

CITY OF BLOOMINGTON
1800 WEST OLD SHAKOPEE ROAD
HENNEPIN COUNTY, MINNESOTA 55431

CITY COUNCIL MEETING

Approved Minutes
Regular Meeting
Meeting #32

7:00 p.m.
November 3, 2003
Council Chamber

Call to Order and
Pledge to Flag

Mayor Gene Winstead called the meeting to order and Brownie Troops #2637 and #714 presented the colors and led the Council and audience in the pledge of allegiance to the flag. At the Mayor's request, the brownies (first through third graders) introduced themselves providing their name and respective school: Valley View Elementary, Mount Hope Redemption, Annunciation, and Indian Mounds Elementary.

Roll Call

Present: Mayor Winstead, Councilmembers D. Abrams, S. Elkins, M. Fossum, H. Harden, S. Peterson, and V. Wilcox.

Presentation of
AWWA Award

Mayor Winstead presented an award from the Minnesota Section of the American Water Works Association to Public Works Director Charlie Honchell for Bloomington having the best Consumer Confidence Report (CCR) in Minnesota's Metro District, which also won the statewide award for such publications.

Honchell recognized the great job by Bob Cockriel and Jon Eaton of the Utilities Division in providing the very best information to Bloomington citizens on the quality of water the City provides.

Opened Public
Comment Period

The Mayor declared the public comment period open for those wishing to address the Council on matters other than items included on the agenda. No one came forward to speak, so the Council returned to its regular agenda.

Approved Renaming of
Smith Park Baseball
Field
Item 6.1

Motion was made by Harden, seconded by Abrams, and all voting aye, to approve a request from the Bloomington Athletic Association (BAA) that the Smith Park Baseball Field be renamed to the Sherman Seeker Baseball Field.

Ratified Amendments to
Police Labor Agreements
Item 6.2

Motion was made by Harden, seconded by Abrams, and all voting aye, to ratify certain amendments to the Police Officers' and Police Supervisors' labor agreements.

It was noted that this enables the combination of the 10-12 hour schedule for the patrol division while working with the present schedule. It will be implemented on January 1, 2004.

Acknowledged Modified
List of Streets for 2004-
101 PMP Project
Item 6.3

Motion was made by Harden, seconded by Abrams, and all voting aye, to acknowledge receipt of the modified list of reconstruction streets to be included in the 2004-101 Pavement Management Program (PMP) Project, as presented in the agenda materials resulting from a recent street by street inspection and new field information obtained during the surveying for constructions plans.

The following modifications were made:

<u>Ref. No.</u>	<u>Street</u>	<u>From</u>	<u>To</u>
4.	West 108 th Street	Kell Avenue	Johnson Avenue
16.	5 th Avenue	East 94 th Street	East 96 th Street
17.	Layman Lane	3 rd Avenue	Portland Avenue

Item 6.3 continued

The following street segments were added:

19.	Picture Drive	West 78 th Street	City Limits
20.	Aldrich Avenue	West 86 th Street	West 85 th Street
21.	Aldrich Avenue	West 84 th Street	West 82 nd Street
22.	West 83 rd Street	Aldrich Avenue	Lyndale Avenue

Acknowledged 2004-102 PMP Overlay Streets Item 6.4

Motion was made by Harden, seconded by Abrams, and all voting aye, to acknowledge receipt of the following overlay streets to be included in the 2004-102 Pavement Management Program (PMP) Project:

<u>Name of Street</u>	<u>From</u>	<u>To</u>
East Bloomington Freeway	West 82 nd Street	West 84 ½ Street
Girard Avenue	West 84 ½ Street	West 86 th Street
Fremont Avenue	West 82 ½ Street	West 86 th Street
Emerson Avenue	West 82 nd Street	West 86 th Street
West 83 rd Street	Fremont Avenue	Emerson Avenue
West 85 th Street	Girard Avenue	Emerson Avenue
West 86 th Street	I-35W Bridge	Lyndale Avenue
East 86 th Street	Portland Avenue	Old Cedar Avenue
East 99 th Street	4 th Avenue	Portland Avenue
East 100 th Street	3 rd Avenue	Portland Avenue
Columbus Road	5 th Avenue Circle	Chicago Circle
Chicago Avenue	Chicago Circle	101 st Street
Columbus Circle	Columbus Road	North Terminus
Columbus Circle	Columbus Road	West Terminus
Chicago Circle	Columbus Road	South Terminus
East 103 rd Street	Portland Avenue	Park Avenue
Park Avenue	East 103 rd Street	Columbus Road
Johnson Road	West 102 nd Street	Heritage Hills Drive
Heritage Hills Circle	Heritage Hills Drive	East Terminus
Stanley Avenue	West 84 th Street	Nine Mile Creek Pkwy.
Palmer Avenue	West 84 th Street	West 85 th Street
Morris Avenue	West 84 th Street	West 85 th Street
West 85 th Street	Palmer Avenue	Morris Avenue
Morris Circle	Morris Avenue	South Terminus
Northwood Ridge	Sandro Road	Normandale Boulevard
Southwood Drive	Northwood Ridge	Normandale Boulevard
Crestwood Road	Northwood Ridge	Southwood Drive
Woodland Rod	Northwood Ridge	Southwood Drive

