

## REGULAR COUNCIL MEETING – AGENDA #25

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** Introduction of New Employees

**3B.2** Proclamation Declaring June 13-15, 2019, as "Tater Daze" in Brooklyn Park

**A.** PROCLAMATION

**3B.3** Acknowledge the 2019 Tater Daze Festival Sponsors

**A.** RESOLUTION

**3B.4** Receive the 2018 Audited Comprehensive Annual Financial Report and Auditor's Reports

**A.** 2018 CAFR (*LIMITED DISTRIBUTION*)

## **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** Authorize the Amendment of 2019 Capital Equipment Plan Budget and Transfer Appropriation from General Fund to Information and Technology Services Fund

**A.** RESOLUTION

**4.2** Adopt Changes in the City of Brooklyn Park Post-Issuance Debt Compliance Policy for Tax-Exempt and Tax-Advantaged Government Bonds

**A.** RESOLUTION

**B.** POST ISSUANCE DEBT COMPLIANCE POLICY

**4.3** Approval of Minutes

- A.** CITY COUNCIL MEETING MINUTES, APRIL 23, 2018
- B.** SPECIAL CITY COUNCIL MEETING MINUTES, AUGUST 20, 2018
- C.** SPECIAL CITY COUNCIL MEETING MINUTES, MAY13, 2019
- D.** CITY COUNCIL WORK SESSION MINUTES, JUNE 3, 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**  
None

**6. LAND USE ACTIONS**  
None

**7. GENERAL ACTION ITEMS**  
**7.1** Appointment to the Recreation and Parks Advisory Commission

**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** Update on Huntington Place Apartments

**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>	June 10, 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 Employees		

## City Manager's Proposed Action:

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

## Overview:

<u>Employee</u>	<u>Start Date</u>	<u>Title</u>
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### *Finance*

Tim Jacobs	June 3, 2019	Appraiser I
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### *Police*

Vamougne Kanneh	May 23, 2019	Police Cadet (PT)
Colin Easley	May 28, 2019	Police Cadet (PT)

**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>	June 10, 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>	Kelly Mertes, Recreation Program Specialist
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Jeffrey Lunde, Mayor
<b>Item:</b>	Proclamation Declaring June 13-15, 2019, as "Tater Daze" in Brooklyn Park		

## City Manager's Proposed Action:

The Mayor shall proclaim June 13-15, 2019, as Tater Daze in Brooklyn Park by one of the following:

1. I, Jeffrey Lunde, Mayor of the City of Brooklyn Park, Minnesota, do hereby proclaim June 13-15, 2019, as "Tater Daze" in Brooklyn Park, the most Spudtacular Festival in the State of Minnesota.

or

2. By reading the proclamation.

## Overview:

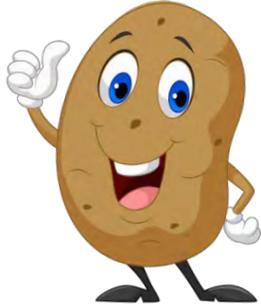
Tater Daze is in its 55<sup>th</sup> year of celebration. This year the event will be held for three days, June 13-15, at locations across Brooklyn Park including Noble Sports Park, the Community Activity Center, Eidem Homestead, Norwood Park and Zane Sports Park. Events include a community parade, live entertainment, BP Marketplace, inflatable attractions, food vendors, the Spud Run 5K, fireworks and more. Many volunteers help plan and orchestrate the event throughout the weekend. This event is held to unite our community and celebrate Brooklyn Park's potato farming heritage. Full details about the festival can be found online at [www.taterdaze.org](http://www.taterdaze.org).

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

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

## Attachments:

3B.2A PROCLAMATION



# **PROCLAMATION**

## **DECLARING JUNE 13-15, 2019, AS “TATER DAZE” IN BROOKLYN PARK, MINNESOTA**

WHEREAS, Tater Daze celebrates the diverse interests and contributions of our residents, our rich history and the celebration of our future united together; and

WHEREAS, Tater Daze reflects positively on our community and celebrates our pride and appreciation for our countless community groups, businesses and community members; and

WHEREAS, Tater Daze has entertainment, music, food, parade, Spud Run, kids' games, marketplace, inflatable attractions and fireworks that bring the community together; and

WHEREAS, Tater Daze continues to evolve and bring new events that connect and provide resources to the community it serves; and

WHEREAS, the City of Brooklyn Park is appreciative of the countless groups and residents who have served during the 55-year history of Tater Daze, showing that a community thrives when each individual takes responsibility to contribute; and

WHEREAS, efforts in planning and fundraising have brought the community together to inspire pride and provide opportunities for all to enjoy our community; and

WHEREAS, Anthony, Brenda, Dawniqua, Dick, Eric, Karon, Kristiana, Mike, Nick, Sandy, Scott S, Scott T, Tait, Terri, Tricia and many more volunteers and City staff have spent countless hours working to ensure all community members are included and come together to celebrate our community; and

WHEREAS, the City of Brooklyn Park desires the community to join in the celebration at the 55<sup>th</sup> Annual Tater Daze Festival.

NOW, THEREFORE, I, Jeffrey Lunde, Mayor of the City of Brooklyn Park, Minnesota, do hereby proclaim June 13-15, 2019, as the “Tater Daze” celebration for Brooklyn Park.



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.3	<b>Meeting Date:</b>	June 10, 2019
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt of General Communications	<b>Originating Department:</b>	Recreation and Parks
<b>Resolution:</b>	X	<b>Prepared By:</b>	Kelly Mertes, Recreation Program Specialist
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Lisa Jacobson, Council Member and Liaison to the Tater Daze Committee
<b>Item:</b>	Acknowledge the 2019 Tater Daze Festival Sponsors		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO READ AND ADOPT RESOLUTION #2019-\_\_\_\_\_ ACKNOWLEDGING THE 2019 TATER DAZE FESTIVAL SPONSORS.

## Overview:

Request for City Council to formally acknowledge and thank the following businesses and organizations for their 2019 donations to, and sponsorships for, the City of Brooklyn Park Tater Daze Festival:

**Spud Sponsors:** Hy-Vee, Minneapolis Northwest Tourism

**Yukon Sponsors:** Brooklyn Park Lions Club, CCX Media, Living Word Christian Center, Mill City Credit Union

**Sweet Sponsors:** Buerkle Acura, International Association of Fire Fighters Local 5031, Minnesota Excellence in Learning Academy, Primrose School of Champlin Park

**Red Sponsors:** Ramsey Companies, Three Rivers Park District

**Chipper Sponsors:** American Family Insurance, Sonny Kester Agency, Citywide Service Corp, Dojo Karate, Grace Lutheran Church, JST Realty Group, Mains'l Services, North Hennepin Community College, Old Dutch Foods, Stone Mountain Pet Lodge, The Home Depot, Tou Thai Lee State Farm Insurance, Urbana Senior Living

**Donors:** Run n Fun

**Community Groups:** Brooklyn Park Women of Today, Crossroads Alliance Church, Endurance Church, Girl Scouts, Park Center Cross Country Team

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

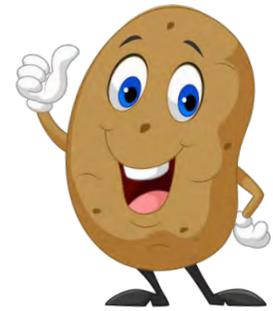
**Budgetary/ Fiscal Issues:** N/A

**Attachments:**

3B.3A RESOLUTION

RESOLUTION #2019-

RESOLUTION ACKNOWLEDGING  
SPONSORS, DONATIONS AND COMMUNITY SUPPORT  
FOR THEIR CONTRIBUTIONS TO THE CITY OF BROOKLYN PARK  
FOR THE "TATER DAZE" CELEBRATION



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

WHEREAS, the City of Brooklyn Park received numerous gifts and donations for the 55<sup>th</sup> Annual Tater Daze Festival; and

WHEREAS, Tater Daze would not be possible without community support, donations and sponsorships; and

WHEREAS, these groups reflect our core value that a community thrives when each individual takes responsibility to contribute; and

WHEREAS, Tater Daze has been a community festival in the City of Brooklyn Park for 55 years; and

WHEREAS, Tater Daze celebrates the rich history and diversity of our community and unites the community; and

WHEREAS, Tater Daze reflects positively on the community and celebrates our pride and appreciation for all aspects of our community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to acknowledge the support and commend these groups and companies for their generous contributions.

