

**OFFICIAL PROCEEDINGS  
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF  
AUGUST 3, 2018**

(Published August 11, 2018, in *Finance and Commerce*)

**CALL TO ORDER**

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

Present - Council Members Cam Gordon, Steve Fletcher, Phillipe Cunningham, Jeremiah Ellison, Abdi Warsame, Lisa Goodman, Andrea Jenkins, Alondra Cano, Jeremy Schroeder, Andrew Johnson, Linea Palmisano, President Lisa Bender.

Absent – Council Member Kevin Reich.

Jenkins moved adoption of the agenda.

On motion by Bender, the agenda was amended as follows:

1. By adding under the Order of Adjournment a closed session to receive a briefing in the litigation matter of John Ruszczyk as trustee for the next of kin of Justine Maia Ruszczyk v. Noor, et al.
2. By adding under the Order of New Business a recommendation to approve the submission of comments to the United States Department of Commerce opposing the inclusion of the question regarding citizenship on the 2020 Census form.

The agenda, as amended, was adopted.

On motion by Jenkins, the minutes of the regular meeting of July 20, 2018, were accepted.

On motion by Jenkins, the petitions, communications, and reports were referred to the proper Committees.

The following actions, resolutions, and ordinances were signed by Mayor Jacob Frey on August 6, 2018. 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 City Clerk.

**REPORTS OF STANDING COMMITTEES**

**The ECONOMIC DEVELOPMENT & REGULATORY SERVICES Committee submitted the following reports:  
COUNCIL ACTION 2018A-0562**

The Minneapolis City Council hereby:

1. Approves the application for MY BURGER, 213 OAK ST SE Minneapolis, MN, (Ward 2) submitted by MY BURGER OPERATIONS, BLAmend, LIC369060, for a Permanent Expansion of Premises License, adding a 16 seat sidewalk café, subject to final inspection and compliance with all provisions of applicable codes and ordinances.
2. Approves the application for MY BURGER, 213 OAK ST SE Minneapolis, MN, (Ward 2) submitted by MY BURGER OPERATIONS, BLFood, LIC366597, for a Sidewalk Cafe License, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

**COUNCIL ACTION 2018A-0563**

The Minneapolis City Council hereby approves the application for THE ORIGINAL UPTOWN PIZZA, 323 LAKE ST W Minneapolis, MN, submitted by MAJESTY FOR RESTAURANTS & COFFEE SHOPS LLC, BLGeneral, LIC367745, for an Extended Hours of Operation License, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

**COUNCIL ACTION 2018A-0564**

The Minneapolis City Council hereby approves the application for WESLEY ANDREWS, 111 26TH ST E Minneapolis, MN, (Ward 10) submitted by WESLEY ANDREWS CONVERSATION COMPLEMENTS LLC, BLFood, LIC369361, for a Sidewalk Cafe License, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

**COUNCIL ACTION 2018A-0565**

The Minneapolis City Council hereby approves the 2019 License Fee Schedule with increases to the current 2018 License Fee Schedule.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

On behalf of the Economic Development & Regulatory Services Committee, Goodman offered Resolution 2018R-237 adopting the assessment, levying the assessment and adopting the assessment role for Property Assessed Clean Energy (PACE) financing in the amount of \$127,371, for a photovoltaic installation for Minnehaha United Methodist Church located at 3701 E 50th St.

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

**RESOLUTION 2018R-237**

**By Goodman**

**Adopting the assessments, levying the assessments and adopting the assessment roll for Property Assessed Clean Energy (PACE) charges for the property at 3701 E 50th St.**

Whereas, a public hearing was held on July 24, 2018, in accordance with Minnesota Statutes, Chapter 429 and the authority of the Minnesota Statutes, section 216C.435 and section 216C.436 to consider a proposed PACE charge assessment to be included on the City's 2019 assessment roll for the purpose of financing energy efficiency improvements at the property generally described as 3701 E 50th St, Minneapolis, MN 55414, including the installation of a rooftop solar array, 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 assessment against the property generally described as 3701 E 50th St. Minneapolis, MN 55414 in the total amount of \$127,371 to be included in the City's 2019 assessment roll is hereby adopted and levied.

Be It Further Resolved that the property owner and its successors and assigns have waived the right to challenge or contest the actual assessment amount or term.

Be It Further Resolved that the assessments be collected in semiannual installments commencing in 2019 and concluding in 2029 shall be based upon the amortization schedule attached to the levy.

Be It Further Resolved that the City's Department of Community Planning and Economic Development and the City's Department of Financing are authorized and directed to prepare and transmit a certified copy of this Resolution to the Hennepin County Auditor together with the City's 2019 assessment roll.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

On behalf of the Economic Development & Regulatory Services Committee, Goodman offered Resolution 2018R-238 adopting the assessment, levying the assessment and adopting the assessment role for PACE energy financing in the amount of \$56,000, for energy efficiency and solar panels at Forteva Investments commercial property located at 3501 23rd Ave S.

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

**RESOLUTION 2018R-238**

**By Goodman**

**Adopting the assessments, levying the assessments and adopting the assessment roll for Property Assessed Clean Energy (PACE) charges for the property at 3501 23rd Ave S.**

Whereas, a public hearing was held on July 24, 2018, in accordance with Minnesota Statutes, Chapter 429 and the authority of the Minnesota Statutes, section 216C.435 and section 216C.436 to consider a proposed PACE charge assessment to be included on the City's 2019 assessment roll for the purpose of financing energy efficiency improvements at the property generally described as 3501 23rd Ave S, Minneapolis, MN 55406, including the installation of a rooftop solar array, 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 assessment against the property generally described as 3501 23rd Ave Minneapolis, MN 55406 in the total amount of \$56,000 to be included in the City's 2019 assessment roll is hereby adopted and levied.

Be It Further Resolved that the property owner and its successors and assigns have waived the right to challenge or contest the actual assessment amount or term.

Be It Further Resolved that the assessments be collected in semiannual installments commencing in 2019 and concluding in 2028 shall be based upon the amortization schedule attached to the levy.

Be It Further Resolved that the City's Department of Community Planning and Economic Development and the City's Department of Financing are authorized and directed to prepare and transmit a certified copy of this Resolution to the Hennepin County Auditor together with the City's 2019 assessment roll.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

**COUNCIL ACTION 2018A-0566**

The Minneapolis City Council hereby approves the following applications for Liquor Licenses, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. DEVIL'S ADVOCATE, 1070 NICOLLET MALL Minneapolis, MN, (Ward 7) submitted by WOLF AND RAVEN LLC, BLLiquor, LIC368000
2. DOUBLETREE HOTEL, 1101 LASALLE AVE Minneapolis, MN, (Ward 7) submitted by HRIL LAKER BEVERAGE LLC, BLAmend, LIC369100
3. EMBASSY SUITES MINNEAPOLIS DOWNTOWN, 12 6TH ST S Minneapolis, MN, (Ward 3) submitted by HRIL LAKER BEVERAGE LLC, BLAmend, LIC369101
4. TINTO KITCHEN, 4959 PENN AVE S Minneapolis, MN, (Ward 13) submitted by TINTO COCINA & CANTINA LLC, BLAmend, LIC367063
5. BLACKBIRD CAFE, 3800 NICOLLET AVE Minneapolis, MN, submitted by TWO BAD DOGS LLC, BLWine, LIC368201

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

**COUNCIL ACTION 2018A-0567**

The Minneapolis City Council hereby approves the following applications for Liquor License renewals, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. UPTOWN LOTUS, 2841 HENNEPIN AVE Minneapolis, MN, (Ward 10) submitted by UPTOWN LOTUS LLC, BLLiquor, LIC355017
2. BARDO, 222 HENNEPIN AVE E Minneapolis, MN, (Ward 3) submitted by PROJECT 127 LLC, BLLiquor, LIC354136
3. BROTHER JUSTUS, 451 TAFT ST NE Minneapolis, MN, submitted by BROTHER JUSTUS WHISKEY CO LLC, BLDistill, LIC361920
4. COPPER POT INDIAN GRILL, 10 5TH ST S Minneapolis, MN, (Ward 3) submitted by TRINITY FOOD CORP, BLLiquor, LIC75865
5. EMBASSY SUITES MINNEAPOLIS DOWNTOWN, 12 6TH ST S Minneapolis, MN, (Ward 3) submitted by HRIL LAKER BEVERAGE LLC, BLLiquor, LIC76396
6. FAIR STATE BREWING, 2506 CENTRAL AVE NE Minneapolis, MN, submitted by FAIR STATE BREWING COOP, BLBrewery, LIC337784
7. FAIR STATE BREWING, 2506 CENTRAL AVE NE Minneapolis, MN, submitted by FAIR STATE BREWING COOP, BLBrewery, LIC337785
8. HAIKU JAPANESE BISTRO, 620 WASHINGTON AVE SE Minneapolis, MN, (Ward 2) submitted by HAIKU JAPANESE DINKYTOWN INC, BLLiquor, LIC365838
9. RAY J'S AMERICAN GRILL, 500 CENTRAL AVE SE Minneapolis, MN, (Ward 3) submitted by RAMEZ ENTERPRISES INC, BLLiquor, LIC76419
10. ROAT OSHA THAI, 3001 HENNEPIN AVE Minneapolis, MN, (Ward 10) submitted by ROAT OSHA LLC, BLLiquor, LIC77558

11. TARGET EXPRESS T3200, 1329 5TH ST SE Minneapolis, MN, (Ward 3) submitted by TARGET CORP, BLBeerOff, LIC74839
12. THE HASTY TASTY, 701 LAKE ST W Minneapolis, MN, (Ward 10) submitted by VZSOLUTIONS LLC, BLLiquor, LIC352630

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

#### **COUNCIL ACTION 2018A-0568**

The Minneapolis City Council hereby approves the following applications for Business Licenses, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. DEVIL'S ADVOCATE, 1070 NICOLLET MALL Minneapolis, MN, (Ward 7) submitted by WOLF AND RAVEN LLC, BLFood, LIC369089
2. BLACKBIRD CAFE, 3800 NICOLLET AVE Minneapolis, MN, (Ward 8) submitted by TWO BAD DOGS LLC, BLFood, LIC368205

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

#### **COUNCIL ACTION 2018A-0569**

The Minneapolis City Council hereby approves the following application for a Business License renewal, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. KIRSCHBAUM KRUPP METAL RECYCLING, 1728 2ND ST N Minneapolis, MN, submitted by KIRSCHBAUM KRUPP METAL RECYCLING LLC, BLGeneral, LIC69955

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

**COUNCIL ACTION 2018A-0570**

The Minneapolis City Council hereby approves the following applications for Gambling Licenses, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. CHURCH OF THE HOLY NAME, 3637 11TH AVE S Minneapolis, MN, submitted by CHURCH OF THE HOLY NAME, BLGeneral, LIC369247
2. OPEN ARMS OF MINNESOTA, 2500 BLOOMINGTON AVE Minneapolis, MN, submitted by OPEN ARMS OF MINNESOTA, BLGeneral, LIC369268
3. WINDOM PTO INC, 3450 IRVING AVE S Minneapolis, MN, submitted by WINDOM PTO INC, BLGeneral, LIC369270
4. WOMENS WINNING, 225 3RD AVE S Minneapolis, MN, submitted by WOMEN WINNING, BLGeneral, LIC369252
5. MINNESOTA BASKET WEAVERS GUILD, 3000 UNIVERSITY AVE SE Minneapolis, MN, submitted by MINNESOTA BASKET WEAVERS GUILD, BLGeneral, LIC369556
6. SECOND HARVEST HEARTLAND, 704 2ND ST S Minneapolis, MN, submitted by SECOND HARVEST HEARTLAND, BLGeneral, LIC369548
7. SS CYRIL & METHODIUS CATHOLIC CHURCH, 1315 2ND ST NE Minneapolis, MN, submitted by SS CYRIL & METHODIUS CATHOLIC CHURCH, BLGeneral, LIC369551
8. THE CHURCH OF THE HOLY CROSS, 1630 4TH ST NE Minneapolis, MN, submitted by THE CHURCH OF THE HOLY CROSS, BLGeneral, LIC369552
9. TWIN CITIES PET RESCUE, 1368 LASALLE AVE Minneapolis, MN, submitted by TWIN CITIES PET RESCUE, BLGeneral, LIC369555

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

**COUNCIL ACTION 2018A-0571**

The Minneapolis City Council hereby approves the following applications for Gambling License renewals, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. EAGLES AERIE #34, submitted by EAGLES AERIE 34, BLGeneral, LIC69163
2. MPLS RIVERVIEW LIONS, submitted by MPLS RIVERVIEW LIONS, BLGeneral, LIC68168
3. THE LYNDALDE TAP HOUSE, 2937 LYNDALDE AVE S Minneapolis, MN, submitted by JAMES BALLENTINE VFW POST #246, BLGeneral, LIC356288

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

**COUNCIL ACTION 2018A-0572**

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement for ABC/B&W/RAINBOW/R&W, submitted by IFA JALETA, 4200 Minnehaha Ave S, BLAmend, LIC369388, allowing the licensee to retain the Taxi Driver License, subject to adherence with the conditions contained therein.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

**COUNCIL ACTION 2018A-0573**

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement for UPTOWN LOTUS, 2841 HENNEPIN AVE Minneapolis, MN, (Ward 10) submitted by UPTOWN LOTUS LLC, BLAmend, LIC369503, allowing the licensee to retain the On Sale Liquor, Class B License, subject to adherence with the conditions contained therein.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

**COUNCIL ACTION 2018A-0574**

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement for GENUINE SPA, 3406 UNIVERSITY AVE SE Minneapolis, MN, submitted by ENHANCED MASSAGE THERAPY LLC, BLAmend, LIC369157, allowing the licensee to retain the Message Establishment License, subject to adherence with the conditions contained therein.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)



**COUNCIL ACTION 2018A-0575**

The Minneapolis City Council hereby approves the reinstatement of the Rental Dwelling Licenses for the properties at 3018 30th Ave S and 3030 29th Ave S, formerly held by Stephen Frenz, to be held by new owner Megan Boulton, based on submittal of an acceptable management plan and verification that said properties are now in compliance with rental licensing standards.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

**COUNCIL ACTION 2018A-0576**

The Minneapolis City Council hereby accepts the next low bidder of Wilson Custom Tree Trimmers, LLC, submitted on Official Publication No. 8535, in the amount of \$90,000, to provide all materials, labor, equipment and incidentals for the cutting and removal of branches, brush, weeds and grass growth in the North Minneapolis District for the City of Minneapolis - Regulatory Services Division, and authorizes a contract for the service, all in accordance with City specifications.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

**COUNCIL ACTION 2018A-0577**

The Minneapolis City Council hereby:

1. Accepts a grant from Minnesota Department of Employment and Economic Development, in the amount of \$250,000, for employment and training services in the public safety sector.
2. Authorizes a contract with Minnesota Department of Employment and Economic Development for the grant.
3. Passage of Resolution 2018R-239 approving appropriation of funds to the Community Planning and Economic Development Department.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

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

**RESOLUTION 2018R-239**  
**By Goodman and Warsame**

**Amending the 2018 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 Department of Community Planning & Economic Development (CPED) appropriation in Grants-State & Local Fund [01600-8900610] by \$250,000, and increasing the CPED revenue estimate in the CPED Grant-State & Local Fund [01600-8900610-321508] by \$250,000.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

**COUNCIL ACTION 2018A-0578**

The Minneapolis City Council hereby:

1. Accepts a grant from Minnesota Department of Employment and Economic Development, in the amount of \$350,000, for employment and training services in the healthcare sector.
2. Authorizes a contract with Minnesota Department of Employment and Economic Development for the grant.
3. Passage of Resolution 2018R-240 approving appropriation of funds to the Community Planning and Economic Development Department.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

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

**RESOLUTION 2018R-240**  
**By Goodman and Warsame**

**Amending the 2018 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 Department of Community Planning & Economic Development (CPED) appropriation in Grants-State & Local Fund [01600-8900610] by \$350,000, and increasing the CPED revenue estimate in the CPED Grant-State & Local Fund [01600-8900610-321508] by \$350,000.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

On behalf of the Economic Development & Regulatory Services Committee, Goodman offered Resolution 2018R-241 authorizing application to the Minnesota Department of Employment and Economic Development [DEED] Redevelopment Grant Program for funding for the following projects: Lake Street Apartments -- Phase 1, 410 W Lake St, 414 W Lake St, 2943 Harriett Ave, and 2945 Harriett Ave; Malcolm Yards Market, 510 30th Ave SE; and Rand Hotel, 527 Marquette Ave.