Approximately 7.35 miles of roadway are proposed for overlay in accordance with the Council approved PMP overlay program. Storm sewer, sanitary sewer, and watermain maintenance also occurs along with a street overlay.

The overlays are done without a direct assessment to the adjacent property owners. Project costs will be paid from the 425 State Aid PMP Overlay Fund and budgeted utility maintenance funds.

Awarded a Contract to Schafer Contracting for 2000-501 Street Improvement Project Item 6.5

Motion was made by Harden, seconded by Abrams, and all voting aye, to award a contract to Schafer Contracting in the amount of \$3,255,005.80 for the 2000-501 Street Improvement Project for work at France Avenue and West Old Shakopee Road.

The improvements will be funded using the following sources: State Aid, Hennepin County, HRA, Storm Utility and Water Utility.

Approved Purchase from Streicher's Police Equipment Item 6.6

Motion was made by Harden, seconded by Abrams, and all voting aye, to approve the purchase of tactical body armor and ultra-sonic cleaner from Streicher's Police Equipment.

Funds to pay for this equipment would come from the Forfeiture Account, Fund 240.

<p>Approved Easement Acquisition Settlements for France & Old Shakopee Road Project Item 6.7</p>	<p>Motion was made by Harden, seconded by Abrams, and all voting aye, to approve settlements of the easement acquisitions regarding the following parcels:</p> <ol style="list-style-type: none"> (1) Parcel 11 - 4025 West Old Shakopee Road (Richfield/Bloomington Credit Union): \$8,900. (2) Parcel 20 - 3700 West Old Shakopee Road (Adam Pauly): \$6,300 (3) Parcel 21 - 3708 West Old Shakopee Road (Viola Sandell): \$6,800 (4) Parcel 22 - 3716 West Old Shakopee Road (Mark & Debra Meagher): \$8,200 (5) Parcel 23 - 3800 West Old Shakopee Road (Bloomington Professional Bldg., LLC): \$31,400 (6) Parcel 29 - 10630 West Old Shakopee Road (Valvoline): \$14,500
<p>Approved List of Engineering Consultants through 2004 Item 6.8</p>	<p>Motion was made by Harden, seconded by Abrams, and all voting aye, to approve the extension of the following existing Prequalified Consultant List for Professional Engineering Services through 2004: (Braun Intertec, HTPO, Inc., SEH, SRF Consulting, Sunde Engineering, TKDA, Stork Twin City Testing, URS Corp. and WSB.)</p>
<p>Approved Relocation Benefits - France & Old Shakopee Road Project Item 6.9</p>	<p>Motion was made by Harden, seconded by Abrams, and all voting aye, to approve payment of the following relocation benefits in connection with the France/Old Shakopee Road Street Project and the City's acquisition of the France 106 Building:</p> <ol style="list-style-type: none"> (1) Farmer's Insurance (Agent Pete Prindle at 10611 France): \$20,000 (fixed, in-lieu payment). (2) Liquor Barrel/Mike Quam: \$1,765 (advertisement expense and floor tile disposal). (3) Bloomington Smoke Shop/Jim Wazwaz: \$1,538.35 (security system connection).
<p>Approved Addendum to Agreement with Wickenhauser Excavating Item 6.10</p>	<p>Motion was made by Harden, seconded by Abrams, and all voting aye, to approve an addendum to the agreement between Wickenhauser Excavating and the City involving the demolition of the former City Hall and removal of hazardous materials. An increase in the contract price from \$120,700 to \$180,200 and change orders totaling approximately \$31,500 were approved. Also approved was the removal of asbestos from 301 beige pipefittings at a cost of \$11,588.50 and the removal of asbestos from 12 fire doors at a cost of \$1,122.</p>
<p>Approved Transfer of Public Health Emergency Preparedness Grant Dollars Item 6.11</p>	<p>Motion was made by Harden, seconded by Abrams, and all voting aye, to approve the transfer of \$26,270 in Public Health Emergency Preparedness grant dollars to facilitate the purchase of videoconferencing equipment to be used by the Health Division and other City departments.</p>
<p>Boards/Commissions Communications Item 7.1</p>	<p>No boards/commissions communications were received.</p>
<p>Status of Action Items Item 7.2</p>	<p>No Status of Action Items.</p>
<p>Approved Transmittal of Comment Letter to MAC Item 7.3</p>	<p>Motion was made by Peterson, seconded by Wilcox, and all voting aye, to approve transmittal of a comment letter to Robert Vorpahl, Metropolitan Airports Commission (MAC) regarding the 2004-2010 MAC Capital Improvements Program.</p> <p>Larry Lee, Community Development Director, explained that MAC annually prepares a five-year capital improvements program which requires an impact statement. Of particular interest to Bloomington is the noise insulation issue and per a recommendation from Bloomington's MAC Commissioner, the City commented on the importance of MAC continuing to show commitment to noise insulation.</p>
<p>Authorized Staff to Communicate Council's Interest in Interim Action Regarding LRT Station at American Boulevard & 34th Avenue Item 7.4</p>	<p>Motion was made by Wilcox, seconded by Harden, and all voting aye, authorizing staff to contact both the Bloomington Port Authority and the Hiawatha Project Office to indicate interest by the Bloomington City Council of having both organizations review and consider interim action for a curb construction alternative along the proposed American Boulevard/34th Avenue future LRT Station.</p>