**Spud Sponsors:** Hy-Vee, Minneapolis Northwest Tourism

**Yukon Sponsors:** Brooklyn Park Lions Club, CCX Media, Living Word Christian Center, Mill City Credit Union

**Sweet Sponsors:** Buerkle Acura, International Association of Fire Fighters Local 5031, Minnesota Excellence in Learning Academy, Primrose School of Champlin Park

**Red Sponsors:** Ramsey Companies, Three Rivers Park District

**Chipper Sponsors:** American Family Insurance, Sonny Kester Agency, Citywide Service Corp, Dojo Karate, Grace Lutheran Church, JST Realty Group, Mains'I Services, North Hennepin Community College, Old Dutch Foods, Stone Mountain Pet Lodge, The Home Depot, Tou Thai Lee State Farm Insurance, Urbana Senior Living

**Donors:** Run n Fun

**Community Groups:** Brooklyn Park Women of Today, Crossroads Alliance Church, Endurance Church, Girl Scouts, Park Center Cross Country Team

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	3B.4	<b>Meeting Date:</b>	June 10, 2019
<b>Agenda Section:</b>	Public Presentations/ Proclamations/Receipt 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>	Chris Knopik, CliftonLarsonAllen, LLP
<b>Item:</b>	Receive the 2018 Audited Comprehensive Annual Financial Report and Auditor's Reports		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO RECEIVE THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE YEAR ENDED DECEMBER 31, 2018.

The effect of this action will be to accept the 2018 CAFR as well as the management letter, single audit report, and legal compliance reports prepared by CliftonLarsonAllen, LLP.

## Overview:

Federal and State law, as well as the City Charter, require an independent audit of the financial records of the City each year. The firm of CliftonLarsonAllen, LLP has been engaged to perform the City's audit for the year 2018. A draft of the 2018 CAFR is now complete and is being presented to the City Council. The auditors, as part of their engagement, are also presenting their management letter, single audit report, and legal compliance reports. Representatives of the firm will be discussing the results of their audit and the assessment of the adequacy of internal accounting controls and the quality of the financial reporting.

## Budgetary/Fiscal Issues:

This is the final audited report of the City's financial condition and results of operations for the year ended December 31, 2018. We believe this report continues to conform to the requirements for the Certificate of Achievement for Excellence in Financial Reporting of the Government Finance Officers Association of the United States and Canada and will be submitting it for their review.

## Attachments:

3B.4A 2018 CAFR – *LIMITED DISTRIBUTION (available Monday)*

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.1	<b>Meeting Date:</b>	June 10, 2019
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Police/Finance
<b>Resolution:</b>	X	<b>Prepared By:</b>	Stephanie Heiberger, Administrative Assistant LaTonia Green, Finance Director
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	1	<b>Presented By:</b>	Craig Enevoldsen, Chief LaTonia Green, Finance Director
<b>Item:</b>	Authorize the Amendment of 2019 Capital Equipment Plan Budget and Transfer Appropriation from General Fund to Information and Technology Services Fund		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-\_\_\_\_ AUTHORIZING FUNDING FOR BODY WORN CAMERA BY AMENDING THE 2019 CAPITAL EQUIPMENT PLAN BUDGET BY AUTHORIZING A TRANSFER FROM THE GENERAL FUND (CONTINGENCY) TO THE INFORMATION AND TECHNOLOGY SERVICES FUND.

## Overview:

On October 24, 2016, City Council approved the acceptance of a grant from the Department of Justice Bureau of Justice Assistance (BJA) for the Body Worn Camera Policy and Implementation Program. These funds were accepted to allow the Police Department to outfit all sworn staff with regular community contact with the next generation of body-worn cameras (BWCs). These cameras integrate with squad camera digital video recorders. By acquiring cameras with this functionality, it will make it easier and safer for our officers to initiate the recording function, by turning on one switch for both systems, and allow for easier wireless downloading of video during their shift. The officers will only need to carry the BWC and not the camera and squad camera transmitter, as they do now, simplifying the process of capturing important video and audio evidence.

Five officers are currently beta testing the cameras and the vendor will soon begin full production, making them available for purchase.

This grant requires a one-to-one funding match. In 2016, City Council approved a \$50,038 match using existing CEP funding. Staff is requesting to move the remaining funds match required to take advantage of the balance of grant funds in the amount \$38,844.

## Primary Issues/Alternatives to Consider:

If we do not move forward with the second generation of cameras, we will be out of compliance with the grant as it was proposed to and approved by the BJA. In addition, the cameras that officers are currently using are reaching the end of their functional life and would likely need replacing in 2020.

## Budgetary/Fiscal Issues:

The body-worn cameras were not requested in the capital equipment plan budget for years 2017, 2018, nor 2019. In the past, all costs in the Information and Technology Services Fund was not fully funded. Therefore, the Information and Technology Services Fund does not have sufficient funds to cover the costs of the remaining grant match. Funding is being requested through a budget amendment authorizing a transfer from the General Fund to the Information and Technology Services Fund.

## Attachments:

4.1A RESOLUTION

RESOLUTION #2019-

RESOLUTION AUTHORIZING FUNDING FOR BODY WORN CAMERAS BY AMENDING THE 2019 CAPITAL EQUIPMENT PLAN BUDGET BY AUTHORIZING A TRANSFER FROM THE GENERAL FUND (CONTINGENCY) TO THE INFORMATION AND TECHNOLOGY SERVICES FUND

WHEREAS, Council approved the acceptance of a grant from the Department of Justice Bureau of Justice Assistance for the Body Worn Camera Policy and Implementation Program on October 24, 2016, with a one-to-one match. The available funds from the 2016 Information and Technology Services Fund were not moved forward in 2017, 2018 nor 2019 as part of the original budget process; and

WHEREAS, the purpose of the Information and Technology Services Fund is to account for the cost to provide technology; and

WHEREAS, the Information and Technology Services Fund does not have a balance sufficient to cover the cost of the remaining one-to-one match.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that staff is authorized to amend the 2019 Capital Equipment budget to include body worn cameras.

BE IT FURTHER RESOLVED that the funding is provided by amending the 2019 Adopted Budget by authorizing a transfer from the General Fund (Contingency) to the Information and Technology Services Fund in the amount of the \$38,844.

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.2	<b>Meeting Date:</b>	June 10, 2019
<b>Agenda Section:</b>	Consent	<b>Originating Department:</b>	Finance Department
<b>Resolution:</b>	X	<b>Prepared By:</b>	Jeanette Boit-Kania, Assistant Finance Director
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	2	<b>Presented By:</b>	Jeanette Boit-Kania
<b>Item:</b>	Adopt Changes in the City of Brooklyn Park Post-Issuance Debt Compliance Policy for Tax-Exempt and Tax-Advantaged Government Bonds		

## City Manager's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2019-\_\_\_\_ ADOPTING POST-ISSUANCE DEBT COMPLIANCE POLICY FOR TAX-EXEMPT AND TAX-ADVANTAGED GOVERNMENT BONDS.

## Overview:

Due to increased underwriter scrutiny (the Municipalities Continuing Disclosure Cooperation initiative "MCDC" in March of 2014 and afterward) regarding disclosure practices, the City is including several procedural items in our policy templates that are intended to assist staff with how to monitor compliance with each unique Continuing Disclosure Agreement.

In August 2018, the Security Exchange Commission (SEC) approved amendments to Rule 15c2-12, and effective February 27, 2019, rule 15c2-12 of the Securities Exchange Act (the "Rule") was amended to include two additional reportable events, increasing the number of required event notices to 16. The two additional reportable events are as follows:

- *Incurrence of a financial obligation of the issuer or obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the issuer or obligated person, any of which affect security holders, if material; and,*
- *Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of the financial obligation of the issuer or obligated person, any of which reflect financial difficulties.*

Numerous industry experts have suggested updating policies and procedure documents to ensure issuers are ready to comply with their disclosure obligations, which includes the two new rules. The City is updating the documents to provide underwriters and current security holders assurance that the City is prepared to comply with post issuance obligations.

## Primary Issues/Alternatives to Consider:

Non-compliance with continuing disclosure undertakings could result in delays in future financings while past non-compliance is reported and corrected.

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

## Attachments:

4.2A RESOLUTION

4.2B POST ISSUANCE DEBT COMPLIANCE POLICY

RESOLUTION #2019-

RESOLUTION ADOPTING POST-ISSUANCE DEBT COMPLIANCE POLICY  
FOR TAX-EXEMPT AND TAX-ADVANTAGED GOVERNMENTAL BONDS

WHEREAS, the City of Brooklyn Park, Minnesota (the "City") from time to time will issue tax-exempt and tax-advantaged governmental bonds; and

WHEREAS, under the Internal Revenue Code of 1986, as amended and related regulations (the "Code"), and Securities and Exchange Commission (the "SEC"), the City is required to take certain actions after bond issuance to ensure that interest on those bonds remains in compliance with the Code and SEC; and

WHEREAS, the City has determined to adopt a policy regarding how the City will carry out its compliance responsibilities via written procedures, and to that end, has caused to be prepared documents titled Post-Issuance Debt Compliance Policy and Post-Issuance Debt Compliance Procedures; and

WHEREAS, the City Council (the "Council") of the City has reviewed the Post-Issuance Debt Compliance Policy in connection with the Post-Issuance Debt Compliance Procedures and has determined that it is in the best interest of the City to adopt the Policy.

