

## REGULAR COUNCIL MEETING – AGENDA #15

If due to a disability, you need auxiliary aids or services during a City Council Meeting, please provide the City with 72 hours' notice by calling 763-493-8141 or faxing 763-493-8391.

***Our Vision: Brooklyn Park, a thriving community inspiring pride where opportunities exist for all.***

### ***Our Brooklyn Park 2025 Goals:***

***• A united and welcoming community, strengthened by our diversity • Beautiful spaces and quality infrastructure make Brooklyn Park a unique destination • A balanced economic environment that empowers businesses and people to thrive • People of all ages have what they need to feel healthy and safe • Partnerships that increase racial and economic equity empower residents and neighborhoods to prosper • Effective and engaging government recognized as a leader***

## **I. ORGANIZATIONAL BUSINESS**

### **1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**

**2. PUBLIC COMMENT AND RESPONSE 7:00 p.m.** Provides an opportunity for the public to address the Council on items which are not on the agenda. Public Comment will be limited to 15 minutes (*if no one is in attendance for Public Comment, the regular meeting may begin*), and it may not be used to make personal attacks, to air personality grievances, to make political endorsements or for political campaign purposes. Individuals should limit their comments to three minutes. Council Members will not enter into a dialogue with citizens. Questions from the Council will be for clarification only. Public Comment will not be used as a time for problem solving or reacting to the comments made, but rather for hearing the citizen for informational purposes only.

#### **2A. RESPONSE TO PRIOR PUBLIC COMMENT**

#### **2B. PUBLIC COMMENT**

**3A. APPROVAL OF AGENDA** (Items specifically identified may be removed from Consent or added elsewhere on the agenda by request of any Council Member.)

### **3B. PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS**

**3B.1** Presentation of Plaques to Outgoing Commissioners

**3B.2** Introduction of New Employee

**3B.3** Living Word Christian Center Contribution to the City

**A.** RESOLUTION

**3B.4** Planning Commission Annual Verbal Report and Work Plan

**A.** 2018 PLANNING COMMISSION ANNUAL REPORT

**B.** 2019 WORK PLAN

**3B.5** Budget Advisory Commission Work Plan

**A.** BUDGET ADVISORY COMMISSION WORK PLAN

**3B.6** Mayor's Proclamation of April 12, 2019, as "Road Runners Bowling League Day"

**A.** PROCLAMATION

**3B.7** Mayor's Proclamation Declaring May 4, 2019 as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park

**A.** PROCLAMATION

## **II. STATUTORY BUSINESS AND/OR POLICY IMPLEMENTATION**

**4. CONSENT** (All items listed under Consent, unless removed from Consent in agenda item 3A, shall be approved by one council motion.) Consent Agenda consists of items delegated to city management or a commission but requires council action by State law, City Charter or city code. These items must conform to a council approved policy, plan, capital improvement project, ordinance or contract. In addition, meeting minutes shall be included.

**4.1** Approve the Public Works Mutual Aid Agreement

- A. RESOLUTION
  - B. AGREEMENT
- 4.2 Authorize Roof Repairs for Operations and Maintenance Building C to Mint Roofing
  - A. RESOLUTION
- 4.3 Adopt the Small Cell Aesthetic Standards regarding Right-of-Way Management for Small Cell Wireless Facilities
  - A. RESOLUTION
  - B. SMALL CELL AESTHETIC STANDARDS
- 4.4 "Windchime Trail 4<sup>th</sup> Addition" (Kevin Ahlstrom) – Final Plat #19-103 and Conveyance of City Property at 10214 Regent Avenue North
  - A. ORDINANCE
  - B. RESOLUTION
  - C. LOCATION MAP
  - D. FINAL PLAT
- 4.5 Approval of Minutes
  - A. City Council Meeting Minutes, January 28, 2019
  - B. City Council Meeting Minutes, February 25, 2019
  - C. Special City Council Meeting Minutes, March 25, 2019
  - D. City Council Meeting Minutes, March 25, 2019

The following items relate to the City Council's long-range policy-making responsibilities and are handled individually for appropriate debate and deliberation. (Those persons wishing to speak to any of the items listed in this section should fill out a speaker's form and give it to the City Clerk. Staff will present each item, following in which audience input is invited. Discussion will then be closed to the public and directed to the council table for action.)

## 5. PUBLIC HEARINGS

- 5.1 Public Hearing for Vacation of all Easements Associated with Outlot B and 10214 Regent Avenue N. (Lot 1, Block 1) of Windchime Trail Plat
  - A. RESOLUTION
  - B. PROPOSED EASEMENT VACATION AREA

## 6. LAND USE ACTIONS

- 6.1 Oak Village (D.R. Horton) – Preliminary Plat and Conditional Use Permit for a 56-Unit Townhome Development at the Southwest Corner of Oak Grove Parkway and Regent Avenue North
  - A. RESOLUTION
  - B. LOCATION MAP
  - C. FINAL PLAT
- 6.2 NorthPark Building 3 (Scannell Properties) – Site Plan Review #19-102 for Construction of a 204,000 Square Foot Warehouse/Manufacturing Building at 10401 Winnetka Avenue North
  - A. RESOLUTION
  - B. LOCATION MAP
  - C. PLANNING AND ZONING INFORMATION
  - D. 2016 PLANNING COMMISSION MINUTES
  - E. 2019 PLANNING COMMISSION MINUTES
  - F. APPROVED DEVELOPMENT PLAN
  - G. PLANS
- 6.3 Property Conveyance to MNDOT for the Highway 169/101<sup>st</sup> Avenue Interchange
  - A. ORDINANCE
  - B. LOCATION MAP

## 7. GENERAL ACTION ITEMS

- 7.1 Approve an Exception to O&M Policy 5.40 and Approve an Agreement with Hennepin County for County State Aid Highway 81 Landscape Maintenance
  - A. RESOLUTION
  - B. PROJECT MAP
  - C. AGREEMENT
  - D. O&M POLICY 5.40
- 7.2 Approve Travel for Wynfred Russell to Attend the Making Cities Livable Conference

## III. DISCUSSION – These items will be discussion items but the City Council may act upon them during the course of the meeting.

**8. DISCUSSION ITEMS**

**8.1** Apartment Action Plan 2.0 Status Update

**A.** APARTMENT ACTION PLAN 2.0 STATUS UPDATE

**IV. VERBAL REPORTS AND ANNOUNCEMENTS**

**9A. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS**

**9B. CITY MANAGER REPORTS AND ANNOUNCEMENTS**

**V. ADJOURNMENT**

Since we do not have time to discuss every point presented, it may seem that decisions are preconceived. However, background information is provided for the City Council on each agenda item in advance from city staff and appointed commissions, and decisions are based on this information and past experiences. If you are aware of information that has not been discussed, please raise your hand to be recognized. Please speak from the podium. Comments that are pertinent are appreciated. Items requiring excessive time may be continued to another meeting.

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	3B.1	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt of General Communications	<b>Originating Department:</b>	Administration
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Marlene Kryder, Program Assistant
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	N/A	<b>Presented By:</b>	Mayor Jeffrey Lunde
<b>Item:</b>	Presentation of Plaques to Outgoing Commissioners		

### City Manager's Proposed Action:

Recognize outgoing Commissioners.

### Overview:

The purpose of this agenda item is to publicly recognize and thank outgoing commissioners for their contributions to the City of Brooklyn Park.

On November 11, 1996, the City Council adopted a policy for recognition of outgoing members to city boards and commissions. Under the policy, commissioners who serve at least three years on a commission receive a plaque, while commissioners who serve less than that receive a certificate or letter.

### *Commissioners being recognized:*

<b>Name</b>	<b>Boards/Commissions</b>	<b>Years of Service</b>
Mark Paynter	Budget Advisory Commission	June 2013 to April 2019
Ty Vang	Human Rights Commission	April 2016 to April 2019
Kimberly Carpenter	Recreation and Parks Advisory Commission	April 2013 to April 2019

Plaques will be mailed to those who are unable to attend.

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

**Attachments:** N/A



# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	3B.2	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt of General Communications	<b>Originating Department:</b>	Administration
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Marlene Kryder Program Assistant
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	N/A	<b>Presented By:</b>	Department Directors/Managers
<b>Item:</b>	Introduction of New Employee		

### City Manager's Proposed Action:

Introduction of the City of Brooklyn Park's new employees.

### Overview:

Employee

Start Date

Title

### *Community Development*

Joseph Boyce

December 3, 2018

Property Maintenance Inspector

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

**Attachments:** N/A

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	3B.3	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt of General Communications	<b>Originating Department:</b>	Police
<b>Resolution:</b>	X	<b>Prepared By:</b>	Shane DuPaul, Inspector
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Mark Bruley, Deputy Chief
<b>Item:</b>	Living Word Christian Center Contribution to the City		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-\_\_\_\_\_ ACKNOWLEDGING CONTRIBUTIONS TO THE CITY OF BROOKLYN PARK.

### Overview:

The purpose of this agenda item is for the Council to formally acknowledge and thank Living Word Christian Center for their donation of \$35,000 to the Brooklyn Park Police Department.

The Brooklyn Park Police Department, in collaboration with the Brooklyn Park Police Federation, researched the wearing and use of load-bearing type vest covers during patrol duty. The benefits found in the research showed using the load-bearing vest cover helped to reduce hip and back pain and related injury, as well as better distribute equipment on smaller-statured and female officers. The Brooklyn Park Police Department believes the use of load-bearing vest covers will help reduce missed time by employees for back and hip-related injuries, such as we have had and are currently experiencing.

Living Word Christian Center learned of this and donated the funds necessary to purchase all Brooklyn Park Police Officers a load-bearing vest cover now, instead of officers having to wait to be issued the vest cover over the next five years as their vests expire.

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

### Attachments:

3B.3A RESOLUTION

RESOLUTION #2019-

RESOLUTION ACKNOWLEDGING CONTRIBUTIONS  
TO THE CITY OF BROOKLYN PARK

WHEREAS, the City of Brooklyn Park is grateful to all civic groups, organizations and individuals for their contributions to the community; and

WHEREAS, the City of Brooklyn Park received a \$35,000 donation from Living Word Christian Center to support the Police Department's acquisition of load-bearing vests for every police officer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to acknowledge the support and commend Living Word Christian Center for their generous donation.

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	3B.4	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt of General Communications	<b>Originating Department:</b>	Community Development
<b>Resolution:</b>	N/A		
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	2	<b>Prepared By:</b>	Cindy Sherman, Planning Director
		<b>Presented By:</b>	Amy Hanson, Planning Commission Chair
<b>Item:</b>	Planning Commission Annual Verbal Report and Work Plan		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO ACCEPT THE PLANNING COMMISSION 2019 WORK PLAN.

### Overview:

Planning Commission Chair Amy Hanson will present the 2018 Planning Commission Annual Report and 2019 Work Plan.

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

### Attachments:

3B.4A 2018 PLANNING COMMISSION ANNUAL REPORT  
3B.4B 2019 WORK PLAN

**Planning Commission  
Year-End Activity  
Summary**

**2018**

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# Planning Commission | Year-End Activity Summary 2018



January 31, 2019

Dear Mayor Lunde and Council Members,

I am pleased to present the 2018 Planning Commission Annual Report. In the past year, the Commission held 5 work sessions and 11 regular meetings with a total of 24 public hearings on a variety of applications.

Brooklyn Park has several new projects in various stages of development. We recommended approval of a Wendy's restaurant and Suite Living, a residential care facility late in 2018. Projects under construction include Firefly Credit Union and the 610 Zane Retail Center. We welcomed Gleason's Gymnastics School as well as approved the relocation of GameFace Training to the FirstWinn Building.

The Commission approved the 4<sup>th</sup> addition to the Villas of Rush Creek Trail for 10 additional single-family homes in the development, construction is currently ongoing. Oak Village Townhomes is a proposal for 55 townhomes located off Oak Grove Parkway and Regent Avenue expected to start construction this spring.

Our work session discussion topics focused on parking regulations, Transit Oriented Development zoning regulations, the 2040 Comprehensive Plan and the Oak Grove Park and Ride. The Oak Grove Park and Ride discussion included a presentation from the design architect, Dan Green and Metro Transit staff.

Commissioners continue to be represented on the Recreation and Parks Advisory Commission and Business Forward Advisory Board. The Commission's recommendation for approval of the TOD zoning regulations is the latest action completed in conjunction with preparation for the METRO Blue Line Light Rail Extension.

The Commissioners value the opportunity to work with the City Council and other commissions to make Brooklyn Park a thriving community inspiring pride where opportunities exist for all.

Sincerely,

A handwritten signature in blue ink that reads "Amy Hanson". The signature is fluid and cursive.

Amy Hanson  
Planning Commission Chair



## Villas of Rush Creek Trail 4<sup>th</sup> Addition

Construction is currently underway for an additional 10 single-family homes located northeast of 101<sup>st</sup> Avenue and Fallgold Parkway. These homes will be maintained by the Villas of Rush Creek association and connected to the existing development via a private walkway.

## **Oak Village Townhomes**

One of the last planning cases of 2018, Oak Village Townhomes was just recently approved by City Council in January of 2019. The development will be located within Oxbow Commons at the southwest corner of Oak Grove Parkway and Regent Avenue North, with a total of 56 row townhomes. The site is approximately 5.36 acres allowing for a Medium-High Density land use and approved at 10.4 units per acre.



## **Urbana**

Located at 93<sup>rd</sup> Avenue North and Regent Avenue, construction is now underway on the first stage for the multi-family residential development approved in 2017. The development includes 207 market rate units, and 103 assisted senior living units. Construction is progressing on the senior portion with the remainder to be constructed in 2019.







## Mills City Credit Union

A new financial institution officially opened its doors in Brooklyn Park this year. Approved in 2017, the new Mill City Credit Union branch opened in the summer of 2018. It is the first office built by the credit union to serve the public. The branch provides up to date technology, 2 drive-up lanes, and a public meeting room.



## Firefly Credit Union

Firefly Credit Union, an already established financial institution in Brooklyn Park, was approved to relocate this past year. They were approved to start construction for a larger facility at 5703 100<sup>th</sup> Avenue North. This new location will offer expanded services for its customer base including a drive-thru.

## 610 Zane Retail Center

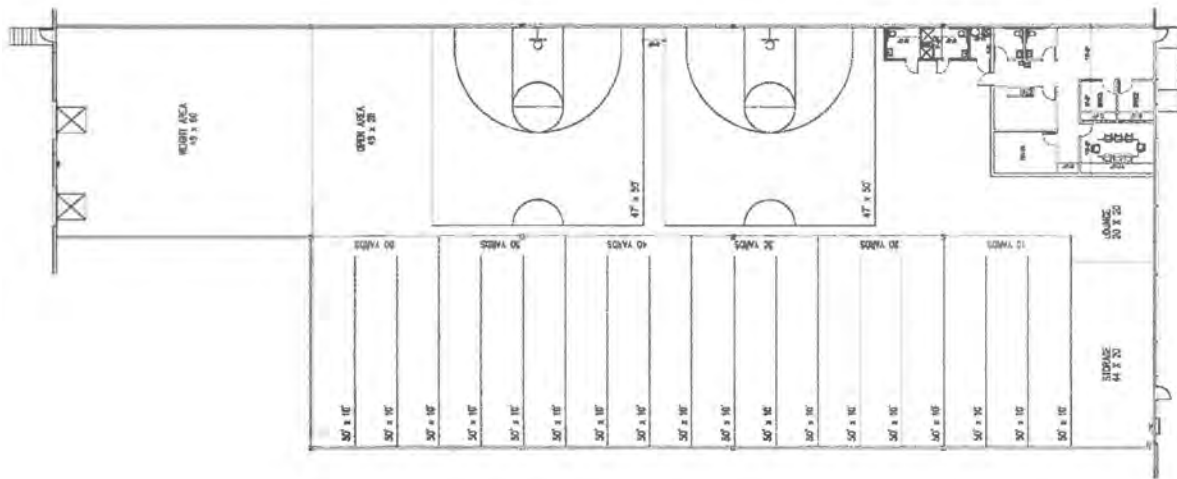
Just south of Hy-Vee, the 610 Zane Retail Center was approved and started construction in 2018. This will be a multi-tenant building that includes a drive-thru at the north end of the site. Tenants named so far include: Chipotle, Heartland Dental, Sport Clips, and Jersey Mikes. There is one space remaining for lease at the time of this report.





## Game Face Training

Another Brooklyn Park business approved to relocate was Game Face Training. The facility is now located at 7035 Winnetka Avenue North in the FirstWinn Building. Game Face Training specializes in individual and small group high-end athletic training programs.



## Gleason's Gymnastic School

Brooklyn Park welcomed Gleason's Gymnastic School this past year. The recreational facility is now located in the Industrial Equities Building at 8201 Brooklyn Boulevard. Gleason's Gymnastics School has been in business for over 50 years. During this time, the school trained several national and international level competitors.





## Wendy's

Brooklyn Park will be welcoming its second Wendy's with a new location in the 610-Zane area, just north of Mill City Credit Union. The project approval passed in 2018, and construction is anticipated in 2019. The design is intended to be a more modern Wendy's with an abundant use of windows.

## Suite Living

The proposal for Suite Living was approved in 2018 for the site located just across from City Hall on 85th Avenue North and Regent Avenue. The building will include 32 senior assisted living units, with a wing dedicated to memory care. Hampton Companies is proud of their small and intimate business model and aims to provide a club house ambiance for the residents.

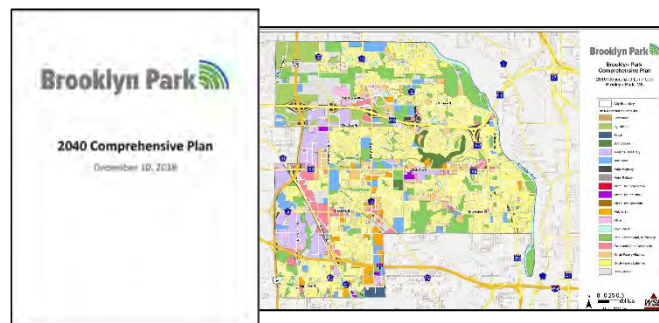






## Comprehensive Plan

In December, the City Council officially approved the updated 2040 Comprehensive Plan for submission to the Metropolitan Council. The plan is based on completed community outreach, and the goals identified in Brooklyn Park 2025. Updates made include a revised staging plan, additional historical background information about Brooklyn Park's nodes, and modifications of the land use designations.

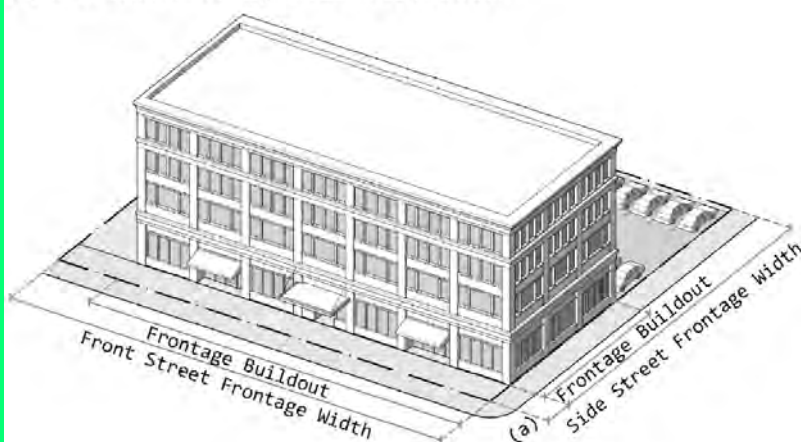


## Light Rail Transit Planning

Two zoning changes were approved this year in conjunction with the planning for the METRO Light Rail Transit (LRT) Blue Line extension:

- **Zoning Code Amendment – Transportation Oriented Development Districts**

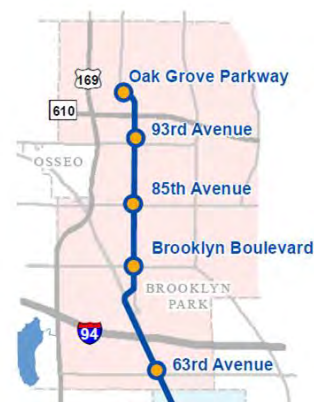
Figure 1. Minimum Frontage Buildout Illustration



In July of 2018, new TOD zoning districts were established as part of a rezoning process within a half-mile of the 5 station areas identified for the Blue Line extension. The new zoning is meant to foster the community visions set forth in the Station Area Plans to include activity centers and job creation. Less emphasis will be put on the specific use of each building, and more emphasis will be placed on the relation of the building to the streets and sidewalks.

- **Zoning Code Amendment – Self-Storage**

To foster businesses with a large employee base along Highway 610 and 169 (just outside of the identified station areas), self-storage facilities were removed as an allowed use in the Business Park zoning district. While self-storage facilities generate a fair tax base, they typically employ very few people with little spin-off effects for nearby businesses. Self-storage is still allowed as a conditional use in the General Business (B3) district.



# Planning Commission Attendance Record



2018 Attendance Record		1-10	1-24	2-14	3-14	3-28	4-11	5-09	5-23	6-13	8-08	8-22	9-12	9-26	10-10	10-24	11-14
		R	W	R	R	W	R	R	W	R	R	W	R	R	R	W	R
Commissioners	Fletcher, Jon	P	P	P	P	A	--	--	--	--	--	--	--	--	--	--	--
	Hanson, Amy	E	P	P	P	P	E	P	P	P	P	P	P	P	P	P	P
	Herbers, Christopher	--	--	--	--	--	E	P	P	P	P	P	P	P	P	P	P
	Husain, Syed	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Jackson, James	P	E	E	P	P	--	--	--	--	--	--	--	--	--	--	--
	Kiekow, John	--	--	--	--	--	P	P	P	P	E	P	P	P	P	P	P
	Kisch, Michael	P	P	P	E	P	P	P	P	P	P	P	P	P	P	P	P
	Mersereau, Michelle	P	P	P	P	P	P	P	P	E	P	P	P	P	P	P	P
	Mohamed, Hassanen	--	--	--	--	--	P	P	P	P	A	P	P	P	P	P	P
	Morton-Spears, Marshall	E	P	P	P	E	E	P	P	E	P	P	P	E	P	P	P
	Schmidt, Steven	E	E	E	E	P	--	--	--	--	--	--	--	--	--	--	--
	Vosberg, Carol	P	P	P	P	P	P	P	P	P	P	P	P	E	P	P	P
Liaison	Lisa Jacobson, City Council	P	P	P	P	P	E	P	P	P	P	P	P	P	P	E	P
Staff	Todd Larson Senior Planner	P	P	P	P	P	P	P	P	P	P	P	P	E	P	E	P
	Cindy Sherman Planning Director	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

R = Regular Meeting W = Work Session Meeting P = Present A = Absent E = Excused

# Planning Case Summary 2009 - 2018



Type of Case	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Board of Appeals	0	0	0	0	0	0	0	0	0	0
Comprehensive Plan	0	2	0	0	3	2	2	2	1	1
Concept Plans	0	0	1	0	0	0	0	0	1	0
Conditional Use Permits	13	7	16	7	19	7	16	10	25	14
General Planning	0	1	0	0	0	0	0	0	3	1
House Moving	0	0	0	0	0	0	0	0	0	0
Interim Use Permits	2	1	1	0	0	0	0	2	1	0
Moratoria	0	0	0	0	0	0	0	0	1	0
Plats (Preliminary)	3	5	8	2	6	8	10	10	13	7
Plats (Final)	3	5	7	2	6	8	10	10	13	7
PUD/Planned Development Overlay/Neighborhood Development Plans	1	0	1	1	1	0	1	0	4	0
Rezoning	4	2	2	0	0	0	0	2	4	2
Site Plan Review	3	2	1	1	3	7	5	6	5	2
Time Extensions	2	1	0	0	0	0	0	0	2	3
Variances (Zoning and Sign)	2	3	6	2	6	7	9	3	4	3
Waivers of Platting (General)	1	1	1	1	0	0	0	0	0	0
Waivers of Platting (Twinhome Splits)	0	0	0	0	0	0	0	0	0	0
Zoning, Sign, and Subdivision Code Amendments	2	4	5	6	3	5	6	4	1	3
<b>Totals*</b>	<b>36</b>	<b>34</b>	<b>49</b>	<b>22</b>	<b>47</b>	<b>44</b>	<b>59</b>	<b>49</b>	<b>78</b>	<b>43</b>

\* Annual totals represent the sum of the case types presented. Several proposals include multiple case types (i.e. a town-house development could have a Comprehensive Land Use Plan change, rezoning, preliminary and final plats, site plan review, and development plan).



Case #	Project	Applicant / Property Owner	Planning Commission Date	City Council Date	Planner
18-100	Gleason's Gymnastics School	<b>Applicant:</b> Larry Gleason 9775 85 <sup>th</sup> Ave N, Ste 500 Maple Grove, MN 55369 Phn: 763-493-2526 Cell: 651-485-0455 E-Mail: <a href="mailto:larry@gleasons.com">larry@gleasons.com</a> <b>Property Owner:</b> John Allen 321 1 <sup>st</sup> Ave N Minneapolis, MN 55401 Phn: 612-332-1122 E-Mail: <a href="mailto:mallen@industrialequities.com">mallen@industrialequities.com</a>	2/14/18	2/26/18	Todd Larson
18-101	610 Zane Retail Center multi-tenant building	<b>Applicant / Property Owner:</b> Ryan Companies US, Inc. 533 S 3 <sup>rd</sup> St, Ste 100 Minneapolis., MN 55415 Phn: 612-492-4244 E-Mail: <a href="mailto:chris.brink@ryancompanies.com">chris.brink@ryancompanies.com</a>	2/14/18	2/26/18	Todd Larson
18-102	Re-plat one existing lot and one outlot into three single family lots	<b>Applicant:</b> Estate Development Corp. 15250 Wayzata Blvd. Wayzata, MN 55391 Phn: 612-990-0666 E-Mail: <a href="mailto:tom@landmn.com">tom@landmn.com</a> <b>Property Owner:</b> Gonyea Development LLC 10850 Old Country Rd 15 Ste 200 Plymouth, MN 55441 Phn: 612-990-0666 E-Mail: <a href="mailto:tom@landmn.com">tom@landmn.com</a> Kelly Rae Follis 4513 109 <sup>th</sup> Ave N Brooklyn Park, MN 55316 Phn: 612-554-5727 E-Mail: <a href="mailto:kfollis1@comcast.net">kfollis1@comcast.net</a>	3/14/18	3/26/18	Todd Larson



18-103	Conditional Use Permit for truck storage on east side of the building	<p><b>Applicant:</b>  AAA Movers Inc.  8201 Brooklyn Blvd. Ste 100  Brooklyn Park, MN 55445  Phn: 612-588-6603  Cell: 612-282-6444  E-Mail: <a href="mailto:johnschwartz@aaamoversinc.com">johnschwartz@aaamoversinc.com</a></p> <p><b>Property Owner:</b>  Industrial Equities LLP  321 1<sup>st</sup> Ave N  Minneapolis., MN 55401  Phn: 612-332-0139  Cell: 612-845-3200</p>	3/14/18	3/26/18	Todd Larson
18-104	Sub-divide two residential lots	<p><b>Applicant / Property Owner:</b>  Josh &amp; John Ahlquist  740 Madison St  Anoka, MN 55303  Phn: 612-201-9637  E-Mail: <a href="mailto:jacon22@gmail.com">jacon22@gmail.com</a></p>	4/11/18	4/23/18	Todd Larson
18-105	Firefly Credit Union with a drive-thru	<p><b>Applicant / Property Owner:</b>  Firefly Credit Union  1400 Riverwood Dr.  Burnsville, MN 55337  Phn: 952-736-5354  Cell: 612-419-5823  E-Mail: <a href="mailto:Robert.newville@fireflycu.org">Robert.newville@fireflycu.org</a></p>	4/11/18	4/23/18	Todd Larson
18-106	Conditional Use Permit for Re-development of storage buildings	<p><b>Applicant:</b>  Public Storage  1710 South Abilene St  Aurora, CO 80012  Phn: 972-591-2669  E-Mail: <a href="mailto:dmatula@publicstorage.com">dmatula@publicstorage.com</a></p> <p><b>Property Owner:</b>  Secure Mini-Storage LP  701 Western Avenue  Glendale, CA 91201  Phn: 972-591-2669  E-Mail: <a href="mailto:dmatula@publicstorage.com">dmatula@publicstorage.com</a></p>	5/9/18	5/29/18	Todd Larson





18-107	Split one residential lot into 3 lots	<b>Applicant / Property Owner:</b> Mike Eidem 10630 Kyle Ave N Brooklyn Park, MN 55443 Phn: 763-486-2175	4/11/18	4/23/18	Todd Larson
18-108	Conditional Use Permit for licensed 16-bed treatment facility and outpatient services	<b>Applicant:</b> Northstar Behavioral Health 924 Rice St St. Paul, MN 55117 Phn: 651-772-4957, ext 7 Cell: 612-807-2099 Fax: 651-772-2746 E-Mail: <a href="mailto:rossd@bridgesmn.com">rossd@bridgesmn.com</a> <b>Property Owner:</b> The Family Partnership 1423 East Lake Street Minneapolis, MN 55406 Phn: 612-729-0340 Fax: 612-729-2616 E-Mail: <a href="mailto:mgreenman@thefamilypartnership.org">mgreenman@thefamilypartnership.org</a>	5/9/18	5/29/18	Todd Larson
18-109	Add square footage to the Stone Mountain Center building	<b>Applicant / Property Owner:</b> Stone Mountain Plaza Dave Larson 9975 Xenia Ave N Brooklyn Park, MN 55443 Cell: 612-987-8826 E-Mail: <a href="mailto:dave@stonemountainpetlodge.com">dave@stonemountainpetlodge.com</a>	5/9/18	5/29/18	Todd Larson
18-110	Religious institution in a multi-tenant retail building	<b>Applicant:</b> Masjid Ar-Rahim Islamic Community Cultural and Educational Center 5820 74 <sup>th</sup> Ave N, Suite 104 Phn: 612-998-1525 E-Mail: <a href="mailto:make8ealy@yahoo.com">make8ealy@yahoo.com</a> <b>Property Owner:</b> VVRM LLC – Ralik Moore 7401 Bush Lake Rd Edina, MN 55439 Phn: 952-797-9999	5/9/18	5/29/18	Todd Larson



18-111	Variance to approve house addition with a rear setback of 22 feet	<b>Applicant / Property Owner:</b> Daniel & Heather Hardman 6324 92 <sup>nd</sup> Ave N Brooklyn Park, MN 55443	6/13/18	6/25/18	Todd Larson
18-112	Zoning Code Amendment to remove self-storage facilities as an allowed use within the BP district.	<b>Applicant / Property Owner:</b> City of Brooklyn Park 5200 85 <sup>th</sup> Ave N Brooklyn Park, MN 55443 Phn: 763-493-8056 E-Mail: <a href="mailto:Natalie.Davis@BrooklynPark.org">Natalie.Davis@BrooklynPark.org</a>	6/13/18	6/25/18	Todd Larson
18-113	Zoning Code Amendment to adopt Transit-Oriented Zoning Districts applies to 5 transit station areas	<b>Applicant / Property Owner:</b> City of Brooklyn Park 5200 85 <sup>th</sup> Ave N Brooklyn Park, MN 55443 Phn: 763-493-8056 E-Mail: <a href="mailto:Natalie.Davis@BrooklynPark.org">Natalie.Davis@BrooklynPark.org</a>	6/13/18	6/25/18	Jennifer Jordan
18-114	Relocation of athletic training facility to an industrial building	<b>Applicant:</b> DeVentin Jordan Dba GameFace Training & Camps 1017 80 <sup>th</sup> Ave N Brooklyn Park, MN 55444 Phn: 612-222-0278 E-Mail: <a href="mailto:deventin@gmail.com">deventin@gmail.com</a> <b>Property Owner:</b> First Industrial Realty Trust, Inc 10140 West 76 <sup>th</sup> Street Eden Prairie, MN 55344 Phn: 952-852-7171 E-Mail: <a href="mailto:Jschlundt@firstindustrial.com">Jschlundt@firstindustrial.com</a>	8/8/18	8/27/18	Todd Larson



18-115	Amend Conditional Use Permit to increase outdoor storage	<p><b>Applicant:</b>  Border States Electric  9100 Wyoming Ave N, Ste 550  Brooklyn Park, MN 55445  Phn: 763-425-5500  E-Mail: <a href="mailto:cschell@borderstates.com">cschell@borderstates.com</a></p> <p><b>Property Owner:</b>  Duke Realty  1550 Utica Ave S, Ste 420  St. Louis Park, MN 55416  Phn: 952-543-2922  E-Mail: <a href="mailto:tara.steinkraus@dukerealty.com">tara.steinkraus@dukerealty.com</a></p>	8/8/18	8/27/18	Todd Larson
18-116	Project Hotdish	<p><b>Applicant:</b>  Scannell Properties #341, LLC  Dan Salzer  8801 River Crossing Blvd., Suite 300  Indianapolis, IN 46240  Phn: 763-331-8851  E-Mail: <a href="mailto:dans@scannellproperties.com">dans@scannellproperties.com</a></p> <p><b>Property Owner:</b>  Brooklyn Holdings, LP  2195 Silver Lake Road  New Brighton, MN 55112  Phn: 651-636-9991  E-Mail: <a href="mailto:time@scannellproperties.com">time@scannellproperties.com</a></p>	9/26/18	TBD 2019	Cindy Sherman
18-117	Villas of Rush Creek Trail 4 <sup>th</sup> Addition – final plat and rezoning	<p><b>Applicant / Property Owner:</b>  Bill Ramsay  217 Dean Ave East  Champlin, MN 55366  Phn: 763-712-5325</p>	9/12/18	9/24/18	Todd Larson



18-118	Suite Living - Conditional Use Permit for assisted living facility with memory care units	<b>Applicant:</b> Hampton Companies & Dignicare 1341 County Road D, Circle G Vadnais Heights, MN 55109 Phn: 651-200-4365 Phn: 651-253-8924 E-Mail: <a href="mailto:Jeremy.hamptoncompanies@gmail.com">Jeremy.hamptoncompanies@gmail.com</a>	9/12/18	9/24/18	Todd Larson
18-119	West River Rd Addition – subdivide property with minimum square footage variance	<b>Applicant:</b> Shawn Williams 2100 Ranch View Dr Rocklin, CA 95765 Phn: 916-824-6646 E-Mail: <a href="mailto:shawn@vwphotography.com">shawn@vwphotography.com</a> <b>Property Owner:</b> Channadda Virasih 9203 West River Rd Brooklyn Park, MN 55444 Phn: 763-315-2781	9/12/18	9/24/18	Nellie Jerome
18-120	Amend zoning text to allow for community center in retail space.	<b>Applicant:</b> Tibetan American Foundation of MN 1096 Raymond Ave Saint Paul, MN 55108 Phn: 651-917-9556 E-Mail: <a href="mailto:office@tafm.org">office@tafm.org</a> <b>Property Owner:</b> Jacksonville Realty LLC 10689 N Pennsylvania St, Ste 100 Indianapolis, IN 46280 Phn: 317-925-9011 E-Mail: <a href="mailto:jdstein@sandordev.com">jdstein@sandordev.com</a>	10/10/18	10/29/18	Todd Larson
18-121	(VOID)				



18-122	Wendy's restaurant with drive-thru	<p><b>Applicant:</b> Jacob Gullerud River Valley Architects 1403 122<sup>nd</sup> St Chippewa Falls, WI 54729 Phn: 715-832-0875 E-Mail: <a href="mailto:jacob@rivervalleyarchitects.com">jacob@rivervalleyarchitects.com</a></p> <p><b>Property Owner:</b> Tom Schmitz Haza Foods 4415 Highway 6 Sugar Land, TX 77478 Phn: 612-616-2231 E-Mail: <a href="mailto:tschmitz@hazafoods.com">tschmitz@hazafoods.com</a></p>	11/14/18	11/26/18	Todd Larson
18-123	Community religious studies and congregation facility	<p><b>Applicant:</b> MN Muslim Community Center Said Ibrahim 2700 University Ave #321 Minneapolis, MN 55114 Phn: 763-401-9215 E-Mail: <a href="mailto:m.m.center1@gmail.com">m.m.center1@gmail.com</a></p> <p><b>Property Owner:</b> Chung Dang 8456 Blazing Star Cir Shakopee, MN 55379 Phn: 612-822-9999 Phn: 952-445-2134 E-Mail: <a href="mailto:chungdang69@yahoo.com">chungdang69@yahoo.com</a></p>	11/14/18	11/26/18	Todd Larson
18-124	Variance for residential garage height.	<p><b>Applicant:</b> Barnwood Group Greg Roane 6255 Bury Drive Eden Prairie, MN 55346 Phn: 651-278-8572 Phn: 952-303-4416 E-Mail: <a href="mailto:greg@barnwoodgroup.com">greg@barnwoodgroup.com</a></p> <p><b>Property Owner:</b> Joe Shah 7209 Idaho Ave N Brooklyn Park, MN 55428 Phn: 763-560-9081 Phn: 763-300-9551 E-Mail: <a href="mailto:shahster.317@hotmail.com">shahster.317@hotmail.com</a></p>	11/14/18	11/26/18	Nellie Jerome



18-125	Oak Village Townhomes	<p><b>Applicant:</b> D.R. Horton 20860 Kenbridge Court, Ste. 100 Lakeville, MN 55044 Phn: 952-985-3757 Phn: 612-772-2531 E-Mail: <a href="mailto:rtschulz@drhorton.com">rtschulz@drhorton.com</a></p> <p><b>Property Owner:</b> Summit Land Development 3143 104<sup>th</sup> Lane NE Blaine, MN 55449 Phn: 612-201-1131 E-Mail: <a href="mailto:gerojet.dave@gmail.com">gerojet.dave@gmail.com</a></p>	01/09/19	01/28/19	Todd Larson
18-126	Charter School – 6700 West Broadway	<p><b>Applicant:</b> Park Brooklyn, LLC (A Minnesota LLC) 375 Jackson Street North, Suite W-700 Saint Paul, MN 55101 Phn: 612-735-3279 Phn: 612-804-0470 E-Mail: <a href="mailto:patricksmithesq@gmail.com">patricksmithesq@gmail.com</a> E-Mail: <a href="mailto:jwlsr@aol.com">jwlsr@aol.com</a></p> <p><b>Property Owner:</b> Daniel McShane</p> <p><b>Property Owner:</b> Gregg &amp; Jeff Swenson 13941 308<sup>th</sup> Ave NW Princeton, MN 55371 Phn: 763-389-1888 Phn: 612-282-7836 Fax: 763-389-1288 E-Mail: <a href="mailto:gregg@swensonheating.com">gregg@swensonheating.com</a></p> <p><b>Property Owner:</b> Paul Swenson 912 8<sup>th</sup> Ave N Princeton, MN 55371 Phn: 208-582-1187 E-Mail: <a href="mailto:pswensonster@gmail.com">pswensonster@gmail.com</a></p> <p><b>Property Owner:</b> David L. Wickham 6716 West Broadway Brooklyn Park, MN 55428 Phn: 612-747-3116 E-Mail: <a href="mailto:mnjamiew@gmail.com">mnjamiew@gmail.com</a></p>	02/13/19	02/25/19	Todd Larson

# Workplan | Planning Commission

2019

Time frame	Project or Task(s)	BP2025	Purpose (see next page for info)	Outcome (fill in after completed)
On-going	Process Land Use applications and provide recommendations to the City Council	<input checked="" type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input checked="" type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input checked="" type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
1st Quarter	Meet with City Attorney to discuss various issues including motions, recommendations, precedence, etc.	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input checked="" type="checkbox"/> Act Initiated by: <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
1st Quarter	Review CUP's and determine overreach, identify design standards for uses to be permitted	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input checked="" type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input checked="" type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
2nd Quarter	Work with EDA to energize the Village Creek area	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input checked="" type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input checked="" type="checkbox"/> Commission <input checked="" type="checkbox"/> Council <input type="checkbox"/> City Manager	
3rd & 4th Quarters	Zoning Code Review including status of parcels in areas of change and consistency with comp plan	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input checked="" type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
3rd & 4th Quarters	Identify and discuss redevelopment opportunities and how to make improvements impactful	<input checked="" type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input checked="" type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	

1: United Community   2: Beautiful Places   3: Thriving Economy   4: Healthy & Safe People   5: Increased Equity   6: Effective & Engaging Gov't

# Workplan Projects: What's the purpose?

2019

Commissions can either initiate a project themselves OR be asked by the Council or City Manager to do one of the following:

## Report/Comment

- Commission studies a specific issue or topic and **reports its findings or comments to the Council**, either in writing or in a Council meeting.
- Commission does not vote.
- No direct action is taken.

*Example: Charter Commissioner provided a memo on the topic of Council Members being employed by the City part-time, at the Council's request.*

## Recommend

- Commission reviews a specific policy issue and **makes a formal recommendation** to City Council on what action to take.
- A recommendation requires a majority of the Commissioners' support.
- Individual member comments are not included.

*Examples: Planning Commission recommends approval on land use actions; RPAC made a recommendation on amplified sound policy.*

## Act

- Commission **initiates or takes on a project**, approved by Council through their workplan.

*Example: HRC partnered with a community organization on an event; City Manager requests that HRC coordinate the "All Are Welcome" sign contest.*



# Brooklyn Park 2025 Community Goals

**Working together to make Brooklyn Park a thriving community  
inspiring pride where opportunities exist for all.**

We asked and you answered! Our community wants to accomplish these goals by the year 2025:

## **Unified Community**

**A united and welcoming community, strengthened by our diversity.**

- We have connected neighbors who understand and celebrate our unique cultures.
- Brooklyn Park is unified with a strong positive identity and image.
- Our community's activities, events and services are inclusive, multi-cultural, and accessible.
- We have places and spaces for diverse communities to gather.
- Residents of every age contribute to our community.

## **Beautiful Places**

**Beautiful spaces and quality infrastructure make Brooklyn Park a unique destination.**

- Modern transportation options (drive, ride, walk, bike) connect people to education, jobs, and recreation.
- Quality recreation and park amenities inspire activity for all ages and interests.
- Our rich diversity is showcased through our vibrant music, art, food, entertainment, and cultural scene.
- Attractive key corridors, corners, and city centers create destinations that meet community needs.
- Neighborhoods are well-maintained with quality housing for all ages and incomes integrated throughout the community.

## **Thriving Economy**

**A balanced economic environment that empowers businesses and people to thrive.**

- People of all ages and backgrounds enjoy financial stability.
- Residents and visitors support an abundance of retail stores, restaurants, and entertainment venues.
- Our business environment inspires private investment and job growth.
- Business and organizations of all types, sizes and specialties start, stay and grow here.
- We are a leader in environmental sustainability, benefiting our economy and community.

## **Healthy and Safe People**

**People of all ages have what they need to feel healthy and safe.**

- Neighborhoods are empowered and supported by strengthened positive relationships with police.
- Youth are engaged in positive and quality experiences.
- Aging adults have services and amenities to thrive and age in place.
- Everyone has access to quality healthy food options.
- People have access to quality medical and emergency care.

## **Increased Equity**

**Partnerships that increase racial and economic equity empower residents and neighborhoods to prosper.**

- Each resident has access to the training and support needed to get and keep a living wage job.
- Each student graduates high school with a pathway to college or career.
- Aging neighborhoods and commercial centers are revitalized through continuous investment.
- The community provides necessary supports and services for community members to overcome life challenges such as hunger, mental illness, and homelessness.

## **Effective, Engaging Government**

**Effective and engaging government recognized as a leader.**

- The City provides quality services at a reasonable cost.
- Elected officials, commissions, and City staff reflect the diversity of the community and are culturally competent.
- City information is clear, accessible, and delivered in ways that meet the community's needs.
- City laws are understandable, equitably enforced, and relevant to the community.
- The City is well-managed and recognized as a great place to work.

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	3B.5	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipts of General Communications	<b>Originating Department:</b>	Finance Department
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	LaTonia Green, Finance Director
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Eric Pone, Budget Advisory Commission Chair
<b>Item:</b>	Budget Advisory Commission Work Plan		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO ACCEPT THE BUDGET ADVISORY COMMISSION 2019 WORK PLAN.

### Overview:

Eric Pone, Budget Advisory Commission Chair, will present the Budget Advisory Commission work plan.

The Budget Advisory Commission is required to submit and have the Council accept written and verbal reports that review the work from the previous year and propose the work plan for the current year. Since the Budget Advisory Commission presented the work from 2018 in November 2018, the report to Council will only consist of the 2019 work plan.

The Commission consists of the following member as of April 1, 2019: Chair Eric Pone, Vice Chair Teshite Wako, Akeem Adeniji, Trelawny Grant, Kathryn Murphy, Nancy Omondi, Kim Riesgraf, Mena Xiong Vue, and Hollies Winston.

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

### Attachments:

3B.5A BUDGET ADVISORY COMMISSION WORK PLAN

# Workplan | Budget Advisory Commission (BAC)

Mar. 2019 - Feb. 2020

Time frame	Project or Task(s)	BP2025	Purpose (see next page for info)	Outcome (fill in after completed)
March	Launch Benefits Task Force Launch Benchmark Task Force-review current performance measures and industry standards. Develop template for departments to use for presentations. Present Workplan to City Council	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
April	Each task force proceeds to develop report for its focus group Finalize Department Budget Template City Manager to submit information to the BAC	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
May	Both Task Forces present to City Council	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
June	Review Fire Budget Review Economic Development Budget	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
August	Review Recreation and Park Budget Review Police Budget	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
September Meeting #1	Joint meetings with CLIC	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
September Meeting #2	Revenue meeting - Guiding principles and assumptions	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
October	Review City Manager's council presentation template and budget recommendations Draft Council presentation	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
October Meeting #2	Finalize Council presentation Draft Emailed to Council. Receive and answer questions for Final Report to Council	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	

# Workplan | Budget Advisory Commission (BAC)

Mar. 2019 - Feb. 2020

November	Report to Council Debrief Council presentation	<input type="checkbox"/> 1 <input type="checkbox"/> 3 <input type="checkbox"/> 5	<input type="checkbox"/> 2 <input type="checkbox"/> 4 <input type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager
January	Elect Officers Annual Bylaw Review	<input type="checkbox"/> 1 <input type="checkbox"/> 3 <input type="checkbox"/> 5	<input type="checkbox"/> 2 <input type="checkbox"/> 4 <input type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager
February	Finalize workplan	<input type="checkbox"/> 1 <input type="checkbox"/> 3 <input type="checkbox"/> 5	<input type="checkbox"/> 2 <input type="checkbox"/> 4 <input type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager

1: United Community    2: Beautiful Places    3. Thriving Economy    4. Healthy & Safe People    5. Increased Equity    6. Effective & Engaging Gov't

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	3B.6	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt of General Communications	<b>Originating Department:</b>	Administration
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Devin Montero, City Clerk
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Jeffrey Lunde, Mayor
<b>Item:</b>	Mayor's Proclamation of April 12, 2019, as "Road Runners Bowling League Day"		

### City Manager's Proposed Action:

The Mayor shall proclaim April 12, 2019, as "Road Runners Bowling League Day" by one of the following:

1. "I, Jeffrey Lunde, Mayor of the City of Brooklyn Park, Minnesota do hereby proclaim April 12, 2019, to be "Road Runners Bowling League Day" in the City of Brooklyn Park.

OR

2. By reading the proclamation.

### Overview:

The Langenfeld Foundation is a nonprofit charitable organization and their mission is to open more hearts and more opportunities for people living with disabilities and to improve the quality of life for more people with special needs.

Their vision is that people living with disabilities are treated as equals and enjoy equal opportunities. The Langenfeld Foundation is structured under five chapters: The Joy of Fishing, The Joy of Hunting, The Joy of Nature, The Joy of Sport, and The Joy of Music. All are intended to help those who struggle to live a more fulfilling life.

As part of The Joy of Sport, the Road Runners Bowling League and Langenfeld Bowling League coaches have provided a high and noble service to people living with special needs and their families. They have faithfully organized, coached and participated in weekly bowling for many years and have voluntarily given up their valuable time so others might experience a higher quality of life.

Tonight, we would like to recognize those individuals of the Road Runners Bowling League for their devoted service to help people with special needs enjoy a better life and the bowlers for their hard work to improve their scores and grow personally by being involved in this bowling league.

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

**Attachments:**

3B.6A PROCLAMATION



# ***PROCLAMATION***

## **DECLARING APRIL 12, 2019 AS “ROAD RUNNERS BOWLING LEAGUE DAY”**

WHEREAS, the Langenfeld Foundation Bowling League and Road Runners Bowling League have provided a high and noble service to people living with special needs and their families; and

WHEREAS, they have faithfully organized, coached, and participated in weekly bowling for many years and have voluntarily given up their valuable time so others might experience a higher quality of life; and

WHEREAS, Dan Bade and Teresa McMaster have served faithfully as officers and exercised leadership that was easy for others to trust in and were role models for them; and

WHEREAS, coaches engaged in one-to-one interaction, assistance and loving care for bowlers with special needs; and

WHEREAS, the coaches to be recognized are: Paul Langenfeld, Gary Welzengger, Rick Dahl, Jim Niemi, Chet King, Cyndia Thimsen, Craig Kozak and Kevin Jenkins; and

WHEREAS, the bowlers' hard work improved their scores and helped them grow personally; and

WHEREAS, the bowlers to be recognized are: Alli Baum, Kathy Schlossin, Liz Seale, Adam Hyun, Kelly France, Trina Lewis, Pat King, Jason Dahl, Tim Sagedahl, Sean Burton, Mike Pike, George Wassing, Jenny Salyards, Danette Trembley, Mary Jo Ryan, Ruth Ketchum, Krystal Lewis, Lisa Stamaria, Nic Neiss, Brandon Selin, Andy Taylor, Lori Bade, George Bade, Chris Niemi, Matt Perschbacker, Joe Hess, Jack McCormack, Tim Judge, Thom Sander, Barb Sutherland and Jessie Provo; and

WHEREAS, as Mayor of Brooklyn Park, I acknowledge the valuable contributions they all have made to the people and culture of this community and I deem it worthy they be held up to inspire others.

NOW, THEREFORE, BE IT RESOLVED in recognition of their devoted service to help people with special needs enjoy a better life, I, Jeffrey Lunde, Mayor of the City of Brooklyn Park, do hereby proclaim April 12, 2019 as “Road Runners Bowling League Day” in the City of Brooklyn Park, Minnesota.



5200 85<sup>th</sup> Avenue North  
Brooklyn Park, MN 55443

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JEFFREY JONEAL LUNDE  
MAYOR

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	3B.7	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt of General Communications	<b>Originating Department:</b>	Administration Operations and Maintenance
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Devin Montero, City Clerk Greg Hoag, Manager Park and Building Maintenance Manager
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Jeffrey Lunde, Mayor
<b>Item:</b>	Mayor's Proclamation Declaring May 4, 2019 as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park		

### City Manager's Proposed Action:

The Mayor shall proclaim May 4, 2019 as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park by one of the following:

1. "I, Jeffrey Lunde, Mayor of the City of Brooklyn Park, Minnesota, do hereby proclaim May 4, 2019, as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park."

OR

2. By reading the proclamation.

### Overview:

In April and May, communities throughout the United States will celebrate the importance of trees to our landscape, community aesthetics and environmental health by hosting Arbor Day Celebrations.

In 2005, and again in 2013, many trees in Brooklyn Park were lost to storms and disease, which led the city to promote replanting and re-growth through the annual sale of bare-root trees at a reduced cost. This year's sale will take place on May 4, 2019. Our residents and the entire community benefit from buying and planting these trees in their own yards.

A formal Arbor Day observance and proclamation is one of the requirements for designating the City of Brooklyn Park as a Tree City USA by the National Arbor Day Foundation.

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

### Attachments:

3B.7A PROCLAMATION

# ***PROCLAMATION***

## **DECLARING MAY 4, 2019 AS "ARBOR DAY" AND THE MONTH OF MAY AS "ARBOR MONTH" IN THE CITY OF BROOKLYN PARK**

WHEREAS, Brooklyn Park will be celebrating Arbor Day by having its annual tree sale May 4, 2019; and

WHEREAS, trees and forest soils keep our lakes and streams clean by absorbing and filtering pollutants and sediments; and

WHEREAS, forests prevent flooding and reduce stormwater by capturing and storing rainwater and snowmelt, which is then slowly released to our lakes, streams, and groundwater; and

WHEREAS, careful management of our trees and forests protects drinking water and reduces the cost of water treatment; and

WHEREAS, sound management of forested lands surrounding the Mississippi River ensures clean drinking water for more than one million Minnesotans; and

WHEREAS, about three-quarters of Minnesotans get their drinking water from the forested parts of the state; and

WHEREAS, planting and maintaining trees is a natural and easy way to keep our water clean.

NOW, THEREFORE, I, Jeffrey Joneal Lunde, Mayor of the City of Brooklyn Park, Minnesota, do hereby proclaim May 4, 2019 as "Arbor Day" and the month of May as "Arbor Month" in Brooklyn Park and urge that this day be observed by recognizing and acknowledging the benefits and beauty of trees in the City of Brooklyn Park, Minnesota.

BE IT FURTHER RESOLVED that the Mayor and Council urge residents to become more aware of the importance of trees to the well-being of their neighborhoods and the city and to participate in tree planting and care programs, which will ensure a greener place for Brooklyn Park residents to live in the years to come.

---

Jeffrey Joneal Lunde, Mayor



5200 85<sup>th</sup> Avenue North  
Brooklyn Park, MN 55443



# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.1	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Operations and Maintenance
<b>Resolution:</b>	X	<b>Prepared By:</b>	Dan Ruiz, O&M Director
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	2	<b>Presented By:</b>	Dan Ruiz
<b>Item:</b>	Approve the Public Works Mutual Aid Agreement		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-\_\_\_\_\_ TO APPROVE THE PUBLIC WORKS MUTUAL AID AGREEMENT.

## Overview:

The purpose of this agreement is to provide a process for local units of government to share public works personnel and equipment with participating agencies. There is no membership or fixed cost to participate in this public works mutual aid pact.

This agreement should not be interpreted only for catastrophic situations, rather it could be leveraged for routine circumstances such as training efforts and maintenance operations. The decision to request assistance or provide assistance is up to the requesting and/or sending party. The sending party can choose whether to provide personnel/equipment and can recall such assistance at any time. This is consistent with what has been done during previous storms, like the 2005 wind storm/tornado.

If resources are requested, the agreement says that "charges may be levied," so it is the decision of the sending party whether to invoice the receiving party. In previous storms, we received assistance without charges from other public entities. The agreement also speaks to responsibility and liability. Each party shall be responsible for its own personnel or damaged equipment. Responding personnel shall be deemed to be performing regular duties for each respective sending party for purposes of workers compensation.

Hennepin County Emergency Management (HCEM) has volunteered to serve as the administrative coordinator for this agreement among local units of government. This agreement will better position the City to coordinate and work with its partnering agencies through a formalized agreement.

## Primary Issues/Alternatives to Consider:

Operations and Maintenance staff recommend approval of the agreement.

## Budgetary/Fiscal Issues:

There are no costs associated with this agreement unless mutual aid is requested.

## Attachments:

- 4.1A RESOLUTION
- 4.1B AGREEMENT

RESOLUTION #2019-

RESOLUTION TO APPROVE THE PUBLIC WORKS MUTUAL AID AGREEMENT

WHEREAS, this agreement provides a process for units of government to share public works personnel and equipment with other agencies within the State of Minnesota; and

WHEREAS, the City of Brooklyn Park desires to enter said agreement which becomes effective April 9, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to authorize the Mayor and City Manager to sign the public works mutual aid agreement.

**STATE OF MINNESOTA  
PUBLIC WORKS  
MUTUAL AID PACT**

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# **PUBLIC WORKS JOINT POWERS MUTUAL AID AGREEMENT**

## **FOREWORD**

The general purpose of this Public Works Joint Powers Mutual Aid Agreement ("Agreement") is to provide a process for units of government to share public works personnel and equipment with other agencies within the State of Minnesota. This Agreement specifically allows a requesting party to select the resources that best meets the needs of a given situation. A requesting party may call upon any other participating party for mutual aid. There is no requirement to make requests through a particular party. In addition, this Agreement should not be interpreted as being limited to providing resources to deal with only major catastrophic situations. Participating parties can utilize the resources for many reasons including routine circumstances such as training efforts, maintenance operations, joint-projects, and back-up support service. This Agreement provides the flexibility for all units of government to use the resources located among all participating parties in the State of Minnesota.

The decision as to when to invoke mutual aid and whether to respond is left to the discretion of the requesting or sending party. Each unit of government should acquaint supervisory personnel with any internal procedures used for mutual aid. While the Joint Powers Agreement does not require particular words or actions to initiate mutual aid, agencies should be clear about whether mutual aid is being requested and what type of assistance is requested. The responding agency should also be clear about what, if any, assistance they will provide in response to the request. Parties should not self-deploy.

Furthermore, each staff member within a department should have a basic familiarity with mutual aid, the responsibilities when reporting to another unit of government and the protections afforded under the unit of government's workers' compensation.

For liability reasons, management of a mutual aid situation is under the control of the requesting party. However, the sending party has discretion whether to provide personnel or equipment and can recall such assistance at any time.

While there is no hard and fast time limit related to requests for mutual aid, the commitment of resources can be taxing on agencies. In addition, in some situations an advantage can be gained by ending a mutual aid request and entering into a different form of contractual assistance.

In order to keep this mutual aid agreement closer to local level of government, Hennepin County Emergency Management ("HCEM") has volunteered to serve as the administrative coordinator for the units of government entering into this Agreement. When a community adopts this Agreement a fully executed copy of the Agreement needs to be forwarded to HCEM.

Each unit of government is responsible for entering and updating available unit of government resources. Resources will now be listed online in a mutually agreed upon resource management database. The parties to this Agreement are solely responsible for updating their available resources in the agreed upon database.

The effective date for this Agreement is October 1, 2018. This date was established to allow enough time for agencies to receive the appropriate authority. Participation can be started upon execution of the Agreement and is effective for a unit of government upon its submission of the signed Agreement to HCEM. Agencies that elect not to participate in the Agreement may be bound by other existing mutual aid agreement or state statutes.

## **PUBLIC WORKS JOINT POWERS MUTUAL AID AGREEMENT**

This Public Works Joint Powers Mutual Aid Agreement ("Agreement") is formed and entered into effective as of the 1<sup>st</sup> day of October, 2018 by and among the governmental units that have executed this document as evidenced by the signature pages attached hereto (individually, a "Party" and collectively, the "Parties").

### **I. GENERAL PURPOSE**

The general purpose of this Agreement is to provide a means by which a Party may request and obtain public works assistance from one or more other Parties when the Party determines such public works assistance is necessary. This Agreement is made pursuant to Minnesota Statutes, section 471.59, which authorizes the joint or cooperative exercise of powers common to the Parties.

### **II. DEFINITION OF TERMS**

For the purposes of this Agreement, the terms defined in this section shall have the following meanings:

Subd. 1. **Eligible Party**. "Eligible Party" means a "governmental unit" as defined by Minnesota Statutes, section 471.59, subdivision 1.

Subd. 2. **Public Works Assistance**. "Public Works Assistance" means equipment and personnel including, but not limited to, licensed staff, professional engineers, and non-licensed personnel that are used for activities related to streets, water, stormwater, wastewater, sewers, parks, transit, buildings/facilities, airports, and all other public works programs.

Subd. 3. **Party and Parties**. "Party" means an Eligible Party that elects to participate in this Agreement by the authorization of its governing body. "Parties" means more than one Party to this Agreement.

Subd. 4. **Requesting Official**. "Requesting Official" means a person who is designated by the Requesting Party to request Public Works Assistance from another Party.

Subd. 5. **Requesting Party**. "Requesting Party" means a Party that requests Public Works Assistance from another Party.

Subd. 6. **Sending Official**. "Sending Official" means a person who is designated by a Party to determine whether and to what extent that Party should provide Public Works Assistance to a Requesting Party.

Subd. 7. **Sending Party**. "Sending Party" means a Party that provides Public Works Assistance to a Requesting Party.

Subd. 8. **HCEM**. "HCEM" means the Hennepin County Emergency Management or designee.

### III. **PARTIES**

The Parties to this Agreement shall consist of as many Eligible Parties that have approved this Agreement by October 1, 2018. Additional Eligible Parties shall become a Party on the date this Agreement is approved and executed by the Party's governing body.

Upon approval by a Party, the executed signature page of this Agreement shall be sent to the HCEM along with a resolution approving this Agreement.

### IV. **PROCEDURE**

Subd. 1. **Designate Officials**. Each Party shall designate, and keep on file with the HCEM, the name of the person(s) of that Party who shall be its Requesting Official and Sending Official. A Party may designate the same person as both the Requesting Official and the Sending Official. Also, a Party may designate one or more persons to serve as an alternate in the absence of a designated official.

Subd. 2. **Request for Assistance**. Whenever, in the opinion of a Requesting Official of a Party, there is a need for Public Works Assistance from another Party, such Requesting Official may, at his or her discretion, call upon the Sending Official of any other Party to furnish Public Works Assistance.

Subd. 3. **Response**. Upon the receipt of a request for Public Works Assistance from a Party, the Sending Official may authorize and direct personnel and equipment of the Sending Party be sent to the Requesting Party. Whether the Sending Party provides such Public Works Assistance to the Requesting Party and, if so, to what extent such Public Works Assistance is provided shall be determined solely by the Sending Official (subject to such supervision and direction as may be applicable within the governmental structure of the Party by which they are employed). Failure to provide Public Works Assistance will not result in liability to a Party and each Party hereby waives all claims against another Party for failure to provide Public Works Assistance.

Subd. 4. **Back-Up Assistance**. When a Sending Party provides Public Works Assistance under the terms of this Agreement, it may in turn request Public Works Assistance from other Parties as "back-up" during the period it is outside of its jurisdiction providing Public Works Assistance to the original Requesting Party.

Subd. 5. **Recalling Assistance**. Whenever a Sending Party has provided Public Works Assistance to a Requesting Party, the Sending Official may at any time recall its personnel and equipment, or any part thereof, if the Sending Official in his or her best judgment deems such recall is necessary to provide for the best interests of the Sending Party's community. Such action will not result in liability to any Party and each Party hereby waives all claims against another Party for recalling Public Works Assistance.