Bernhardson provided background explaining that when the final LRT station into the Mall was rerouted from the Adjoining Lands into the Mall parking ramp, in order to reduce costs, only three stations were approved so a station was introduced at 28th Avenue to improve the park and ride component. That decision resulted in removing the 34th Avenue station from the current plan for later construction. At the time, property owners in the vicinity of 34th Avenue expressed concern that the station at 34th would never be built. Staff held discussions with the property owners and they indicate an interest in participating in helping to fund the construction of that station. As it was determined that construction of that station after the LRT is open and operational may be problematic, Public Works Director Charlie Honchell suggested that putting in footing and a curb for the platform station next to the rail now would help facilitate construction in the future. He explained that Council is being asked to approve further exploration of this idea. The estimated cost for this construction and engineering of this alternative is approximately \$150,000. If Council concurs, staff would pursue this idea with the Port Authority and the Hiawatha Project Office (HPO).

Winstead supports staff's idea to keep the future construction of this station moving forward and believes contacting the Port Authority is a good strategy.

Peterson inquired if the City is considering assessing the adjacent properties that would most likely benefit from this transportation project, as has been its policy when funding other such transportation projects.

Bernhardson replied that a voluntary contribution from the property owners in the form of a special assessment is a possibility. However, those details have not yet been discussed and would likely be a negotiation between HPO, the property owners, and the City.

Wilcox applauded the efforts of Honchell and stated that going back for an assessment at this time would not be appropriate and that the property owners should be approached if and when the station is built.

Elkins inquired why HPO is not following through on their previous promise that ISTEA funds could be used to get this built in the 2007-08 timeframe.

Bernhardson replied that although HPO is still interested in pursuing this type of funding, Met Council has indicated that there is no available money in the project and they do not wish to consider this any further prior to the opening of operations. HPO will, however, explore ISTEA funding for the 34th Avenue station once LRT is up and running and Met Council staff has indicated a willingness to support it also and would see if it could be moved up from the 2009-10 funding cycle.

Continued to the
November 7 Special
Council Meeting a Letter
to Senator Coleman
Regarding S.F. 150
Item 7.5

Motion was made by Peterson, seconded by Elkins, and all voting aye, to continue to the November 7, 2003, Special Council meeting, further clarification on the letter to Senator Norm Coleman seeking his support in opposing Senate File 150, a bill imposing a permanent ban on all state and local taxes on Internet access.