NOW, THEREFORE, BE IT RESOLVED by the City of Brooklyn Park, Minnesota that the Council approves the Policy as shown in the form attached; and

BE IT FURTHER RESOLVED that City staff are authorized to take all actions necessary to carry out the Post-Issuance Debt Compliance Policy and Post-Issuance Debt Compliance Procedures.

## **The City of Brooklyn Park, Minnesota Post-Issuance Debt Compliance Policy**

The City Council (the “Council”) of the City of Brooklyn Park, Minnesota (the “City”) has chosen, by policy, to take steps to help ensure that all obligations will be in compliance with all applicable federal regulations. This policy may be amended, as necessary, in the future.

### **IRS Background**

The Internal Revenue Service (IRS) is responsible for enforcing compliance with the Internal Revenue Code (the “Code”) and regulations promulgated thereunder (“Treasury Regulations”) governing certain obligations (for example: tax-exempt obligations, Build America Bonds, Recovery Zone Development Bonds and various “Tax Credit” Bonds). The IRS encourages issuers and beneficiaries of these obligations to adopt and implement a post-issuance debt compliance policy and procedures to safeguard against post-issuance violations.

### **SEC Background**

The Securities and Exchange Commission (SEC) is responsible for enforcing compliance with the SEC Rule 15c2-12 (the “Rule”). Governments or governmental entities issuing obligations generally have a requirement to meet specific continuing disclosure standards set forth in continuing disclosure agreements (“CDA”). Unless the issuer, obligated person, or a specific obligation is exempt from compliance with CDAs, these agreements are entered into at the time of obligation issuance to enable underwriter(s) to comply with the Rule. The Rule sets forth certain obligations of (i) underwriters to receive, review and disseminate official statements prepared by issuers of most primary offerings of municipal securities, (ii) underwriters to obtain CDAs from issuers and other obligated persons to provide material event disclosure and annual financial information on a continuing basis, and (iii) broker-dealers to have access to such continuing disclosure in order to make recommendations of municipal securities transactions in the secondary market. The SEC encourages issuers and beneficiaries adopt and implement a post-issuance debt compliance policy and procedures to safeguard against Rule violations.

When obligations are issued, the CDA commits the issuer or obligated person to provide certain annual financial information and material event notices to the public. Issuers and other obligated persons may also choose to provide periodic, voluntary financial information and filings to investors in addition to fulfilling the specific responsibilities delineated in their CDA. It is important to note that issuers and other obligated persons should not give any one investor certain information that is not readily available to all market participants by disseminating information to the marketplace, at large. Issuers and other obligated persons should be aware that any disclosure activities determined to be “communicating to the market” can be subject to regulatory scrutiny.

### **Post-Issuance Debt Compliance Policy Objective**

The City desires to monitor these obligations to ensure compliance with the IRS Code, Treasury Regulations and the SEC Rule. To help ensure compliance, the City has developed the following policy (the “Post-Issuance Debt Compliance Policy”). The Post-

Issuance Debt Compliance Policy shall apply to the obligations mentioned above, including bonds, notes, loans, lease purchase contracts, lines of credit, commercial paper or any other form of debt that is subject to compliance.

#### **Post-Issuance Debt Compliance Policy**

The Finance Director of the City is designated as the City's agent who is responsible for post-issuance compliance of these obligations.

The Finance Director shall assemble all relevant documentation, records and activities required to ensure post-issuance debt compliance as further detailed in corresponding procedures (the "Post-Issuance Debt Compliance Procedures"). At a minimum, the Post-Issuance Debt Compliance Procedures for each qualifying obligation will address the following:

1. General Post-Issuance Compliance
2. General Recordkeeping
3. Arbitrage Yield Restriction and Rebate Recordkeeping
4. Expenditure and Asset Documentation to be Assembled and Retained
5. Miscellaneous Documentation to be Assembled and Retained
6. Additional Undertakings and Activities that Support Sections 1 through 5 above
7. Continuing Disclosure Obligations
8. Compliance with Future Requirements

The Finance Director shall apply the Post-Issuance Debt Compliance Procedures to each qualifying obligation and maintain a record of the results. Further, the Finance Director will ensure that the Post-Issuance Debt Compliance Policy and Procedures are updated on a regular and as needed basis.

The Finance Director or any other individuals responsible for assisting the Finance Director in maintaining records needed to ensure post-issuance debt compliance, are authorized to expend funds as needed to attend training or secure use of other educational resources for ensuring compliance such as consulting, publications, and compliance assistance.

Most of the provisions of this Post-Issuance Debt Compliance Policy are not applicable to taxable governmental obligations unless there is a reasonable possibility that the City may refund their taxable governmental obligation, in whole or in part, with the proceeds of a tax-exempt governmental obligation. If this refunding possibility exists, then the Finance Director shall treat the taxable governmental obligation as if such issue were an issue of tax-exempt governmental obligations and comply with the requirements of this Post-Issuance Debt Compliance Policy.

#### **Private Activity Bonds**

The City may issue tax-exempt obligations that are "private activity" bonds because either (1) the bonds finance a facility that is owned by the City but used by one or more qualified 501(c)(3) organizations, or (2) the bonds are so-called "conduit bonds", where the proceeds are loaned to a qualified 501(c)(3) organization or another private entity that finances activities eligible for tax-exempt financing under federal law (such as certain manufacturing projects and certain affordable housing projects). Prior to the issuance of

either of these types of bonds, the Finance Director shall take steps necessary to ensure that such obligations will remain in compliance with the requirements of this Post-Issuance Debt Compliance Policy.

In a case where compliance activities are reasonably within the control of a private party (i.e., a 501(c)(3) organization or conduit borrower), the Finance Director may determine that all or some portion of compliance responsibilities described in this Post-Issuance Debt Compliance Policy shall be assigned to the relevant party. In the case of conduit bonds, the conduit borrower will be assigned all compliance responsibilities other than those required to be undertaken by the City under federal law. In a case where the Finance Director is concerned about the compliance ability of a private party, the Finance Director may require that a trustee or other independent third party be retained to assist with record keeping for the obligation and/or that the trustee or such third party be responsible for all or some portion of the compliance responsibilities.

The Finance Director is additionally authorized to seek the advice, as necessary, of bond counsel and/or its financial advisor to ensure the City is in compliance with this Post-Issuance Debt Compliance Policy.

Adopted this date \_\_\_\_\_ by the City of Brooklyn Park, Minnesota

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	4.3	<b>Meeting Date:</b>	June 10, 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 APRIL 23, 2018, AS PRESENTED BY THE CITY CLERK.

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF AUGUST 20, 2018, AS PRESENTED BY THE CITY CLERK.

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF MAY 13, 2019, AS PRESENTED BY THE CITY CLERK.

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL WORK SESSION OF JUNE 3, 2019, AS PRESENTED BY THE CITY CLERK.

**Overview:** N/A

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

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

## Attachments:

- 4.3A CITY COUNCIL MEETING MINUTES, APRIL 23, 2018
- 4.3B SPECIAL CITY COUNCIL MEETING MINUTES, AUGUST 20, 2018
- 4.3C SPECIAL CITY COUNCIL MEETING MINUTES, MAY13, 2019
- 4.3D CITY COUNCIL WORK SESSION MINUTES, JUNE 3, 2019

## REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, April 23, 2018  
7:38 p.m.

Brooklyn Park Council Chambers  
5200 85th Avenue North

*Following the Reconvened Board of Appeal and Equalization*

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Rich Gates, Susan Pha, Terry Parks, Mark Mata, Bob Mata and Lisa Jacobson; City Manager Jay Stroebel; City Attorney Jim Thomson; Community Development Director Kim Berggren; Finance Director LaTonia Green; 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 at the last meeting Julie and Charlie Fischbach addressed the Council requesting to be compensated for close to \$200,000 and asked several questions related to the City's eminent domain proceedings and related business impacts for the Fischbach family going back to 2012. City Council and staff met last Monday in a closed session to discuss the City's response. He gave a brief history of the project and the City's response. Per the attorney who handled the City's eminent domain matter, the City did not see a need to reimburse the request for expenses for loss of going concern. He stated the business was impacted but not destroyed so it didn't meet the criteria for the claim. Secondly, the Fischbach Farm Cooperation chose to relocate rather than close its business and relocation expenses were paid by the City, which made them ineligible for the loss. Thirdly, the request had to be made within a certain time frame, which wasn't in this instance. The request for the attorney's fees reimbursement was already covered in an all-inclusive agreement with payment that was signed by the Fischbachs.