Subd. 6. **Command of Scene**. The Requesting Party shall be in command of all situations where Public Works Assistance is provided. The personnel and equipment of the Sending Party shall be under the direction and control of the Requesting Party until the Sending Party withdraws Public Works Assistance or the Public Works Assistance is no longer needed.

Subd. 7. **Charges**. Charges may be levied by a Sending Party for Public Works Assistance rendered to a Requesting Party under the terms of this Agreement. The Sending Party may submit to the Requesting Party an itemized bill for the actual cost of any Public Works Assistance provided, including salaries, overtime, materials, and supplies, equipment operation, and other necessary expenses. The Requesting Party will reimburse the Sending Party providing the Public Works Assistance for that amount or other such amount as mutually negotiated. Such charges are not contingent upon the availability of federal or state government funds. A Party may request a list of rates from another Party prior to requesting assistance. No charges shall apply to joint training events unless the Parties participating in the particular event agree to a charge in writing prior to the event.

## **V. RESPONSIBILITY AND LIABILITY**

Subd. 1. **Personnel**. Each Party shall be responsible for its own personnel and equipment, and for injuries or death to any such personnel or damage to any such equipment. Responding personnel shall be deemed to be performing their regular duties for each respective Sending Party for purposes of workers' compensation.

Subd. 2. **Worker's Compensation**. Each Party will maintain workers' compensation insurance or self-insurance coverage, covering its own personnel while they are providing Public Works Assistance pursuant to this Agreement. Each Party, and where applicable its insurer or coverage provider, waives the right to sue any other Party for any worker's compensation benefits paid to its own employee or volunteer or their dependents, even if the injuries or death were caused wholly or partially by the negligence of any other Party or its officers, employees, or volunteers.

Subd. 3. **Damage to Equipment**. Each Party shall be responsible for damages to or loss of its own equipment. Each Party, and where applicable its insurer or coverage provider, waives the right to sue any other Party for any damages to or loss of its equipment, even if the damages or losses were caused wholly or partially by the negligence of any other Party or its officers, employees or volunteers.

Subd. 4. **Liability**. For the purposes of the Minnesota Municipal Tort Liability Act (Minnesota Statutes, Chapter 466), the employees and officers of the Sending Party are deemed to be employees (as defined in Minnesota Statutes, section 466.01, subdivision 6) of the Requesting Party.

The Requesting Party agrees to defend and indemnify the Sending Party against any claims brought or actions filed against a Sending Party or any officers, employees, or volunteers of a Sending Party for injury or death to any third person or persons or damage to the property of third persons arising out of the performance and provision of Public Works Assistance pursuant to the Agreement. Under no



circumstances, however, shall a Party be required to pay, on behalf of itself and other Parties, any amount in excess of the limits of liability established in Minnesota Statutes, chapter 466, applicable to any one Party. The limits of liability for some or all of the Parties may not, as provided in Minnesota Statutes, section 471.59, subdivision 1a, be added together to determine the maximum amount of liability for any Party.

The intent of this subdivision is to impose on each Requesting Party a limited duty to defend and indemnify a Sending Party for claims arising within the Requesting Party's jurisdiction subject to the limits of liability under Minnesota Statutes, chapter 466. The purpose of creating this duty to defend and indemnify is to simplify the defense of claims by eliminating conflicts among the Parties and to permit liability claims against the Parties from a single occurrence to be defended by a single attorney. However, the Sending Party, at its option and its own expense, shall have the right to select its own attorney or approve a joint attorney as appropriate, considering potential conflicts of interest. Nothing in this Agreement is intended to constitute a waiver of any immunities and privileges from liability available under federal law or the laws of Minnesota. If a court determines that the liability of a Party or Parties is not subject to the tort caps and liability exceeds the tort cap maximum, a Party shall be subject to liability only for the acts of its officers, employees and volunteers.

No Party to this Agreement nor any official, employee or volunteer of any Party shall be liable to any other Party or to any other person for failure of any Party to furnish Public Works Assistance or for recalling Public Works Assistance.

## **VI. EFFECTIVE DATE AND MODIFICATIONS**

This Agreement shall become effective and operative beginning at 12:01 A.M., local time on April 9, 2019. The HCEM shall maintain a current list of the Parties to this Agreement and, whenever there is a change, shall notify the designated Sending Officials. Notice may be sent to the Sending Officials via email or through the United States Postal Service. No modification of this Agreement shall be effective unless it is reduced to writing and is approved by action of the governing body of each of the then current Parties.

## **VII. WITHDRAWAL AND TERMINATION**

A Party may withdraw from this Agreement by its governing body adopting a resolution to withdraw. Withdrawal is effective after 30 days' written notice is provided to the HCEM. HCEM shall thereupon give notice of such withdrawal, and the effective date thereof, to all other Parties. Parties that have withdrawn may rejoin by following the procedure set forth in this Agreement. This Agreement will terminate with respect to all Parties if the total number of Parties to the Agreement falls below 11. HCEM shall notify the remaining Parties that the Agreement has terminated.

IN WITNESS WHEREOF, the Parties, by action of their respective governing bodies, caused this Agreement to be approved on the dates below.

(Each Party must attach a dated and signed signature page consistent with that Party's method of executing contracts.)

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	4.2	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Operations and Maintenance Department
<b>Resolution:</b>	X	<b>Prepared By:</b>	Greg Hoag, Park-Building Maintenance Manager Jon Watson, Public Utilities Superintendent
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Dan Ruiz and Greg Hoag
<b>Item:</b>	Authorize Roof Repairs for Operations and Maintenance Building C to Mint Roofing		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-\_\_\_\_\_ AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO A CONTRACT WITH MINT ROOFING FOR ROOF REPAIRS AT OPERATIONS AND MAINTENANCE BUILDING C.

### Overview:

During a periodic roof inspection of Operations and Maintenance Building C in the fall of 2018, it was found that the roof coating material is in need of re-coating and there are several other minor repairs needed. This roof is currently 11 years old and has a useful life of 20 years. This re-coating is a mid-life maintenance practice, which will rehabilitate and keep the roof on its current replacement schedule.

### Primary Issues/Alternatives to Consider:

Operations and Maintenance staff recommend these roof repairs to keep this roof from needing early replacement. It is expected that these repairs will extend the life of this roof approximately 10 years.

### Budgetary/Fiscal Issues:

The repair work is recommended to be procured from Mint Roofing using the State of Minnesota Purchasing Contract for roof repairs for a time and materials cost not to exceed of \$46,089.00. The costs will be funded from the 2019 Sanitary Sewer Utility Enterprise Fund.

### Attachments:

4.2A RESOLUTION

RESOLUTION #2019-

RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO A CONTRACT WITH  
MINT ROOFING FOR ROOF REPAIRS AT OPERATIONS AND MAINTENANCE BUILDING C

WHEREAS, the roof at Operations and Maintenance building C is 11 years old, with a full useful life of approximately 20 years; and

WHEREAS, periodic inspections are made to building roofs; and

WHEREAS, during an inspection in the fall of 2018, needed repairs were identified on Operations and Maintenance building C roof; and

WHEREAS, Mint Roofing is a State of Minnesota Purchasing Contract vendor.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to authorize the Mayor and City Manager to enter into a contract with Mint Roofing for roof repairs at Operations and Maintenance building C for a time and materials cost not to exceed \$46,089.00 using the State of Minnesota Purchasing Contract for these services.

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	4.3	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Operations and Maintenance Engineering Services Division
<b>Resolution:</b>	X		
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	2	<b>Prepared By:</b>	Jason Ives, Sr. Project Manager
		<b>Presented By:</b>	Jason Ives
<b>Item:</b>	Adopt the Small Cell Aesthetic Standards regarding Right-of-Way Management for Small Cell Wireless Facilities		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-\_\_\_\_\_ ADOPTING THE SMALL CELL AESTHETIC STANDARDS REGARDING RIGHT-OF-WAY MANAGEMENT FOR SMALL CELL WIRELESS FACILITIES.

### Overview:

City Council adopted amendments to City Code Chapter 102: Right-of-Way Management for Small Cell Wireless Facilities on December 4, 2017. This was in response to Federal and State laws allowing the deployment of small wireless facilities in the right-of-way for the next generation of cell service technology known as 5G.

On January 14, 2019, the Federal Communications Commission (FCC) adopted new rules related to the acceleration of deployment for small cell wireless facilities. As a part of these rules, the FCC addresses consideration of aesthetic concerns that effect the deployment of small wireless facilities and gave municipalities a deadline of April 15, 2019 to adopt and publish small cell aesthetic standards.

Kennedy & Graven worked closely with the Suburban Rate Authority (SRA) members and developed a draft small cell aesthetic standards policy. As a member of the SRA, staff reviewed the draft policy and made appropriate changes and additions to reflect the aesthetic standards that the City of Brooklyn Park requires.

Staff recommends adopting the Small Cell Aesthetic Standards. If adopted, staff will publish the standards on the City website.

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

### Attachments:

- 4.3A RESOLUTION
- 4.3B SMALL CELL AESTHETIC STANDARDS

RESOLUTION #2019-

RESOLUTION ADOPTING THE SMALL CELL AESTHETIC STANDARDS REGARDING  
RIGHT-OF-WAY MANAGEMENT FOR SMALL CELL WIRELESS FACILITIES

WHEREAS, the Federal Communications Commission (FCC) adopted new rules relating to aesthetic standards for small cell wireless facilities; and

WHEREAS, the City has until April 15, 2019 to adopt an Aesthetic Standards policy for Small Cell Wireless Facilities.

NOW, THEREFORE, BE IT RESOLVED that the City Council officially adopts the Small Cell Aesthetic Standards policy.

# **Brooklyn Park Operations & Maintenance**



## **Small Cell Aesthetic Standards**

# Small Cell Aesthetic Standards

## Purpose

The City of Brooklyn Park desires the most advanced and highest quality wireless services available. The City also wishes to minimize the negative impacts associated with wireless facility deployments including small wireless facilities. Such negative impacts may include interference with right-of-way sight lines, aesthetic impacts that are inconsistent with the surrounding area, fall zone and clear zone risks, navigation obstacles, interference with future right-of-way improvement or transportation improvement plans, interference with the installation or maintenance of other utilities, and increased visual or noise pollution.

To address such impacts, any person desiring to collocate small wireless facilities or place new wireless support structures in the right-of-way must first obtain a small wireless facility permit pursuant of the City code. Moreover, any person seeking to collocate small wireless facilities on an existing wireless support structure owned or controlled by the City must first enter a standard collocation agreement.

## Principles

The following aesthetic standards and requirements are intended to maintain the City's aesthetic environment while also allowing for the availability of wireless services, including broadband and "5G" services, using small wireless facilities. These standards are intended to establish clear and consistent aesthetic standards for small wireless facility placements in the City and establish a streamlined review and approval process.

These standards apply to all small wireless facility permit applications for placement of small wireless facilities on City-owned and non-City-owned support structures (poles), and the placement or replacement of small wireless support structures in the public right-of-way. Compliance with these standards is a requirement for, and condition of, issuance of a small wireless facility permit. Any installation that does not conform to these standards will be in violation of the associated permit and the City's right-of-way ordinance.

In addition to the following standards, the placement of new support structures for small wireless facilities shall be subject to any conditions specified in the small wireless facility permit.

With respect to City-owned support structures, these standards additionally seek to:

1. establish a menu of design options for providers to select from when applying for new small wireless facility permits associated with City support structures.



2. minimize unnecessary placement of new poles by encouraging co-location of small wireless facilities.
3. in situations where City support structures will be replaced, require that the structures be of a stealth design such that the maximum amount of facilities, including any wiring, are concealed inside the structure.
4. in situations where attachments will be made to existing poles, require that facilities, equipment, cabling, and conduit be concealed through the use of approved shrouding or camouflaging.

## **Application Requirements**

The City of Brooklyn Park may develop new or additional permit application forms, checklists, updated aesthetic standards, and other related materials as required to optimally meet the goals of Brooklyn Park, its residents, and its leadership. To avoid unnecessary delay in application processing, applicants are strongly encouraged to check the City website at [www.brooklynpark.org](http://www.brooklynpark.org) before submitting an application in order to confirm that the applicant is completing and following the most up-to-date application and requirements.

### **Section 1. Site Plans**

Applicants must submit site plans, elevation drawings and structural calculations prepared and signed by a Professional Engineer licensed by the State of Minnesota as detailed below. Site plans must depict any adjoining or nearby existing wireless facilities, with all existing transmission equipment identified; neighboring public improvements; the proposed small wireless facility, with all proposed transmission equipment and other improvements, and; the boundaries of the area surrounding the proposed facility and any associated access or utility easements and setbacks. Site plans must further include:

1. Photo Simulations: For all applications, photo simulations must be included. Such photo simulations must be from at least three line-of-site locations near the proposed project site depicting the viewpoints of the greatest pedestrian or vehicular traffic.
2. Equipment Specifications: For all equipment depicted on the plans, the applicant must include:
  - a. the manufacturer's name and model number.
  - b. physical dimensions including, without limitation, height, width, depth, volume and weight with mounts and other necessary hardware.

- c. technical rendering of all external components, including enclosures and all attachment hardware.
- d. a selection from the City's approved aesthetic standards.

## Section 2. Design Standards

The City desires to promote aesthetically acceptable and area conforming wireless facilities using the smallest and least intrusive means available to provide small wireless services to the community. All facilities in the public right-of-way must comply with all applicable provisions in this section.

**Antennas:** Antennas must be top-mounted and concealed within a radome (a structural, weatherproof enclosure that protects an antenna and is constructed of material that minimally attenuates the signal transmitted/received by such antenna) or otherwise concealed to the extent feasible. Cable connections, antenna mounts and other hardware must also be concealed. The radome or other concealment must be non-reflective and painted or otherwise colored to match the existing support structure. The size of the antenna shall not exceed 6 Cubic Feet in volume.

**Collocation:** Collocations between wireless service providers on the same support structure is required wherever feasible. If an applicant chooses to not collocate in areas where options are or appear to be available, the applicant must document that collocation is infeasible. The City requires a copy of the collocation agreement between wireless service providers. The City will also require a copy of the collocation agreement from the owner of the support structure(s), e.g. Xcel Energy, granting permission to the wireless service provider to attach to their facility.

**Concealment:** Concealment elements must be incorporated into the proposed design of the small wireless facility installation and must include approved camouflaging or shrouding techniques.

**Pole-Mounted Equipment Cages/Shrouds:** When facilities are permitted to be pole-mounted, facilities other than the antenna(s), electric meter and disconnect switch must be concealed within an equipment shroud. The facilities must be installed at a height that presents the least aesthetic impact, but in no event lower than 20 feet above ground level. The equipment shroud must be non-reflective and painted, wrapped or otherwise colored to match the support structure. Shrouds must be mounted flush to the support where feasible. Standoff mounts must provide the minimum separation distance from the support structure necessary for feasibility.

**Existing Street Light Poles:** Most of the existing street light poles are not capable of accepting new equipment. Therefore, the provider is required to remove and replace those poles with a combination street light/antenna pole.

New Poles: New support structures must be the same color as neighboring, similar support structures and of the same design characteristics. See Section 4 of this document.

Foundations: Concrete bases and equipment pads shall be pre-cast or cast-in-place per the manufacturers requirements. A complete foundation includes the concrete, reinforcing steel, anchor bolts, leveling nuts, conduit stubs, ground rod and wire, excavation and backfill, restoration, accessories as required to provide a complete unit. Wind load shall be incorporated into the structural design.

Ground-Mounted Equipment: Ground-mounted equipment must be installed below grade or, if technically necessary, concealed in a ground-mounted cabinet. In addition to any applicable requirements in the City's right-of-way ordinance, ground mounted cabinets must:

1. be installed flush to the ground.
2. be the same color as neighboring, similar support cabinets or other ground-mounted structures.
3. not be on or within 2 feet of adjoining sidewalks, trails, or other similar passageways, not interfere in any way with the flow of pedestrian, bicycle or vehicular traffic.
4. conform to the American's with Disabilities Act (ADA) including with respect to appropriate sidewalk spacing.
5. not create a safety hazard.

Lights: Unless otherwise required for compliance with FAA or FCC regulations, small wireless facilities shall not include any lights or lighting. This subsection does not prohibit installation of luminaires or additional street lighting on new support structures if and where required by the City.

Health and Safety Regulations: All facilities shall be designed, constructed, operated and maintained in compliance with all generally applicable health and safety standards, regulations, and laws, including without limitation to all applicable regulations for human exposure to RF emissions.

## Section 3. Location Criteria

Traffic Signal Systems: The City of Brooklyn Park, Hennepin County and MnDOT prohibits small cell attachments to all their traffic signal systems.

Privately Owned Poles: There are more than 3400 street lights within the City's right-of-way and over half of those poles are owned by Xcel Energy. Most of the street light poles are not capable of accepting new equipment and are required to remove and replace those with a combination street light/antenna pole. Therefore, the City understands that each company must reach a final agreement with Xcel Energy for collocating and work with Xcel to review and approve individual pole locations. The provider is still responsible to acquire a right-of-way permit through the City.

Decorative Lights: The City has many neighborhoods with decorative street lights that were installed as part of the development. In these neighborhoods, the existing decorative street lights are not capable to support small cell equipment, so the City requires the provider to install new small cell facilities only at intersections as combination poles with street lights. The purpose of this is to eliminate the removal of decorative street lights mid-block and to preserve the intended decorative aesthetics of the neighborhood.

Obstructions: Any new support structure or other facilities associated with a new or existing support structure must not obstruct access to:

1. any existing above-ground or underground right-of-way user facilities, or public facilities.
2. any public infrastructure for traffic control, streetlight or public transportation purposes, including without limitation any curb control sign, parking meter, vehicular traffic sign or signal, pedestrian traffic sign or signal, barricade reflectors.
3. any public transportation vehicles, shelters, street furniture or other improvements at any public transportation stop (including, without limitation, bus stops, streetcar stops, and bike share stations).
4. fire hydrants.
5. any doors, gates, sidewalk doors, passage doors, stoops or other ingress and egress points to any building appurtenant to the right-of-way.
6. any fire escapes.

## Section 4. New and Replacement Support Structures

Smart Poles: The provider shall purchase a Smart Pole or Replacement Pole and shall be responsible for the maintenance of the pole during the period of occupancy by the provider.

The City strongly suggests the provider to purchase an Xcel Energy approved small cell CityPole by Comptek. This is to ensure uniformity of poles used within the City by all providers.

New Support Structures: Any new support structures shall be placed:

1. using the City's Street Lighting Policy as a reference to spacing and lighting requirements.
2. as functional streetlights as the City may require, in its reasonable discretion.
3. a minimum of 250 feet from any existing support structure or pole.
4. at a distance which is the same as the prevailing separation distance among existing structures and poles in the surrounding vicinity as agreed upon by the applicant and City, or determined by the City where agreement cannot be reached using the City's Street Lighting Policy minimum spacing requirements.
5. in alignment with existing trees, utility poles, and streetlights.
6. an equal distance between trees when possible, with a minimum of 15 feet separation such that no proposed disturbance shall occur within the critical root zone of any tree.
7. with appropriate clearance from existing utilities.
8. outside of a 20-foot equipment clear zone (for base cabinets less than 18-inches in diameter) or 30-foot clear sight triangle (for base cabinets equal to or greater than 18-inches in diameter) at intersection corners.
9. so as not to be located along the frontage of a Historic building, deemed historic on a federal, state, or local level.
10. so as not to significantly create a new obstruction to property sight lines.
11. at shared property lines if feasible.
12. not within 50 feet of the apron of a fire station or other emergency service responder facility.
13. outside of the clear zone for trails, sidewalks, and streets as appropriate.

### Replacement of City-Owned Support Structures:

1. Any replaced support structures shall remain in their existing location unless otherwise permitted by the City.
2. Ownership of the new pole will be vested with the City, but the provider shall be responsible for maintenance during occupancy.

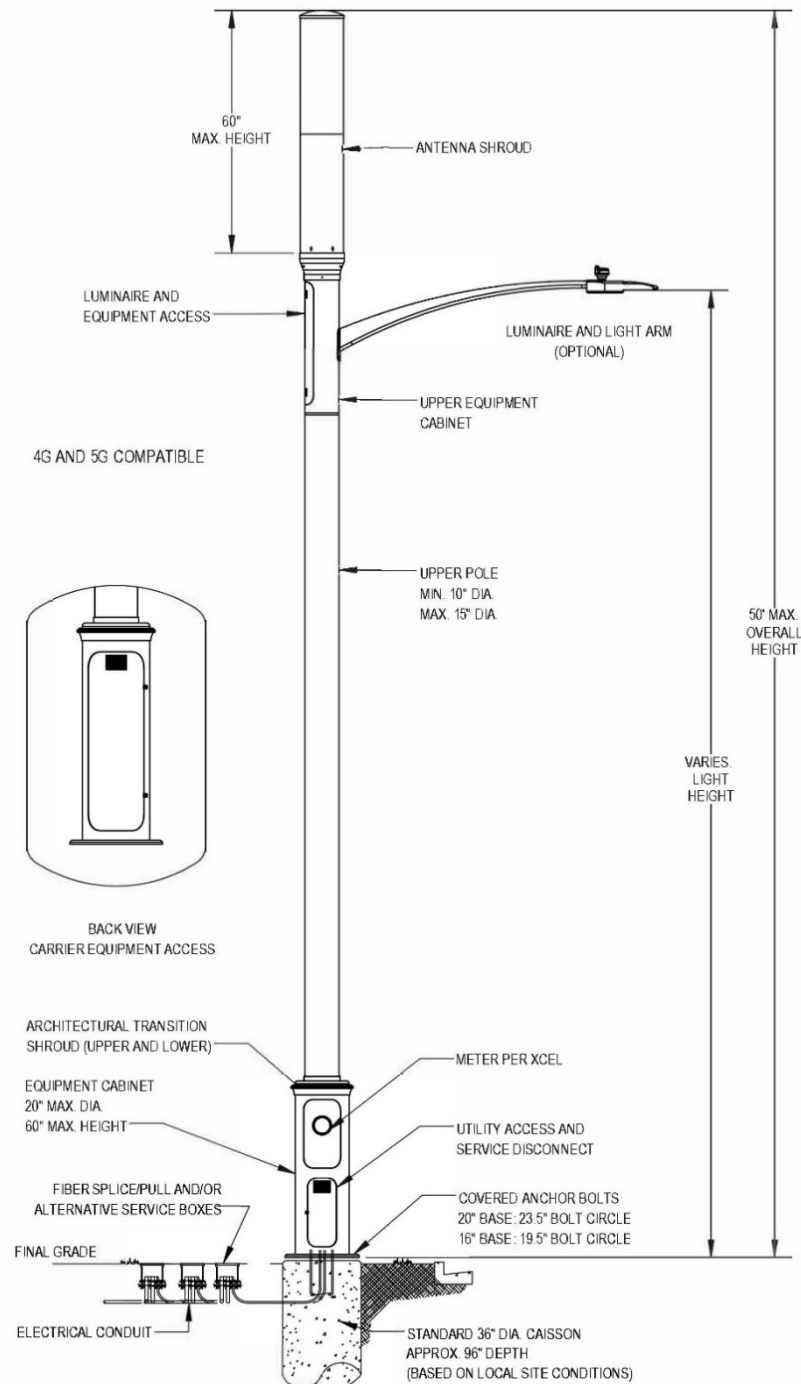
### New and Replacement Structures. All support structures must:

1. be constructed of aluminum or galvanized steel and must be round in shape. Wood poles are not allowed.
2. not exceed 50 feet in total height, or 10 feet above the height of the existing pole, whichever is greater.
3. where constructed as a light pole, luminaire(s) and luminaire arm(s) must match adjacent City lighting standard and must contain an LED fixture in accordance with the City's Street Lighting Policy.
4. be dark bronze in color using Xcel Energy color RAL8009.
5. have an equipment cabinet diameter at 16 inches (preferred), but not to exceed 20 inches, and 60 inches in height.
6. have an upper pole diameter at 10 inches minimum (preferred) and to exceed 15 inches.

## Section 5. Details and Pictures

The pictures and profile drawings below represent appropriate installation designs for small wireless facility installations on new support structures in the right-of-way.

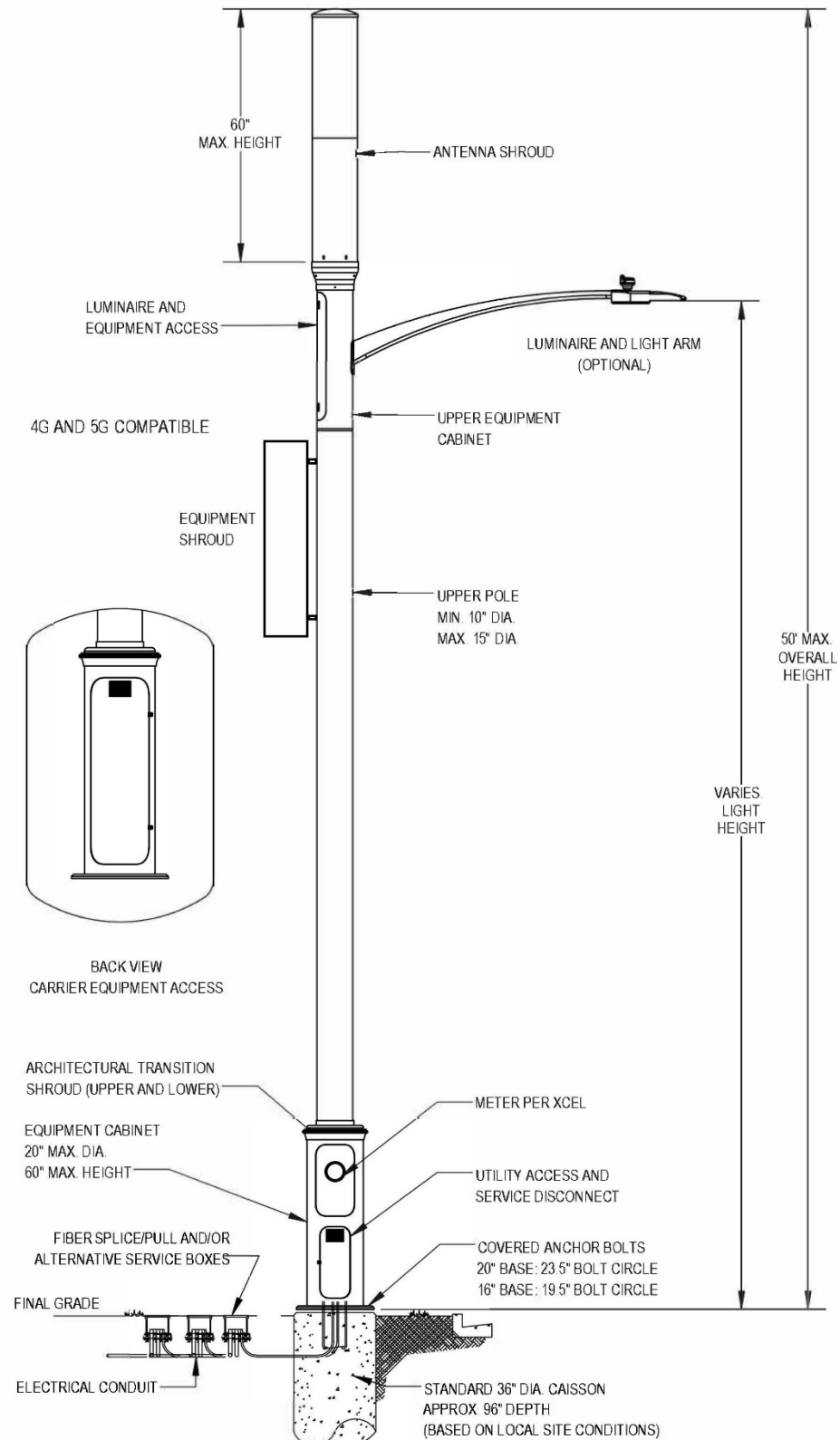
Figure 5-1: Combination Pole with Antenna



Detail courtesy of Aero Wireless Group/Comptek Technologies

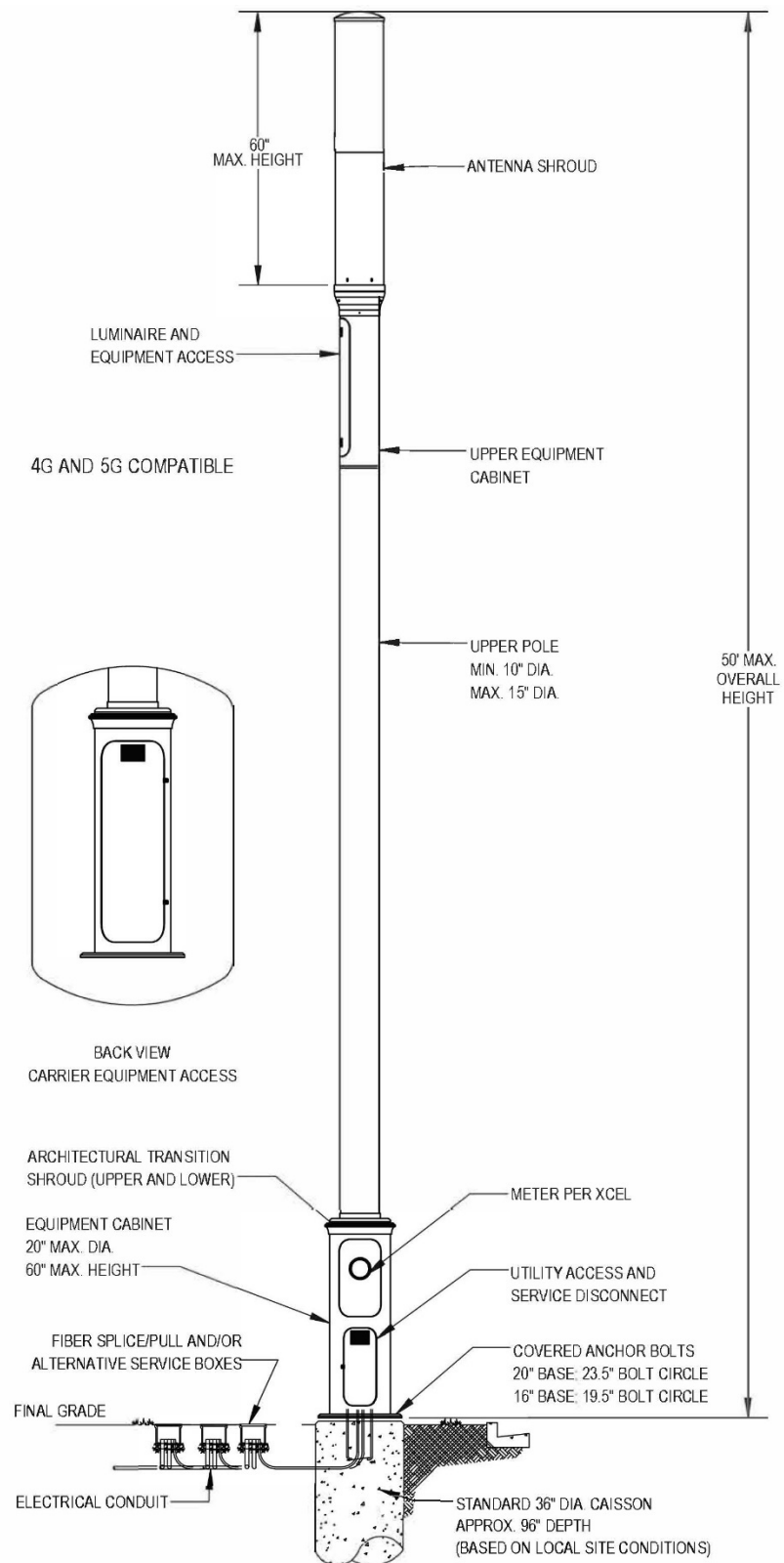


Figure 5-2: Combination Pole with Antenna and Equipment Shroud



Detail courtesy of Aero Wireless Group/Comptek Technologies

Figure 5-3: Freestanding Small Cell Assembly



Detail courtesy of Aero Wireless Group/Comptek Technologies

Figure 5-4: Picture of Combination Pole with Antenna





Figure 5-5: Picture of Freestanding Small Cell Assembly



# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	4.4	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Community Development
<b>Resolution:</b>	X	<b>Prepared By:</b>	Todd A. Larson, Senior Planner
<b>Ordinance:</b>	SECOND READING		
<b>Attachments:</b>	4	<b>Presented By:</b>	Cindy Sherman, Planning Director
<b>Item:</b>	"Windchime Trail 4 <sup>th</sup> Addition" (Kevin Ahlstrom) – Final Plat #19-103 and Conveyance of City Property at 10214 Regent Avenue North		

### City Manager's Proposed Actions:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT ON SECOND READING ORDINANCE #2019-\_\_\_\_\_ AUTHORIZING THE CONVEYANCE OF CITY OWNED PROPERTY.

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-\_\_\_\_\_ APPROVING FINAL PLAT OF "WINDCHIME TRAIL 4<sup>TH</sup> ADDITION" SUBDIVIDING 1.6 ACRES INTO ONE SINGLE-FAMILY LOT AND ONE OUTLOT AT 10214 REGENT AVENUE NORTH.

### Overview:

In 2003, the City Council approved the plats of Windchime Trail and Sanctuary Estates north of 101<sup>st</sup> Avenue at Regent Avenue. With each of those plats, land was dedicated at the northern terminus of Regent Avenue to provide a connection to Three Rivers Park District's Rush Creek Regional Trail. The location was desired as Regent Avenue is a collector roadway that crosses Highway 610 and makes an easy route for many Brooklyn Park Residents to access the Trail.

Most of the land is wooded, but the eastern portion adjacent to 10214 Regent Avenue is not. Over the years, the owners of that house have encroached upon the unwooded portion of the City property and installed a permanent fire ring and patio. The house was recently for sale, and the buyer, who discovered the encroachment, would like to purchase that unwooded portion of the property, approximately 5,300 square feet, from the City so he can install a swimming pool.

The City Council authorized staff to proceed with the sale of the property on November 11, 2018, and the Council approved the preliminary plat, first reading of the conveyance ordinance, and the purchase agreement on March 25, 2019. The proposed plat creates one residential lot and an outlot that will remain parkland. Once the final plat is approved, the sale will occur, and the plat will be recorded.

Associated with this application is a vacation of a drainage and utility easement on tonight's agenda.

### Budgetary/Fiscal Issues:

The sale of the land is not expected to add any significant value to the adjacent property for tax purposes. The intended use of the land for a swimming pool will add minimal value to the property.

The land was given to satisfy a portion of the developer's park dedication requirements in 2003. The 10,128 square-foot parcel was collected in lieu of \$12,249.68 of park dedication (\$1.21/ft<sup>2</sup>). Sale proceeds must be placed into the Open Space Land Acquisition and Development (OSLAD) fund. The City Assessing Division has the property valued at \$2.50 per square foot, which would reflect today's value versus 2003. The \$2.50 per square foot value is what the buyer will pay for the property.

**Alternatives to consider:**

1. Approve the second reading of the conveyance ordinance and final plat consistent with the recommendations by the Recreation and Parks Advisory Commission and Planning Commission.
2. Deny the plat and sale based on certain findings.

**Attachments:**

- 4.4A ORDINANCE
- 4.4B RESOLUTION
- 4.4C LOCATION MAP
- 4.4D FINAL PLAT

ORDINANCE #2019-

ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY  
OWNED PROPERTY

The City of Brooklyn Park Does Ordain:

The City of Brooklyn Park, as trustee for the public, holds a dedicated interest in and to that certain parcel of real property located north of Regent Avenue adjacent to 10214 Regent Avenue North and legally described as: Outlot B, Windchime Trail, Hennepin County, Minnesota ("Property"). The City finds it is in the public interest to convey 5,296 square feet of the eastern portion of the Property to Kevin Ahlstrom and Jean Ahlstrom, husband and wife, so that the Property can be added their property at 10214 Regent Avenue North. The net proceeds from the sale of the Property shall be paid to the Open Space Land Acquisition and Development (OSLAD) account of the City.

The Mayor and City Manager are authorized and directed to convey the Property to Kevin Ahlstrom and Jean Ahlstrom. City staff and consultants are authorized and directed to take all necessary and convenient steps to accomplish the intent of this Ordinance, including replatting both parcels.

All actions shall be pursuant to Section 14.06 of the City Charter. The City Council finds that the conveyance of the Property has no relationship or impact on the City's comprehensive plan and therefore there is no need for the City's Planning Commission to review and comment on the proposed conveyance.

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Mayor

Attest:

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City Clerk

Approved as to Form by City Attorney  
Passed on First Reading 03-25-2019  
Passed on Second Reading  
Published in Official Newspaper



RESOLUTION #2019-

RESOLUTION APPROVING PRELIMINARY PLAT OF  
"WINDCHIME TRAIL 4<sup>TH</sup> ADDITION"  
SUBDIVIDING 1.6 ACRES INTO ONE SINGLE-FAMILY LOT AND ONE OUTLOT  
AT 10214 REGENT AVENUE NORTH

Planning Commission File #19-103

WHEREAS, the plat of "Windchime Trail 4<sup>th</sup> Addition" has been submitted in the manner required for platting of land under the Brooklyn Park Codes and under Chapter 462 of the Minnesota Statutes and all proceedings have been duly had thereunder; and

WHEREAS, said plat is consistent with the Comprehensive Plan and the regulations and requirements of the laws of the State of Minnesota and codes of the City of Brooklyn Park, Chapters 151 and 152.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park, Final Plat Request #19-103 "Windchime Trail 4<sup>th</sup> Addition" shall be approved subject to the following conditions:

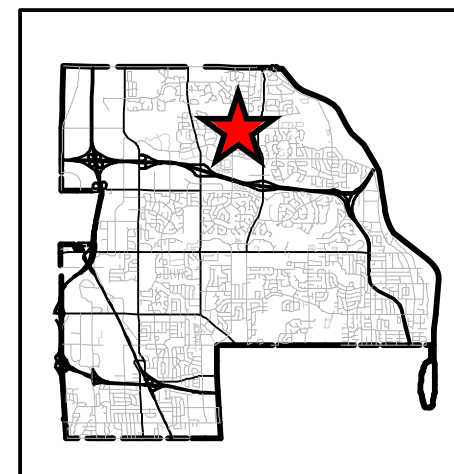
- a. Title review by the City Attorney and all conditions therein.
- b. Easement review by the City Engineer and all conditions therein, including an easement vacation as approved by Resolution #2019-\_\_\_\_.
- c. Per requirements set forth above or as subsequently amended by motion, approving Resolution #2019-50 approving the preliminary plat of "Windchime Trail 4<sup>th</sup> Addition," which is part of this resolution by reference and is on file and can be examined in the City Clerk's office.
- d. Submission of a letter from the land surveyor or engineer indicating the square footage contained in each lot on the plat, per Section 151.043, Subdivision J, of the City Code.
- e. Submission of a CAD copy of the plat.

BE IT FURTHER RESOLVED that such execution of the certificate upon said plat by the Mayor and City Manager shall be conclusive showing of proper compliance therewith by the sub divider and City officials and shall entitle such plat to be placed on record forthwith without further formality, all in compliance with M.S.A. 462 and the Ordinance of the City.

**Plat #19-103 10214 Regent Ave. N.  
Windchime Trail 4th Addition**



**Spring 2016 Air Photo.**



**Map Date February 14, 2019**



# WINDCHIME TRAIL 4TH ADDITION

C. R. DOC. No. \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENTS: That Kevin K. Ahlstrom and Jean P. Ahlstrom, husband and wife, owners of the following described property situate in the County of Hennepin, State of Minnesota, to wit:

Lot 1, Block 1, WINDCHIME TRAIL.

And that City of Brooklyn Park, a Minnesota municipal corporation, owner of the following described property situate in the County of Hennepin, State of Minnesota, to wit:

Outlot B, WINDCHIME TRAIL.

Have caused the same to be surveyed and platted as WINDCHIME TRAIL 4TH ADDITION and does hereby dedicate to the public for public use forever the easements for drainage and utility purposes as shown on the plat.

In witness whereof said Kevin K. Ahlstrom and Jean P. Ahlstrom, husband and wife, have hereunto set their hands this this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

By \_\_\_\_\_  
Kevin K. Ahlstrom

By \_\_\_\_\_  
Jean P. Ahlstrom

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, by Kevin K. Ahlstrom and Jean P. Ahlstrom.

\_\_\_\_\_  
(signature) (printed name)  
Notary Public, \_\_\_\_\_ County, Minnesota My Commission Expires \_\_\_\_\_

In witness whereof said, the City of Brooklyn Park, a Minnesota municipal corporation, has caused these presents to be signed by its proper officers this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

CITY OF BROOKLYN PARK

By \_\_\_\_\_, Mayor By \_\_\_\_\_, City Manager

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, by Jeffrey Lunde as Mayer and by Jay Stroebel as City Manager of the City of Brooklyn Park, a Minnesota municipal corporation, on behalf of said public body.

\_\_\_\_\_  
(signature) (printed name)  
Notary Public, \_\_\_\_\_ County, Minnesota, My Commission Expires \_\_\_\_\_

I Gregory R. Prasch do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Gregory R. Prasch, Land Surveyor  
Minnesota License No. 24992

STATE OF MINNESOTA  
COUNTY OF HENNEPIN  
This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ by Gregory R. Prasch.

Signature of Notary \_\_\_\_\_ (Nortary's Printed Name) \_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, Minnesota My commission expires \_\_\_\_\_

City Council, City of Brooklyn Park, Minnesota  
This plat of WINDCHIME TRAIL 4TH ADDITION was approved and accepted by the City Council of the City of Brooklyn Park, Minnesota, at a regular meeting thereof held this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subdivision 2.

BROOKLYN PARK, MN

Signed \_\_\_\_\_ Attest \_\_\_\_\_  
Mayor City Manager

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota  
I hereby certify that the taxes payable in \_\_\_\_\_ and prior years have been paid for land described on this plat, dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

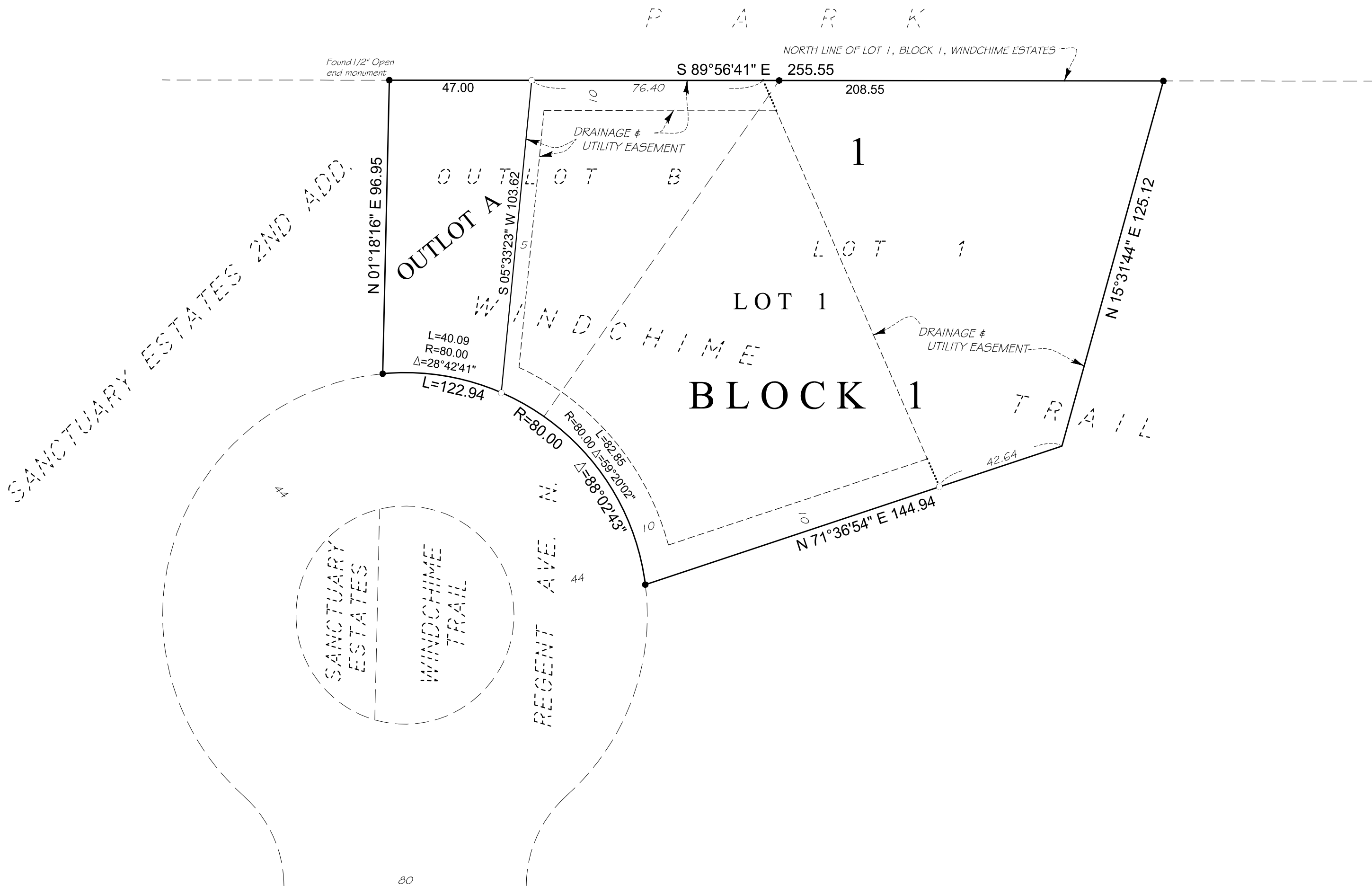
Mark V. Chapin, County Auditor By \_\_\_\_\_ Deputy

SURVEY DIVISION, Hennepin County, Minnesota  
Pursuant to Minnesota Statutes, Sec. 383B.565 (1969) this plat has been approved this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Chris F. Mavis, County Surveyor By \_\_\_\_\_

COUNTY RECORDER, Hennepin County, Minnesota  
I hereby certify that the within plat of WINDCHIME TRAIL 4TH ADDITION was recorded in this office this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, at \_\_\_\_ o'clock \_\_\_\_ M.

Martin McCormick, County Recorder By \_\_\_\_\_ Deputy



FOR THE PURPOSES OF THIS PLAT THE NORTH LINE OF LOT 1, BLOCK 1, WINDCHIME TRAIL IS ASSUMED TO BEAR SOUTH 89°56'41" EAST.

- DENOTES 1/2 INCH BY 1 1/4 INCH IRON PIPE MONUMENT SET AND MARKED BY LICENSE NUMBER 24992, UNLESS OTHERWISE NOTED.
- DENOTES FOUND OPEN END 1/2 INCH IRON PIPE MONUMENT AND MARKED WITH CAP No. 10945 UNLESS OTHERWISE NOTED.



**DEMARC**  
LAND SURVEYING & ENGINEERING  
7601 73rd Avenue North  
Minneapolis, Minnesota 55428 (763) 560-3093  
Demarcinc.com

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	4.5	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Administration
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Devin Montero, City Clerk
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	4	<b>Presented By:</b>	Devin Montero
<b>Item:</b>	Approval of Minutes		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF JANUARY 28, 2019, AS PRESENTED BY THE CITY CLERK.

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF FEBRUARY 25, 2019, AS PRESENTED BY THE CITY CLERK.

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF MARCH 25, 2019, AS PRESENTED BY THE CITY CLERK.

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF MARCH 25, 2019, AS PRESENTED BY THE CITY CLERK.

**Overview:** N/A

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

### Attachments:

- 4.5A CITY COUNCIL MEETING MINUTES, JANUARY 28, 2019
- 4.5B CITY COUNCIL MEETING MINUTES, FEBRUARY 25, 2019
- 4.5C SPECIAL CITY COUNCIL MEETING MINUTES, MARCH 25, 2019
- 4.5D CITY COUNCIL MEETING MINUTES, MARCH 25, 2019

## REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, January 28, 2019  
7:00 p.m.

Brooklyn Park Council Chambers  
5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Tonja West-Hafner, Susan Pha, Terry Parks, Mark Mata, Wynfred Russell and Lisa Jacobson; City Manager Jay Stroebel; City Attorney Jim Thomson; Community Development Director Kim Berggren; Finance Director LaTonia Green; Deputy Police Chief Todd Milburn and City Clerk Devin Montero.

ABSENT: None.

Mayor Lunde opened the meeting with the Pledge of Allegiance.

### 2A RESPONSE TO PRIOR PUBLIC COMMENT

City Manager Stroebel stated..

### 2B PUBLIC COMMENT

1. Collette Guyotte-Hempel, 9277 Trinity. 93<sup>rd</sup> Construction Projects. She read from a letter with questions:
  - a. What does being a good neighbor mean?
  - b. Do you build a multi-million development and let your garbage blow in the neighborhoods for weeks?
  - c. Does it take more than a month and a complaint with a bag of garbage to make you clean up?
  - d. Do you build without the construction fencing guaranteed in the permit?
  - e. Do you use a collector street or use an open field to change the better soil and give the next development sand instead of the soil that was there?
  - f. Do you dig in the fall or spring or do you use a crane and bucket pounding the frozen ground hard enough to make houses shake on the other side of the road and multi-ton berm?
  - g. Do you move dirt and take the right of way away from vehicles in a 50 MPH road with a “trucks hauling” sign on the ground not visible to the vehicles you are pulling out in front of?
  - h. Do you make a dead stop in the road of a 50 MPH road and back up in the lane of traffic with a motorist right behind you?
  - i. Do you make U turns in that same road in the middle with traffic coming at 40 mph at you?
  - j. Do you stop in the middle of a four way stop and do a kiddie corner back into the ditch right next to a brand new transformer box of electricity for the neighborhood and then drive straight out into the middle of the same four way stop?

She stated she was still wondering if the gas line that was buried along Regent had been checked for cracks since then. She stated there was a pole on her property, but it didn't go west, east or south as far as the markings were concerned. She stated that was what Lyons Construction and New Market Value apartments had been doing.

She stated that regarding the Menar Homes approach, asked if they would drive on it or would have first responders trying to save a life either from workman's injury or from a fire. She stated she talked to the sales person last Friday and said to go ahead and talk to the city Council again about the approach. She stated to her a good neighbor did as much as possible to prevent and be proactive to stop accidents.

3A. MOTION WEST-HAFNER, SECOND JACOBSON TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK WITH THE ADDITON OF ITEM 3B2, DEFERRED ENFORCED DEPARTURE AWARENESS MONTH PROCLAMTION. MOTION PASSED UNANIMOUSLY.

3B1 City Manager Jay Stroebel briefed the Council on the impending immigration deadline. He introduced Honorary Consul General Jackson George and he briefed the Council on the immigration deadline and the potential impacts on the community and in the Minnesota.

3B2 Mayor Jeffrey Lunde briefed the Council on the proclamation declaring February 2019 as "Deferred Enforced Departure (DED) Awareness Month" in the City of Brooklyn Park. He introduced Georgette Gray, Executive Director, Organization of Liberians in Minnesota, and she briefed the Council on the proclamation.

4.0 MOTION MATA, SECOND JACOBSON TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEMS:

4.1 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-16 APPROVING PLANS AND ORDERING ADVERTISEMENT FOR BID FOR 2019 STREET RECONSTRUCTION PROJECT, CIP 4003-19.

4.2 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-17 TO ACCEPT BIDS AND AWARD CONTRACT FOR THE REPAIR OF RAW WATER SUPPLY PIPING AT THE WATER TREATMENT PLANT TO MAGNEY CONSTRUCTION INC.

4.3 TO SET A PUBLIC HEARING ON FEBRUARY 11, 2019 TO CONSIDER THE ISSUANCE OF AN ON-SALE WINE LICENSE FOR LINH HUYNH FOOD INC. DOING BUSINESS AS KIM ANH RESTAURANT LOCATED AT 8586 EDINBURGH CENTER DR N.

4.4 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-18 TO AWARD AN AGREEMENT TO CORNERSTONE, FOR AN AMOUNT NOT TO EXCEED \$5,417 PER MONTH DURING THE CONTRACT PERIOD, TO PROVIDE VICTIMS AND FAMILIES OF DOMESTIC VIOLENCE ADVOCACY SERVICES BASED OUT OF THE POLICE DEPARTMENT.

4.5 TO RELEASE THE REMAINING ENGINEERING ESCROW \$2,185.39 FOR THE "LUPIENT COLLISION CENTER" PROJECT #17-102 LOCATED AT 7910 LAKELAND AVENUE N FOR BROOKLYN PARK PROPERTIES, LLC. THIS PROJECT HAS EXPIRED.

4.5 TO RELEASE THE REMAINING ENGINEERING ESCROW \$1,121.77 FOR THE "FAIRFIELD INN" PROJECT #17-107 LOCATED AT 5651 96<sup>TH</sup> AVENUE N FOR 7910

LAKELAND AVENUE N FOR OPUS DEVELOPMENT COMPANY AND SAMBATEK, INC. THIS PROJECT HAS EXPIRED.

4.5 TO REDUCE THE ENGINEERING ESCROW BY \$23,000 AND REDUCE THE CASH BOND BY \$76,500 FOR COMPLETION PROGRESS OF THE "610 WEST APARTMENT" PROJECT #15-104 LOCATED AT 6705, 6711 AND 6729 OAK GROVE PKWY FOR DORAN COMPANIES.

4.5 TO RELEASE THE ON-SITE IMPROVEMENT BOND #1854929 (\$450,000) POSTED BY GREAT AMERICAN INSURANCE COMPANY, REDUCE THE ENGINEERING ESCROW BY \$12,000, AND REDUCE THE CASH BOND BY \$25,400 FOR COMPLETION PROGRESS OF THE "HAMPTON INN & HOME2 SUITES" PROJECT #16-123 LOCATED AT 9470 AND 9490 WEST BROADWAY FOR MIDAS HOSPITALITY.

4.5 TO RELEASE THE ON-SITE IMPROVEMENT BOND #100143 (\$196,100) POSTED BY MERCHANTS BONDING COMPANY, REDUCE THE CASH BOND BY \$7,300 AND REDUCE THE ENGINEERING ESCROW \$6,000 FOR COMPLETION PROGRESS OF THE "ASPEN LANE SELF STORAGE" PROJECT #17-121 FOR EBERT CONSTRUCTION.

4.6 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-19 AUTHORIZING STAFF TO ENTER INTO A PURCHASE CONTRACT WITH FORD OF HIBBING FOR TWO FORD POLICE INTERCEPTOR VEHICLES OFF THE STATE CONTRACT AND REPLACE ANY EQUIPMENT NECESSARY TO PLACE THE VEHICLES BACK IN OPERATION, WITH FUNDING BEING PROVIDED BY AN AMENDMENT TO THE 2019 BUDGET AUTHORIZING A TRANSFER FROM THE LOSS CONTROL INTERNAL SERVICE FUND TO THE CENTRAL SERVICES INTERNAL SERVICE FUND.

4.7 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL WORK SESSION OF NOVEMBER 6, 2017, AS PRESENTED BY THE CITY CLERK.

4.7 TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF FEBRUARY 12, 2018, AS PRESENTED BY THE CITY CLERK.

4.7 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF JANUARY 7, 2019, AS PRESENTED BY THE CITY CLERK.

MOTION PASSED UNANIMOUSLY.

5.1 Planning Director Cindy Sherman briefed the Council on Three Rivers Park District/City of Brooklyn Park – Waiver of Platting #19-100 to Subdivide 37.66 Acres into Two Parcels for the Future Highway 169/101st Avenue Interchange and Purchase 2.3 Acres of the Property.

5.1 Mayor Lunde opened the public hearing.

5.1 The following individuals addressed the Council – None.

5.1 Mayor Lunde closed the public hearing and returned the item back to the table for consideration.

5.1 MOTION JACOBSON, SECOND PARKS TO WAIVE THE READING AND ADOPT RESOLUTION #2019-20 APPROVING WAIVER OF PLATTING TO SUBDIVIDE PROPERTY AT THE NORTHEAST CORNER OF HIGHWAY 169 AND 101<sup>ST</sup> AVENUE INTO TWO PARCELS. MOTION PASSED UNANIMOUSLY.

5.1 MOTION JACOBSON, SECOND WEST-HAFNER TO WAIVE THE READING AND ADOPT RESOLUTION #2019-21 TO PURCHASE 2.3 ACRES OF PROPERTY FROM THREE RIVERS PARK DISTRICT FOR USE IN HIGHWAY 169 INTERCHANGE PROJECT. MOTION PASSED UNANIMOUSLY.

6.1 Planning Director Cindy Sherman briefed the Council on Oak Village (D.R. Horton) – Preliminary Plat and Conditional Use Permit for a 56-Unit Townhome Development Southwest Corner of Oak Grove Pkwy. and Regent Avenue N.

6.1 MOTION PARKS, SECOND JACOBSON TO WAIVE THE READING AND ADOPT RESOLUTION #2019-22 APPROVING PRELIMINARY PLAT OF “OAK VILLAGE” SUBDIVIDING 5.36 ACRES INTO 56 TOWNHOME LOTS AND TWO COMMON LOTS SOUTHWEST OF OAK GROVE PARKWAY AND REGENT AVENUE NORTH.

Council Member Mata stated he had concerns with the project. He stated the Council always talked about the things they're going to do, like the 2025 plan that was put out there to talk about the city becoming more senior friendly. He stated the project was not a senior friendly development. He stated the apartments to the south of the proposed area had the most stairs he had ever walked on, and the project was not going to be age friendly. He stated that when someone had an event there, just like the ones that were between that spot of land and the Highway 610, parking was very difficult. He stated he realized the trucks could turn around but the fire truck placement could be an issue. He stated there was not enough room for guests to park, which would be an issue at Oak grove Parkway where they would have to post signs and then post “No Parking” signs on Regent along with the other side of 96<sup>th</sup> Avenue.

He stated many years ago when the project came forward and were just doing the preliminary plat on it, the whole project in the area south of the powerlines, at that time, the City just came off an apartment study, the Zane Corridor. He stated the study said if they built too many of same thing of those kind of units in the same spot, they would have issues. He stated they were creating the Zane Corridor but just in a different part of town. He stated the study said that moving high density throughout neighborhood and spreading it around the City and not putting a lot of high density next to high density was going to create an issue and the City was going to pay down the road and would be buying the units. He stated the project went from a medium density to medium high density. He stated he would vote no to the project and the only way he would approve a project there was that it went back to a medium density. He stated it meant the developer wouldn't make as much but would still make money there. He thought they had enough housing in that area to build more housing when he was looking for a commercial area. He stated the Town Center soon would be all houses and nowhere for anyone to go except to a couple of fast food restaurants. He stated that was what they were looking at and due to the density, he would not vote for it.



THE MOTION PASSED (6 TO 1) MATA VOTED NO.

6.1 MOTION PARKS, SECOND JACOBSON TO WAIVE THE READING AND ADOPT RESOLUTION #2019-23 APPROVING CONDITIONAL USE PERMIT FOR "OAK VILLAGE," A 56-UNIT TOWNHOME DEVELOPMENT SOUTHWEST OF OAK GROVE PARKWAY AND REGENT AVENUE NORTH. MOTION PASSED. (6 TO 1) MATA VOTED NO.

6.2 Planning Director Cindy Sherman briefed the Council on City of Brooklyn Park – Rezoning #18-112 to Rezone Eight Business Parcels from Business Park (BP) to General Business District (B3) at 8500, 8501, 8504, 8508, 8509, 8511, and 8517 Xylon Avenue N.; and 8501-8509 Wyoming Avenue N.

6.2 MOTION PHA, SECOND WEST-HAFNER TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING CHAPTER 152 REZONING 12.45 ACRES FROM BUSINESS PARK (BP) TO GENERAL BUSINESS DISTRICT (B3) NORTH OF 85<sup>TH</sup> AVENUE BETWEEN WYOMING AVENUE AND HIGHWAY 169. MOTION PASSED UNANIMOUSLY.

6.3 Planning Director Cindy Sherman briefed the Council on City of Brooklyn Park – FIRST READING of an Ordinance to rezone specific properties to Transit Orientated Development at Five Station Areas.

6.3 MOTION LUNDE, SECOND PARKS TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE REZONING SPECIFIC PROPERTIES TO TRANSIT ORIENTATED DEVELOPMENT AT FIVE STATION AREAS. MOTION PASSED UNANIMOUSLY.

7.1 Mayor Lunde briefed the Council on the Travel by Mayor Lunde to Oakland, California, February 18-20, 2019.

7.1 MOTION MATA, SECOND WEST-HAFNER TO APPROVE TRAVEL BY MAYOR JEFFREY LUNDE TO OAKLAND, CA ON FEBRUARY 18 THROUGH FEBRUARY 20, 2019 FOR MBK RISING! INAUGURAL NATIONAL CONVENING AS AN INITIATIVE OF THE OBAMA FOUNDATION. MOTION PASSED UNANIMOUSLY.

7.2 City Manager Stroebel briefed the Council on the 2019 Legislative Priorities and Positions.

He highlighted a few specific areas of focus:

TH252 - He stated while the City got the initial funding from the State, there was still significant potential for local dollars to be contributed toward some of the interchanges in the city and adjoining local roads. He stated they wanted to continue to look for additional strategies for federal and state dollars to be available for local governments like the city to apply for those funds to alleviate the local financial burden when those types of big projects came forward.

Bottineau Light Rail Transit Line – He stated it was staying on as a priority.

Increasing Municipal State Aid to Cities – He stated it was similar to what he mentioned on the TH252 project. He stated it was something that came up in the October conversation with the

Council looking to increase the Municipal State Aid to maintain those significant MSA streets in the city.

Small Cell Legislation – He stated he was waiting on language on it. He stated that 5G was coming and for it to come there was going to be small cell antennas scattered throughout the city and would be every couple hundred feet on light poles and other fixtures. He thought that having as much local control as possible on it and most of the legislation was in place but there still could be additional changes and thought that the work with other communities, work with the city attorney, wanted to continue to protect the interest of local government with regard to the next steps in the small cell legislation.