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

**RESOLUTION 2018R-241**  
**By Goodman and Warsame**

**Authorizing applications to the Minnesota Department of Employment and Economic Development [DEED] Redevelopment Grant Program.**

Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis (City) has approved the following Redevelopment Grant applications to be submitted to the Minnesota Department of Employment and Economic Development (DEED) on or by August 1, 2018: Lake Street Apartments – Phase I, Malcolm Yards Market, and Rand Hotel.

Be It Further Resolved that the City act as the legal sponsor for the projects contained in the Redevelopment Grant applications to be submitted to DEED on or by August 1, 2018 and that the Director of the Department of Community Planning and Economic Development (or his designee) is hereby authorized to apply to DEED for funding of the aforementioned projects on behalf of the City.

Be It Further Resolved that the City has the legal authority to apply for financial assistance, and the institutional, managerial and financial capacity to ensure adequate project administration.

Be It Further Resolved that the sources and amounts of the local matches identified in the applications are committed to the identified projects.

Be It Further Resolved that if a project identified in an application fails to substantially provide the public benefits listed in the application within five years from the date of the grant award, the City may be required to repay 100 percent of the awarded grant per Minn. Stat. § 116J.575, subd. 4.

Be It Further Resolved that the City has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

Be It Further Resolved that upon approval of its applications by the state and acceptance by the City Council, the City of Minneapolis may enter into agreements with the State of Minnesota for the above-referenced projects and the City certifies that it will comply with all applicable laws and regulations as stated in said agreements.

Be It Further Resolved that upon approval of its applications by the state and acceptance by the City Council, the Finance Officer or his designee will be authorized to execute any agreements that may be necessary to implement the projects.

On roll call, the result was:

Ayes: Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Reich, Cunningham (2)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

#### **COUNCIL ACTION 2018A-0579**

The Economic Development & Regulatory Services and Ways & Means Committees sent forward without recommendation a direction to staff to proceed with the Fall 2018 brownfield grant round using guidelines which require affordability for housing projects.

Goodman moved approval of the following amended staff directive:

The Minneapolis City Council hereby directs staff to proceed with the Fall 2018 brownfield grant round using guidelines ~~which~~ that require affordability for housing projects, unless:

1. The City Council approves a waiver of this policy to allow a new market-rate housing project in an area where none has occurred in the three years prior to the submission of that project's brownfield grant pre-application to the City; or
2. The City Council approves a waiver of this policy for any project that has a total combined land value (i.e., the most current assessor's valuations of all parcels involved in the project) that is less than the total projected environmental investigation/cleanup costs required for the project.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted, as amended.

**The HOUSING POLICY & DEVELOPMENT Committee submitted the following reports:**

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2018R-242 approving the sale of the property at 5960 Clinton Ave S (Disposition Parcel No. MH-86), to Wilson Molina for \$45,000, subject to conditions. If Wilson Molina fails to close, approving the sale of property to Jenny Investments LLC for \$45,000, subject to conditions.

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

**RESOLUTION 2018R-242**

**By Gordon**

**Authorizing sale of land Disposition Parcel MH-86, under the Minneapolis Homes Program at 5960 Clinton Ave S.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel MH-86, in the Diamond Lake neighborhood, from Wilson Molina, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel MH-86, from Jenny Investments LLC or an affiliated entity hereinafter known as the Alternate Redeveloper, the Parcel MH-86, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MH-86; 5960 Clinton Ave S: South 60 feet of Lots 27 and 28, except street, Diamond Lake Acres; and

Whereas, the Redeveloper has offered to pay the sum of \$45,000, for Parcel MH-86 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$45,000 for Parcel MH-86 to the City for the land, and the Alternate Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on July 13, 2018, a public hearing on the proposed sale was duly held on July 25, 2018, at the regularly scheduled Housing Policy and Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$45,000 for Parcel MH-86.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper; and 2) payment of holding costs of \$300.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

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

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

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

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2018R-243 approving the sale of the property at 3718 Fremont Ave N, (Disposition Parcel No. MH-85), to Khabir Rasheed for \$1,000, subject to conditions. If Khabir Rasheed fails to close, approving the sale of property Ram Construction for \$1,000, subject to conditions.

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

**RESOLUTION 2018R-243**

**By Gordon**

**Authorizing sale of land Disposition Parcel MH-85, under the Minneapolis Homes Program at 3718 Fremont Ave N.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel MH-85, in the Folwell neighborhood, from Khabir Rasheed, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel MH-85, from Ram Construction & Remodeling or an affiliated entity hereinafter known as the Alternate Redeveloper, the Parcel MH-85, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MH-85; 3718 Fremont Ave N: Lot 20, Block 6, Walton Park; and

Whereas, the Redeveloper has offered to pay the sum of \$1,000 for Parcel MH-85; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$1,000 for Parcel MH-85; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on July 13, 2018, a public hearing on the proposed sale was duly held on July 25, 2018, at the regularly scheduled Housing Policy and Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$1,000 for Parcel MH-85.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment

Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper; and 2) payment of holding costs of \$300.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

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

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

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

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2018R-244 approving the sale of the property at 2916 14th Ave N, (Disposition Parcel No. MH-82), to Shelonda and Compton Alves for \$65,000, subject to conditions. If Shelonda and Compton Alves fail to close, approving the sale of property to Harvest Management Group LLC for \$65,000, subject to conditions.

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



**RESOLUTION 2018R-244**

**By Gordon**

**Authorizing sale of land Disposition Parcel MH-82, under the Minneapolis Homes Program at 2916 14th Ave N.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel MH-82, in the Willard-Hay neighborhood, from Shelonda Marie-Alves and Compton, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel MH-82, from Harvest Management Group LLC or an affiliated entity hereinafter known as the Alternate Redeveloper, the Parcel MH-82, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MH-82; 2916 14th Ave N: Lot 7, Schulz' Washburn Avenue Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$65,000 for Parcel MH-82; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$65,000 for Parcel MH-82; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on July 13, 2018, a public hearing on the proposed sale was duly held on July 25, 2018, at the regularly scheduled Housing Policy and Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$65,000 for Parcel MH-82.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper’s proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper’s proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper; and 2) payment of holding costs of \$300.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

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

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

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

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2018R-245 approving the sale of the property at 3210 Upton Ave N, (Disposition Parcel No. MH-84), to Northside Home LLC for \$60,000, subject to conditions. If Northside Home LLC fails to close, approving sale of property to Wilson Molina for \$60,000, subject to conditions.

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

**RESOLUTION 2018R-245**

**By Gordon**

**Authorizing sale of land Disposition Parcel MH-84, under the Minneapolis Homes Program at 3210 Upton Ave N.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel MH-84, in the Cleveland neighborhood, from Northside Home LLC or an affiliated entity, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel MH-84, from Wilson Molina hereinafter known as the Alternate Redeveloper, the Parcel MH-84, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MH-84; 3210 Upton Ave N: Lot 11, Block 17, Branham and Greenleaf's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$60,000, for Parcel MH-84; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$60,000 for Parcel MH-84; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on July 13, 2018, a public hearing on the proposed sale was duly held on July 25, 2018, at the regularly scheduled Housing Policy and Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$60,000 for Parcel MH-84.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper; and 2) payment of holding costs of \$300.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

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

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

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

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2018R-246 approving the sale of the property at 415 22nd Ave N, (Disposition Parcel No. MH-81), to Pointers Enterprise LLC for \$42,500, subject to conditions. If Pointers Enterprise LLC fails to close, approving sale of property to Tai Hon L.L.C. for \$42,500, subject to conditions.

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

**RESOLUTION 2018R-246**

**By Gordon**

**Authorizing sale of land Disposition Parcel MH-81, under the Minneapolis Homes Program at 415 22nd Ave N.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel MH-81, in the Hawthorne neighborhood, from Pointer Enterprises LLC and or an affiliated entity, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel MH-81, from Tai Home L.L.C. or an affiliated entity hereinafter known as the Alternate Redeveloper,

the Parcel MH-81, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MH-81; 415 22nd Ave N: The East 55.6 feet of Lot 20, Block 2, Reno's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$42,500 for Parcel MH-81; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$42,500 for Parcel MH-81; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on July 13, 2018, a public hearing on the proposed sale was duly held on July 25, 2018, at the regularly scheduled Housing Policy and Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$42,500 for Parcel MH-81.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper;

and 2) payment of holding costs of \$300.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

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

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

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

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2018R-247 approving the sale of the property at 756 Jackson St NE (Disposition Parcel No. VH-687), to Blue Golds Ventures LLC or an affiliated entity for \$20,720, subject to conditions.

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

**RESOLUTION 2018R-247**

**By Gordon**

**Authorizing sale of land Disposition Parcel No. VH-687, under the St. Anthony East Urban Renewal Plan at 756 Jackson St NE.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel VH-687, in the St. Anthony East neighborhood, from Blue Golds Ventures LLC or an affiliated entity, hereinafter known as the Redeveloper, the Parcel VH-687, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of VH-687; 756 Jackson St NE: Lot 1, Block 7, Sibley Addition to St. Anthony; and

Whereas, the Redeveloper has offered to pay the sum of \$20,720 for Parcel VH-687 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

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

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on July 13, 2018, a public hearing on the proposed sale was duly held on July 25, 2018, at the regularly scheduled Housing Policy and Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$20,720 for Parcel VH-687.

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

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

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

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2018R-248 approving the sale of sideyard portion of property at 514 20th Ave S to Jennifer K. Deveney for \$1,000.

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

**RESOLUTION 2018R-248**

**By Gordon**

**Authorizing sale of land under the Cedar-Riverside Urban Renewal Plan at 514 20th Ave S (portion of).**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase a portion of 514 20th Ave S (the Parcel), in the Cedar Riverside neighborhood, from Jennifer K. Deveney, hereinafter known as the Purchaser, the Parcel being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of 514 20th Ave S (portion of): That part of Block 186, Town of Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota, together with that part of vacated 19th Avenue South accruing thereto described as commencing at the northwest corner of said Block 186 thence South 00 degrees 02 minutes 05 seconds West, assumed bearing , along the west line of said Block 186 a distance of 165.40 feet; thence South 89 degrees 56 minutes 05 seconds West 40.00 feet to the west line of the east half of said vacated 19th Avenue South and the point of beginning of the land to be described; thence North 89 degrees 56 minutes 05 seconds East 143.15 feet; thence North 00 degrees 02 minutes 05 seconds East 41.22 feet; thence North 89 degrees 57 minutes 55 seconds West 143.15 feet to said west line of the east half of vacated 19th Avenue South; thence South 00 degrees 02 minutes 05 seconds West, along said west line of the east half, 41.47 feet to the point of beginning; and

Whereas, the Purchaser has offered to pay the sum of \$1,000 for the Parcel, to the City for the land; and

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

Whereas, on May 10, 2018, the City Planning Commission's Committee of the Whole found that the disposition of the Parcel for sideyard space is consistent with the City's Comprehensive Plan; and

Whereas, the City has determined the offer of \$1,000 to purchase the Parcel to be reasonable; and

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

Whereas, the City's Real Estate Disposition Policy provided in Section 2.2.13 for the sale of land for sideyard; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on July 13, 2018, a public hearing on said proposal and proposed sale and the provisions thereof, was duly held on July 25, 2018, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota; and

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

That the re-use value is hereby determined to be the sum of \$1,000.

Be It Further Resolved that the acceptance of the offer and Purchaser's proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan



of economic development in accordance with the City's approved disposition policy and it is further determined that the Purchaser possesses the qualifications and financial resources necessary to acquire and maintain the Parcel in accordance with the contract for the sale of land.

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

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

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2018R-249 approving the sale of sideyard portion of property at 2622 8th St S to Mathew S. Streater for \$1,575.

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

**RESOLUTION 2018R-249**

**By Gordon**

**Authorizing sale of land under the Cedar-Riverside Urban Renewal Plan at 2622 8th St S (portion of).**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase a portion of 2622 8th St S (the Parcel), in the Cedar Riverside neighborhood, from Mathew S. Streater, hereinafter known as the Purchaser, the Parcel being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of; 2622 8th St S (Portion of): The East 15.00 feet of Lot 23 of Rust's Subdivision of Block 15, Murphy's Addition of Minneapolis; and

Whereas, the Purchaser has offered to pay the sum of \$1,575 for the Parcel to the City for the land; and

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

Whereas, on May 10, 2018, the City Planning Commission's Committee of the Whole found that the disposition of the Parcel for sideyard space is consistent with the City's Comprehensive Plan; and

Whereas, the City has determined the offer of \$1,575 to purchase the Parcel to be reasonable; and

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

Whereas, the City's Real Estate Disposition Policy provided in Section 2.2.13 for the sale of land for sideyard; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on July 13, 2018, a public hearing on said proposal and proposed sale and the provisions thereof, was duly held on July 25, 2018, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota; and

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

That the re-use value is hereby determined to be the sum of \$1,575.

Be It Further Resolved that the acceptance of the offer and Purchaser's proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that the Purchaser possesses the qualifications and financial resources necessary to acquire and maintain the Parcel in accordance with the contract for the sale of land.

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

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

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

#### **COUNCIL ACTION 2018A-0580**

The Minneapolis City Council hereby:

1. Passage of Resolution 2018R-250 approving the appropriation of up to \$5,272,131 in loan repayments from Riverside Homes of Minneapolis Limited Partnership for future affordable housing projects through the City's Affordable Housing Trust Fund (AHTF).

2. Authorizes a new 75-year ground lease, through Dec. 31, 2093, with affordability restrictions in conformance with the City's Unified Housing Policy and no lease payment to Riverside Homes II of Minneapolis Limited Partnership for the Riverside Homes affordable housing project.
3. Authorizes approval of a new Community Development Block Grant funded AHTF loan, in an amount not to exceed \$5,112,131, to Riverside Homes II of Minneapolis Limited Partnership for acquisition and long-term preservation of the Riverside Homes affordable housing project.
4. Authorizes execution of all agreements and documents associated with the above actions.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

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

**RESOLUTION 2018R-250**  
**By Warsame and Gordon**

**Amending the 2018 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above titled resolution, as amended, be further amended by increasing the revenue budget in the Development Account (01SDA/8900220/373501) by \$5,272,131, and increasing the appropriation in the Development Account (01SDA/8900220) by \$5,272,131.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0581**

The Minneapolis City Council hereby approves the reallocation of up to \$25,677, in 2017 Emergency Solutions Grant funds for First Covenant Church.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0582**

The Minneapolis City Council hereby:

1. Authorizes staff to continue analysis of the West Broadway Curve-West Building affordable housing proposal at 1808-1920 W Broadway Ave and 2009 Ilion Ave N, to determine if tax increment financing (TIF) is appropriate and justifiable.
2. Authorizes staff to negotiate redevelopment contract terms and conditions and prepare a TIF Plan and any necessary Redevelopment Plan or modifications for the project. All terms and conditions, plans, and other provisions would be subject to further City Council review.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0583**

The Minneapolis City Council hereby approves an extension of the exclusive development rights to Pinnacle Management, LLC for a period not to exceed 24 months on three City-owned parcels at 1830 and 1832 Bryant Ave N and 817 1/2 W Broadway Ave.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2018R-251 granting approval for the Hennepin County Housing and Redevelopment Authority (HRA) to provide financial assistance from the 2018 Affordable Housing Incentive Fund to nine projects as follows: Minnehaha Commons, 3001 E Lake St; Minnehaha Townhomes, 5348, 5364 & 5368 Riverview Rd; Park 7, 714 Park Ave, 615 S 7th St; PERIS Development, 1930 Hennepin Ave S; 410 Lake Street, 410 W Lake St; Maya Commons, 1220 Brook Ave SE; Mino-bimaadiziwin, 2015, 2109 & 2113 Cedar Ave; Penn Avenue Union, 2200 Golden Valley Rd; and Sabathani Senior Housing, 310 E 38th St.

