

REPORT TO THE CITY COUNCIL FROM
THE HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT COMMITTEE
STANDING COMMITTEE OF THE MINNEAPOLIS CITY COUNCIL
February 1, 2016

A regular meeting of the committee was convened at 1:32 p.m. on this date.

Members Present: Council Members Cam Gordon (Chair), Andrew Johnson, Jacob Frey, Elizabeth Glidden, Alondra Cano, and Lisa Bender

Matters listed below are hereby submitted with the following recommendations; to-wit:

1. Energy data ordinance ([15-01552](#))

Passage of Ordinance amending Title 3, Chapter 47 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Energy and Air Pollution, clarifying the standards of acceptable energy data and stating the schedule of public disclosure of the received data.

Staff report by Nadia Kahn, Health Department.

The public hearing was opened.

There being no persons wishing to speak, the public hearing was closed.

On motion by Glidden, carried on voice vote, the matter was approved.

2. Perchloroethylene (Perc) dry cleaning regulations ordinance ([15-01553](#))

Passage of Ordinance amending Title 13, Chapter 301 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Laundries and Dry Cleaning Establishments, prohibiting the use of certain solvents and amending enforcement provisions.

Staff report by Patrick Hanlon, Health Department, and David Jones, Minnesota Department of Health.

The public hearing was opened.

The following person spoke in support:

1. Joe Peterson, 3711 West 44th Street, Prestige Cleaning Center.

The public hearing was closed.

On motion by A. Johnson, carried on voice vote, the matter was approved, as amended to change the effective date of the ordinance from Dec. 31, 2015, to March 1, 2016.

3. Reappointment of Commissioner of Health/Director of Health Department ([16-00134](#))

Approving the reappointment by the Executive Committee of Gretchen Musicant to the appointed position of Commissioner of Health/Director of Health Department for a two-year term beginning Jan. 4, 2016.

Gretchen Musicant, Commissioner of Health/Director of Health Department, summarized recent achievements and future goals of the Health Department.

The public hearing was opened.

There being no persons wishing to speak, the public hearing was closed.

The Chair afforded the courtesy of the floor to Mayor Betsy Hodges, who expressed her appreciation for Ms. Musicant's leadership and her contributions to the City enterprise during her term as Commissioner of Health.

On motion by Gordon, carried on voice vote, the matter was approved.

4. Contract amendments with Abdo, Eick and Meyers LLP; CliftonLarsonAllen LLP; Mike Wilson and Associates; and Rogers and Company, LLC for neighborhood audit services ([16-00135](#))

Authorizing extension of the current three-year contracts with Abdo, Eick and Meyers LLP; CliftonLarsonAllen LLP; Mike Wilson and Associates; and Rogers and Company, LLC through Dec. 31, 2017, and contracting up to an additional \$300,000 in 2016 and 2017 to continue providing audit services and financial management and filing support for contracted neighborhood organizations.

On motion by Gordon, carried on voice vote, the matter was approved and referred to the Ways & Means Committee.

5. Carry out bags in retail establishments ordinance ([15-00999](#))

Setting a public hearing for March 21, 2016, on the subject matter of an ordinance amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Garbage and Refuse, adding a new Article VII regulating the use of carry out bags in retail establishments.

On motion by Gordon, carried on voice vote, the public hearing was set for March 21, 2016.

On motion by Gordon, carried on voice vote, the public hearing was set for March 21, 2016.

6. Marijuana decriminalization ordinance ([16-00046](#))

Setting a public hearing for Feb. 22, 2016, on the subject matter of an ordinance amending Title 11, Chapter 223 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Drugs, removing marijuana from the list of prohibited drugs.

On motion by Gordon, carried on voice vote, the public hearing was set for Feb. 22, 2016.

7. Emergency shelters ordinance ([15-01268](#))

Setting a public hearing for March 21, 2016, on the subject matter of an ordinance amending Title 11 of the Minneapolis Code of Ordinances relating to Health and Sanitation, adding a new Chapter 236, Emergency Shelters, adding provisions providing for the licensure and regulation of emergency shelters.

On motion by Gordon, carried on voice vote, the public hearing was set for March 21, 2016.

8. After-hours work permits ordinance ([16-00074](#))

Setting a public hearing for Feb. 22, 2016, on the subject matter of an ordinance amending Title 3, Chapter 59 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Construction Activities, amending provisions related to after-hours work permits.

On motion by Gordon, carried on voice vote, the matter was referred to staff.

9. Restructuring annual pollution control billing fees ordinance ([16-00108](#))

Setting a public hearing for Feb. 22, 2016, on the subject matter of the following ordinances amending the Minneapolis Code of Ordinances, restructuring the annual pollution control billing fees:

1. Title 3 relating to Air Pollution and Environmental Protection
Chapter 46 Hazardous Waste Generation, Handling, Storage and Disposal.