Deputy Registrar Service – He stated that as the Council and community knew, they had a lot of ups and downs with the Deputy Registrar service, everything from the technology to some of the changes around revenue. He stated they had a lobbying group that was representing all of the Deputy Registrars around the State but was still an issue to be aware of as the legislative progresses.

Council Member Russell stated that earlier tonight they heard two presentations from Honorary Counsel General Jackson George and the Mayor's proclamation, importance to immigrations and the resident who were in the city on DACA, TPS or DED. He asked what the process was to include immigration as part of the legislative priority for 2019.

City Manager Stroebel stated historically the document was focused on the State Legislature. He stated they could have additional items related to the Federal congress and issues that would come before Congress. If the Council wanted to make those changes he could do it. He stated that historically they focused on progress related to the State level and less focus on the federal in terms of the proposed document. He stated he knew there were specific areas they spent time and energy on related to the Bottineau Line and was something they were trying to advance at the State, regional and federal levels. He stated if the Council desired, they could include something specific to DED within the document.

Council Member Russell asked if they could do it in a second document to look at the federal issues.

Council Member Mata stated to now go and battle the federal government, he was not interested as a Council Member in going to the federal government. He stated that as a Council member, he wanted to battle the State and get the money for LGA. He stated he would like to make Brooklyn Park so it didn't have to deal with LGA because every year during tax time they were always saying what if they gave it to us or didn't and they tried to find another half million to figure out how to make the budget work.

Council Member Pha stated it was a good suggestion and didn't believe previously they had legislative priorities at the federal level. She stated that all of the things they talked about at the State level also pertained to the federal level. Having the document escalated to the federal level, the congressmen and women and adding DED issue made sense. She stated it was letting the federal level public elected level officials know what the City's priorities were even at the local level was very important. She stated she had been to Washington, DC twice and the Mayor and they often did lobby the officials. She stated what they needed at the local level with the federal level elected officials was part of the NLC doing the national lobbying for the City on

behalf of the City and other cities in the state and throughout the country. She stated they might be a great policy partner including the other partners they had listed in the back of the document. She stated she would be in favor of what Council Member Russell proposed and put something like it at the federal level.

Mayor Lunde stated it was good idea for the federal level and to keep them separate. He stated he would like the federal one like the State to have the issues that gets them talking about. He stated they needed to be mindful of the politics and to lobby effectively as to focus on the issues. He stated the federal one would be fine and gave them some guidance and do it as matter of course. He stated it might be good to share the platform of the League of Minnesota Cities because they had a lobby guide when they presented and could use it as a starting point and decide if there were other things, or adopt theirs at some level.

He stated that if someone came and asked them to testify or wanted them to do something on behalf of an issue, having the guide allowed someone to say yes. He stated they were asked to lobby for after school funding that Representative Foo was presenting about funding am after school grant that had zero dollars allocated for the last decade. He stated all they were asking was to fund what was actually said in the bill. He stated it also gave the City a position to say if some of those things were talked about, different funding mechanisms, if it got written so it only went to Minneapolis and St. Paul, which happens and with some of those grants down at the legislature, that they would be able to say it doesn't help the city because it was already self-directed to one group, which meant the City would never see the funding.

#### 7.2 MOTION LUNDE, SECOND RUSSELL TO ADOPT THE CITY OF BROOKLYN PARK'S 2019 LEGISLATIVE PRIORITIES AND POSITIONS.

Council Member Jacobson agreed that needed to be a separate document. She stated that one of things when they were elected, to always keep in mind, they were given the microphone by the residents. When they spoke up and asked the Council to speak up for them, it was their job to do that. By creating that second document thought that was their opportunity whether or not anyone paid attention to it at that level, it was out of their control. She stated they could at least feel they were doing their job they were put up there to do and believed the residents were asking them to do it. She stated she would be comfortable supporting the second document for the federal priorities as well.

#### 7.2 THE MOTION PASSED UNANIMOUSLY.

City Manager Stroebel stated that the document contained specific priorities that were focused on and also some generic positions they held as organization. He stated the suggestion was to create a second document related to federal priorities and he could do it. He recommended they try to zero in on and focusing on specific areas of interest rather than try to establish a set of positions broadly about a whole host of federal issues. He thought if they got more specific on it, then it was a more helpful document for them as an organization and when having conversations with the federal elected officials.

7.3 Business Development Coordinator Daniela Lorenz briefed the Council on the Submittal of an Application to the Minnesota Department of Employment and Economic Development under the Job Creation Fund (JCF) Program.

7.3 MOTION WEST-HAFNER, SECOND PHA TO WAIVE THE READING AND ADOPT RESOLUTION #2019-24 APPROVING SUBMITTAL OF AN APPLICATION TO THE MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT UNDER THE JOB CREATION FUND (JCF) PROGRAM. MOTION PASSED UNANIMOUSLY.

#### 8.1 Comprehensive Transportation Update.

Community Development Director Kim Berggren briefed the Council on the transportation projects related to the Light Rail Transit – Project Description, Schedule, Connect Blue Line Now! Coalition, Five Stations in Brooklyn Park, Oak Grove Station Area by the Numbers, Bike/Pedestrian Plans, Brooklyn Park Comprehensive Plan and the Trail Connections. Operations and Maintenance Director Dan Ruiz briefed on the transportation projects related to: 101<sup>st</sup> Avenue/Highway 169 Interchange-Issues and Opportunities, Cost Estimate and Timeline; Highway 252 Freeway Conversion, County Road Reconstruction – Bottineau Boulevard, Brooklyn Boulevard; Local Reconstruction Project; MSA Overlay Project; 2019 Overlay Map; Franchise Fee Projects 2016-2018; 93<sup>rd</sup> Avenue Update; Emerging Issues, and 109<sup>th</sup> Avenue Reconstruction.

##### Highway 252 Freeway Conversion

Council Member Jacobson stated there was a meeting on Highway 252 today. She stated there were a couple things she was able to voice her concerns for the Brooklyn Park side. She brought up that they needed continue to be concerned for the residents on 85th Avenue affected by the construction, whether that was during construction or the loss of any of those businesses. She stated what they called Kara's Bridge, the pedestrian bridge that was over Highway 252, that most plans showed it would be removed. She stated that as someone who was there when raising money and the awareness around the building of the bridge and how that deeply ran with the community that they might want to look at continuing in some way to recognize the fact that it was Kara's Bridge.

She asked about the bus stops currently on Highway 252 and what happened to them. She stated they recently had another fatality related to one of those bus stops and asked where the people would go. She also brought up the lack of the east/west transportation. She stated that what didn't exist in the community now would become a bigger problem later when they did get the project completed with the access point in the community being down to 85th Avenue and Brookdale Drive and what it would do to the neighborhoods surrounding those areas with additional traffic. She stated she was able to bring those to the top on conversations, so they could have a voice into it. She stated she did bring up the MNpass Lane as an area of concern or questions she and the Council continued to get from residents. She stated they were promising they would update their website on MNDOT's side with a greater number of Q&As so the questions they received in the community meetings could be responded to. She stated that 21,000 people were invited to those meetings and roughly 200 people total between Brooklyn Park and Brooklyn Center attended. She stated they knew they needed to communicate with a lot more information to a lot more people in a way other than inviting them to come to another meeting.

##### 93rd Avenue Update

Council Member Parks stated he talked about the mill overlay on Noble and the Council had

talked about private streets. He asked if there was a way the Associations could jump on board with the City and get their project done at the same time by the same company to save them costs.

Operations and Maintenance Director Ruiz stated yes and to let him know which townhome association he spoke with and he would reach out to them. He stated many had reached out to the City and had saved them tens of thousands of dollars with piggybacking on the mill and overlay projects.

Council Member Jacobson stated with a Priority Factor of 30 needed, but was only at 24 and they had sent in the additional information asked if they had a time frame when they would get an answer.

Operations and Maintenance Director Ruiz stated he would find out and report it to the Council.

Council Member Jacobson stated she spoke with Hennepin County Commissioner Mike Opat today about it at the Highway 252 meeting. She stated he came out of that area too because his brother lived in that townhouse development and was well aware of the issues surrounding that intersection of 93<sup>rd</sup> Avenue and Noble Parkway. She suggested communicating to Commissioner Opat too because she knew he would like to see a light there.

Mayor Lunde thanked staff and had talked about having this kind of meeting because the Council did get asked about when the streets would be overlaid. He stated it helped to have a meeting where people could see what was being planned. He stated that on the pedestrian bridge at 85<sup>th</sup> Avenue that it would be good to at least pay honor to where the origin of that bridge was and thought of the net results of being much more safe. He stated it would be good to do that and was a good reminder on that as well.

#### 109th Avenue Reconstruction

Mayor Lunde stated he wanted to address 109th Avenue specifically so people understood where he got to the end of what he was suggesting they would do. He stated that at one point in time, the City of Champlin wanted to go forward with the project to redo 109<sup>th</sup> Avenue and the Council said no and then somehow it managed that the Council had made a commitment to Champlin and staff came back to the Council and asked Council to rethink it and approved it because the Council made some commitments.

He stated he changed his vote specifically because he thought it was not worth having a conflict with a potential partner in the future to go ahead and do the project, even though he didn't want to do it. He remembered saying it on camera that he changed his vote specifically because they needed to work together on 109<sup>th</sup> Avenue. He stated he knew saying no would cause angst so at that time he changed his vote on it. He stated that it might not seem like much but when saying no and having to go back and change it because of that was important, but the why was important. He stated that part of the 109th Avenue challenge had been just to get both communities on board. He stated for historical purposes, most of the traffic on 109th Avenue was not Brooklyn Park traffic, 80 to 90 percent was not Brooklyn Park traffic. He stated it had never been a high priority for Brooklyn Park because it didn't have development there. He didn't think anyone in Champlin wouldn't say that road was working great and most people would say it was not especially with the high school concerned with traffic and safety.

He stated that going back to the former City Manager Verbrugge, they were working to try to move things forward but was an impasse and not coming to an agreement on moving forward. He stated they had a joint meeting and it was good and had some staff there and talked about the issue and there were decision makers on both sides that came together. He thought at that meeting things moved quickly to what was a joint powers agreement, how could they restart it, bring back consultants that were paid for by both cities so there was some impartial decision-making being done and there were no improprieties with people thinking that results showed one thing or the other and they moved it forward. He stated things went well for a while then things got bogged down again and thought from their standpoint an agreement had two parts, what Brooklyn Park wanted out of it was action because as they got development moving there they needed to get 109th Avenue done and get some certainty because the developers needed certainty.

He stated they needed to know what was going in and where the roads were going. He stated the goal was in the fall of 2017 that both cities would come into an agreement and pass the layout to help move the process forward. He thought part of the process was when they had the layout approved, they could go to the State legislature, they could get bonding money, could go to MNDOT or go to the County. He stated they could get money to help and not pay out of the city's pockets and other people paying for things. He stated things dragged on again and in the summer/spring 2018, the City passed the city's side of the layout and they still waited. He stated during that time, he had been speaking with the Mayor since it had been going on to talk about the fact that those consistent and constant warnings to the elected officials in Champlin and staff that development was imminent. He stated there was a bank that looked at it, a large Minnesota corporation headquarters that came close and had been four to five potential companies that would have moved anywhere from 2,000 to 6,000 workers to the city and suddenly needed all of it done.

He thought those warnings were given often and very direct to Champlin that they needed to get things moving. He stated that urgency came true when project "Hotdish" came forward. He stated he had warned Champlin elected officials and their Mayor numerous times that something was going to happen, and the taxpayers of Brooklyn Park should not be held liable for waiting because waiting meant development went elsewhere. He stated he was not willing to say no to a \$50 million or \$100 million or \$200 million potential project because they couldn't move forward. He stated they kept asking for meetings and asked the Mayor of Champlin directly to have a joint meeting because at the joint meeting bread was broken, got together, and talked. He stated it worked the first time and thought it would work the second time but still nothing. He stated the City Manager sent multiple emails asking to meet again and still nothing. He stated he had met with the Mayor more times over the last few months and every time he had asked for the same thing, resolution, action, and a joint meeting and still nothing.

He stated that on the project "Hotdish," the Council was the only group on the entire planet that didn't get to see their opinions because it never landed on their desks. He stated Planning and everyone on Facebook had their opinions. He stated that was one of those projects, he felt he gave all the warnings he could to a city that the Council wanted to work with. He stated that during that time he had a lot of conversations about hints, outright telling of the Council it would be okay if Brooklyn Park paid for it all and would cover the cost of 109<sup>th</sup> Avenue, 100 percent. He thought it might work but was not how they were going to do things. He stated they split costs, it was a joint road, it was 50/50 and no reason for taxpayers of Brooklyn Park to pay for it all. He

stated there had been numerous times that elected officials and city staff from Champlin had told him the exact same thing, if Brooklyn Park paid for it all, which was absurd, it was a joint road. He stated it was funny now that the development was coming near that open field that suddenly those extra demands were put on there. He stated he also had demands from the elected officials and city staff to tell Brooklyn Park how it should redesign the roads down at 105<sup>th</sup>, 101<sup>st</sup>; in other words, getting into the development to tell the City how it should do things. He stated he was struck by the irony that every morning and every afternoon the City of Brooklyn Park was the host to people driving through it on their way north. They were either going down to the metro and could see rush hour, they were going through it. He stated when Champlin shut down Highway 169 to get a project they needed to get done, he didn't think the Council complained. He stated they all knew it, it was horrible, but that was how things got done. He stated his question on it was had the Council asked them for their plans to get rid of lights on Highway 169 and he knew the answer but wanted to verify it at staff level. He stated the Council hadn't asked them what they were going to do to get rid of the lights because lights caused traffic.

Operations and Maintenance Director Ruiz stated they had not asked for those plans.

Mayor Lunde stated he asked them and they didn't have plans. He stated that he looked at what the city did on Highway 169 and the plans for 20 years for Devils Triangle was to get rid of all the lights. He stated that people going through Brooklyn Park and going on Highway 169 did not hit a light until they got to the border and traffic was so much better.

He stated that on Highway 252 work, the Council Members in the East District were working on it and heard tonight, the City had worked on it for 10 to 15 years and were told it was not going to happen for 40 years. Suddenly because the City had plans in place and the will and intent, there were going to be no lights on Highway 252, which would eliminate all the traffic that would flow up West River Road, that would hit the city streets. He stated his point about it was he suffered the idea that they should have them design the roads and developments in Brooklyn Park, when they all knew when they had lights on Highway 169, when it backed up West Broadway or Winnetka, it all became a thoroughfare and he didn't accept that idea that the City should have to suffer on that and thought that made that development more important.

He stated the last part he wanted to share caused him some angst, was during project "Hotdish" of which the Council had many people coming to the dais talking about things. He stated the Mayor of Champlin filed Freedom of Information Act on the contract of project "Hotdish." He stated he had never seen it before and that was a first. He stated he would never think about it because if someone wanted to poison relationships then do one of those on another government. He stated it was basically saying they had something to hide. He stated the senior staff talked to the senior member at Champlin and asked why they would do such a thing because that was salt in the wound. He stated the answer was what he actually figured was that they were going to expose the Mayor of Brooklyn Park for misleading the residents of Brooklyn Park. He stated he knew what they were after and the problem was that he didn't read lawyer contracts and asked the city attorney to explain to the public, on the contract for project "Hotdish," that they as Council Members or EDA couldn't talk about the who.

City Attorney Thomson stated they were talking about the Nondisclosure Agreement and was between the Brooklyn Park Economic Development Authority and project "Hotdish." He stated

that as the result, all EDA members were bound by the NDA because they were the EDA. He stated there was another paragraph that dealt with what employees could do with that information and they were bound by the same thing. He stated the Council, by being the EDA, had to comply with it. He stated there was no question the EDA members were bound by the NDA, which they reviewed ahead of time and approved and it complied with all MN Data Practices Act. He stated that it now had been disclosed.

Mayor Lunde stated they knew what they were legally bound by. He stated that most of his conversations with the Mayor and city manager of Champlin revolved around two things. One, why didn't he admit publicly who the applicant was but could not unless he wanted to pay someone for breach of contract, and two, was telling them how the Council was going to vote, which he could not. He stated he didn't know how the Council would vote until they had the hearing.

He stated the reason he brought all of it up was that he was tired of waiting and didn't think they had serious partners. He stated the project should not take this long. He stated that by the time they were done, had done from project start to design, to layout, to funding, to construction of 101<sup>st</sup>, which was an interchange over the top of a state highway in less time than it was going to take the City to get 109<sup>th</sup> project.

Operations and Maintenance Director Ruiz stated there had been plans with the interchange for a number of years and had turned it around in four years.

Mayor Lunde stated his point was that it didn't take that long to do a road project and they did them all the time. That was what concerned him and didn't know when they were going to get to work on the project. He stated he was not willing to wait. He thought they should turn staff's focus on other projects and until the City of Champlin came to the table with a decision to move a project forward, he was all ears. He stated the political gamesmanship wasn't that thought out because they did have a contract. He stated he was not willing to put it off any longer and had other projects they could work on in the city. He thought of staff time as money and thought of the funding they could do. He stated it had been proven they could get money for projects. If they had a project completed and ready to go, and if they didn't have a project ready to go, it wouldn't get funding. He stated no one would propose to fund a project that hadn't been drawn up and approved. He stated he was done messing around and kept hearing there was a lot of safety concerns and people worried about the high school and he didn't see that reflected in the actions of their partner. He stated he didn't know where the Council was, but his inclination was to move on and continue on. He stated that freed them up to do development in North Park the way they wanted to do it. He stated that if they were not going to have an agreement on 109<sup>th</sup> Avenue, he felt he owed them no opinion on what they were doing in North Park. He stated he would love for them to be partners, but the timeline went back five plus years. He apologized for speaking on it, but the history lesson mattered, and the gamesmanship and stupidity did matter a lot. He stated if someone got hurt and killed there, that's on them. The City of Brooklyn Park had been ready to move on the project.

Council Member Mata stated there was a meeting between 2005-2008 with Champlin in their facility and the discussion was about the project. He stated he didn't know his vote back then but his vote today, he was not doing something on 109<sup>th</sup> Avenue back then because they didn't have a taxable entity along there to tax, which meant the citizens of Brooklyn Park were going to foot the whole burden of that road. He stated they had nothing, now they had the Cove and



maybe a project coming forward. He stated Champlin did pay to do some things and they paid some things but not to finish the city's side of the road and never curbed and guttered the southside of 109<sup>th</sup> Avenue. He stated that on the Maple Grove side of that, he didn't vote to do anything with the road at the time and he wouldn't vote for anything now due to he wanted a builder, wanted development, something there he could tax because he didn't want to tax the rest of the city for it.

He asked about Xylon Avenue, if there were two Xylons going through Champlin.

Operations and Maintenance Director Ruiz stated one was Xylon Avenue and one was Xylon Lane. He stated that Xylon Avenue would go through and eventually connect down to 101<sup>st</sup> Avenue.

Council Member Mata stated they didn't know what was going in there and could be a bottleneck. He agreed with the Mayor on what should happen there. He stated he never worried about what another city was doing because he couldn't tell them what to do and he didn't want to tell them what to do. He stated he didn't ask for their opinion because he just wanted to deal with Brooklyn Park and that was his vision. He stated he did ask Champlin to remove some stop lights there within the last couple years to make his trip to Anoka and back a lot easier and was never going to happen. He stated he still had not seen anything in writing on who the potential tenant of the property was going to be or not going to be. He stated he could sit there and say he didn't know when he answered people regardless of what document some city staff had the privilege to see. He stated that as a Council Member he didn't ask the question until he saw a paper with a name in writing because they could always back out.

He stated there was a \$4 million gap for a bridge on 101<sup>st</sup> Avenue and were going forward with a project they didn't know how to pay for. He saw it as a problem and talked about how that would help the traffic flow. He stated that on that interchange, he was on the no side of the interchange but asked how that interchange would help traffic going northbound. He stated it would not and it would just add more of a burden to anyone coming out of the intersection and going northbound.

He stated that on West Broadway, they had been asking for West Broadway to be finished since the early 2000s. He stated they put funds aside to finish the road and now the light rail might come and still had no idea when it was going to happen. He stated they had the college there and didn't have sidewalks on the other side of the street. He stated they were going to put sidewalks by an airport, but they couldn't put sidewalks in from a school. He stated he was confused on where the curb and gutters didn't go and did go and the projects they were doing. He stated that across the street any resident who might be renting back in that area and walking to the college, couldn't do it because they had to cut across the tracks or cut across the road because that was what would happen.

Council Member Mata asked about 63rd and Yukon. He stated they showed that project in the Sunny Lane area and showed Yukon had a gap back in it. He stated he knew the divot in the street was there and got fixed and was under the impression that when they did the replacement of the road they were going to bring Yukon all the way up to 63<sup>rd</sup> Avenue.

Operations and Maintenance Director Ruiz stated the gap between the yellow area and 63<sup>rd</sup> Avenue was redone and repaved. He stated their goal was to not rip up again what they

already did. He stated they were going to match the grade moving forward of the project this year.

Council Member Mata asked if they had to worry about the seam and crack in tar that was going to separate and do one of those within a year.

Operations and Maintenance Director Ruiz stated not any more than any other seams that were on every street where they started and stopped the paving. He stated when the contractors were going along, and had so many trucks lined up, they could pave to a point and had to wait for the next truck. He stated there could be other seams, but they also did crack sealing to help maintain that integrity there.

Council Member Mata asked about the stop light at 93<sup>rd</sup> and Noble. He stated the County constantly put people there for traffic counts and watched what was going on. He stated if they were just looking for accidents, they didn't get the near misses. He stated the stop light just south of Noble Parkway and Edinburgh, the 3-way stop light, couldn't possibly match it in order for the County to do that. He stated it was a 3-way and 93<sup>rd</sup> Avenue and Noble was a 4 way and constantly adding more units to cut through the road. He asked how they were able to create a stop light at Noble Parkway and Edinburgh Parkway but couldn't get one at 93<sup>rd</sup> Avenue. He stated the County did not take an interest to put a stop light as close to the on and off ramp on the south side of Noble Parkway and TH610 because that stop light was in eye sight of another stop light which was about 100 yards. He stated the County liked to put stop lights a mile apart. He stated he would be interested in what the real reason was because he would like to see some other stop lights that went in the city that matched that mark. He agreed that controlled intersections created more severe accidents and that had been proven by data. He stated he could see no reason why they couldn't put a stop light there. He would like to see other stop lights they built in the city whether they really matched the PF 30 or not and tell the County to put someone out there and watch and let them know about a senior community on one side trying to get out onto a major road or cross it just to get to the grocery store.

Operations and Maintenance Director Ruiz stated that on the Edinburgh Parkway and Noble traffic signal, when it was installed, it might have been a city road at that time. He stated the signal was installed before the City and County traded Russell and Noble for Noble to become a County road. He stated he would follow up on it and get back to the Council.

Council Member Mata stated that on Highway 252, the City paid a lot of money to put in a third lane. He asked what happened to the project that was supposed to go after that and finish the third lane all the way through Highway 252. He stated they were now looking at a multimillion dollar investment and were saying if the City didn't put in a MNpass lane they would hold it out another 20 more years. He stated the City of Brooklyn Park paid the bill from 73<sup>rd</sup> Avenue to Brookdale Drive both ways to make a third lane so all the residents on West River Road could get down through West River Road, get out on Brookdale Drive to make the light. Otherwise, people from Highway 252 were backing up that intersection all the way into the intersection so that a resident couldn't get out. He stated they were supposed to eliminate Humboldt and 81<sup>st</sup> or 77<sup>th</sup> and that intersection was supposed to be right in/right outs and not take out a light and Brooklyn Center was not going take out a light and see where the road went. He stated that was the cheapest way to fix it and it was not a freeway but the cheapest way to fix it with a third lane. He asked where that project went when they were going to spend millions of dollars to build something else different.

He stated that on the flashing yellow arrows, he liked them because he didn't have to wait and could go through them. He asked what the State was going to do to educate new drivers and for those that are renewing their licenses every four years. He stated they were new things and they needed to teach them about it because they were asking the Council to put it in the Park Pages. He stated it was not helping anyone who didn't live in the city and was just wasting time and money. He asked them to go back to the State saying they had a great idea, but the education was not there, and people didn't understand them.

Council Member Jacobson stated that on 109<sup>th</sup> Avenue, agreed with the Mayor. She stated they should redirect their efforts away from 109th Avenue to other projects and they couldn't keep fighting the fight if that wasn't something the partner in the project wasn't interested in making come to fruition for both of its residents.

Council Member West-Hafner stated that on the 109th Avenue project, agreed they should focus the efforts in other places. She agreed that she didn't like that Champlin could think they could tell the Council what they could do and when to do it. She stated they didn't go into their city and do that. She stated it was not fair for staff to spend time working on it when they were not willing to come to table.

She stated she liked the flashing yellow lights and appreciated staff doing some work on it. She stated that on Highway 252, she thought they were getting a third lane too and some of those intersections were going to get closed off and be able to move. She stated the State was thinking they needed to wait so they could get a MNpass lane but if they were going to do it, just get it done. She stated she didn't understand what the holdup was or why they would sit and wait for it.

She stated that on the Noble Parkway lights, didn't understand when things got triggered and understood it was a County road and might not have a say over it, but even on the city's own intersections where there were issues thought they waited too long to put those intersection lights in and control traffic. She agreed there was data that said those controlled intersections caused more crashes. She also heard that from a County person when she complained about 101<sup>st</sup> Avenue and Zane. She also thought there were some pedestrian improvements that came along with that and were important along with the parking issues near the apartments. She stated she would like to see Council decide on that and didn't have to wait until people got hurt or killed to put those lights in and not wait for traffic counts but use common sense when they put those in.

Council Member Russell stated he liked the yellow flashing lights but received concerns from residents that they were confused by it. He asked if they had any data to speak to the efficacy of those flashing lights and to what extent did they decrease traffic accidents or increase traffic accidents.

Operations and Maintenance Director Ruiz stated when they were installed in new locations, there could initially be a slight uptick in accidents. He stated it was a slight learning curve for people and after they had been in place for a while it came back to near what it was before and maybe even less. He stated what happened often times, if someone had a solid red arrow and sitting there for a while they might run the arrow and there might be someone around or not and there could be accidents. He stated what they were trying to do was allow for more efficient use of roads and more efficient use of people's time. He stated they were doing some research with

other cities and Hennepin County to look more specifically at accident rates there and would have the data on that this year.

Council Member West-Hafner asked if the message was getting out about the snow emergencies and the latest one went and if they had towing numbers.

Deputy Police Chief Milburn stated the preliminary numbers, and he would have the final count by tomorrow or Wednesday, looked like 160 to 200 cars were towed.

Operations and Maintenance Director Ruiz stated they continued to push out communications. He stated the plow drivers noticed fewer cars out in the street and previously hadn't had a plowable event that met the snow emergency criteria. He stated if they got an inch of snow they were still going out and plow rather than letting it build up and using a large amount of salt later to clear the roads to make it safe. He was also surprised to see cars were parking in the park and there were eight parks that had vehicles parking in them during the snow emergencies. He stated that the Lakeland Park parking lot was nearly full during the snow emergency.

#### 9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Mayor Lunde stated last week the City hosted Congressman Dean Phillips and gave him an initial tour. They started at North Hennepin Community College and talked about the needs of the students there. Then they went to Olympus Medical where they gave an overview of what the business did. He stated they talked about the importance of transportation, road and rail and then went over to Takeda Pharmaceutical and they had the same conversations about their development and why they made the decision to come to Brooklyn Park and the federal issues they had that were more specific to the medical industry. He thanked Director Berggren and staff for putting it together, was a good schedule, and had a good chance at the federal level.

He stated he had a 10 minute conversation with the Congressman on the importance of the DED issue and the exposure of the city not only in human costs but also that many of the people had lived in the city for decades. He stated he understood and also knew many other people were talking to him.

#### 9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel thanked the Council Members who made it to the Council Meet and Greet at last Thursday's Community Assembly meeting. He stated the chambers was full to meet their Council Members, had good discussions, and also got an update on the Center for Innovation and Arts project.

He stated that on Wednesday, February 6, at 5 p.m. there was the Police Department Awards Ceremony and was a great evening to recognize the Police Department.

He gave an update on the city's response to the weather. He stated Deputy Chief Milburn, Police Department, and Deputy Chief Seitz, Fire Department, were in part of a call today with Hennepin County and other officials. He stated Hennepin County was opening their Emergency Center over the next few days to provide a response to the cold weather that was coming and would partially activate the Emergency Operations Center He stated they would be making the Community Activity Center available as a warming center, not a shelter, but as a

warming center. He stated the CAC was open until 10:30 p.m. on a typical night and they were letting people know they could drop by Tuesday and Wednesday evening to get out of the cold weather. He stated the Hennepin County library was open until 9 p.m. both those evening. He stated if people had questions about resources, they were trying to pull all resources together and equip the appropriate staff with the information. He stated during the day they could call the City Hall's main number, and for the evening times they would provide the Police Department non-emergency number so if they needed to reach someone they could get more information on resources.

He stated the City would be open tomorrow and expected to be open on Wednesday and the Communications Manager was putting together some information to send out to the community through the typical channels. He stated they hadn't had a cold weather event in a couple of decades and they were trying to be responsive if the community members had questions or needed support or services.

Council Member Mata stated people needed somewhere to go and needed somewhere to sleep overnight. He stated they needed to create a place to stay overnight. He stated it was going to be the coldest night they had in a long time for a couple of days and was not thousands of people and they were talking about a small number going there for that need. He stated the City needed to figure how to do it and had a contingency fund in place for something like that where the Council could authorize it and call other shelters and find places for cots and give people an opportunity to stay overnight. He stated that was something the City needed to do.

City Manager Stroebel stated that in discussions with the Fire Chief and the Recreation and Parks Director today, that if people did go to the CAC and needed an overnight place to stay, they would find them an overnight stay. He stated the City was not equipped at the CAC for their overnight stay. He stated there were also additional considerations they would have to be prepared for, but their plan would not be to open up the doors and say everybody out at 10:30 p.m. without an overnight solution.

Deputy Police Chief Milburn stated that as part of the preliminary work with the Hennepin County officials today and opening the EOC, conversations were about the number of shelters in Hennepin County and opportunities for people in need. He stated they were presented with some hotline numbers to pass out to Fire Department and Police Department staff if they encountered someone that was in need on the streets. He stated they would have a a number to call and then the representative at the County level would be able to designate where to bring people and provide that service as needed. He stated they could look at it as a two-step or two stage process. The CAC would be the short-term place to go and if it required some length of time overnight or other services, they would be more than equipped to take care of that as they moved forward.

Council Member Jacobson stated she ran a homeless youth program in the north metro suburbs and was the only drop in center for young people ages 23 and under. If they were not the experts in running a shelter even for one night, it was not a business they should get into because when mixing homeless young people with homeless adults that couldn't be vetted in any way, because there were sex traffickers everywhere and not prepared to deal with it. She stated what Deputy Chief Milburn said they were doing the right thing and there were resources in existence already. She stated there was an app for young people ages 26 and younger that

showed every shelter bed with every opening. She stated if a person had anyone in their life they could stay with, they would stay with them. She cautioned the Council in getting into the shelter business suddenly because the need was arising and could be creating other problems they were not prepared for.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 9:57 p.m.

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JEFFREY JONEAL LUNDE, MAYOR

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DEVIN MONTERO, CITY CLERK

## REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, February 25, 2019  
7:00 p.m.

Brooklyn Park Council Chambers  
5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Tonja West-Hafner, Susan Pha, Terry Parks, Mark Mata, Wynfred Russell and Lisa Jacobson; City Manager Jay Stroebel; City Attorney Jim Thomson; Community Development Director Kim Berggren; Deputy Police Chief Mark Bruley and City Clerk Devin Montero.

ABSENT: None.

Mayor Lunde opened the meeting with the Pledge of Allegiance.

### 2A RESPONSE TO PRIOR PUBLIC COMMENT

City Manager Stroebel stated at the last Council meeting one resident brought concerns related to 93<sup>rd</sup> Avenue. He stated the City is continuing to work to find a solution on that street.

### 2B PUBLIC COMMENT

1. Colette Guyott-Hempel, 9722 Trinity Gardens. Stated the State was possibly going forward with legalizing marijuana and asked the Council to do everything in their power to say no. She stated marijuana does increase psychotic episodes in youth and an adolescent brain was not fully developed until age 26. She stated car accidents increased. The University of Minnesota did a survey last year and 42% of all students considered themselves to have mental health issues and 25% used marijuana in the past. She stated marijuana increased dopamine in the brain and excessive amounts of dopamine caused bipolar and paranoid schizophrenia. She stated marijuana second hand smoke can cause increased paranoia of patients already on medications and could lead to suicide by cop not to mention injuries to first responders and others around them. She stated it was not a harmless drug like many people thought and was more severe. She stated the idea of schools having to deal with gummy bears or pot brownies coming to school and in Ohio, 8 elementary students were taken by ambulance from having used marijuana in gummy bears. She stated it was not wise for the State to think this was okay to do and was against the federal law. She appreciated the Council to use their influence at the State to say if they knew the facts. She stated on the lists that she gave copies, there were four articles including one from British Journal of psychiatry about the psychosis risks for people that used marijuana. She stated it only took five to six times using marijuana that some people that were genetically predispositioned for those illnesses and ended up having a psychotic episode resulting in hospitalization and possible injuries to others.

3A. MOTION WEST-HAFNER, SECOND JACOBSON TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK. MOTION PASSED UNANIMOUSLY.

### 3B. PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B1 Becoming an Age Friendly Brooklyn Park Presentation

Recreation and Parks Director Jody Yungers briefed the Council on the presentation and introduced Lydia Morken, Morken Consulting, and she presented the Becoming Age Friendly Brooklyn Park report and recommendations.

### 3B2 Charter Commission 2018 Annual Report

Charter Commission Chair Scott Simmons gave the Charter Commission 2018 Annual Report.

### 3B3 Interview Applicants for Commissions

Mayor Lunde and Council Members interviewed applicants to fill current and upcoming openings on Commissions.

At 8:44 p.m., Mayor Lunde called for a recess to allow the applicants to leave if they didn't want to stay for the meeting.

Council Member Russell departed the chambers.

At 8:45 p.m. Mayor Lunde reconvened the meeting.

### 4.0 MOTION WEST-HAFNER, SECOND LUNDE TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEMS:

4.1 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-27 TO AUTHORIZE THE MAYOR AND CITY MANAGER TO ENTER INTO A CONTRACT WITH MINNESOTA/WISCONSIN PLAYGROUND, FOR THE INSTALLATION OF THE PLAYGROUND EQUIPMENT AT NORTHERN TRAIL PARK FOR A TOTAL COST OF \$44,133.05.

4.2 TO REDUCE THE CASH BOND BY \$202,300 AND REDUCE THE ENGINEERING ESCROW \$4,000 FOR COMPLETION PROGRESS OF THE "FREDDY'S FROZEN CUSTARD & STEAKBURGERS" PROJECT #18-001 LOCATED AT 9909 XENIA AVE N FOR INNERCORE RESTAURANT HOLDINGS LLC.

4.3 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-28 ACCEPTING BIDS AND AWARDED CONTRACT IN THE AMOUNT OF \$443,775.00 TO DAVE PERKINS CONTRACTING, INC. OF NOWTHEN, MINNESOTA FOR 2019 WATERMAIN REHABILITATION, CIP 3001-19A.

4.4 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-29, ACCEPTING BIDS AND AWARDED CONTRACT IN THE AMOUNT OF \$559,171.54 TO NORTH VALLEY, INC. OF NOWTHEN, MINNESOTA FOR 2019 MUNICIPAL STATE AID (MSA) MILL AND OVERLAY, CIP 4002-19.

4.5 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-30 TO ADOPT THE HENNEPIN COUNTY MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN.

4.6 TO SET THE BOARD OF APPEAL AND EQUALIZATION MEETING AS MONDAY, APRIL 8, 2019, AT 7:00 P. M.



4.7 TO WAIVE THE READING AND ADOPT ON SECOND READING ORDINANCE #2019-1237 AMENDING CHAPTER 114 OF THE BROOKLYN PARK CITY CODE RELATING TO THE LICENSING AND REGULATION OF FOOD ESTABLISHMENTS.

4.8 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF FEBRUARY 12, 2018, AS PRESENTED BY THE CITY CLERK.

4.8 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF FEBRUARY 26, 2018, AS PRESENTED BY THE CITY CLERK.

4.8 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL WORK SESSION OF MARCH 5, 2018, AS PRESENTED BY THE CITY CLERK.

4.8 TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF NOVEMBER 26, 2018, AS PRESENTED BY THE CITY CLERK.

4.8 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF JANUARY 14, 2019, AS PRESENTED BY THE CITY CLERK.

4.9 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-31 TO APPROVE THE ISSUANCE OF A LAWFUL GAMBLING PREMISES PERMIT FOR EDINBURGH USA PRO AM FOUNDATION AT 3 DEEP RESTAURANT HOLDINGS INC DBA BROADWAY BAR & PIZZA, 8525 EDINBURGH CENTER DRIVE NORTH, BROOKLYN PARK.

4.10 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-32 TO AUTHORIZE THE MAYOR AND CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH HENNEPIN COUNTY FOR THE HEALTHY TREE GRANT FOR CITIES PROGRAM.

MOTION PASSED UNANIMOUSLY.

At 8:46 p.m., Council Member Russell returned to the Chambers.

6.1 Planning Director Cindy Sherman briefed the Council on the Conditional Use Permit for Outdoor Sales and Display at Fleet Farm, 8400 Lakeland Avenue North.

6.1 MOTION JACOBSON, SECOND RUSSELL TO WAIVE THE READING AND ADOPT RESOLUTION #2019-33 APPROVING AN OUTDOOR SALES AND DISPLAY AREA FOR FLEET FARM AT 8400 LAKELAND AVENUE NORTH. MOTION PASSED UNANIMOUSLY.

6.2 Planning Director Cindy Sherman briefed the Council on the First Reading of an ordinance – Preliminary Plat; Rezoning from Single-Family Residential (R3) to Office Park District (B1); and Conditional Use Permit for a New Charter School at 6648, 6656, 6700, and 6716 West Broadway.

Council Member West-Hafner stated she was Council Liaison for the Planning Commission and one question asked by the commissioners was the County's willingness to allow it to get done. She stated she read the report and said the City and County wanted it, but it ultimately had to get approved by the County to do all those improvements.

Planning Director Sherman stated that was correct and they had ongoing discussions between the City's transportation engineers and County's Engineers with regard to what improvements they would allow and what they would require. She stated they hadn't resolved those yet and would have it resolved by the time it came back to the Council again. She stated they were in agreement that turn lanes and those types of improvements need to be made but to what level and how they were to be designed. She stated they still needed to finalize those things.

Council Member West-Hafner asked if no one thought about actual control intersections and not just stop signs. She stated she didn't know how to control people speeding by buses, and gave an example, if someone came in from Modern Road, turned left to go to the future day care, they would have to do a right and quick left to get to things. She stated she had a lot of issues with it, and whoever owned the site would have real challenges to try to make it a developable site because of where it is at and the fact the County owned the road and kind of controlled it. She stated that until they made good improvements on that road, she couldn't see herself saying it was a good thing and the County still approved it.

Planning Director Sherman stated it was a County road and the County had to approve all of the improvements. She stated they issued the permits for the work to be done and had to approve the final plans as they were drawn.

Planning Director Sherman stated there had been ongoing discussions doing the road as a turnback with other roads involved to improve the road. She stated they would use funds from a different road to improve it and could do interim improvements and still make things work. She stated they had seen it at Hy-Vee and at multiple locations, and when Noble Academy came in, there were temporary improvements put in and was an interim solution. She stated the road was a rural section, had big shoulders, people drove fast because they felt they could, and the road felt so wide. She thought that when more improvements were made, people slowed down because it felt more confined.

Council Member West-Hafner disagreed because Hy-Vee was not as bad as it was. She stated people now were doing U-turns on 93<sup>rd</sup> Avenue, which was more dangerous than some of the turns. She stated she didn't want it to end up being like other streets that they talked about getting improvements and still didn't have improvement like 93<sup>rd</sup> Avenue and West Broadway and were still waiting for it. She stated she knew it was part of the light rail stuff but was not fair to people to continue to do those kinds of things and not do the safety improvements that needed to happen. She stated when on the Planning Commission her concern was that they put those in and the City's Engineer wanted people to walk a block one way to a controlled intersection to cross the street and walk back a block to get to a park. She stated that was not going to happen and didn't anticipate even with improvements would be a good thing.

Council Member Jacobson stated she had seen traffic engineering standards for other places in the community that she didn't agree with and that was another example. She asked if there was a way to put it off until they got word from the County if they agreed with it or agreed to the changes to be made.

Planning Director Sherman stated they felt confident the solutions they had were what they were going to agree to. She stated they had ongoing discussions with them for two and half months. She stated the City's Traffic Engineer wanted to have the blinking pedestrian lights and the County didn't want it. She stated it was those types of details, the geometrics and things

they agreed to and would be resolved before it came back to the Council. She stated they won't ask the Council to take action until that has been resolved.

Council Member Jacobson asked if they could table it until that happened.

Planning Director Sherman stated they could but when they had two readings it always added extra time to the process. She stated they had to come back for the second reading and if they passed the first reading, it didn't give anyone rights until the Council took action on the second reading to approve the rezoning and other steps in the application.

Council Member Jacobson stated that while she agreed with it, thought it sent a message that the Council was going to approve the project and didn't know if she would without all of the information. She stated she was over at the proposed area today trying to envision it and if she would want to live in that neighborhood if that came there. She stated she had nothing against charter schools and wanted to make it clear, as she volunteered at one twice a week. She asked where the students were coming from, where did they attend schools now and would the school have an impact on the numbers in the city's schools where they were going to be up against those same issues. She asked if the students were going to be walkers and didn't know how that could safely happen. She asked if the city had other seven acres site in the community. She stated that site had a tough piece of land to be developed and didn't want to just settle and put something in there that might not be the best fit. She stated she was not saying she didn't want the charter school in the community but did not necessarily believe that was the right place for it.

Planning Director Sherman stated they were not under a time restraint from the 60-day review process. She stated they had done the extensions as necessary for the application. She stated if there was a feeling that it could move forward to do the first reading, but if the Council felt it was not appropriate to rezone it, then don't make the motion to do the rezoning.

She stated they had a number of applications over time on the property and had numerous neighborhood meetings. She stated it was originally a high density piece and the neighbors said they would rather have industrial than high density. She stated they had a trucking company come in and the neighbors were concerned with the 24 operations and that applicant didn't want to move forward. She stated there were three vacant houses and the other house someone was living in had vandalism issues.

She stated she didn't know what the market was for the site. The agent who has it listed was marketing it to different housing developers for a different type of housing and not apartments. She stated they had talked to self-storage facilities, had two industrial applications and were not able to move forward because they couldn't make the numbers work from an investment and cost perspective. She stated they knew it was long term and not single family homes sites based on the houses that were there today. She stated that was background information of the years of discussion that happened. She stated Mr. Laux came to them and asked about it as a charter school. They first said the concerns were about taxes and also traffic. She stated that was the work they had been concentrating on, being able to address traffic. She stated that from the neighborhood perspective understood it would be different and a change but concerned how it was managed so that the residents and the new businesses or new school could work together and coexists.

Mayor Lunde stated he could vote for first reading but not for the second reading. He understood it was a two-step process and had to coming back with all those steps. He stated he was gone last week and didn't get a chance to meet with some owners but there were also some realities that something would go in there or the landowners couldn't develop that land. He stated at some point they were to get to the lowest equations, which always ended up in the same spot-people wanted to put condos or apartments there. He stated he would always ask neighbors in person to choose what they wanted because at some point something was going to happen there. He thought the traffic numbers traffic numbers were fine. He stated he voted for the mosque to go in and it was more than 3% change on the traffic pattern for that street and was still well under the standard. He stated he had no problems voting yes and letting the process move forward, knowing the County would come back, knowing they were going to get answers. He stated the question on the conditional use permit was a good one because it was a different process. He stated it was not a city street and was a large impact road rated for 15,000 cars at 50%. He stated it was not Colorado Avenue by Hy-Vee where it was rated for 1,000 and coming in at 600. He stated it was a busier road and would like to see the road improved. He stated there were buses on Modern Road, and remember, they had a problem with the buses speeding.

He stated the developers were hearing what the Council talked about, knew what they were thinking and what the concerns were. He stated he was worried the County would not put money on the road unless there was development. He stated the County was the last person to put money into a road in anticipation for development and they never did. He stated by voting yes on the first reading allowed him to go to meet some neighbors and take the time, ask them the same question he always asked, what they envisioned there because saying no to everything was also not a good belief to get into because something would go in there. He thought it could be condos and people were not going to like those either and might not get some of the improvements.

He stated the Council also needed to decide if the Council trusted the traffic analysis or not. He stated it seemed like they had been having those discussions a lot about trusting the City's traffic engineers on almost every project where they doubted or believed them. He stated he was not a traffic engineer and at some point, they could say they believed the analysis but didn't like what was being proposed and that was fair. He suggested having a work session discussion on that because he felt with every project, they had the same discussion about whether they believed the traffic analysis. He didn't think it was the Council's job, their job was to say whether they thought that number mattered than to say no. He stated they always had that public discussion about whether they believed the numbers. He stated he thought it should be whether they thought the numbers were too high or too low and that was what they should be talking about. He stated it would be good for the Council to have that discussion because they would have more discussions for other roads and projects that would have the traffic analysis come before the Council.

6.2 MOTION LUNDE, SECOND RUSSELL TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING CHAPTER 152 OF CITY CODE REZONING 7.45 ACRES FROM DETACHED SINGLE-FAMILY RESIDENTIAL DISTRICT (R3) TO OFFICE PARK DISTRICT (B1) SOUTHEAST OF INTERSTATE 94 AND WEST BROADWAY.

Council Member Parks stated the Council had those discussion before on traffic where they wanted to build something before the roads got corrected. He stated they were having the same

conversations about Hotdish or whatever was in that area where they wanted to get roads built before they got it in. He stated he went over to the proposed area today and watched the traffic. He stated it was not about the numbers and believes in the numbers. He stated that with watching people drive, there were a lot of bad drivers on West Broadway and were also competing with buses with Prairie Seeds Academy. He stated he sat over there today for an hour and believed in the numbers and the project didn't fit in that spot. He stated it was not the numbers, it was the way traffic went in there and competing with Prairie Seeds Academy buses. He stated with what he saw today and what he was hearing tonight, he couldn't support it.

Council Member Mata stated he would rather table it to find out more information on it. He stated since it was not going to be tabled and the motion was on the floor, he would vote no to it. He stated he was not interested on what it was going to do to the roadway because there were other things to be discussed. He stated they were taking something on the tax rolls and taking it off the tax rolls. He stated the Council had seen already where they voted yes to move something along on the first reading and then the second reading got mixed up in somewhere and the questions didn't get answered about a drive through and the next thing the City was in a debacle with other things happening. He stated he didn't want to give that false sense where it got slid underneath and they missed something because it happened and didn't appreciate that piece of it. He stated he was going to say no this time.

Council Member Russell stated he was in support of the first reading and see if they could get numbers back from County. He stated land there had been vacant for a long time and something needed to go in there. He agreed that just because something needed to go there, it had to be the right fit and had to coincide with community. He stated he trusted the numbers presented and hoping to see what happened when they got numbers back from the County. He stated he would be supporting moving the process forward because they still had time to vote on it. He stated it was not going to end it tonight and they still had time to deliberate on it next time around. He thanked the applicants for their efforts and trying to put something in there and stated everyone had to work together to make sure that it fit and people in the neighborhood would be able to support it too.

Council Member Pha stated she received several emails in the two years she had been on the Council regarding the property. She stated she had many conversations with residents in the area and their biggest concern had always been that it was vacant, vandalism and crime around it. She stated they didn't want it to stay vacant because they constantly asked what the city will be doing with the property and to do something with it because they were tired of looking at it the way it was. She stated the proposals that had come up to the City before had not been a good fit and the one tonight was not the worst proposal compared to the others. She stated she was going to say yes to move it along, but in the interim, she welcomed all residents in the West District, especially those who lived near that area, to contact her and Council Member Russell about their thoughts and what they wanted and didn't want to go in there. She stated the question was, what would go in there. She stated she would say yes to the motion tonight and have further conversations on it.

6.2 MAYOR LUNDE CALLED FOR A ROLL CALL VOTE.

6.2 THE MOTION FAILED ON A ROLL CALL VOTE AS FOLLOWS: YES – PH`A, RUSSELL, LUNDE; NO – WEST-HAFNER, JACOBSON, PARKS, MATA.

City Attorney Thomson stated the Council had a motion that failed. The options the Council had was to direct staff to come back with a motion for denial with appropriate findings, which they could do at a subsequent meeting if that's what the four members of the Council wanted. He stated since nothing had passed, they still had the option of tabling it if that was the wish of majority of the Council.

6.2 MOTION MATA, SECOND JACOBSON TO TABLE.

Mayor Lunde asked the city attorney if they had to pick a date.

City Attorney Thomson stated tabling was fine and staff had to come back to the Council because they did have a time frame in which to act. He stated they were in that time frame and couldn't let it go on forever because they were governed by a state statute. They had to act on it within 120 days and they would be back to the Council in a timely fashion.

6.2 THE VOTE ON THE MOTION PASSED. (6 TO 1) WEST-HAFNER VOTED NO.

At 9:44 p.m., Council Member Mata departed the Chambers.

6.3 Planning Director Cindy Sherman briefed the Council on the First Reading of an ordinance – Transfer of Park Property to Three Rivers Park District.

6.3 MOTION PARKS, SECOND JACOBSON TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY OWNED PROPERTY. MOTION PASSED UNANIMOUSLY.

7.1 Appointments to the METRO Blue Line LRT Extension Business Advisory Committee (BAC) and Community Advisory Committee (CAC)

7.1 MOTION LUNDE, SECOND WEST-HAFNER TO APPOINT JOHN HACKER AND MARK QUIGLEY TO THE METRO BLUE LINE LRT EXTENSION BUSINESS ADVISORY COMMITTEE REPRESENTING THE CITY AT-LARGE EFFECTIVE FEBRUARY 25, 2019, FOR A TWO-YEAR TERM ENDING DECEMBER 31, 2020. MOTION PASSED UNANIMOUSLY.

7.2 MOTION LUNDE, SECOND WEST-HAFNER TO APPOINT CHRIS BERNE, KATHY FRASER AND CORY FUNK TO THE METRO BLUE LINE LRT EXTENSION COMMUNITY ADVISORY COMMITTEE REPRESENTING THE CITY AT-LARGE EFFECTIVE FEBRUARY 25, 2019, FOR A TWO-YEAR TERM ENDING DECEMBER 31, 2020. MOTION PASSED UNANIMOUSLY.

Council Member Jacobson stated she would be recusing herself from further discussion of the CDBG. She stated the organization that she led had applied for CDBG funds from Hennepin County and felt it was best to step away.

At 9:53 p.m., Council Member Jacobson departed the chambers.

7.2 Economic Development and Housing Director Breanne Rothstein briefed the Council on the Final Allocation of Fiscal Year (FY) 2019 Community Development Block Grant (CDBG)

Program Funds.

7.2 MOTION WEST-HAFNER, SECOND RUSSELL TO WAIVE THE READING AND ADOPT RESOLUTION #2019-34 APPROVING PROPOSED USE OF FISCAL YEAR 2019 URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS AND AUTHORIZING SIGNATURE OF SUBRECIPIENT AGREEMENT WITH HENNEPIN COUNTY AND ANY THIRD-PARTY AGREEMENTS. MOTION PASSED UNANIMOUSLY.

At 10:02 p.m., Council Member Jacobson returned to the Chambers.

7.3 Senior Project Manager Jennifer Jordan briefed the Council on the amendment to the Brooklyn Park Mixed-Income Housing Policy to Apply to All Projects Located in Transit-Oriented Development (TOD) Areas.

7.3 MOTION PHA, SECOND WEST-HAFNER TO WAIVE THE READING AND ADOPT RESOLUTION #2019-35 AMENDING THE BROOKLYN PARK MIXED-INCOME HOUSING POLICY TO APPLY TO ALL PROJECTS LOCATED IN TRANSIT-ORIENTED DEVELOPMENT (TOD) AREAS. MOTION PASSED UNANIMOUSLY.

7.4 City Engineer Jesse Struve briefed the Council on the Feasibility Report and Public Hearing for Highway 169 / 101<sup>st</sup> Avenue Interchange Project, CIP 4042-19.

7.4 MOTION LUNDE, SECOND RUSSELL TO WAIVE THE READING AND ADOPT RESOLUTION #2019-36 ACCEPTING FEASIBILITY REPORT AND ORDERING PUBLIC HEARING FOR HIGHWAY 169 / 101<sup>ST</sup> AVENUE INTERCHANGE PROJECT, CIP 4042-19. MOTION PASSED UNANIMOUSLY.

#### 9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Mayor Lunde thanked the Council for approving his trip to the My Brother's Keeper Rising Conference in Oakland, CA. He stated he and staff would report on the trip in March.

#### 9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel stated on Tuesday, February 26, there was an East District Town Hall meeting at Palmer Lake VFW and on Wednesday, March 6, the Central District Town Hall meeting from 6-8 p.m. at the Community Activity Center.

On Thursday, February 28, was the Police Department swearing in ceremony at 1 p.m. in the Council Chambers.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 10:19 p.m.

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JEFFREY JONEAL LUNDE, MAYOR

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DEVIN MONTERO, CITY CLERK

BROOKLYN PARK SPECIAL CITY COUNCIL MEETING  
CLOSED EXECUTIVE SESSION

Monday, March 25, 2019  
6:30 p.m.

Brooklyn Park Council Chambers  
5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Tonja West-Hafner, Terry Parks, and Mark Mata; City Manager Jay Stroebel, City Attorney Jim Thomson and City Clerk Devin Montero.

ABSENT: Council Members Susan Pha (excused), Lisa Jacobson (excused), Wynfred Russell (excused)

Mayor Lunde stated the purpose of the closed executive session was to discuss matters relating to the City's potential participation in the Coal Tar litigation matter presently pending in U.S. District Court.

2.1 MOTION LUNDE, SECOND PARKS TO CLOSE THE SPECIAL MEETING PURSUANT TO MS SECTION 13D.05, SUBD. 3(B) TO DISCUSS MATTERS PROTECTED BY THE ATTORNEY CLIENT PRIVILEGE RELATING TO THE CITY'S POTENTIAL PARTICIPATION IN THE COAL TAR LITIGATION MATTER PRESENTLY PENDING IN U. S. DISTRICT COURT. MOTION PASSED UNANIMOUSLY.

At 6:32 p.m., the Council recessed to the Administration Conference Room.

PRESENT: Mayor Jeffrey Lunde; Council Members Tonja West-Hafner, Lisa Jacobson (arrived at 6:53 p.m.), Terry Parks, and Mark Mata; City Manager Jay Stroebel, Operations and Maintenance Director Dan Ruiz; City Engineer Jesse Struve; Civil Engineer Mitch Robinson, City Attorney Jim Thomson and City Clerk Devin Montero.

ABSENT: Council Members Susan Pha (excused), Wynfred Russell (excused)

At 6:34 p.m., the Council met in a closed session to discuss the City's potential participation in the coal tar litigation matter presently pending in U.S. District Court.

At 6:53 p.m., Council Member Jacobson entered the Administration Conference Room.

At 7:00 p.m., the Council ended their discussions and returned to the Council Chambers.

At 7:01 p.m., Mayor Lunde reconvened the meeting and stated the Council met in a closed session to discuss the City's potential participation in the coal tar litigation matter. He stated no action was taken.



At 7:01 p.m., Mayor Lunde adjourned the special meeting.

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DEVIN MONTERO, CITY CLERK

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JEFFREY JONEAL LUNDE, MAYOR

## REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, March 25, 2019  
7:00 p.m.

Brooklyn Park Council Chambers  
5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Tonja West-Hafner, Susan Pha, Terry Parks, Mark Mata, Wynfred Russell and Lisa Jacobson; City Manager Jay Stroebel; City Attorney Jim Thomson; Community Development Director Kim Berggren; Police Chief Craig Enevoldsen and City Clerk Devin Montero.

ABSENT: None.

Mayor Lunde opened the meeting with the Pledge of Allegiance.

### 2A RESPONSE TO PRIOR PUBLIC COMMENT

City Manager Stroebel stated there was one public comment at the March 11 meeting related to a clarification on the definition of a distribution center versus a fulfillment center in the North Park Business Park. He stated he was following up on that and would be getting back to the resident. He stated that staff's update was that the provision regarding distribution had not changed for the North Park Business Park. If there were future applications to call that into question of the definition or application of the conditions of approval, they would be addressed at that time.

### 2B PUBLIC COMMENT

1. Collette Guyott-Hempel, 9277 Trinity Gardens. Concerned about 93<sup>rd</sup> Avenue and safety issues. Stated people were still not stopping at the 4-way stop and there was a gas pipeline sign that was hit in an accident. She stated potholes were like a washboard at 101<sup>st</sup> and from Zane to Regent and between Regent and Noble. She stated that northbound from Regent Parkway between 92<sup>nd</sup> Crescent and 93<sup>rd</sup> Avenue was a washboard too. She stated that people were not stopping because they were not bothering to stop at stop signs. She stated the fire trucks coming from the North Station were having to honk besides the sirens to give them the right of way at times. She stated the racers are back along 93<sup>rd</sup> Avenue. She stated that most people in the neighborhood, 10 had been in their homes for over 20 years and had given up on the Council because it took four of the Council to decide making it safe for pedestrians and bicyclist. She stated there was a teenager with a backpack walking in the snow and there was no shoulders on that road and no sidewalks and expected to compete with cars going 50 miles per hour. She stated that on average there were 750 cars going 60 plus miles per hour on that road in the summer. She asked the Council to do something about it, either the speeding or finishing off that road.

3A. MOTION WEST-HAFNER, SECOND JACOBSON TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK. MOTION PASSED UNANIMOUSLY.

4.0 MOTION WEST-HAFNER, SECOND JACOBSON TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEMS:

4.1 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-47 ACCEPTING BIDS AND AWARDING CONTRACT IN THE AMOUNT OF \$2,813,611.03 TO NORTHDAL CONSTRUCTION COMPANY, INC. OF ALBERTVILLE, MINNESOTA FOR 2019 STREET RECONSTRUCTION PROJECT, CIP 4003-19.

4.2 TO RELEASE THE TRAVELERS SUBDIVISION PERFORMANCE BOND #106737137 (\$1,309,100), REDUCE THE CASH BOND BY \$63,900 AND REDUCE THE ENGINEERING ESCROW BY \$43,000 FOR SATISFACTORY PROGRESS OF THE "CSM BUILDING #2 – 610 COMMERCE CENTER 4<sup>TH</sup> ADDITION" PROJECT #17-103 LOCATED AT 9350 WEST BROADWAY FOR CSM CORPORATION.

4.3 TO APPROVE AN OFF-SALE 3.2 PERCENT MALT LIQUOR LICENSE FOR KNOWLAN'S SUPER MARKETS, INC DBA FESTIVAL FOODS, 8535 EDINBURGH CENTER DRIVE NORTH.

4.4 TO APPROVE A TEMPORARY ON-SALE LIQUOR LICENSE FOR BROOKLYN PARK LIONS BEER TENT AT TATER DAZE TO BE HELD JUNE 14-15, 2019 IN THE PARKING LOT OF THE COMMUNITY ACTIVITY CENTER, 5600 85<sup>TH</sup> AVENUE NORTH.

4.5 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-48 TO APPROVE THE COOPERATIVE AGREEMENT FOR THE POLICE MENTAL HEALTH INITIATIVE.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF JANUARY 8, 2018, AS PRESENTED BY THE CITY CLERK.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF MARCH 5, 2018, AS PRESENTED BY THE CITY CLERK.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK BOARD OF APPEAL AND EQUALIZATION MEETING OF APRIL 9, 2018, AS PRESENTED BY THE CITY CLERK.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF APRIL 30, 2018, AS PRESENTED BY THE CITY CLERK.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF JANUARY 14, 2019, AS PRESENTED BY THE CITY CLERK.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF FEBRUARY 4, 2019, AS PRESENTED BY THE CITY CLERK.

MOTION PASSED UNANIMOUSLY.

5.1 City Engineer Jesse Struve briefed the Council on the improvements and preparation of plans and specifications for the Construction of the Highway 169 / 101<sup>st</sup> Avenue Interchange, CIP 4042-19.

5.1 Mayor Lunde opened the public hearing to consider the improvements and preparation of plans and specifications for the Construction of the Highway 169 / 101<sup>st</sup> Avenue Interchange, CIP 4042-19.

5.1 The following individuals addressed the Council:

1. Joe Boyd, 8601 101<sup>st</sup> Ave N., lead pastor of Grace Fellowship Church. He stated that as a church, the location was very vital and when they selected the location of the site they felt it was a good move because it had two entry points off of 101<sup>st</sup> Avenue. He stated that in the new proposal, they were no longer going to have two entry/exit points and had one point with a change of address on new street.

He stated it created a great concern because they had thousands of people that went to the church. He stated they wanted to make sure they had entry points that were safe in and out and wanted to continue to serve the community in the same fashion they had. He stated the second thing was in the change of the address. He stated it changed their visibility and signage situation. With the new position, it was now being blocked by a ramp and it changed their name for visibility. He stated they had to have visibility and had to have signage, so people could find it, and get to exactly where they were going. He stated he was just asking for them to have a fair consideration that when they made the shift, it would make sense to extend that access road, Xylon, down and give them two entry points in exchange for the two entry points that were being taken away from them.

2. Mason Schmitz, 4713 107<sup>th</sup> Ave N., wanted to address the assessments. He stated the slide shown that in 2011 the full access off 101<sup>st</sup> Avenue was closed and that cutoff half of the access for people to get to the Crossroads Church. He stated they were not right on the highway and were back in the woods and hard to find them, but it made it hard for people to get to them because they couldn't get there off Highway 169. He stated that on the assessment process, they had three operating churches in that area that used to utilize that interchange and were all proposed to be assessed. He stated building that bridge was only restoring what was taken away from them. It was not benefitting them but only restoring what already had been taken away eight years ago. He stated their church was not big and ever since that happened, the church lost half of the people. He stated they did not have 100 members and the \$60,000 assessment for the church, they could not pay for that. He asked the Council to look at what they could do as a Council to help out all of those churches who had continued to operate since the access was taken away.