He stated the Fischbachs asked how much Dan Wilson was paid. The City paid Wilson Development Services roughly \$22,000 to assist with the relocation and appeal project. The City also paid Kennedy and Graven Law firm \$133,343 in attorney fees to represent the City.

He stated the third question was the City violated State Statute by not properly following the rules to allow them to purchase the remnant parcel located on the north east corner of Highway 169<sup>th</sup> and 93<sup>rd</sup>. As required by law, the City offered to set back the remnant parcel. The representative from the Fischbach estate declined the offer and the city was then free to sell it to a third party under the same terms that was offered to the estate.

He stated the fourth question was that there was no public access to the property and the cut was too small to access with large equipment. He stated when the City compensated the Fischbachs for their property, the remaining parcel was land locked and the access issue wasn't known prior to transference to the Fischbach Farm Cooperation and the compensation reward included no requirement to provide access to the remaining parcel.

City Manager Stroebel stated the City believed it had been fair to both the business and land owner and to the Brooklyn Park residents.

Council Member B. Mata stated for the record that the vote for it was not unanimous among the Council.

## 2B PUBLIC COMMENT

1. Julie Fischbach, 6924 90<sup>th</sup> Avenue North. She stated the City took their property and they were not properly compensated for it. She did not agree with the decision that was made for their property and they lost a lot of money due to everything and was disappointed.
2. Valerie Holler, 8320 Fairfield Road. She was concerned about all the salt on the highways and everywhere and was hoping that it was cleaned before the rain came so it didn't wash up into the water ways.

3A MOTION GATES, SECOND PARKS TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK AND ADDING ITEMS 3B3 AND 4.9 AND PLACING ITEM 3B3 IN FRONT OF ITEM 3B1. THE MOTION PASSED UNANIMOUSLY.

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

3B3 Mayor Lunde gave an update on his trip to Washington, DC to make a final push with the Minnesota congressional delegation and the Federal Transit Administration on advancing a number of Twin Cities transit projects including the Bottineau Light Rail project.

3B1 Mayor's Proclamation of May 10, 2018 as "From Statistics to Solutions Day."

Mayor Lunde read a proclamation proclaiming May 10, 2018 as "From Statistics to Solutions Day" in the City of Brooklyn Park.

Mayor Lunde introduced Rose McKinney and Tracee Anders, Know the Truth and MN Adult & Teen Challenge, and they briefed the Council on the conference on May 10, 2018.

3B2 Interview Applicants for the Budget Advisory Commission.

The Mayor and Council interviewed applicants for the Budget Advisory Commission.

4.0 MOTION GATES, SECOND PARKS TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEMS WITH THE ADDITION OF ITEM 4.9.

4.1 TO APPROVE THE NEW OWNERSHIP STRUCTURE FOR CHEROKEE LIQUORS, INC. DBA G-WILL LIQUORS LOCATED AT 6256 BOONE AVENUE NORTH.

4.2 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-66 TO APPROVE THE CHANGE ORDER NO. 1 FOR THE COMMUNITY ACTIVITY CENTER GARDENVIEW ROOM EXCAVATION AND WATERPROOFING PROJECT.

4.3 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-67 TO AUTHORIZE ENTERING INTO AN AGREEMENT WITH BOLTON & MENK, INC. FOR

CONSTRUCTION SURVEYING SERVICES FOR CIP 4003-18 STREET RECONSTRUCTION PROJECT AND CIP 4002-18 MSA MILL & OVERLAY PROJECT.

4.4 TO APPROVE A TEMPORARY ON-SALE LIQUOR LICENSE FOR BROOKLYN PARK LIONS FOR TATER DAZE BEER TENT AND PANCAKE BREAKFAST TO BE HELD JUNE 15-16, 2018, AT THE COMMUNITY ACTIVITY CENTER, 5600 85TH AVENUE NORTH.

4.5 TO REDUCE THE SITE IMPROVEMENT BOND #1854929 POSTED BY GREAT AMERICAN INSURANCE CO. FROM \$673,900 TO \$450,000 FOR SATISFACTORY PROGRESS OF THE "HAMPTON INN AND HOME2 SUITES" PROJECT #16-123 LOCATED AT 9470 AND 9490 WEST BROADWAY FOR MIDAS HOSPITALITY.

4.6 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF OCTOBER 23, 2017, AS PRESENTED BY THE CITY CLERK.

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

4.7 TO CONSIDER THE TERMS OF THE BUDGET ADVISORY COMMISSION MEMBERS THAT WERE SHORTENED DUE TO THE CHANGE FROM THE JUNE 1 TERM EXPIRATION TO APRIL 1, BUT HAVE SERVED 2 YEARS AND 10 MONTHS, AS FULL TERMS FOR RECOGNITION PURPOSES THROUGH 2021.

4.8 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-68 APPROVING DESIGN CONSIDERATIONS FOR THE ROAD NETWORK AVENUE BETWEEN 101ST AVENUE AND 109TH AVENUE WITHIN THE FUTURE NORTHPARK DEVELOPMENT.

4.9 TO SET A PUBLIC HEARING ON MAY 14, 2018 TO CONSIDER THE ISSUANCE OF AN ON-SALE INTOXICATING LIQUOR LICENSE FOR MJ HOLDINGS OF BP LLC DBA MAD JACKS SPORTS CAFE LOCATED AT 8078 BROOKLYN BLVD.

MOTION PASSED UNANIMOUSLY.

6.1 Planning Director Cindy Sherman briefed the Council on the Preliminary Plat #18-104 to Sub-Divide Two Residential Lots into Five Lots at 7630 and 7646 Riverdale Drive.

6.1 MOTION JACOBSON, SECOND GATES TO WAIVE THE READING AND ADOPT RESOLUTION #2018-69 APPROVING PRELIMINARY PLAT OF "SAMARA CIRCLE" SUBDIVIDING 2.23 ACRES INTO FIVE SINGLE-FAMILY LOTS. MOTION PASSED UNANIMOUSLY.

6.2 Planning Director Cindy Sherman briefed the Council on the Preliminary Plat #18-107 to Subdivide One Residential Lot into Three Lots at 10630 Kyle Avenue North.

6.2 MOTION PHA, SECOND PARKS TO WAIVE THE READING AND ADOPT RESOLUTION #2018-70 APPROVING PRELIMINARY PLAT OF "EIDEM ADDITION," SUBDIVIDING 2.5 ACRES INTO THREE SINGLE-FAMILY LOTS. MOTION PASSED UNANIMOUSLY.

7.1 Community Development Director Kim Berggren briefed the Council on the Brooklyn Boulevard Trail – Phase 1 project.

Council Member Jacobson stated she was the dissenting vote on the item at the last Council meeting. She stated it was one thing to plan for the LRT and spend money getting ready for it but when 49% of the money hadn't been secured to start spending actual dollars and making improvements was an issue for her. She stated further information was brought to her about the need with or without the train being there. She stated for that reason she would make the motion.

7.1 MOTION JACOBSON, SECOND LUNDE TO ADOPT THE MOTION RESCINDING CITY COUNCIL'S APRIL 2, 2018 DECISION TO NOT APPROVE PLANS AND TO NOT ORDER ADVERTISEMENT FOR BIDS FOR TRAIL PROJECT, CIP 4007-17 (BROOKLYN BOULEVARD TRAIL – PHASE 1).

Council Member B. Mata stated he had not changed his mind. The trail did not end and there wasn't a big wall that stopped anyone from walking or biking. He stated there was a five-foot wide sidewalk in good condition on both sides of the street. He stated spending that kind of money now and doing it again for Phase II, didn't make sense and for that reason, he would not be supporting the motion.

Council Member M. Mata stated he would not be supporting the motion. He stated they had a policy to bury underground lines and with the proposed project, they would not be burying the lines, which was another million dollars. He stated a policy was put in place many years ago when there were construction projects to not put in overhead power lines, which that project would fit into. He stated that before they spent money to rip up a good side walk, they should prove the old one didn't work.

Mayor Lunde stated he would be voting to rescind it and it was a good project. In 2012, they did a big engagement with residents to talk about what they wanted to see for trails, and one of the clear messages, especially in the central and southern parts of the city, was that they wanted trails too because in the north they had a lot of trails. He stated whenever there was construction in the north, more trails were added and needed to be equitable in the other parts of the city. He stated the City of Brooklyn Center was going to create another trail connecting to the city and part of the trail plan was to adopt a plan to say it's not where they wanted it to be and how to get there. He stated that whenever money and opportunity came to do it, the City should take advantage of it and it would connect into the Village Creek Trail. He asked staff to bring the trails plan for Council review to see if they were still in because when it came time to spend money on it, asked why have a plan when they were not going to fully support it.