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

**RESOLUTION 2018R-251**

**By Gordon**

**Granting approval for the Hennepin County Housing and Redevelopment Authority to provide financial assistance to affordable housing projects located in the City of Minneapolis under the Minnesota Housing and Redevelopment Authorities Act and Minnesota Statutes, Section 383B.77.**

Whereas, representatives of the Hennepin County Housing and Redevelopment Authority (the “County HRA”) have advised the City of Minneapolis, Department of Community Planning and Economic

Development that the County HRA proposes to provide financial assistance from Hennepin County's Affordable Housing Incentive Fund to the Lake Street Apartments, Maya Commons, Minnehaha Commons, Minnehaha Townhomes, Mino-Bimaadiziwin, Park 7, Penn Avenue Union, PERIS Development, and Sabathani Senior Housing projects in Minneapolis, Minnesota (the "Projects"); and

Whereas, pursuant to Minnesota Statutes, Section 383B.77, subd. 3, the City must approve any project by the County HRA in the City of Minneapolis before it is undertaken by the County HRA;

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

That, as required by Minnesota Statutes, Section 383B.77, subd. 3, and pursuant to Minnesota Statutes, Section 469.005, the City Council hereby approves the County HRA exercising its powers in the City for the limited purpose of providing financial support to the Projects in the City, which Projects have requested, or may hereafter request, financial assistance from the County HRA.

Be It Further Resolved that nothing in this resolution shall create a pecuniary obligation of the City to assist the Projects, nor shall the City be in any way responsible for any financing obligation or agreement of the County HRA with respect to its provision of financial assistance to the Projects.

Be It Further Resolved that the request made hereunder extends only to the powers of the County HRA with respect to the financial assistance the County HRA proposes to provide to the Projects, and the City shall retain all other powers and jurisdiction over matters relating to the City and the Projects.

Be It Further Resolved that nothing in this resolution is intended to endorse the merits of the Projects to be undertaken.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

#### **COUNCIL ACTION 2018A-0584**

The Minneapolis City Council hereby:

1. Authorizes a one-year basic service agreement with Mid-Minnesota Legal Aid to provide legal representation to low-income Minneapolis tenants, who ask their landlords to make needed repairs to their rental properties in compliance with state law and local ordinances, in an amount not to exceed \$150,000 per year.
2. Authorizes an extension to the contract for a period of four, one-year terms at a rate not to exceed \$150,000 per year, based on approved funding and performance satisfactory to City staff.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0585**

The Minneapolis City Council hereby:

1. Approves the Emergency Stabilization Pilot Program Guidelines and the use of \$2,000,000 to fund the program.
2. Passage of Resolution 2018R-252 approving appropriation of \$917,895 of program income generated through the Community Development Block Grant (CDBG) program.
3. Authorizes a three-year contract with Urban Homeworks in an amount not to exceed \$100,000, as described in this report to act as the administrator of the Emergency Stabilization Pilot Program.
4. Authorizes the Department of Community Planning & Economic Development Director to modify program guidelines to add or remove neighborhoods where properties may be acquired for the program and authorize exceptions to the minimum household size criteria for applicants.

On motion by Ellison, item 1 was amended to approve amended Emergency Stabilization Pilot Program Guidelines, as set forth in Legislative File No. 2018-00876; and

The following staff directive was added: "Directing staff to research options to establish an escrow for Emergency Stabilization Pilot Program tenants that could be utilized as future down-payment assistance for home purchase or used to offset rental increases, for implementation in the second year of the program or sooner."

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted, as amended.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

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

**RESOLUTION 2018R-252  
By Warsame and Gordon**

**Amending The 2018 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 department of Community Planning and Economic Development (CPED) appropriation in Federal Fund (01400-8900230) by \$917,895, and increasing the CPED revenue estimate in the Federal Fund (01400-8900900-321008) by \$917,895.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

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

On behalf of the Intergovernmental Relations Committee, Johnson offered for transmittal to the Charter Commission the following proposed amendment by ordinance, to be submitted to the voters at the November 6, 2018, Gubernatorial General Election, to amend Article VII, Section 7.3 of the City Charter relating to Administration: Police, pertaining to the authority of the Mayor to establish, maintain, and command the Police Department, and giving the Mayor and City Council shared authority over the Police Department; and the Public Safety & Emergency Management Committee sent forward without recommendation the following proposed Charter amendment.

**ORDINANCE**

**By Gordon**

**Amending Article VII, Section 7.3 of the Minneapolis City Charter relating to Administration: Police, to be submitted to the voters at the November 6, 2018, Gubernatorial General Election, providing for the Mayor and City Council to have and exercise joint responsibility for the establishment, maintenance, and command the Police Department.**

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

Section 1. That Article VII, §7.3 of the Minneapolis City Charter be amended to read as follows:

**§ 7.3. Police.**

(a) **Police department.** The Mayor has ~~complete power~~ executive authority over the ~~establishment, maintenance, and command of the~~ police department. The Mayor may make ~~all rules and regulations and may promulgate~~ and enforce general and special orders necessary to operating the police department. The City Council has the authority to adopt policies, rules and regulations of the police department, subject to approval of the Mayor as defined in section 4.4(c). Except where the law vests an appointment in the department itself, the Mayor appoints and may discipline or discharge any employee in the department (subject to the Civil Service Commission's rules, in the case of an employee in the classified service).

**(1) Police chief.**

(A) **Appointment.** The Mayor nominates and the City Council appoints a police chief under section 8.4(b).

(B) **Term.** The chief's term is three years.

(C) **Civil service.** The chief serves in the unclassified service, but with the same employee benefits (except as to hiring and removal) as an officer in the classified service. If a chief is appointed from the classified service, then he or she is treated as taking a leave of absence while serving as chief, after which he or she

is entitled to return to his or her permanent grade in the classified service. If no vacancy is available in that grade, then the least senior employee so classified returns to his or her grade before being so classified.

(D) **Public health.** The chief must execute the City Council's orders relating to the preservation of health.

(2) (b) **Police officers.** Each peace officer appointed in the police department must be licensed as required by law. Each such licensed officer may exercise any lawful power that a peace officer enjoys at common law or by general or special law, and may execute a warrant anywhere in the county.

(b) (c) **Temporary police.** The Mayor may, in case of riot or other emergency, appoint any necessary temporary police officer for up to one week. Each such officer must be a licensed peace officer.

(c) (d) **Funding.** The City Council must fund a police force of at least 0.0017 employees per resident, and provide for those employees' compensation, for which purpose it may tax the taxable property in the City up to 0.3 percent of its value annually. This tax is in addition to any other tax, and not subject to the maximum set under section 9.3(a)(4).

Section 2. That the proposed amendment related to the establishment, maintenance, and command of the Police Department be submitted to the qualified voters of the City for adoption or rejection at the 2018 Gubernatorial General Election to be held November 6, 2018, and that notice of such submission be given by the City Clerk by publication of such notice and amendment, in full, once a week for two successive weeks prior to November 6, 2018, in the *Star Tribune*, a newspaper of general circulation in the City of Minneapolis, and in *Finance and Commerce*, the official newspaper of the City of Minneapolis.

In submitting the proposed amendment for adoption or rejection by the qualified voters, the title and language of the question shall be presented as follows:

**“The Police Department**

Shall the Minneapolis City Charter be amended to remove from the Mayor complete power over the establishment, maintenance, and command of the police department, and to provide instead that such power over the police department be shared between the Mayor and City Council, as provided for other charter departments.

Yes \_\_\_\_\_

No \_\_\_\_\_”

Fletcher moved to amend Section 7.3(a) of the proposed charter amendment to read as follows:  
§ 7.3. **Police.**

(a) **Police department.** The Mayor has ~~complete~~ executive power over the establishment, maintenance, and command of the police department. The Mayor may make ~~all~~ rules and regulations and may promulgate and enforce general and special orders necessary to operating the police department. Except where the law vests an appointment in the department itself, the Mayor appoints and may discipline or discharge any employee in the department (subject to the Civil Service Commission's rules, in the case of an employee in the classified service). Notwithstanding the foregoing, the City Council may make rules



and regulations of the police department subject to the Mayor’s signature or veto as provided in section 4.4(c).

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Jenkins, Cano, Schroeder, Johnson, President Bender (9)

Noes: Warsame, Goodman, Palmisano (3)

Absent: Reich (1)

Adopted.

Johnson moved to transmit the ordinance, as amended, to the Charter Commission.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Schroeder, Johnson, President Bender (7)

Noes: Warsame, Goodman, Jenkins, Cano, Palmisano (5)

Absent: Reich (1)

Adopted.

#### **COUNCIL ACTION 2018A-0586**

Directing the City Attorney to provide a legal analysis of the existing provisions of the City Charter and applicable state laws and regulations related to the Minneapolis Police Department and to share these findings in the form of a legal memo to the Council and Mayor no later than August 9, 2018:

1. The distinguishing characteristics of legislative versus executive power as those terms pertain to the authority, roles and responsibilities, and general scope of duties for the City Council and the Mayor for the general administration of the City enterprise; this should include an explanation of the nature of the existing shared authority between the City Council and the Mayor with respect to the Police Department.
2. The impact of applicable state laws or regulations which would restrict or otherwise effect the authority of the Mayor and/or City Council with respect to oversight and administration of the Police Department.
3. The nature of the authority the City Council currently holds with respect to the Police Department, separate from that which is provided in the City Charter for the Mayor.
4. The authority the Mayor may have with respect to the Police Department, separate from that which is provided in the City Charter for the City Council.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

On behalf of the Intergovernmental Relations Committee, Johnson offered Resolution 2018R-253 adopting title and ballot language pertaining to a proposed amendment to the Minneapolis City Charter relating to the area and spacing restrictions pertaining to the sale of liquor, to be submitted to the qualified voters of the City of Minneapolis at the Gubernatorial General Election on November 6, 2018.

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

**RESOLUTION 2018R-253**

**By Johnson**

**Adopting title and ballot language pertaining to a proposed amendment to the Minneapolis City Charter relating to the area and spacing restrictions pertaining to the sale of liquor, to be submitted to the qualified voters of the City of Minneapolis at the Gubernatorial General Election on November 6, 2018.**

Whereas, on July 11, 2018, the Minneapolis Charter Commission, after having conducted a public hearing on the same, did authorize the submission of an amendment to the City Charter relating to the area and spacing restrictions pertaining to the sale of liquor; and

Whereas, the proposed amendment submitted by the Charter Commission would, if approved, amend Article IV, Section 4.1(f) of the Minneapolis City Charter relating to City Council: Function, as follows:

**§ 4.1. - Function.**

(f) **Liquor licenses.** Subject to any other applicable law, the Council may grant a license for the sale of liquor.

(1) **Zoning.** The Council may grant a liquor license only in an area zoned for commercial or industrial use, not for residence or office use.

~~(A) **Off-site consumption.** If the liquor will not be used or consumed on the premises, then the area for which the license is granted must contain at least five acres.~~

~~(B) **On-site consumption.** If the liquor will be consumed on the premises, then—~~

~~(i) the area for which the license is granted must contain at least seven acres, and~~

~~(ii) the licensed business must, according to standards that the Council establishes by ordinance—~~

~~(I) derive a substantial part of its income from selling food for consumption on the premises, and~~

~~(II) provide adequate facilities for food to be consumed on the premises.~~

~~(C) **Calculating acreage.** The acreage required under this section 4.1(f)(1) includes any contiguous area in which any applicable ordinance permits the sale of liquor.~~

~~(D) **Continuing eligibility.** The Council may grant a liquor license without regard to this section 4.1(f)(1)'s requirements for acreage or food consumption if—~~

~~(i) the charter or any other applicable law permitted such a license as of November 1, 1974, or~~

~~(ii) the licensed site's latest use included the sale of liquor under such a license.~~

(2) **Wine licenses.** The Council may grant a license for the on-sale of wine, which may include the on-sale of intoxicating malt beverages, to a restaurant which otherwise qualifies for the license under each applicable law or ordinance.

(3) **On-site consumption.** The Council must by ordinance establish standards for a restaurant holding a liquor license ~~in areas smaller than seven acres.~~

(4) **Other limits.** The Council may by ordinance impose additional limits on granting a liquor license.

(5) **Other laws and ordinances apply.** All laws and ordinances that otherwise apply to a licensed site remain applicable after the Council has granted a liquor license.; and

Whereas, the Charter Commission transmitted that proposed amendment to the City Council, the subject of which was referred to its standing committee on Intergovernmental Relations on July 20, 2018; and

Whereas, the Intergovernmental Relations Committee considered the proposed amendment and prepared recommended ballot language to submit the question to the qualified voters of the City of Minneapolis pursuant to Minnesota Statutes Section 410.12, Subdivision 4;

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

That the proposed amendment relating to the area and spacing restrictions pertaining to the sale of liquor be submitted to the qualified voters of the City for adoption or rejection at the 2018 Gubernatorial General Election to be held November 6, 2018, and that notice of such submission be given by the City Clerk by publication of such notice and amendment, in full, once a week for two successive weeks prior to November 6, 2018, in the *Star Tribune*, a newspaper of general circulation in the City of Minneapolis, and in *Finance and Commerce*, the official newspaper of the City of Minneapolis.

Be It Further Resolved that in submitting the proposed amendment for adoption or rejection by the qualified voters, the title and language of the question shall be presented as follows:

**"Remove Area and Spacing Requirements for Liquor Licenses**

Shall the Minneapolis City Charter be amended to remove from the City Charter the area and spacing requirements pertaining to liquor licenses?

Yes \_\_\_\_\_

No \_\_\_\_\_ "

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**The PUBLIC HEALTH, ENVIRONMENT, CIVIL RIGHTS & ENGAGEMENT Committee submitted the following reports:**

**COUNCIL ACTION 2018A-0587**

The Minneapolis City Council hereby:

1. Authorizes a contract with Peace by Piece, LLC, in the amount of \$6,000, for youth violence prevention and organizational capacity building under the 2018 Blueprint Approved Institute.
2. Authorizes a waiver of the City's general liability insurance requirement for the contract with Peace by Piece, LLC.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

#### **COUNCIL ACTION 2018A-0588**

The Minneapolis City Council hereby:

1. Authorizes acceptance of a grant from Washburn Center for Children in the amount of \$300,000 (\$60,000 annually for up to five years) to address youth mental health needs at the Health Department's School Based Clinics.
2. Authorizes an agreement with Washburn Center for Children for the grant.
3. Passage of Resolution 2018R-254 appropriating funds to the Health Department.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

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

#### **RESOLUTION 2018R-254 By Warsame and Cano**

##### **Amending The 2018 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 in the Grants-Foundation Fund (01600-8600152) by \$300,000 and increasing the revenue estimate (01600-8600152-Revenue Code 372001) by \$300,000.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0589**

The Minneapolis City Council hereby directs Sustainability staff to work with other departments, including Regulatory Services, Health, and Community Planning and Economic Development, on a comprehensive set of energy disclosure proposals for residential buildings in Minneapolis.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**The PUBLIC SAFETY & EMERGENCY MANAGEMENT Committee submitted the following reports:**

On behalf of the Public Safety & Emergency Management Committee, Cano offered Resolution 2018R-255 accepting a donation from Annie E. Casey Foundation for travel related expenses for Chief Arradondo to attend the Juvenile Detention Alternatives Initiative (JDAI) Deep End Inter-Site Conference in St. Louis, MO from September 5-7, 2018.

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

**RESOLUTION 2018R-255**

**By Cano**

**Accepting a donation of travel related expenses for Chief Arradondo.**

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

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

Name of Donor - Annie E. Casey Foundation

Gift - Travel, local transportation, accommodations, meals and other necessities while in attendance

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

Whereas, all such donations have been contributed to assist the city in travel related expenses for Minneapolis Police Chief Medaria Arradondo to attend the Juvenile Detention Alternatives Initiative (JDAI) Deep End Inter-Site Conference in St. Louis, MO from September 5-7, 2018, as allowed by law; 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 hereby accepted and shall be used for travel related expenses for Minneapolis Police Chief Medaria Arradondo.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0590**

The Minneapolis City Council hereby authorizes a revenue agreement for up to \$100,000 with the Minnesota Timberwolves for the Minneapolis Police Department (MPD) to provide two (2) Bomb Unit technicians and one (1) Police Officer K-9 handler, for bomb detection security services at Target Center during approximately fifty-five (55) large scale events.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0591**

The Minneapolis City Council hereby authorizes a contract with Tetra Tech, Inc. in an amount not-to-exceed \$96,026.59, for the period ending June 1, 2019, to provide a comprehensive Emergency Operations Center exercise design and implementation plan, as well after-action review development services.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0592**

The Minneapolis City Council hereby authorizes a revenue agreement for up to \$75,000 with SMG for the City of Minneapolis Police Department (MPD) to provide law enforcement equipment for MPD officers in the neighborhoods adjacent to US Bank Stadium for up to twenty-five (25) large scale events from July 1, 2018 - June 30, 2019.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0593**

The Minneapolis City Council hereby authorizes a revenue agreement with the Minneapolis Public Housing Authority (MPHA) in an amount not-to-exceed \$54,412.50, for a Minneapolis Police Department (MPD) sergeant to participate in the federally funded "Section 8 Housing Choice Voucher Program" (the "Section 8 Program") administered by the MPHA from July 4, 2018 - July 3, 2019.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

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

**COUNCIL ACTION 2018A-0594**

The Minneapolis City Council hereby authorizes a cooperative agreement with the Minnesota Department of Transportation (MnDOT), to accept up to \$5,000 in funding from the MnDOT Community Roadside Landscaping Partnership Program, for landscaping improvements within the northeast corner of interstate right-of-way at the Highway 77 and Highway 62 interchange to be installed and maintained by the Nokomis East Neighborhood Association (NENA).