5.1 Mayor Lunde closed the public hearing and returned the item back to the table.

Council Member Jacobson stated she was concerned about those churches being tax exempt and were going to be assessed equally with all the other businesses. She asked if they were able to pull them out of the equation.

City Engineer Struve stated that under the 429 process, that once they defined a boundary for benefit, they could exclude certain properties in that benefit area. He stated that once they had that defined boundary all properties in there, they needed to be treated equally.

City Attorney Thomson stated they had to treat all similarly situated property the same and were some leeways. For example, it might be fair to assess certain property on a square footage basis, others on a front footage basis. He stated that as long as they treated the same type of property the same, treated all residential the same and all commercial the same, but to exclude parcels they would need to take a much closer look at that at the assessment stage. He stated if it was determined that a particular parcel of land wasn't benefitted by the amount of the assessment, they couldn't assess it or they couldn't assess all of it. He stated it was too premature to decide that now but possible that institutional property might not be benefitted the same way as commercial property. He stated they didn't know that right now and it would not be appropriate to at least exclude them in the proposed assessment area. He stated that how much was fair and reasonable was something to be determined at the next stage.

Council Member Jacobson clarified that tonight they were voting on the entire piece of area but they could come back and have the conversations of exclusion of the institutional pieces later.

City Attorney Thomson stated they had to be careful on using the word exclusion. He stated the item before the Council tonight was whether the Council wanted to go forward with the project and that was the decision before the Council tonight. He stated the assessment issue came later but as proposed right now, they could see what the proposed assessments were but were not carved in stone. He stated they could be changed but they had to be done fairly and uniformly.

Council Member Jacobson stated that her understanding of the value of the properties would increase by the proposed interchange.

City Engineer Struve stated when they said benefit, the benefit was access to the highway and how that improved property values of the parcels and that was where the benefits to the property was through the improved access to the highway.

Council Member Jacobson stated that if a change of address and the change of access was not actually proven to be a benefit specially to institutional properties, the property value most likely was not going up.

City Engineer Struve stated they would have to have more conversations with the city attorney on how some of the other properties were perceived as benefitted and what was a fair and reasonable cost associated with that benefit.

Council Member Jacobson stated she was concerned about the tax exempt properties because they were a religious institution, and were now going to be forced to pay at the same as large companies who were not tax exempt because the property values were going to go up. She did not agree those properties would be improved by the interchange and the access might not be better but might be worse and was concerned about that.

Council Member Mata stated the Gita Ashram Church at Oxbow Creek and Noble Avenue, when the City wanted to put a trail sidewalk on the northside of the street, it abutted their property. They came with attorneys and presented the City with a lawsuit and said they were an institution that did not pay taxes to the city and putting a sidewalk there did not benefit their parishioners. He stated they owned a large piece of land that surrounded their facility and parking lot and the thought was that maybe down the road they would sell that property and put

in something different because of how the land was set. He stated that out of the whole assessment that went on Oxbow Creek, they were not assessed taxes and was confused how they thought about assessing those three different properties. He stated he didn't think the laws had changed on nontaxable entities and what they were proposing to build was not something that was going to benefit them. He stated it was not on their property and instead of pushing it back and thinking about it, he was saying it couldn't be done. He stated all they had to do was just say they were thinking of presenting a lawsuit to the attorney of the City and it would change.

City Engineer Struve provided a history on the Gita Ashram parcel in 2003. He stated that property was assessed \$208,877 and was broken down to \$117,000 for street improvements, \$17,000 storm sewer, \$35,000 sanitary sewer, and \$38,000 for watermain. He stated ultimately there was a lawsuit filed and the result of that was that Gita Ashram paid \$87,000 in 2006 and the remaining balance of \$121,000 was still going to be repaid if they redeveloped that property and got paid immediately. He stated they had an opportunity to extend it at zero interest until the balance was due on March 1, 2015 but they also had an opportunity to extend it 10 years and exercised that option. He stated that remaining balance of \$121,000 was due on March 1, 2025.

Council Member Mata stated they were a nontaxable entity and did not pay county, school, and city taxes. He asked if the City was going to win a lawsuit against that entity when that 10 years expired. He asked how much money it would cost the City to do that over the \$100,000 they would owe.

City Attorney Thomson stated the Gita Ashram Church followed the exact same process that would be followed in this case later on when the assessments were levied against the churches. He stated it was a special assessment appeal and the fact that an entity didn't pay property taxes didn't exempt them from special assessments and were not considered taxes because they were based on increased value of the property. He stated nonprofit, nontaxable groups, be it a church or any other type of nonprofit, still needed to pay assessments. He stated the question was, was the property benefitted in the amount of the assessment and that had to be determined by looking at the exact property whether owned by a church or anything else. He stated in the Gita Ashram situation, the City settled that case and entered into a binding agreement by which they paid a portion, deferred a portion until 2015, and the city had a binding settlement agreement with them. He stated if they didn't pay it they were in breach of the settlement and the City didn't have to go through the benefit analysis all over again because they already agreed to that. He stated they did agree to pay \$80,000 whether they receive a similar appeal from the church or from any other properties, they couldn't predict that right now and had to wait and see what the assessments came down at.

Council Member Mata asked about the TIF district 3 and what area of city did that encompass because that was where they were pulling out the remainder of \$4.5 million.

City Engineer Struve stated that 101<sup>st</sup> Avenue was the boundary and the amount to be financed for the project was from \$400,000 to \$3.9 million depending on the gap funding.

Council Member Mata stated that in a TIF district, if a business inside the TIF district had to pay a third of taxes, a third goes to the school, a third goes to the County and third goes to the City. He asked if the portion of his third of taxes for the City got pulled out of his property taxes and put in the TIF District.

Community Development Director Berggren stated what he described was accurate for the use of TIF. She stated that in that situation they were using TIF District 3 funds, which was a pool of TIF cash that had been accumulated over time across the City. She stated it was an old district that dated back to 1989. She stated it was a different situation than what they would traditionally consider a TIF. She stated it would be considered similar to the EDA General Fund in the sense they had a pool of cash that had been saved up over time and could spend it in that manner. She stated the reference to district and geography was actually referenced to a different type called a Development District and that was a geography where they could spend pooled TIF funds and was not an actual TIF district in a traditional sense.

Council Member Mata stated he knew it needed a two thirds majority, 6 to 1. He stated he would be the one who would vote no to the project. He felt they were prematurely building it. He suggested a stop light on 101<sup>st</sup> and was no different than the six stop lights that were running through Champlin. He stated there was no point to put a bridge and assess everyone for it in the area. He stated they had a bunch of farmers farming the land, St. Stevens owned land and was a large piece of land that was the trail for Three Rivers Park District. He stated he was confused why they were jumping to build something when there was nothing there. He stated they could assess everyone and then the project could sit there for 10 to 20 more years and there was a bridge that was built and not being used. He stated Maple Grove would use it and 101<sup>st</sup> Avenue went across Maple Grove. He stated that 101<sup>st</sup> Avenue stopped at Winnetka and was not going any further and going to connect to other roads. He stated that was why Jefferson Highway was supposed to be a bridge, on and off of TH610 when TH610 came through. He stated the Brooklyn Park residents were faced with burden of a bridge as opposed to Maple Grove having half of it if when it was supposed to be put at Jefferson Highway and TH610. He thought 105<sup>th</sup> Avenue or the road that played out and came out on Highway 169 needed to be a stop light and over use the stop light. He stated that once it was over used, then they could build a bridge. He stated right now they had no idea what the traffic was going to be, who was going to use it and there was no end user to charge them.

He stated that on the Grace Fellowship Church access, he asked if there was an easement toward Winnetka at all or anywhere through the back. He looked at Google maps and could see a dirt road that came up on the south end and didn't know if that was private property or if there was an easement there, but somewhere so that they could put the two cuts back if six votes took away one of them. He stated if there was a second easement, they could do something to help them out because they were big and growing. He stated he was a no vote on it.

Council Member Parks stated he would vote for it tonight to move it forward. He stated one of the comments that was made was that they were assessing those benefitting from project and had yet to figure out how the churches would be benefitting by the project. He stated when they came back and talked about the assessments, he wanted to know other options besides the assessments so they had everything in order to look at and if there was EDA funds they could use. He just wanted to make sure they were doing the right thing. He stated the project started out with \$32 million and got it down to \$28 million and had \$3 million left.

5.1 MOTION LUNDE, SECOND PARKS TO WAIVE THE READING AND ADOPT RESOLUTION #2019-49 ORDERING IMPROVEMENTS AND PREPARATION OF PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE HIGHWAY 169 / 101<sup>ST</sup> AVENUE INTERCHANGE, CIP 4042-19.

Mayor Lunde stated tonight was to get the project moving and shared sentiments of the Council to find ways to pay for it. He stated they had a \$32 million bill and thanks to staff who found \$23 million and also found a way to save a million. He stated that spoke to their desire to make it as cheap as possible. He stated at one point they looked at it being \$16 million that the City would have to come up with.

He stated that one reason to plan for development in advance was that when development came, the City was ready. He gave the example of Olympus who made the decision to come to the City because they could be in the ground as soon as possible, have the place up and running in six months; if not for that, they would not have come to the city. He stated that having those plans, companies make decisions and were not going want to wait for four years for the City to get funding from the state government to get grants to find out what the plans were going to be. He stated they would just go somewhere else. He stated they knew it had been the plan for many years and was how to get development in there. He stated he was keen on lowering people's tax burden by bringing in corporate users. He stated the City depended on residents for too many of their tax dollars. The City was heavy on residential and the only way to try to fix that was to bring in more corporate users.

He stated that on 101<sup>st</sup> Avenue, it wasn't a safe intersection and looked at opening up that intersection again and restoring it because people could go north and south and get off at 101<sup>st</sup> Avenue to both sides and not just to one side. He thought it would be a good thing and was fine with the process and the assessment was a different piece and would have to address it.

Council Member Russell asked if they figured out how much the church was going to be assessed. He stated he was conflicted about it and was also willing to move the process forward and see if there was any way to reduce or eliminate the burden of tax exempt on the religious institutions.

City Engineer Struve stated that the proposed assessment was based on \$3.5 million if it was fully assessed. He stated the Grace Fellowship Church had an assessment of \$121,758.49, Crossroads Church, \$60,117.72, and the other church was in the \$2,000 range.

Council Member Pha stated she would vote for it to move it forward. She stated it would benefit all of the properties and parcels in the area. She stated she understood about the churches on how it benefited them and the tax amount and was open to more discussions on it. She stated she believed if all parcels were benefitting from that interchange that all needed to participate on the cost of the interchange. She stated the church and all properties would have access to Highway 169 and TH 610 but was open to that discussion to see what could be done.

Mayor Lunde called for a roll call vote.

5.1 THE MOTION PASSED ON A ROLL CALL VOTE AS FOLLOWS: YES – PHA, WEST-HAFNER, RUSSELL, JACOBSON, PARKS, LUNDE; NO – MATA.

6.1 Planning Director Cindy Sherman briefed the Council on the Replat #19-103 of Current Residential Property to Add New Land Acquired from the City at 10214 Regent Avenue North.

Council Member Mata stated he was not going to support the motion to give the parcel of land  
BROOKLYN PARK COUNCIL MEETING; March 25, 2019...Page 8

because in previous discussions they had with that piece of land, he voted against what they were



no going to do. His thought was to give the homeowner all the land up to the trail. He stated there was no reason for the City to own a sliver of land on two sides of the trail because then the homeowner would now own the land to the trail. He stated there were other neighborhoods they had in the City that touched sidewalks and they didn't occupy land on the side of them. He stated if the City was into maintaining that land and had so much resources into it, they would have known long time ago that a fire pit on the patio was built on the property of the city. He stated he would rather give it all back to the abutting owners, which meant Outlot A would go back to the owner; then the trail had another piece of land on the other side of it that was not colored on the map, and would go over to that owner. He stated it was worthless land in the City's hand when it could be used to upgrade a resident's land and then the City could tax them at the end of it because it was a bigger piece of land. He stated that was why he would vote no on it and wanted the City to give all the land back.

6.1 MOTION JACOBSON, SECOND WEST-HAFNER TO AUTHORIZE THE MAYOR AND CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT FOR SALE OF CITY PROPERTY ADJACENT TO 10214 REGENT AVENUE NORTH. MOTION PASSED. (6 TO 1) MATA VOTED NO.

6.1 MOTION JACOBSON, SECOND WEST-HAFNER TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY OWNED PROPERTY. MOTION PASSED UNANIMOUSLY.

6.1 MOTION JACOBSON, SECOND WEST-HAFNER TO WAIVE THE READING AND ADOPT RESOLUTION #2019-50 APPROVING PRELIMINARY PLAT OF "WINDCHIME TRAIL 4<sup>TH</sup> ADDITION" SUBDIVIDING 1.6 ACRES INTO ONE SINGLE-FAMILY LOT AND ONE OUTLOT AT 10214 REGENT AVENUE NORTH. MOTION PASSED UNANIMOUSLY.

7.1 Mayor Lunde briefed the Council on the appointment correction to the Budget Advisory Commission. He stated he nominated the wrong person for selection. He stated they had had a tie in the East District, however, the person they were appointing tonight received a vote as an at large member. He stated that under the rules, they had three East District votes for one and three East District votes for the other which was a tie. He stated that traditionally he always nominated the incumbent because they could be up and running. He stated the person they were appointing tonight actually received a fourth vote but in different category and the only thing to do was to fix it. He stated he did leave messages to both applicants to talk about it.

He thought the Council might want to consider getting rid of the district requirement and make everyone at large and would be a conversation for another time.

7.1 MOTION LUNDE, SECOND PARKS TO APPOINT TRELAWNY GRANT TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE APRIL 1, 2019 FOR A THREE-YEAR TERM TO EXPIRE APRIL 1, 2022.

Council Member Pha stated they had multiple commissions and people applied for multiple commissions and the voting system they had in place became very complex. She suggested the Council look at the way they appointed commissioners, their voting system and see if they could find a better way of doing that.

BROOKLYN PARK COUNCIL MEETING; March 25, 2019...Page 9

7.2 THE VOTE ON THE MOTION PASSED UNANIMOUSLY.

## 9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Council Member Mata asked the City Manager if he had spoken to the person who gave public comment at the last meeting prior to updating the Council tonight.

City Manager Stroebel stated in that staff had not and spoke with Planning Director Sherman this afternoon to see if they followed up with the resident. He stated he tried to make it a priority to follow up to ensure staff followed up with the residents soon after they gave their public comment and then come back and report to the Council. He stated they had not follow up yet and their intention was to reach out to the resident with clarification regarding their question. He stated, normally the appropriate staff in the back of the room would follow up with the resident after they were done speaking at the podium.

Council Member Mata thought it was something they should formalize if they were going to have public comment. He stated staff had not spoken to that person and if that person came back and commented again, they were out three more weeks to bring back a concern they had. He stated if the Council was going to allow public comment, their voice needed to be heard, and if it didn't happen, they were allowed at the next week meeting to come back and speak again to the Council. He stated he would like to formalize something, so they could make sure that it happened.

## 9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel stated the North Metro Mayors Day at the Capitol was last week and had a very good afternoon visiting with several of the City's state delegation. He appreciated the North Metro Mayors taking the leadership in that work and stated it was good to advocate on what Brooklyn Park was interested in getting out of the session.

He stated that a couple days ago Council Member Jacobson, staff and himself met with a couple of food truck vendors to discuss how the City could be more of a food truck friendly community. He stated he didn't think they were completely out of par relative to the other comparable cities. He stated there were some ideas that came out of the conversation that staff was going to look into. He stated he brought it up to the rest of the Council's attention because if that was something that anyone had concerns about or supportive of, he would want to hear about it from the other Council Members because there would be a fair amount of staff involved and a number of departments looking into it.

He provided other events in the city:

- Thursday, April 4, from 10:00-11:30 a.m. was the Employee State of the City at the North Hennepin Community College.
- Thursday, March 28, was the Brooklyn Park Community Assembly in the Council Chambers at 5:45 p.m. to talk about the River Park and the Fire Department Strategic Plan.
- Wednesday, April 3, at 5:15 p.m. was the Commissioners Orientation in the Council Chambers.
- Thursday, April 4, from 6:30-8:00 p.m., at Park Center High School, a neighborhood open house in the Forum Room 18H to discuss the potential changes to their internal road network and the potential of the new practice fields and possibility of adding lights and dome at Park Center.

BROOKLYN PARK COUNCIL MEETING; March 25, 2019...Page 10

Mayor Lunde stated he would be adjourning the meeting but the Council would reconvene in a Work Session in the Steve Lampi room. He stated that session was audio recorded and not televised.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 10:20 p.m.

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JEFFREY JONEAL LUNDE, MAYOR

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DEVIN MONTERO, CITY CLERK

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	5.1	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Public Hearings	<b>Originating Department:</b>	Operations and Maintenance Engineering Services Division
<b>Resolution:</b>	X		
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	2	<b>Prepared By:</b>	Jesse Struve, City Engineer
<b>Item:</b>	Public Hearing for Vacation of all Easements Associated with Outlot B and 10214 Regent Avenue N. (Lot 1, Block 1) of Windchime Trail Plat		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-\_\_\_\_\_ VACATING ALL EASEMENTS ASSOCIATED WITH OUTLOT B AND 10214 REGENT AVENUE N. (LOT 1, BLOCK 1) OF WINDCHIME TRAIL PLAT.

### Overview:

Kevin Ahlstrom is requesting the vacation of all easements associated with Outlot B and 10214 Regent Avenue N. (Lot 1, Block 1) of Windchime Trail Plat, according to the recorded plat thereof, Hennepin County, Minnesota. The property is located at 10214 Regent Avenue N. Mr. Ahlstrom is requesting the vacation of these easements and the perimeter easements will be reestablished with a new plat.

On March 11, 2019, the City Council adopted Resolution #2019-43 ordering a public hearing to be held on April 8, 2019, for Council's review of the proposed vacation of all easements associated with Outlot B and 10214 Regent Avenue N. (Lot 1, Block 1) of Windchime Trail Plat. Staff notified all private utility companies of the petitioner's request and did not receive any opposition to the proposed vacation. Staff recommends the City Council vacate the easements as requested.

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:** N/A

### Attachments:

- 5.1A RESOLUTION
- 5.1B PROPOSED EASEMENT VACATION AREA

RESOLUTION #2019-

RESOLUTION VACATING ALL EASEMENTS ASSOCIATED WITH OUTLOT B  
AND 10214 REGENT AVENUE N. (LOT 1, BLOCK 1) OF WINDCHIME TRAIL PLAT

WHEREAS, Section 14.07 of the City Charter provides that the City Council may by resolution vacate any street, alley, public grounds, or public way, or any part thereof, when it appears in the interest of the public to do so; and

WHEREAS, the City of Brooklyn Park has easements over the following described land:

Parcel Description

Outlot B and 10214 Regent Avenue N. (Lot 1, Block 1) of Windchime Trail plat, according to the recorded plat thereof, Hennepin County, Minnesota.

Easement Vacation Description

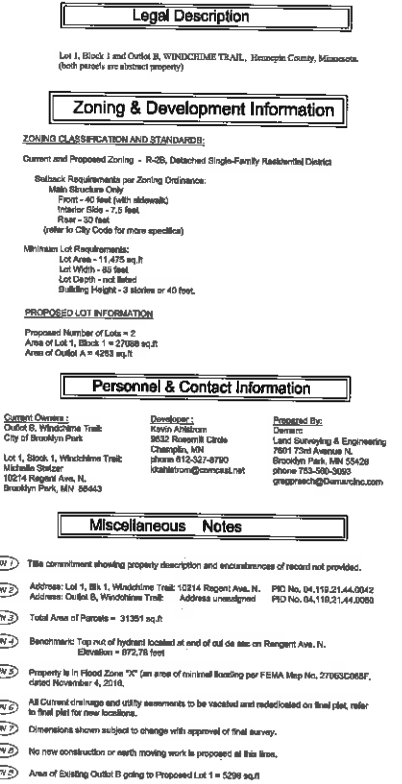
All existing easements on Outlot B and 10214 Regent Avenue N. (Lot 1, Block 1) of Windchime Trail plat be vacated and rededicated with a new plat.

WHEREAS, a public hearing was held on April 8, 2019 as required by law; and

WHEREAS, it has been determined that good area planning requires that these easements be vacated and that it would be in the public interest to do so.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park.

1. That all existing easements on Outlot B and 10214 Regent Avenue N. (Lot 1, Block 1) of Windchime Trail plat be vacated and rededicated with a new plat.
2. A certified copy of this resolution shall be prepared by the City Clerk and shall be a notice of completion of the proceedings and shall be recorded in accordance with the provisions of Section 14.07 of Brooklyn Park City Charter.



### WINDCHIME TRAIL 4TH ADDITION

I certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
Prepared January 18, 2019.  
Revised 2/14/19 City comments

**DEMARCO**  
LAND SURVEYING & ENGINEERING  
780 E 73rd Avenue North (781) 545-3000  
Minneapolis, Minnesota 55426 [demarc.com](http://www.demarc.com)

Signed: Gregory R. Hensch  
Gregory R. Hensch, Minn. Reg. No. 24292

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	6.1	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Land Use Actions	<b>Originating Department:</b>	Community Development
<b>Resolution:</b>	X	<b>Prepared By:</b>	Todd A. Larson, Senior Planner
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	3	<b>Presented By:</b>	Cindy Sherman, Planning Director
<b>Item:</b>	Oak Village (D.R. Horton) – Preliminary Plat and Conditional Use Permit for a 56-Unit Townhome Development at the Southwest Corner of Oak Grove Parkway and Regent Avenue North		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-\_\_\_\_\_ APPROVING FINAL PLAT OF "OAK VILLAGE" SUBDIVIDING 5.36 ACRES INTO 56 TOWNHOME LOTS AND ONE COMMON LOT SOUTHWEST OF OAK GROVE PARKWAY AND REGENT AVENUE NORTH.

### Overview:

The City Council approved the preliminary plat and conditional use permit on January 28, 2019.

In 2001-2002, the Planning Commission and City Council approved a master-planned development called Oxbow Commons for the area between Zane Avenue, 101<sup>st</sup> Avenue, Regent Avenue, and the Great River Energy transmission line. The development included retail, office, and residential uses in all densities. Approximately half of the Oxbow Commons area has been developed to date with such uses as the Fairview Clinic and Urgent Care, Stone Mountain Pet Lodge, McDonalds, St. Therese at Oxbow Lake, and Lakeside at Oxbow Commons single-family subdivision. In the development plan, some areas were more detailed than others in the way of building design, placement and use. The 5.36-acre site was only identified as "Medium Density Residential/7 units per acre."

In 2016, the Planning Commission and City Council reviewed the different land uses around the Highway 610 and Zane interchange. This area had several undeveloped properties that were never developed, even after the economy rebounded from the 2008 recession. The land use designation was changed from Medium Density (3-9 units per acre) to Medium-High Density (minimum 7 units per acre with no maximum).

The current proposal from DR Horton is for a 56-unit row townhome. The 10.4 units per acre density falls within the range allowed with the 2016 updated plan. The site is adjacent to Wickford Village, a mixed townhome/single-family neighborhood. The proposed final plat is consistent with the approved preliminary plat.

### Budgetary/Fiscal Issues:

Park dedication will be collected on all lots. Additionally, a portion of the costs for a future traffic signal will be collected per the Oxbow Commons development approvals.

### Alternatives to consider:

1. Approve the plat consistent with the preliminary plat
2. Approve the plat with modifications.
3. Deny the plat based on certain findings.

**Attachments:**

- 6.1A RESOLUTION
- 6.1B LOCATION MAP
- 6.1C FINAL PLAT



RESOLUTION #2019-

RESOLUTION APPROVING FINAL PLAT OF  
"OAK VILLAGE"  
SUBDIVIDING 5.36 ACRES INTO 56 TOWNHOME LOTS AND ONE COMMON LOT  
SOUTHWEST OF OAK GROVE PARKWAY AND REGENT AVENUE NORTH

Planning Commission File #18-125

WHEREAS, the plat of "Oak Village" has been submitted in the manner required for platting of land under the Brooklyn Park Codes and under Chapter 462 of the Minnesota Statutes and all proceedings have been duly had thereunder; and

WHEREAS, said plat is in all respects consistent with the City plan and the regulations and requirements of the laws of the State of Minnesota and codes of the City of Brooklyn Park, Chapters 151 and 152; and

WHEREAS, the Planning Commission held a public hearing and reviewed the proposal at its meeting on January 9, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park, Final Plat Request #18-125 "Oak Village" shall be approved subject to the following conditions:

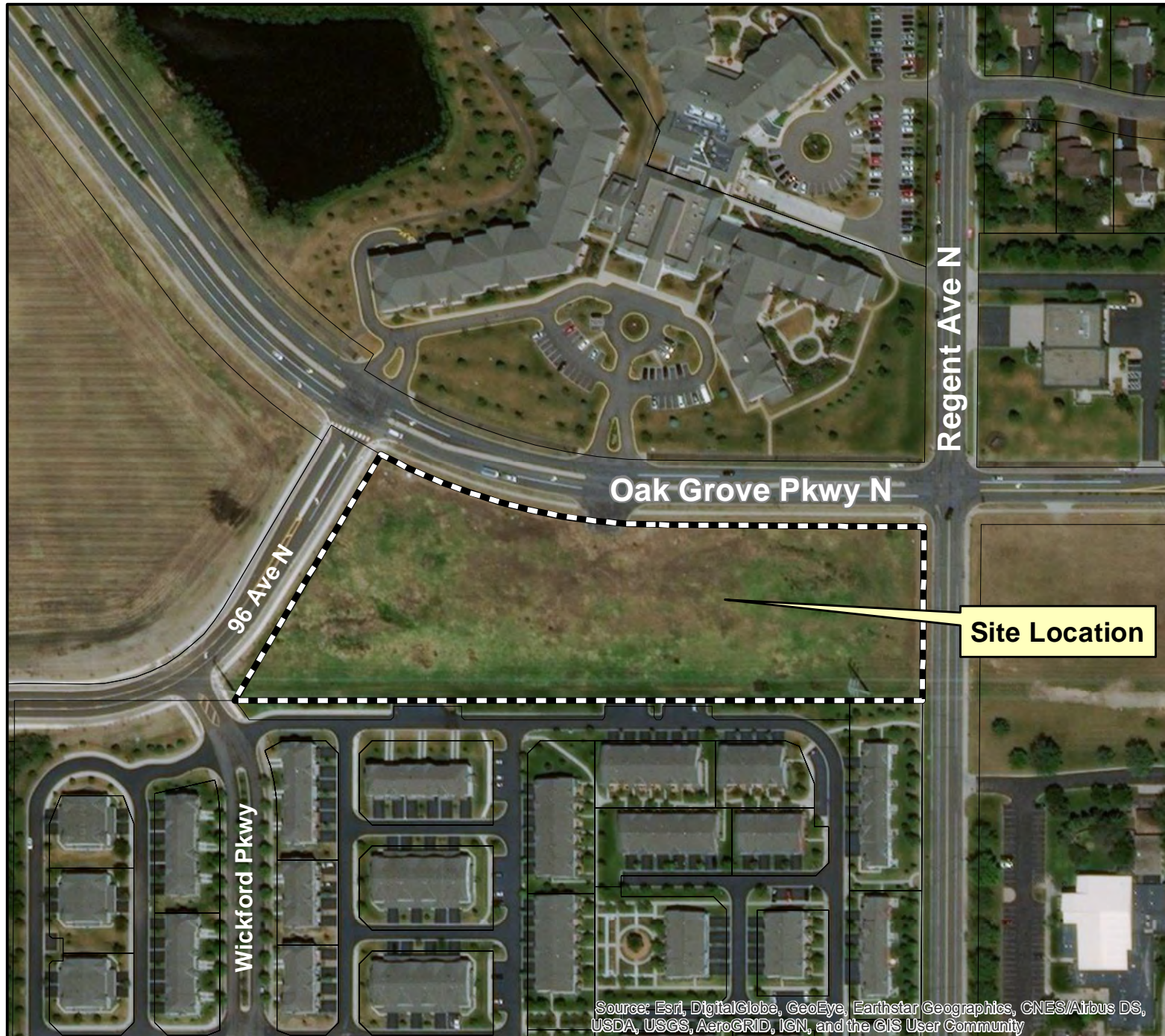
- a. Title review by the City Attorney and all conditions therein.
- b. Easement review by the City Engineer and all conditions therein.
- c. Per requirements set forth above or as subsequently amended by motion, Resolution #2019-22 approving the preliminary plat of "Oak Village," which is part of this resolution by reference and is on file and can be examined in the City Clerk's office.
- d. Submission of a letter from the land surveyor or engineer indicating the square footage contained in each lot on the plat, per Section 151.043, Subdivision J, of the City Code.
- e. Submission of a CAD copy of the plat.
- f. Park dedication in the amount of \$257,600 based on 56 lots at \$4,600 per lot. No dedication is required on the common lot.

BE IT FURTHER RESOLVED that such execution of the certificate upon said plat by the Mayor and City Manager shall be conclusive showing of proper compliance therewith by the sub divider and City officials and shall entitle such plat to be placed on record forthwith without further formality, all in compliance with M.S.A. 462 and the Ordinance of the City.

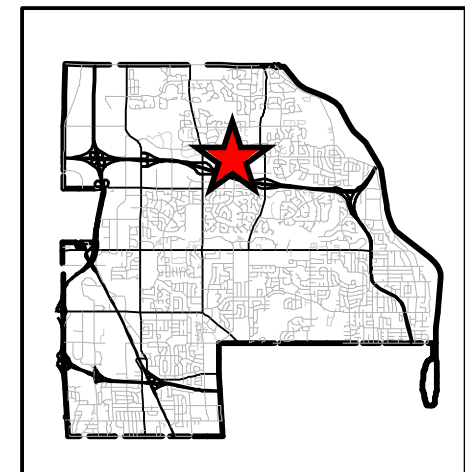
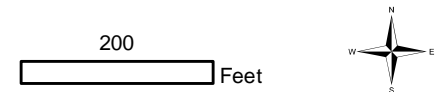
**Plat/Conditional Use Permit #18-125**  
**D.R. Horton - "Oak Village"**

6.1B LOCATION MAP Page 4

**Brooklyn Park**  
**Community Development**



**Spring 2016 Air Photo.**



**Map Date December 17, 2018**

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

OAK VILLAGE

R.T. DOC. NO.

KNOW ALL PERSONS BY THESE PRESENTS: That D.R. Horton, Inc.–Minnesota, a Delaware corporation, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Outlot B, OXBOW COMMONS, Hennepin County, Minnesota

Has caused the same to be surveyed and platted as OAK VILLAGE and does hereby dedicate to the public for public use forever easements as shown on this plat for drainage and utility purposes as shown on this plat.

In witness whereof said D.R. Horton, Inc.–Minnesota, a Delaware corporation, has caused these presents to be signed by its proper officers this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

D.R. HORTON, INC.–MINNESOTA

By \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by \_\_\_\_\_, its \_\_\_\_\_ of D.R. Horton, Inc.–Minnesota, a Delaware corporation, on behalf of the corporation.

\_\_\_\_\_  
(Signature) (Name Printed)

Notary Public, \_\_\_\_\_ County, Minnesota

My Commission Expires \_\_\_\_\_

I Craig W. Morse do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Craig W. Morse, Land Surveyor  
Minnesota License No. 23021

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by Craig W. Morse.

\_\_\_\_\_  
(Signature) (Name Printed)

Notary Public, \_\_\_\_\_ County, Minnesota

My Commission Expires \_\_\_\_\_

CITY COUNCIL, CITY OF BROOKLYN PARK, MINNESOTA

This plat of OAK VILLAGE was approved and accepted by the City Council of the City of Brooklyn Park, Minnesota, at a regular meeting thereof held this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subdivision 2.

CITY COUNCIL, CITY OF BROOKLYN PARK, MINNESOTA

By \_\_\_\_\_ By \_\_\_\_\_  
Mayor Manager

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota

I hereby certify that taxes payable in 20\_\_\_\_\_ and prior years have been paid for land described on this plat, dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Mark V. Chapin, County Auditor By \_\_\_\_\_  
Deputy

SURVEY DIVISION, Hennepin County, Minnesota

Pursuant to MINN. STAT. Sec. 383B.565 (1969) this plat has been approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Chris F. Mavis, County Surveyor By \_\_\_\_\_

COUNTY RECORDER, Hennepin County, Minnesota

I hereby certify that the within plat of \_\_\_\_\_ recorded in this office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_ o'clock \_\_\_\_M.

Martin McCormick, County Recorder By \_\_\_\_\_  
Deputy

REGISTRAR OF TITLES, Hennepin County, Minnesota

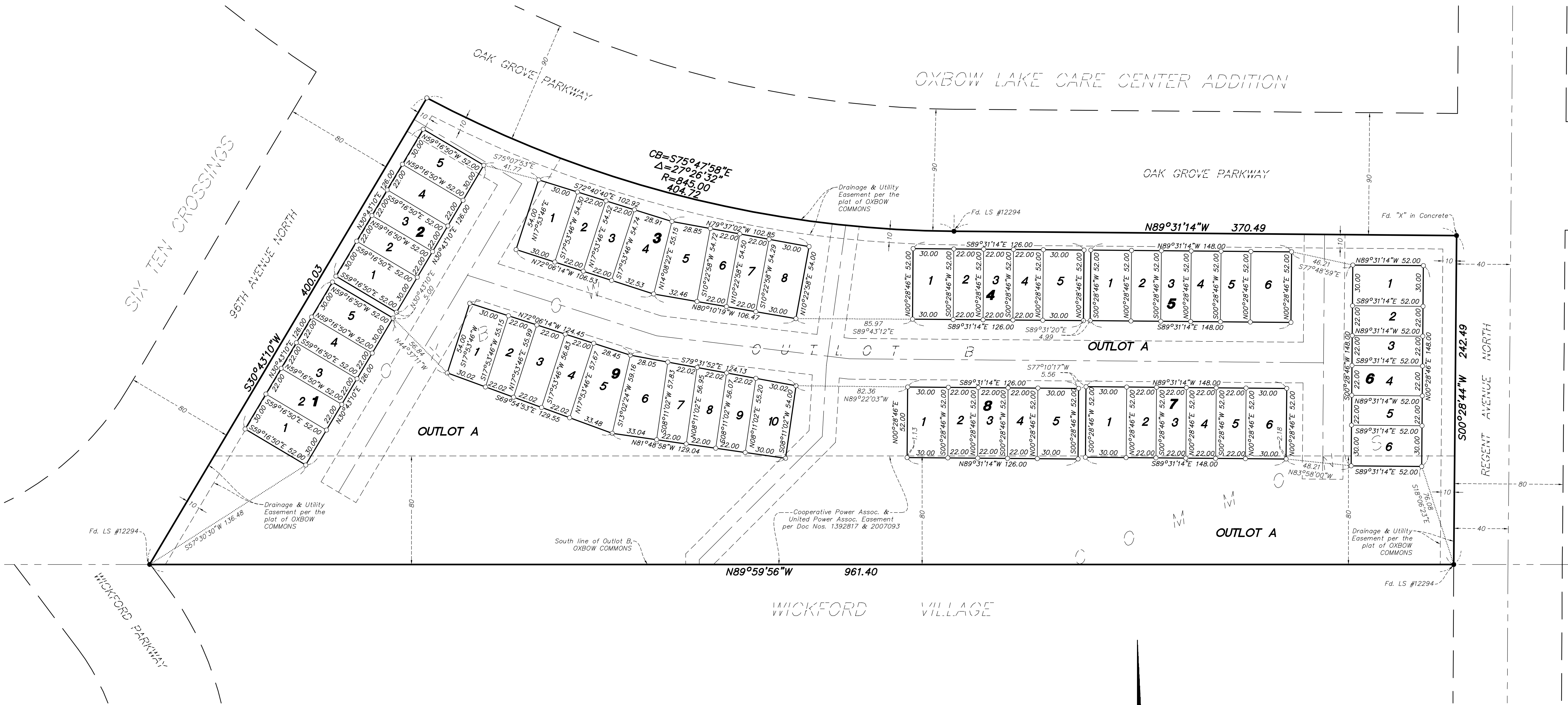
I hereby certify that the within plat of OAK VILLAGE was filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_ o'clock \_\_\_\_M.

Martin McCormick, Registrar of Titles By \_\_\_\_\_  
Deputy



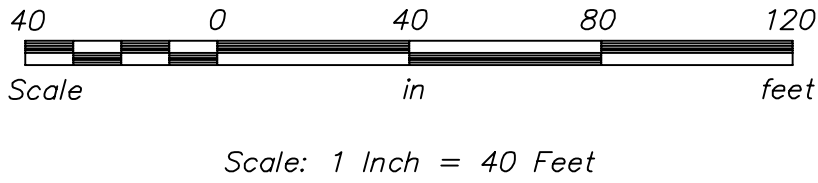
OAK VILLAGE

FOR EASEMENT DETAIL  
(SEE SHEET 3 OF 3 SHEETS)



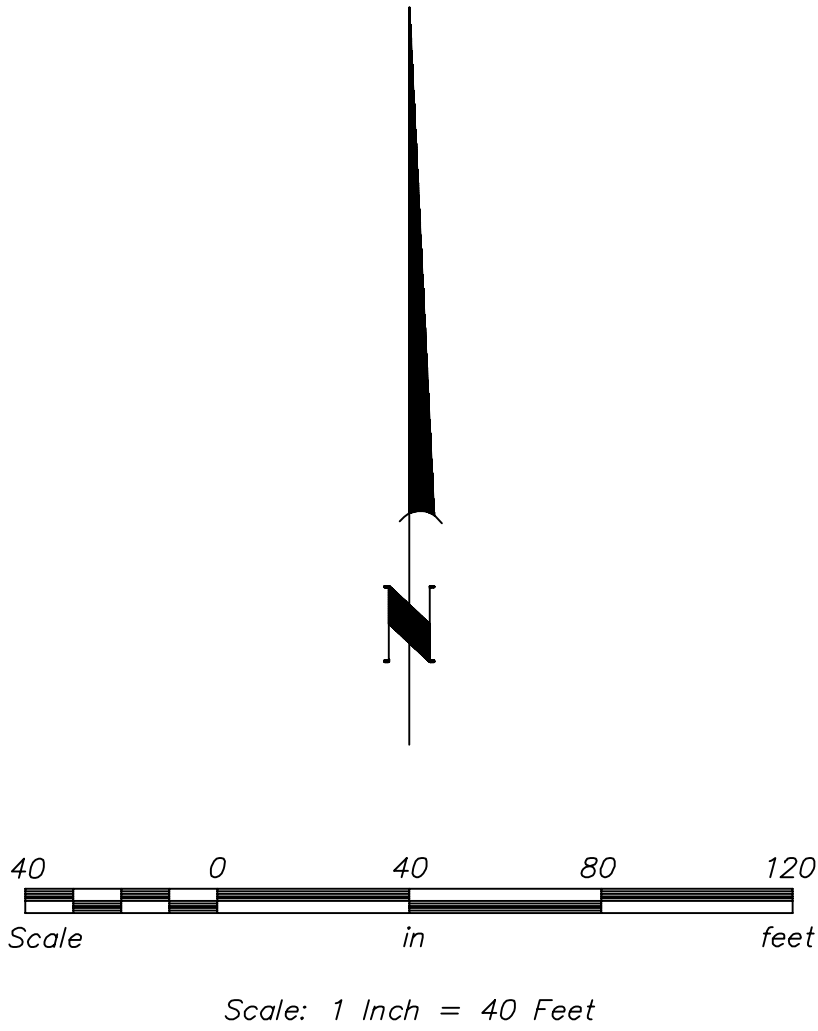
The south line of Outlot B, OXBOW COMMONS is assumed to bear  $N 89^{\circ}59'56" W$ .

- Denotes 1/2 inch by 14 inch iron rebar set and marked by License No. 23021
- Denotes found iron marked as shown



OAK VILLAGE

EASEMENT DETAIL



# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	6.2	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Land Use Actions	<b>Originating Department:</b>	Community Development
<b>Resolution:</b>	X	<b>Prepared By:</b>	Todd A. Larson, Senior Planner
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	7	<b>Presented By:</b>	Cindy Sherman, Planning Director
<b>Item:</b>	NorthPark Building 3 (Scannell Properties) – Site Plan Review #19-102 for Construction of a 204,000 Square Foot Warehouse/Manufacturing Building at 10401 Winnetka Avenue North		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-\_\_\_\_ APPROVING SITE PLAN REVIEW FOR A BUSINESS PARK BUILDING AT 10401 WINNETKA AVENUE NORTH.

## Planning Commission Recommendation

At its meeting on March 13, 2019, the Planning Commission unanimously (8-0) recommended approval of the site plan review with the conditions listed in the attached resolution.

## Overview:

Scannell Properties has resubmitted for approval of the fourth building within the NorthPark Business Center. This is the third building that they will own and lease (the Nott Companies building was the third constructed, but not owned by Scannell). The business park has the Planned Development Overlay zoning district and all new buildings are subject to a Site Plan Review from the Planning Commission and City Council. The proposed building conforms to the development plan that was approved in 2015.

In 2016, the City Council reviewed a proposal for the same site and building, except that the building was four feet taller (43 feet in height) than the current proposal. That building was proposed taller than typical due to the needs of a potential tenant. The Planning Commission recommended approval of that plan and the Council approved it. That building was never constructed and after a one-year time extension, the project approvals expired. The current proposal is the same height as Buildings 1 and 2 at 39 feet. The current submission meets the conditions that were outlined in the 2016 recommendation.

**Budgetary/Fiscal Issues:** N/A

## Alternatives to consider:

1. Approve the Site Plan Review as recommended by the Planning Commission.
2. Approve the Site Plan Review with modifications.
3. Deny the Site Plan Review based on certain findings.

**Attachments:**

- 6.2A RESOLUTION
- 6.2B LOCATION MAP
- 6.2C PLANNING AND ZONING INFORMATION
- 6.2D 2016 PLANNING COMMISSION MINUTES
- 6.2E 2019 PLANNING COMMISSION MINUTES
- 6.2F APPROVED DEVELOPMENT PLAN
- 6.2G PLANS

RESOLUTION #2019-

RESOLUTION APPROVING SITE PLAN REVIEW  
FOR A BUSINESS PARK BUILDING  
AT 10401 WINNETKA AVENUE NORTH

Planning Commission File #19-102

WHEREAS, Mr. Dan Salzer, on behalf of Scannell Properties, has made an application for a Site Plan Review for a building under the provisions of Chapter 152 of the City Code on property legally described as:

*Lot 1, Block 1, NorthPark Business Center Third Addition, Hennepin County, Minnesota*

WHEREAS, the matter has been referred to the Planning Commission who have given their advice and recommendation to the City Council; and

WHEREAS, the effect of the proposed use upon the health, safety and welfare of surrounding lands, existing and anticipated traffic conditions and its effect on the neighborhood have been considered.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that the Site Plan Review for a building in the NorthPark Business Center is hereby approved in accordance with the following:

**1.00 PLANS**

- 1.01 Per site, civil, and landscaping plans dated May 10, 2018, except as modified below.
- 1.02 Per building elevations and plans dated March 4, 2019, except as modified below.

**2.00 BONDS, ESCROWS AND DIRECT PAYMENTS**

- 2.01 A Development Contract and bonding shall be required in the amount of **\$986,100.00** as a development bond or letter of credit, a **\$51,900.00** cash bond, and a **\$31,100.00** developer's escrow as required by Chapter 152. The developer's escrow must be posted with the City Treasurer to cover engineering, legal and administrative costs incurred by the City. If this account becomes deficient, it shall be the developer's responsibility to deposit additional funds. This must be done before final bonding obligations are complete. This bonding must include the following:
  - a. Grading and drainage
  - b. Utilities
  - c. Landscaping
  - d. Paving of parking and driveways
  - e. Sidewalks and walkways
  - f. Parking lot lighting
  - g. Rooftop screening

**3.00 REQUIRED DOCUMENTS**

- 3.01 All utility construction, drainage, grading and development plans must be approved by the City Engineer prior to receiving a building permit.



- 3.02 Approval from the West Mississippi Watershed Management Commission and a storm water maintenance agreement is required.

#### **4.00 GENERAL CONDITIONS**

- 4.01 It shall be the developer's responsibility to keep active and up to date the developer's contract and financial surety (Letter of Credit, bonds, etc.). These documents must remain active until the developer has been released from any further obligation by City Council motion received in writing from the Engineering Department.
- 4.02 No burying of construction debris shall be permitted on the site.
- 4.03 Dust control measures must be in place to prevent for dust and erosion including, but not limited to, daily watering, silt fences, and seeding. The City Engineer may impose measures to reduce dust.
- 4.04 During construction, streets must be passable at all times, free of debris, materials, soils, snow, and other obstructions.
- 4.05 All rooftop equipment must be screened from views from the property line.
- 4.06 Maintenance of the Oxbow Creek Drive boulevard landscaping is the responsibility of the adjacent property owner. The boulevard must be irrigated.
- 4.07 Overstory street trees are required along Oxbow Creek Drive between the roadway curb and the sidewalk every 50 feet per the development plan. At least two different species are required.
- 4.08 Storm water basins must be lined with organic material suitable for supporting grasses in the event of low or no water.
- 4.09 Signs must conform to Chapter 150 of City Code and obtain the necessary permits.
- 4.10 Lighting must conform to Chapter 152. Freestanding lights on poles no taller than 15 feet in height must be used to light the parking lot while 25-foot poles are allowed in the truck dock area. All lighting must be downcast and shielded.
- 4.11 Bicycle racks must be located near each of the entrances to the building.
- 4.12 The sidewalk along Oxbow Creek Drive and Xylon must be constructed per the plat requirements of NorthPark Business Center Third Addition.

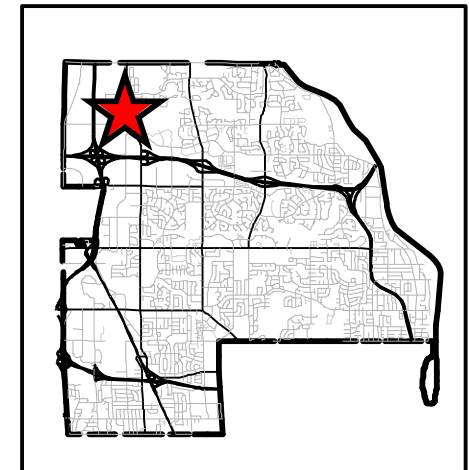
If the petitioner needs additional time to satisfy the requirements listed in this Site Plan Review, then a one-year time extension must be requested. Time extension requests are subject to the conditions found in the Zoning Code (Section 152.031(H)). The failure on the part of the petitioner to obtain a building permit by December 31, 2020 shall deem the Site Plan Review approval to be null and void.

Site Plan Review #19-102 10401 Winnetka Ave. N.  
Scannell Properties - NorthPark Building #3



Spring 2016 Air Photo.

100  
Feet



Map Date February 12, 2019

Land Use Plan	Business Park
Current Zoning	Business Park with Planned Development Overlay (BP/PD)
Surrounding Zoning	North, South, and West – Business Park with Planned Development Overlay (BP/PD) East – Detached Single-Family Residential District (R2B)
Neighborhood	Future #4
Lot Area	13.417 acres
Building Area	204,138 ft <sup>2</sup>
Number of Parking Spaces	236 with an additional 63 in proof of parking
Conforms to:	
	Land Use Plan – Yes
	Zoning Code – Yes
	Variances Needed – None
Notification	37 Mailed Notices 1 Proposed Development Sign Neighborhood Update Email – Northwoods SunPost Legal Notices

### Building Design

This building in the NorthPark Business Center will have similar characteristics to the other three approved buildings, but will not appear identical. The building will be constructed out of precast concrete panels with a varied roofline, the top being at 39 feet. Metal accents will be placed around the building. Brick will also be used around the entrances in the center of the building.

### Access and Parking

Two driveways accessing the site will be located on Oxbow Creek Drive. The eastern driveway is intended for employees and customers while the western driveway is intended for trucks accessing the truck court. This driveway is also shared with the future user to the west. A cross access and maintenance agreement was recorded in 2016 with the previous approvals. Though the building is oriented toward Winnetka Avenue, no driveways will be permitted by Hennepin County due to the proximity to Oxbow Creek Drive and the Rush Creek Regional trail crossing.

The parking lot has enough parking spaces for typical office/warehouse buildings. Additional spaces are shown at the north and south ends of the parking lot for additional spaces in the event they are needed for more office or manufacturing uses within the building.

Bicycle racks are required near the building entrances.

### Pedestrian Connections

A walkway will connect all of the entrances of the building with the parking lot. Two cut-thru walkways are shown—one to Oxbow Creek Drive and one to Winnetka Avenue. The walkway to Winnetka Avenue will be constructed to the edge of the right-of-way initially, but connected to a future trail along that roadway once it is rebuilt.

The sidewalk along Oxbow Creek Drive and Xylon Avenue was not constructed after the site was platted and must be installed with this building.

**Landscaping and Screening**

The building is oriented in such a way that the building itself will screen most of the business park truck activities from the residential properties east of Winnetka Avenue. Along Winnetka Avenue, the applicant has provided a larger than typical bermed and landscaped area (45 feet instead of 15 feet) for extra separation to those residential properties. The landscaped berming will be high enough to screen the headlight levels of the parked vehicles.

The landscaping plan shows the right number of trees for the site and meets City Code. The development plan approvals from 2015 required street trees throughout NorthPark. The landscaping plans have been modified since the 2016 review to account for a taller berm (at least 5 feet tall), moving evergreens to provide for desired visibility at the intersection and walkway, and the addition of street trees along Oxbow Creek Drive.

**Storm Water Management**

The site uses a shared storm water basin with adjacent properties, including the Nott Company. The applicant must receive approvals from the West Mississippi Watershed Management Commission and a storm water maintenance agreement must be recorded against the property.

**Lighting**

The front part of the property is within 500 feet of residential property; therefore, freestanding lighting is limited to 15 feet. The lighting plan submitted by the applicant meets this requirement in the parking lot. The truck docks and trailer parking area are outside the 500-foot area and may have poles up to 25 feet in height.

**MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION  
REGULAR MEETING**

October 12, 2016

**Unapproved Minutes****1. CALL TO ORDER**

The meeting was called to order at 7:00 p.m.

**2. ROLL CALL/ PLEDGE OF ALLEGIANCE**

Those present were: Commissioners Fletcher, Hanson, Jacobson, Kisch, Schmidt, Stuewe, West-Hafner and Vosberg; Senior Planner Larson; and Planning Director Sherman

Those not present: Commissioner Morton-Spears

**6. PUBLIC HEARING****6B. NorthPark Business Center- Case# 16-124 Site Plan Review for construction of building three at the SW corner of Winnetka Avenue North & Oxbow Creek Drive**

Senior Planner Larson stated that the new building will be a multi-tenant building and very similar to the other buildings that have already been approved for the business park. There will be a single row of parking around the three sides with the truck port in the back. It will look similar, but not the same as the other buildings. It will be six feet taller than the rest to accommodate different types of potential users. This lot has a couple of features that the other lots in the business park do not have. There will be a larger than typical setback for the parking lot of forty five feet instead of the normal fifteen feet to add more green space and a better buffer for the residential on the other side of Winnetka. In the future, Winnetka Avenue will get re-built with curb and gutter, sidewalks, and trails which are shown on the plan.

Dan Salzer, Scannell Properties, stated that they are happy to answer any questions.

Commissioner Chair West-Hafner opened the public hearing.

Jennifer Geisinger, 7701 Oxbow Creek Circle North, asked how tall the trees being planted would be with the eventual widening of Winnetka Avenue.

David Niznick, 7544 103<sup>rd</sup> Circle North, stated that he was very disappointed with the taking out of all the beautiful oak trees. He stated that he would like the ten to twelve foot berm on the left hand side of Oxbow Creek continued down on both sides of the street all the way so the people that live near there do not have to listen to the traffic that will be coming through there. He stated that he would like some bigger trees planted, not just little ones. He asked if a three lane road is planned with a semaphore light on Winnetka Avenue. Mr. Niznick's wife Nancy asked if the homes that are along Winnetka will lose part of their yards to the widening of the road or if it will be widened on the commercial side of the road. She asked what the plan is for truck traffic, if they can use 101<sup>st</sup> Avenue instead of Oxbow Creek Drive. If the traffic will be on Winnetka Avenue turning onto Oxbow Creek Drive, she stated that it will cause a major problem.

Jenny Corbett, 7713 Oxbow Creek Circle, stated that she is also disappointed about the cutting down of the trees. They have lived in their home about a year and the noise and dust from this project is horrendous. She asked where Winnetka is being widened and also asked for larger trees to be planted.



Ladde Tran, 7719 Oxbow Creek Circle, stated that she has the same concerns as the others that have spoken. She stated that the speed limit is too fast on Winnetka Avenue and she does not want the large trees in her yard taken down to widen the road as they provide a buffer.

Seeing no one else approach the podium, Chair West-Hafner closed the public hearing.

Senior Planner Larson stated that trees are not measured by height unless they are evergreens, which will be six feet tall as shown on the landscape plan. The other trees such as maples, oaks, elms, are measured at the trunk, using the caliper width and those are two and a half inches where City minimum is two inches. He stated that staff has found on other projects that if the trees are much larger than that it ends up stunting their growth.

He stated that the road design for Winnetka Avenue is not set yet and it is based on how much traffic and how much business is in the area. At the bare minimum, the road would be a three lane design. The other possibility is a four lane road, very similar to 85<sup>th</sup> Avenue or Zane Avenue. When the business park was going through the approval process a few years ago, they did an Environmental Review and a pretty robust traffic study was done. The traffic study indicated different triggers for certain improvements and the business park is coming up to the first trigger point, which is putting a traffic signal at Winnetka Avenue and Oxbow Creek Drive. After the next two buildings are constructed, they will be at that point. He stated that there is a meeting with the County about this on Thursday. The signal could possibly go up next year, or even the year after, but it will at least be in process. The trigger after that is the widening and re-building of Winnetka Avenue. It is anticipated to widen equal on both sides with a little bit of a jog around Marvella, which is between Oxbow Creek Drive and 107<sup>th</sup> Avenue. He stated that right-of-way has been set aside for that widening and there is no proposed taking of any private property but some of the trees on the east side of the road are in the right-of-way and would be expected to be taken. Also, berms were not put in with those neighborhoods so that the trees would be preserved.

Mr. Larson stated that 101<sup>st</sup> Avenue will be re-built and tie into Oak Grove Parkway. Once Winnetka Avenue is re-built, the speed limit will probably be reduced but at this time the new speed limit is not known. It will be based off of a new traffic study and the state will set the speed limit based on the amount of traffic.

Commissioner West-Hafner asked Mr. Larson when staff expects to see the southern end of West Broadway, and the part by 93<sup>rd</sup> Avenue where it widens out, looking like Winnetka Avenue.

Mr. Larson stated that the light rail project, the re-building of West Broadway for the blue line extension, and 101<sup>st</sup> Avenue tying into Oxbow Creek Drive, would all occur starting in 2018 or 2019. It would take a year or two to build out. Some grants are being applied for to extend both Xylon Avenue and Winnetka Avenue over the trail corridors to grade separate them. Getting it done all the way up to Oxbow Creek Drive would be looked at then. If a temporary signal light goes in before that, it would be replaced with a permanent signal at that time.

Commissioner West-Hafner asked what the timing is for 101<sup>st</sup> Avenue and the interchange.

Planning Director Sherman stated that the Environmental Review on that has just been finished and the process to begin to apply for funding is just beginning. Because it is a big, expensive project there is no funding identified at this time. Staff is hopeful that in the next three to five years funding will be available to put in the interchange. She stated that she would also like to address the tree removal and that she has spoken with several of the neighbors about that while it was going on. She stated that the city does not have a tree ordinance about tree removal as the city prefers to have a robust tree planting plan. The City standards for both residential and commercial landscaping are quite high. The residential standards are especially high when compared to other cities.

Commissioner Kisch stated that he has a major concern about the project meeting the impervious surface percentage requirement with buildings coming in one at a time over time for this project. The landscape plans shown some dashed areas as proof of parking that are also on the landscape plan as buffer and berm areas and he would suggest that they stay as buffer and berm areas and not even be designated as proof of parking areas. If additional parking is necessary, it needs to be taken from somewhere else on the site because those

buffers need to be maintained along Oxbow Creek Drive as well as to the south. He stated that he does not want to see this come back at some point as impervious surface. He stated that he wants to compliment the applicant on hearing the message the Planning Commission has delivered in the past and following it regarding design standards for this building. He stated that he appreciates the roof screening plan but asked if there is an identified zone for the mechanical units to go so that staff can be sure rooftop units are screened by the building itself from the property lines.

Dan Salzer stated that they will put together an exhibit with each site plan they bring in, showing the percentage of impervious surface for each part of the business park. They will be held to a certain percentage for the overall business park, but they are happy to do it as they go along. He stated that the proof of parking as shown does meet the buffer and setback requirements. Along Oxbow Creek the intention is to do a retaining wall so they can retain the one side of the berm and the trees. He stated that the intention of the rooftop plan is to help them plan accordingly as they get tenants.

Commissioner Fletcher stated that the plan shows the site has thirty percent pervious surface, which is pretty good. He then asked about the landscape plan which appears to be short about one thousand shrubs.

Senior Planner Larson stated that the landscaping requirement has options for any commercial property. There are the four different categories consisting of overstory trees, evergreen trees, ornamental trees and shrubs and only three of the four required amounts must be met.

Commissioner Stuewe stated that she looked back in the archives to see if the Master Plan for this area was being followed and this business park is developing just about exactly as presented in 2012. She stated that she was shocked by the change in the landscape with the removal of all the trees and Highway 169 now being visible and she would like to see the berm higher along Winnetka Avenue.

Dan Salzer stated that they will make the berm as high as they can to accomplish that.

Senior Planner Larson stated that what they are trying to accomplish with the berming and screening is to minimize the effect of vehicles headlights. City screening requirements are not meant to screen the buildings, but to screen the lights from shining into residential neighborhoods.

Commissioner Jacobson stated that she would like to see the berm taller also. She asked where the business park was with occupancy right now.

Dan Salzer stated that one building is 200,000 square feet and they currently have 70,000 square feet of that building leased and are nearing having another 30,000 square feet leased. The Nott Company lot is one hundred percent leased and owner-occupied and the building should be completed in December.

Commissioner Jacobson stated that she has been visiting with a lot of residents lately and she gets a lot of questions about why new buildings are being built when the city has empty buildings already so that is a concern.

Commissioner Schmidt stated that he is also pleased with the way the applicant listened to the concerns about the design standards and is following them. He stated that he is also pleased with the way the applicant is willing to do what they can to address the neighborhood concerns. He stated that he hopes they will be a little more aggressive on dust control.

Commissioner Vosberg stated that she would also like to see a taller berm. She stated that she thinks staff should lay out the total plans for this area so that residents could see what it might potentially look like. It is easier to visualize if you can see it. She stated that she thinks the Planning Commission needs to look at the tree preservation in the city with so many mature beautiful trees being taken down for development that is happening too quickly to be able to do much about it.

Planning Director Sherman stated that as county projects continue in the city there will be more neighborhood meetings and the Brooklyn Park City Engineer is always at the table for these meetings as well.

Commissioner Jacobson asked if the Planning Commission could talk about the tree preservation at an upcoming work session to which Planning Director Sherman stated yes.

Commissioner West-Hafner stated that she agrees that it is sad to see all the trees go down. She stated that she agrees with Commissioner Kisch that after a master plan has been approved, and as projects continue to come in, staff is going back and looking at things to make sure they are following the plan. She encouraged residents to get signed up on the county list for notification of when meetings will be held about the road project.

**MOTION HANSON SECOND WEST-HAFNER TO RECOMMEND APPROVAL OF SITE PLAN REVIEW FOR A BUSINESS PARK BUILDING AT 10401 WINNETKA AVENUE NORTH SUBJECT TO CONDITIONS IN THE DRAFT RESOLUTION.**

Commissioner Kisch stated that he thinks a condition should be added that discusses the increased height of the berm and a condition should be added about not needing the shrub count and having the development team propose an alternative approve to either increasing the number or size of the evergreen trees.

Planning Director Sherman stated that the shrub count does not need to be met since three of the four requirements have been met.

Planning Commissioner Vosberg stated that she thinks the landscaping should be increased to offer more screening as opposed to increasing the height of the berm since that will only be five and a half feet in height.

Planning Director Sherman stated that the landscaping plan could be looked at further but there will be millions of dollars invested in this building and it will be a beautiful building. The goal should be to block the parking and the headlights of the vehicles entering and leaving, not to hide the building itself. The hope is that this large building will screen some of the noise from Highway 169.

Commissioner Schmidt stated that he is satisfied with letting the professionals do this in the best way possible.

Commissioner Jacobson stated that this land was never zoned to be a residential development and for what the use is at the site, this will be a very nice building.

***MOTION CARRIED UNANIMOUSLY***

Commissioner Chair West-Hafner stated that this application will be considered by the City Council on October 24, 2016.



**UNAPPROVED MINUTES****MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION****Regular Meeting - March 13, 2019****1. CALL TO ORDER**

The meeting was called to order at 7:00 PM.

**2. ROLL CALL/PLEDGE OF ALLEGIANCE**

Those present were: Commissioners Hanson, Herbers, Husain, Kiekow, Kisch, Mersereau, Mohamed, Vosberg; Senior City Planner Larson; Planning Director Sherman; Council Member Liaison West-Hafner.

Those not present were: Commissioner Morton-Spears.