Chapter 47 Energy and Air Pollution.

Chapter 48 Minneapolis Watershed Management Authority.

Chapter 50 Minneapolis Waste Control and Waste Discharge Rules.

Chapter 52 Erosion and Sediment Control and Drainage.

Chapter 54 Storm Water Management.
2. Title 5, Chapter 91 relating to Building Code: Permit Fees.
3. Title 13, Chapter 261 relating to Licenses and Business Regulations: License Fees Generally. **(Also in CDRS)**

On motion by Gordon, carried on voice vote, the public hearing was set for Feb. 22, 2016.

10. Animal Care, Control, and Regulation ordinance ([15-00736](#))

1. Passage of Ordinance repealing Title 4 of the Minneapolis Code of Ordinances relating to Animals and Fowl and replacing with a new Title 4 entitled "Animal Care and Control".
2. Approving amending the Fee Schedule to correspond with the new Title 4. **(Refer to WM)**

Postponed from HECE Committee on Jan. 25, 2016.

On motion by A. Johnson, carried on voice vote, the ordinance was amended by adding and deleting the following definitions in Section 62.20:

~~*Impounded animal* means an animal that enters a public or private sheltering agency or rescue group regardless of whether the animal is a stray, owner relinquished, seized, taken into protective custody, transferred from another private or public sheltering agency, or is an animal whose owner requests that the animal be euthanized, except for an animal presented to a medical clinic associated with such agencies, for purposes of preventative or rehabilitative medical care or sterilization.~~

Impounded animal means an animal seized or taken into protective custody by a public authority that is being held.

Intake animal means an animal that enters a public or private sheltering agency or rescue group regardless of whether the animal is a stray, owner relinquished, transferred from another private or public sheltering agency or is an animal whose owner requests that the animal be euthanized except for an animal presented to a medical clinic associated with such agencies for the purpose of preventive or rehabilitative medical care or sterilization.

~~*Releasing agency* means a public animal shelter, private animal shelter, humane society, animal welfare organization, society for the prevention of cruelty to animals, or other similar entity or rescue that releases companion animals for adoption.~~

Releasing agency means a public animal shelter, private animal shelter, humane society, animal welfare organization, society for the prevention of cruelty to animals or other similar entity or rescue that releases or transfers companion animals for adoption or placement with another public or private sheltering agency or rescue.

On motion by A. Johnson, carried on voice vote, the ordinance was amended by adding language to the title of Section 64.100 as follows:

64.100. Standards of care and disposition of impounded and intake animals.

On motion by A. Johnson, carried on voice vote, the ordinance was amended by adding and deleting language in Section 66.30 as follows:

66.30. Appeals procedures. (a) The owner or custodian of an animal that has been declared potentially dangerous or dangerous may appeal the declaration and request a hearing. The appeal request must be submitted in writing within ~~ten (10)~~ fourteen (14) calendar days of notification. If a hearing is requested, MACC shall schedule a hearing within ~~ten (10) business~~ fourteen (14) calendar days, unless a later hearing date is mutually agreed upon. Appeals shall consist of an evidentiary hearing before an independent hearing officer retained by the City of Minneapolis.

On motion by Gordon, carried on voice vote, the ordinance was amended by adding and deleting the following definitions in Section 62.20:

Companion Animal means a nonhuman mammal, bird, or reptile impounded or held for breeding, or possessed by, cared for, or controlled by a person for the present or future enjoyment of that person or another.

Fowl means any of the various species of domesticated poultry as to live and breed in a tame condition and kept for agricultural purposes such as but not limited to, chickens, ducks, geese, turkeys, pigeons, swans and doves. ~~Fowl does not include any domestic animal or wild animal.~~

On motion by Gordon, carried on voice vote, the ordinance was amended by deleting the language in subdivision (f) contained in Section 63.90 and renaming subsections (g) through (i) accordingly:

~~(f) No permit shall be granted to keep any fowl or pigeon within a dwelling unit or part thereof, nor on any real estate which contains three (3) or more dwelling units.~~

On motion by Gordon, carried on voice vote, the ordinance was amended by changing the effective date of subdivision (k) contained in Section 64.90 from 2017 to 2019:

(k) *Bullhooks prohibited.* It shall be a misdemeanor for any person who houses, possesses, or is in direct contact with an elephant to use a bullhook, ankus, baseball bat, axe handle, pitchfork, or similar device designed to inflict pain for the purpose of training or controlling the behavior of an elephant. Use prohibited by this subdivision includes brandishing, exhibiting, or displaying such devices in the presence of an elephant. (This provision shall become effective on January 1, ~~2017~~ 2019)

On motion by A. Johnson, carried on voice vote, the matter was approved, as amended.

With no further business to transact, the meeting adjourned at 2:45 p.m.

Reported by Peggy Menshek, Committee Coordinator