Bernhardson explained that S.F. 150 would impose a permanent ban on all state and local taxes on Internet access and that the impact initially relates to high-speed DSL cable modem lines. He stated that the concern is what constitutes "access" to the Internet and that it may effect the City's normal cable franchise fee, which is the quasi rent that the cable company pays for use of the right-of-way. If the proposed language goes through, Bernhardson stated that the cable companies would try to forego that rental fee. A counter proposal supported by the State of Minnesota and Senator Dayton extends the current moratorium on these Internet taxes for two years in order to work out a solution. At the present time, Senator Coleman does not support the extension and may be supporting the overall permanent ban. The draft letter to Senator Coleman encourages him to vote in favor of extending the current moratorium and not for the permanent bill.

Item 7.5 continued	As a member of the National League of Cities (NLC's) FAIR Committee, Harden inquired if staff has the correct understanding of the positions of each senator. She suggested that staff contact Scott Schrum, the policy analyst for FAIR to get the facts. She stated that it doesn't seem fair for the federal government to put a permanent ban on access fees that are charged by states and cities as a source of income. For a greater impact, she suggested that all of the Council Members sign the letter when it is ready to be transmitted.
Approved New Therapeutic Massage License for Countryside Chiropractic & Massage Item 4.1A	Motion was made by Abrams, seconded by Peterson, and all voting aye, to approve a new therapeutic massage enterprise license for Anne M. Werner D.C., PA dba Countryside Chiropractic & Massage at 7700 West Old Shakopee Road for the period expiring August 31, 2004. No public testimony was received.
Approved On-Sale Intoxicating Liquor Special Event License for Nativity of Mary Church Item 4.1B	Motion was made by Abrams, seconded by Peterson, and all voting aye, to approve an On-Sale Intoxicating Liquor Special Event License for Nativity of Mary Church at 9901 East Bloomington Freeway for their silent auction/social hour on Friday, April 23, 2004 from 5:00 p.m. - 1:00 a.m. No public testimony was received.
Postponed to November 17 a New On-Sale Intoxicating Liquor License for Joey D's Grill and Bar Item 4.1C	Motion was made by Peterson, seconded by Wilcox, to postpone to the November 17, 2003, Regular Council meeting, a New On-Sale Intoxicating Liquor License for Joey D's Grill and Bar at 1901 Killebrew Drive. Motion passed 6-0-1 (Winstead abstaining). Staff reported that further investigation is required prior to this license being considered by Council and is therefore recommended for postponement to November 17.
Approved New Wine and 3.2 Percent Malt Liquor License for Tiger Sushi Item 4.1D	Motion was made by Wilcox, seconded by Peterson, and all voting aye, to approve a New Wine and 3.2 Percent Malt Liquor License for Tiger Sushi, Corp. dba Tiger Sushi at 224 West Market for a period expiring December 31, 2004. No public testimony was received.
Closed Public Comment Period	The Mayor asked if anyone else wished to address the Council during the public comment period, or it would be closed. Speaker #1: George Holter, Richfield Bus Company He provided the Council with copies of the Ten Commandments, specifically noting the 8 th , 9 th , and 10 th commandments. He believes the Council has received wrong information from staff and is guilty of those commandments. He presented the Council with a bill for the third month's rent in the amount of \$1,200 plus carrying charges on his property claiming that the City Council took away his renter. He stated the Council could use his property anyway it desired. He reminded the public to vote tomorrow unless they are happy with the government. Mayor Winstead closed the Public Comment period at 7:37 p.m.
Adopted an Ordinance Amending No Parking Zones on East 103 rd Street Item 4.2 O-2003-52	Motion was made by Peterson, seconded by Wilcox, and all voting aye, to adopt an ordinance amending Section 8.86 of the City Code relating to No Parking Zones on East 103 rd Street as follows and continued to a Regular December City Council meeting an amendment to the No Parking Zones on East 95 th Street. "The parking of vehicles upon the following described street or portions thereof is hereby prohibited during the hours prescribed: East 103 rd Street (both sides of the street) from 1 st Avenue to Stevens Avenue - 24 hours." Chad Smith, Traffic & Transportation Engineer, explained that staff is requesting a postponement of the parking amendments on East 95 th Street due to an error in the wording of the public notification.