**6. PUBLIC HEARING****B. NorthPark Building 3 (Scannell Properties) – Site Plan Review #19-102 for construction of a 204,000 square foot warehouse/manufacturing building at 10401 Winnetka Avenue North.**

Senior Planner Larson introduced Scannell Properties' application. He explained the request is nearly identical to a proposal reviewed by the Planning Commission in late 2016. He stated the request is for NorthPark Business Center Building 3 at the southwest corner of Oxbow Creek Drive and Winnetka Ave N. He pointed to the business park's approved development plan from 2015. He indicated buildings 1 and 2 are up and running with good businesses as occupants. He pointed to another constructed building occupied by the Nott Company. He pointed to buildings 3 and 4 in the development plan that were both approved in 2016. He explained those approvals are good for 1 year and Scannell received a 1-year extension. He stated that some of the grading was completed, but neither building was constructed. He indicated that the approvals for the buildings have since expired. He confirmed there is a prospective tenant for the current proposal which is why the developer is now moving forward. He explained the building is basically the same in appearance and footprint, but the proposed building is 4 feet shorter than what was anticipated in 2016. He stated the height would match buildings 1 and 2. He explained the height in the previous proposal was not typical for an industrial warehouse/office-space building but was based on a specific prospective user's needs. He pointed to another slight change in the configuration of the back of the building with the placement of the driveway and truck/trailer parking. He noted the previous prospective user wanted a fenced in area that is no longer needed. He explained the current proposal has one drive aisle with parking on both sides along the building and additional parking on the north and south ends to account for potential office needs. He indicated that truck access would be further west on Oxbow Creek Dr. He noted there was a condition for a 5- to 6-foot berm the last time the Commission and Council reviewed this proposal which is reflected on the current plans. He pointed to the landscaping plan which meets the City's requirements for the number of trees, screening and street trees.

Dan Salzer, representing the applicant, elaborated that the 2016 proposal was for a specific tenant at the time who pulled out at the eleventh hour. He stated they did take the opportunity to grade the paths, construct the berm and install utilities. He indicated they are ready to move forward with this project based on their experience leasing the other buildings.

Commissioner Chair Hanson opened the public hearing.

Jeff Geisinger, 7701 Oxbow Creek Circle North, asked if it this building would have around the clock operations versus regular business hours of Monday through Friday, 9AM to 5PM.

Seeing no one approach the podium, Commissioner Chair Hanson closed the public hearing.

Dan Salzer answered that the operation hours of the building are not certain as at this time it is being developed as an empty speculative building. He stated his expectation that the hours of operation would be similar to those of buildings 1 and 2 along Highway 169 which tend to be daytime operations with some traffic in the evening.

MOTION HANSON, SECOND MERSEREAU TO RECOMMEND APPROVAL OF SITE PLAN REVIEW #19-102 FOR A BUSINESS PARK BUILDING AT 10401 WINNETKA AVENUE NORTH, SUBJECT TO CONDITIONS IN THE DRAFT RESOLUTION.

Commissioner Kisch stated for future proposals it will be good for the impervious surface percentage calculations to include both the initial percentage and future projected percentages to make sure the threshold is not exceeded.

Dan Salzer agreed they need to be mindful of the impervious surface percentage. He believed the future expansion calculations were included in the foot notes.

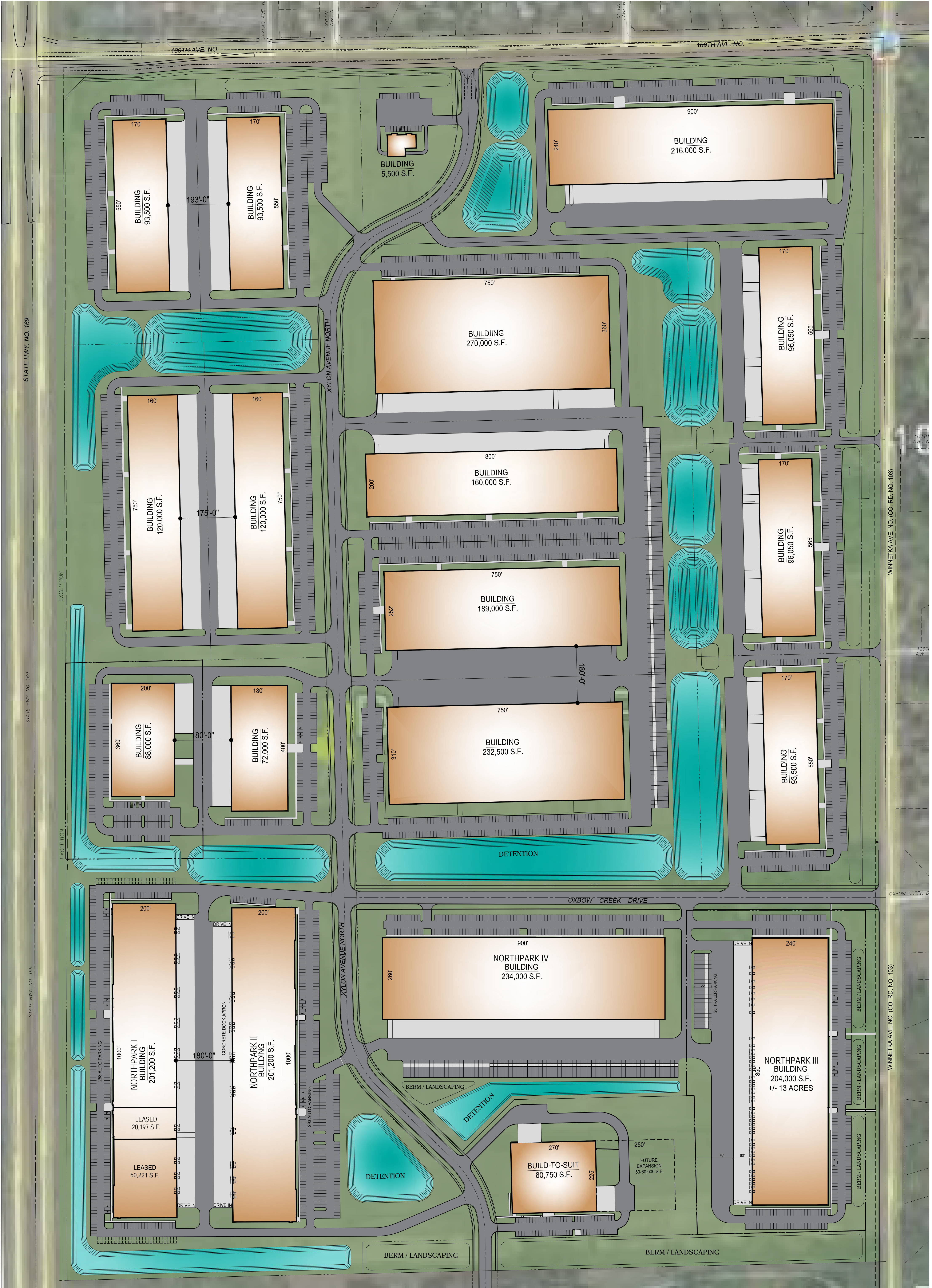
Commissioner Kisch asked if the berm height is set at what is shown in the plans relative to the initial grading or would there be additional fine grading.

Dan Salzer stated he did not have an answer for that, but he knows it is close and there may need to be top soil added with the landscaping.

*MOTION CARRIED UNANIMOUSLY.*

Planning Director Sherman stated this application will be reviewed by City Council on Apr. 8.





PROPOSED:  
PROJECT SITE

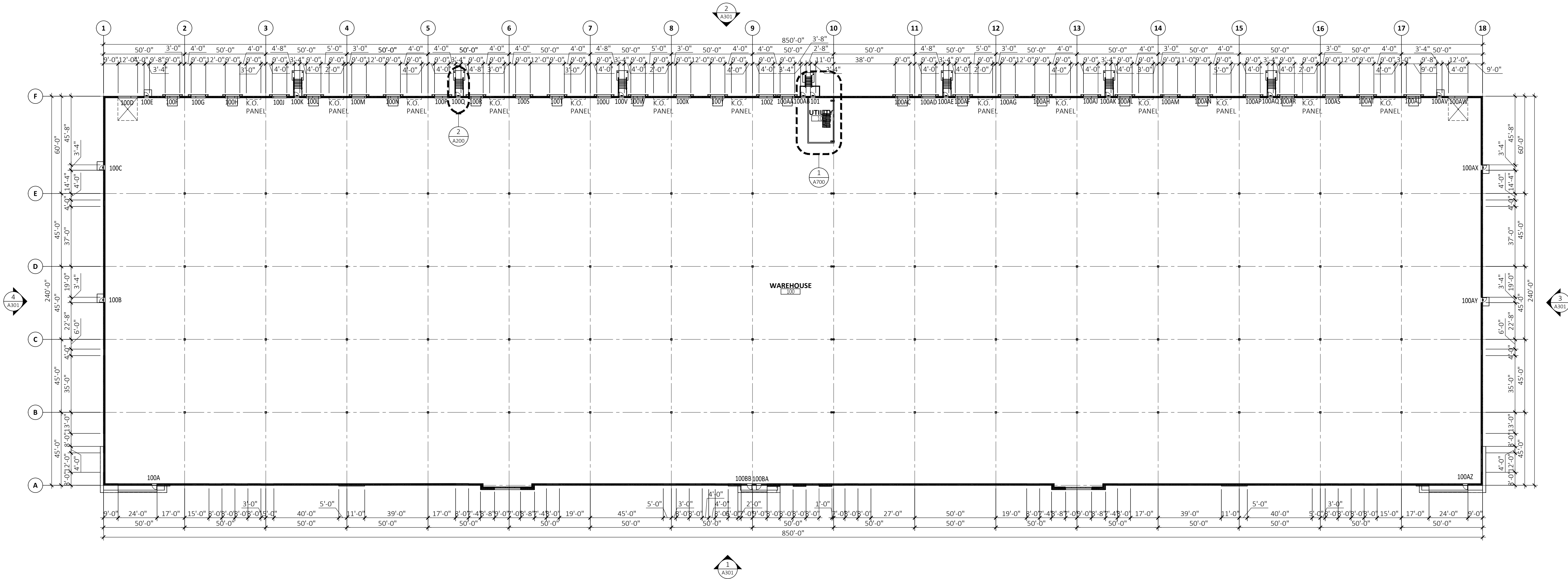
DECEMBER 12, 2016

# NorthPark Business Center - Master Plan

Brooklyn Park, MN

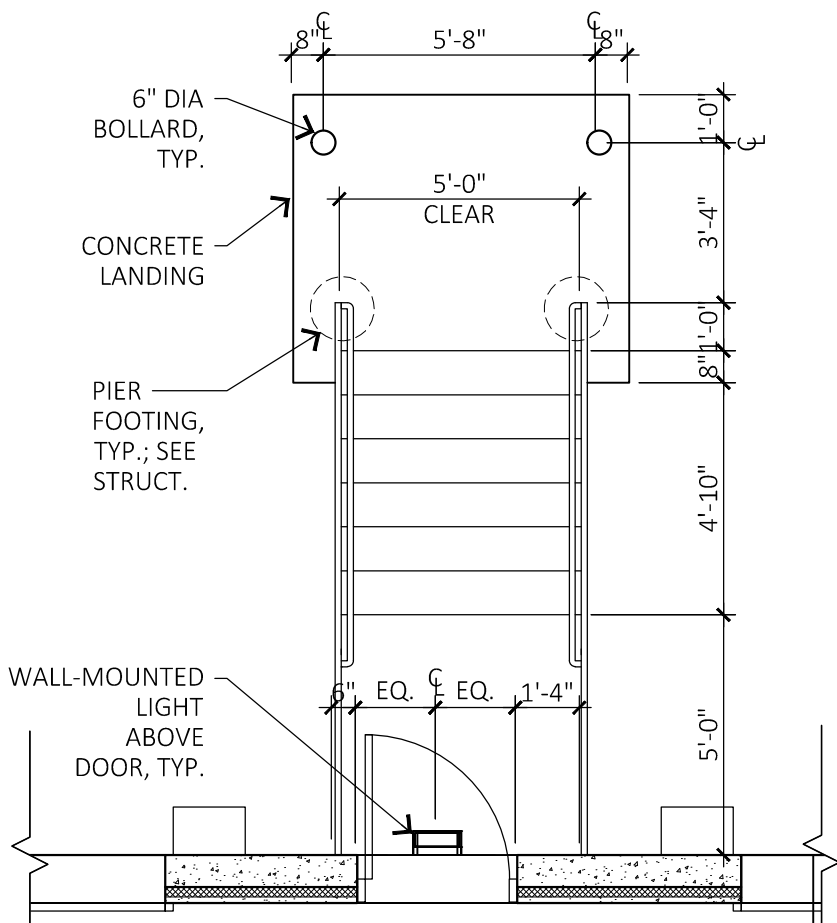




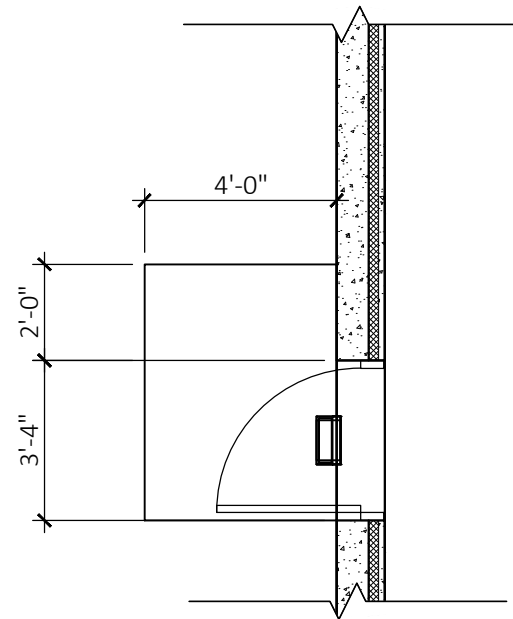


1 FLOOR PLAN  
A200 1/32" = 1'-0"

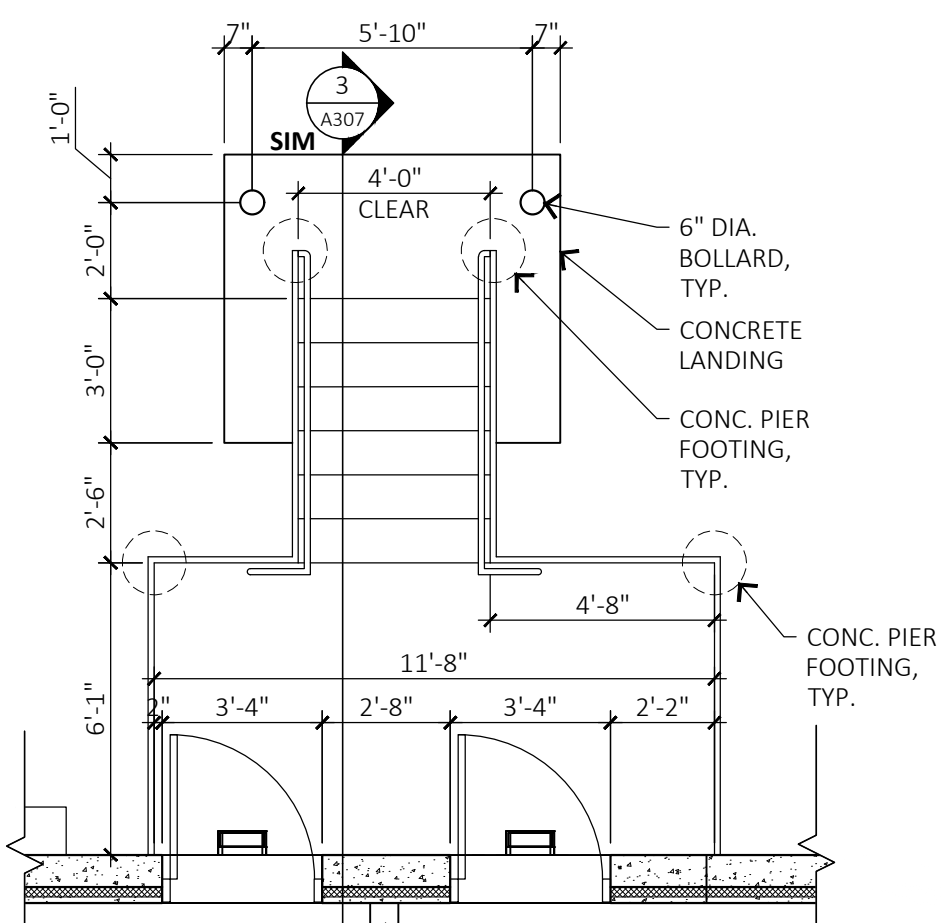
204,138 GSF



2 ENLARGED DOCK STAIR PLAN  
A200 1/4" = 1'-0"



3 ENLARGED EXIT DOOR STOOP PLAN  
A200 1/4" = 1'-0"



4 ENLARGED DOCK STAIR PLAN- DOUBLE  
A200 1/4" = 1'-0"

NORTHPARK 3  
NEW CONSTRUCTION

NORTHPARK 3  
10401 WINNETKA  
AVENUE  
BROOKLYN PARK, MN  
55316

PROJECT NAME  
ARCHITECT  
REGISTRATION  
ISSUE RECORD  
PHASE

**MH**  
MOHAGEN HANSEN  
Architecture Interiors

1000 Twelve Oaks Center Dr.  
Suite 200  
Wayzata MN 55391  
Tel 952.426.7400  
Fax 952.426.7440

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SPECIFICATION OR REPORT WAS PREPARED BY  
ME OR UNDER MY DIRECT SUPERVISION, AND  
THAT I AM A DULY LICENSED ARCHITECT UNDER  
THE LAWS OF THE STATE OF MINNESOTA.

TODD MOHAGEN, AIA, NCARB  
REGISTRATION NUMBER: 18074

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NO.	DESCRIPTION	DATE
1	SITE PLAN REVIEW	09-01-2016
2	SITE PLAN REVIEW REVISIONS	09-26-2016
3	BID SET	09-28-2016
4	PERMIT SET	10-13-2016
5	CONSTRUCTION DOCUMENTS	05-10-2018

PROJECT NUMBER: 16297.0 RYN  
DRAWN BY: -  
CHECKED BY: T. Mohagen  
DATE: 10-13-2016

COMPUTER DIRECTORY:  
k:\jobs\Scannell\NorthPark 3

FLOOR PLAN

CONSTRUCTION DOCUMENTS

A200



EXTERIOR FINISHES	
EPT-1	EXTERIOR PAINT ON PRECAST PANELS: COLOR- TAN
EPT-2	EXTERIOR PAINT ON PRECAST PANELS: COLOR- LIGHT GRAY
EPT-3	EXTERIOR PAINT ON PRECAST PANELS: COLOR- DARK GRAY
EPT-4	EXTERIOR PAINT ON PRECAST PANELS: COLOR- GRAY/BROWN
MTL-1	COMPOSITE METAL PANEL: COLOR- CASTLE GRAY
MTL-2	COMPOSITE METAL PANEL: COLOR- SILVER METALLIC
MTL-3	PREFINISHED METAL FLASHING: COLOR- SILVER METALLIC
BRK-1	UTILITY FACE BRICK: COLOR- RED/BROWN

NORTHPARK 3  
10401 WINNETKA  
AVENUE  
BROOKLYN PARK, MN  
55316

**ARCHITECT**

**MH**

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## EXTERIOR ELEVATIONS

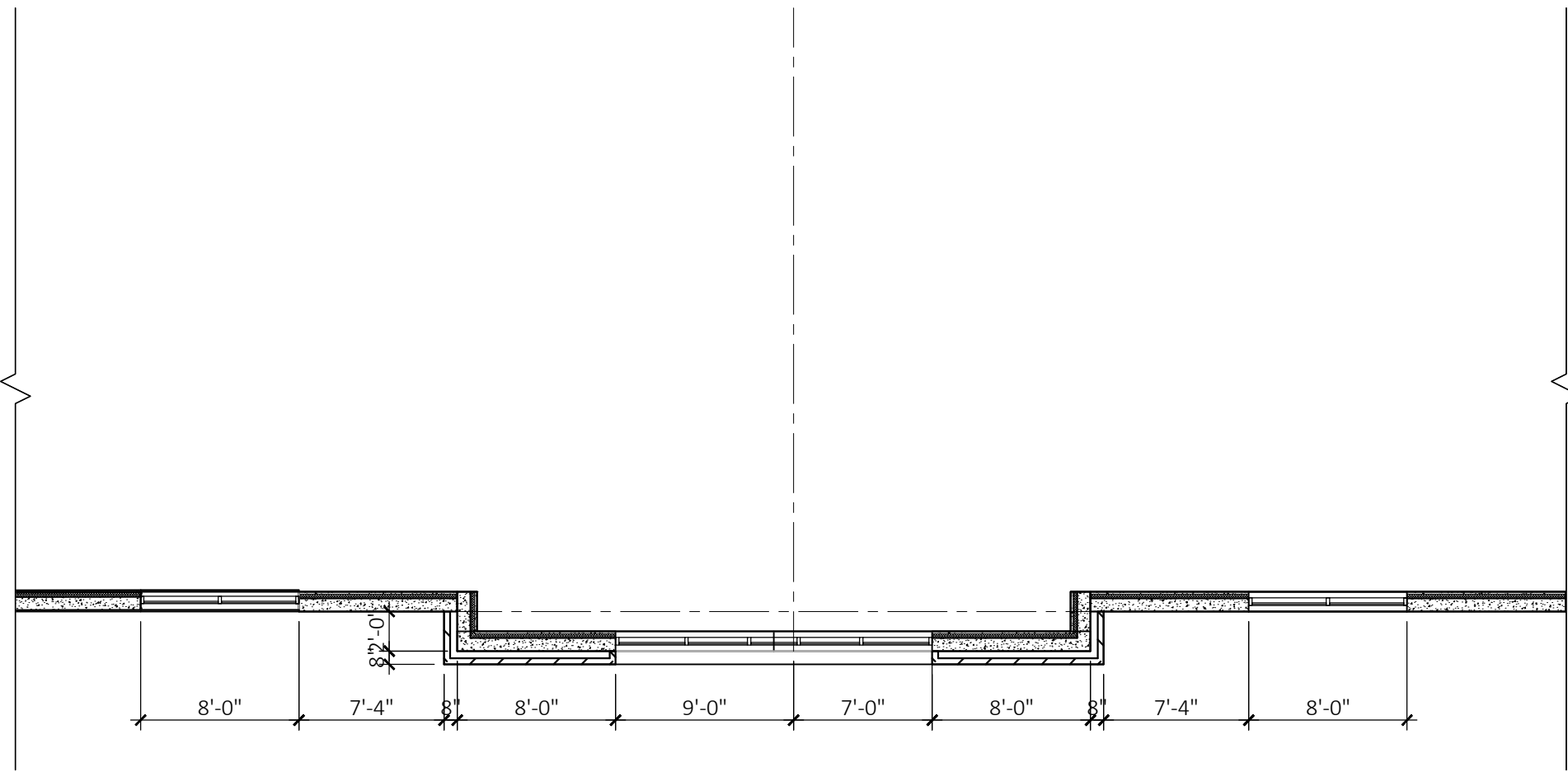
CONSTRUCTION DOCUMENTS

A301

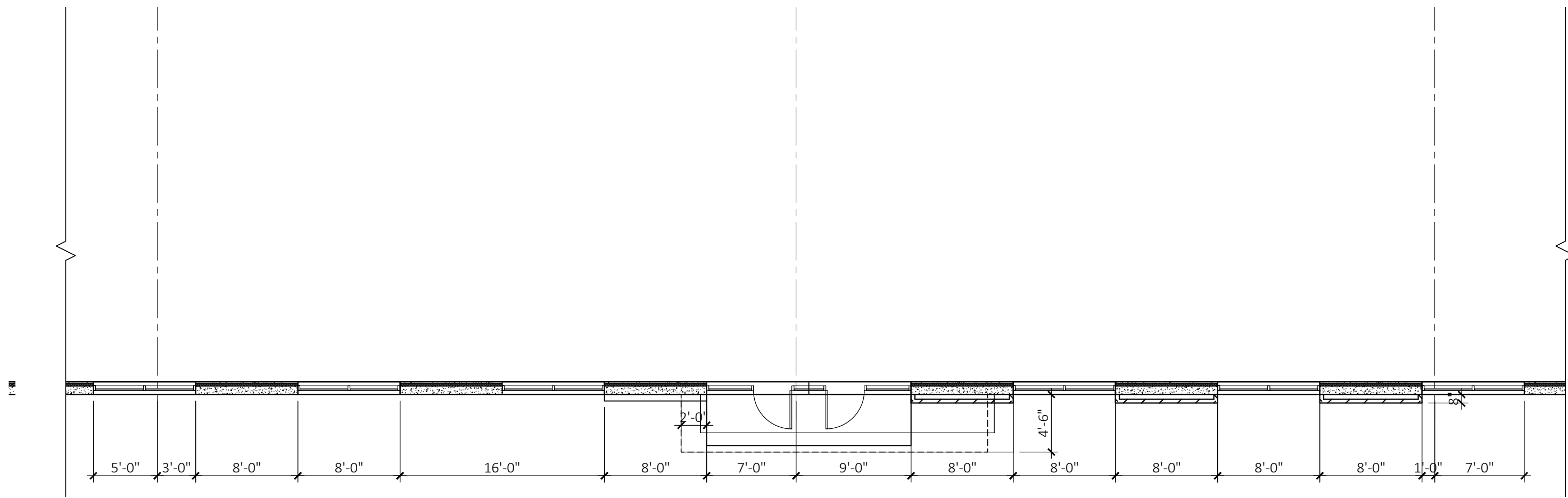
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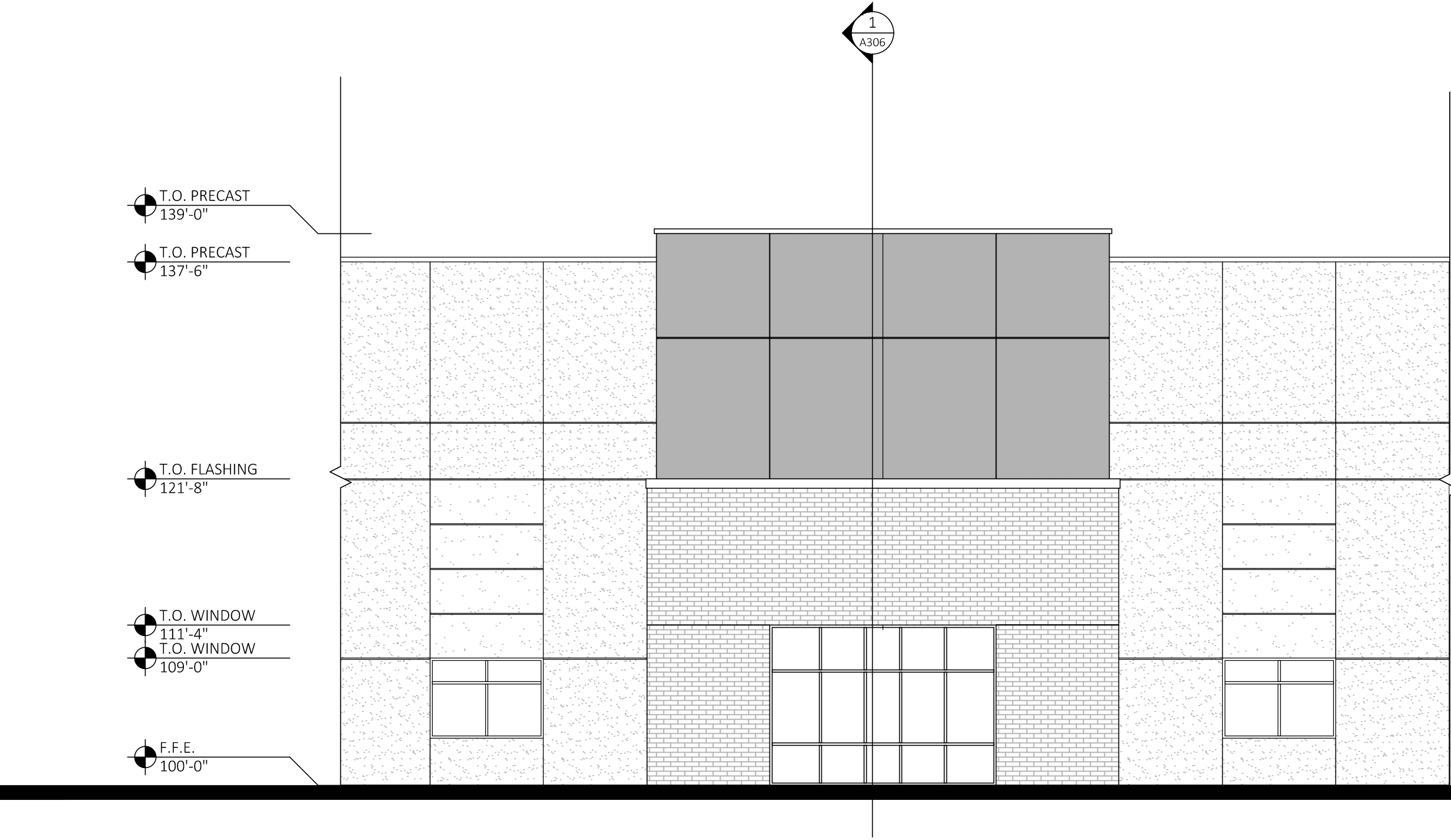
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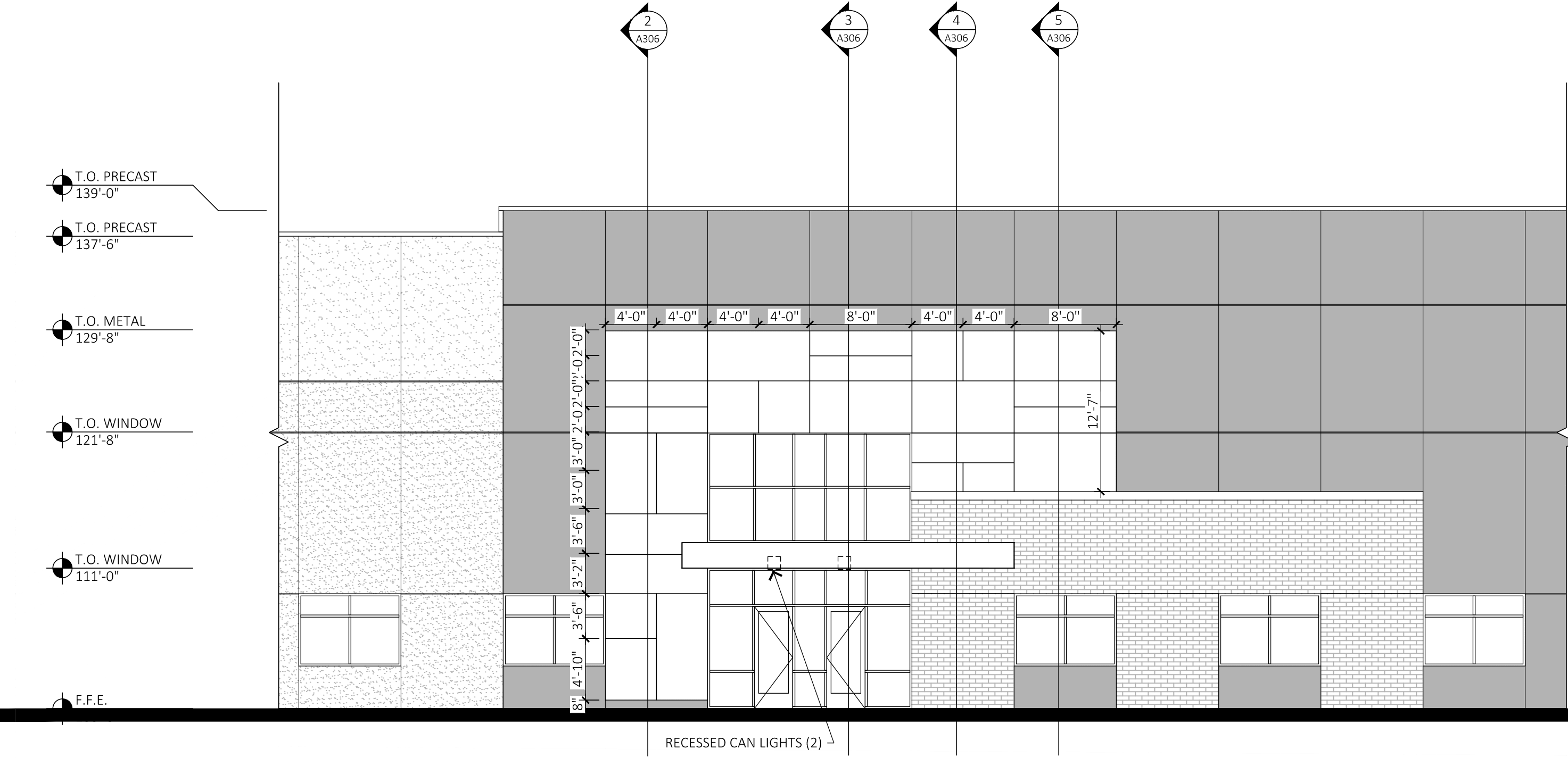
1 FRONT BUMP-OUT ENLARGED PLAN  
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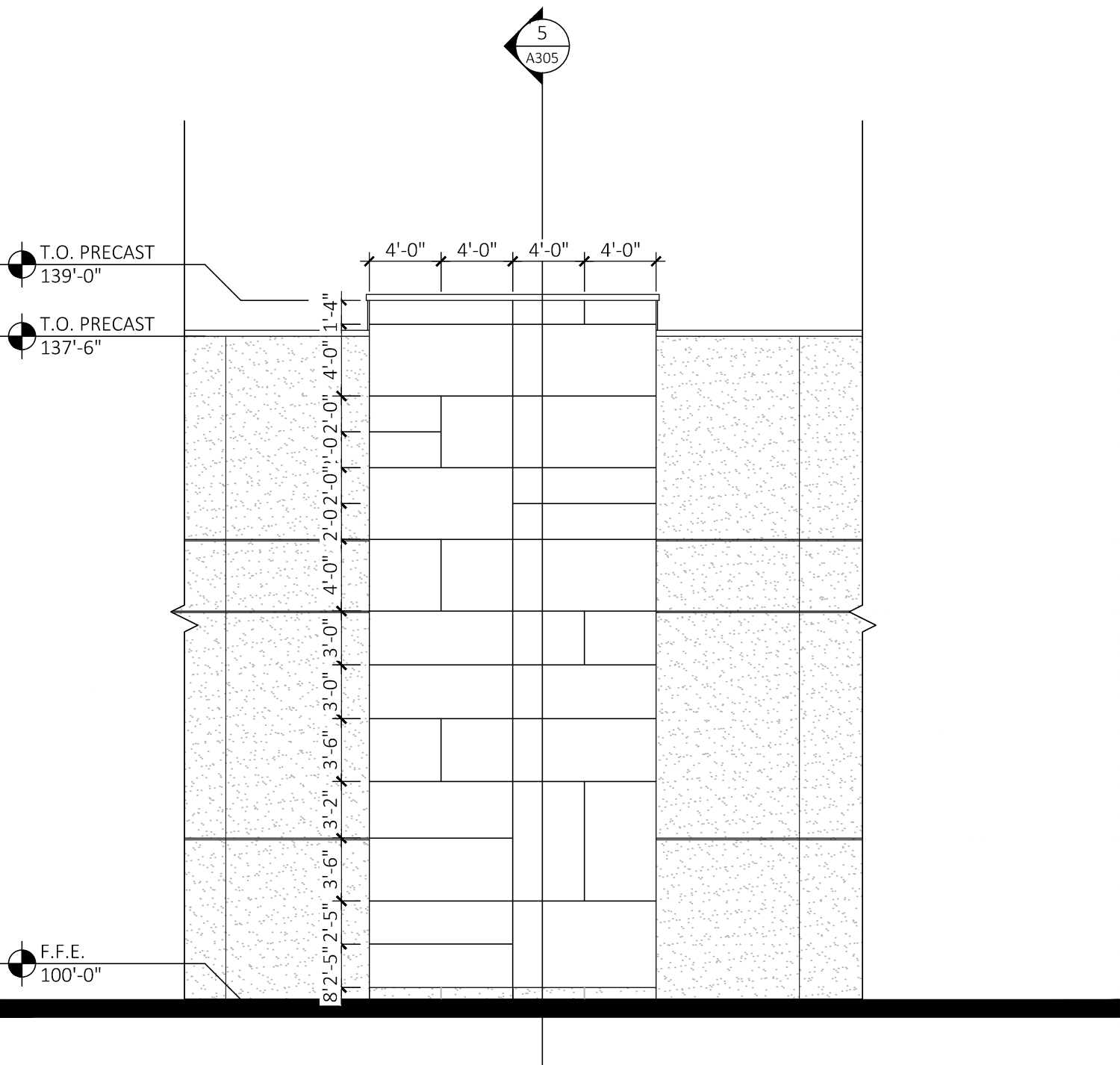
2 SECONDARY ENTRY ENLARGED PLAN  
A302 1/8" = 1'-0"



3 FRONT BUMP-OUT ENLARGED ELEVATION  
A302 1/8" = 1'-0"



4 SECONDARY ENTRY ENLARGED ELEVATION  
A302 1/8" = 1'-0"



5 METAL PANEL ENLARGED ELEVATION  
A302 1/8" = 1'-0"



NORTHPARK 3  
NEW CONSTRUCTION

NORTHPARK 3  
10401 WINNETKA  
AVENUE  
BROOKLYN PARK, MN  
55316

ARCHITECT  
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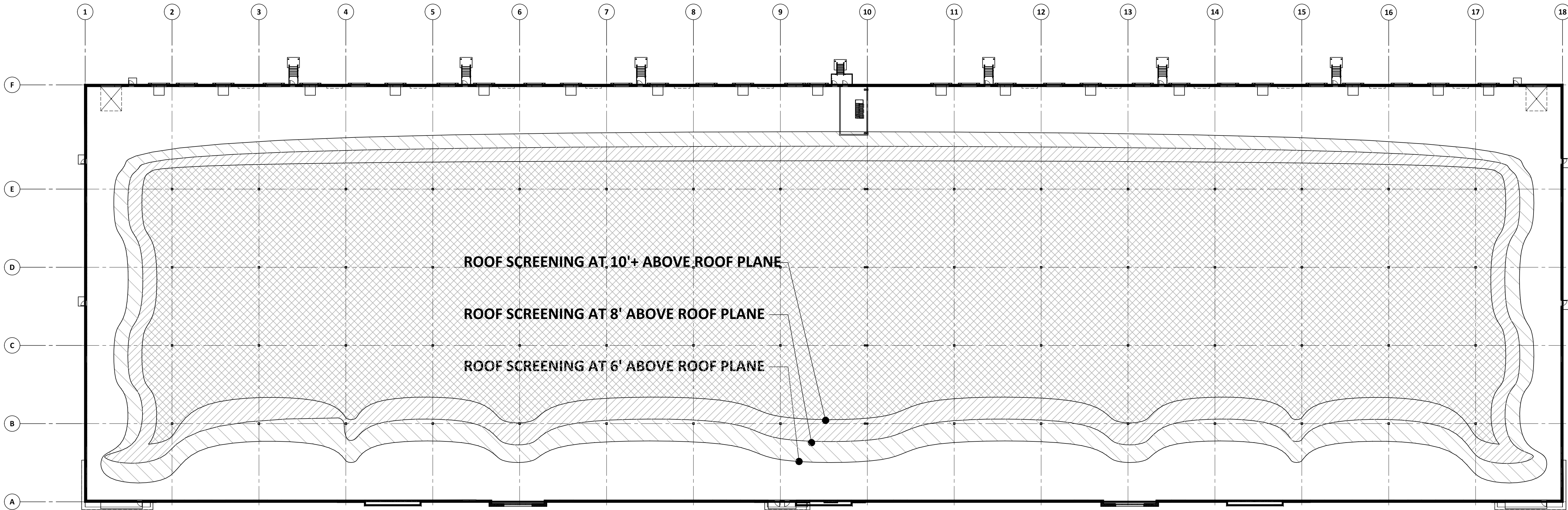
ENLARGED  
EXTERIOR  
ELEVATIONS

CONSTRUCTION DOCUMENTS

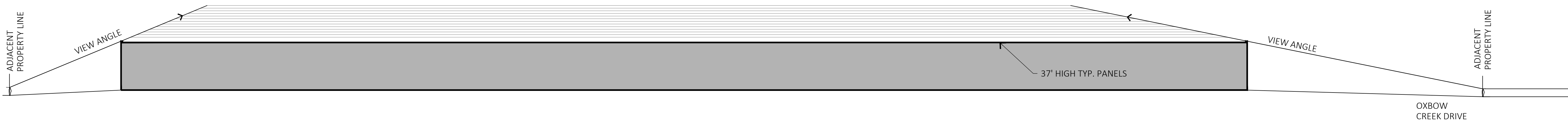
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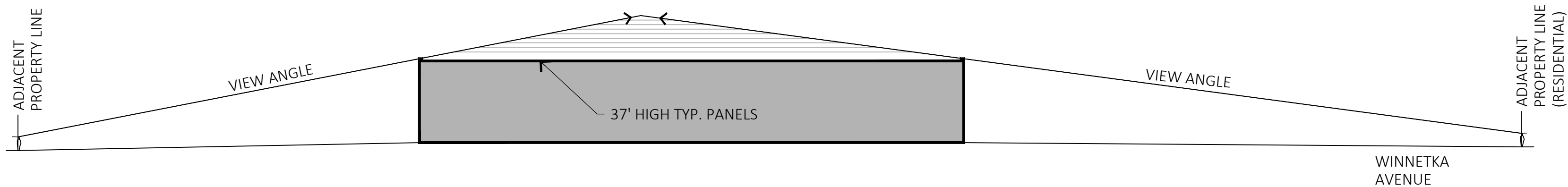
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**1 ROOF SCREENING PLAN**  
A203 1/32" = 1'-0"



**3 SOUTH-NORTH SITE SECTION DIAGRAM- ROOF SCREENING**  
A203 1" = 40'



**4 WEST-EAST SITE SECTION DIAGRAM- ROOF SCREENING**  
A203 1" = 40'

**ROOF SCREENING NOTES**

1. ROOF SCREENING CALCULATED FROM 6' ABOVE GRADE AT ADJACENT PROPERTY LINES
2. ROOFTOP EQUIPMENT TO BE PLACED BY DESIGN/BUILD MECHANICAL CONTRACTOR AT TIME OF TENANT DESIGN AND WILL FALL WITHIN APPROPRIATE SCREENING LOCATIONS

**NORTHPARK 3  
NEW CONSTRUCTION**

**NORTHPARK 3  
10401 WINNETKA  
AVENUE  
BROOKLYN PARK, MN  
55316**



**1100 Mendota  
Heights Rd, Mendota  
Heights, MN 55120**

**ARCHITECT**  
**MH**  
**MOHAGEN HANSEN**  
Architecture Interiors  
1000 Twelve Oaks Center Dr.  
Suite 200  
Wayzata MN 55391  
Tel 952.426.7400  
Fax 952.426.7440

I HEREBY CERTIFY THAT THIS PLAN,  
SPECIFICATION OR REPORT WAS PREPARED BY  
ME OR UNDER MY DIRECT SUPERVISION, AND  
THAT I AM A DULY LICENSED ARCHITECT UNDER  
THE LAWS OF THE STATE OF MINNESOTA.

**REGISTRATION**  
TODD MOHAGEN, AIA, NCARB  
REGISTRATION NUMBER: 18074

THE ARCHITECT SHALL BE DEEMED THE  
AUTHORS AND OWNERS OF THEIR RESPECTIVE  
INSTRUMENTS OF SERVICE AND SHALL RETAIN  
ALL COMMON LAW, STATUTORY AND OTHER  
RESERVED RIGHTS, INCLUDING COPYRIGHTS OF  
THE ATTACHED DOCUMENTS.

NO.	DESCRIPTION	DATE
1	SITE PLAN REVIEW	09-01-2016
2	SITE PLAN REVIEW REVISIONS	09-26-2016
3	BID SET	09-28-2016
4	PERMIT SET	10-13-2016
5	CONSTRUCTION DOCUMENTS	05-10-2018

**DRAWING INFORMATION**  
PROJECT NUMBER: 16297.0 RYN  
DRAWN BY: -  
CHECKED BY: T. Mohagen  
DATE: 10-13-2016






COMPUTER DIRECTORY:  
k:\jobs\Scannell\NorthPark 3

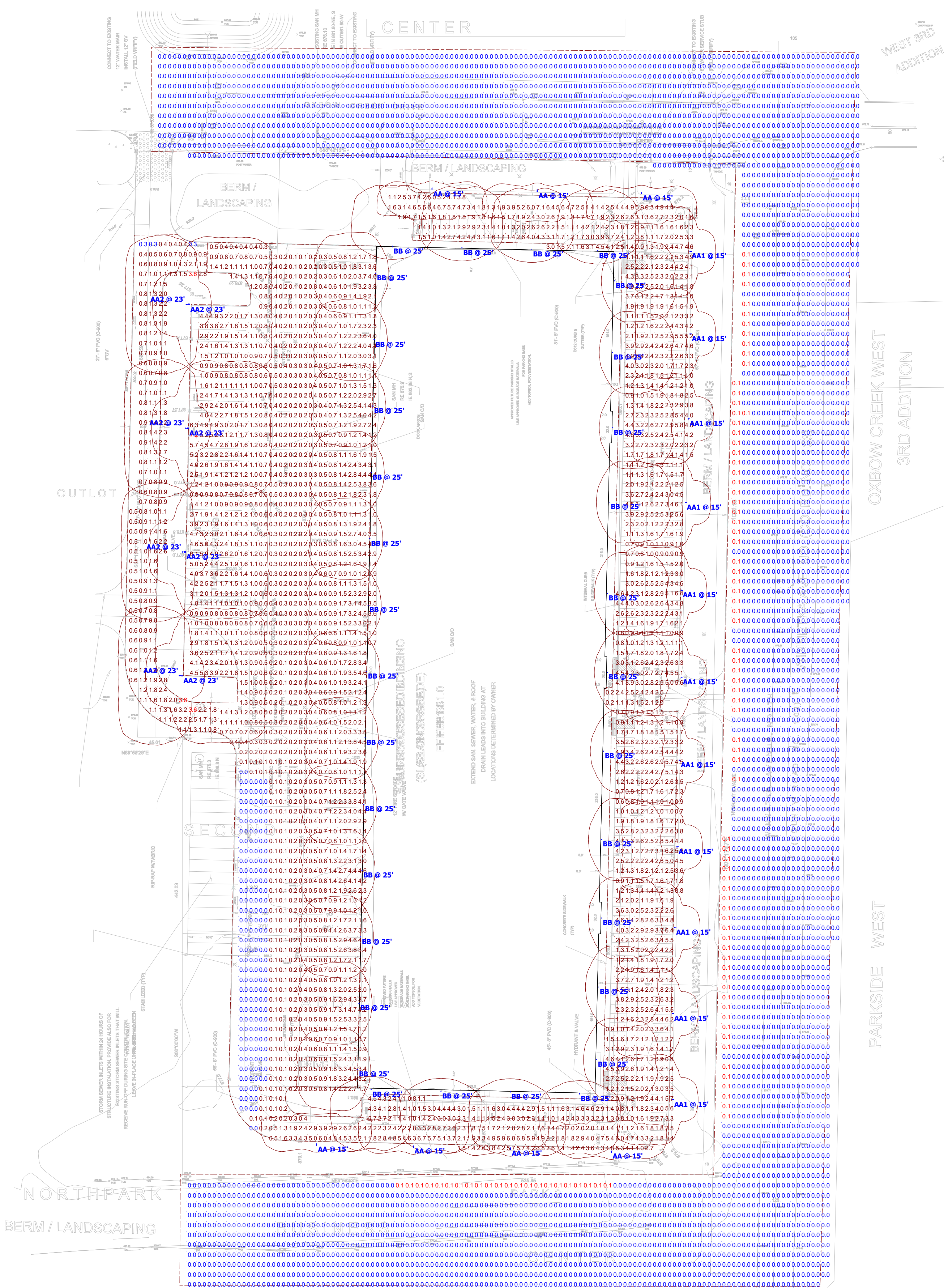
**ROOF  
SCREENING  
PLAN**

**CONSTRUCTION DOCUMENTS**

**A203**



Luminaire Schedule									
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Lumens Per Lamp	Light Loss Factor Wattage
	AA	7	EATON - MCGRAW-EDISON (FORMER COOPER LIGHTING)	GLEON-AF-02-LED-E1-SL2-HSS	GALLEON AREA AND ROADWAY LUMINAIRE (2) 70 CRI, 4000K, 1050mA LIGHTSQUARES WITH 16 LEADS EACH AND TYPE II SPILL LIGHT ELIMINATOR OPTICS WITH HOUSE SIDE SHIELD Retail, Roadway, Sidewalk, Site, Street, Substation, Security, Corrosion Resistant, Vandal Resistant, Wet Location ABSOLUTE PHOTOMETRY IS BASED ON CALIBRATION FACTORS CREATED USING LAB LUMEN STANDARDS IN GONIOPHOTOMETER WITH TEST DISTANCE OF 28.75 FEET		32	315	0.85 113
	AA1	11	EATON - MCGRAW-EDISON (FORMER COOPER LIGHTING)	GLEON-AF-02-LED-E1-T4FT	GALLEON AREA AND ROADWAY LUMINAIRE (2) 70 CRI, 4000K, 1050mA LIGHTSQUARES WITH 16 LEADS EACH AND TYPE IV FORWARD THROW OPTICS Retail, Roadway, Sidewalk, Site, Street, Substation, Security, Corrosion Resistant, Vandal Resistant, Wet Location ABSOLUTE PHOTOMETRY IS BASED ON CALIBRATION FACTORS CREATED USING LAB LUMEN STANDARDS IN GONIOPHOTOMETER WITH TEST DISTANCE OF 28.75 FEET		32	382	0.85 113
	AA2	4	EATON - MCGRAW-EDISON (FORMER COOPER LIGHTING)	GLEON-AF-04-LED-E1-T4FT	GALLEON AREA AND ROADWAY LUMINAIRE (4) 70 CRI, 4000K, 1050mA LIGHTSQUARES WITH 16 LEADS EACH AND TYPE IV FORWARD THROW OPTICS Retail, Roadway, Sidewalk, Site, Street, Substation, Security, Corrosion Resistant, Vandal Resistant, Wet Location ABSOLUTE PHOTOMETRY IS BASED ON CALIBRATION FACTORS CREATED USING LAB LUMEN STANDARDS IN GONIOPHOTOMETER WITH TEST DISTANCE OF 28.75 FEET		64	385	0.85 225
	AA2	4	EATON - MCGRAW-EDISON (FORMER COOPER LIGHTING)	GLEON-AF-02-LED-E1-T4W	GALLEON AREA AND ROADWAY LUMINAIRE (2) 70 CRI, 4000K, 1050mA LIGHTSQUARES WITH 16 LEADS EACH AND TYPE IV WIDE OPTICS Retail, Roadway, Sidewalk, Site, Street, Substation, Security, Corrosion Resistant, Vandal Resistant, Wet Location ABSOLUTE PHOTOMETRY IS BASED ON CALIBRATION FACTORS CREATED USING LAB LUMEN STANDARDS IN GONIOPHOTOMETER WITH TEST DISTANCE OF 28.75 FEET		32	387	0.85 113
	BB	32	EATON - LUMARK (FORMER COOPER LIGHTING)	XTOR8B	CROSSTOUR 81W WALL MOUNT LED	EATON LED 5000K	1	8500	0.85 81

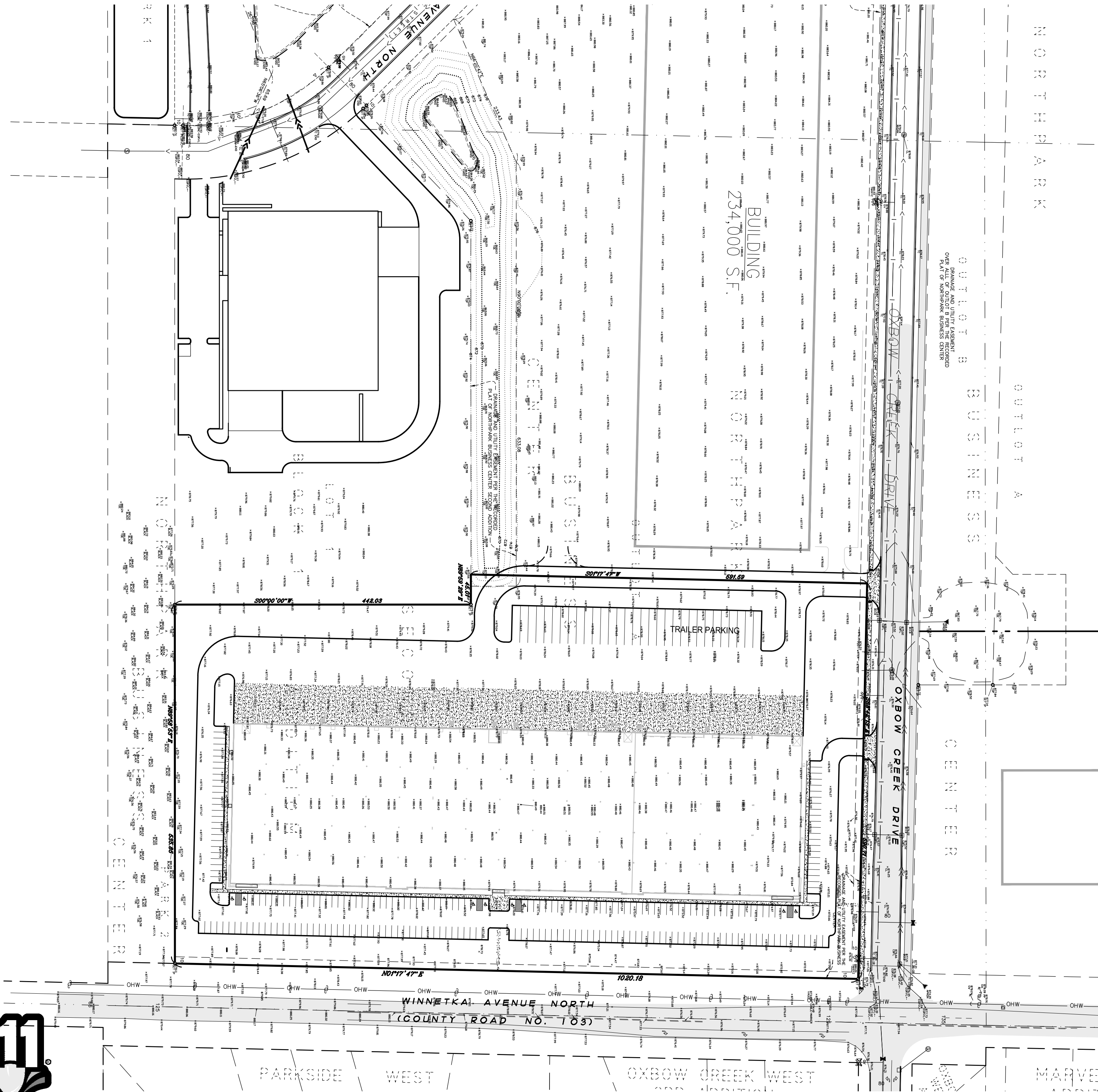






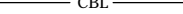
































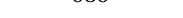







# NORTHPARK BUSINESS CENTER-BUILDING # 3

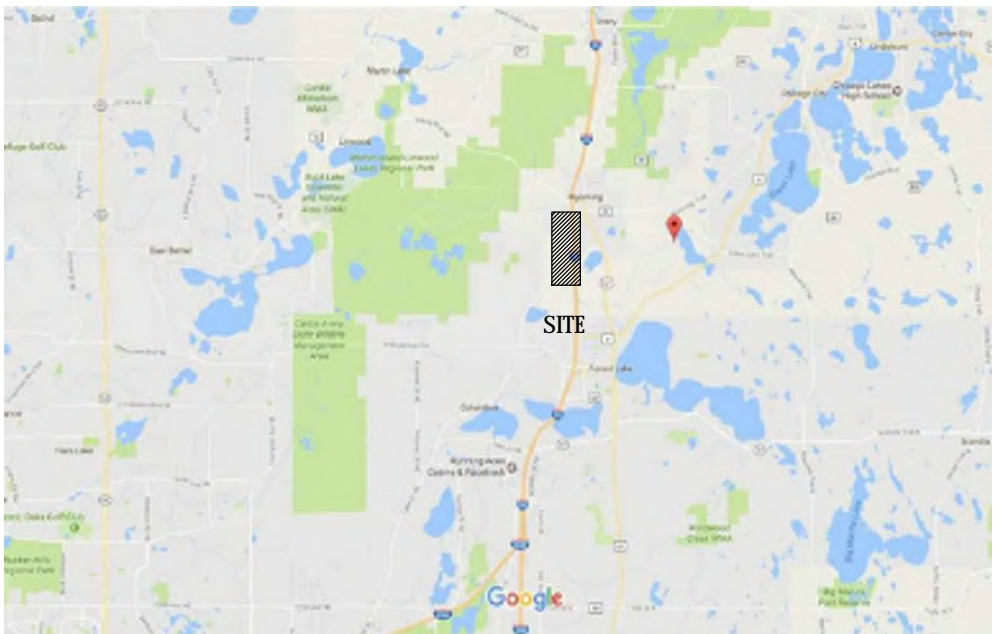
## TITLE SHEET, NOTES & LEGEND

BROOKLYN PARK, MINNESOTA



LEGEND			
	EXISTING OVERHEAD ELECTRIC		PROPOSED WATER PIPE
	EXISTING UNDERGROUND TELEPHONE		PROPOSED SANITARY SEWER PIPE
	EXISTING UNDERGROUND CABLE		PROPOSED STORM SEWER PIPE
	EXISTING TELEPHONE PEDESTAL		PROPOSED DRAIN TILE AND CLEAN-OUT
	EXISTING ELECTRICAL PEDESTAL		PROPOSED STORM MANHOLE
	EXISTING CABLE PEDESTAL		PROPOSED CATCH BASIN
	EXISTING UTILITY POLE		PROPOSED FLARED-END SECTION
	EXISTING LIGHT POLE		PROPOSED GATE VALVE
	EXISTING STORM SEWER		PROPOSED HYDRANT
	EXISTING WATER MAIN		PROPOSED SANITARY SEWER MANHOLE
	EXISTING SANITARY SEWER		PROPOSED CONTOUR
	EXISTING FORCEMAIN		PROPOSED CONTOUR
	EXISTING STORM MANHOLE		PROPOSED SPOT ELEVATION (GUTTERLINE, BITUMINOUS SURFACE, OR GROUND SURFACE UNLESS OTHERWISE INDICATED)
	EXISTING CATCH BASIN		PROPOSED SILT FENCE
	EXISTING FLARED-END SECTION		PROPOSED DIRECTION OF DRAINAGE
	EXISTING GATE VALVE		PROPOSED CONCRETE
	EXISTING HYDRANT		PROPOSED RIP-RAP
	EXISTING WELL		PROPOSED INLET PROTECTION
	EXISTING SANITARY SEWER MANHOLE		
	EXISTING CONTOUR		
	EXISTING SPOT ELEVATION		
	EXISTING BITUMINOUS		
	EXISTING RETAINING WALL		
	EXISTING FENCE		
	EXISTING WETLAND		

VICINITY MAP



N.T.S.

### GENERAL NOTES

- THE INFORMATION SHOWN ON THESE DRAWINGS CONCERNING TYPE AND LOCATION OF EXISTING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO TYPE AND LOCATION OF UTILITIES AS NECESSARY TO AVOID DAMAGE TO THESE UTILITIES.
- CALL "811" FOR EXISTING UTILITIES LOCATIONS PRIOR TO ANY EXCAVATIONS.
- THE CONTRACTOR SHALL FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING SANITARY SEWER, STORM SEWER, AND WATER MAIN AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO THE START OF INSTALLATIONS.
- INSTALLATIONS SHALL CONFORM TO THE CITY STANDARD SPECIFICATIONS AND DETAIL PLATES.
- THE CONTRACTOR SHALL NOTIFY CITY PUBLIC WORKS DEPARTMENT A MINIMUM OF 24 HOURS PRIOR TO THE INTERRUPTION OF ANY SEWER OR WATER SERVICES TO EXISTING HOMES OR BUSINESSES.
- STORAGE OF MATERIALS OR EQUIPMENT SHALL NOT BE ALLOWED ON PUBLIC STREETS OR WITHIN PUBLIC RIGHT-OF-WAY.
- NOTIFY CITY A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
- ALL ELECTRIC, TELEPHONE, AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY COMPANY.
- PROVIDE BICYCLE RACKS IN VISIBLE AREAS NEAR EACH MAIN ENTRANCE - VERIFY LOCATIONS W/ OWNER & ARCHITECT

### SHEET INDEX

- C1 TITLE SHEET, NOTES & LEGEND
- C2 CIVIL SITE PLAN
- C3 GRADING, DRAINAGE & EROSION CONTROL PLAN
- C4 UTILITY PLAN
- C5.1 DETAILS
- C5.2 DETAILS
- C6.1 STORMWATER POLLUTION PREVENTION PLAN
- C6.2 STORMWATER POLLUTION PREVENTION PLAN

DRAWN BY: A.Q.A.	DESIGN BY: A.Q.A.
CHKD BY: C.W.P.	PROJ. NO. 16-1639
ORIGINAL DATE: SEPTEMBER 1, 2016	

DATE	REVISION DESCRIPTION
9/26/16	CITY COMMENTS
10/4/16	CHANGED NESTLE'S APRON TO 80"
10/17/16	UTILITY AND GRADE CHANGES
3/4/19	SITE PLAYGRADING REVISION

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

*Charles W. Plowe*  
CHARLES W. PLOWE  
DATE: 03.05.2019 LIC. NO. 18227

NORTHPARK BUSINESS  
CENTER - BUILDING #3  
BROOKLYN PARK, MINNESOTA

TITLE SHEET, NOTES & LEGEND

PREPARED FOR:  
SCANNELL  
PROPERTIES

SITE PLANNING  
& ENGINEERING

**PLOWE**  
ENGINEERING, INC.

6776 LAKE DRIVE  
SUITE 110  
LINO LAKES, MN 55014

PHONE: (651) 361-8210  
FAX: (651) 361-8701

**NORTH**

0 50 100  
1 INCH = 100 FEET

C1



Know what's below.  
Call before you dig.