Council Member Gates stated he had been consistent with staff about the project. He stated he went out to the sidewalk this week and there was nothing wrong with the sidewalk and in great condition. He stated if they were ripping up Brooklyn Boulevard with doing a road construction project on it and burying powerlines, he would have a different feeling about the project. He stated he discussed it with staff and there was a connection that went all the way out but it was a perfectly good sidewalk. He stated he spent 30 minutes walking the sidewalk and not one person walked, or bicyclist passed him. He stated he didn't understand ripping up a good sidewalk and would be voting no.

Council Member Pha stated it didn't make sense the Council didn't vote for it and supported it. She stated it was part of a larger comprehensive trail plan that had already been built out and was the last phase of it and didn't see why the Council was not finishing it and had the money in place. She stated they could make further connections to Shingle Creek trails and future trails with the light rail and would affect the walkability of the trail. She stated that it could be a reason why people were not using the trail if they didn't improve it and not having transit nearby and with the light rail and improved east/west transit, the trail would be used. She stated she supported the motion and would vote for it.

Council Member Parks stated he was in support of the project and Council talked about it for three years. He stated he sat in those meetings where residents asked the Council to improve the trails and connect the trails. He stated Council also seemed to set their sights on TH610 with new buildings and connections and didn't look at the 85<sup>th</sup> Avenue and Brooklyn Boulevard area and improvements were needed in that area.

City Manager Stroebel stated that in terms of undergrounding of the lines, staff knew the Councils expressed interest if it was possible if they did the project to proceed as part of Phase 2 to explore what undergrounding along the corridor would look like. He stated when staff spoke with Xcel Energy, they said it would be costlier and would not go forward with the undergrounding.

He stated they advised the City to move the five power lines but to come back and visit it in Phase 2 because they would not consider doing it in Phase 1. He stated staff knew that was one of Council's interests, to fully explore the undergrounding of lines.

He stated the other point brought up was to wait to do the project until Brooklyn Boulevard was reconstructed. He stated it was not in the County's CIP for the next 10 to 20 years to reconstruct the segment of Brooklyn Boulevard. He stated that if they thought it was going to be within a shorter time frame, it made sense and since it was not going to happen in next 20 years, they felt it was viable to go forward with Phase 1.

Council Member Gates stated if it was going to be a corridor for pedestrians for light rail or connections to the Market Place on West Broadway, asked if they could take that money and put sidewalks on Hampshire and Douglas and on every side street on the north side because none of the side streets had sidewalks that connected to that sidewalk. He stated if they were talking about connections and making sure everyone had a safe place to walk, they could use the \$250,000 of City money to put connections on those roads. He stated they didn't have sidewalks and tonight they had a sidewalk that was going to be ripped up for \$250,000 of City money.

Mayor Lunde called for a roll call vote.

7.1 THE MOTION PASSED ON A ROLL CALL VOTE AS FOLLOWS: YES – PARKS, PHA, JACOBSON, LUNDE; NO – M. MATA, GATES, B. MATA.

7.1 MOTION JACOBSON, SECOND PARKS TO WAIVE READING AND ADOPT RESOLUTION #2018-71 APPROVING PLANS AND ORDERING ADVERTISEMENT FOR BIDS FOR 2018 TRAIL PROJECT, CIP 4007-17 (BROOKLYN BOULEVARD TRAIL – PHASE 1).

Council Member M. Mata suggested putting in the bid, that in inclement weather to plow the path to its full width. He stated there were several trails in the city over the last snow storm that were only plowed with a smaller plow truck. He stated it meant the old sidewalk would have fit just fine and having a 10-foot wide trail made no sense because people couldn't pass for the reasons they talked about.

Mayor Lunde called for a roll call vote.

7.1 THE MOTION PASSED ON A ROLL CALL VOTE AS FOLLOWS: YES – PHA, JACOBSON, PARKS, LUNDE; NO – M. MATA, GATES, B. MATA.

7.2 Appointment to the Planning Commission

7.2 MOTION LUNDE, SECOND PHA TO APPOINT CHRISTOPHER HERBERS TO THE PLANNING COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE MAY 1, 2018 FOR THE BALANCE OF A TERM TO EXPIRE APRIL 1, 2021. THE MOTION PASSED UNANIMOUSLY.

7.3 Sergeant Mark Bergeron, Police Department, briefed the Council on the ordinance amendment to limit animals on one premises.

7.3 MOTION M. MATA, SECOND GATES TO WAIVE THE READING AND ADOPT ON SECOND READING ORDINANCE #2018-1230 APPROVING AN AMENDMENT TO CHAPTER 92 OF THE BROOKLYN PARK CITY CODE PERTAINING TO THE NUMBER OF ANIMALS ALLOWED ON ONE PREMISES AND LICENSING EXEMPTIONS. THE MOTION PASSED UNANIMOUSLY.

At 8:30 p.m. City Attorney Thomson departed.

8.1 Operations and Maintenance Director Dan Ruiz and Carol Anderson, Hennepin County, briefed the Council on the County Road 81 Median Landscaping. He introduced John Evans, Hennepin County Environment and Energy.

Mr. John Evans introduced Carol Anderson, Hennepin County, and Jacob Burgsteiler, Stantec Consultants. He stated they would present the County's proposed plans for landscape improvements on Bottineau Boulevard and Highway 81. He stated the improvements would extend from the City of Minneapolis limits through Robbinsdale, Crystal and through Brooklyn Park up to the I94 interchange. He stated the County was proposing to improve both the appearance of the corridor and making the landscape grow to be more sustainable. He stated with the assistance of Stantec, they developed a landscaping plan that included: replacement of turf grass in some sections of medians and on the intersections on the east side of Highway 81 at 63<sup>rd</sup> Avenue with a mix of hardy shrubs, grasses and perennials; installation of irrigation in planted areas; soil amendments; and planting additional trees where space permitted.

He introduced Jacob Burgsteiler and Mr. Burgsteiler briefed the Council with a visual presentation of the plans. He briefed on the County Road 81 Landscape, approach to landscape rehabilitation in the City, planting concept, layered perennials, ornamental grass massing, extended median planting concept, plant palette, end accents, border accent, shrub massing, tree palette, and Brooklyn Park landscape areas to be considered.

Mr. Evans stated that under the plan, the County proposed to pay for the installation of the landscape, the irrigation, soil amendments and a two to three-year warranted maintenance period by a private contractor. He stated the purpose of presenting the plan was to get feedback from the Council and whether the City would consider supporting the maintenance once the warranty maintenance period ended in 2020 or 2021. He stated their next steps would be to finalize the plan and get estimates from an outside contractor as to the estimated maintenance costs which they would share with the City at that time.

Council Member Gates stated the City already did a lot with 85<sup>th</sup> Avenue and paid for it and was a County road. He stated the residents kept asking about Noble Parkway between 85<sup>th</sup> Avenue and TH610 and the County kept saying they were not doing anything there. He stated the County now wanted to make Highway 81 nice and yet residents were asking about Noble Parkway and asked them to keep that in mind because that was something the Council wanted. He asked who maintained and paid for the landscaping on the bridge between Corvalis and the north side of the Holiday gas station.

Mr. Evans stated the City of Crystal and the County had assisted with replacement of the trees. He stated with that project there were a lot of maple trees that were planted and they didn't do well in the high salted environment and the County went in at its expense and replaced the trees. He stated the city did the mowing.

Council Member Gates stated a quarter of the trees had been run over, were missing and had not been replaced. He stated there were big gaps along that entire segment where the trees were planted.

Mr. Evans stated they were planning to replace those trees in the spring or next fall and fall was ideal for tree replacements.

Council Member Gates stated it was a very busy section and putting in landscaping on a section where the County did some landscaping, and the trees would be run over because there were no barriers for cars not to hit them and the tree saplings broke easily as soon as a car hit them. He stated there was nothing to stop a car from going over breaking the trees. He stated if it was three years out, the City now was responsible for replacing a tree. He stated he didn't want to see trees in the medians in the intersections or near the intersections. He stated the Council spent a lot of time talking about the 63rd intersection for light rail when talking about the pedestrian bridge and crosswalks. He stated the sight lines would be bad for putting trees in those areas.