Item 4.2 continued

Speaker #1: Patricia McDonald, 210 East 95th Street

She stated that she and her husband started the petition for the “no parking” ban on East 95th Street, stating that the initial petition was for 95th Street between 3rd Avenue and Nicollet Avenue but now it appears to be only from 3rd to 2nd Avenue. She stated that residents at 8 out of 11 homes signed the petition, one was not home, one was Commissioner Steve Mahowald who abstained from signing, and one resident had reservations. She stated that students throw trash into their yards, disregard the posted speed limit, make it hard for them to navigate in and out of their driveways, and create problems for the street sweepers and snowplows. She provided photographs of the mess along her street. She requested the no parking go all the way to Nicollet, as it will just push the problem up another block otherwise.

Smith replied that staff did receive a petition for 95th Street between 3rd Avenue and Nicollet. The petition was presented to the Traffic & Transportation Advisory Commission (TTAC) who directed staff to send a survey to the adjacent property owners. For the segment between 2nd & 3rd Avenues, he stated all four property owners were supportive. But for the segment from 2nd Avenue to Nicollet, he reported that there were more against the parking ban than were supportive. As a result, TTAC recommended that only the segment where the clear majority supported the ban be amended. It was stated that staff would do some further checking to see if there is enough support to amend the parking regulations on East 95th Street between 2nd Avenue and Nicollet.

Continued to a Meeting in December Amending No Parking Zones on East 95th Street

Motion was made by Peterson, seconded by Wilcox, and all voting aye, to continue to a meeting in December an ordinance amending Section 8.86 of the City Code relating to No Parking Zones on East 95th Street.

Adopted a Resolution Requesting a Variance from MnDOT for a Section of West 102nd Street

Motion was made by Peterson, seconded by Elkins, and all voting aye, to adopt a resolution approving the request for a variance from the Minnesota Department of Transportation (MnDOT) from The Rules for State Aid Operations for lane width requirements regarding the section of West 102nd Street from Pleasant Avenue to Nicollet Avenue.

Item 4.3
R-2003-162

Bernhardson explained that the City requested a variance from MnDOT to allow West 102nd Street from Pleasant Avenue to Nicollet Avenue to continue operating as a four-lane at its current width of 40 feet, as State Aid Operations Rules require that it be 44 feet.

Shelly Pederson, City Engineer, explained that MnDOT is trying to close out their books on older construction projects like this one from 1992 and it’s currently operating as a four-lane as it was designed in 1992 when the rules were different. Today’s rules are different and thus the reason for the variance request.

No public testimony was received.

Adopted a Resolution Requesting Xcel Energy Relocate Underground Electric Distribution Lines for France and Old Shakopee Road Project

Motion was made by Fossum, seconded by Elkins, and all voting aye, to adopt a resolution requesting Xcel Energy relocate underground electric distribution lines situated within right-of-way for Old Shakopee Road and a portion of France Avenue north of Old Shakopee Road and ordering the undergrounding of electric distribution lines located on right-of-way for a portion of France Avenue south of Old Shakopee Road in conjunction with an approved street improvement project at the intersection of France Avenue and Old Shakopee Road.

Item 4.4
R-2003-163

Dave Ornstein, City Attorney, explained the difference between the City “requesting” the underground versus “ordering.” He stated that after staff met with Xcel Energy to let them know that the City would be considering a resolution to underground Xcel’s distribution lines in the area of France Avenue and Old Shakopee Road in conjunction with the street improvement project, Xcel suggested that for the County-owned portion on Old Shakopee Road and north of Old Shakopee Road on France Avenue, that the City Council request the undergrounding and that they order it for the City-owned portion on France Avenue south of Old Shakopee Road. He stated that it’s Xcel’s position that for county-owned roadways, municipalities in general do not have the statutory or police power to order the undergrounding. In order to avoid a potential challenge by Xcel Energy causing a potential delay to this project if the City “ordered” the undergrounding for that portion rather than “requested,” staff is recommending it be “requested” and has no reason to believe that Xcel Energy will not underground all of their electric lines on both portions of the roadway. The resolution recommends that the undergrounding be treated as a standard facility so that if Xcel were to agree to that, there would not be a surcharge on the City ratepayer for the cost of undergrounding. Xcel will make the final decision on that based on the criteria under their tariff. The primary factors to be considered are the difference in cost between overhead relocation and undergrounding and safety.

Bernhardson stated that Jim Strommen, Suburban Rate Authority (SRA), mentioned to Council in a previous presentation regarding undergrounding, his efforts to sit down with Xcel on behalf of the SRA to begin discussions to see if they would be willing to come into a voluntary agreement related to undergrounding for a redevelopment project in a suburban downtown area. It was stated that Xcel has decided not to pursue a voluntary agreement any further at this time.