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

**COUNCIL ACTION 2018A-0595**

The Minneapolis City Council hereby authorizes execution of a Minnesota Department of Transportation (MnDOT) Miscellaneous Work on Trunk Highway Right-of-Way Permit to complete portions of the 28th Ave S Street Reconstruction Project No. 6761 located within MnDOT right-of-way.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0596**

The Minneapolis City Council hereby authorizes an increase to Contract No. C-43009 with NAC Mechanical & Electrical Services, in the amount of \$8,997 for a total amount not to exceed \$170,997, for upgrading old condensing equipment in the Haaf Parking Ramp.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0597**

The Minneapolis City Council hereby authorizes an increase to Contract No. C-42621 with Magney Construction Company, in the amount of \$86,006.76 for a new estimated contract value of \$925,651.76, for change orders to complete the construction of the Nicollet Island Pumping Station.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0598**

The Minneapolis City Council hereby authorizes an increase to Contract No. C-43588 with Insituform USA, in the amount of \$5,715.50 for a total amount not to exceed \$978,216.50, for the removal of concrete from the sewer.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2018R-256 directing the Hennepin County Auditor to cancel the special assessments for water service line repair improvements for the payable 2018 and subsequent years' tax files for the properties located at 4949 17th Ave S and 3408 17th Ave S.

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

**RESOLUTION 2018R-256**

**By Reich**

**Directing the Hennepin County Auditor to cancel the special assessments for water service line repair improvements for the payable 2018 and subsequent years' tax files described hereinafter.**

Whereas, in accordance with Minneapolis City Charter, Article IX, the City Council of the City of Minneapolis passed resolutions in 2017 adopting the assessment rolls as prepared by the City Engineer and ordered the transmittal of certified copies of the assessment rolls to the Hennepin County Auditor for collection to begin on the 2018 real estate tax statements; and



Whereas, the City of Minneapolis and CenterPoint Energy determined that the cost should be borne by CenterPoint Energy rather than assessed to the property;

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

That pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6(c)(4)(C), the Hennepin County Auditor is hereby directed to cancel the following levied five-year term special assessments from 2018 and subsequent years' tax statements:

LEVY	PROJECT	PROPERTY ID	PROPERTY ADDRESS	ORIGINAL AMOUNT
01028	18WTR	14-028-24-14-0007	4949 17th Ave S	\$3900.00
01028	18WTR	02-028-24-41-0004	3408 17th Ave	\$5550.00.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

#### **COUNCIL ACTION 2018A-0599**

The Minneapolis City Council hereby authorizes the issuance of a Request for Proposals (RFP) for the production of construction plans and specifications for the Central City Parallel Stormwater Tunnel.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

#### **COUNCIL ACTION 2018A-0600**

The Minneapolis City Council hereby authorizes the execution of an easement with the owner of the property located at 5052 Upton Ave N, acquiring temporary (construction) easements in conjunction with the Upton/Vincent/51st Ave N Sanitary Reconstruction Project.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2018R-257 authorizing execution of a Limited Use Permit with the Minnesota Department of Transportation to construct a new trail segment within the right-of-way of Trunk Highway 55 between E 28th St and E 32nd St.

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

**RESOLUTION 2018R-257**

**By Reich**

**Authorizing execution of a Limited Use Permit with the Minnesota Department of Transportation to construct a new trail segment within the right-of-way of Trunk Highway 55 between E 28th St and E 32nd St.**

Whereas, the City of Minneapolis is a political subdivision, organized and existing under the laws of the State of Minnesota; and

Whereas, the City Council of the City of Minneapolis has approved a plan to construct a pedestrian and bicycle trail in the right-of-way of Trunk Highway 55 to promote the safe and orderly movement of pedestrians and bicycles along the highway; and

Whereas, the new trail will mitigate the loss of the multi-use trail on the west side of Hiawatha due to the Hiawatha Light Rail Project; and

Whereas, the State of Minnesota, Department of Transportation, requires a Limited Use Permit for the construction, operation, and maintenance of said pedestrian and bicycle trail;

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

That the City Council of the City of Minneapolis hereby enters into a Limited Use Permit with the State of Minnesota, Department of Transportation, for the following purposes:

To construct, operate, and maintain a pedestrian and bicycle trail within the right-of-way of Trunk Highway 55 of the State of Minnesota between E 28th St and E 32nd St. The City of Minneapolis shall construct, operate, and maintain said trail in accordance with the Limited Use Permit granted by the Minnesota Department of Transportation.

Be It Further Resolved that the City Council and the Mayor are authorized to execute the Limited Use Permit and any amendments to the Permit.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

**COUNCIL ACTION 2018A-0601**

The Minneapolis City Council hereby approves the layout for the reconstruction of the 28th Ave S Bridge over Minnehaha Creek Project (Municipal State Aid Route MSAS 431) (CBR123) as further set forth in Legislative File No. 2018-00882.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0602**

The Minneapolis City Council hereby authorizes the acceptance of the sole bid of Sir Lines-A-Lot, submitted on Official Publication No. 8591, in the amount of \$169,155, to provide all materials, labor, equipment, and incidentals for the Minneapolis Bicycle Safety Improvements Project for the Minneapolis Public Works Department, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0603**

The Minneapolis City Council hereby authorizes the acceptance of the low bid of Lametti & Sons, Inc., submitted on Official Publication No. 8580, in the amount of \$237,675, to provide all materials, labor, equipment, and incidentals for the construction of the Minnehaha Ave Sanitary Sewer Replacement Project for the Minneapolis Public Works Department, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0604**

The Minneapolis City Council hereby authorizes the acceptance of the low bid of Redzone Robotics, Inc., submitted on Official Publication No. 8587, in the amount of \$370,667, to provide all materials, labor, equipment, and incidentals for the Large Diameter Sanitary Sewer System Inspection Project - Phase 1 for the Minneapolis Public Works Department, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0605**

The Minneapolis City Council hereby authorizes the acceptance of the sole bid of Fer-Pal Construction USA, LLC, submitted on Official Publication No. 8589, in the amount of \$1,152,629, to provide all materials, labor, equipment, and incidentals for the structural lining of water mains for the Minneapolis Public Works Department, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0606**

The Minneapolis City Council hereby authorizes the acceptance of the second low bid of States Manufacturing Corporation, submitted on Official Publication No. 8578, in the amount of \$406,400, to provide all materials, labor, equipment, and incidentals to furnish, deliver, and install outdoor electrical switchgear for the Minneapolis Public Works Department, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0607**

The Minneapolis City Council hereby authorizes the acceptance of the low bid of Rachel Contracting, Inc., submitted on Official Publication No. 8594, in the amount of \$177,067, to provide all materials, labor, equipment, and incidentals for the excavation, hauling, and disposal of contaminated soils for the Minneapolis Public Works Department, and authorizes a contract for the service, all in accordance with City specifications.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

Approved by Mayor Jacob Frey 8/6/2018.

(Published 8/7/2018)

**COUNCIL ACTION 2018A-0608**

The Minneapolis City Council hereby authorizes a license agreement with one or more applicants for shared motorized foot scooter operations as part of a pilot program through Nov 30, 2018, as further set forth in Legislative File No. 2018-00883.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)  
 Absent: Reich (1)  
 Adopted.  
 Approved by Mayor Jacob Frey 8/6/2018.  
 (Published 8/7/2018)

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

On behalf of the Ways & Means Committee, Warsame offered Resolution 2018R-258 accepting 2nd Quarter 2018 donations made to the City of Minneapolis valued under \$15,000.

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

**RESOLUTION 2018R-258**  
**By Warsame**

**Accepting 2nd Quarter 2018 donations made to the City of Minneapolis valued under \$15,000.**

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

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

**2nd Quarter 2018 Donations Under \$15,000**

<u>Name of Recipient Department</u>	<u>Name of Entity Making Donation</u>	<u>Description of Donation</u>	<u>Total</u>
Minneapolis Police K9 Unit	Minneapolis K9 Foundation	Cash	\$5,000.00
City Clerk	New York City Charter Commission	Travel Reimbursement	N/A
Minneapolis Animal Care & Control	Various individuals	Cash	4,047.81
Minneapolis Animal Care & Control	Various individuals	In-kind	N/A
Finance & Property Service	Northern Bedrock Historic Preservation Corps	Friends of the Cemetery Cleanup Headstone	9,600.00
Human Services	Minneasotajobs.com The Recruiting Media Company	4 months of ads at Excel Energy Center	2,400.00
<b>TOTAL</b>			<b>\$ 21,047.81</b>

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

Whereas, all such donations have been contributed to assist the city in providing funding for the various listed departments operations, as allowed by law; 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 hereby accepted and shall be used for public purposes.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

#### **COUNCIL ACTION 2018A-0609**

The Minneapolis City Council hereby authorizes the City of Minneapolis to act as the local government partner in the two following applications to the National Endowment of the Arts (NEA) Our Town program:

1. Artspace Projects, Inc. for Northside Artspace Lofts in the amount of \$200,000, and
2. West Bank Business Association for Creative Placemaking on Cedar Avenue in the amount of \$200,000.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

#### **COUNCIL ACTION 2018A-0610**

The Minneapolis City Council hereby authorizes a contract with CultureBrokers in an amount not-to-exceed \$150,000, through March 31, 2019, to provide facilitation, strategic planning, project management, community engagement, and racial equity planning services to lead the City of Minneapolis through a 4-month racial equity-informed strategic planning process that will guide the work of the City over the next four years.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0611**

The Minneapolis City Council hereby authorizes a licensing agreement with the Minneapolis Public Schools for a work of public art to be installed on the property of Nellie Stone Johnson School in conjunction with the 26th Ave N Public Art Project.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0612**

The Minneapolis City Council hereby authorizes the City to join the local government amicus brief opposing the Trump Administration and in support of the Plaintiffs in Planned Parenthood of Wisconsin, et al v. Alex M. Azar, et al., and authorizes the City Attorney's Office to take all steps necessary to join in support of this amicus brief.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

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

**COUNCIL ACTION 2018A-0613**

The Minneapolis City Council hereby grants in part and denies in part an appeal submitted by Doran Calhoun, LLC regarding the decision of the City Planning Commission (PLAN4420) denying the appeal of the decision of the Director of Surface Water & Sewers' determination that the proposed project at 3200 Lake St W is able to comply with on-site stormwater management requirement standards and is not eligible for participation in off-site stormwater management (payment in lieu), subject to the condition that the applicant shall manage stormwater onsite by installing a green roof or by another option approved by staff.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

**COUNCIL ACTION 2018A-0614**

The Minneapolis City Council hereby denies an appeal submitted by Amanda Tempel regarding the decisions of the City Planning Commission approving the following land use applications (PLAN6416) to allow a new five-story mixed-use building located at 1717 Central Ave NE, and adopts staff findings as originally prepared by the Department of Community Planning & Economic Development:

1. Conditional use permit to increase the maximum building height.
2. Variance to increase the maximum floor area ratio.
3. Site plan review for a new five-story mixed-use building with 78 dwelling units and 13,000 square feet of commercial space.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

Gordon moved to postpone the appeal submitted by Eric Amel and Gayla Lindt regarding the decisions of the City Planning Commission approving land use applications (PLAN6619) to allow a planned unit development for a new 14-story mixed-use building with 208 dwelling units and 34,000 square feet of commercial space on the property located at 3326, 3338, and 3350 University Ave SE.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

Gordon moved to postpone the appeal submitted by Trina Porte regarding the decisions of the City Planning Commission approving land use applications (PLAN6619) to allow a planned unit development for a new 14-story mixed-use building with 208 dwelling units and 34,000 square feet of commercial space on the property located at 3326, 3338, and 3350 University Ave SE.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

Gordon moved to postpone the application submitted by Ari Parritz to rezone (PLAN6619) the properties located at 3326, 3338, and 3350 University Ave SE from the C1 Neighborhood Commercial District to the C3A Community Activity Center District to construct a new 14-story mixed-use building with 208 dwelling units and approximately 34,000 square feet of commercial space.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.



**COUNCIL ACTION 2018A-0615**

The Minneapolis City Council hereby directs staff to work with the Historic Preservation Commission to review how PLAN6619 and future development in the area may impact the viewshed from and to the Prospect Park Witch's Hat Tower, and to determine if such viewsheds are worthy of protection and how that might be accomplished.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

Schroeder offered Ordinance 2018-035 amending Title 20, Chapters 520, 543, and 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions, On-Premises Signs, and Overlay Districts, amending regulations related to signs.

On motion by Gordon, Section 543.370 (d)(1) and (d)(2) of the ordinance was amended to read as follows:

**543.370. Temporary signs.**

(d) *Additional temporary signs.* One additional temporary sign may be located on a property when:

(1) The owner consents and that property is being offered for sale or lease through a licensed real estate agent. In residence and OR1 districts, the sign shall not exceed eight (8) square feet in area and shall be freestanding. In all other districts, the sign shall not exceed thirty-two (32) square feet in area. Freestanding temporary signs shall not exceed six (6) feet in height. Temporary signs attached to walls shall comply with the maximum height of the applicable zoning district.

(2) If not offered for sale or lease through a real estate agent, when the sign is owned by the property owner and that property is offered for sale or lease by the owner through advertising in a local newspaper of general circulation. In residence and OR1 districts, the sign shall not exceed eight (8) square feet in area and shall be freestanding. In all other districts, the sign shall not exceed thirty-two (32) square feet in area. Freestanding temporary signs shall not exceed six (6) feet in height. Temporary signs attached to walls shall comply with the maximum height of the applicable zoning district.

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

**ORDINANCE 2018-035**  
**By Johnson, Reich, and Gordon**  
**Intro & 1st Reading: 2/9/2018 & 6/15/2018**  
**Ref to: ZP**  
**2nd Reading: 8/3/2018**

**Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code.**

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

Section 1. That Section 520.160 contained in Chapter 520, Introductory Provisions, be amended by adding thereto the following definitions for "Commercial speech" and "Non-commercial speech" in alphabetical sequence to read as follows:

**520.160. - Definitions.** Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

Commercial speech. Speech advertising a business, profession, commodity, service or entertainment.

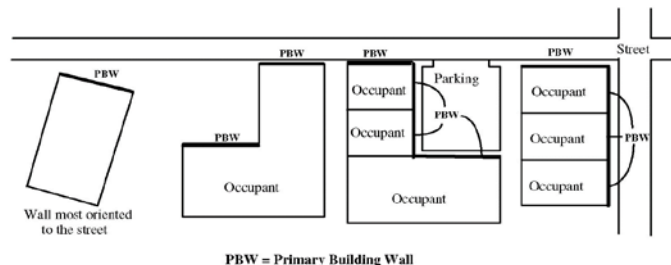
Non-commercial speech. Dissemination of messages not classified as commercial speech which include, but are not limited to, messages concerning political, religious, social, ideological, public service and informational topics.

Section 2. That the definitions for "Mural" and "Primary building wall" contained in Section 520.160 of Chapter 520, Introductory Provisions, be amended to read as follows:

**520.160. - Definitions.** Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

Mural. ~~A work of graphic art painted on a building wall, which contains no commercial advertising or logos, and which does not serve to advertise or promote any business, product, activity, service, interest or entertainment.~~ A hand-painted, hand-tiled, or digitally printed work of visual art that is either affixed to or painted directly on the exterior wall of a structure with the permission of the property owner. A mural does not include displays with electrical or mechanical components or a changing image art display.