Council Member Pha stated she would like to see it continued north of I694 as she had complained about how they didn't invest in the West District. She stated Highway 81 looked terrible and glad to see the proposal tonight and was in favor of it. She stated they should have trees but not close to the intersections and liked the plants being considered in that area. She stated she would like to see it extended past I694 so it went into the Brooklyn Boulevard and 85<sup>th</sup> Avenue intersections. She stated she would like Noble Parkway to get some in, but was a different issue. She would like to hear more about it and be part of their discussions further beyond tonight.

Council Member Jacobson asked if there were any precedents with a community involved to help maintain it with people who were interested in gardening. She stated years ago they

had a Brooklyn Park Garden Club and asked if that was something that was done in any community.

Mr. Evans stated that the County, with the University of Minnesota, had recently initiated a tree steward program and trained volunteers on proper tree care at a session last fall. He stated this year they recently completed one in Hopkins but were looking for suggestions for new locations. He stated it was focused again primarily on tree pruning tree care things residents could do both on County or city right of ways and probably not in medians on Highway 81. He stated the County had a lot of concerns regarding the effects of Emerald Ash Borer and the loss of tree canopy as the result from it. He stated they were trying to educate people on the benefits of trees and extended far beyond aesthetics, air quality and water qualities. He stated they also developed sustainable landscaping guidelines that were available on their website that was geared toward facilities and road right of ways but could easily be concepts that could be applied to homeowners.

Council Member Jacobson stated what she was looking for was a way for the city, if it did maintain them, to get interested people who would be able to go out and weed those areas.

Mr. Evans stated that on boulevards that would be great, but on the medians it was more concerning because of the speeds of the traffic.

Council Member Jacobson stated there were people who had adopted highways and the speeds were greater and got the trash picked up and didn't see it any differently. She stated she was interested in the city maintaining, but not replacing trees, and were two different things. She stated if a tree needed to be replaced, didn't think it should be on the city, but maintaining and making it look nice because it was in the community was a different story.

Mr. Evans stated that up to now on the Highway 81 corridor, the County had been replacing the trees that failed and would like to see that continue.

Mayor Lunde stated he liked the idea but the cost was a factor and thought there would be an ability to apply for grants to do tree replacements. He stated he wanted to see the numbers on the ongoing maintenance because sometimes they overestimated the amount of money that went into it and sometimes it was not as much as people thought. He stated he did like the idea of making sure the sight lines were accounted, for and on 63<sup>rd</sup> Avenue the middle was not a pause and pray scenario where people hoped they could make it across. He thought they worked with the County on the orientation of people crossing there that felt safer and safer would be an enhancement. He stated there was nothing wrong for the City asking for something to look nice because it was more of a rural look on Highway 81. He stated he liked the concepts of adding more beautification to the City, but the numbers would be important for him to say a yes or no.

Council Member B. Mata stated he liked the idea of having some trees but not near the intersections. He stated he liked evergreen type trees that would help block some of the wind or snow from drifting. He stated it was a bad idea to have residents on the median because it was not that wide. He stated the County and City were doing the maintenance along there because they could have their trucks directing traffic around them and the resident couldn't do that. He stated the boulevards on the sides were different where they could come off the side streets. He asked what happened if the City maintained it and the City of Crystal said they were not doing it

and now the boulevards looked nice and all of sudden looked like garbage again. He stated it had to be uniform all the way down and thought the County should be responsible for the whole thing.

Council Member M. Mata asked where the median was on Highway 81 south of 63<sup>rd</sup> because he thought they would have to get past Bass Lake Road and then into Crystal to have it.

Mr. Evans stated the grass median south of 63<sup>rd</sup> avenue was a median going to be redesigned as part of the Bottineau light rail. He stated they were coordinating it with LRT, and they had developed a design for that and it meshed well with their plans. He stated they didn't want to install something that would get ripped up.

Mr. Burgsteiler stated they had the initial landscape in Brooklyn Park. He stated after the 694 interchange that median was going to be planted in that proposal. At 63<sup>rd</sup> Avenue, the north and south immediately next to 63<sup>rd</sup> would be part of the light rail expansion. He stated they didn't want to invest in that if that was going to be removed. He stated south past the airport there was a portion of median at Bass Lake Road on the north end that could be installed. It would be installed up to the point where the curb return was going to be modified by the light rail expansion. He stated they were not touching anything that would change but there were some opportunities there. He stated there was a long median south of the rail tracks and also the approaches to the rail and there were four medians in Crystal and one in Brooklyn Park.

Council Member Parks stated a lot had been said on what he was thinking, and his concerns were the safety and sight lines. He stated they were talking about a small portion within the city and asked if they were looking for direction on what the Council thought on the four designs.

Mr. Burgsteiler stated those were different segments of the four designs. He stated that numbers 1, 2, 3, and 4 had callouts and those corresponded with the images. He showed the designs regarding the nose treatment where they were keeping things a lot lower with a smaller fescue so the sight lines were open. He stated they were holding the trees back away from the noses of the medians so those sight lines were open and moved further on and started to step up into the taller materials and moving away from the intersections to keep that as a safe environment.

Council Member Pha asked what the time frame was for rolling it out, if it was in the next couple of years or after the light rail.

Mr. Evans stated they were putting out for bid in June with installation beginning in August and the substantial completion in the fall. He stated that depending on the tree species availability, some of the tree plantings might take place in 2019.

9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS – None.

9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

- Brooklyn Park Community Assembly, new name for Community engagement gatherings. Thursday, April 26, from 6 to 8 p.m. in the Council chambers discussing the potential for an aquatics facility and the Age Friendly community initiative.
- Friday, April 27, is the final day to sign up for city wide garage sales.

BROOKLYN PARK COUNCIL MEETING; APRIL 23, 2018...Page 10

- Saturday, April 28, is the special materials drop off at O&M building on Noble Avenue.
- No Council meeting next Monday but there is a final meeting with the League of Minnesota Cities at 4 p.m. in the Water Treatment Plant conference room.
- Hiring Updates: down to three finalists for Fire Chief. Had an open house this evening. By May 14 will bring back a recommendation to the Council for consideration. There are four finalists left for the Communications Manager position. Final interviews will be next Monday.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 9:19 p.m.

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JEFFREY JONEAL LUNDE, MAYOR

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DEVIN MONTERO, CITY CLERK

## SPECIAL BROOKLYN PARK CITY COUNCIL MEETING

Monday, August 20, 2018  
7:00 p.m.

Brooklyn Park Council Chambers  
5200 85th Avenue North

CALL TO ORDER – Mayor Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Rich Gates, Susan Pha, Terry Parks, Mark Mata, Bob Mata and Lisa Jacobson; City Manager Jay Stroebel; City Attorney Jim Thomson; and City Clerk Devin Montero.

ABSENT: None.

2. MOTION GATES, SECOND PARKS TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK. MOTION PASSED UNANIMOUSLY.

3B PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B1 Mayor Lunde read a proclamation naming Sarai Roberts as Chief of Police for the Day of August 22, 2018.

7.1 Recreation and Parks Director Jody Yungers briefed the Council on the special election related to the issuance of bonds to finance natural resource areas and park reinvestments and the bond ballot language.

The following individuals addressed the Council:

1. Monica Dillenburg, Chair, Recreation and Parks Advisory Commission. She stated that on behalf of the Commission, they supported the park bond. She asked the Council to let the community speak with their own voice and let them vote to let the Council know whether it was an important investment for the city.

Council Member Jacobson stated she had issues with the Trust for Public Land survey given to the community. She stated the statement on a median home of \$214,800 and willing to have taxes go up \$58.11 a year for \$26 million rather than stating the truth which was the difference of what it was now with the new amount to be \$30.11 a year. She stated they were not accurate in those statements. She stated she also couldn't decipher whether the people they talked to were homeowners who would actually paid the amount or renters who might see a rent increase.

She stated that being a voice for the residents, were again not going to get an aquatics facility through that method, even though the community had been saying they wanted an aquatics facility. She didn't think the community voice was being heard and would not give up. She thought the City could find a partner and make it happen in another way but understood the reasoning for it not being on the ballot but was frustrated the community voice was not being heard in that way.

She stated the City had placed a great deal of emphasis over the years on youth but needed to place more emphasis on the seniors and knew they were doing work in that way. She stated the ballot question said, "including but limited to senior facilities," was not clear what that looked

like.

Recreation and Parks Director Yungers stated they didn't know the details based on all the variables that could happen as partnerships were considered. She stated she did know important things they heard through the process what seniors wanted in the community. She stated they wanted the recreation space to exercise and stay socially connected to the community and not get booted out. She stated they had a lot of active seniors who were also aging out and needed additional services.

She stated they needed a place they could go to, stay connected, and make sure they had that a welcoming place. She stated as part of the CAC improvements they proposed, while originally it was a part of a bigger plan with the aquatics facility, they had allocated some resources to allow a more welcoming entrance within the CAC and expanded the senior space for that social connectivity for seniors.

