

REPORT TO THE CITY COUNCIL FROM  
**PUBLIC HEALTH, ENVIRONMENT, CIVIL RIGHTS, AND ENGAGEMENT COMMITTEE**  
July 29, 2019

A regular meeting of the committee was convened at 1:33 pm on this date.

Members Present: Council Members Phillipe Cunningham (Chair), Cam Gordon (Vice-Chair), Andrea Jenkins, Alondra Cano, and Jeremy Schroeder (Quorum - 4)

Members Absent: Council Members Andrew Johnson

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

1. Regulation of tetrachloroethylene (perc) in dry cleaning establishments ordinance ([2019-00766](#))

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, amending regulations to prohibit any use of tetrachloroethylene in a dry cleaning facility.

Presentation in Committee by Director of Environmental Services Patrick Hanlon, who invited Clean n' Press owner Keith Aune to speak on behalf of dry cleaners.

The public hearing was opened.

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

Cunningham moved to approve. On voice vote, the motion passed.  
[Johnson absent]

2. Wage theft ordinance ([2019-00697](#))

Passage of Ordinance amending Title 2 of the Minneapolis Code of Ordinances relating to Administration, preventing wage theft, adding overtime and break requirements, and restricting City contracts from being awarded to entities with outstanding wage obligations:

1. Chapter 18 Purchasing.
2. Chapter 40 Workplace Regulations.

Presentation in Committee by Brian Walsh, Civil Rights, and Assistant City Attorney Andrea Naef.

The public hearing was opened.

The following persons spoke:

- |                     |                                           |                |
|---------------------|-------------------------------------------|----------------|
| 1. Gilberto         | 10640 6th St NE, Blaine, MN 55434         | CTUL           |
| 2. Kevin Morse      | 410 Groveland St                          | Sela           |
| 3. Roger Bratsch    | 2445 116th LN NW, Coon Rapids, MN         | SEIU 284       |
| 4. Karla S. Arceo   | 8320 Garfield Ave, Bloomington            | Frida Drywall  |
| 5. Abel Garcia      | 591 Circle Ct SW, Rochester, MN 55902     | Business owner |
| 6. Mya Bradford     | 5801 73rd AVE N, Brooklyn Park, MN 55479  | ROC            |
| 7. Maria Michuta    | 2021 Ericon Dr, Brooklyn Center, MN 55430 | ROC            |
| 8. Humberto Miceli  | 4550 Central Ave NE                       | CTUL           |
| 9. Kevin Kendrick   | 1023 17th Ave SE                          | ROC            |
| 10. John Sandahl    | 307 W 15th ST                             | ROC            |
| 11. Iris Altamirano | 1620 Central Ave NE                       | SEIU Local 26  |
| 12. Lloyd Brown     | 2103 Oliver Ave N                         | CTUL           |

13. Taylor Shevey	3728 15th Ave S	CTUL
14. Eli Edleson-Stein	2645 Pleasant Ave S	
15. Juana Cinto	3021 Longfellow Ave S	CTUL
16. Erika Casio	3625 17th Ave S	CTUL
17. Carlos Parra Olivera	2738 18th Ave S	CTUL
18. Sean Broom	81 S 9th St	MPLS Chamber of Commerce
19. Raymond Zeran	312 Central Ave	IBEW 292
20. Oscar Reyes	1509 E Lake St	Business Owner
21. Jason	1918 Park Ave	

The public hearing was closed.

Cunningham moved to approve with the following amendments:

40.530. – Wage Theft Prohibited.

(c) No employer shall directly or indirectly demand or receive from any employee any rebate or refund from the wages owed to the employee, **when doing so would deprive an employee of wages that have been earned. This section shall not prevent employers from recovering overpayments of wages, provided that the employee shall be given written notice before the overpayment is recovered.**

40.540. – Prehire Notice to Employee.

(c) An employer must provide the employee any written changes to the information contained in the notice under subsection (a) prior to the date the changes take effect. The changes must be signed by the employee before the changes go into effect, **unless the change is an increase in wages and the employee is informed in advance of the change of the specific amount of the wage increase and the specific date on which it will occur, in which case the employee's signature is not required.** The employer must keep a ~~signed~~ copy of all notices of changes, **including a signature when required,** as well as the initial notices under subsection (a).

40.580. – Enforcement.

(d) (6) Payment to the Department of a civil fine of up to one thousand dollars (\$1,000.00) for each failure to comply with section 40.560. For a second violation within three (3) years from the date on which the first violation occurred, the fine may be increased to up to one thousand five hundred dollars (\$1,500.00). For a third violation within three (3) years from the date on which the first violation occurred, the fine may be increased to up to two thousand dollars (\$2,000.00). In determining the amount of the fine, the size of the employer, ~~and~~ the gravity of the violation, **the employer's good faith efforts to comply with this Article, and whether the violation was intentional or inadvertent** shall be considered;

(d) (7) Payment to the Department of a civil fine of up to two hundred dollars (\$200.00) for each failure to comply with section 40.540, section 40.550, or section 40.570. For a second violation of the same section within three (3) years from the date on which the first violation occurred, the fine may be increased to up to four hundred dollars (\$400.00). For a third violation of the same section within three (3) years from the date on which the first violation occurred, the fine may be increased to up to six hundred dollars (\$600.00). In determining the amount of the fine, the size of the employer, ~~and~~ the gravity of the violation, **the employer's good faith efforts to comply with this Article, and whether the violation was intentional or inadvertent** shall be considered;

**(g) Fines not cumulative. The director shall not impose the civil fines authorized by this section if a state or federal administrative agency charged with the enforcement of labor standards laws has previously imposed fines upon the employer for violation of state or federal labor standards law based upon the same acts or omissions that constituted a violation of this Article.**

On voice vote, the motion passed.

[Johnson absent]

3. Violence Prevention Steering Committee appointment ([2019-00804](#))

Approving the Council appointment of Council Member Phillipe Cunningham, seat 9, Ward 4, for a two-year term, beginning Jan 1, 2019, and ending Dec 31, 2021.

Gordon moved to approve. On roll call, the motion passed.

Aye: Gordon, Jenkins, Cano, and Schroeder (4)

Abstain: Cunningham (1)

Absent: Johnson (1)

Nay: (0)

4. Licensing regulations for places of adult entertainment ordinance ([2018-00137](#))

Setting a public hearing for Aug 12, 2019, to consider passage of an ordinance amending Title 13, Chapter 267 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Amusements, adding and amending provisions related to places of adult entertainment.

Gordon moved to set public hearing for Aug 12, 2019. On voice vote, the motion passed.

[Johnson absent]

With no further business to transact, the meeting adjourned at 3:09 pm.

Reported by Kelly Geistler, Council Committee Coordinator