Primary building wall. For the purpose of applying on-premises sign regulations, a primary building wall is an exterior building wall that faces a street or public pathway, or an exterior building wall that faces an on-site accessory parking area. When the exterior building walls are not parallel to a street, they shall be assigned to the street frontage to which they are most oriented.



Section 3. That the definition for "Sign" (including sign sub-definitions) contained in Section 520.160 of Chapter 520, Introductory Provisions, be amended to read as follows:

**520.160. - Definitions.** Unless otherwise expressly stated, or unless the context clearly indicates a

different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

*Sign.* A structure, fixture, placard, announcement, declaration, image, device, demonstration, logo or insignia used for direction, information, identification, attraction, or to advertise or promote any business, product, activity, service, interest or entertainment.

*Animated sign.* A sign with a progression of frames which give the illusion of motion, moving objects, moving patterns or bands of lights and shapes; or that gives the visual impression of movement.

~~*Auxiliary sign.* A sign that has a purpose secondary to the use of the lot on which it is located, such as "telephone," "drive through," "cash machine," "air," "entrance," "exit," parking restrictions, security warnings or similar directives.~~

*Awning sign.* A sign printed on or in some fashion attached directly to an awning.

*Back-to-back sign.* A sign structure with two (2) sign faces oriented in opposite directions and spread not more than two (2) feet apart.

*Balloon sign.* A sign consisting of a bag or similar device made of lightweight material supported by helium, hot, or pressurized air, which is greater than eighteen (18) inches in diameter.

*Building sign.* A sign attached to a building, including but not limited to an awning, canopy, or marquee, wall, projecting or window sign.

*Canopy sign.* A sign printed on or in some fashion attached directly to a canopy.

*Changeable copy sign, dynamic.* A sign or portion thereof with letters or numbers only that can be electronically changed or rearranged without altering the face or the surface of the sign.

*Changeable copy sign, manual.* A sign or portion thereof with letters or numbers only that can be manually changed or rearranged without altering the face or the surface of the sign.

*Dynamic sign.* A sign, or any element of a sign, which provides the ability to change text or images, or exhibits changing effects in order to provide intermittent illumination or the illusion of such illumination, or any series of imagery or display which may appear to move or change, including changes produced by any electronic method. A dynamic sign is not a changeable copy sign, dynamic.

*Flag sign.* A sign consisting of fabric or similar lightweight material attached at one end of the material, usually to a staff or pole, so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices.

*Flashing off-premises sign.* A sign which exhibits changing light or color effect by any means, so as to provide intermittent illumination or the illusion of intermittent flashing light by any means. Also, any mode of lighting which resembles zooming, twinkling or sparkling.

*Freestanding sign.* A sign which has supporting framework that is placed on, or anchored in, the ground and which is independent of any building or other structure.

*Identification sign.* A sign containing principally the name of the individual or establishment occupying the premises, and which also may include the street address, telephone number or other information identifying the use.

*Illuminated sign.* A sign lighted by or exposed to artificial lighting either on or in the sign or directed toward the sign.

*Interior sign.* A sign which is located within the interior of any building, or within an enclosed courtyard, that is not visible from the property line or public right-of-way.

*Marquee sign.* A building sign painted on or attached to a marquee.

*Monument sign.* A freestanding sign with its sign face mounted on the ground, on a solid base at least as wide as the sign, or on one (1) or more poles or beams with not more than one (1) foot of open area between the sign face and the ground or base.

*Off-premises advertising sign or billboard.* A sign which directs attention to a business, establishment, product, service, interest, activity or entertainment not exclusively related to the premises where such sign is located.

*On-premises sign.* A sign which directs attention to or promotes a business, establishment or activity conducted, or a product, service, interest or entertainment sold or offered, on the premises where such sign is located.

*Painted wall sign.* A wall sign that is hand-painted directly on the exterior wall of a structure.

*Pole sign.* A freestanding sign which has its supportive structure anchored in the ground or on a solid base not at least as wide as the sign, or which has a sign face elevated above the ground or base by one (1) or more poles or beams and with an open area between the sign face and the ground or base of more than one (1) foot.

~~*Political sign.* A sign posted by a person or group promoting or commenting on a political issue, opinion or candidate for political office.~~

*Portable sign.* A sign which is designed or intended to be moveable, including by trailer or on its own wheels, even though the wheels of such sign may be removed.

~~*Project information sign.* A sign erected on the premises on which construction is taking place, identifying the project, the architects, engineers, landscape architects, contractors or similar artisans, or the owners, financial supporters, sponsors or similar individuals having a role or interest in the project.~~

*Projecting sign.* A sign which projects from a wall of a building in such manner that the sign face is perpendicular to the wall, or a sign which is suspended from a soffit or other permanent roof overhang.

~~*Real estate sign.* A sign which advertises the sale, rental or lease of the property on which the sign is located.~~

*Roof sign.* A sign which is mounted on the roof of a building or which projects above the top of the wall of a building with a gambrel, gable or hip roof.

*Service area canopy sign.* A sign which is part of, or attached to, a service area canopy.

*Snipe sign.* A sign of any material, including but not limited to paper, cardboard, wood or metal, attached to any object and having no application to the premises where located.

*Specific product or brand name sign.* A sign which mentions a specific product or brand name sold or offered on the premises.

*Stringer sign.* A sign that is made of commercial or decorative pennants, flags or streamers which are attached to a string, rope or cable.

~~*Temporary sign.* A sign which is intended to be displayed for a limited time period only. A banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials that is intended to be, or is determined by the zoning administrator to be, displayed for a limited period of time.~~

~~*Time and temperature sign.* A sign which displays current time and temperature only.~~

*Wall sign.* A sign attached parallel to, or painted on, a wall, which is supported by such wall, and which displays only one (1) sign surface, or a sign attached parallel to, or within forty-five (45) degrees of parallel, or painted on, the surface of the lower slope of a mansard roof.

*Window sign.* A sign that is placed inside a window or upon the surface of a window and is visible or is intended to be viewed from the exterior of the window.

Section 4. That Chapter 543, On-Premises Signs, of the Minneapolis Code of Ordinances be and is hereby repealed in whole and replaced with a new Chapter 543 to read as follows:

## **CHAPTER 543. ON-PREMISES SIGNS**

### **ARTICLE I. GENERAL PROVISIONS**

**543.10. Findings, purpose and intent.** (a) *Findings.* The city council hereby finds as follows:

- (1) Exterior signs have a substantial impact on the character and quality of the environment.
- (2) Signs provide an important medium through which individuals may convey a variety of messages.
- (3) Signs can create traffic hazards, aesthetic concerns, and be potentially detrimental to property values, thereby adversely affecting the public health, safety and welfare.
- (4) The regulation of signs within the city has had a positive impact on traffic safety and the appearance of the community.

(b) *Purpose and intent.* Regulations governing on-premises signs are established to allow effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse effects on nearby property, and to protect the public health, safety and welfare.

**543.20. Severability.** If any section, subsection, sentence, clause, or phrase of these sign regulations are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the regulations. The City Council hereby declares that it would have adopted the sign regulations in each section, subsection, sentence, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**543.30. Substitution clause.** The owner of any sign which is otherwise allowed by this sign ordinance may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

**543.40. Scope of regulations.** The sign regulations set forth in this chapter shall apply to all structures and all land uses, except as otherwise provided in this zoning ordinance. All signs allowed by this chapter shall be limited to on-premises signs. When a sign is subject to more than one (1) classification of sign type, all regulations governing the various classifications shall be applicable to such sign.

**543.50. Compliance with Standards.** No person shall place, erect or maintain a sign, nor shall a lessee or owner permit property under his or her control to be used for such sign, which does not conform to the requirements of this chapter, Chapter 95, Projections and Encroachments of the Minneapolis Code of Ordinances, and all other applicable regulations.

**543.60. Exempt signs.** The following signs shall be exempt from the regulations of this chapter:

- (1) Official public notices or signs required by local, state or federal regulations.
- (2) Governmental signs, including but not limited to traffic control and other regulatory purpose signs, street signs, informational signs, danger signs and railroad crossing signs.
- (3) Official government flags and emblems, provided such signs shall not be placed or maintained in the public right-of-way.
- (4) Incidental notification signs, provided such total signage on a zoning lot shall not exceed two (2) square feet in area, and such signs shall not be placed or maintained in the public right-of-way and shall not be illuminated.
- (5) Historic plaques placed by recognized historical agencies, provided such signs shall not be placed or maintained in the public right-of-way, shall not be illuminated, and shall not exceed four (4) square feet in area.
- (6) Religious symbols attached to institutional and public buildings, provided such symbols shall not be placed or maintained in the public right-of-way and shall not be illuminated.

(7) Interior signs.

(8) Murals.

(9) Address signs less than one (1) square foot in area, not to exceed two (2) such signs per zoning lot.

**543.70. Prohibited signs.** The following signs shall be prohibited in all zoning districts, except as otherwise specified in this chapter:

(1) Dynamic and dynamic changeable copy roof signs.

(2) Balloon signs.

(3) Signs placed on or painted on a motor vehicle or trailer and parked with the primary purpose of providing signage.

(4) Signs placed or maintained on natural features.

(5) Audible signs.

(6) Signs with moving or swinging parts or elements, except in the downtown districts and C3A District or as a window sign.

(7) Any sign relating to sexually oriented uses and prohibited by the regulations governing such uses in Chapter 549, Downtown Districts.

(8) Searchlights and strobe lights, except as allowed in Chapter 535, Regulations of General Applicability.

(9) Signs attached to skyway bridges and intended to be read from the public right-of-way.

(10) Stringer signs.

(11) Off-premise signs that do not comply with Chapter 544, Off-Premise Signs and Billboards.

(12) Any sign not listed as either permitted or conditional or any sign not determined by the zoning administrator to be substantially similar to a sign listed as permitted or conditional in the manner provided for in Chapter 525, Administration and Enforcement, governing determination of substantially similar uses.

(13) Snipe signs.

(14) Freestanding flag signs.

(15) A mural that does not have permission of the owner of the property on which it is located or is graffiti.

**543.80. Illumination of signs.** (a) *In general.* All lighted signs shall comply with the performance standards governing lighting contained in Chapter 535, Regulations of General Applicability, and may be illuminated as follows where allowed by Tables 543-1, Specific Standards for Signs in the Residence and OR1 Districts,

543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, and subject to all other applicable regulations of this chapter:

(1) *Backlit*. A light source contained within the sign element or sign cabinet that illuminates by shining through a translucent surface or sign face, except where only the letters, numbers or logos of the sign copy are illuminated.

(2) *External*. A light source outside the sign element or sign cabinet that illuminates by directing light onto the sign surface, such as by floodlight or spotlight.

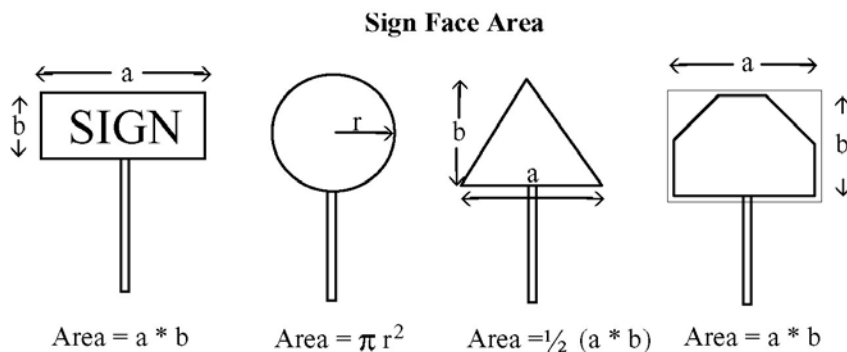
(3) *Internal*. A light source contained within the sign cabinet that illuminates by directing light onto the sign surface, or that illuminates only the letters, numbers or logos of the sign copy, and which is not backlit.

(b) *Lighted signs in the residence or OR1 Districts*. Lighted signs in the residence or OR1 Districts shall not be backlit, shall be no closer than twenty (20) feet from the nearest residence district or OR1 District property line, and shall be illuminated only by white or amber light.

(c) *Lighted signs in all other districts*. Lighted signs facing and on property adjacent to or across a street or alley from a residence district or OR1 District shall not be backlit, and shall be no closer than twenty (20) feet from the nearest residence district or OR1 District boundary. This provision shall not apply to signs that are located at least three hundred (300) feet from a residence or OR1 District.

**ARTICLE II. COMPUTATIONS**

**543.90. Computation of sign face area.** (a) *Framed signs*. The area of a sign face enclosed in a frame or cabinet shall be determined on the basis of the outer dimensions of the frame or cabinet surrounding the sign face. Where the frame or cabinet is not in the shape of a rectangle, square, triangle or circle, the sign face area shall be determined by calculating the area of an imaginary rectangle drawn around the frame or cabinet.



(b) *Back-to-back signs*. When the faces of a back-to-back sign are parallel or within thirty-five (35) degrees of parallel, the sign face area shall be determined on the basis of only one (1) side of such sign. If the sign faces are not within thirty-five (35) degrees of parallel, the sign face area shall be determined on the basis of the sum of the areas of each sign face.



(c) *Freestanding signs.* For freestanding signs that have a solid base, the size of the base shall not be included in the total sign face area.

(d) *Three dimensional signs.* For globe signs, three (3) dimensional, three (3) or more sided signs, or signs with indistinct sign faces, the sign face area shall be determined on the basis of the maximum surface area visible at any one (1) time.

(e) *Individual elements.* When signs are constructed of individual elements attached to a building or wall, the sign face area shall be determined by calculating the area of an imaginary rectangle drawn around the sign elements.

(f) *Awnings, canopies and marquees.* When signs are incorporated into awnings, canopies and marquees, the sign area shall be determined by computing the area of an imaginary rectangle drawn around the sign. Backlit awnings and canopies, with or without signage, shall be considered a sign and shall be included in the calculation of total permitted building sign area.

(g) *Banners.* When signs are incorporated into banners, the sign area shall be determined on the basis of the outer dimensions of the banner.

(h) *Building façades.* Backlit building façades, with or without signage, shall be included in the calculation of total permitted building sign area.

**543.100. Computation of sign height.** Sign height shall be calculated as the vertical distance from the natural grade measured at a point either at the curb level or ten (10) feet away from the front center of the sign, whichever is closer, to the upper-most point used in measuring the area of a sign.

### **ARTICLE III. SIGN PERMITTING, INSTALLATION AND MAINTENANCE**

**543.110. Sign hangers to be licensed.** No person shall install, reconstruct, alter, repair or remove any sign or submit a sign permit application without first having secured a sign hanger's license from the licensing official.

**543.120. Permits required.** (a) *In general.* No person shall install any sign without first obtaining a permit from the zoning administrator. An application for a sign permit shall be filed on a form approved by the zoning administrator along with all supporting documentation including the permit fee. The fee for such permit shall be as set forth in Chapter 91, Permit Fees, of the Minneapolis Code of Ordinances.

(b) *Exceptions.* No sign permit shall be required for the installation of the following signs:

(1) Any sign that is less than eight (8) square feet in area.

(2) Portable signs less than twelve (12) square feet in area.

(3) Temporary signs less than eight (8) square feet in area and six (6) feet in height.

(4) Signs placed on the inside of any building that are not visible or intended to be visible from the exterior of the building.

(5) Window signs, except a dynamic sign.

(6) Replacement of the changeable copy portion of a sign having a stationary framework or structure.

(7) Approved signs loosened from their supports and taken down, painted and replaced without any change having been made in their size, form, or illumination, or in the ownership thereof.

(8) Painted wall signs.

(9) On-premise incidental signs guiding traffic safely to parking spaces, loading spaces, stacking lanes, entry and exit drives, direction of traffic flow, and pedestrian ways that do not exceed four (4) square feet in area and four (4) feet in height and that bear no commercial speech.

**543.130. Mounting of signs.** All signs shall be mounted in one (1) of the following manners:

(1) Flat against a building or wall.

(2) Back-to-back in pairs or otherwise arranged in such a manner so that the back of the signs will be screened from public view.

(3) Otherwise mounted so that the backs of all signs showing to public view, including all parts of the sign structure, shall be painted a dark or neutral color and shall be well maintained.

**543.140. Installation of signs.** Signs shall be subject to the provisions of the building code and state electrical code.

**543.150. Height over public property.** (a) *Public streets, public sidewalks or public pathways.* The minimum height of a sign that projects over a public street, public sidewalk or public pathway shall be located not less than eight (8) feet above the ground or pavement. Signs that do not project more than six (6) inches from the building are exempt from this provision.