Council Member Jacobson stated she also wanted to make sure through the referendum that they completed the hometown ball field that was important to other Council Members and did not see it called out.

Recreation and Parks Director Yungers stated with the 1997 bond referendum, there were a lot of promises made to the baseball community around the building of Noble Sports Park and the full vision of that park was not accomplished. She stated that without a lot of detail, it depended on multiple partnerships to come to the table. She stated the Babe Ruth senior baseball and the Brooklyn Park Athletic Association were behind the fundraising to help support it. She stated that depending on the other partnerships, the location might change. She stated it was identified in their goals under fields and courts and under the first goal was to develop a baseball field, grandstand, restrooms and concession area that could be for the Noble Sports Park.

Council Member Jacobson stated that on the teen center, wanted to make sure that if they did that project that it was in an area of city where they didn't currently have similar programming. She stated that representing the East District, the focus had always been in other parts of the community and the youth in the East District suffered because of that and it was hard for them to get to the programming. She asked that they look for partnerships that might allow them to be in the Monroe area but only if they had partners that could help them do it.

Council Member B. Mata asked if each project would come before the Council to approve before it was decided to get done.

Recreation and Parks Director Yungers stated they would go to the Council as they took out a Request for Proposal or hired a consultant for the predesign work or under the Council's direction they could do it as one project at a time. She stated their goal would be to put it within the 5-year CIP.

Council Member B. Mata asked where the funds came from when they purchased the property adjacent to River Park.

Recreation and Parks Director Yungers stated they purchased the property utilizing the OSLAD funds which was an appropriate expenditure for the acquisition. She stated they then split the property and sold the house and those proceeds were put back into the OSLAD fund and was a

net gain of 1.8 acres of river shore property.

Council Member B. Mata stated that whether or not bonding was necessary, asked about the pay as you go or borrowing money from EDA, because they didn't have to bond and would like to borrow from it if it was necessary.

Finance Director Green stated they did not necessarily have to bond. If they were going to use an interfund transfer, they had to think of all projects that hit the EDA funds. She stated that in the EDA funds they did have resources that could be used. She stated they had to make sure it was not TIF dollars, which had to be used for a particular purpose. She stated she would not recommend using all EDA funds in order to not have bonding. She suggested some type of hybrid where they would use a portion of EDA funds. She stated if they decided to use some type of interfund loan, they would have to determine how to pay that back. Normally the way they paid it back was reducing resources that they had allocated for appropriation now or increase property taxes in order to repay the EDA funds.

Council Member B. Mata stated they were collecting and paying on \$1.1 million now on the existing bond and ended February 2019. He stated if they borrowed money, they were not going to borrow the money all at once. He stated they couldn't do all of the projects because they didn't have the resources or personnel to do all at one time. If they did one project at a time, such as River Park at \$2.2 million, they could borrow it at \$800,000 one year, \$1 million the next year and pay the balance on the third year. He stated they could pay that back out of the money they were already collecting if they maintained the bond they were paying now with that \$1.1 million. He stated that way they did not have to raise taxes. He stated he had decided that he would let it go to vote by the people but wouldn't support the proposition because he thought there were other ways to do it without raising taxes. He stated for the last six years he had not voted for budget because it had been a \$1.5 million to \$2 million increase every year and wouldn't support any budget with an increase in it. He stated if it passed, it would raise taxes and when they got hit with the increased value of homes were hit with another \$40 per month. He stated the city had a lot of people on fixed incomes and couldn't afford it. He stated he would vote for it to go to the public but wouldn't get behind it and have people vote for it.

Finance Director Green clarified that the \$1.1 million was the average they paid over time and not necessarily the payment they made per year. She stated the portion of bonds left in 2019 was \$126,000 but also had other bonds and had a payment schedule. She stated whenever they had schedules for paying bonds back, they didn't have the exact same amount from one year to the next. In 2018, they could pay \$450,000, and the payment schedule in 2019 was \$550,000, and had to make payments the way the bond schedule was on the interest and principle payments.

Council Member M. Mata stated it got to be confusing when they were going to public to tell them they needed to pay more taxes for those projects stated on the bond referendum when it went to the ballot question. He stated it didn't say on the ballot they were already doing that. He stated it was above and beyond things because he felt people were already paying taxes and they needed to know what they were already paying for, like park and trail improvements, to improve senior buildings and improve the CAC, which was already in their taxes.

He stated the dollar value they were asking for was above and beyond and was a bigger wish list of the things the City wanted to do.

He stated previously, before 2000, the Council put together a funding source called the OSLAD fund and it was a "pay as you go" system. He stated every year money was put in that to pay down the future. He stated that 20 years ago a bond referendum was voted on by citizens and their taxes went up. He stated the city was paying it back on an average of \$1.1 million over 20 years and never given it back 20 years ago and the citizens had never seen a reduction in taxes from that.

He stated now what they were going to do was put another bond on top of another bond and he was not a fan of bonding for a source of income. He stated it showed his inability to do his job as a Council Member to ask people to pay more money that would be asked in their taxes. He stated with the projects listed, that as "pay as you go" had \$4 million to save up and could do that project. He stated he was not going to ask the public to pay more money.

He stated they needed to find more ways to add money into the OSLAD fund or find other ways in the city they could take from a fund. He stated they already built a lot of trails in the city and a lot of parks were built out and there was now the maintenance and didn't see new parks built in the city. He stated new developments, businesses and housing developments that came along, they should ask them to do it.

He stated he would not vote yes, to put it on the ballot for taxpayers to decide. He stated there were businesses in the city that paid a lot of taxes and didn't have the ability to vote yes or no on it. He stated apartment complexes paid a lot of money in the city and did not have the ability to vote on it and would raise rents as city taxes went up to make their money back. He stated he couldn't support it and appreciated the efforts and ideas but had to figure out how to work on one project and get the money, resources together and find partners for it.

Recreation and Parks Director Yungers stated it was important that everyone understood polling done was statistically relevant around eligible voters. She stated they were the homeowners, business owners, apartment renters that were eligible voters. She stated they all had a voice and the impacts might be more direct and some indirect if renting, but all had a voice and opportunity to vote.

She stated it was mentioned that the polling that was done was misleading in that it was moving toward a yes vote. She stated she had to respectfully support the Trust For Public Land and their expertise in doing a lot of public polling that was statistically relevant. She stated what they did do was to start the survey with a question that was very open ended, because they knew when people went to the polls that sometimes when they read the ballot, it was the first time they had ever heard about it. She stated they then walked through a series of questions about what might be included and asked the same question again. She stated there might be an increase by an informed voter and that was what they were testing.

She stated it was also mentioned about how the park system was currently funded and supported projects. She stated currently they levied each year for the Heritage funding and the funding was approximately \$1.6 million over the last couple of years. She stated that in looking forward at existing infrastructure, the funding that should be in that fund on an annual basis was about \$2.6 million. She stated they had not been able to support keeping up and had to let some parks go because they didn't have the support in the current infrastructure. She stated the OSLAD fund could redevelop parks. She stated that it was mentioned the city didn't need new parks. She stated the proposal included one potential new park within the entire system. She

stated it was a reinvestment plan within the current system that did not see the benefit of the 1997 bond referendum. She stated the Heritage fund and OSLAD fund was supported by park dedication with a community that was getting close to being fully built and would reduce the revenue stream. She stated it was important that the community knew how the parks system was currently supported and funded. She stated in 1997 the community had a vision to invest over the next 20 years and was the new and old that supported it over 20 years. She stated that was the benefit of a park bond that when they did a bond not only for today's residents but tomorrows residents too, that benefitted and paid for the investment.

She stated that on the pay as you go system, if they did it and reinvested \$1.1 million per year as they had done and was a great approach, but to do some projects, they had to put savings in the bank for four years and wait another four years for the next project. She stated when they bonded they could get the projects done and today's and tomorrow's residents paid for the benefit.

Council Member Pha stated she supported it and didn't believe they would put more taxes on the residents. She stated through all the community engagements she heard from the community, those were the things they wanted and were willing to pay for and was the investment they wanted. She stated she didn't want the Council to vote on it because she would like to see all residents have a voice on it about being willing to pay an amount for what they were getting out of it.

She stated one thing she did not see and asked why it did not have anything related to the amplified sound. She believed the city and Council supported amplified sound in the park investment but didn't have it detailed as to where they were going to have it and how it would take place. She stated it was an investment in amplified sound somewhere in the city and it would take more community engagement.