SEE SHEET C1 FOR GENERAL NOTES & LEGEND  
SEE SHEETS C5.1 - C5.2 FOR DETAILS

DRAWN BY: A.Q.A.  
CHKD BY: A.Q.A.  
DESIGN BY: C.W.P.  
PROJ. NO. 16-1639

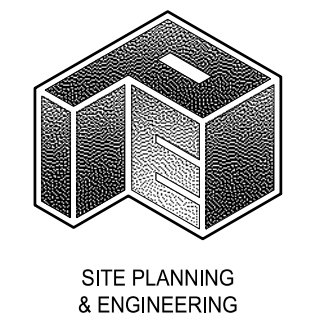
ORIGINAL DATE: SEPTEMBER 1, 2016

DATE	REVISION DESCRIPTION
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3/04/19	SITE PLAYGRADING REVISION

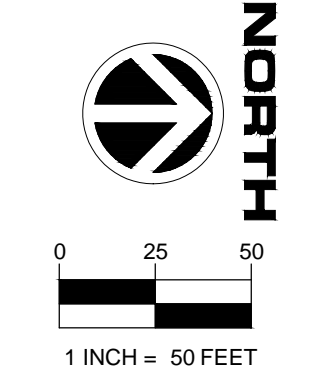
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.  
**Charles W. Plowe**  
CHARLES W. PLOWE  
DATE: 03.05.2019 LIC. NO. 18227

NORTHPARK BUSINESS  
CENTER - BUILDING #3  
BROOKLYN PARK, MINNESOTA  
CIVIL SITE PLAN

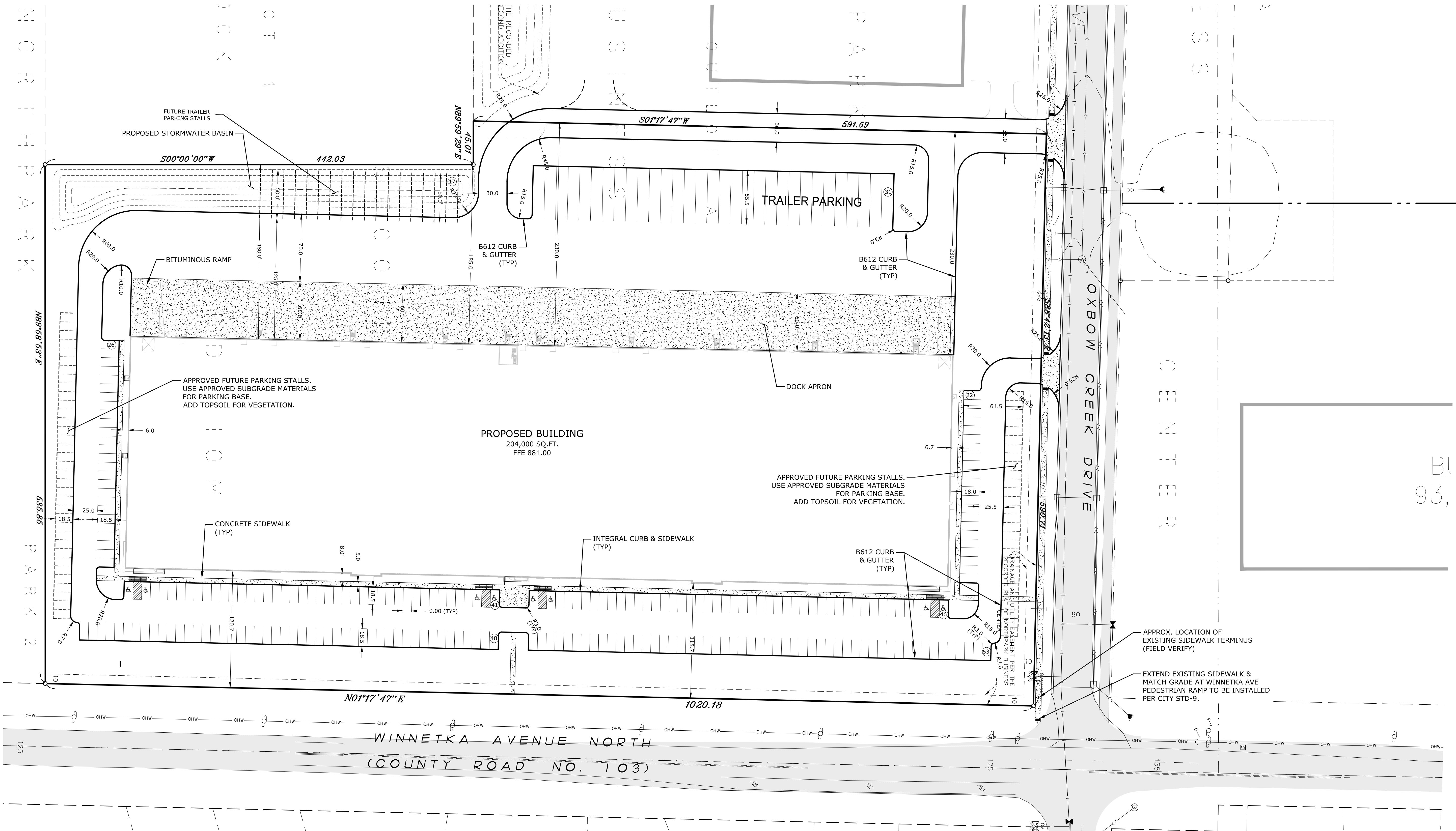
PREPARED FOR:  
SCANNELL  
PROPERTIES



**PLOWE**  
ENGINEERING, INC.  
6776 LAKE DRIVE  
SUITE 110  
LINO LAKES, MN 55014  
PHONE: (651) 361-8210  
FAX: (651) 361-8701



C2



CURB & BITUMINOUS NOTES

- REMOVAL AND DISPOSAL OF EXISTING STREET MATERIALS AS REQUIRED FOR CONSTRUCTION IS CONSIDERED INCIDENTAL.
- SAW-CUT EXISTING BITUMINOUS AND CONCRETE CURB TO PROVIDE BUTT-JOINT.
- RESTORE DISTURBED STREET TO EXISTING OR BETTER SECTION.
- BACKFILLING OF CURB IS INCIDENTAL TO CURB INSTALLATION.
- FOUR INCHES OF CLASS 5 UNDER CURB IS INCIDENTAL TO CURB INSTALLATION.
- CURB ENDS SHALL TERMINATE IN A THREE-FOOT BEAVER TAIL.

NOTE:  
DIMENSIONS ARE TO THE BACK OF CURB UNLESS OTHERWISE NOTED



Know what's below.  
Call before you dig.

CIVIL SITE PLAN  
NORTHPARK BUSINESS CENTER - BUILDING #3

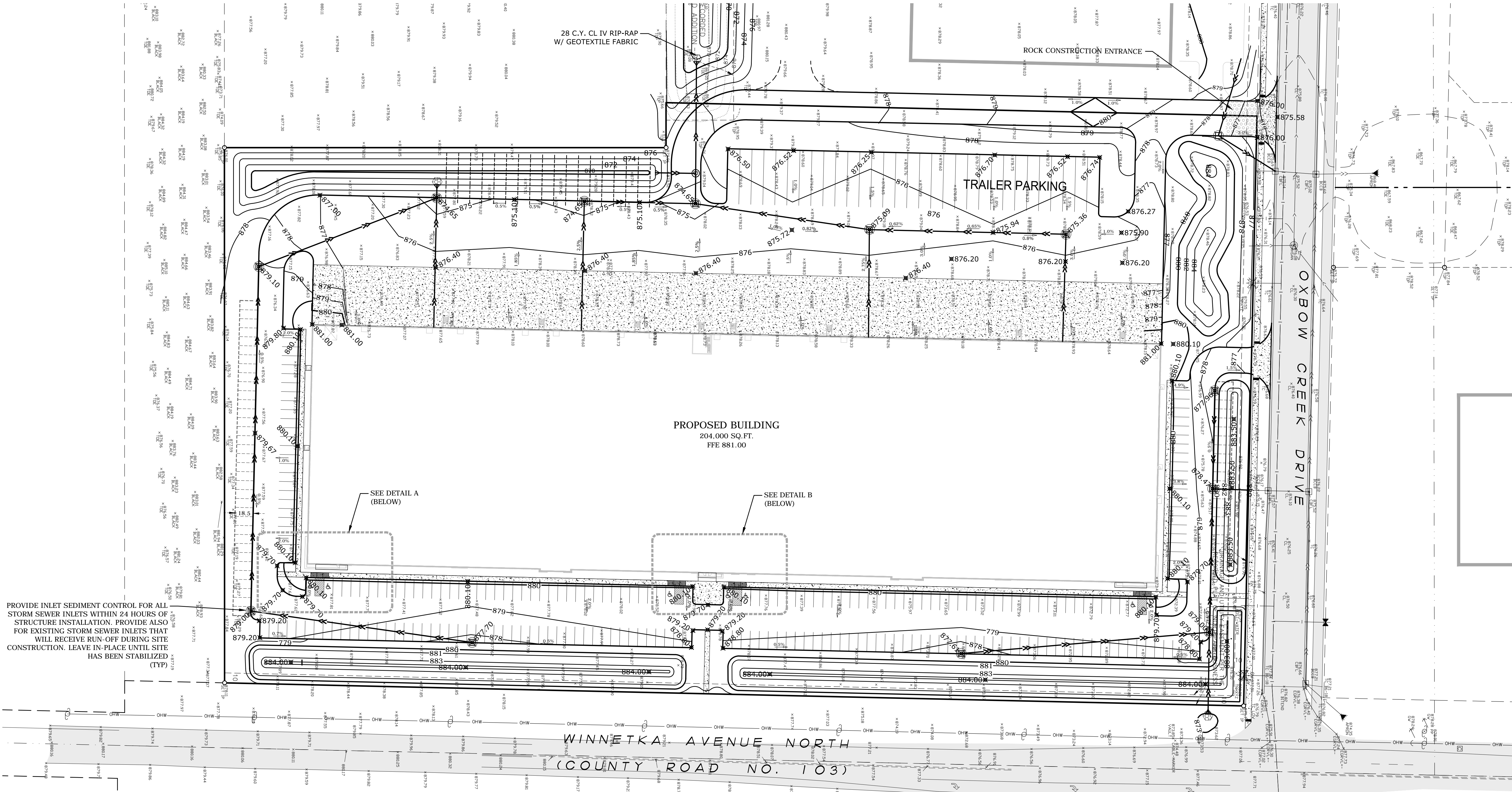
\\nas01\shared\811\16-1633\NORTH PARK, BLDG 3\DWG\16-1633 BASE.DWG



Know what's below.  
Call before you dig.

DETAIL A  
1 INCH = 20 FEET

DETAIL B  
1 INCH = 20 FEET



SEE SHEET C1 FOR GENERAL NOTES & LEGEND  
SEE SHEETS C5.1 - C5.2 FOR DETAILS

#### CURB & BITUMINOUS NOTES

- REMOVAL AND DISPOSAL OF EXISTING STREET MATERIALS AS REQUIRED FOR CONSTRUCTION IS CONSIDERED INCIDENTAL.
- SAW-CUT EXISTING BITUMINOUS AND CONCRETE CURB TO PROVIDE BUTT-JOINT.
- RESTORE DISTURBED STREET TO EXISTING OR BETTER SECTION.
- BACKFILLING OF CURB IS INCIDENTAL TO CURB INSTALLATION.
- FOUR INCHES OF CLASS 5 UNDER CURB IS INCIDENTAL TO CURB INSTALLATION.
- CURB ENDS SHALL TERMINATE IN A THREE-FOOT BEAVER TAIL.

DRAWN BY: A.Q.A.  
CHKD BY: C.W.P.  
DESIGN BY: A.Q.A.  
PROJ. NO. 16-1639

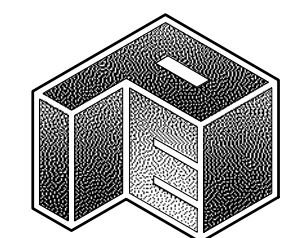
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SEPTEMBER 1, 2016

DATE	REVISION DESCRIPTION
9/26/16	CITY COMMENTS
10/4/16	CHANGED NESTLE'S APRON TO 80'
10/17/16	UTILITY AND GRADE CHANGES
3/04/19	SITE PLAYGRADING REVISION

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

*Charles W. Plowe*  
CHARLES W. PLOWE  
DATE: 03.05.2019 LIC. NO. 18227

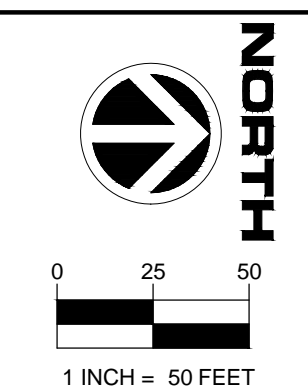
NORTH PARK BUSINESS  
CENTER - BUILDING #3  
BROOKLYN PARK, MINNESOTA  
GRADING, DRAINAGE & EROSION  
CONTROL PLAN



SITE PLANNING  
& ENGINEERING

**PLOWE**  
ENGINEERING, INC.

6776 LAKE DRIVE  
SUITE 110  
LINO LAKES, MN 55014  
PHONE: (651) 361-8210  
FAX: (651) 361-8701



C3

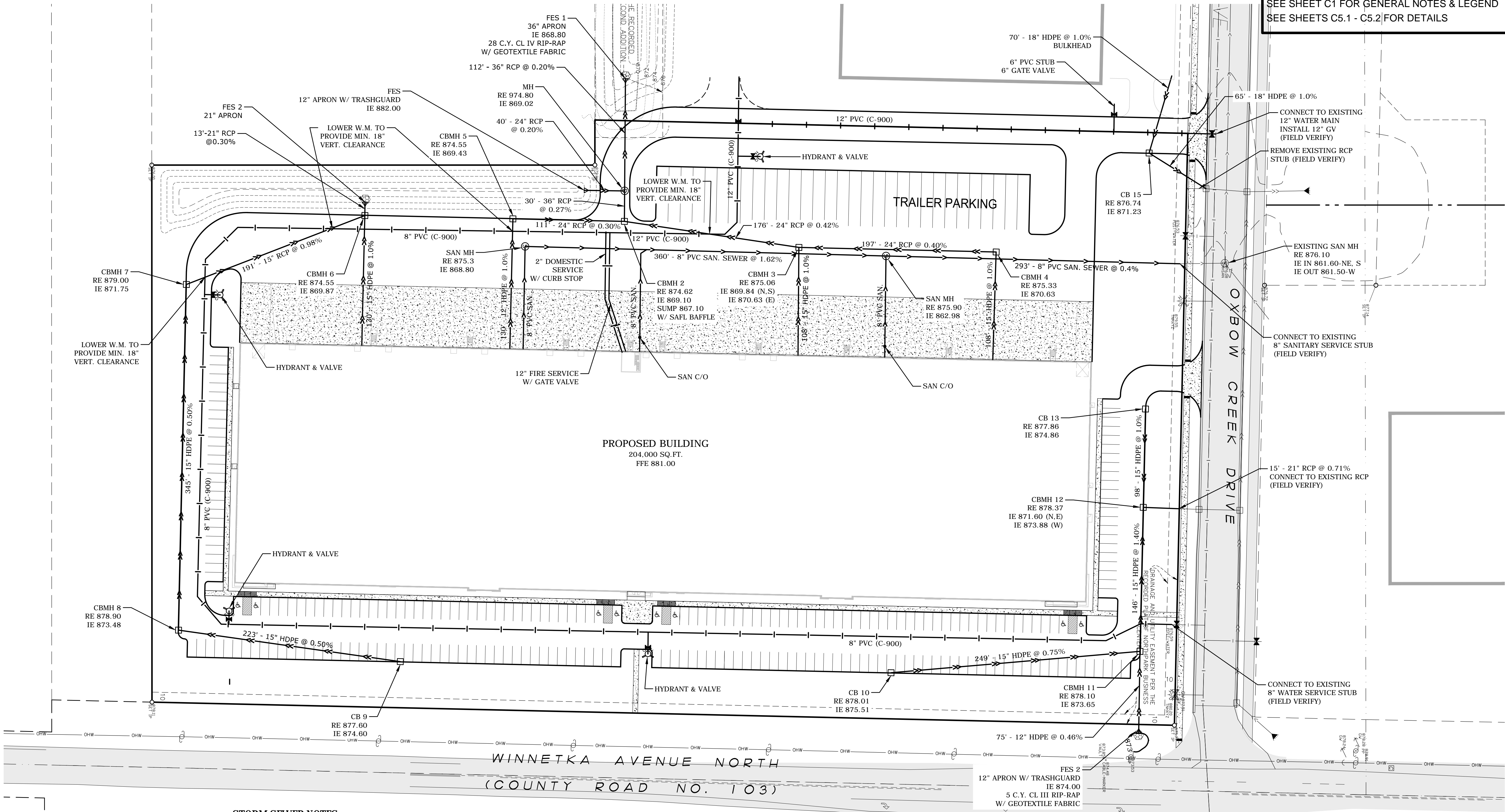
## GRADING, DRAINAGE & EROSION CONTROL PLAN NORTH PARK BUSINESS CENTER - BUILDING #3



3/27/2019 3:27:20 PM C:\Users\jgallagher\OneDrive\Documents\Projects\Northpark Business Center\Utility Plan\Utility Plan.dwg



Know what's below.  
Call before you dig.



### STORM SEWER NOTES

FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING STORM SEWER AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO ANY INSTALLATIONS.

WHEN CALLED OUT AS PIPE, STORM SEWER SHALL BE REINFORCED CONCRETE PIPE (RCP) ANSI C76 WITH R-4 GASKETS OR, IF ALLOWED BY CITY, HDPE PIPE MAY BE USED. (SEE PLAN FOR LOCATIONS WHERE RCP IS REQUIRED.) HDPE PIPE SHALL MEET THE REQUIREMENTS OF AASHTO M294, TYPE S WITH WATERTIGHT CONNECTIONS. USE SAND/GRANULAR MATERIAL FOR BACKFILLING AND COMPACTION OF HDPE/PVC PIPE IN ACCORDANCE WITH THE REQUIREMENTS OF ASTM 2321.

STORM SEWER LENGTHS INCLUDE THE LAYING LENGTH OF THE FLARED-END SECTION. LAYING LENGTH OF APRON TO BE DEDUCTED FROM PAYMENT LENGTH OF PIPE.

ALL PORTIONS OF THE STORM SEWER SYSTEM LOCATED WITHIN 10 FEET OF THE BUILDING OR WATER SERVICE LINE MUST BE TESTED IN ACCORDANCE WITH MINNESOTA RULES, PART 4715.2820.

STORM SEWER PIPES TO BE JOINED TO THE CATCH BASIN MANHOLES W/ APPROVED RESILIENT RUBBER JOINTS TO MAKE THEM CASTTIGHT OR WATERTIGHT. CEMENT MORTAR JOINTS ARE PERMITTED ONLY FOR REPAIRS AND CONNECTIONS OF EXISTING LINES CONSTRUCTED WITH SUCH JOINTS.

### WATER MAIN NOTES

EXISTING WATER MAIN LOCATION AND SIZE SHALL BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION. NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO ANY INSTALLATIONS.

PROVIDE PIPE INSULATION WHERE SEWER (SANITARY OR STORM) CROSSES WITHIN 18" OF WATER MAIN.

PROPOSED WATER MAIN SHALL BE PVC (C-900).

MECHANICAL JOINTS SHALL BE USED FOR WATER MAIN PIPES 4" IN DIAMETER AND LARGER. RUBBER GASKETS SHALL CONFORM TO AWWA C111 (ANSI A21.11).

MAINTAIN MINIMUM 7.5-FT COVER TO TOP OF ALL WATER MAIN PIPE.

### SANITARY SEWER NOTES

EXISTING SANITARY SEWER LOCATION, SIZE, AND ELEVATION SHALL BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION. NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO ANY INSTALLATIONS.

PROPOSED SANITARY SEWER SHALL BE PVC SDR 35 UNLESS OTHERWISE NOTED.

SEE SHEET C1 FOR GENERAL NOTES & LEGEND  
SEE SHEETS C5.1 - C5.2 FOR DETAILS

DRAWN BY: A.Q.A.  
CHKD BY: C.W.P.  
DESIGN BY: A.Q.A.  
PROJ. NO. 16-1639

ORIGINAL DATE: SEPTEMBER 1, 2016

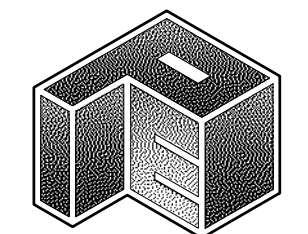
DATE	REVISION DESCRIPTION
9/26/16	CITY COMMENTS
10/4/16	CHANGED NESTLE'S APRON TO 80'
10/17/16	UTILITY AND GRADE CHANGES
3/04/19	SITE PLAYGRADING REVISION/POND REVISIONS

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

DATE: 03.05.2019 LIC. NO. 18227

NORTH PARK BUSINESS  
CENTER - BUILDING #3  
BROOKLYN PARK, MINNESOTA

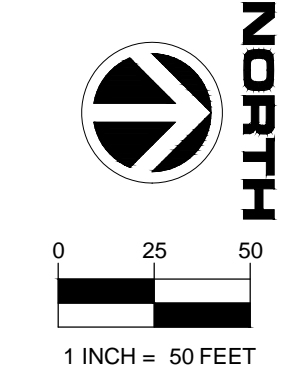
PREPARED FOR:  
SCANNELL  
PROPERTIES



SITE PLANNING  
& ENGINEERING

**PLOWE**  
ENGINEERING, INC.

6776 LAKE DRIVE  
SUITE 110  
LINO LAKES, MN 55014  
PHONE: (651) 361-8210  
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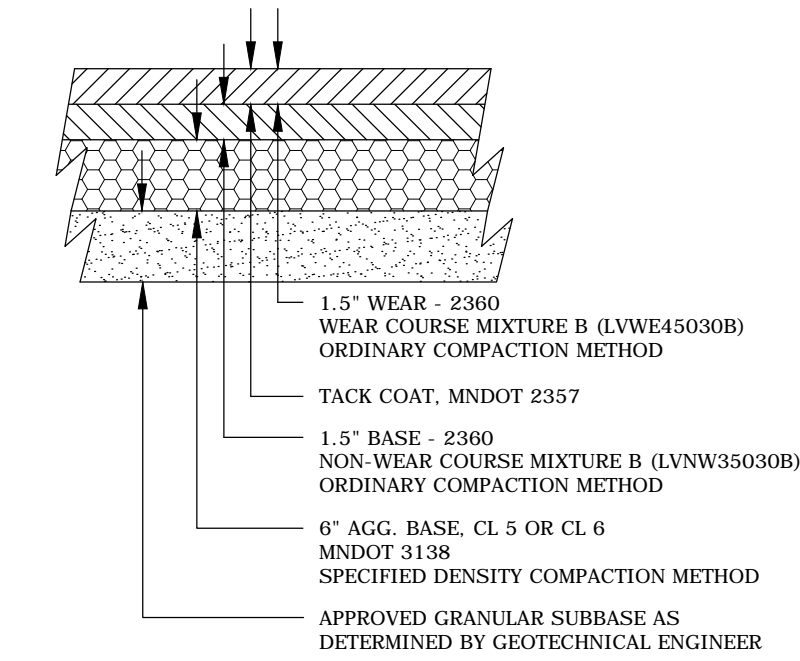
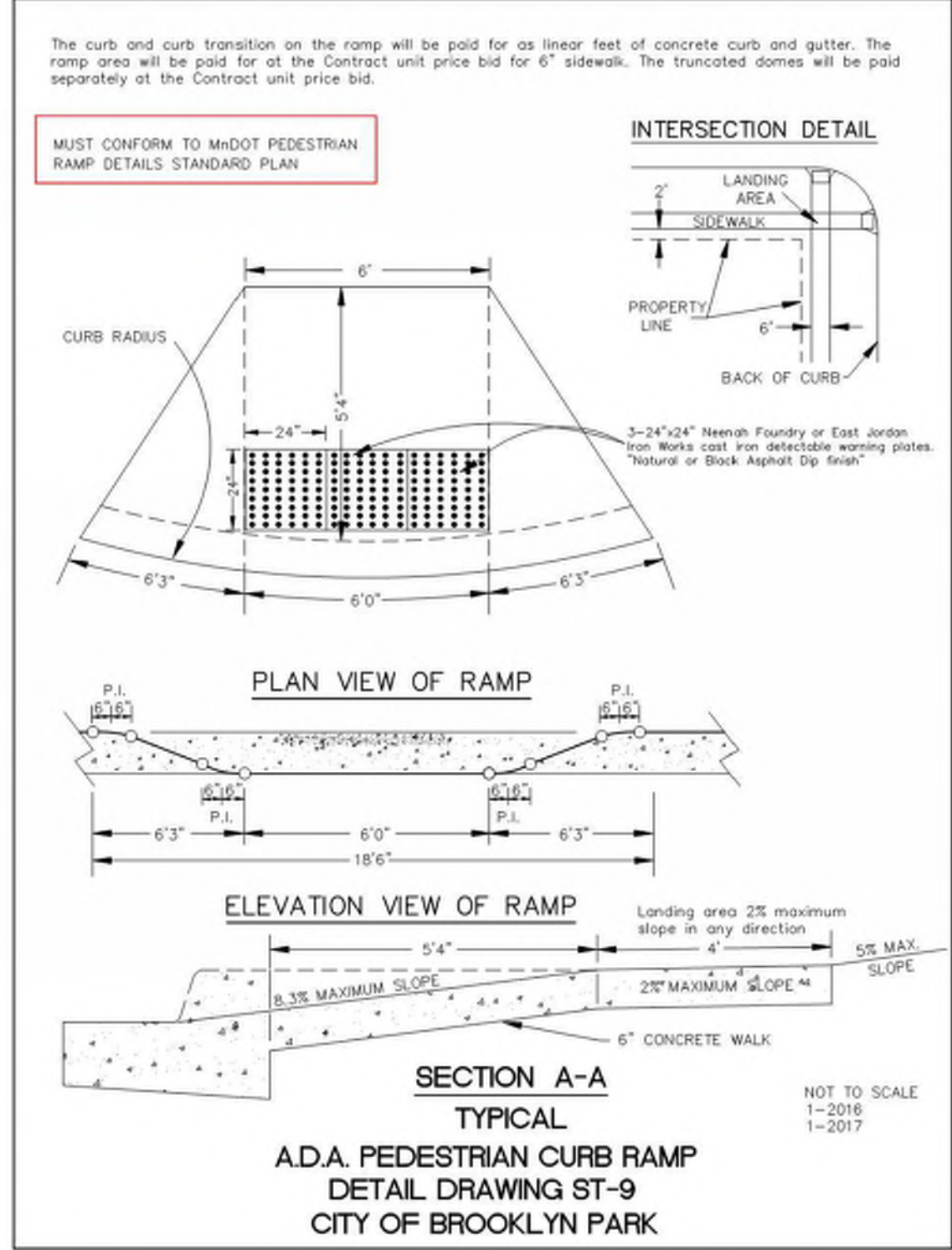
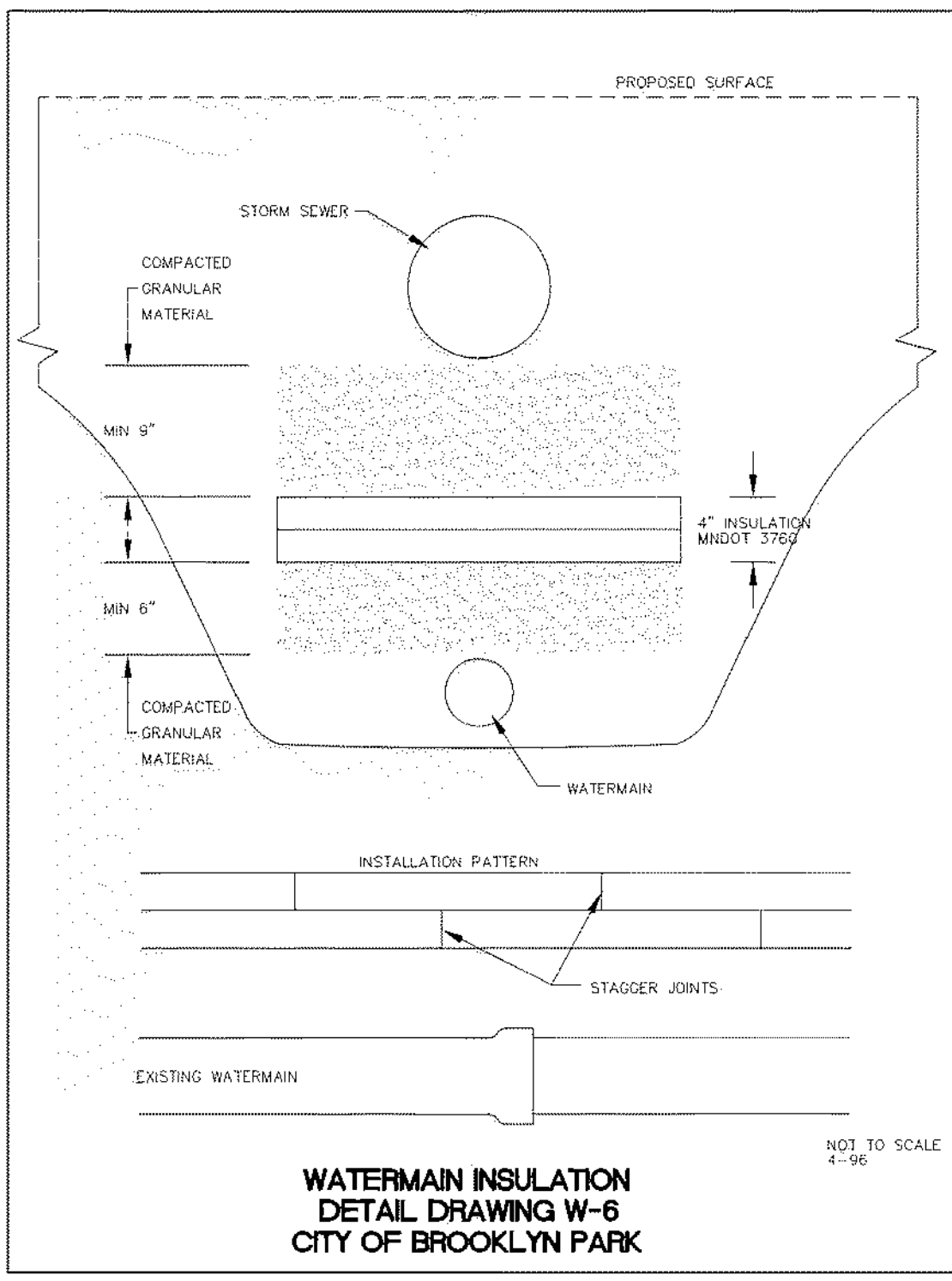
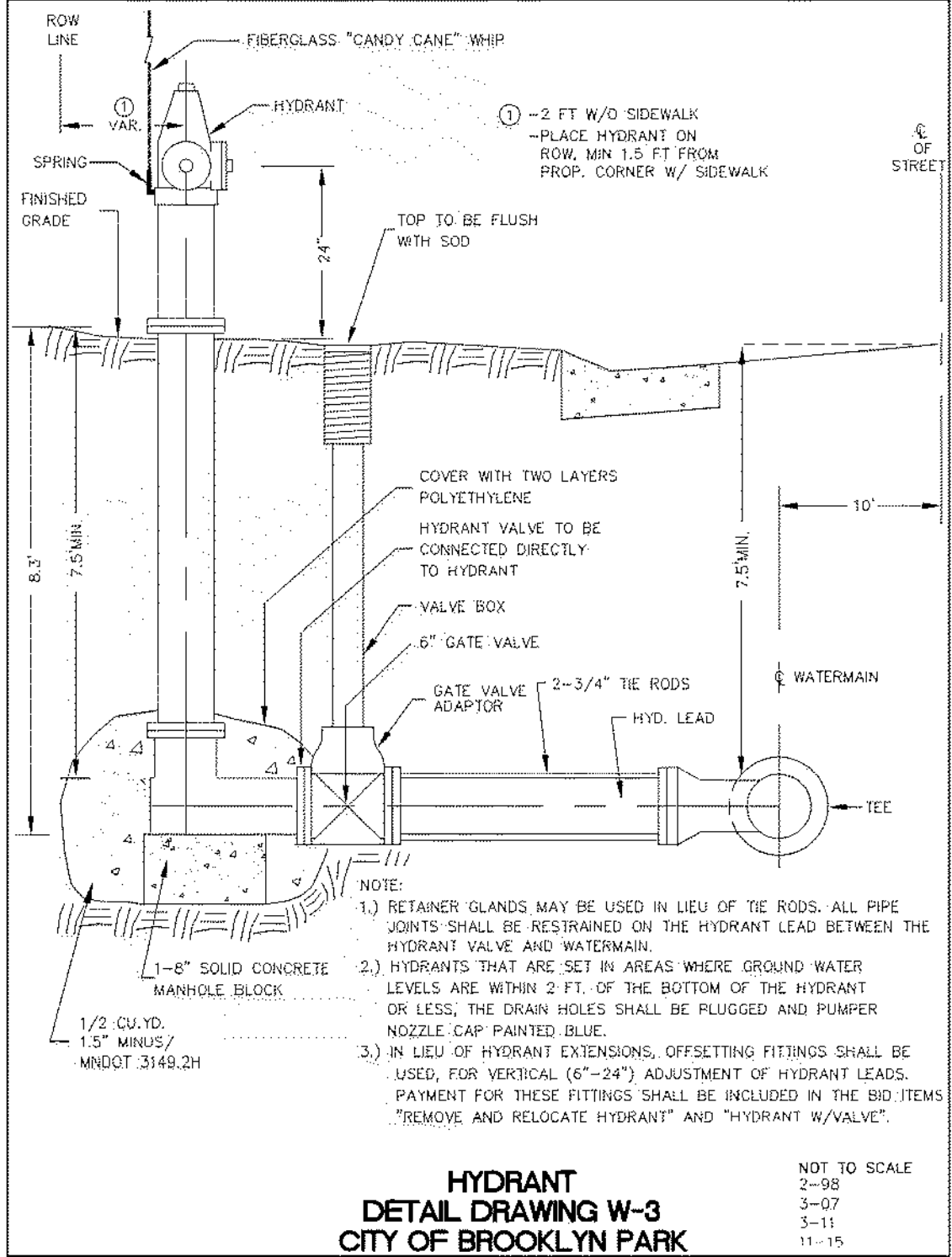
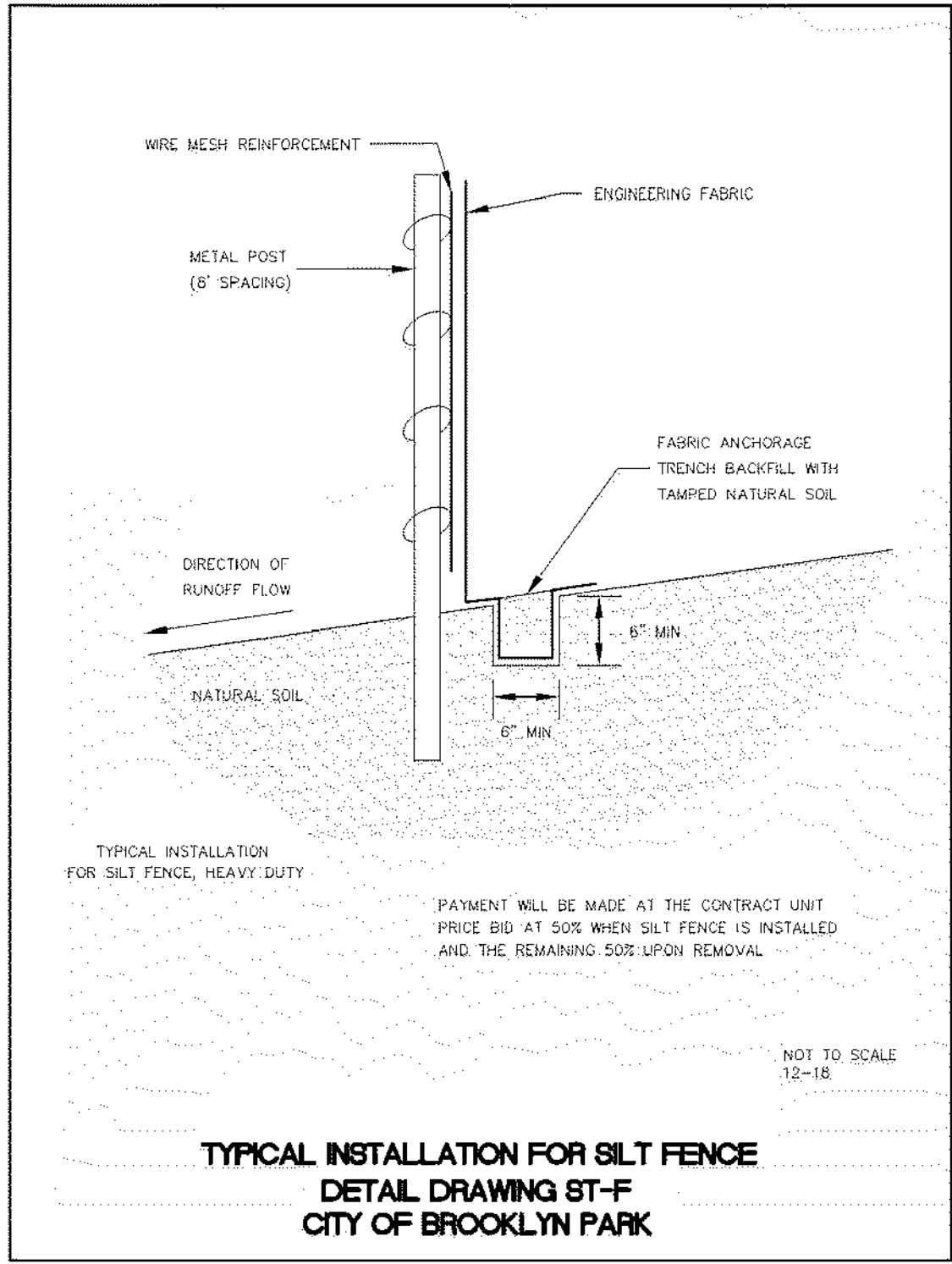


UTILITY PLAN  
NORTH PARK BUSINESS CENTER - BUILDING #3

C4

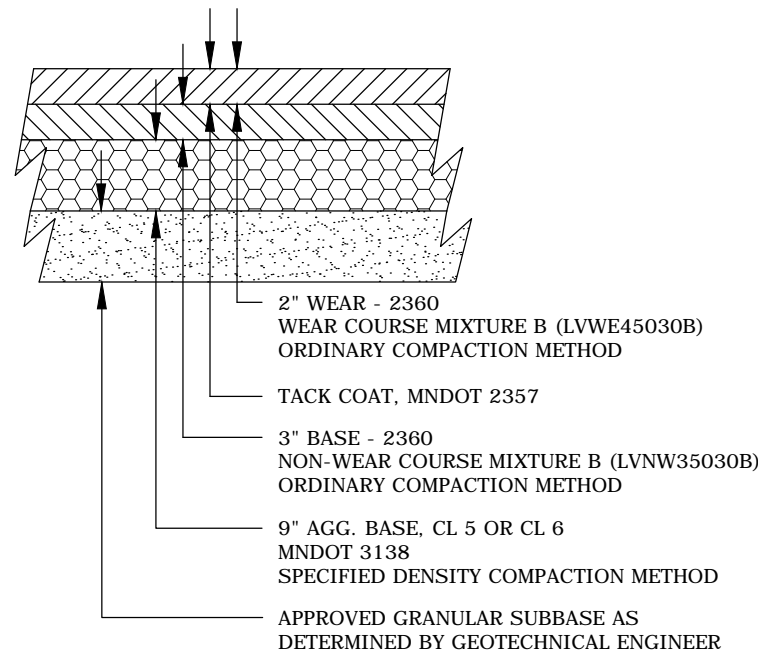






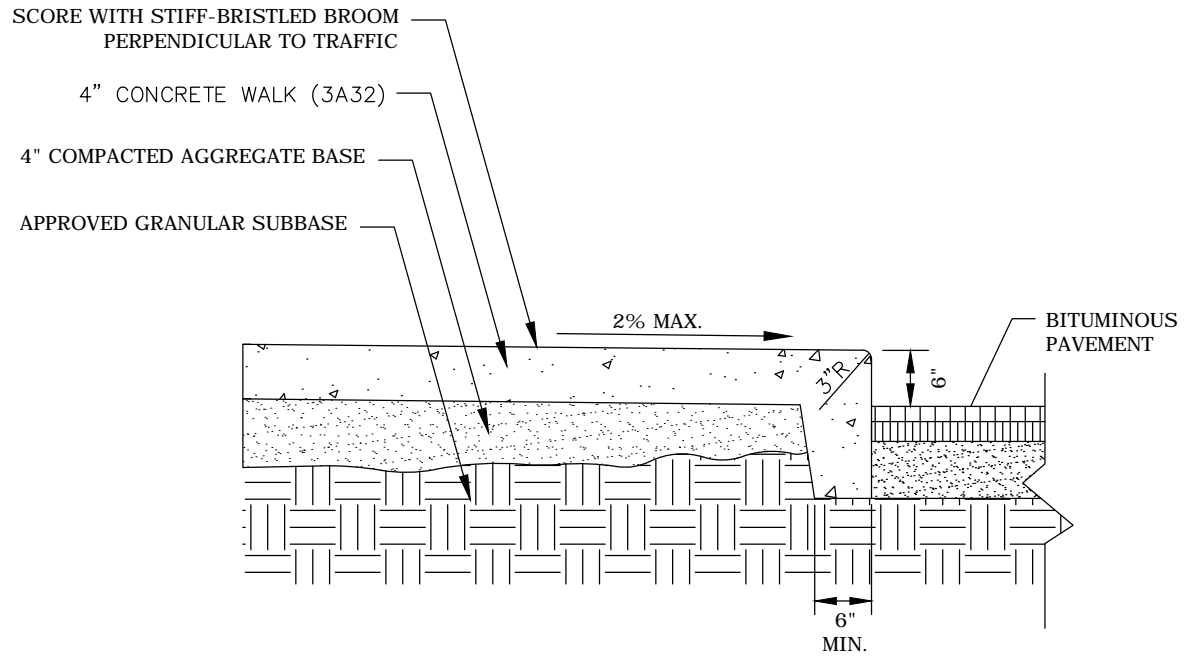
PAVING SHALL CONFORM TO THE LATEST EDITION OF MNDOT'S STANDARD SPECIFICATIONS FOR CONSTRUCTION AND THE CITY'S STANDARDS FOR STREET AND UTILITY CONSTRUCTION.

GEOTECHNICAL ENGINEER TO REVIEW ON-SITE SOILS AND PAVEMENT SECTION PRIOR TO ANY INSTALLATIONS.

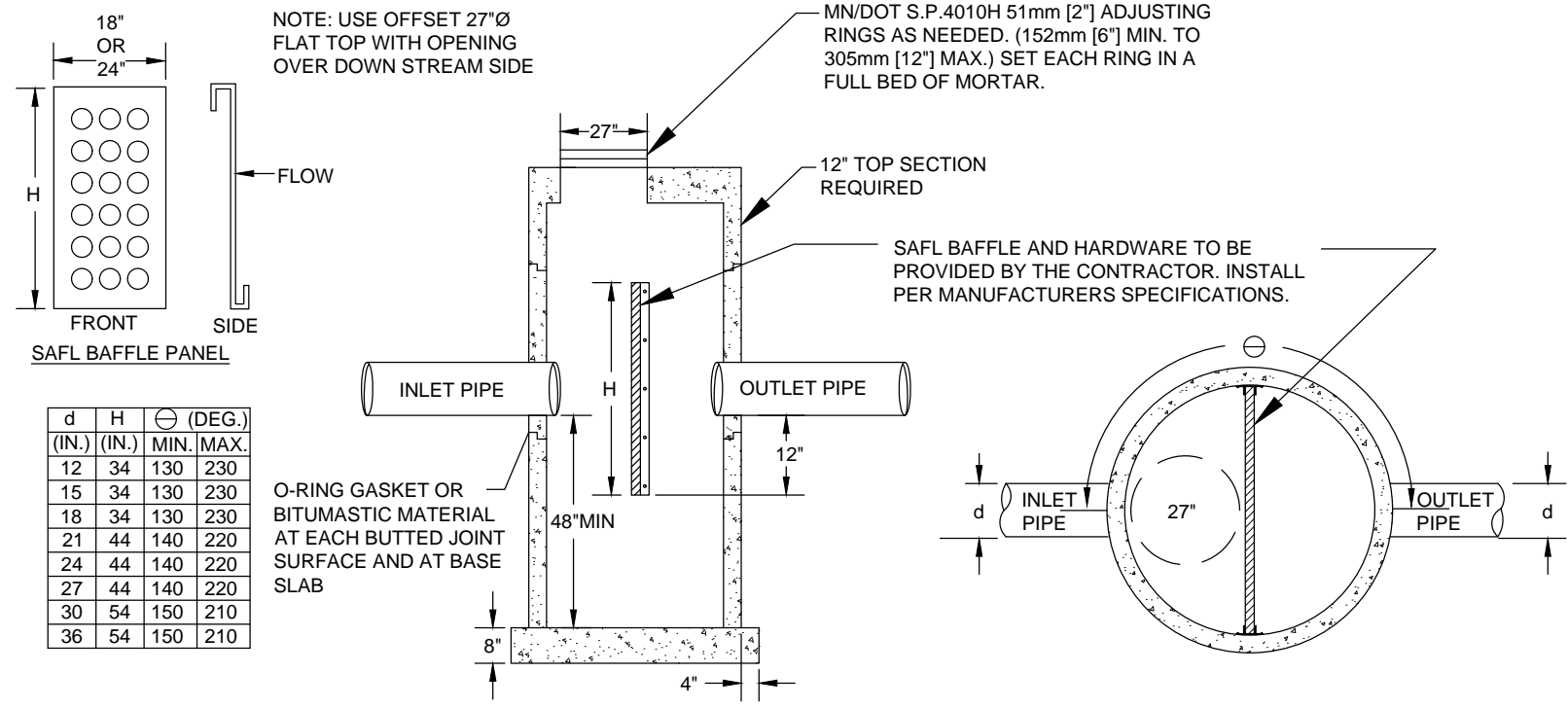
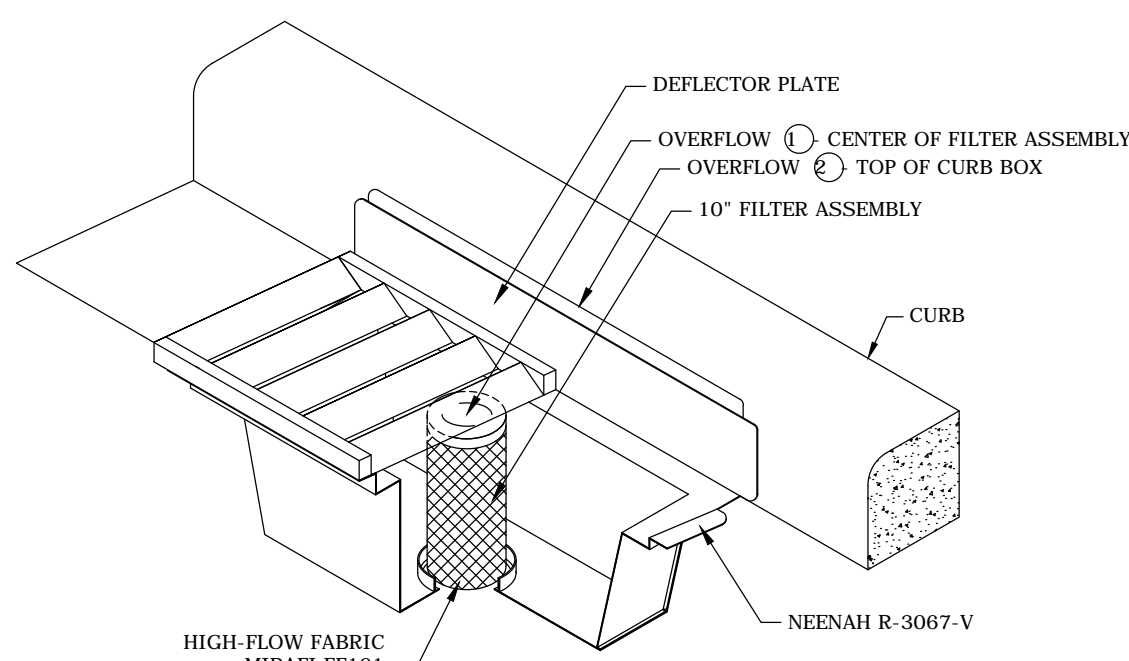
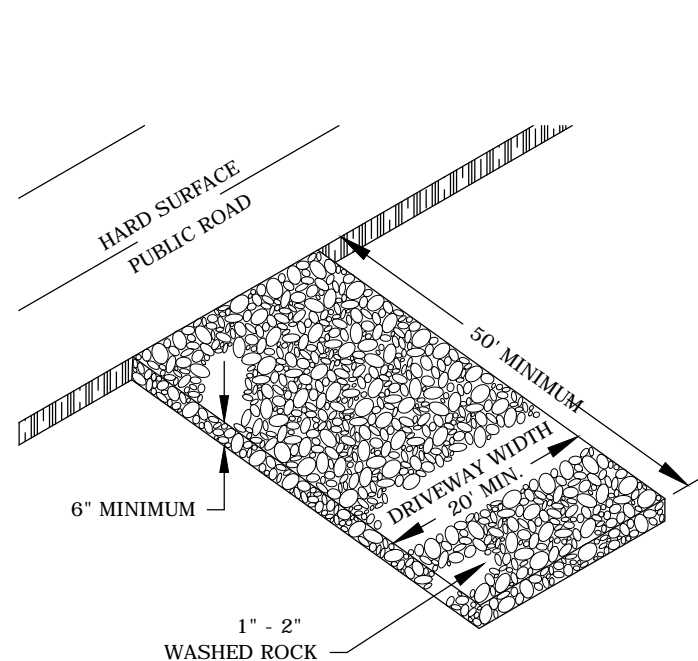


PAVING SHALL CONFORM TO THE LATEST EDITION OF MNDOT'S STANDARD SPECIFICATIONS FOR CONSTRUCTION AND THE CITY'S STANDARDS FOR STREET AND UTILITY CONSTRUCTION.

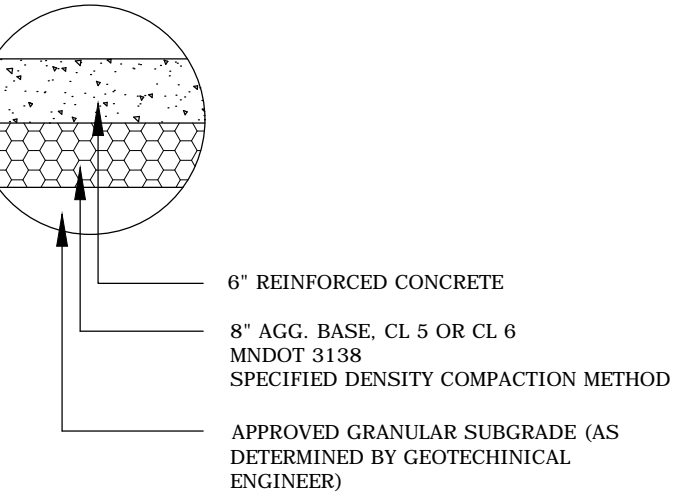
GEOTECHNICAL ENGINEER TO REVIEW ON-SITE SOILS AND PAVEMENT SECTION PRIOR TO ANY INSTALLATIONS.



- NOTES:**
- 1) USE EXPANSION JOINT WHERE NEW CONCRETE MEETS EXISTING CONCRETE OR STRUCTURE.
  - 2) CONTROL JOINTS SHALL BE CUT WITH A JOINTER HAVING A RADIUS OF 1/4\"/>



d	H	θ (DEG.)
(IN.)	(IN.)	MIN. MAX.
12	34	130 230
15	34	130 230
18	34	130 230
21	44	140 220
24	44	140 220
27	44	140 220
30	54	150 210
36	54	150 210



PAVING SECTION SHALL BE REVIEWED AND APPROVED BY GEOTECHNICAL ENGINEER PRIOR TO ANY INSTALLATIONS.  
PAVING SHALL CONFORM TO THE LATEST EDITION OF MNDOT'S STANDARD SPECIFICATIONS FOR CONSTRUCTION AND THE CITY'S STANDARDS FOR STREET AND UTILITY CONSTRUCTION.



Know what's below.  
Call before you dig.

DETAILS  
NORTHPARK BUSINESS CENTER - BUILDING #3

DRAWN BY: A.Q.A.  
DESIGN BY: A.Q.A.  
CHCKD BY: C.W.P.  
PROJ. NO. 16-1639  
ORIGINAL DATE: SEPTEMBER 1, 2016

DATE	REVISION DESCRIPTION
3/04/19	UPDATED PER LATEST CITY STANDARD DETAILS

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.  
**Charles A. B. B. B.**  
DATE: 03.05.2019 LIC. NO. 18227

**NORTHPARK BUSINESS  
CENTER - BUILDING #3  
BROOKLYN PARK, MINNESOTA**

PREPARED FOR:  
**SCANNELL  
PROPERTIES**

**PLOWE  
ENGINEERING, INC.**  
6776 LAKE DRIVE  
SUITE 110  
LINO LAKES, MN 55014  
PHONE: (651) 361-8210  
FAX: (651) 361-8701

**PLOWE  
ENGINEERING, INC.**  
6776 LAKE DRIVE  
SUITE 110  
LINO LAKES, MN 55014  
PHONE: (651) 361-8210  
FAX: (651) 361-8701

DETAILS  
C5.2









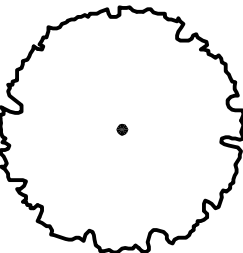


City of Brooklyn Park Municipal Landscape Requirements:

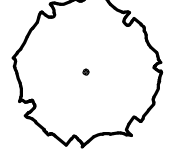
Industrial Zoning:	PLANT DIVERSITY: Meet at least (3) of the following (4) Requirements:				
	Open Area:	# Req.	# Shown:	+ Tree Credits: = Req. Met:	
(1) Overstory Tree per 3,000 SF of Open Area	175,348SF	59	59	NA	Yes
(1) Ornamental Tree per 1,500SF of Open Area	175,348SF	117	117	NA	Yes
(1) Evergreen tree per 3,000SF of Open Area	175,348SF	59	59	NA	Yes
(1) Shrub per 100SF of Open Area	175,348SF	1,753	700	NA	No
Total Lot Area:	584,494SF				
Building Area:	204,183SF				
Gross Open Area:	175,348SF	30% *			
Less Storm Pond Area:	0SF				
Net Open Area:	175,348SF				

\*Calculations are based on 30% per the minimum open space requirement for NorthPark less OWL pond areas (if shown), approved by city staff on 9/3/15.

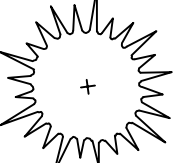
Landscape Symbols Legend:




Proposed 2.5" Cal. Deciduous Overstory Tree



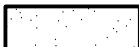
Proposed 1.5" Cal. Deciduous Ornamental Tree




Proposed 6' Height Coniferous Tree



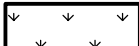
Proposed Turf Seed (Irrigated)




Proposed Turf Sod (Irrigated)




Proposed Native Seed Type 'A'




Proposed Native Seed Type 'B'




Proposed Large Deciduous Shrub



Proposed Large Coniferous Shrub



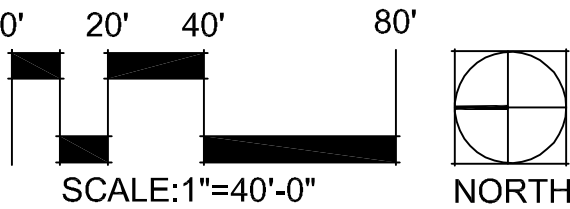
Proposed Medium Deciduous Shrub



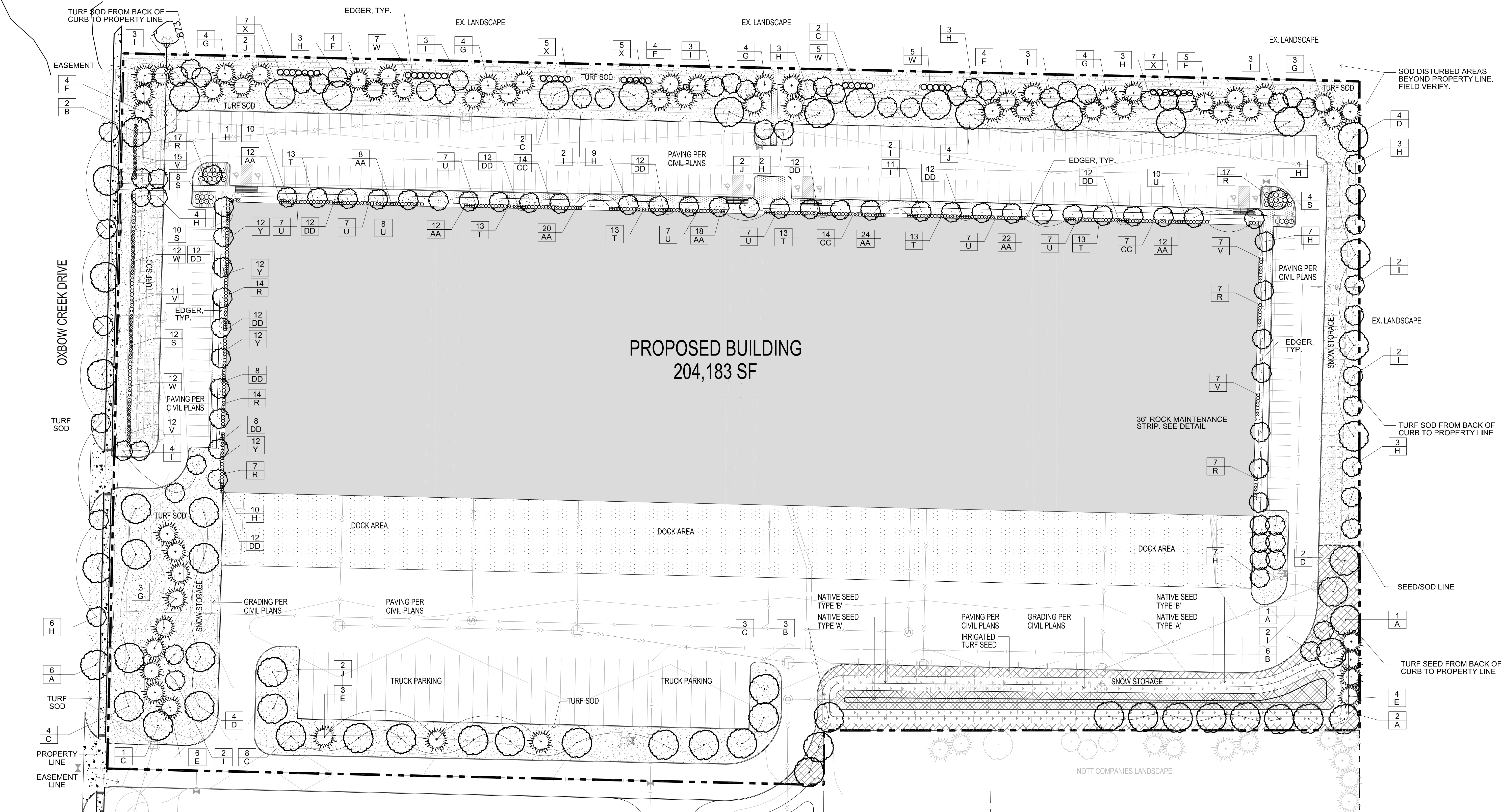
Proposed Perennial Plant

General Notes:

1. Refer to Sheet L2 for Plant Schedule, Details, Notes, Seeding Mix, and Other Landscape Requirements.
2. See Civil Engineer's plans for site plan layout and dimensions.
3. Contractor to coordinate all work in the city right-of-way with City of Brooklyn Park Public Works Department.
4. See Architect's plans for additional requirements regarding the site plan layout.
5. Landscape contractor is responsible for watering all trees, shrubs, & turf grass outside the irrigation limits for 30 days after installation or until plant establishment.



WINNETKA AVE. N.



LANDSCAPE PLAN:

DRAWN BY:	DESIGN BY:
M.F.	B.H.
CHCKD BY:	PROJ. NO.
B.H.	16-150

ORIGINAL DATE:  
SEPTEMBER 1, 2016

DATE	REVISION DESCRIPTION
9-26-16	UPDATED PLAN PER CITY COMMENTS LETTER
10-17-16	UPDATED PLAN PER CITY COMMENTS LETTER
2-7-18	UPDATED SITE PLAN
2-13-19	UPDATED SITE PLAN

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect in the State of Minnesota.

**PRELIMINARY**

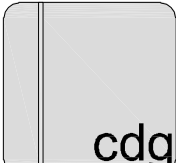
BENJAMIN D. HARTBERG, AIA  
DATE: 10.17.2016 LIC. NO. 48094

**NORTHPARK BUSINESS CENTER - BUILDING #3**  
**BROOKLYN PARK, MINNESOTA**

LANDSCAPE PLAN

PREPARED FOR:  
R.J. RYAN  
CONSTRUCTION, INC.