(b) *Public alley.* The minimum height of a sign that projects over a public alley shall be located not less than fifteen (15) feet above the ground or pavement.

**543.160. Signs not to be a traffic hazard. Misleading signs.** No sign shall be installed in a way that obstructs clear vision of persons using the streets, or may be confused with any authorized traffic sign, signal, or device. In addition, a sign in direct line of vision of any traffic signal, from any point in the traffic lane from a position opposite the near sidewalk line to a position one hundred fifty (150) feet before said sidewalk line, shall not have red, green or amber illumination.

**543.170. Maintenance and repair.** (a) *Maintenance required.* All signs shall be kept in good repair and free from peeling paint, rust, damaged or rotted supports, framework or other material, broken or missing faces or missing letters. The zoning administrator may order the removal of any sign that is not maintained.

(b) *Activities considered normal maintenance and repair.* Normal maintenance and repair shall include activities such as replacement, restoration or improvement. Following damage or destruction, replacement of a nonconformity shall mean that the sign face or sign structure and site, if reinstated with

a nonconformity as allowed under the terms of this chapter, shall be reconstructed to match the conditions of the sign face or sign structure that preceded damage or destruction. Reasonable conditions may be imposed by the zoning administrator to mitigate any newly created impact on adjacent property. Nonconformities that are completely or substantially reconstructed that include changes to building placement or design shall be subject to the findings and procedures for expansion or alteration of nonconforming uses and structures as specified in Chapter 531, Nonconforming Uses and Structures.

(c) *Items not considered normal maintenance and repair.* Changes made to the location, size, height or bulk of the sign or addition of illumination are not considered normal maintenance and repair and shall require that a nonconforming sign be brought into conformance with all requirements of this chapter.

**543.180. Unsafe signs.** Signs which are deemed unsafe by the zoning administrator shall be either repaired or removed immediately.

**543.190. Complete removal of signs.** Whenever a sign of any type is removed, either intentionally, accidentally or by an act of nature, all supporting brackets, frames or other structural elements shall be removed completely.

**543.200. Surface repair.** Any surface from which a sign has been moved or removed shall be repaired with materials which match the existing background.

#### **ARTICLE IV. SPECIFIC SIGN STANDARDS BY ZONING DISTRICTS**

**543.210. Specific sign standards.** (a) *In general.* All signs shall conform to the applicable standards of Table 543-1, Specific Standards for Signs in the Residence and OR1 Districts, Table 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, Table 543-3, Specific Standards for Signs in the Downtown Districts, and Table 543-4, Specific Standards for Signs in the Industrial Districts, and all other applicable regulations of this chapter.

(b) *Abbreviations.* For purposes of Tables 543-1, 543-2, 543-3 and 543-4, "sq. ft." shall mean square feet, and "ft." shall mean feet.

(c) *References to primary building wall.* For purposes of Tables 543-1, 543-2, 543-3 and 543-4, references to "primary building wall" shall be measured in linear feet.

(d) *Sign location.* Except where otherwise allowed in this ordinance, signs shall be placed on a primary building wall.

**Table 543-1 Specific Standards for Signs in the Residence and OR1 Districts**

<i>Use</i>	<i>Sign Standards</i>
<b>RESIDENTIAL USES</b>	
<b>Dwellings</b>	
Single and two-family dwelling Multiple-family dwelling, three (3) and four (4) units One (1) to four (4) dwelling units as part of a mixed use building	One (1) nonilluminated, flat wall identification sign per dwelling unit not exceeding one (1) sq. ft. in area. Maximum height of fourteen (14) ft. or top of wall, whichever is less.
Multiple-family dwelling, five (5) units or more on a lot between zero (0) and 9,999 sq. ft.	One (1) nonilluminated wall identification sign not exceeding sixteen (16) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building.
Multiple-family dwelling, five (5) units or more on a lot between 10,000 and 43,559 sq. ft.	One (1) nonilluminated wall identification sign not exceeding thirty-two (32) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building.
Multiple-family dwelling, five (5) units or more on a lot of 43,560 sq. ft. or more	One (1) wall identification sign not exceeding forty-eight (48) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign <sup>1</sup> not exceeding thirty-two (32) sq. ft. in area and eight (8) ft. in height. Either the wall sign or the monument sign <sup>1</sup> , but not both, may be illuminated.
Cluster development	As approved by CUP
Planned unit development	As approved by CUP
<b>Congregate Living</b>	
Community residential facility serving six (6) or fewer persons	One (1) nonilluminated, flat wall identification sign not exceeding one (1) sq. ft. in area. Maximum height of fourteen (14) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building.

<p>Community residential facility serving seven (7) to thirty-two (32) persons Faculty house Fraternity or sorority Hospitality residence Residential hospice Supportive housing</p>	<p>One (1) nonilluminated wall identification sign not exceeding thirty-two (32) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building.</p>
<p>Board and care/Nursing home/Assisted living</p>	<p>One (1) wall identification sign not exceeding thirty-two (32) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign<sup>1</sup> not exceeding thirty-two (32) sq. ft. in area and eight (8) ft. in height. Either the wall sign or the monument sign<sup>1</sup>, but not both, may be illuminated.</p>
<p><b>INSTITUTIONAL AND PUBLIC USES</b></p>	
<p>Educational Facilities</p>	
<p>Early childhood learning center</p>	<p>One (1) wall identification sign not exceeding sixteen (16) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign<sup>1</sup> not exceeding sixteen (16) sq. ft. in area and six (6) ft. in height. Either the wall sign or the monument sign<sup>1</sup>, but not both, may be illuminated.</p>
<p>School, grades K—12</p>	<p>One (1) wall identification sign not exceeding thirty-two (32) sq. ft. per block face. Maximum height of twenty (20) ft. or top of wall, whichever is less. In addition, one (1) monument sign<sup>1</sup> not exceeding thirty-two (32) sq. ft. in area and eight (8) ft. in height. Either the wall sign or the monument sign<sup>1</sup>, but not both, may be a dynamic changeable copy sign. The dynamic changeable copy sign portion of the sign shall not exceed sixteen (16) sq. ft. Either the wall sign or the monument sign<sup>1</sup>, but not both, may be illuminated.</p>
<p>Preschool</p>	<p>One (1) wall identification sign not exceeding sixteen (16) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign<sup>1</sup> not exceeding sixteen (16) sq. ft. in area and six (6) ft. in height. Either the wall sign or the monument sign<sup>1</sup>, but not both, may be illuminated.</p>
<p><b>Social, Cultural, Charitable and Recreational Facilities</b></p>	

<p>Athletic field Cemetery Golf course</p>	<p>One (1) wall identification sign not exceeding thirty-two (32) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign<sup>1</sup> not exceeding thirty-two (32) sq. ft. in area and eight (8) ft. in height. Either the wall sign or the monument sign<sup>1</sup>, but not both, may be illuminated.</p>
<p>Community Garden</p>	<p>One (1) nonilluminated identification sign not exceeding eight (8) sq. ft. Maximum height of six (6) ft.</p>
<p>Developmental achievement center</p>	<p>One (1) nonilluminated, flat wall identification sign not exceeding sixteen (16) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building.</p>
<p>Educational arts center</p>	<p>One (1) wall identification sign not exceeding sixteen (16) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign<sup>1</sup> not exceeding sixteen (16) sq. ft. in area and six (6) ft. in height. Either the wall sign or the monument sign<sup>1</sup>, but not both, may be illuminated.</p>
<p>Library Park</p>	<p>One (1) wall identification sign not exceeding thirty-two (32) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign<sup>1</sup> not exceeding thirty-two (32) sq. ft. in area and eight (8) ft. in height. Either the wall sign or the monument sign<sup>1</sup>, but not both, may be a dynamic changeable copy sign. The dynamic changeable copy sign portion of the sign shall not exceed sixteen (16) sq. ft. Either the wall sign or the monument sign<sup>1</sup>, but not both, may be illuminated. Dynamic changeable copy signs shall be allowed accessory to parks only when located on the same zoning lot as an enclosed recreation center.</p>
<p>Theater, indoor, provided live performances only</p>	<p>One (1) wall identification sign not exceeding sixteen (16) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign<sup>1</sup> not exceeding sixteen (16) sq. ft. in area and six (6) ft. in height. Either the wall sign or the monument sign<sup>1</sup>, but not both, may be illuminated.</p>
<p><b>Religious Institutions</b></p>	
<p>Place of assembly on a lot less than 20,000 sq. ft.</p>	<p>One (1) wall identification sign not exceeding sixteen (16) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign<sup>1</sup> not exceeding sixteen (16) sq. ft. in area and six (6) ft. in height. Either the wall sign or the monument sign<sup>1</sup>, but not both, may be a dynamic changeable copy sign. The dynamic changeable copy sign portion of the sign shall not</p>

	exceed sixteen (16) sq. ft. Either the wall sign or the monument sign <sup>1</sup> , but not both, may be illuminated.
Place of assembly on a lot of 20,000 sq. ft. or more	One (1) wall identification sign not exceeding thirty-two (32) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign <sup>1</sup> not exceeding thirty-two (32) sq. ft. in area and eight (8) ft. in height. Either the wall sign or the monument sign <sup>1</sup> , but not both, may be a dynamic changeable copy sign. The dynamic changeable copy sign portion of the sign shall not exceed sixteen (16) sq. ft. Either the wall sign or the monument sign <sup>1</sup> , but not both, may be illuminated.
<b>COMMERCIAL USES</b>	
Bed and breakfast home	One (1) nonilluminated, flat wall identification sign not exceeding four (4) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs.
Child care center	One (1) wall identification sign not exceeding sixteen (16) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign <sup>1</sup> not exceeding sixteen (16) sq. ft. in area and six (6) ft. in height. Either the wall sign or the monument sign <sup>1</sup> , but not both, may be illuminated.
Clinic, medical or dental	One (1) wall identification sign not exceeding sixteen (16) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign <sup>1</sup> not exceeding sixteen (16) sq. ft. in area and six (6) ft. in height. Either the wall sign or the monument sign <sup>1</sup> , but not both, may be illuminated.
Market garden	One (1) nonilluminated identification sign not exceeding eight (8) sq. ft. Maximum height of six (6) ft.
Nursery or green house	One (1) wall identification sign not exceeding thirty-two (32) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign <sup>1</sup> not exceeding thirty-two (32) sq. ft. in area and eight (8) ft. in height. Either the wall sign or the monument sign <sup>1</sup> , but not both, may be illuminated.
Offices	One (1) wall identification sign not exceeding sixteen (16) sq. ft. Maximum height of twenty (20) ft. or top of wall, whichever is less. On a corner lot, two (2) such signs per building. In addition, one (1) monument sign <sup>1</sup> not exceeding sixteen (16) sq. ft. in area and six (6) ft. in height. Either the wall sign or the monument sign <sup>1</sup> , but not both, may be illuminated.

<b>PUBLIC SERVICES AND UTILITIES</b>	As approved by CUP
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<sup>1</sup>Monument signs, where allowed, may be located in a required front or corner side yard but shall be no closer than ten (10) feet from the nearest residence or office residence property line.

**Table 543-2 Specific Standards for Signs in the OR2, OR3 and Commercial Districts**

<b>Zoning District Sign Standards</b>						
	<i>OR2, OR3</i>	<i>C1</i>	<i>C2</i>	<i>C3A</i>	<i>C3S</i>	<i>C4</i>
<b>Signs Attached to Buildings</b>						
Size Allocation	For all districts except C3S, one (1) sq. ft. of signage per one (1) ft. of primary building wall if a freestanding or roof sign is on the same zoning lot. If there is no freestanding or roof sign on the same zoning lot, one and one-half (1.5) sq. ft. of signage for each one (1) ft. of primary building wall. For the C3S District, two (2) sq. ft. of signage per one (1) ft. of primary building wall. Sign area based upon one (1) primary building wall shall not be placed on any other building wall.					
Minimum sign area guaranteed for a ground floor nonresidential use that comprises a portion of a building wall	30 sq. ft.					
Maximum number of signs	No limit within size allocation					
Maximum area per sign, except projecting signs	180 sq. ft. except neighbor-hood serving retail and services shall not exceed 30 sq. ft.	45 sq. ft.	180 sq. ft.	180 sq. ft.	300 sq. ft.	180 sq. ft.
Maximum area per projecting sign	12 sq. ft.	16 sq. ft.	20 sq. ft.	48 sq. ft.	24 sq. ft.	20 sq. ft.
Lighting of signs	Yes, but no backlit signs.					



Maximum height of signs	20 ft. <sup>1</sup>	20 ft. <sup>1</sup>	34 ft.	No limit	No limit	34 ft.
<b>Types of signs attached to buildings allowed</b>						
Wall signs	Yes					
Projecting signs	Yes, but a projecting sign shall not extend outward from the building more than four (4) ft.					
Awning, canopy and marquee signs	Yes, but no backlit awning or canopy signs.					
Dynamic Changeable Copy Signs	No	No	Yes, see Section 543.330	Yes, see Section 543.330	Yes, see Section 543.330	Yes, see Section 543.330
Dynamic signs	No	No	Yes, see Section 543.340	Yes, see Section 543.340	Yes, see Section 543.340	Yes, see Section 543.340
Window signs	Yes					
Roof signs	Yes, see Section 543.425					
<b>Freestanding Signs</b>						
Size allocation	One (1) sq. ft. of signage per one (1) ft. of frontage, subject to the zoning district sign area limitations. Where there is more than one (1) frontage, sign area shall be based upon the frontage toward which the sign is oriented. Sign area based upon one (1) frontage shall not be placed on another frontage except as otherwise provided in the C3S District.					
Maximum number of signs (See also Section 543.360)	1 per zoning lot	1 per zoning lot	1 per zoning lot	1 per zoning lot	1 per 600 ft. of primary frontage or fraction thereof, but not more than two (2), and 1 per secondary frontage of 600 ft. or more	1 per zoning lot

Maximum area per sign	32 sq. ft.	54 sq. ft.	80 sq. ft.	80 sq. ft.	One (1) sign up to 250 sq. ft. on the primary frontage. All other signs 80 sq. ft.	80 sq. ft.
Lighting of signs	Yes, but no backlit signs.					
Maximum height of signs	8 ft.	8 ft.	8 ft. except pole signs shall not exceed 16 ft.	8 ft.	8 ft. except pole signs shall not exceed 24 ft.	8 ft. except pole signs shall not exceed 16 ft.
When not allowed	For all districts except C3S, a freestanding sign shall not be allowed if existing signs attached to buildings on the same zoning lot exceed one (1) sq. ft. of signage for each one (1) ft. of primary building wall. For the C3S District, a freestanding sign shall not be allowed if existing signs attached to buildings on the same zoning lot exceed two (2) sq. ft. of signage for each one (1) ft. of primary building wall.					
Location restriction	A freestanding sign may be located in a required front or corner side yard not exceeding eight (8) ft. and shall be no closer than ten (10) ft. from the nearest residence or office residence district boundary.					
<b>Types of freestanding signs allowed</b>						
Monument Signs	Yes	Yes	Yes	Yes	Yes	Yes
Pole Signs	No	No	No	No	No	No
Dynamic Changeable Copy Signs	No	No	Yes, see Section 543.330	Yes, see Section 543.330	Yes, see Section 543.330	Yes, see Section 543.330
Dynamic signs	No	No	Yes, see Section 543.340	Yes, see Section 543.340	Yes, see Section 543.340	Yes, see Section 543.340

Service Area Canopy Signs	Yes, see Section 543.430.
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<sup>1</sup>Where a building contains a nonresidential use above the ground floor, one (1) sign for such use not higher than thirty-four (34) ft. shall be allowed.