Honchell stated that late today, staff was advised by representatives of Xcel that until the matter regarding the funding is resolved, they will not undertake the work. Therefore, the City would have to agree to pay the undergrounding fee and then challenge it back to the Public Utilities Commission or Xcel will not undertake the construction. He stated that the City just awarded a contract to do the work, which will require the construction of the undergrounding if it’s undergrounding or relocating the utilities if it’s not undergrounding.

Speaker #1: George Holter

He stated that he supports the undergrounding of the utility lines and that in the long run the maintenance costs would be less and suggested that the City pay for it upfront and then ask Xcel to give all the power users a reduced rate.

Bernhardson stated that Xcel maintains that it is more costly to maintain underground lines and charge a surcharge in the residential areas that have underground an additional price as a result.

Continued to December
1 Proposed Changes to
Fees and Charges
Item 4.5

Motion was made by Wilcox, seconded by Peterson, and all voting aye, to continue to the December 1, 2003, Regular Council meeting, the proposed changes in fees and charges collected throughout the various departments.

Wilcox suggested that at the aquatics facility, staff consider that for those who bring their minor children to the pool and who do not use the pool themselves be allowed to enter free.

Winstead inquired if new sand traps could be put in at Dwan Golf Course. Due to the early closing of Bush Lake Beach, he requested whether staff should consider a refund for those who bought a park sticker with the intention of only using Bush Lake Beach, even though the Hennepin County Park permit is good at all County parks. He also requested that staff look into why the fees for food vendors at the Jazz Festival are so much less than those for Summer Fete.

Adopted a Resolution
Approving Conditional
Use Permit at
4900 West 78th Street
Case 2643B-03
Item 5.1
R-2003-164

Motion was made by Abrams, seconded by Fossum, and all voting aye, to adopt a resolution approving a conditional use permit for warehouse/storage space at 4900 West 78th Street, Case 2643B-03, for Thrivent Financial for Lutherans, subject to the following 2 conditions of approval as set forth by the Planning Division Staff and the Planning Commission:

1. Building signage be in conformance with City Code Section 19.113; and
2. Conditional use permit applies only to the 15,594 square foot area shown on the plans in Case 2643B-03.

No public testimony was received.

Adopted a Resolution
Approving Conditional
Use Permit at
7814 Portland Avenue
Case 8211D-03
Item 5.2
R-2003-165

Motion was made by Wilcox, seconded by Peterson, and all voting aye, to adopt a resolution approving a conditional use permit for a restaurant on the property located at 7814 Portland Avenue, Case 8211D-03, for Lou-B's Bar-B-Q, subject to the following 4 conditions as set forth by the Planning Division Staff:

1. All trash and recyclable materials be stored inside the principal building (Sec. 19.51);
2. Food service plans be approved by the Environmental Services Division (City Code Sec. 14.360);
3. Signage be in conformance with the requirements of Chapter 19, Article X of the City Code; and
4. All signage be in accordance with the approved Uniform Sign Design (Sec. 19.109).

No public testimony was received.

Approval of Minutes

Motion was made by Peterson, seconded by Abrams, and all voting aye, to approve the minutes of the October 20, 2003, Regular Council meeting, as presented.

Reminder to Vote

Mayor Winstead reminded everyone that Tuesday, November 4 is election day and that the ballot includes candidates running for City Council and the School Board and a question regarding an operating referendum for the School District.

Police Chief Explains
Pilot Program

Fossum remarked that Police Chief Laux was on the news with Hennepin County Attorney to kick off a new pilot project for the identification of criminals.

Chief Laux explained that Bloomington agreed to participate along with the cities of Minneapolis, Minnetonka, and New Hope (representing large, small, and medium-sized agencies) in a study relating to the sequential identification of possible suspects in cases where there is question about a suspect's identification. He explained that the issue across the United States is that a number of people have been arrested, convicted, and put in prison as a result of improper eyewitness identification. It has not been an issue in Minnesota and especially not in Hennepin County with its current protocol but in the spirit of wanting to assure proper identification with new procedures being laid out, he agreed to participate in this year-long pilot program. He provided Council with handout materials on the program.

Adjourn Meeting

Mayor Winstead adjourned the meeting at 8:09 p.m.

Barbara Clawson
Council Secretary