,964.

**POLICE DEPARTMENT (277544)**

Adult DWI Court Grant: Execute agreement with the Fourth Judicial District Court to receive \$70,900 for MPD officers to participate in the Adult DWI Court in Hennepin County, with a match of \$10,900.

**POLICE DEPARTMENT (277545)**

Coverdell Forensic Science Improvement Program: Authorize accept grant award and execute agreement with the Minnesota Department of Public Safety Office of Justice Programs (\$1,695), to purchase Crime Laboratory equipment and supplies; and approve appropriation to the Police Department.

**POLICE DEPARTMENT (277546)**

Mounted Patrol Horse Boarding: Amend contract with Horsemen, Inc. for the boarding of police mounted patrol horses; and increase contract to approximately \$92,000 for one year, through July 31, 2015.

**POLICE DEPARTMENT (277547)**

Photo Imaging Equipment: Execute contract with Dynamic Imaging Systems, Inc. for maintenance of photo imaging equipment in the Police Crime Lab for the 2014 calendar year, at a cost of \$8,825.

**REGULATORY SERVICES (277548)**

Veterinary Services: Execute three-year lease agreement with Blue Sky Veterinary Services, LLC, in conjunction with the Minnesota Spay and Neuter Assistance Program, for use of space at the Minneapolis Animal Care and Control facility to provide low cost spay and neutering services.

**ZONING AND PLANNING:**

**COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277549)**

Theatre Garage and Marquee Apartments, 2004-2018 Lyndale Ave S appeal filed by Deanne E. Hagg on behalf of TGMA Developers, LLC.

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

**COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277550)**

Farmstand Regulations (Zoning Code Text Amendments) amending Title 20, Chapters 520, 535, 536, and 537 of the Minneapolis Code of Ordinances.

**HERITAGE PRESERVATION COMMISSION (277551)**

Designation of the Webster/Deinard Residence, 1729 Morgan Ave S, as a local historic landmark.

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**FILED:**

CHARTER COMMISSION (277552)

Urban Scholars: Youth Engagement and Policy Recommendation.

Official Posting: 9/26/2014  
Correction: 10/14/2014