**Table 543-3 Specific Standards for Signs in the Downtown Districts**

		<i>Downtown District Sign Standards</i>				
		<i>B4</i>	<i>B4S</i>	<i>B4C</i>	<i>B4N</i>	<i>Downtown Entertainment Area<sup>1</sup></i>
<b>Signs Attached to Buildings</b>						
Size Allocation	Two and one-half (2.5) sq. ft. of signage per one (1) ft. of primary building wall.				Eight (8) sq. ft. of signage per one (1) ft. of primary building wall.	
	Sign area based upon one (1) primary building wall shall not be placed on any other wall.					
Minimum sign area guaranteed for a ground floor nonresidential use that comprises a portion of a building wall	30 sq. ft.				45 sq. ft.	
Maximum number of signs	No limit within size allocation					
Maximum area per sign, except projecting signs	120 sq. ft.				300 sq. ft.	
Maximum area per projecting sign	48 sq. ft.				80 sq. ft.	
Lighting of signs	Yes, but no backlit signs.					
Maximum height of signs	34 ft.				No limit	
<b>Types of signs attached to buildings allowed</b>						
Wall signs	Yes					

Projecting signs	Yes. A projecting sign shall not extend outward from the building more than four (4) feet except in the Downtown Entertainment Area where a projecting sign shall not extend outward from the building more than eight (8) feet.	
Awning, canopy and marquee signs	Yes, but no backlit awning or canopy signs.	
Dynamic Changeable Copy Signs	Yes, see Section 543.330.	
Dynamic signs	Yes, see Section 543.340	
Window signs	Yes	
Roof signs	Yes, see Section 543.425	
<b>Freestanding Signs</b>		
Size allocation	One (1) sq. ft. of signage per one (1) ft. of frontage, subject to the zoning district sign area limitations. Where there is more than one (1) frontage, sign area shall be based upon the frontage toward which the sign is oriented. Sign area based upon one (1) frontage shall not be placed on another frontage.	
Maximum number of signs (See also Section 543.360)	One (1) per zoning lot	
Maximum area per sign	32 sq. ft.	
Lighting of signs	Yes, but no backlit signs.	
Maximum height of signs	8 ft.	
When not allowed	A freestanding sign shall not be allowed if existing signs attached to buildings on the same zoning lot exceed two and one-half (2.5) sq. ft. of signage for each one (1) ft. of primary building wall.	A freestanding sign shall not be allowed if existing signs attached to buildings on the same zoning lot exceed eight (8) sq. ft. of signage for each one (1) ft. of primary building wall.
Location restriction	A freestanding sign may be located in a required front or corner side yard not exceeding eight (8) ft. in height and shall be no closer than ten (10) ft. from the nearest residence or office residence district boundary	

<b>Types of freestanding signs allowed</b>	
Monument Signs	Yes
Pole Signs	No
Dynamic Changeable Copy Signs	Yes, see Section 543.330.
Service Area Canopy Signs	Yes, see Section 543.430.

<sup>1</sup>The Downtown Entertainment Area sign regulations shall govern all uses that have their main public entrance facing Hennepin Avenue within the following locations: (a) The north side of Hennepin Avenue between Tenth Street and Fifth Street, and (b) The south side of Hennepin Avenue between Ninth Street and Sixth Street.

**Table 543-4 Specific Standards for Signs in the Industrial Districts**

<b><i>Industrial Districts Sign Standards</i></b>	
<b>Signs Attached to Buildings</b>	
Size Allocation	One (1) sq. ft. of signage per one (1) ft. of primary building wall if a freestanding or roof sign is on the same zoning lot. If there is no freestanding or roof sign on the same zoning lot, one and one-half (1.5) sq. ft. of signage for each one (1) ft. of primary building wall. Sign area based upon one (1) primary building wall shall not be placed on any other wall.
Minimum sign area guaranteed for a ground floor nonresidential use	30 sq. ft.
Maximum number of signs	No limit within size allocation
Maximum area per sign, except projecting signs	180 sq. ft.
Maximum area per projecting sign	20 sq. ft.
Lighting of signs	Yes, but no backlit signs.

Maximum height of signs	34 ft.
<b>Types of signs attached to buildings allowed</b>	
Wall signs	Yes
Projecting signs	Yes, but a projecting sign shall not extend outward from the building more than four (4) ft.
Awning, canopy and marquee signs	Yes, but no backlit awning or canopy signs.
Dynamic changeable copy signs	Yes, see Section 543.330.
Dynamic signs	Yes, see Section 543.340.
Window signs	Yes
Roof signs	Yes, see Section 543.425
<b>Freestanding Signs</b>	
Size allocation	One (1) sq. ft. of signage per one (1) ft. of frontage, subject to the sign area limitations. Where there is more than one (1) frontage, sign area shall be based upon the frontage toward which the sign is oriented. Sign area based upon one (1) frontage shall not be placed on another frontage.
Maximum number of signs (See also Section 543.360)	1 per 600 ft. of primary frontage or fraction thereof, but not more than two (2), and 1 per secondary frontage of 600 ft. or more.
Maximum area per sign	80 sq. ft.
Lighting of signs	Yes, but no backlit signs.
Maximum height of signs	8 ft. except pole signs shall not exceed 24 feet
When not allowed	A freestanding sign shall not be allowed if existing signs attached to buildings on the same zoning lot exceed one (1) sq. ft. of signage for each one (1) ft. of primary building wall.

Location restriction	A freestanding sign may be located in a required front or corner side yard not exceeding eight (8) ft. in height and shall be no closer than ten (10) ft. from the nearest residence or office residence district boundary
<b>Types of freestanding signs allowed</b>	
Monument Signs	Yes
Pole Signs	No
Dynamic Changeable Copy Signs	Yes, see Section 543.330.
Dynamic Signs	Yes, see Section 543.340.
Service Area Canopy Signs	Yes, see Section 543.430.

**ARTICLE V. SPECIAL PROVISIONS FOR SPECIFIC USES**

**543.220. Multiple tenant buildings.** (a) *Master sign plan required.* Any application for a sign permit for a multiple tenant building shall include a master sign plan for the building. Said plan shall be drawn to scale and fully dimensioned, showing any signage to be provided in compliance with the Minneapolis Code of Ordinances.

(b) *Allocation of signage.* The property owner or the property owner's designee shall be responsible for allocating the allowable sign area among the tenants of a multiple tenant building.

**543.230. Nonconforming uses.** Newly established signs accessory to nonconforming nonresidential uses in the Residence and OR1 Districts shall be limited to one (1) non-illuminated, flat wall identification sign, not to exceed sixteen (16) square feet in area and fourteen (14) feet in height. In addition, on a corner lot, two (2) such signs per building, except as otherwise allowed in the manner provided for in Chapter 531, Nonconforming Uses and Structures, governing expansion or alteration of legal nonconforming uses and structures. Newly established signs accessory to nonconforming uses in the OR2, OR3, Commercial, Industrial, and Downtown Districts shall be subject to the regulations of the district in which it is located.

**543.240. Planned unit developments.** Signs accessory to planned unit developments shall be allowed as approved by the conditional use permit, as specified in Chapter 527, Planned Unit Development.

**ARTICLE VI. SPECIAL PROVISIONS FOR SPECIFIC TYPES OF SIGNS**

**543.250. Awning, canopy and marquee signs.** Awning, canopy and marquee signs shall be painted on or affixed to an awning, canopy or marquee. No such sign shall extend outward from the awning, canopy or marquee on which it is located. Awning, canopy and marquee signs shall be included in the calculation of the total permitted building sign area.

**543.260. Banners.** (a) *Commercial banners.* Commercial banners shall be considered signs and therefore shall be included in calculating the total sign area of the site and shall be regulated as such. A commercial banner shall be considered a wall sign or a projecting sign.

(b) *Decorative banners.* Decorative banners shall be allowed in all districts, provided such banners comply with the following:

(1) Commercial messages or logos shall be prohibited from decorative banners.

(2) Decorative banners shall be exempt from the total allowable sign area for a site, provided the maximum aggregate area for decorative banners shall not exceed fifteen (15) percent of the total allowable sign area for a parcel, except that at least one (1) decorative banner not exceeding eight (8) square feet shall be allowed on a zoning lot.

(3) The height of decorative banners shall comply with the district regulations for sign height.

**543.270. Changeable copy sign, dynamic.** (a) *In general.* The dynamic changeable copy sign shall be limited to letters or numbers only. The background of the dynamic changeable copy sign shall be black and the text shall be colored.

(b) *Number of signs.* There shall not be more than one (1) dynamic changeable copy sign located on a zoning lot.

(c) *Location.* The dynamic changeable copy sign shall be located on a primary building wall or be part of a freestanding sign. If the dynamic changeable copy sign is part of a freestanding sign, the dynamic changeable copy portion shall be part of the continuous display surface of the sign. Except in the downtown districts, a dynamic changeable copy sign shall not be part of a projecting sign. Dynamic changeable copy signs shall be prohibited in the IL Industrial Living Overlay District.

(d) *Size.* The maximum size of the dynamic changeable copy sign shall be sixteen (16) square feet. Dynamic changeable copy signs shall be included in the calculation of the total permitted sign area.

(e) *Height.* Notwithstanding Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, the maximum height of a dynamic changeable copy sign attached to a building shall be fourteen (14) feet, or top of wall, whichever is less.

(f) *Duration of message.* The copy of the dynamic changeable copy sign shall remain static for a period of not less than fifteen (15) minutes. The transition from one (1) message to the next shall be direct and immediate, without any special effects.

(g) *Image characteristics and transition.* Dynamic changeable copy signs shall have a pitch of not greater than twenty (20) millimeters between each pixel. Special effects, including but not limited to dissolving, fading, scrolling, starbursts and wiping shall be prohibited.

(h) *Luminance.* Between sunrise and sunset the maximum luminance shall be five thousand (5,000) nits and between sunset and sunrise the maximum luminance shall be five hundred (500) nits. All signs with a dynamic display having illumination by means other than natural light must be equipped with an



automatic dimmer control or other mechanism that automatically controls the sign's brightness to comply with this requirement. Except for Institutional and Public Uses, the dynamic changeable copy sign shall not display messages or be illuminated when the use is closed.

**543.280. Dynamic signs.** Except where allowed as-of-right in the Downtown Entertainment Area, dynamic signs may be allowed as a conditional use, subject to the provisions of Chapter 525, Administration and Enforcement, and the following:

(1) *Number of signs.* There shall not be more than one (1) dynamic sign located on a zoning lot.

(2) *Location.* Dynamic signs shall be subject to the following location restrictions:

a. The dynamic sign shall be located on a primary building wall or be part of a freestanding sign. If the dynamic sign is part of a freestanding sign, the dynamic portion shall be part of the continuous display surface of the sign. Except in the downtown districts, a dynamic sign shall not be part of a projecting sign. Dynamic signs shall be prohibited in IL Industrial Living Overlay District.

b. The dynamic sign shall be located on a lot of not less than twelve thousand (12,000) square feet.

c. The dynamic sign shall be no closer than one hundred (100) feet from the nearest residence district or office residence district property line.

d. The dynamic sign shall be located on a lot that is part of an area of at least six hundred sixty (660) feet of continuous commercial, downtown, or industrial zoning fronting along the same side of the street as the lot, without interruption by a residence or office residence district.

(3) *Height.* Notwithstanding Table 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, the maximum height of a dynamic sign attached to a building shall be fourteen (14) feet, or top of wall, whichever is less.

(4) *Size.* Dynamic signs shall not exceed thirty-two (32) square feet. Dynamic signs shall be included in the calculation of the total permitted sign area.

(5) *Duration of message.* The sign message shall remain static for a period of not less than sixty (60) seconds. The transition from one (1) message to the next shall be direct and immediate, without any special effects.

(6) *Image characteristics and transition.* Dynamic signs shall have a pitch of not greater than twenty (20) millimeters between each pixel. Special effects, including but not limited to dissolving, fading, scrolling, starbursts and wiping shall be prohibited.

(7) *Luminance.* Between sunrise and sunset the maximum luminance shall be five thousand (5,000) nits and between sunset and sunrise the maximum luminance shall be five hundred (500) nits. All signs with a dynamic display having illumination by means other than natural light must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness to comply with this requirement. Except for Institutional and Public Uses, the dynamic sign shall not display messages or be illuminated when the use is closed.

**543.290. Fence signs.** (a) *In general.* Signs attached to fences shall be included in the calculation of maximum wall sign area allowed on a site and shall be regulated as such. Signs attached to fences shall not project beyond the edge of the fence.

(b) *In required yards.* Signs attached to fences, retaining walls or other similar structures may be located within a required yard, provided such sign, including the back of such sign, shall not be visible from any residence or office residence district abutting such required yard.

**543.300. Freestanding signs.** (a) *In general.* Except for portable and temporary signs, not more than one (1) freestanding sign shall be permitted on a zoning lot, except as otherwise permitted in this section.

(b) *Public and institutional uses in the OR2 and OR3 Office Residence Districts.* Notwithstanding Table 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, not more than one (1) freestanding sign shall be permitted per frontage.

(c) *Base of sign.* Landscaping or other decorative materials designed to screen the base of the freestanding sign and any light fixtures shall be provided. Such landscape or decorative materials shall be capable of screening the base of the sign all year and shall be well maintained.

**543.310. Non-commercial speech.** Notwithstanding any other provisions of these sign regulations, all signs of any size containing non-commercial speech may be posted from August 1 in any general election year until ten (10) days following the general election and thirteen (13) weeks prior to any special election until ten (10) days following the special election. These signs shall not be posted on the public right-of-way, including boulevard trees and utility poles.

**543.320. Painted wall signs.** In addition to the sign allowances in the Commercial, Downtown, and Industrial districts, one non-illuminated painted wall sign shall be allowed per non-primary building wall, provided the sign not exceed thirty-two (32) square feet in area and complies with the maximum height of signs for that district as specified in Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts.

**543.330. Portable signs.** (a) *In general.* Portable signs shall be prohibited on the public right-of-way in the downtown area bounded by Interstate 35W, Interstate 94, Plymouth Avenue, and the Mississippi River, except as required or permitted in connection with an approved valet parking license or sidewalk café permit.

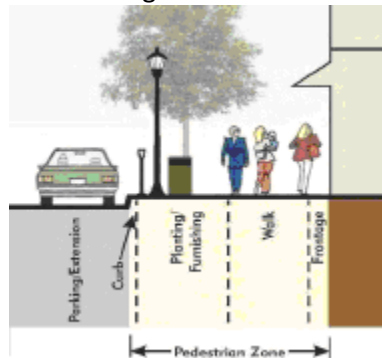
(b) *Limits.* Portable signs shall not exceed twelve (12) square feet in area, shall not be illuminated, and shall be of sufficient weight to prevent movement by wind.

(c) *On the public right-of-way.* Portable signs may be allowed on the public right-of-way outside of the downtown area, as defined in section (a) above. Portable signs shall be placed in the Planting/Furnishing Zone or Frontage Zone, and shall be prohibited in the Walk Zone, as indicated in Figure 543-1. Portable signs shall not be attached to public infrastructure.

(d) *Exemption from regulations on number of freestanding signs.* Portable signs shall be exempt from the restrictions on the number of freestanding signs allowed on a zoning lot, provided such portable signs

shall not exceed four (4) feet in height and there shall be not more than one (1) such portable sign per street frontage.

Figure 543-1:



**543.340. Projecting signs.** A projecting sign may extend above the top of the wall or parapet line or, in the case of a mansard roof, beyond the deck line. Subject to the sign height regulations, a projecting sign may extend two (2) feet per story, but not more than a total of ten (10) feet, above the roof line of a flat roofed building. In the case of a mansard roof, a projecting sign may extend not more than four (4) feet above the deck line. In no case shall any element of the projecting sign be attached to the roof of the building.

**543.350. Roof signs.** Notwithstanding the height limits of Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, one roof sign shall be allowed, subject to the following:

(1) *Roof signs facing a public street frontage.* Roof signs identifying the name or logo of a building or use, facing a public street frontage, shall be subject to the following:

- a. Signs shall be located on buildings that are not greater than six (6) stories and eighty-four (84) feet in height.
- b. Signs shall be internally illuminated or non-illuminated individual letters and/or logo permanently affixed and attached to the parapet wall or building roof and shall face a public street.
- c. Signs shall not extend outward more than six (6) inches from the structure.
- d. Signs shall not be located more than five (5) feet from the face of the primary building wall.
- e. Signs shall be included in the calculation of the total permitted sign area allowed on the primary building wall facing the same street frontage.
- f. A roof sign may have a vertical dimension of two (2) feet per story, but not more than a total of five (5) feet, above the roof line of a flat roofed building, or the parapet wall, whichever is greater.

g. Between sunrise and sunset the maximum luminance shall be five thousand (5,000) nits and between sunset and sunrise the maximum luminance shall be five hundred (500) nits.