SITE PLANNING  
& ENGINEERING  
**PLOWE ENGINEERING, INC.**  
6776 LAKE DRIVE  
SUITE 110  
LINO LAKES, MN 55014  
PHONE: (651) 361-8210  
FAX: (651) 361-8701

  
**CALYX Design Group**

Landscape Architecture  
Sustainable Design  
Planning  
475 N. Cleveland Avenue  
Suite 307  
Saint Paul, MN 55104  
Telephone: 651.788.9018  
Internet: www.calyxdesigngroup.com



Landscape Plant List:

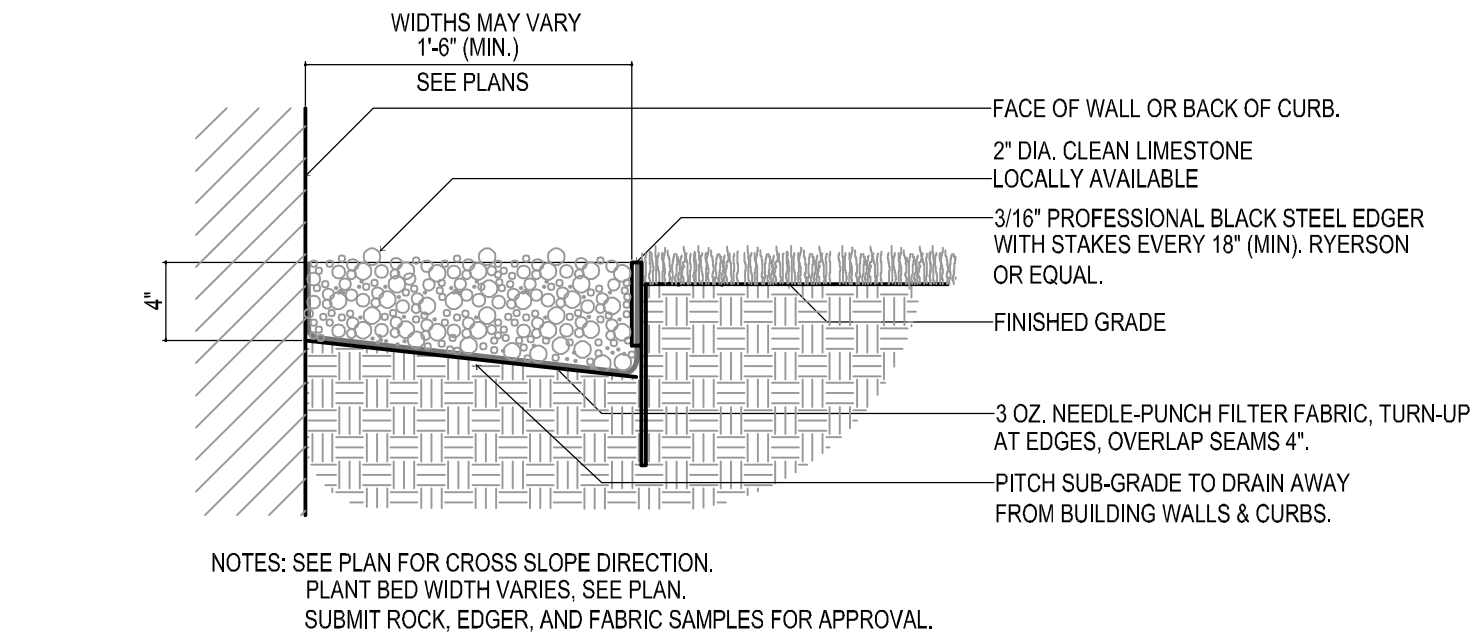
TREES:						
Quan:	Key	Scientific Name	Common Name	Size	Root	Notes
7	A	Ulmus americana 'New Horizon'	New Horizon Elm	2.5" Cal.	B&B	
11	B	Quercus rubra	Northern Red Oak	2.5" Cal.	B&B	Spring Dug
20	C	Acer x freemanii 'Sienna'	Sienna Glen Maple	2.5" Cal.	B&B	
12	D	Celtis occidentalis	Hackberry	2.5" Cal.	B&B	
13	E	Picea glauca var. 'Densata'	Black Hills Spruce	6' Hgt.	B&B	
21	F	Pinus strobus	Eastern White Pine	6' Hgt.	B&B	
22	G	Abies balsamea	Balsam Fir	6' Hgt.	B&B	
65	H	Malus X 'Prairiefire'	Prairiefire Crabapple	1.5" Cal.	B&B	
52	I	Crataegus laevigata 'Crimson Cloud'	Crimson Cloud Hawthorn	1.5" Cal.	B&B	
10	J	Betula populifolia 'Whitespire'	Whitespire Birch	1.5" Cal.	B&B	

SHRUBS:						
Quan:	Key	Scientific Name	Common Name	Size	Root	Notes
83	R	Diervilla lonicera	Dwarf Bush Honeysuckle	#2	POT	
34	S	Cornus alba 'Regnzam'	Red Gnome Dogwood	#3	POT	
78	T	Juniperus sabina 'Arcadia'	Arcadia Juniper	#3	POT	
67	U	Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	#3	POT	
52	V	Potentilla fruticosa 'Dakota Goldrush'	Dakota Goldrush Potentilla	#5	POT	
41	W	Viburnum trilobum 'Bailey Compact'	Compact American Cranberrybush	#5	POT	
24	X	Cornus alba 'Sibirica'	Red Twig Dogwood	#5	POT	
48	Y	Taxus x media 'Tauntonii'	Taunton's Yew	#5	POT	

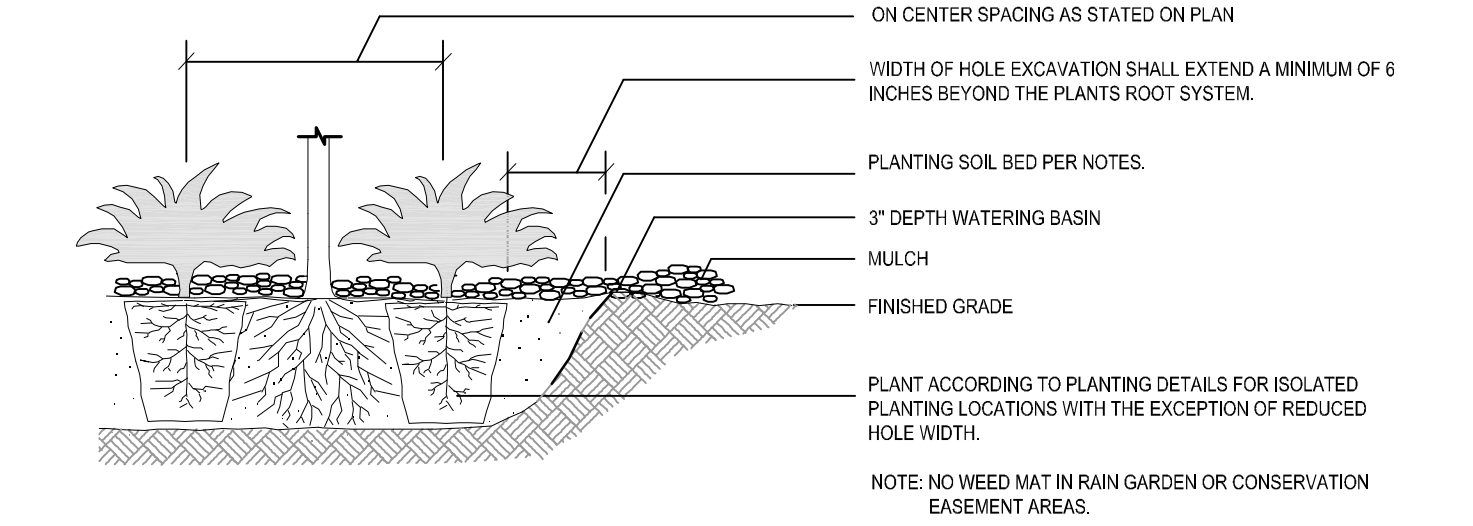
PERENNIALS:						
Quan:	Key	Scientific Name	Common Name	Size	Root	Notes
128	AA	Hemerocallis X 'Stella de Oro'	Stella de Oro Daylily	#1	POT	No Weed Mat
35	CC	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	#1	POT	
124	DD	Heuchera micrantha 'Palace Purple'	Palace Purple Coral Bells	#1	POT	No Weed Mat

Landscape Notes & Requirements:

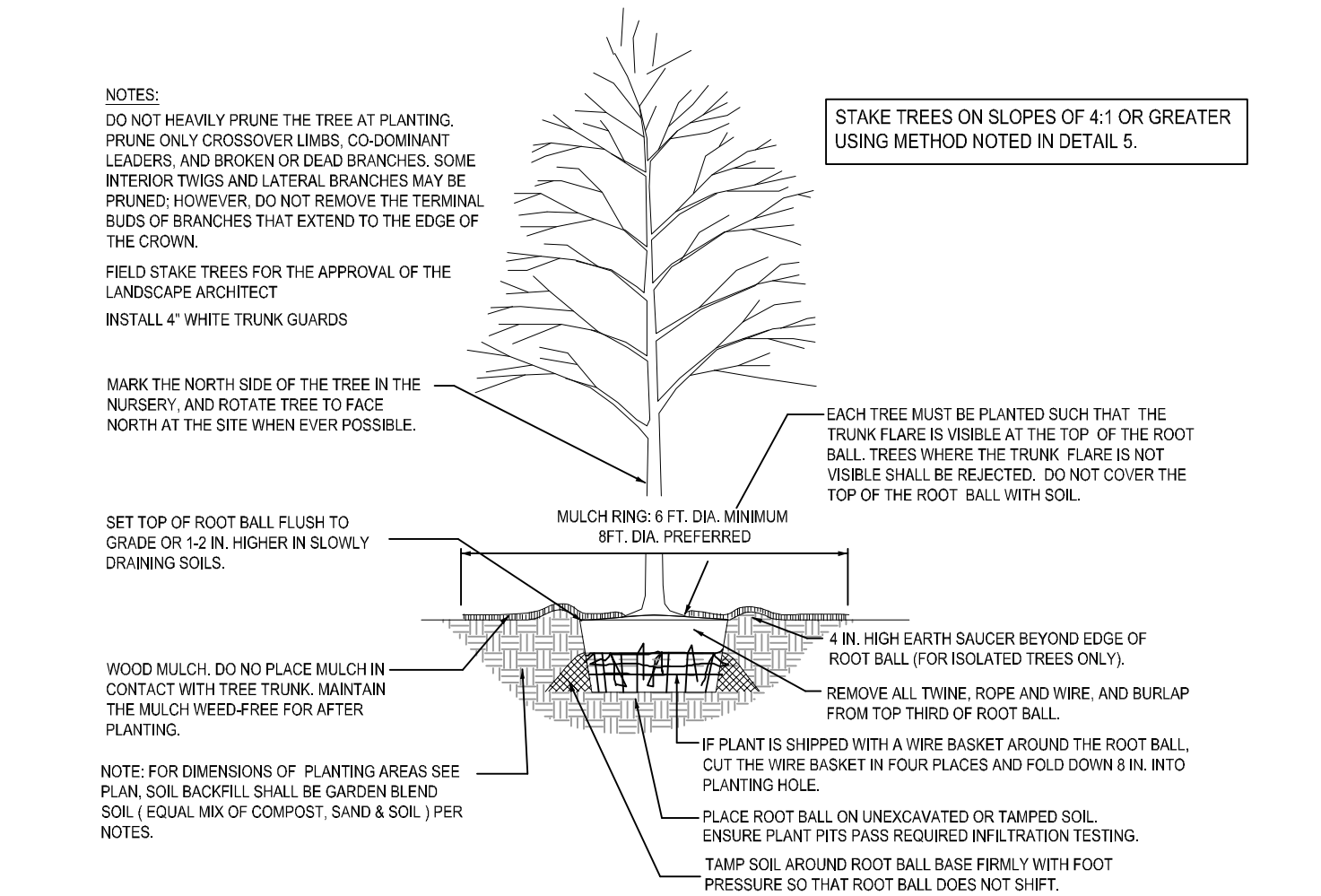
- Tree saucer for individual trees outside of a plant bed to be four inches (4") depth natural single-shred hardwood mulch for trees outside of a plant bed. Install per tree planting detail. Do not place mulch against tree trunk. Remove wire and burlap from top third of root ball before final soil back-fill and mulch.
- Refer to civil plan sheets for grading, drainage, site dimensions, survey, tree removal, proposed utilities & erosion control.
- All plant material shall comply with the latest edition of the American Standard for Nursery Stock, American Association of Nurserymen. Unless noted otherwise, deciduous shrubs shall have at least 5 canes at the specified shrub height. Plant material shall be delivered as specified.
- Plan takes precedence over plant schedule if discrepancies in quantities exist.
- All proposed plants shall be located and staked as shown.
- Adjustment in location of proposed plant material may be needed in field. Should an adjustment be required, the client will provide field approval. Significant changes may require city review and approval.
- The project landscape contractor shall be held responsible for watering and properly handling all plant materials brought on the site both before and after installation. Schedule plant deliveries to coincide with expected installation time within 36 hours.
- All plant materials shall be fertilized upon installation as specified.
- The landscape contractor shall provide the owner with a watering schedule appropriate to the project site conditions and to plant material growth requirements.
- If the landscape contractor is concerned or perceives any deficiencies in the plant selections, soil conditions, drainage or any other site condition that might negatively affect plant establishment, survival or guarantee, they must bring these deficiencies to the attention of the landscape architect & client prior to bid submission. Plant bed drainage concerns during plant installation shall be brought to the attention of the Owner and General Contractor immediately.
- Contractor shall establish to his/ her satisfaction that soil and compaction conditions are adequate to allow for proper drainage at and around the building site.
- Contractor is responsible for ongoing maintenance of all newly installed material until time of owner acceptance. Any acts of vandalism or damage which may occur prior to owner acceptance shall be the responsibility of the contractor. Contractor shall provide the owner with a maintenance program including, but not limited to, pruning, fertilization and disease/pest control.
- The contractor shall guarantee newly planted material through one calendar year from the date of written owner acceptance. Plants that exhibit more than 10% die-back damage shall be replaced at no additional cost to the owner. The contractor shall also provide adequate tree wrap and deer/rodent protection measures for the plantings during the warranty period.
- This layout plan constitutes our understanding of the landscape requirements listed in the ordinance. Changes and modifications may be requested by the city based on applicant information, public input, council decisions, etc.
- The landscape contractor shall be responsible for obtaining any permits and coordinating inspections as required throughout the work process.
- Plant size & species substitutions must be approved in writing prior to acceptance in the field.
- The landscape contractor shall furnish an Irrigation Layout Plan for head-to-head coverage of all tree, turf and shrub planting areas. Use commercial-grade irrigation equipment and provide product cut-sheets and (4) copies of the proposed layout plan to the landscape architect for review and approval prior to installation. Coordinate irrigation connection point, controller, back-flow and valving locations with the mechanical engineer, architect, & general contractor. Include 1 fall shut-down and spring start-up in irrigation bid. Sch 80 PVC sleeves necessary under paved areas to be coordinated between the landscape contractor, irrigation contractor, excavator, paving contractor, and General Contractor.
- All edger shall be professional grade black steel edger, 3/16" thickness. Anchor every 18" on-center (minimum). Submit sample.
- Landscape Contractor is responsible for coordination with the General Contractor, to protect the new improvements on and off-site during landscape work activities. Report any damage to the General Contractor immediately.
- Unless otherwise noted/indicated, plant beds shall receive rock mulch over fabric weed mat, per detail. Submit mulch sample for Owner approval. Do not install weed mat under perennials, with the exception of ornamental grasses.
- Rock mulch areas (all plant beds) shall be 2 inch dia. clean limestone. Install per detail. Submit mulch sample for approval.
- All planting, seeding, and sodded areas shall be prepared prior to installation activities with a harley power box rake or equal to provide a firm planting bed free of stones, sticks, construction debris, etc.
- Turf Sodding and Seeding activity shall conform to all rules and regulations as established in the MnDOT Seeding Manual, 2014 edition, for turf bed preparation, installation, maintenance, acceptability, and warranty. Turf Seed installation to include TWO years of maintenance in the bid price. This includes mowing, weeding, & spot-spraying invasive weeds no less than 3 times per year. Maintenance also includes re-seeding bare patches larger than 6" in any direction, and fertilization no less than twice per calendar year. An acceptable stand of seeded turf is lush, full, and weed-free.
- The Landscape Contractor shall furnish samples of all landscape materials for approval prior to installation.
- The Landscape Contractor shall clear and grub the underbrush from within the work limits to remove dead branches, leaves, trash, weeds and foreign materials.
- The landscape contractor shall contact Gopher State One Call no less than 48 hours before digging for field utility locations.
- The landscape contractor shall be responsible for the removal of erosion control measures once vegetation has been established to the satisfaction of the municipal staff. This includes silt curtain fencing and sediment logs placed in the landscape.
- The landscape contractor shall be responsible for visiting the site to become familiar with the conditions prior to bidding and installation. Coordinate with the general contractors on matters such as fine grading, landscaped area conditions, staging areas, irrigation connection to building, etc.
- See Site and Civil plans for additional information regarding the project, including infiltration area soils and sub-surface drainage requirements and performance.
- Topsoil Requirements: All graded areas of the site that are designated on the plan set for turf sod shall have no less than 6" of imported top soil, areas designated for shrubs, trees, and perennials shall have no less than 12" of imported top soil, meeting MnDOT classifications for planting soil for trees, shrubs, and turf. Slope away from building.
- Landscape contractor must prove the open sub-grade of all planting areas after their excavation is capable of infiltrating a minimum requirement of 1/4-inch of water per hour prior to installation of plant materials, topsoil, irrigation, weed mat, and mulch. Planting areas not capable of meeting this requirement shall have 4" diameter X 48" depth holes augured every 36" on-center and filled with MnDOT Free-Draining Coarse Filter Aggregate. Re-test sub-grade percolation for compliance to infiltration minimum requirement.
- Landscape contractor to provide nursery pull list (bill of lading) including plant species and sizes shipped to the site. Additionally, the landscape contractor shall provide nursery stock traceability, proving none of the materials provided contain or are genetic strains of the neonicotinoid family including acetamiprid, clothianidin, imidacloprid, nitenpyram, nithiazine, thiacloprid and thiamethoxam.



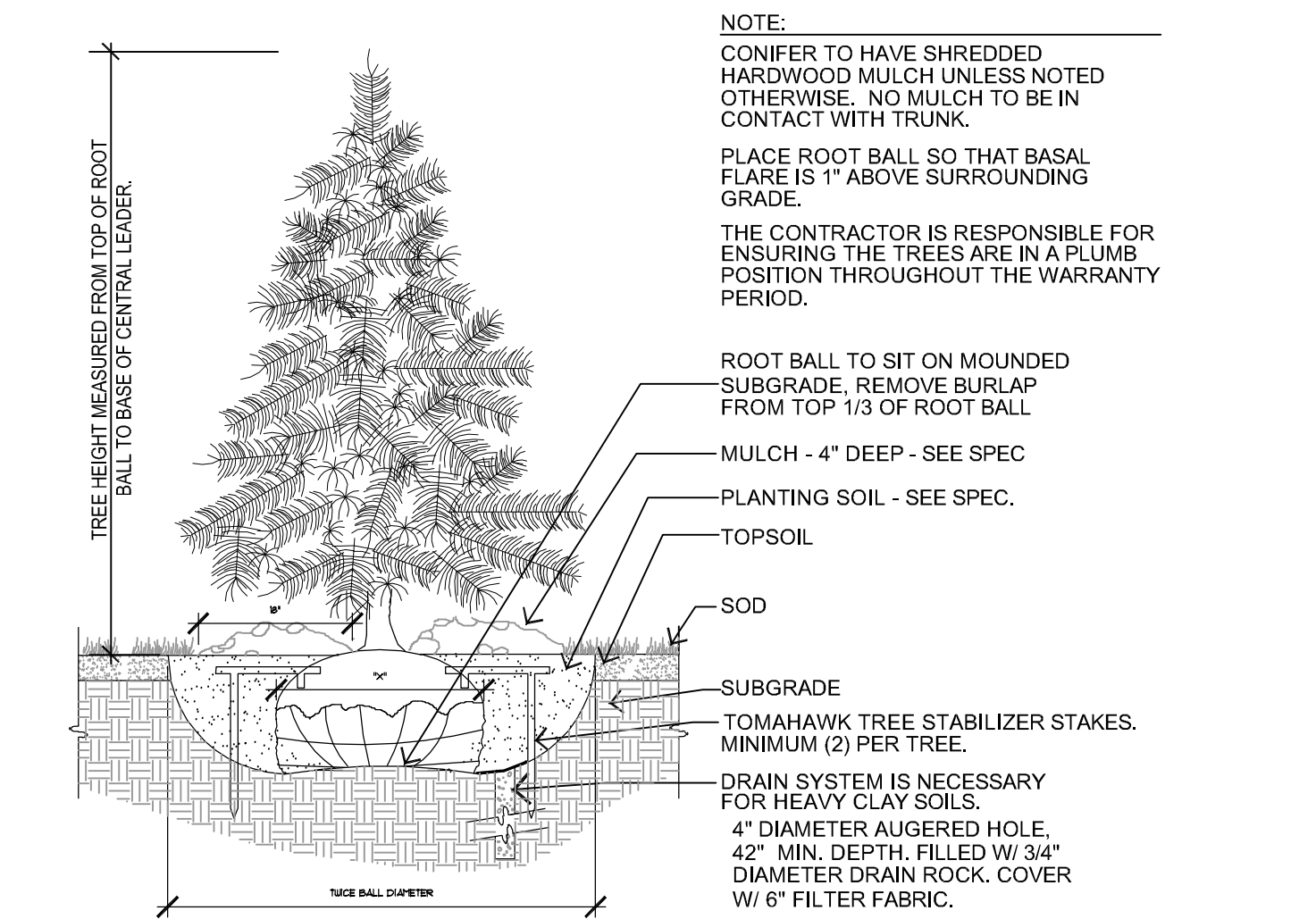
1 TYP. ROCK MULCH DETAIL  
NOT TO SCALE



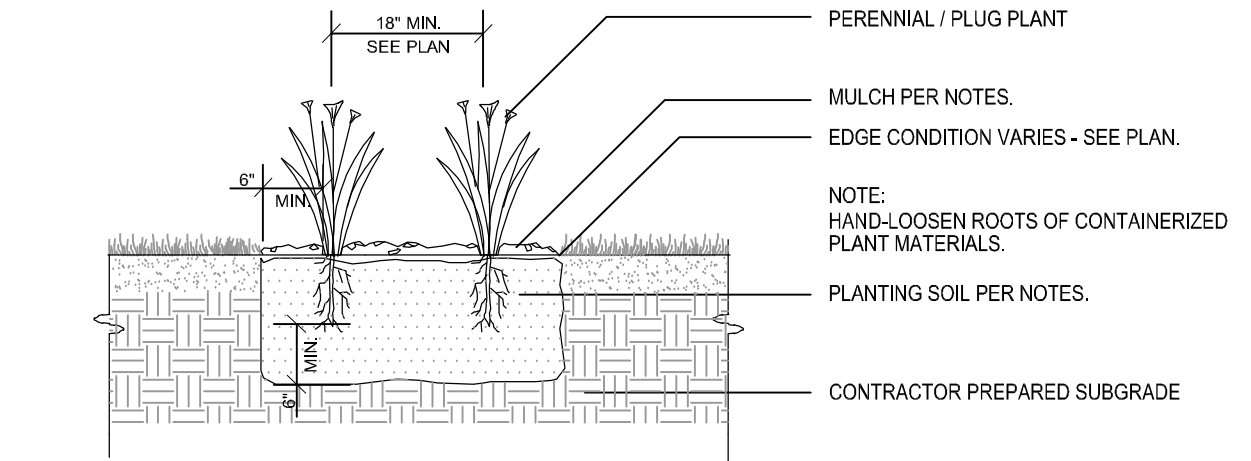
2 TYP. SHRUB PLANTING - SECTION  
NOT TO SCALE



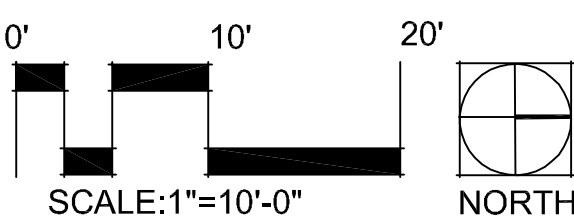
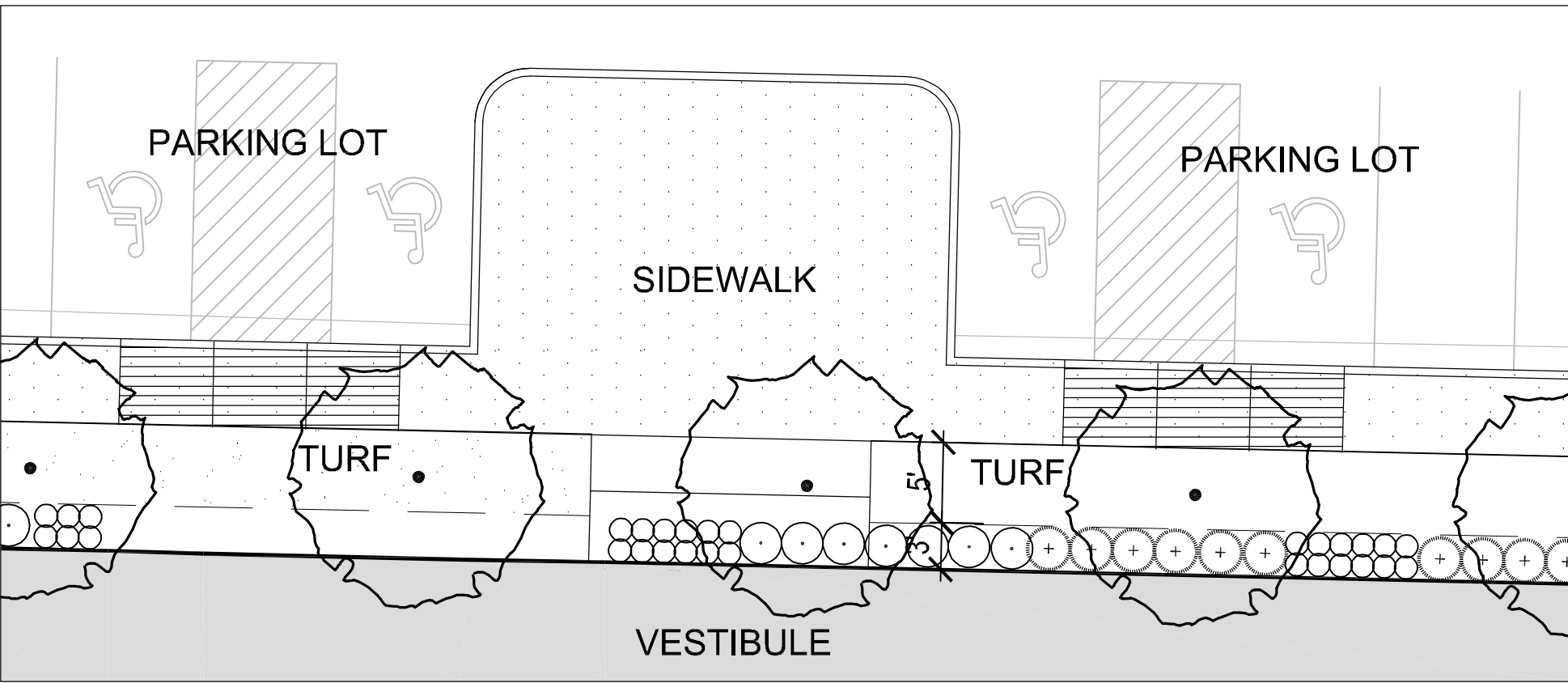
3 DECIDUOUS TREE PLANTING - SECTION  
NOT TO SCALE



5 CONIFEROUS TREE PLANTING - SECTION  
NOT TO SCALE



4 TYP. PERENNIAL PLANTING DETAIL  
NOT TO SCALE



TYPICAL BUILDING FACADE PLANTING ENLARGEMENT:

LANDSCAPE DETAILS, NOTES, + SCHEDULES:

DRAWN BY:	DESIGN BY:
M.F.	B.H.
CHKCD BY:	PROJ. NO.
B.H.	16-150

ORIGINAL DATE:  
SEPTEMBER 1, 2016

DATE	REVISION DESCRIPTION
9-26-16	UPDATED PLAN PER CITY COMMENTS LETTER
10-17-16	UPDATED PLAN PER CITY COMMENTS LETTER
2-7-18	UPDATED SITE PLAN
2-13-19	UPDATED SITE PLAN

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect in the State of Minnesota.

**PRELIMINARY**

BENJAMIN D. HARTBERG, AIA  
DATE: 10.17.2016 LIC. NO. 48094

**NORTHPARK BUSINESS CENTER - BUILDING #3**  
**BROOKLYN PARK, MINNESOTA**

LANDSCAPE DETAILS

PREPARED FOR:  
R.J. RYAN  
CONSTRUCTION, INC.

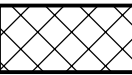
SITE PLANNING  
& ENGINEERING  
**PLOWE ENGINEERING, INC.**  
6776 LAKE DRIVE  
SUITE 110  
LINO LAKES, MN 55014  
PHONE: (651) 361-8210  
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cdg  
**CALYX Design Group**

Landscape Architecture  
Sustainable Design  
Planning  
475 N. Cleveland Avenue  
Suite 307  
Saint Paul, MN 55104  
Telephone: 651.788.9018  
Internet: www.calyxdesigngroup.com

L2

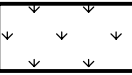
NATIVE SEED MIX:



Seed in the Storm Basin areas TYPE A: (unless otherwise noted on civil plans), shall be: MnDOT #35-241 seed mixture for mesic soils, drilled into the topsoil layer at 36.5 lbs per acre. Submit seed mix for approval. Grading and Erosion Control per Civil Plans and Specifications.

Add 20lbs per acre of MnDOT 21-111 Oats Cover Crop to pond bottom.

35-241 Mesic Prairie General					
Common Name	Scientific Name	Rate (lb/ac)	Rate (kg/ha)	% of Mix (by weight)	Seeds/ sq ft
big bluestem	Andropogon gerardii	2.00	2.24	5.48%	7.35
Indian grass	Sorghastrum nutans	2.00	2.24	5.48%	8.82
side-oats grama	Bouteloua curtipendula	1.60	1.79	4.39%	3.53
little bluestem	Schizachyrium scoparium	1.60	1.79	4.39%	8.82
nodding wild rye	Elymus canadensis	1.17	1.31	3.20%	2.23
slender wheatgrass	Elymus trachycaulus	1.00	1.12	2.73%	2.53
kalm's brome	Bromus kalmii	0.50	0.56	1.37%	1.47
prairie dropseed	Sporobolus heterolepis	0.07	0.08	0.18%	0.39
switchgrass	Panicum virgatum	0.06	0.07	0.17%	0.32
	Grasses Subtotal	10.00	11.21	27.39%	35.46
black-eyed susan	Rudbeckia hirta	0.31	0.35	0.86%	10.55
purple prairie clover	Dalea purpurea	0.19	0.21	0.51%	1.03
Early Sunflower	Helipopsis helianthoides	0.13	0.15	0.34%	0.29
blue giant hyssop	Agastache foeniculum	0.06	0.07	0.15%	1.82
lead plant	Amorpha canescens	0.06	0.07	0.15%	0.25
Canada milk vetch	Astragalus canadensis	0.06	0.07	0.17%	0.39
white prairie clover	Dalea candida	0.06	0.07	0.17%	0.44
Canada tick trefoil	Desmodium canadense	0.06	0.07	0.18%	0.13
stiff sunflower	Helianthus pauciflorus	0.06	0.07	0.17%	0.09
wild bergamot	Monarda fistulosa	0.06	0.07	0.17%	1.61
stiff goldenrod	Oligoneuron rigidum	0.06	0.07	0.17%	0.94
smooth aster	Symphotrichum laeve	0.06	0.07	0.17%	1.26
hoary vervain	Verbena stricta	0.06	0.07	0.17%	0.64
golden alexanders	Zizia aurea	0.06	0.07	0.15%	0.23
common milkweed	Asclepias syriaca	0.04	0.04	0.10%	0.06
butterfly milkweed	Asclepias tuberosa	0.04	0.04	0.10%	0.06
blue vervain	Verbena hastata	0.04	0.04	0.12%	1.50
rough blazing star	Liatris aspera	0.03	0.03	0.08%	0.18
great blazing star	Liatris pycnostachya	0.03	0.03	0.09%	0.13
heath aster	Symphotrichum ericoides	0.03	0.03	0.09%	2.30
	Forbs Subtotal	1.50	1.68	4.11%	23.89
Oats	Avena sativa	25.00	28.02	68.50%	11.14
	Cover Crop Subtotal	25.00	28.02	68.50%	11.14
	Total	36.50	40.91	100.00%	70.49
Purpose:	General mesic prairie mix for native roadsides, ecological restoration, or conservation program plantings.				
Planting Area:	Tallgrass Aspen Parklands, Prairie Parkland, and Eastern Broadleaf Forest Provinces. Mn/DOT Districts 2(west), 3B, 4, Metro, 6, 7 & 8.				



Seed outside of storm basin in disturbed areas TYPE B: (unless otherwise noted on civil plans), shall be: MnDOT #35-221 seed mixture for dry soils, drilled into the topsoil layer at 36.5 lbs per acre. Submit seed mix for approval. Grading and Erosion Control per Civil Plans and Specifications.

Add 20lbs per acre of MnDOT 21-111 Oats Cover Crop.

35-221 Dry Prairie General					
Common Name	Scientific Name	Rate (lb/ac)	Rate (kg/ha)	% of Mix (by weight)	Seeds/ sq ft
side-oats grama	Bouteloua curtipendula	3.00	3.36	8.22%	6.61
little bluestem	Schizachyrium scoparium	3.00	3.36	8.22%	16.53
nodding wild rye	Elymus canadensis	1.00	1.12	2.74%	1.91
kalm's brome	Bromus kalmii	0.73	0.82	2.00%	2.14
big bluestem	Andropogon gerardii	0.70	0.78	1.92%	2.57
Indian grass	Sorghastrum nutans	0.70	0.78	1.92%	3.09
blue grama	Bouteloua gracilis	0.50	0.56	1.37%	7.35
junegrass	Koeleria macrantha	0.25	0.28	0.69%	18.37
prairie dropseed	Sporobolus heterolepis	0.12	0.13	0.34%	0.73
	Grasses Subtotal	10.00	11.21	27.42%	59.30
black-eyed susan	Rudbeckia hirta	0.31	0.35	0.84%	10.32
purple prairie clover	Dalea purpurea	0.19	0.21	0.51%	1.02
hoary vervain	Verbena stricta	0.13	0.15	0.34%	1.29
lead plant	Amorpha canescens	0.09	0.10	0.26%	0.42
blue giant hyssop	Agastache foeniculum	0.06	0.07	0.17%	2.07
butterfly milkweed	Asclepias tuberosa	0.06	0.07	0.17%	0.10
Canada milk vetch	Astragalus canadensis	0.06	0.07	0.18%	0.40
bird's foot coreopsis	Coreopsis palmata	0.06	0.07	0.16%	0.21
white prairie clover	Dalea candida	0.06	0.07	0.15%	0.39
Canada tick trefoil	Desmodium canadense	0.06	0.07	0.18%	0.13
stiff sunflower	Helianthus pauciflorus	0.06	0.07	0.17%	0.09
wild bergamot	Monarda fistulosa	0.06	0.07	0.15%	1.42
stiff goldenrod	Oligoneuron rigidum	0.06	0.07	0.15%	0.83
large-flowered beard tongue	Penstemon grandiflorus	0.06	0.07	0.17%	0.32
smooth aster	Symphotrichum laeve	0.06	0.07	0.17%	1.26
rough blazing star	Liatris aspera	0.04	0.04	0.12%	0.25
gray goldenrod	Solidago nemoralis	0.04	0.04	0.10%	3.86
heath aster	Symphotrichum ericoides	0.04	0.04	0.10%	2.58
	Forbs Subtotal	1.50	1.68	4.09%	26.96
Oats	Avena sativa	25.00	28.02	68.49%	11.13
	Cover Crop Subtotal	25.00	28.02	68.49%	11.13
	Total	36.50	40.91	100.00%	97.39
Purpose:	General dry prairie mix for native roadsides, ecological restoration, or conservation program plantings.				
Planting Area:	Tallgrass Aspen Parklands, Prairie Parkland, and Eastern Broadleaf Forest Provinces. Mn/DOT Districts 2(west), 3B, 4, Metro, 6, 7 & 8.				

Turf Seeding Specification:

Turf Seeding: Apply MnDOT 25-131 Turf Seed at 70lbs per Acre. Seed in 2 directions into prepared soil bed.

25-131 Low Maintenance Turf					
Common Name	Scientific Name	Rate (lb/ac)	Rate (kg/ha)	% of Mix (by weight)	Seeds/ sq ft
red fescue	<i>Festuca rubra</i>	64.00	71.73	29.99%	667.99
	<i>Festuca rubra ssp. commutata</i>				
Cheering's Fescue		44.00	49.32	20.00%	459.99
Low Maintenance Kentucky Bluegrass	<i>Poa pratensis</i> Low Maintenance	36.00	40.35	16.36%	1148.79
Hard fescue	<i>Festuca trachyphylla</i>	38.00	33.63	13.84%	389.10
Sheep Fescue	<i>Festuca ovina</i>	25.00	26.92	11.17%	304.22
Perennial Ryegrass	<i>Lolium perenne</i>	21.00	23.54	8.54%	104.99
	Total	229.00	246.59	100.00%	3072.22
Purpose:	Salt, shade and drought tolerant turfgrass. Requires less frequent mowing and less fertilization than conventional turfgrasses.				
Planting Area:	Statewide				
Combine all components when blending this mix.					

Seeding Installation Method:

Seeding Methods

Method 1. Drop Seeding Onso Tilled Sites  
This is the "standard" method for seeding on prepared sites such as those on construction projects.

- A) Site Preparation - The site should be prepared by loosening topsoil to a minimum depth of 3 inches.  
B) Fertilizer - Use a fertilizer analysis based on a soil test or a general recommendation is a 10-10-10 (NPK) commercial grade analysis at 200 lbs/acre.  
C) Seed Installation - Seed should be installed with a drop seeder that will accurately meter the types of seed to be planted. Keep all seeds uniformly mixed during the seeding and contain drop seed tubes for seed placement (Billion type). The drop seeder should be equipped with a cultipacker assembly to ensure seed-to-soil contact.  
D) Seeding Rates - Rates are specified in the mixture tabulation for the specified mix.  
E) Packing - If the drop seeder is not equipped with a cultipacker, the site should be cultipacked following the seeding to ensure seed-to-soil contact.  
F) Mutch - The site should be mulched and disc anchored following cultipacking. The standard mulch is MnDOT Type 1 at a rate of 2.0 tons/acre. Also see temporary erosion control for additional information.

Seeding Maintenance:

- Turfgrass Mixtures (25-131 and 25-151 )**  
**Year 1**  
1) Provide water if necessary to aid establishment.  
2) After turf grasses reach a height of 6 inches, initially mow to a height of 2 to 3 inches.

- Long Term**  
1) Fertilize and water as needed.  
2) Mow a minimum of once every 2 weeks.

Native Seed Required Maintenance - 3 Years:

- Native Grass and Forb Mixtures (mixtures beginning with the number 3)**  
**Year 1**  
**Establishment (spring seeding):**  
1) Prepare site - Late April - May.  
2) Seed - May 1 - June 1.  
**Maintenance:**  
1) Mow (6-8 inches) - every 30 days after planting until September 30.  
2) Weed Control - mowing should help control annual weeds. Spot spray thistles etc.

- Establishment (fall seeding):**  
1) Prepare site - Late August - early September.  
2) Seed - late September to freeze-up.  
**Maintenance (following season):**  
1) Mow (6-8 inches) - once in May, June and July.  
2) Weed Control - mowing should keep annual weeds down. Spot spray thistles etc.

- Evaluation:**  
1) Cover crop growing within 2 weeks of planting (except dormant plantings).  
2) Seedlings spaced 1-6 inches apart in drill rows.  
3) Native grass seedlings may only be 4-6 inches tall.  
4) If there is a flush of growth from foxtail etc., mow as necessary.

- Year 2**  
**Maintenance:**  
1) Mow (6-8 inches) one time between June 1 - August 15 before weeds set seed.  
2) Weed Control - mowing should keep annual weeds down. Spot spray thistles etc.  
3) Some sites may not require much maintenance the second year.  
**Evaluation:**  
1) Cover crop will be gone unless winter wheat was used in a fall planting.  
2) Grasses forming clumps 1-6 inches apart in drill rows, but still short.  
3) Some flowers should be blooming (black-eyed Susans, bergamot etc.).  
4) If there is a flush of growth from foxtail etc., mow site.

- Year 3**  
**Maintenance:**  
1) Mow only if necessary.  
2) Weed Control - Spot spray thistles, etc.  
3) Sites usually do not require much maintenance the third year.  
**Evaluation:**  
1) Planting should begin looking like a prairie - tall grasses, flowers etc.

- Long term**  
**Maintenance:**  
1) Weed Control - Spot spray thistles etc.  
2) Burning (3-5 year rotation) alternate spring and fall if possible.  
3) Haying (3-5 year rotation) late summer or early fall. Alternate with burning (may substitute for burning).  
4) Burning two years in a row will really "clean up" rough-looking sites.

DRAWN BY:	DESIGN BY:
M.F	B.H.
CHCKD BY:	PROJ. NO.
B.H	16-150

ORIGINAL DATE:  
SEPTEMBER 1, 2016

DATE	REVISION DESCRIPTION
9-26-16	UPDATED PLAN PER CITY COMMENTS LETTER
10-17-16	UPDATED PLAN PER CITY COMMENTS LETTER
2-7-18	UPDATED SITE PLAN
2-13-19	UPDATED SITE PLAN

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Landscape Architect in compliance with the laws of the State of Minnesota.

**PRELIMINARY**

BENJAMIN D. HARTBERG, C.A.

DATE: 10.17.2016 LIC. NO. 48094

**NORTH PARK BUSINESS CENTER - BUILDING #3**

**BROOKLYN PARK, MINNESOTA**

LANDSCAPE DETAILS

PREPARED FOR:  
R.J. RYAN  
CONSTRUCTION, INC.

SITE PLANNING  
& ENGINEERING

**PLOWE**  
**ENGINEERING, INC.**

6776 LAKE DRIVE  
SUITE 110  
LINO LAKES, MN 55014

PHONE: (651) 361-8210  
FAX: (651) 361-8701

cdg

**CALYX Design Group**

Landscape Architecture  
Sustainable Design  
Planning

475 N. Cleveland Avenue  
Suite 307  
Saint Paul, MN 55104

telephone: 651.788.9018  
internet: www.calyxdesigngroup.com

L3

# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	6.3	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Land Use Actions	<b>Originating Department:</b>	Community Development
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Todd A. Larson, Senior Planner and Jeff Holstein, Transportation Engineer
<b>Ordinance:</b>	FIRST READING		
<b>Attachments:</b>	2	<b>Presented By:</b>	Cindy Sherman, Planning Director
<b>Item:</b>	Property Conveyance to MNDOT for the Highway 169/101 <sup>st</sup> Avenue Interchange		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY OWNED PROPERTY AT 8600 101<sup>ST</sup> AVENUE NORTH.

### Overview:

The City has been working with MNDOT on the design of a proposed interchange at Highway 169 and 101<sup>st</sup> Avenue North. The City has owned a small 0.32-acre parcel at the northeast corner of that intersection for several years. A house with the address of 8600 101<sup>st</sup> Avenue was removed from the lot about 18 years ago.

The City is in the process of acquiring property from Three Rivers Park District and private land owners. All of the property acquired for the project will be conveyed to MNDOT prior to construction commencing later this year. The City's property acquisition consultant is working with the private property owners. Separate actions for the purchase and transfer of each property will be brought forward for Council review as that process advances.

By City Charter, an ordinance is required for the sale or conveyance of City-owned land.

### Budgetary/Fiscal Issues:

MNDOT will not be paying the City for the property. The property acquisition is considered the City's responsibility and contribution to the project.

### Alternatives to consider:

1. Approve the first reading of the conveyance ordinance as recommended.
2. Deny the plat and sale based on certain findings.

### Attachments:

- 6.3A ORDINANCE
- 6.3B LOCATION MAP

ORDINANCE #2019-

ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY  
OWNED PROPERTY

The City of Brooklyn Park Does Ordain:

The City of Brooklyn Park owns fee title to that certain parcel of real property at 8600 101<sup>st</sup> Avenue North and legally described in Certificate of Title Number 1044651 as: The East 130 feet of that part of the West Quarter of the Southwest Quarter of the Southeast Quarter of Section 6, Township 119, Range 21 lying South of a line 139 feet North of and drawn parallel with the South line of said West Quarter except road, Hennepin County, Minnesota ("Property"). The City finds it is in the public interest to convey the Property to the Minnesota Department of Transportation so that the Property can be used for the construction of an interchange at Highway 169 and 101<sup>st</sup> Avenue North.

The Mayor and City Manager are authorized and directed to convey the Property to the Minnesota Department of Transportation. City staff and consultants are authorized and directed to take all necessary and convenient steps to accomplish the intent of this Ordinance.

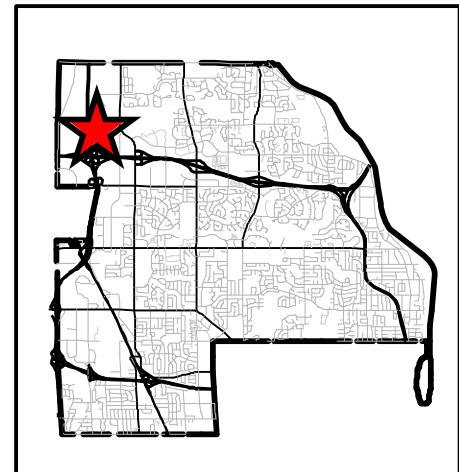
All actions shall be pursuant to Section 14.06 of the City Charter. The City Council finds that the conveyance of the Property has no relationship or impact on the City's comprehensive plan and therefore there is no need for the City's Planning Commission to review and comment on the proposed conveyance.



**Property Transfer to MNDOT**  
**8600 101st Ave. N.**



**Spring 2015 Air Photo.**



**Map Date March 7, 2019**



# City of Brooklyn Park

## Request for Council Action

<b>Agenda Item:</b>	7.1	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	General Action Items	<b>Originating Department:</b>	Operations and Maintenance
<b>Resolution:</b>	X	<b>Prepared By:</b>	Dan Ruiz, O&M Director Greg Hoag, Park-Building Maintenance Manager
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	4	<b>Presented By:</b>	Carol Anderson, Hennepin County Dan Ruiz, O&M Director
<b>Item:</b>	Approve an Exception to O&M Policy 5.40 and Approve an Agreement with Hennepin County for County State Aid Highway 81 Landscape Maintenance		

### City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-\_\_\_\_\_ TO APPROVE AN EXCEPTION TO O&M POLICY 5.40 AND APPROVE AN AGREEMENT WITH HENNEPIN COUNTY FOR COUNTY STATE AID HIGHWAY 81 LANDSCAPE MAINTENANCE.

### Overview:

Hennepin County originally proposed medians at the intersection of 63<sup>rd</sup> Avenue N and County State Aid Highway (CSAH) 81 in 2011. County standards for medians in 2011 was turfgrass. Any upgraded landscaping of trees/shrubs would have been at the City's expense. At that time, staff recommended to not install medians at this location because of the following:

- CSAH 81 will have three (3) through lanes in each direction (see policy O&M 5.40)
- CSAH 81 is projected to have traffic counts nearing those of a major trunk highway
- CSAH 81 median landscaping will have very high maintenance costs due to required traffic control signing, and likely higher level of landscape plantings die off
- CSAH 81 traffic counts increases the personal safety hazard for city and contractor staff

Based on this, the City Council passed Resolution #2011-128 approving O&M Policy 5.40 and stating that median landscaping would not be installed at this location.

Hennepin County is now proposing a landscaping project for a five-mile segment along CSAH 81 (Bottineau Blvd.) in the cities of Robbinsdale, Crystal, and Brooklyn Park. Landscaping improvements are focused on medians and intersections. The Brooklyn Park improvements are at the intersection of CSAH 81 and 63<sup>rd</sup> Avenue N. extending to just south of Interstate 94/694. This project is designed to complement additional pedestrian and landscaping improvements at the proposed Bottineau LRT 63<sup>rd</sup> Avenue station. A project map is attached (7.1B).

This project was first discussed at the City Council work session on April 23, 2018. At that time, the Council was open to the idea of median landscaping but wanted to know more about who was responsible for maintenance and the associated costs. Hennepin County is proposing to install and maintain the medians until July 1, 2022; then maintenance responsibilities would be transferred to the City.

### Primary Issues/Alternatives to Consider:

Should the Council approve the agreement as recommended?

This project is part of a five-mile landscape improvement project along CSAH 81 in the cities of Robbinsdale, Crystal and Brooklyn Park. The proposed improvements at 63<sup>rd</sup> Avenue N are at the city border, where the

Bottineau LRT project has the proposed 63<sup>rd</sup> Avenue Station. This project was designed to complement additional pedestrian and landscaping improvements at this intersection.

**Budgetary/Fiscal Issues:**

The agreement calls for Hennepin County to fund the installation costs for median/landscaping improvements in Brooklyn Park along County Road 81 from 63<sup>rd</sup> Avenue N to just south of Interstate 94/694. Hennepin County would also fund maintenance costs until July 1, 2022. Maintenance expenses would then transfer to the City. Annual maintenance is estimated to be \$18,000-\$21,000 per year and would need to be added to the park maintenance general fund budget starting in 2022/2023.

**Attachments:**

- 7.1A RESOLUTION
- 7.1B PROJECT MAP
- 7.1C AGREEMENT
- 7.1D O&M POLICY 5.40

RESOLUTION #2019-

RESOLUTION TO APPROVE AN EXCEPTION TO O&M POLICY 5.40 AND APPROVE AN AGREEMENT  
WITH HENNEPIN COUNTY FOR COUNTY STATE AID HIGHWAY 81 LANDSCAPE MAINTENANCE

WHEREAS, in 2011, Hennepin County proposed medians at the intersection of 63<sup>rd</sup> Avenue N. and County State Aid Highway (CSAH) 81; and

WHEREAS, Hennepin County's standard for medians was turf grass and the City would have to fund and maintain any planting of trees/bushes in the medians; and

WHEREAS, on August 1, 2011, the City Council passed Resolution #2011-128 approving O&M Policy 5.40 and stating that median landscaping would not be installed at the intersection; and

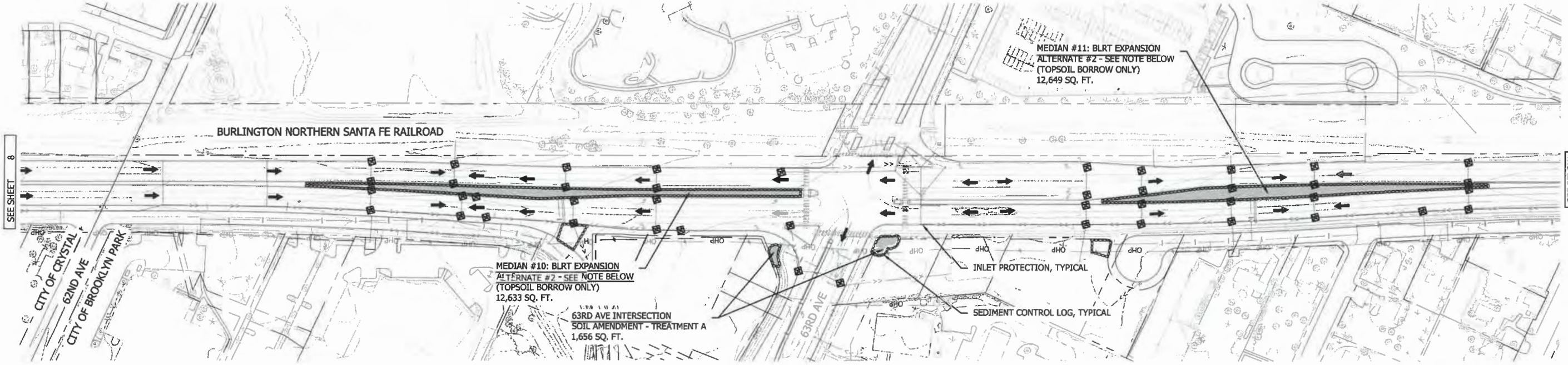
WHEREAS, Hennepin County is now proposing to fund and install medians at the intersection and maintain the plantings of trees and shrubs through July 1, 2022; and

WHEREAS, the plantings are consistent with pedestrian and landscaping improvements proposed by the Bottineau LRT's 63<sup>rd</sup> Avenue Station at the intersection of 63<sup>rd</sup> Avenue N and CSAH 81; and

WHEREAS, the agreement calls for the City to pick up annual maintenance estimated to be \$18,000-\$21,000 per year and would need to be added to the park maintenance general fund budget starting in 2022/2023.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve an exception to O&M Policy 5.40 and approve an agreement with Hennepin County for County State Aid Highway 81 landscape maintenance.

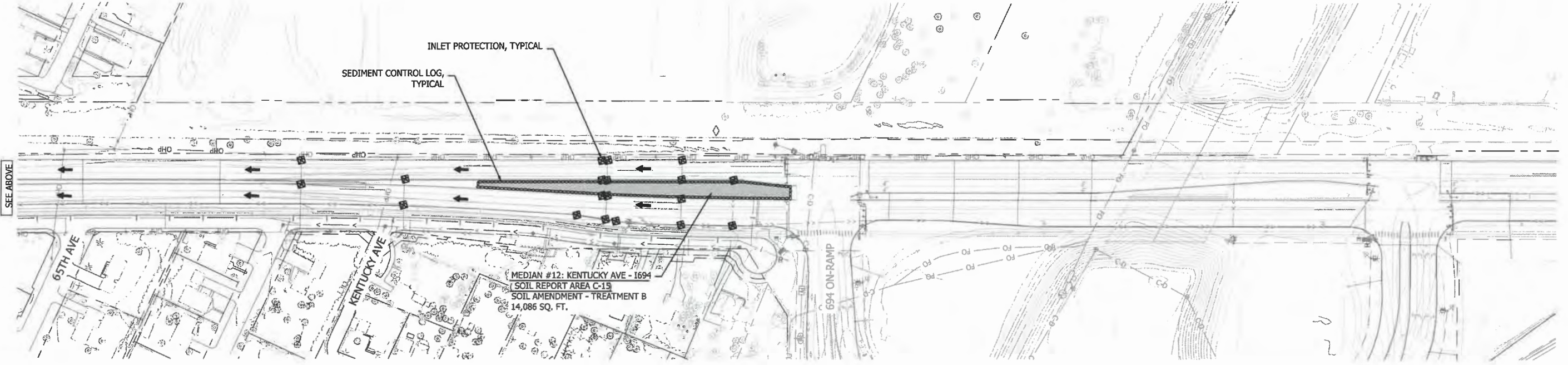
THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWING. ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO STANTEC WITHOUT DELAY. THIS DRAWING IS THE PROPERTY OF STANTEC. REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED BY STANTEC IS PROHIBITED.



ALTERNATE #2 - MEDIAN 10 AND 11

- 1. EXISTING MEDIAN TURF SHALL BE SPRAYED WITH THE FIRST GLYPHOSATE HERBICIDE APPLICATION AFTER FULLY GREENING POST DORMANT IN SPRING 2019.
- 2. AFTER A MINIMUM OF 21 DAYS POST FIRST GLYPHOSATE HERBICIDE APPLICATION, PERFORM SECOND GLYPHOSATE HERBICIDE APPLICATION.
- 3. AFTER A MINIMUM OF 7 DAYS POST SECOND GLYPHOSATE HERBICIDE APPLICATION, TILL GROUND TO A DEPTH OF 2 INCHES FOR PLANTING AND SEEDING PREPARATION PER SPECIFICATIONS.
- 3.1. ADD TOPSOIL BORROW AS NEEDED TO ACHIEVE MEDIAN SECTION AS DETAILED ON SHEET 48.
- 4. SEEDING AREA
- 4.1. BROADCAST SEED PER SPECIFICATIONS.
- 4.2. CULTIPACK SEEDING PLANTING AREA.
- 4.3. INSTALL EROSION CONTROL BLANKET SC-150 NATURAL FIBER.

- NOTES:
- 1. SEDIMENT CONTROL LOGS SHALL REMAIN IN ALL DISTURBED AREAS UNTIL PERMANENT EROSION CONTROL, PLANTING AND MULCHING AND/OR SEEDING AND BLANKETING, IS COMPLETE.



Plot Date: 11/08/2018 - 12:17pm  
Drawing name: \\VA\93804072\CAD\Draw\193804072\_C201.dwg

NO	DATE	APPR	REVISION

SURVEY	I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.
DRAWN JDR, JCS	PRINT NAME: JACOB C. BURGSTALLER
DESIGNED JDR, JCS	SIGNATURE: <i>Jacob C. Burgstaller</i>
CHECKED SMK	DATE: OCT 29, 2018
APPROVED JCS	LIC. NO. 54476
PROJ. NO. 193804072	



SOIL AMENDMENT & SEDIMENT CONTROL PLAN  
BROOKLYN PARK

HENNEPIN COUNTY  
CSAH 81 - BOTTINEAU BLVD  
LANDSCAPE REHABILITATION



Agreement No. A188826  
County Project No. 1006427  
County Road 81  
City of Brooklyn Park  
County of Hennepin, Environment & Energy

**COUNTY STATE AID HIGHWAY 81  
LANDSCAPE MAINTENANCE AGREEMENT  
BETWEEN COUNTY OF HENNEPIN AND  
THE CITY OF BROOKLYN PARK**

**THIS AGREEMENT** is between the County of Hennepin, State of Minnesota, A-2300 Government Center, Minneapolis, Minnesota 55487 ("COUNTY"), on behalf of the Environment and Energy Department, 701 4<sup>th</sup> Avenue South, Suite 700, Minneapolis, MN 55415-1843, ("DEPARTMENT"), and the City of Brooklyn Park, 5200 85<sup>th</sup> Avenue North, Brooklyn Park, MN 55443 ("CITY").

**RECITALS**

**WHEREAS**, the COUNTY is preparing to landscape the portion of County Road 81 between the eastern boundary of Robbinsdale to Interstate 694/94 in the Cities of Robbinsdale, Crystal and Brooklyn Park as shown on the CSAH 81 Landscape Rehabilitation plans for County Project No. 1002318: on file with Hennepin County (the "Project"); and

**WHEREAS**, the COUNTY will undertake, as a part of the Project, the installation of irrigation and the planting of trees, shrubs, and perennials; and

**WHEREAS**, the COUNTY will fund and oversee the landscape and irrigation installation; and

**WHEREAS**, the COUNTY will fund and install boulevard trees; and

**WHEREAS**, the CITY agrees to assume ongoing responsibility for the care, operation and maintenance of irrigation and new landscape trees, shrubs, perennials, and grass within the County Road 81 right-of-way from mid-2022 through June 2027; and

**WHEREAS**, the CITY agrees to assume ongoing responsibility for the care of CSAH 81 boulevard trees beginning one year after planting; and

**NOW, THEREFORE**, in consideration of these mutual undertakings and agreements, the COUNTY and the CITY agree as follows:

1. Project Procurement and Installation of Landscape Materials and Irrigation
  - a. The COUNTY will acquire landscape materials and perform landscaping according to the CSAH 81 Landscape Rehabilitation Plans: on file with Hennepin County (the "Project").
  - b. The COUNTY will obtain all necessary construction permits required in connection with the installation of the landscape materials.
  - c. The COUNTY, through its installation contractor, shall be responsible for all maintenance during the plant establishment period, a 3 year time period from July 1, 2019 until July 1, 2022 ("Three Year

Period"). This includes the maintenance of the irrigation system and other maintenance as described in Attachment A, attached and incorporated by this reference.

- d. The COUNTY will notify the CITY when the work to blow out the irrigation system in the fall and the work to turn on the water in the spring will occur so the CITY can be present during such work during the Three Year Period.
- e. The COUNTY anticipates installation of the landscape during the 2019 construction season.
- f. During the Three Year Period, Hennepin County will be responsible for trash pick-up in the newly landscaped medians two times per year.
- g. The COUNTY's forestry staff will install trees in the CSAH 81 boulevards and will be responsible for their maintenance and watering during the two year time period following installation.
- h. The COUNTY's forestry staff will supply and plant a gravel bed tree to replace any boulevard tree that dies or is damaged by a vehicle.
- i. During the Three Year Period, Hennepin County will pay for the irrigation related water charges.
- j. Prior to the conclusion of the Three Year Period, and before the maintenance responsibility transfers to the CITY, the COUNTY and the CITY shall conduct a walkthrough of the area and develop a punch list of items that must be corrected. All of the identified punch list items must be corrected and the irrigation system must be fully operational before the CITY assume the maintenance responsibility for the system.

2. Project Maintenance

- a. The CITY shall be responsible for the maintenance of the landscaping upon completion of the plant establishment period and for five years following this period until July 1, 2027. Maintenance includes, but is not limited to, general categories of weeding, pruning, irrigation, and removal and replacement of trees, shrubs, perennials and grasses that fail to survive including those damaged by vehicles. See Attachment A for a complete maintenance schedule.
- b. The CITY shall provide, at its sole expense, all electrical power and batteries to operate the irrigation system.
- c. The CITY shall provide, at its sole expense, all water to operate the irrigation system.
- d. The CITY shall furnish all labor, materials, supplies, tools and other items necessary to provide the needed maintenance or repair during the city maintenance period from July 1, 2022 to July 1, 2027.
- e. The CITY shall be responsible for the County Forestry installed boulevard trees for the life of the trees beginning two years after planting. This includes, but is not limited to, pruning, watering, and removal of dead trees.

3. Project Term

Agreement is effective upon signing and terminates on July 1, 2027.

4. Project Representatives

Each party's Authorized Representative is responsible for administering this Agreement and is authorized to give and receive any notice or demand required by this Agreement:

The CITY's Authorized Representative is:

Daniel Ruiz, Director of Operations and Maintenance- Public Works (or successor)  
Operation and Maintenance Facility  
8300 Noble Avenue North  
Brooklyn Park, MN 55443  
763-493-8047  
Dan.Ruiz@brooklynpark.org

The COUNTY's Authorized Representative is:

John Evans, Assistant Director Department of Environment and Energy (or successor)

701 4<sup>th</sup> Avenue South, Suite 700 | Minneapolis, MN 55415-1843

612-348-4046

John.Evans@hennepin.us

5. Signage

No advertising signs or devices of any form or size will constructed or permitted to be constructed or placed upon COUNTY right-of-way. This Agreement does not grant any interest whatsoever in land, nor does it establish a permanent park or natural area.