(2) *Roof signs affixed flat on the roof and viewed from above.* Roof signs identifying the name or logo of a building or use, affixed flat on the roof and viewed from above, shall be subject to the following:

a. A roof sign shall be located on a building with a flat roof that exceeds fifteen (15) stories and shall be installed on or above the fifteenth (15) story.

b. Notwithstanding the area limits of Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, a roof sign shall not exceed twenty-five (25) percent of the roof area on which the sign is located.

c. Signs shall be non-illuminated or externally illuminated in such a way that the light shall be aimed and shielded directly onto the roof sign only.

**543.360. Service area canopy and pump island signs.** (a) *Service area canopy signs.* Notwithstanding Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, twenty-five (25) square feet of signage per frontage may be applied to the faces of the canopy facing any street. Such signage may be lighted externally or internally, but no other part of the face of the service area canopy shall be illuminated. Service area canopy signs shall not extend beyond the face of the canopy.

(b) *Pump island signs.* Signs on pumps and pump islands shall be permanently affixed, non-illuminated, less than one (1) square foot in area and less than six (6) feet in height.

**543.370. Temporary signs.** (a) *In general.* All temporary signs shall be attached to a building except as otherwise provided below. Temporary signs shall be located on property that is owned by the person whose sign it is, shall not be located closer than eight (8) feet to any other zoning lot, shall not be illuminated, and shall not be placed on any utility pole, street light, similar object, or on public property.

(b) *Time.* Temporary signs shall be removed within fourteen (14) days after the sale, rental, lease or conclusion of the event which is the basis for the sign.

(c) *Sign area and number.* Temporary signs shall be exempt from the calculation of total permanent sign area allowed on the site, but shall meet the same dimensional, locational, total sign area and other applicable regulations for permanent signs.

(d) *Additional temporary signs.* One additional temporary sign may be located on a property when:

(1) The owner consents and that property is being offered for sale or lease through a licensed real estate agent. In residence and OR1 districts, the sign shall not exceed eight (8) square feet in area. In all other districts, the sign shall not exceed thirty-two (32) square feet in area. Freestanding temporary signs shall not exceed six (6) feet in height. Temporary signs attached to walls shall comply with the maximum height of the applicable zoning district.

(2) If not offered for sale or lease through a real estate agent, when the sign is owned by the property owner and that property is offered for sale or lease by the owner through advertising in a local newspaper of general circulation. In residence and OR1 districts, the sign shall not exceed eight (8) square feet in area. In all other districts, the sign shall not exceed thirty-two (32) square feet in area. Freestanding temporary signs shall not exceed six (6) feet in height. Temporary signs attached to walls shall comply with the maximum height of the applicable zoning district.

(3) On a day when the property owner is opening the property to the public, except the owner shall not use this type of sign in a residential zoning district on more than two (2) days in a year and the days must be consecutive. In all other districts, the owner shall not use this type of sign for more than fourteen (14) days in a year and the days must be consecutive.

(4) The owner consents and that property is under active construction with valid building permits in force. In residence and OR1 districts, the sign shall not exceed eight (8) square feet in area. In all other districts, the sign shall not exceed thirty-two (32) square feet in area. Freestanding temporary signs shall not exceed six (6) feet in height. Temporary signs attached to walls shall comply with the maximum height of the applicable zoning district.

**543.380. Wall signs.** (a) *In general.* A wall sign shall not extend outward more than twenty-four (24) inches from the structure, except a flat wall sign shall not extend outward more than six (6) inches from the structure. A wall sign shall not extend above the top of the wall or parapet line or, in the case of a mansard roof, beyond the deck line, nor shall a wall sign extend beyond the corner of the building.

(b) *Exception.* Recognizing that certain buildings or uses may have unique identification needs, notwithstanding the height and area limits of Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, a conditional use permit may be applied for, as provided in Chapter 525, Administration and Enforcement, to allow not more than two (2) additional wall signs identifying the name or logo of a building or use in a building that exceeds six (6) stories or eighty-four (84) feet in height, subject to the following:

(1) Signs shall be limited to individual letters or elements permanently affixed to the building wall.

(2) Signs shall not exceed three (3) square feet of sign area for each one (1) foot of building wall to which such sign is attached or three hundred (300) square feet, whichever is less.

(3) Not more than one (1) sign shall be located on a building wall.

(4) The vertical dimension of such sign shall not exceed fourteen (14) feet.

**543.390. Window signs.** Window signs shall be allowed, provided that such signage shall not exceed thirty (30) percent of the window area, whether attached to the window or not, and shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. Window signs shall be included in the calculation of the total permitted building sign area, except as provided for temporary signs in Section 543.450.

## ARTICLE VII. SIGN ADJUSTMENTS

**543.400. Purpose.** Sign adjustments are intended to allow flexibility in the application of the sign regulations for properties located in a OR2, OR3, commercial, downtown or industrial district by allowing sign adjustments that recognize unusual site conditions and that are consistent with the character of the area and the design of the site.

**543.410. Procedure.** An application for a sign adjustment shall be considered an application for a conditional use permit or a variance, as specified in Chapter 525, Administration and Enforcement. In addition to the conditional use permit or variance standards, the approval criteria of this article shall be met before a sign adjustment may be approved.

**543.420. Approval criteria.** Adjustment to the number, type, height, area or location of allowed signs on property located in an OR2 or OR3 District or a commercial, downtown or industrial district may be approved if the following criteria are met:

- (1) The sign adjustment will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.
- (2) The sign adjustment will allow a sign that relates in size, shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.

Section 5. That Section 551.950 contained in Chapter 551, Overlay Districts, be amended to read as follows:

**551.950. - On-premises signs.** On-premises signs shall be subject to the regulations of Chapter 543, On-Premises Signs, and the following:

(1) *Sign area.* The amount of sign area allowed for signs attached to buildings shall be three and one-half (3.5) square feet of sign area per one (1) foot of primary building wall.

~~(2) *Sign height.* The maximum height of signs attached to buildings, except projecting signs and roof signs, shall be twenty-eight (28) feet. The provisions of Chapter 543, On-Premises Signs, for increasing the height of wall signs by conditional use permit shall not apply.~~

~~(3) *Projecting signs.* The maximum height of projecting signs shall be twenty-eight (28) feet. The maximum area of projecting signs shall be twelve (12) square feet. Projecting sign materials shall be limited to ornamental metal, carved wood or cloth.~~

~~(4) *Lighting of signs.* Backlit signs shall be prohibited. Projecting signs shall be lighted by external illumination only.~~

~~(5) *Roof signs.* Notwithstanding any other provision to the contrary, on-premises roof signs may be allowed on nonresidential multiple story buildings located within the Nicollet Mall Overlay District. The maximum height of roof mounted signs shall not exceed one hundred twenty (120) feet above grade.~~

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted, as amended.

Schroeder moved to return to author the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code:

1. Chapters 520 and 543 relating to Introductory Provisions and On-Premises Signs, amending requirements that signage be placed on the primary building wall.
2. Chapter 543 relating to On-Premises Signs, amending real estate sign provisions.
3. Chapters 520 and 543 relating to Introductory Provisions and On Premises Signs, amending regulations related to commercial murals.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

#### **COUNCIL ACTION 2018A-0616**

The Minneapolis City Council hereby:

1. Approves an application submitted by Greemar Properties, LLC to rezone (PLAN6569) the properties located at 136 Cedar Lake Rd N from the R2B Two-family District to the R3 Multiple-family District to allow three units in an existing building.
2. Passage of Ordinance 2018-036 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

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

#### **ORDINANCE 2018-036**

**By Schroeder**

**Intro & 1st Reading: 1/8/2018**

**Ref to: ZP**

**2nd Reading: 8/3/2018**

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

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

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

Lot 1 John Schaefer's Addition to Minneapolis (136 Cedar Lake Road North – Plate #12) to the R3 multiple family zoning district.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted.

### **NOTICE OF ORDINANCE INTRODUCTIONS**

Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 14 of the Minneapolis Code of Ordinances relating to Liquor and Beer, amending regulations related to license class definitions and allowable entertainment:

1. Chapter 363 Wine Licenses.
2. Chapter 366 Beer Licenses.

Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations related to general and limited entertainment:

1. Chapter 541 Off-Street Parking and Loading.
2. Chapter 547 Office Residence Districts.
3. Chapter 548 Commercial Districts.
4. Chapter 549 Downtown Districts.
5. Chapter 550 Industrial Districts.

Warsame gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations for existing off-premise advertising signs and billboards near regional sports facilities:

1. Chapter 525 Administration and Enforcement.
2. Chapter 544 Off-Premise Advertising Signs and Billboards.

Schroeder gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, amending provisions to affirm tenant protections related to calls for emergency services associated with domestic violence and other emergencies.

### **INTRODUCTION & REFERRAL CALENDAR**

Pursuant to notice, on motion by Schroeder, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Zoning & Planning Committee:

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations related to rooftop mechanical equipment, penthouses, and building height:

1. Chapter 520 Introductory Provisions.



2. Chapter 535 Regulations of General Applicability.
3. Chapter 546 Residence Districts.
4. Chapter 547 Office Residence Districts.
5. Chapter 548 Commercial Districts.
6. Chapter 550 Industrial Districts.

Pursuant to notice, on motion by Johnson, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Zoning & Planning Committee:

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations for lots containing two or more zoning classifications:

1. Chapter 521 Zoning Districts and Maps Generally.
2. Chapter 551 Overlay Districts.

## **RESOLUTIONS**

Resolution 2018R-259 declaring August 5-11, 2018, to be Farmers Market Week in the City of Minneapolis was adopted.

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

### **RESOLUTION 2018R-259**

**By Cunningham, Reich, Gordon, Fletcher, Ellison, Warsame,  
Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, and Palmisano**

#### **Declaring August 5-11, 2018, to be Farmers Market Week in the City of Minneapolis.**

Whereas, farmers markets serve as important sources of healthy food for residents, economic development mechanisms for local farmers and food producers, and vital community gathering spaces in Minneapolis; and

Whereas, the City of Minneapolis launched the Homegrown Minneapolis initiative in 2008 to expand the community's ability to grow, process, distribute, eat, and compost more healthy, sustainable, and locally grown food; and

Whereas, Minneapolis has nearly 30 farmers markets and mini markets operating throughout the City in 2018; and

Whereas, all of the farmers markets operating in Minneapolis are collaborating as the Farmers Markets of Minneapolis to promote and gather more insights about the markets in partnership with the City of Minneapolis, University of Minnesota, and many other market supporters; and

Whereas, the Farmers Markets of Minneapolis have developed a collaborative strategic plan, name, and logo; and

Whereas, Farmers Markets of Minneapolis engaged more than 800 vendors in 2017, providing access to economic opportunities for local farmers and food producers; and

Whereas, in 2016 farmers markets in Minneapolis collectively represented more than \$12 million in vendor sales; and

Whereas, supporting the markets supports an important economic engine for the local and regional community; and

Whereas, in 2017, market vendors supported approximately 5,000 employees and welcomed an estimated 1.2 million annual visitors to the markets in Minneapolis; and

Whereas, an estimated 10,000 agricultural acres were owned, leased, or managed by Farmers Markets of Minneapolis vendors in 2017; and

Whereas, Homegrown Minneapolis has an online interactive map that makes it easy to find farmers markets all over the city; and

Whereas the Farmers Markets of Minneapolis have launched a new collaborative citywide website at farmersmarketsofmpls.org; and

Whereas, customers at the Farmers Markets of Minneapolis redeemed more than \$150,000 in Market Bucks and SNAP/EBT in 2017, expanding access to fresh, healthy food for Minneapolis residents experiencing food insecurity; and

Whereas, most of the Farmers Markets of Minneapolis operate health or food access programs including Market Bucks, Farmers Market Nutrition Program (FMNP), Power of Produce (POP), or Healthy Savings; and

Whereas, one third of market vendors donated leftover produce to hunger relief programs in 2017; and

Whereas, August 5-11 is National Farmers Market Week;

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

That August 5-11, 2018 is Farmers Market Week in the City of Minneapolis.

Resolution 2018R-260 welcoming the American Council for Polish Culture Convention to the City of Minneapolis was adopted.

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

**RESOLUTION 2018R-260**

**By Palmisano, Reich, Gordon, Fletcher, Cunningham, Ellison,  
Warsame, Goodman, Jenkins, Cano, Bender, Schroeder, and Johnson**

**Welcoming the American council for polish culture convention to the city of Minneapolis.**

Whereas, the Polish American Cultural Institute of Minnesota (PACIM) will host the American Council for Polish Culture Convention August 8-12 in Minneapolis welcoming delegates from Polish Cultural organizations throughout the United States; and

Whereas, American Council for Polish Culture was founded in 1948 and is a national non-profit, charitable, cultural and educational organization that serves as a network and body of national leadership among affiliated Polish-American cultural organizations throughout the United States; and

Whereas, the affiliated organizations of the Council create a natural, nation-wide network of organizations committed to furthering the cause of Polish language, art, history, and cultural involvement and awareness; and

Whereas, Minneapolis will be welcoming delegates from different Polish cultural organizations throughout the US who will be attending the ACPC Conference; and

Whereas, the conference will celebrate Polish culture and heritage promote various community-service and Polish-American organizations; and

Whereas, the event will coincide with the Twin Cities Polish Festival and will immerse Minnesotans and visitors in presenting unique cultural and educational displays, food and entertainment; and

Whereas, the theme of this conference is *Celebrating A Tradition of Independence*; and

Whereas, Poland gained its independence in November of 1918 and Poland's current President Andrzej Duda has declared 2018 as the year of Independence and celebration of Poland's freedom; and

Whereas, we are honored to welcome the American Council for Polish Culture of Minneapolis for their annual conference and join others around the world in commemorating the 100th anniversary of freedom in Poland as an independent European country;

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

That the Mayor and City Council do hereby welcome the American Council for Polish Culture Convention to be held August 8-12, 2018, at the Minneapolis Convention Center.

**NEW BUSINESS**  
**COUNCIL ACTION 2018A-0617**

Bender moved approval of the submission of comments by the City of Minneapolis to the United States Department of Commerce opposing the inclusion of the question regarding citizenship on the 2020 Census form, with a direction to staff to include support for a separate question relating to self-identification with respect to lesbian, gay, bisexual, transgender, and queer (LGBTQ) status.

On roll call, the result was:

Ayes: Gordon, Fletcher, Cunningham, Ellison, Warsame, Goodman, Jenkins, Cano, Schroeder, Johnson, Palmisano, President Bender (12)

Noes: (0)

Absent: Reich (1)

Adopted, as amended.

### **ADJOURNMENT**

On motion by Jenkins, the meeting was adjourned to Room 315, City Hall, for the purpose of discussing the litigation matter of John Ruszczyk as trustee for the next of kin of Justine Maia Ruszczyk v. Noor, et al.

### **ADJOURNED SESSION**

Council President Bender called the adjourned session to order at 11:13 a.m. in Room 315, a quorum being present.

City Attorney Susan Segal stated that the meeting may be closed as permitted by the attorney-client privilege under the Minnesota Open Meeting Law to discuss attorney-client communications.

At 11:15 a.m., on motion by Bender, the meeting was closed pursuant to Minnesota Statutes Section 13D.05, Subdivision 3(b) to discuss the litigation matter of John Ruszczyk as trustee for the next of kin of Justine Maia Ruszczyk v. Noor, et al.

Present - Council Members Cam Gordon, Steve Fletcher, Phillippe Cunningham, Jeremiah Ellison, Abdi Warsame, Lisa Goodman, Andrea Jenkins, Alondra Cano, Jeremy Schroeder, Andrew Johnson, Linea Palmisano, President Lisa Bender.

Absent – Council Member Kevin Reich.

Also Present - Susan Segal, City Attorney; Assistant City Attorneys Tracey Fussy, Sara Lathrop, and Kristin Sarff, City Attorney's Office; Gia Vitali, Mayor's Chief of Staff; Nuria Rivera-Vandermyde, City Coordinator; Mike Kjos, Assistant Chief, Police Department; Casey Joe Carl, City Clerk; and Jackie Hanson, City Clerk's Office.

Segal and Lathrop summarized the John Ruszczyk as trustee for the next of kin of Justine Maia Ruszczyk v. Noor, et al lawsuit from 11:16 a.m. to 12:04 p.m.

At 12:04 p.m., on motion by Jenkins, the meeting was opened.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

On motion by Schroeder, the meeting was adjourned to August 9, 2018, at 2:00 p.m. in the Council Chamber for the purpose of considering the referral of the Police Department charter amendment to the Charter Commission.

Casey Joe Carl,  
City Clerk