6. Amendments

Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement, or their successors in office.

7. Assignment

Neither party may assign or transfer any rights or obligations under this Agreement without the prior consent of the other party and a written assignment agreement, executed and approved by the same parties who executed and approved this Agreement, or their successors in office.

8. Force Majeure

Neither party will be responsible to the other for a failure to perform under this Agreement (or a delay in performance), if such a failure or delay is due to a force majeure event. A force majeure event is an event beyond a party's reasonable control, including but not limited to, unusually severe weather, fire, floods, other acts of God, labor disputes, acts of war or terrorism, or public health emergencies.

9. Traffic Control and Notice of Lane Closures

During maintenance activities by the CITY, the CITY shall be responsible for compliance with applicable provisions of the current version of the *Minnesota Temporary Traffic Control Field Manual* and *Minnesota Manual on Uniform Traffic Control Devices*.

The CITY shall apply for an annual Transportation Right-of-Way Permit from the COUNTY if it is necessary to partially block CSAH 81 within its corporate limits while conducting the maintenance. The CITY shall contact the COUNTY's permit office at 612-596-0339 for information and use the web-based e-permitting system at [roadpermits.co.hennepin.mn.us](http://roadpermits.co.hennepin.mn.us) to apply for a permit. The COUNTY will waive all fees associated with the permit for the CITY.

This Agreement does not prohibit the COUNTY from closing a road if such closing is authorized by law and is necessary for public safety.

10. Landscape Installation Areas

The following areas within the City, County Road 81 right-of-way will have new landscape plants and irrigation installed:

- South of 63<sup>rd</sup> Avenue Median
- 63<sup>rd</sup> Avenue Intersection
- North of 63<sup>rd</sup> Avenue Median
- Kentucky Avenue to I-694 On-Ramp Median

12. Annual Maintenance Review

Once per year during the summer, CITY and COUNTY staff or representatives will analyze the new plantings and together determine any changes needed to the maintenance schedule, amending attachment A as needed.

13. Independent Contractor

The CITY shall select the means, method, and manner of performing the services. Nothing is intended or should be construed as creating or establishing the relationship of a partnership or a joint venture between the parties or as constituting the CITY as the agent, representative, or employee of the COUNTY for any purpose. The CITY is and shall remain independent contractors for all services performed under this Agreement. The CITY shall secure all personnel required in performing services under this Agreement. Any personnel of the CITY or other persons while engaged in the performance of any work or services required by the CITY will have no contractual relationship with the COUNTY and will not be considered employees of the COUNTY. The COUNTY shall not be responsible for any claims that arise out of employment or alleged employment under the Minnesota Economic Security Law or the Workers' Compensation Act of the State of Minnesota on behalf of any personnel, including, without limitation, claims of discrimination against the CITY, its officers, agents, contractors, or employees. The CITY shall defend, indemnify, and hold harmless Hennepin County, their officials, officers, agents, volunteers, and employees from all such claims irrespective of any determination of any pertinent tribunal, agency, board, commission, or court. Such personnel or other persons shall neither require nor be entitled to any compensation, rights, or benefits of any kind from the COUNTY, including, without limitation, tenure rights, medical and hospital care, sick and vacation leave, Workers' Compensation, Re-employment Compensation, disability, severance pay, and retirement benefits.

14. Indemnification

Each party agrees that it will be responsible and agrees to defend, indemnify, and hold harmless the other party, its officials, officers, agents, and employees for its own errors, acts, and omissions and the results thereof to the extent authorized by the law and shall not be responsible for the errors, acts, and omissions of the other party and the results thereof. Each party's liability shall be governed by and limited in accordance with Minnesota Statutes, Chapter 466. It is the express intention of the parties hereto that they be treated as a single governmental entity for purposes of liability as outlined in Minnesota Statutes, Section 471.59, subdivision 1a.

15. Merger, Modification and Severability

- A. The entire Agreement between the parties is contained herein and supersedes all oral agreements and negotiations between the parties relating to the subject matter. All items that are referenced or that are attached are incorporated and made a part of this Agreement. If there is any conflict between the terms of this Agreement and referenced or attached items, the terms of this Agreement shall prevail.

- B. Any alterations, variations, modifications, or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing as an amendment to this Agreement signed by the parties.
- C. If any provision of this Agreement is held invalid, illegal or unenforceable, the remaining provisions will not be affected.

16. Cancellation

Upon written notice, the COUNTY may immediately suspend or cancel this Agreement in the event that (i) the landscape rehabilitation project does not move to construction; (ii) funding for landscape rehabilitation project is withdrawn or is otherwise made unavailable; or (iii) COUNTY determines, in its sole discretion, that funding is, or has become, insufficient to proceed with the landscape rehabilitation project.

17. Notices

Any notice or demand which must be given or made by a party under the terms of this Agreement or any statute or ordinance shall be in writing. Notices to the COUNTY shall be sent to the representative identified in Section 4 of this agreement with a copy to the County Administrator at the address given in the opening paragraph of the Agreement. Notice to the CITY shall be sent to the representative identified in Section 4 of this agreement with a copy to the City Administrator or City Manager at the address stated in the opening paragraph of the Agreement.

18. Survival of Provisions

Provisions that by their nature are intended to survive the term, cancellation or termination of this Agreement include but are not limited to: INDEPENDENT CONTRACTOR; INDEMNIFICATION; DEFAULT AND CANCELLATION; and MINNESOTA LAW GOVERNS.

19. Media Outreach for Landscape Project and On-Going Maintenance

City shall notify COUNTY, prior to publication, release or occurrence of any Outreach (as defined below) for this project. The parties shall coordinate to produce collaborative and mutually acceptable Outreach. For clarification and not limitation, all Outreach shall be approved by COUNTY, by and through the Public Relations Officer or his/her designee(s), prior to publication or release. As used herein, the term "Outreach" shall mean all media, social media, news releases, external facing communications, advertising, marketing, promotions, client lists, civic/community events or opportunities and/or other forms of outreach created by, or on behalf of, City (i) that reference or otherwise use the term "Hennepin County," or any derivative thereof; or (ii) that directly or indirectly relate to, reference or concern the County of Hennepin, this Agreement, the services performed hereunder or COUNTY personnel, including but not limited to COUNTY employees and elected officials.

20. Minnesota Laws Govern.

The Laws of the State of Minnesota shall govern all questions and interpretations concerning the validity and construction of this Agreement and the legal relations between the parties and their performance. The appropriate venue and jurisdiction for any litigation will be those courts located within the County of Hennepin, State of Minnesota. Litigation, however, in the federal courts involving the parties will be in the appropriate federal court within the State of Minnesota.



## COUNTY BOARD AUTHORIZATION

Reviewed by the County Attorney's  
Office

\_\_\_\_\_  
Assistant County Attorney

Date: \_\_\_\_\_

COUNTY OF HENNEPIN  
STATE OF MINNESOTA

By: \_\_\_\_\_  
Chair of Its County Board

ATTEST: \_\_\_\_\_  
Deputy/Clerk of County Board

Date: \_\_\_\_\_

By: \_\_\_\_\_  
County Administrator

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Assistant County Administrator  
- Public Works

Date: \_\_\_\_\_

### Recommended for Approval

By: \_\_\_\_\_  
Director,  
Environment and Energy Department

Date: \_\_\_\_\_

## CITY OF BROOKLYN PARK

By: \_\_\_\_\_ By: \_\_\_\_\_  
Mayor, Jeffrey Lunde City Manager, Jay Stroebel

Date: \_\_\_\_\_ Date: \_\_\_\_\_

**Attachment A: County Road 81 Suggested Landscape Maintenance Schedule**

Activity		Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>Pruning</b>	Pruning of deciduous trees	Training and corrective.	x	x	x								x	x
	Pruning of deciduous shrubs	Corrective and renewal.	x	x	x								x	x
	Pruning of evergreen trees & shrubs	Corrective and deadwood removal.	x	x	x									
	Pruning for disease removal	Prune after diagnosis.	x	x	x	x	x	x	x	x	x	x	x	x
<b>Replant</b>	Remove dead trees, shrubs, ornamental grasses and perennials.					x	x	x	x	x	x	x		
	Replacement of dead, damaged or diseased trees, perennials, shrubs, ornamental grasses.	Follow MnDOT planting dates.				x	x				x	x		
	Reseed grass as needed	Reseed grass May 1 to mid-June or mid-August to mid-September.					x	x		x	x			
<b>Water</b>	Water as needed	Supplemental water will be needed even after plant establishment.				x	x	x	x	x	x	x		
<b>Fertilizing</b>	Fertilize shrubs and perennials, if needed.	Test the soil and apply fertilizer per recommendations.					x							
<b>Weed Control</b>	Remulch planting beds for weed control	Maintain a minimum 3" MnDOT Type 6 wood mulch in a weed free condition.					x	x						
	Pull weeds in planting beds	Hand pull weeds and dispose of off site.				x	x	x	x	x	x	x		
	Control broadleaf weeds in ornamental grass and low mow fescue areas.	Use a pre-emergent herbicide in the spring and/or post-emergent herbicide in fall. Must be applied by a licensed Pesticide Applicator.				x	x				x			
<b>Winter Protection</b>	Bark Protection	Tree tubes are placed on young trees at time of planting. Remove the tubes when the trees outgrow them.				x							x	

Activity		Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Insect Disease	Insect and disease control	Time of control depends on the type of insect or disease and when it is detected.												
Spring Maintenance	Cut back perennials and ornamental/native grasses after winter.	Remove prior year's growth, retaining 4 inches at base of plant. Complete before new growth appears in spring. Remove material.												
Irrigation	Irrigation spring start-up.	After danger of freezing has passed.												
	Irrigation repair, as needed.	During spring start-up check for leaks and repair. Repair irrigation throughout the growing season as needed.												
	Irrigation winterization	Prior to first frost, winterize the irrigation system.												

### Types of Pruning

Disease Removal

Deadwood removal

Training

Corrective

Renewal

### Description

Removal of fungal bacterial growths. Sterilize pruners between cuts.

Removal of dead branches, normally from the interiors portion of the crown.

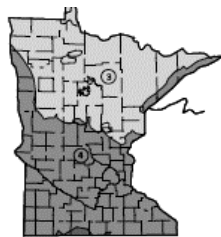
Maintaining the central leaders and acceptable symmetry. Removal of suckers and water sprouts.

Removal of storm-damaged, vehicle-damaged or vandalized limbs.

Removing all top growth at or near the ground line. Or removal of 1/3 of the oldest stems at the ground line. Only for deciduous shrubs.

MnDOT Type 6 Mulch:

Raw wood material from hard or soft timber and that is the product of a mechanical chipper, hammermill, or tub grinder.



1. BARE ROOT PERENNIALS MUST BE PLACED IN THE SPRING NO LATER THAN JUNE 1ST OR FOLLOW THE FALL DECIDUOUS PLANTING DATES.
2. ACTUAL DATES MAY CHANGE DEPENDING UPON SEASONAL CONDITIONS, AS DETERMINED BY THE ENGINEER.
3. FALL PLANTING IS NOT ALLOWED FOR BARE ROOT FORM OF THE FOLLOWING SPECIES: HAWTHORN, DOGWOOD, POPLAR, HACKBERRY, LINDEN, IRONWOOD, HONEYLOCUST, BIRCH, MOUNTAIN ASH, MAPLE, WILLOW, CRABAPPLE, PLUMCHERRY, OAKS, AND SUMAC.
4. ALL REPLACEMENT PLANTS MUST BE PLACED DURING THE MONTH OF MAY (SPRING PLANTING) AND SEPTEMBER (FALL PLANTING) DURING THE FIRST YEAR OF THE PLANT ESTABLISHMENT PERIOD.
5. MACHINE MOVED PLANTING DATES WILL BE SPECIFIED IN THE SPECIAL PROVISIONS.

PLANTING DATES BY ZONE				
			③	④
SPRING	DECIDUOUS	BARE ROOT	APRIL 21 TO JUNE 1	APRIL 7 TO JUNE 1
		CONTAINER B&B	APRIL 21 TO JUNE 30	APRIL 7 TO JUNE 30
	CONIFEROUS		APRIL 21 TO JUNE 1	APRIL 7 TO MAY 17
	PERENNIALS		MAY 1 TO JUNE 30	MAY 1 TO JUNE 30
	SEEDLINGS		APRIL 21 TO JUNE 1	APRIL 7 TO JUNE 1
FALL	DECIDUOUS	BARE ROOT	OCT. 1 TO NOV. 1	OCT. 10 TO NOV. 15
		CONTAINER B&B	AUG. 25 TO OCT. 15	AUG. 25 TO NOV. 1
	CONIFEROUS		AUG. 25 TO SEPT. 15	AUG. 25 TO SEPT. 15
	PERENNIALS		AUG. 25 TO SEPT. 15	AUG. 25 TO SEPT. 15

Policy Number: O&M 5.40

Established: 8/01/11

Last Revision: N/A

Originating Department: Operations & Maintenance

**CITY OF BROOKLYN PARK  
ARTERIAL/COLLECTOR STREET (ROADWAY)  
MEDIAN AND BOULEVARD LANDSCAPING**

**1. PURPOSE**

The purpose of this administrative policy is to outline policies and procedures for the installation of arterial and collector street median and boulevard landscaping in new and existing areas.

**2. APPLICABILITY**

This administrative policy is applicable to all arterial and collector street medians and boulevards.

**DEFINITION(S)**

- Principal arterial roadways (primarily MnDOT highways) are a functional roadway classification that serve large traffic volumes at higher speeds and generally over longer distances. Significant vehicle trip generators such as large employment and commercial centers and are part of the metropolitan highway system. Typically spaced at 3 – 5 miles in urban/suburban areas.
- Minor arterial roadways (Class “A” are county roadways; Class “B” are primarily city streets) serve moderately high traffic volumes at speeds of 35 – 50 MPH and emphasize mobility over land access, and connect cities with adjacent communities and the metropolitan highway system. Typically spaced at one mile increments north/south and east/west.
- Collector roadways are primarily city streets that serve shorter trips and provide access from neighborhoods to the arterial roadway systems. Collector roadways provide greater access to adjacent land uses and are lower in traffic volume than arterial roadways. Typically spaced every one-half mile east/west and north/south.
- Street (Roadway) medians are island dividers of various widths and lengths in the center of the street.
- Street (Roadway) boulevards are areas on the outside of the street between the curb or edge of road and the right-of-way line.
- Landscaping is defined as shrubs, flowers, grass, trees, mulch and irrigation systems.
- Hardscape is defined as concrete or asphalt hard surface materials.

- A Special Service District is a defined area within the city where special services are rendered and the costs of the special services are paid from revenues collected, from service charges imposed within that area. See MN Statute Chapter 428 A.

## POLICY

- A. Street (Roadway) medians primary purpose is to control vehicle movements, store stopped vehicles and act as refuge areas for pedestrians.
- B. Street (Roadway) boulevards primary purpose is for the location of public and private utilities, signs, traffic signals, street lighting, sidewalks/recreational trails and snow storage.
- C. Street medians and boulevards secondary purposes are to provide a location for landscaping that improves aesthetics and the environment.
- D. Landscaping installed in county roadways shall be as per the Hennepin County “Roadside Enhancement Partnership Program” policy.
- E. Median landscaping maintenance operations (city or contracted) must utilize warning signing as per the current edition of the MN MUTCD Temporary Traffic Control Zone Layouts – Field Manual.
- F. Collector and local streets with landscaped medians, islands and boulevards will be maintained by adjacent property owners, homeowners associations or special service districts, unless a specified City Council approval for city maintenance has been made.
- G. Boulevard landscaping installation and maintenance shall be as per policy O&M 3.15 – Public Easement Maintenance.
- H. Tree installation and maintenance shall be as per policy O&M 5.20 – Forestry.

## I. LOCATION WARRANTS/STANDARDS

- 1. Principal or minor arterial roadways with more than two (2) through lanes in each direction (such as CSAH 81) shall not be candidates for median landscaping due to the very high additional maintenance costs (primarily due to the required traffic control signing) and personal safety concerns.
- 2. Minor arterial and collector roadway median landscaping or possibly boulevard landscaping shall only be located and installed as approved by the City Council, based on recommendations of the Operations & Maintenance Department and Community Development Department.
- 3. Warrants/standards where median landscaping may be considered for installation shall be as follows:
  - a. Median landscaping installations shall have the following minimum requirements:



- Minimum face to face of curb width; Arterials 18 feet, Collectors 17'- 4"
  - Minimum length of landscape bed of 30 feet
  - Minimum concrete edging width; speed limits 40 MPH and more 3 feet, speed limits less than 40 MPH 2 feet
  - Median landscape areas must be provided with below ground drip irrigation
  - Median landscape beds must have natural colored hardwood mulch
- b. Median hardscaping shall be as follows:
- Regular concrete is normally used for complete or partial median hardscape
  - Decorative and/or stamped concrete is generally not used but may be considered in unique circumstances (such as community gateway entrances)
  - Colored and stamped asphalt sections can be used to break up a large median to decrease the amount of plantings
- c. Median landscaping plants and trees shall be as follows:
- Plants and trees species must be approved by the Operations & Maintenance Department
  - Special care in selection of species must be made to provide safe vehicle sight lines
4. See the attachment drawings for construction options concerning arterial/collector street (roadways).

#### H. COST/FUNDING RELATED ISSUES

1. Costs for new designated arterial/collector street (roadways) median or boulevard landscaping installations shall be determined on a case by case basis, with funding by the city or developer or a combination of city, county, developer or other funding.
2. Costs for designated public median or boulevard landscaping maintenance and replacement shall be borne by the city's general fund, as each adopted annual budget allows.
3. Costs for private median, islands or boulevard landscaping maintenance and replacement shall be borne 100% by the developer or adjacent private property owner.

## ADMINISTRATIVE PROCEDURES

- A. The Operations & Maintenance Department shall maintain the specifications for arterial/collector street (roadway) median landscaping installation.
- B. The Operations & Maintenance Department/Engineering Division shall manage and coordinate the MNDOT and Hennepin County agreements for installation of arterial/collector street (roadway) median landscaping. Decisions should be made a minimum of two (2) years prior to expected start date of a project.
- C. The Operations & Maintenance Department/Engineering Division shall coordinate the Hennepin County “Roadside Enhancement Partnership Program” agreements.
- D. The Community Development Department and Operations & Maintenance Department shall coordinate the development agreement requirements for arterial/collector street (roadway) landscaping and ensure that new landscaping is installed as per the agreement.
- E. The Community Development Department and the Operations & Maintenance Department will coordinate the development of Special Service Districts where appropriate and incorporate same into development agreements. The Operations & Maintenance Department will administer and coordinate the Special Service District service charges in conjunction with an Advisory Board as per Minnesota Statutes Chapter 428 A. Special Service Districts.
- F. The Operations & Maintenance Department/Park Maintenance Division, in coordination with the Operations & Maintenance Department/Engineering Division, is responsible for the construction of median and boulevard landscaping. The Park Maintenance Division is responsible for maintenance of median landscaping and boulevard landscaping that is designated as city responsibility. Annually, the Park Maintenance Superintendent will issue a memo summarizing the previous year’s construction cost and maintenance cost on an estimated square foot basis for each.

## ATTACHMENTS

- 1. Street functional Classification Map
- 2. Arterial Streets with Medians - Sections
- 3. Arterial Streets with Medians - Islands
- 4. Collector Streets with Medians
- 5. Collector Streets without Medians

Cross-Referenced: Resolution #2011-128

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	7.2	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	General Action Items	<b>Originating Department:</b>	Administration
<b>Resolution:</b>	N/A		
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	N/A	<b>Prepared By:</b>	Devin Montero, City Clerk
		<b>Presented By:</b>	Jeffrey Lunde, Mayor
<b>Item:</b>	Approve Travel for Wynfred Russell to Attend the Making Cities Livable Conference		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE TRAVEL FOR COUNCIL MEMBER WYNFRED RUSSELL TO ATTEND THE JUNE 17-21, 2019 MAKING CITIES LIVABLE CONFERENCE IN PORTLAND, OREGON.

## Overview:

Council Member Russell has requested to attend the International Making Cities Livable Conference in Portland, Oregon. He would like to attend the conference to network with other city officials and obtain information that can help the city become healthy, livable, and equitable.

The Overnight Travel Policy states:

*The event, workshop, conference or assignment must be approved in advance by the City Council at an open meeting and must include an estimate of the cost of travel.*

Airfare and five nights' lodging would be required.

## Primary Issues/Alternatives to Consider:

This expenditure is expected to be covered under existing 2019 budgeted resources in the Mayor and Council travel expense line.

## Budgetary/Fiscal Issues:

Registration, airfare and at least five nights' lodging would be required. Expenses are expected to range between \$2,300 and \$3,150.

**Attachments:** N/A

## City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	8.1	<b>Meeting Date:</b>	April 8, 2019
<b>Agenda Section:</b>	Discussion Items	<b>Originating Department:</b>	Community Development
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Erika Byrd, Development Project Coordinator
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Erika Byrd, Development Project Coordinator, Community Development; Bill Barritt, Inspector, Police
<b>Item:</b>	Apartment Action Plan 2.0 Status Update		

### City Manager's Proposed Action:

Provide a status update on the Apartment Action Plan 2.0.

### Overview:

In 2010, the City Council accepted the Apartment Action Plan that established a comprehensive set of policies and procedures for monitoring, maintaining and designing the city's current and future apartment complexes to ensure long-term sustainability.

In 2017, the City began the process of updating the Apartment Action Plan. A cross-department team of staff met several times in 2017 to review the original Apartment Action Plan and generate new ideas related to the long-term sustainability of the city's apartment communities. A number of factors contributed to the update including testimony about living conditions at City Council meetings and tenant forums organized by housing advocacy groups. The Apartment Action Plan 2.0 was produced in consultation with many stakeholders including property owners/managers, community organizations and housing advocacy groups. Staff also collected tenant input through a focus group and intercept surveys and received feedback from the Minnesota Multi Housing Association.

The City Council accepted the Apartment Action Plan 2.0 on February 26, 2018. The updated plan outlines actions the City would take around community engagement and communication, sustainability strategies, enforcement, and monitoring of apartment communities.

Key action from the last year include:

- Track tenant complaints through the Rental Licensing division to ensure tenant concerns are addressed in a timely manner.
- Operate Rec on the Go program at apartment communities to provide mobile recreation programming opportunities to youth in the community.
- Work closely with apartment communities receiving City financial resources to ensure tenant engagement and communication.
- Expand the Welcome Bag program to apartment communities.
- Coordinate across City departments to address problems and support additional resources at Huntington Place and Zanewood.
- Commission study on eviction in Brooklyn Park and hold conversations about eviction with property managers, owners, advocacy groups and tenants.

**Primary Issues/Alternatives to Consider:** N/A

**Budgetary/Fiscal Issues:**

Proposed tools and/or initiatives in the plan not currently underway will be brought before the City Council or Economic Development Authority for further consideration and action.

**Attachments:**

8.1A APARTMENT ACTION PLAN 2.0 STATUS UPDATE





**Status Update – April 4, 2019**

## **Apartment Community Action Plan 2.0**

February 22, 2018

### **Safe, Suitable, Dignified Rental Housing**

#### **Executive Summary**

Apartment communities are an important element of housing choice within Brooklyn Park. Establishing a plan where the City is proactive in its communication and engagement with tenants and property managers will improve quality of life in Brooklyn Park apartment communities. This Action Plan outlines actions the City will take around communication and engagement with tenants and property managers and owners, proactive apartment sustainability strategies, and enforcement and monitoring of apartment communities.

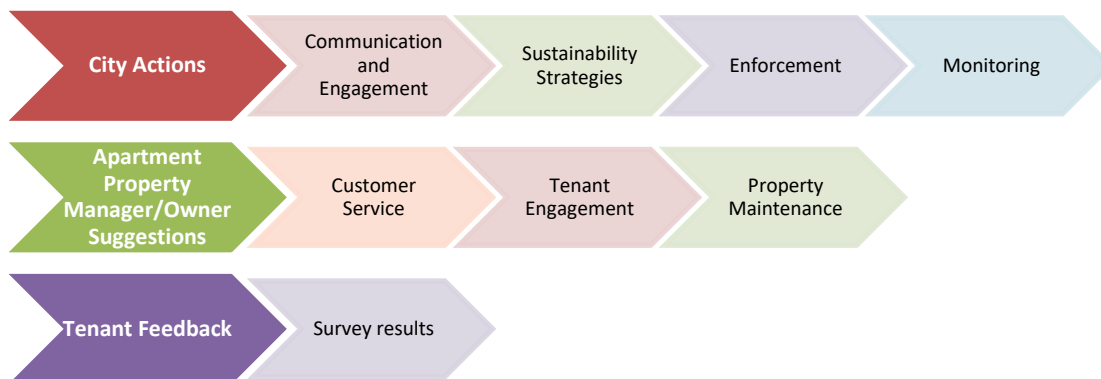
After meeting with several apartment property manager/owners one-on-one and conducting tenant interviews, staff found that strong customer service, engaged tenants, and proactive property maintenance contributes to improved quality of life in apartment communities. Suggestions and documented best practices for property managers and owners are included in this Action Plan. The City received feedback from tenants in August 2017 and input and feedback is included in the Action Plan.

Key action items for 2018 include continuing to:

- Track tenant complaints about internal and structural issues through the Rental Licensing division to ensure tenant concerns are addressed in a timely manner. Staff will work to improve internal referral coordination between the Rental Licensing and Public Health divisions to ensure complaints are captured through a coordinated tracking system.
- Operate the Rec on the Go program at apartment communities to provide mobile recreation programming opportunities and free meals to youth in the community.
- Work closely with apartment communities receiving City financial resources to ensure tenant engagement expectations are met including communication and engagement around timelines, process, impacts, and opportunities for residents to voice concerns and ask questions in person.
- Meet one-on-one with property managers and owners to build relationships and share information.
- Document parking situations at apartment communities and work with willing property owners on strategies to improve parking usage.
- Explore ways the City can provide support and resources for physical improvements to apartment communities.
- Explore ways the City can provide support and resource information to tenants.

The *Brooklyn Park 2025* goals include sustaining neighborhoods that are well maintained with quality housing for all ages and incomes integrated throughout the community. Safe, suitable, and dignified rental housing is instrumental in ensuring this *Brooklyn Park 2025* goal is met.

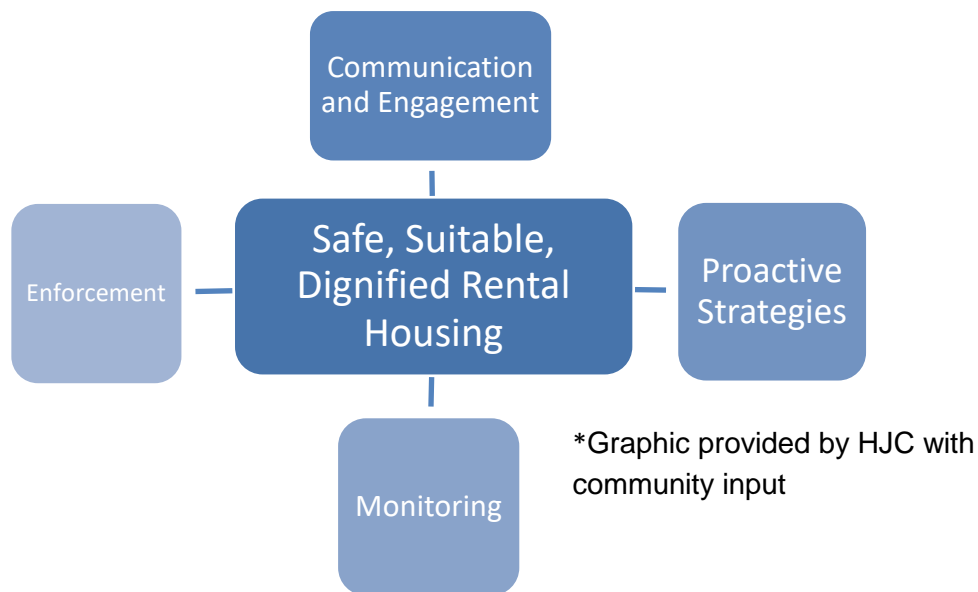
This document is organized in three sections: City Actions, Apartment Property Owner/Manager Best Practices, and Tenant Feedback.



## Background

There are 35 large apartment communities comprised of 180 buildings in Brooklyn Park, totaling over 6,400 individual units. In 2010, a cross-department team of City staff created the Apartment Action Plan to establish a set of policies and procedures for monitoring, maintaining and designing the city's apartment buildings to ensure long-term sustainability. The resulting action plan focused on a collaborative approach to identifying and mitigating problems within apartment communities.

Since the City Council acceptance of the Apartment Action Plan in 2010, a number of improvements have been made within the city's apartment communities including a reduction in overall crime and new investment through apartment rehabilitation. Several factors contributed to updating this Action Plan including testimony about living conditions at City Council meetings by tenants, African Career, Education, and Resources, Inc. (ACER), and La Asamblea de Derechos Civiles (La Asamblea) Housing and at Tenant Forums. ACER, La Asamblea, Housing Justice Center (HJC), and Community Action Partnership Hennepin County (CAPHC) also contributed to this plan. This document, produced in consultation with many stakeholders, serves as an update to the 2010 Apartment Action Plan.



## Section 1: City of Brooklyn Park Actions:

The City recognizes its role in contributing to the quality of life within apartment communities. The City commits to proactive action and collaboration with tenants, property managers/owners, and other housing stakeholders to ensure safe, suitable, and dignified rental housing in the community.

### Section 1.1 - City Communication and Engagement –

This Action Plan encourages ongoing and continued communications among tenants, property managers and owners, and cross department city staff teams.

- Tenant and City –
  - The City will follow up with tenant complaints to ensure issues are resolved in a timely manner. In early 2017, the City began tracking internal and structural related tenant complaint cases within its property services software system. To date, the City has received 31 tenant complaints regarding internal and structural issues, including nine complaints from tenants in apartment communities. The remaining complaints originated from tenants of single family homes. Public Health received 51 tenant complaints at rental units for internal health issues such as hoarding, mold, or infestations.

Update: In 2018 the City continued to track and resolve complaints. In total, the City received 179 complaints from tenants including:

- 100 property maintenance complaints (56 single family rental, 44 apartments)
- 79 public health complaints (7 single family rental, 72 apartments)

All the complaints from 2018 have been resolved and closed.

- The City will communicate its expectations for tenant engagement for City supported rehabilitation and initiatives at apartment communities including timelines, process, impacts, and opportunities for residents to voice concerns and ask questions in person.

Update: The City continued to work to keep residents engaged and informed about the Autumn Ridge Rehabilitation Project through regular meetings between Autumn Ridge management, residents, community groups, and City staff. For the upcoming Brook Gardens and Brooks Landing rehab projects, staff have been meeting with the owner and manager ahead of project kick-off to clearly lay out engagement and communication expectations and strategies. Staff has also engaged with Huntington Place ownership/management around maintenance and management strategies to improve quality of life in the City's largest apartment community, which includes several tenant engagement efforts.

- The City reviewed different delivery methods for regular City communication materials such as the Park Pages to ensure equitable delivery, and now all apartment units receive City mailers.

Update: The City continues to deliver City mailers to apartment communities and has also started delivering New Connect bags to apartment communities.

- National Night Out – City staff will continue to partner with COPS officers to visit neighborhood gatherings including apartment communities. Staff shares information about City programs related to housing and other community priorities.

Update: Brooklyn Park had 206 registered National Night Out parties in 2018, which was a record-breaking number for our city. 12 of the registered parties were at apartment communities. Police, Fire, staff from other department, and elected officials visited parties across the city, including those happening at apartment communities. One example of this was the National Night Out event at Autumn Ridge Apartments, where more than 150 residents turned out for the occasion. The event was organized by Sherman Associates Management in partnership with ACER, Metro Blooms and the City of Brooklyn Park. During the event, attendees enjoyed ice cream and heard about the status of the rehabilitation project underway. The City's Fire Department was also in attendance with the fire truck and the Police Department mingled with guests and talked to residents about public safety.

- Rec on the Go – In 2016, the City established Rec on the Go (ROTG), mobile vehicles that travel to apartment communities to provide safe, exciting, and organized drop in recreation programming that is flexible to youth ages 5-18. During the 2016 pilot year, there were 2,409 visits by 741 individuals to ROTG and in 2017 there were over 3,300 visits with 1,116 unique registrations. Over 60 percent of participants are new to recreation programming.

By 2017, ROTG increased the number of program sites from 8 to 12, including the addition of 4 sites targeting teens specifically with a third ROTG vehicle. Five partner

organizations provided additional programming and Partners in Nutrition again provided free meals at most locations. The Youth Program Quality Assessment scores increase from 2016. A demand was created for more ROTG: feedback showed that respondents requested expansion to include additional hours, programming year-round, and more locations. Parents, property managers, and community partners were all satisfied with ROTG program and agreed that it created a safe, active, educational, and positive environment.

*Apartment Manager ROTG Testimonial –*

*I've been working as a property manager for over thirty years. This is the 1st time I've worked with an organization such as Rec on the Go and I am so impressed with the City of Brooklyn Park and Recreation and Parks Department realizing the importance of youth activities especially within the apartment communities. I have talked with the children and seen how excited they get when Rec on the Go truck pulls up. Your program gives children really something to look forward to. I'm hoping this can be an ongoing event at our Property. There are so many positive projects happening over here. Our residents are commenting on how excited and proud they are, on all the positive changes.*

*-Autumn Ridge Apartment Management*

Update: In 2018 ROTG operated at 12 sites in the City, including 4 apartments, 6 City parks, Crest View Elementary School, and Brooklyn Avenues for Homeless Youth. In 2019, ROTG will again operate at 12 sites, including 5 apartment buildings, 5 City parks, the Brooklyn Park Library, and Brooklyn Avenues.

- Summer Meal Program – Piloted in 2016, this partnership between Partners in Nutrition and Rec on the Go (ROTG), brings a meal each day of ROTG programming which includes a protein sandwich or wrap, fruits/vegetables and milk. In 2017, Partners in Nutrition served 2,475 meals at 11 apartment communities in Brooklyn Park.

Brooklyn Park Recreation and Parks has an important partnership with Partners in Nutrition for its Rec on the Go programming each summer. In 2018, 1,948 meals and snacks were provided to youth and families in apartment communities. The decrease was marked by 1 week less of programming, one site did not allow food to be served, and there were driver challenges with Partners in Nutrition that have been resolved for 2019. Additionally, in 2019 ROTG staff will be handing out the food to youth and families which will decrease the challenges Partners in Nutrition saw in 2018.

- Neighborhood Project Grants – The City continues to offer a limited number of small grants to support and encourage community members to know their fellow neighbors, build connections, and work to make neighborhoods safe, healthy and thriving. All residents are welcome to apply for funds to support work in their neighborhoods.



Update: The City's Community Engagement team continues to offer Neighborhood Project Grants. For example, Autumn Ridge Apartments received matching grants for National Night Out community activities and for their landscaping events.

- The City will consider establishing a matching grant program to incentivize property owners/managers to do tenant engagement towards a new development initiative or apartment rehabilitation.

Update: The City has not established a new grant program directly for this, but staff will continue to explore the idea. On occasion, the City has used the existing Neighborhood Project Grant funds to support engagement around rehabilitation projects, as long as the surrounding neighborhood is also invited.

- The City will provide support and resource information to tenants. Options might include creating a simplified tenant rights handout or a renter specific newsletter.

Update: The City created a new renter resource flyer in English and Spanish in 2018. This flyer was distributed to apartment communities through a one-time expansion of the New Connect program to include Brooklyn Park renters. In addition to the renter resource flyer, staff included the manual "Landlords and Tenants: Rights and Responsibilities" from the Attorney General's office, along with information about snow emergency parking, recycling, restaurants, neighborhoods, and upcoming events. Staff and volunteers delivered thousands of the bags to all multi-family apartment communities in Brooklyn Park. In 2019, households renting single family rental units will also be receiving New Connect bags. In addition, staff will be developing a resource magnet for tenants and will consider education materials for renters. The EDA has also discussed the possibility of supporting opportunities for renter education.

- The City will explore hosting quarterly meetings with property managers, tenants, and City staff. A similar approach is used in the City of Minneapolis.

Update: The City has an existing Property Manager's Rental Coalition program. Coordinated by Brooklyn Park Police department, these quarterly meetings continued to bring together property managers, owners, staff, and special guests in 2018. Based on interest from the property owners and managers, in 2019, the City will explore the idea of bringing together tenants, housing organizations, property managers, and City staff to discuss specific topics such as eviction prevention.

The City will consider alternative phone system methods to ensure tenants can easily reach appropriate staff with a complaint.

Update: Staff streamlined the phoneline complaint and reporting system. The phone number and instructions were distributed to renters through the new renter resource flyer.

- Property Managers/Owners and City -

- In 2017, Community Development staff met one-on-one with 11 individual property owners/property managers so that staff can be a familiar resource to property managers.

Staff will continue to meet with other property managers and owners on an ongoing basis.

Update: Community Development staff continued to meet one-on-one with owners and managers in 2018. Staff held 12 such meetings in 2018 and will continue these efforts as needed.

- The Brooklyn Park Property Manager's Coalition is a group open to all Brooklyn Park rental property owners and managers. The group exists to provide a community wide forum that promotes effective management practices and quality rental housing in Brooklyn Park. It is a partnership between Brooklyn Park Police Department, the Community Development Department and those that own and manage rental properties in the city.

This group provides a valuable networking opportunity for rental owners, managers and city staff. The group meets on a quarterly basis with a variety of speakers. Speakers have included city staff, experts in the rental housing industry, nonprofit organizations as well as other community partners. The goal is to provide education on timely topics and available resources that property managers and owners can go back and share with their residents. The group ends the meetings with a roundtable discussion and networking opportunity. Staff will monitor and track attendance at these meetings to add transparency.

Update: Property Manager's Rental Coalition quarterly meetings continued in 2018, Topics in 2018 included snow emergency changes, changes to conduct on rental property and crime free guidelines, crime prevention information, mediation services, aging in place resources, and legislative updates.

- Internal cross-department City teams - Housing and Rental Licensing staff will continue to regularly share information pertaining to apartment communities. A cross-department team will meet quarterly. Staff is currently reviewing and updating housing policies that ensures quality rental units and preserves and produces affordable housing.

Update: The Apartment Action Plan team, which is composed of staff representatives from Police, Community Engagement, Economic Development and Housing, Rental Licensing, Recreation and Parks, and Planning, meets every other month to coordinate project within the Apartment Action Plan 2.0 workplan and to share information. Additionally, cross-department teams are used to address apartment-related issues and special projects. For example, members of the Apartment Action Plan team also meet regularly to coordinate efforts at Huntington Place.

## **Section 1.2 - City Proactive Collaboration and Sustainability Strategies**

The City utilizes a number of proactive strategies to ensure the long-term sustainability of apartment communities. These strategies and programs are summarized below.

- Routine Rental License Inspection Program

- The City will continue its routine rental license inspection program which includes annual inspections of one floor of apartment units, rotated every year. All common areas including fire doors, emergency lighting, water heaters, boilers and furnaces are inspected annually.

Update: The City continued to operate the same routine rental inspection process in 2018. Online license renewal is now available to property owners and managers.

- Proactive Action on Parking in Apartment Communities
  - City staff will inventory and document the existing parking situation at all large apartment communities in the city. This process will also identify if a frequent neighborhood complainant skews the sense of the scale of the problem.
  - Staff will identify customized solutions in collaboration with willing property owners (examples might include modifying vehicle permitting processes or restriping parking lots to maximize vehicle storage).

Update: In 2018, City staff conducted an analysis of the six apartment locations including:

- Autumn Ridge Apartments
- Moonraker Apartments
- Riverview Apartments
- Zane Corridor Area Apartment Communities (Point of America and Windsor Gates)
- Lakeland Area Apartment Communities (The Willows and Eden Park Apartments)
- Village Creek Area Apartment Communities (Brooks Landing, Ridgebrook, the Fountains in the Park, and Huntington Place)

For each location, staff attempted to identify possible improvements. These suggestions were customized and included ideas around permitting processes, guest parking policies, towing policies, striping on parking lots, and garage use. In some cases, such as at Autumn Ridge Apartments, the apartment owners and managers were able to incorporate these suggestions into their practice. In 2019 staff will continue to share best practices and provide recommendations, as needed.

- Community Oriented Policing Unit (COPs)
  - The Community Oriented Policing Unit (COPs) officers maintain working relationships with property managers, owners, and tenants. They also:
    - Assist on bringing tenants and property managers together for information sharing (examples include parking laws, automobile security).
    - Provide crime prevention tips to property managers to share with residents.
    - Discuss significant crimes with property managers to identify ways to reduce future onsite criminal activity or crimes.
    - Hold Coffee with Cops at some apartment communities.

Update: COPs officers continued these efforts in 2018. One example of this work is the safety meetings held at Huntington Place. The COPS Unit and Crime Prevention Unit partner with Huntington Place management and residents on a series of safety meetings. These meetings are held at the apartment community and Huntington management provides dinner for the attendees.

- Police Department Programming
  - The Police Department coordinates and manages a number of community and resident programs and events, some of which are hosted at apartment communities, including:
    - Cops N Kids Fishing Tournament
    - Cops N Kids Fishing Tournament
    - Safety Camp for Kids
    - Home Alone class
    - Citizen's Academy
    - Neighborhood Watch
    - National Night Out
    - Senior Safety Presentations
    - Senior Safety Day (now quarterly meetings called Street Smarts for Seniors)
    - Annual picnics at apartment communities
    - COPs Unit Relationships
    - Property Manager Coalition Meetings
    - Eidem Farm/Hennepin County Library/Schools, Daycares – reading to kids
    - Police Open House
    - Shop with a Cop
    - Santa Cop
    - Crime Prevention Workshops (scams, women's safety, public places, burglary)
    - Zانewood Recreational Center
    - Community and Police Conversations
    - JCPP – Diversity Day, MAC, outreach to youth in the community
    - MATTER boxes
    - Lights Out program
    - Drug Take Back days
    - Internet Safe Exchange Zones
    - Movies in the Park
    - Quilts and Cocoa with Cops
    - Trunk or Treat

Update: The Police Department continues to coordinate community and resident programs and events. In 2018 Police facilitated several efforts at apartment communities. One example was the "Picnic with the Police" event held at Huntington Place Apartments. This is an annual event that brings together representatives from the Police Department, other City staff, community service organizations and Huntington Place tenants and management.

## Fair Housing Training

- The City will explore creating a Fair Housing Act training procedure in conjunction with Hennepin County for staff to ensure staff is properly trained on Fair Housing, particularly on how their work is impacted by these laws.

Update: Staff discussed creating a Fair Housing Policy with the Brooklyn Park Economic Development Authority and the City's Human Rights Commission (HRC). The HRC approved a draft fair housing policy statement, which staff will be bringing to the City Council. As part of the City's Fair Housing Policy implementation, the City will need to develop training procedures. Staff is currently looking to find the appropriate educational materials and training sources.

- Tenant Protection Policies

- The City will explore tenant protection policies, ordinances, and/or recommended practices related to landlord notice of non-renewal leases, significant rent increases or changes in screening criteria.

Update: The Economic Development Authority discussed a tenant protection policy at EDA work sessions in November 2018 and February 2019. The EDA commissioners reviewed possible strategies and tools to advance affordable housing and tenant protections. The EDA indicated an interest in working on a tenant protection and advanced notice ordinance. Staff will be working to discuss this with the Human Rights Commission and prepare some recommendations on this topic for the EDA's consideration in summer of 2019. At its strategic session in March, the EDA also expressed an interest in pursuing strategies for the preservation of naturally occurring affordable housing (NOAH) to prevent or reduce the displacement of lower-income renters.

- Economic Development Authority Finance Tools (EDA)

- The EDA has existing funding that is available for apartment rehabilitation including the Tax Increment Financing (TIF) Housing Set-Aside funds. The EDA may use these funds to provide a resource for apartment owners that can assist with repairs and/or recommendations that come about as a result of this process.

The EDA can also work with apartment owners to access additional funding offered through governmental entities or non-profit agencies.

The EDA established written policies setting forth the conditions under which it will participate in an apartment development or redevelopment project that affordability levels, investment thresholds, and building design. These policies will be updated and modified to incorporate these recommendations and provide guidelines around tenant engagement.



Update: The City has partnered with a number of apartment communities to assist them in the re-investment and updating of their apartment homes and at the same time, maintaining long-term affordability.

To assist in the rehabilitation of Autumn Ridge Apartments, the EDA provided financial support to Sherman Associates through a \$1.2 million debt service reserve loan. Rehabilitation work of all buildings is scheduled to be completed in 2019. The project also involves a five-year landscape and stormwater retrofit plan. Phase II of the landscaping project will kick off in 2019 as well.

Rehabilitation work at Brooks Landing and Brook Gardens is anticipated to start in 2019. The Minnesota Housing Finance Agency awarded \$5.7 million toward the rehabilitation of the two properties. The project utilizes a \$400,000 rehabilitation loan from the EDA and \$15 million in Housing Revenue Bonds sponsored by the City of Brooklyn Park. Staff is working to establish guidelines around tenant engagement and communication for the project.

- Multi-Family Design Guidelines

- Design guidelines are effective regulatory tools that are utilized for multi-family housing in Brooklyn Park as part of this plan. The design guidelines provide a structure for review of any new multi-family housing projects that come forward and are incorporated into the zoning code. The guidelines may also be applied in a redevelopment/renovation context. Things such as project size, mix of units, exterior materials, interior finish, amenities, etc. are included so that there is agreement as to what is expected for standards in projects that are proposed. The City will promote designs that include health equity, to increase a wide range of amenities that will provide the better living environment (updated playgrounds, walkability, and other amenities) at apartment communities.

Update: The City continues to promote design, both in new development and in substantial rehabilitation projects, that support stable communities and a better living environment.

- Crime Prevention through Environmental Design (CPTED)

- The City recognizes that certain building and site design techniques have a positive effect on reducing the instances of crime. Crime Prevention Through Environmental Design (CPTED) is an internationally recognized collection of design principles for the built environment, both indoors and outdoors. These principles encourage users of a building, park, or street to feel safe about their surroundings while discouraging would-be criminals from engaging in anti-social behavior.

Staff is trained in these principles and regularly uses them in the design and review of applications for new construction as well as in on-going discussions on improving livability in existing neighborhoods. CPTED elements are also included in the Multi-Family Design Guidelines.

Update: The City continues to use CPTED principles in this manner. When the City has partnered with apartment communities to assist them in reinvestment and rehabilitation, staff works to incorporate CPTED recommendations into the construction plans. Staff also uses CPTED principles to respond to crime issues in neighborhoods as they arise. For example, due a recent spike in theft at businesses near Autumn Ridge Apartments, police and planning staff provided premise surveys to area businesses and CPTED analysis to the apartment management. As a result, Autumn Ridge Apartments plans to make additional lighting and camera improvements.

- Enhanced Recycling Service
  - City staff will explore updating its contract with the City's recycling service provider to enhance the level of recycling service at the apartment communities. This contract will be updated in 2018.

Update: The request for bids related to recycling service at apartment buildings was issued in fall 2017 before the Apartment Action Plan 2.0 was adopted in 2018, therefore enhancements were not included in the most recent five-year contract. Staff will plan to collaborate around enhancements when the next bidding process begins in 2022.

### **Section 1.3 - City Enforcement**

The City reviewed all procedures related to apartment inspections including the process, fees, and enforcement to ensure a consistent approach and high-quality service to both apartment owners and tenants. These procedures are summarized below.

- Rental License Re-Inspection Fees
  - The current rental licensing ordinance and fee provides for two inspections: initial inspection and follow-up inspection. Sometimes, an apartment complex requires more inspections than provided by ordinance; however, the vast majority of properties complete any needed repairs within two inspections. Additional inspections are subject to a fee. This practice is an incentive for property owners to meet maintenance expectations.

Reasons for having more than two inspections might include:

- Overlooking repair items written on the inspection report/lack of quality control (human error)
- Inadequate maintenance staffing levels or training
- Unwillingness to perform as ordered
  - Lack of budget
  - Disincentive for improvements from management
- Lack of cooperation from tenant to gain access into an individual apartment

Update: The City continued to operate under the same fee and inspection process in 2018. Compliance with the rental inspection program is high, with only five percent of single-family rental and less than one percent of apartment units requiring more than three inspections.

- Tenant Remedies Act

- The Tenant Remedies Act (TRA) allows tenants to independently file tenant remedy action in Hennepin County Housing Court if maintenance requests to property managers are not met. Additionally, if maintenance issues are not resolved in a reasonable amount of time, the tenants can file a complaint with the City. The City will investigate the complaint and contact property management to address the complaint. Depending on the type of complaint, a follow-up date will be established to determine if repairs are being made. If management fails to make the repairs within a reasonable amount of time as outlined in the City's written complaint procedure, the City would advise the tenant to file a rent escrow action with Hennepin County Housing Court. Simultaneously, the City would prepare a complaint for the City Attorney to file a tenant remedy action or an emergency tenant remedy action under the City's property maintenance code. As a result, the City would request a Court appointed administrator to complete the necessary repairs. All costs associated with this legal action are assessed back to the property owner through property taxes. Past practice of Tenant Remedy Actions have only involved single family home rental licenses. The number of Tenant Remedies Acts has varied from 1 to 3 per year over the last five years.

Update: TRA actions are infrequent but very effective when situations become severe. In 2018, the City had one TRA case.

- Heightened Monitoring for Problem Properties

- Neighborhood Action Program (NAP)  
A cross-department team of staff meets bi-monthly to discuss problem properties and strategize ways to resolve issues having a negative impact on tenants and neighborhoods. The group discusses properties with the following types of issues: on-going police calls, unlicensed rentals, chronic code violations or complaints, or other licensing issues.

Update: The NAP cross-department group met bi-monthly throughout 2018 and will continue to meet in 2019.

- If it is determined that an apartment community is not meeting standards, then staff will work intensely with that apartment community on areas of improvement. Cross-department City representatives, site management, and ownership will meet to identify, address, and implement actions to resolve situations relating to repeated nuisance violations, continued patterns of non-compliance, excessive use of city services or other conditions that impact the physical maintenance of the property or affect the livability of the apartment residents on-site. Meetings will be set weekly, monthly or quarterly

depending on the timeliness or complexity of the situation. Collaboration, discussion, and decision making will be used to solve specific issues and deal comprehensively with property problems affecting the community.

Update: The City has been working intensely to coordinate efforts to improve livability and reduce crime at Huntington Place. Staff from Police, Community Engagement, Economic Development and Housing, Rental Licensing, Recreation and Parks, and Planning divisions meet frequently to share information and strategies. Staff also meet with management and ownership to discuss needed repairs and policy changes and worked to bring various events to Huntington Place to engage residents.

The implementation of the Brooklyn Park Youth Outreach Team has been another important effort at Huntington Place. As the city saw an uptick in calls and crimes reported in Huntington Place Apartments in the spring of 2018, Zanewood Recreation Center experienced a similar increase in youth fights, threats, and assaults. To address these issues, Recreation and Parks launched a pilot Brooklyn Park Youth Outreach Team program in 2018. The Youth Outreach team walks routes through Zanewood, Huntington Place, and the Village Creek area, moving with the youth as they move through the community. The Outreach workers have been helpful at connecting youth to resources, deescalating situation, and helping the City identify areas of improvement at Huntington Place. The also work with Police, when needed.

#### **Section 1.4 - City Monitoring Tools**

- Maintenance and Inspection records
  - The City inspection records and the on-site maintenance records are tools that can be used to assess property condition, address conditions that lead to major deterioration and unsafe situations, substantiate property complaints, identify patterns of maintenance, and insure a minimum and consistent standard of property maintenance for all apartment communities. Results from these inspection and maintenance records can be used to budget for and implement property improvements and long-range capital improvement plans. Results may also be helpful in tracking the value of any improvements to the property.

The number of maintenance violations will be tracked for each apartment community. In addition, the City plans to collect additional violation data as part of future software upgrades. This tracking will assist with identifying maintenance trends across apartment communities.

Update: The City continued to track maintenance violations for each apartment community and remedies are discussed at the Apartment Action Plan or NAP meetings.

- Tenant complaints
  - The City requires apartment communities to manage resident complaints. If tenants are not satisfied with the property manager's response the City will open and case and follow up. The City will also follow up with the tenant throughout the process to determine if a complaint was resolved.

Starting in 2017, tenant complaints to the City are tracked in a similar manner to code enforcement cases and will be tracked by apartment complex. Property maintenance cases at apartment buildings are generated by complaints as well as proactive inspections. Interior and structural complaints are referred to the Rental Inspections team. Additional complaints are tracked by Code Enforcement and Public Health which follows up on exterior storage issues (trash, vehicles etc), graffiti, and interior health issues such as hoarding, mold, and infestations.

Update: In 2018 the City continued to track and resolve tenant-driven complaints. In total, the City received 179 complaints, all of which have been resolved.

- Rental/Vacancy Rates

- Rental and vacancy rates are an important indicator of the economic health of an apartment community. To track this, staff will continue to conduct a rent and vacancy survey among all buildings over 6 units each year.

Participation in the survey by each apartment community is voluntary and the information collected is used for internal tracking purposes only.

Update: Staff conducted a survey of apartment communities in 2018. Among respondents, vacancies in 2018 varied between 0% and 10%, with a median vacancy rate of 5.7%. For comparison, in 2017 the survey showed a 2.8% average vacancy rate. The 2018 rate could be attributed to apartments undergoing major renovations (such as the Fairways at Edinburgh and at Autumn Ridge), which could skew vacancy rates higher. A 5.7% vacancy is still relatively low and rents are rising, according to property managers.

- Eviction Data

- The City is partnering with HOME Line and the Center for Urban and Regional Affairs (CURA) to create a report about evictions in the community. HOME Line will provide an analysis of Hennepin County Housing Court eviction data going back to 2011. The analysis will include overall eviction numbers, a breakdown of the case outcomes, and an analysis of eviction filings based on the Plaintiff. A final report from HOME Line and CURA is anticipated Quarter 3 of 2018.

Update: HOME Line produced a report on Evictions in Brooklyn Park in 2018 (available for download here: [www.brooklynpark.org/file.aspx?DocumentId=6176](http://www.brooklynpark.org/file.aspx?DocumentId=6176)). The report has been shared broadly, and representatives from HOME Line presented their findings at an EDA meeting in January 2019. The report has several important findings, including that overall 97 percent of court documented evictions in Brooklyn Park in 2016 and 2017 were the result of non-payment of rent. Staff continues to explore possible ways to prevent evictions and support tenants. To better understand the situation, the City and the Minnesota Multi Housing Association hosted a facilitated discussion with Brooklyn Park rental property owners around the topic of eviction in March of 2019. Further outreach to tenants, housing organizations, and other stakeholders is planned for 2019.



- Crime
  - The Police Department will continue to track the number of crime/nuisance incidents at each apartment community. Each quarter these incidents are divided by the number of units at each community and expressed as a number of incidents per unit. This method provides an equal comparison among apartment communities of different sizes.

Update: Police continue to track crime and nuisance incidents quarterly in this manner and report out at the NAP and Apartment Action Plan meetings. These data are also shared with apartment owners and managers whenever a significant change in the number of incidents is observed.

## **Section 2: Apartment Property Manager/Owner Suggestions**

Property managers and owners play a vital role in the quality of life in apartment communities. City Housing staff is meeting with property managers one-on-one to establish themselves as a resource for property managers and to also collect and document best practices in apartment management in Brooklyn Park. These suggestions and best practices focus on customer service, tenant engagement, and property maintenance.

- **Section 2.1 - Customer Service Best Practices**
  - Property managers provide customer service to tenants. Customer service includes prompt response times to work orders and tenant concerns.
  - Reasonable rent collection methods (ie. several methods available to pay rent).
  - Resident parking provided onsite. If a parking permit system is in place, permits are easy to secure and each adult on the lease should get a parking permit.
  - At least one guest parking pass is provided to each adult resident on the lease upon move in. This system allows last minute visitors to have proper parking permits when visiting at the apartment community.
  - Having a Management Office open seven days a week.
  - Onsite maintenance staff to respond to resident needs.
  - Work orders executed within 24 hours except for emergencies.

Staff continues to meet with property managers and staff will add to this list of Best Practices as those visits progress and other best practices are documented.

Update: In 2018, staff held several one-on-one meetings with property owners. In addition, in 2019 the City convened a meeting with over 30 owner and manager representatives to discuss issues around eviction. Staff continues to meet with property managers quarterly through the Property Manager's Rental Coalition program and encourage the use of these best practices.

- **Section 2.2 - Tenant Engagement Best Practices**
  - Have a Community Coordinator onsite in charge of engagement activities.

- Build tenant engagement into rehabilitation projects where feasible. For example, Metro Blooms and ACER are working with residents at Autumn Ridge to design and develop a landscape plan for the property as part of the apartment rehabilitation.
- Encourage tenant representatives in working groups around modifications, setting community standards, and tenant retention.
- Gifts cards issued to residents who have lived there for more than 1 year.
- Current tenant and community activities conducted in various Brooklyn Park apartments include:
  - Monthly resident events
  - Professional fitness training offered to residents
  - Regular wellness events
  - Regular Bingo events
  - Gardening activities for residents sponsored by backyard farms
  - Religious study time
  - Regular attendance of sporting events and other outings organized by the property manager. Property owner provides for transportation to and from events.
  - National Night Out and Back to School Day activities and giveaways.
  - Swimming pool parties
- Partner with organizations to enhance the living experience of residents. Some of these partners could include:
  - Good In the Hood – helps to stock the community store with food
  - Community Emergency Assistance Program (CEAP) – helps with food distribution
  - Backyard Farms – helps the community with the preparation and maintaining of the community green vegetables garden
  - Hennepin County – helps with healthy lifestyle classes
  - Brooklyn Park Police Department – helps with security and community engagement

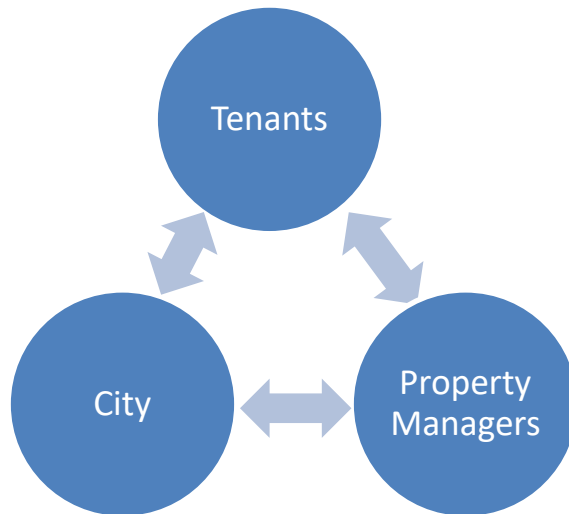
Update: Staff continues to meet with property managers and encourage the use of these best practices. Staff involvement in supporting tenant engagement in the community is described in other sections of this report.

- **Section 2.3 - Property Maintenance Best Practices**

- Trash pickup is done daily. Regular waste enclosure maintenance and monitoring of trash pile ups.
- Regular landscaping and exterior maintenance.
- Contracts with two licensed pest control vendors with an approved Integrated Pest Management (IPM) plan and a very proactive schedule.
- Use City Inspectors as a resource for any questions.

Staff continues to meet with property managers and staff will add to this list of Best Practices as those visits progress and other best practices are documented.

Update: Staff continues to meet with property managers and encourage the use of these best practices.



### Section 3 - Tenant Feedback

In August 2017, a multi-lingual team conducted surveys of tenants in five of the city's large apartment communities – Autumn Ridge, The Fairways, Huntington Place, Riverview, and Park Haven. The goal of the survey was better understand residents in the apartment communities and their needs to improve quality of life. The main questions of the survey included:

- What are some of the reasons you chose to live in this apartment community?
- What do you like most about living in this apartment community?
- What improvements would you like to see in your apartment or neighborhood?
- What type of retail/food/other businesses are needed in the neighborhood?

Overall, the survey team knocked on over 1,200 apartment doors and conducted over 170 surveys of apartment residents, 16 of which were in a language other than English. An attached memo provides a complete overview of the tenant survey and responses. A summary is below.

- **Tenure in Brooklyn Park and Apartments**
  - About 2/3 of the respondents have lived in Brooklyn Park for more than two years. By and large, the respondents were long-term residents, with 20 percent reporting that had lived in the city for more than 10 years.
  - The responses from residents about current apartment tenure showed more movement. More than 40 percent of respondents had lived in the current apartment from less than 2 years and only 6 percent reported living in the same apartment for over 10 years. The

data suggests many respondents had lived at multiple apartment communities during their time in Brooklyn Park.

- **What are some of the reasons you chose to live in this apartment?**
  - Overall, the most common answer to this question was location, followed closely by rental criteria. Affordability and apartment quality were also commonly stated reasons.
- **What do you like most about living in this apartment?**
  - The most common answer to this question was that it was safe and the location worked well for them. A sense of diversity and community was also a factor. Most of these comments were general – such as, neighbors being friendly. A handful of responses were more specific, such as noting that they sought out the apartment community because other Africans lived there.
- **What improvements would you like to see in your apartment community or neighborhood?**
  - The most common concern people raised were about the maintenance of the apartment building or individual unit. Many complained about dirty or worn carpet, pests, and the condition of the parking lot. The second most common complaint was about security. About ten percent of responses were about parking availability and individual responses ranged from lack of parking capacity or difficult permitted parking rules.

The Apartment Action Plan 2.0 was produced in collaboration and with contributions from the following City staff ([This list has been updated below to reflect current team participation](#)):

- Bill Barritt, Police
- Kim Berggren, Community Development
- Erika Byrd, Community Development
- ~~Emily Carr, Community Development~~
- Kimberly Czapar, Police
- Claudia Diggs, Administration
- Kimberly Czapar, Police
- Shane Dupaul, Police
- Craig Enevoldsen, Police
- Wokie Freeman-Gbogba, Administration
- ~~Erik Hansen, Community Development~~
- Jeremy Halek, Police
- Keith Jullie, Community Development
- John Kinara, Community Development
- Todd Larson, Community Development
- Pam McBride, Recreation and Parks
- Jason Newby, Community Development
- Breanne Rothstein, Community Development
- Josie Shardlow, Administration
- Tony Weeks, Police