Council Member Gates stated the Council had many meetings on it and he voted on park bond in 1997 and remembered reading all of the information, why, how come and what it was about and still voted on it. He stated 20 years later, they were back at that same thing, reinvestment on parks and a few new things. He stated 20 years ago they were at a point where they did not have enough money to pay for what they had and back here again 20 years later. He stated they didn't learn their lesson they needed to fund what they had, whether replacement or maintenance. He stated 20 years ago staff and Council realized they had a large dollar amount the Council was not comfortable voting on it themselves and was where they were at today.

He stated several years ago when they were redoing the police station for \$9 million, one of the first things he said was he was not comfortable with the decision without voters having a say on it, even though the Council was the voices for the voters. He stated they were now doing another park bond because there were large dollar amounts and were tax increases. He stated he was in favor of it because he wanted the voters to have a say on it whether they were willing to have the city spend upward of \$25 million. He stated the way it was written, put some flexibility into it on what they would like and did not say where the money would be spent. He stated it could be the senior center, CAC, or hometown ballfield the way it was worded.

He stated they needed to go to the voters with the top dollar amount they could get and were comfortable with. He stated they didn't have to spend it all because something might change, and prices changed. He stated he was ready to move on it and vote on it.

Council Member Parks stated he was coaching Little League and Babe Ruth baseball in 1997 and they were promised a hometown ball park and were excited about it, had plans how to do it and run tournaments, etc. but it never happened. He stated that two years later, Champlin Park High School promised a spruced-up park at Champlin Park and that never happened. He stated they had 40 volunteers go to Champlin Park High School and they were the ones that put the field together. He stated if they could get the hometown ball park, he could get 100 volunteers and put slats in the fence and help build things. He stated he was passionate about the hometown ballfield and should be asking for \$26 million on the ballot and give the people a choice as to how they wanted to do it.

Mayor Lunde stated he also wanted to echo what Council Member Pha said about amplified sound. He stated a lot of people wanted the picnicking option, maybe more facilities and for people who did large picnics to support those large picnic needs. He thought there was a need to find an amplified sound site somewhere in the park system. He stated it was important because there were a lot of celebrations in the city. He stated he and Council Member Pha were at Igbo Fest at NHCCC and was their national festival and have it every year in August. He stated those were other festivals they could start to capture to show off the diversity of the city and how many different things the city had to offer. He stated those are some of the things the city was missing out on and they were taking their business elsewhere even though they were Brooklyn Park residents.

He stated he liked bonding because it spread the impact out over the course and the ability for the whole community to share in the cost of life of a park, and not a year, and was over 20 years. He stated he was in support of putting it before the voters because parks had a different flavor, and giving residents a chance to decide what they wanted to do and how they wanted to do it was important.

7.1 MOTION LUNDE, SECOND JACOBSON TO WAIVE THE READING AND ADOPT RESOLUTION #2018-110 TO CALL A SPECIAL ELECTION RELATED TO ISSUANCE OF BONDS IN THE AMOUNT OF 26,000,000 TO FINANCE NATURAL RESOURCE AREAS AND PARK SYSTEM REINVESTMENTS AND ADOPT BOND BALLOT LANGUAGE.

Council Member B. Mata stated that for \$26 million it was \$58.11 a year and that was when the whole \$26 million was used. He asked if they only needed \$4 million, the residents would not be paying \$58.11 a year.

Recreation and Parks Director Yungers stated that was correct. She stated they would only bond as they needed bonds. She stated it was the worst case scenario. She stated that as money was needed for projects, they would bond for it. She stated it was the constant staggering of payback, bond and pay back that bond and bond for more and then add that. She stated that was the reason they couldn't say exactly \$1.1 million. She stated the Finance Director refinanced the bond when there was an opportunity. She stated that it was saying that if on day one they bonded for the entire amount, \$26 million, that would be a debt payment and highly unlikely they would not be doing that but would have to stagger it based on projects.

Mayor Lunde called for a roll call vote.

7.1 THE MOTION PASSED ON A ROLL CALL VOTE AS FOLLOWS: YES – PARKS, PHA, JACOBSON, GATES, B. MATA, LUNDE; NO – M. MATA

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 8:10 p.m.

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JEFFREY JONEAL LUNDE, MAYOR

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DEVIN MONTERO, CITY CLERK

SPECIAL BROOKLYN PARK CITY COUNCIL MEETING

Monday, May 13, 2019  
6:35 p.m.

Brooklyn Park Council Chambers  
5200 85th Avenue North

CALL TO ORDER – Mayor Pro Tem Susan Pha

PRESENT: Mayor Jeffrey Lunde (arrived at 6:37 p.m.); Council Members Lisa Jacobson, Mark Mata (arrived at 6:37 p.m.), Susan Pha, Terry Parks, Wynfred Russell, and Tonja West-Hafner; City Manager Jay Stroebel; Human Resources Manager Beth Toal; Employment Attorney Mike Freske; Police Chief Craig Enevoldsen; Deputy Police Chief Todd Millburn; and City Clerk Devin Montero.

ABSENT: None

Mayor Pro Tem Pha stated the purpose of the closed executive session was to discuss matters relating to labor negotiations and strategies.

2.1 Close the Meeting Pursuant to MS Section 13D.03, Subdivision 1(B).

2.1 MOTION PHA, SECOND PARKS TO CLOSE THE MEETING PURSUANT TO MINNESOTA STATUTES, SECTION 13D.03 SUBDIVISION 1(B) TO DISCUSS AND CONSIDER ATTORNEY/CLIENT PRIVILEGE MATTERS RELATING TO LABOR NEGOTIATIONS AND STRATEGIES. MOTION PASSED UNANIMOUSLY.

At 6:35 p.m., the Council met in a closed session to discuss labor negotiations and strategies.

At 6:37 p.m., Mayor Lunde and Council Member Mata arrived.

At 7:00 p.m., the Council ended their discussions.

ADJOURNMENT – With consensus of the Council, Mayor Pro Tem Pha adjourned the meeting at 7:00 p.m.

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SUSAN PHA, MAYOR PRO TEM

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DEVIN MONTERO, CITY CLERK

## REGULAR BROOKLYN PARK CITY COUNCIL WORK SESSION

Monday, June 3, 2019  
7:00 p.m.

Steve Lampi Meeting Room  
5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Terry Parks, Susan Pha (arrived at 7:18 p.m.), Lisa Jacobson, Mark Mata and Tonja West-Hafner; City Manager Jay Stroebel; Community Development Director Kim Berggren; Recreation and Parks Director Jody Yungers Community Development Director Kim Berggren; Economic Development Housing Director Breanne Rothstein; Operations and Maintenance Director Dan Ruiz; Planning Director Cindy Sherman; Parks and Facilities Manager Brad Tullberg, Police Chief Craig Enevoldsen; and City Clerk Devin Montero.

ABSENT: Council Member Wynfred Russell (Excused).

### C. DISCUSSION ITEMS/GENERAL ACTION ITEMS:

#### C.1 Discuss 93<sup>rd</sup> Avenue from Zane Avenue to Noble Parkway

City Engineer Jesse Struve briefed the Council on 93<sup>rd</sup> Avenue from Zane Avenue to Noble Parkway. He briefed on the history, existing road conditions, existing pedestrian facilities, location map, considerations for the reconstruction of a roadway, condition, Boone Avenue (North of 63<sup>rd</sup> Avenue), Candlewood Drive, Regent Avenue, Setzler Parkway, Xerxes Avenue, 93<sup>rd</sup> Avenue, safety, capacity, speed data – Regent to Noble, intersection 93<sup>rd</sup>/Noble, MSA condition rating list, how MNDOT determines the regulatory speed limit, and recommendations.

#### Comments:

- 93<sup>rd</sup> Avenue N. – Noble Parkway to Regent Parkway is 12<sup>th</sup> on list and look at the other 11; don't assume we are adding more people to that road.
- Candlewood neighborhood has a group and they talk about Candlewood situation.
- 93<sup>rd</sup> Avenue photo – all other five have curb and gutter sidewalks, and this road does not have sidewalks. Don't see any safety concerns for the others except 93<sup>rd</sup>, which is a safety concern and only one there without curb and gutter.
- Is there any other list without sidewalks and curb and gutters.
- Intersection 93<sup>rd</sup>/Noble – long term goal: have it all look like intersection at Regent to Noble at 30 mph.

At 7:18 p.m., Council Member Pha arrived.

- Saying because the road is flat and straight, can't make it 30 mph. 63<sup>rd</sup> Avenue is 30 mph and is straight.
- Just built apartment complex and if go shopping, go down to 93<sup>rd</sup> Avenue and don't have sidewalks.
- Just asking if we do have ability to put up signs to change speed. Now told they are not able to enforce it. Just need four votes to change it on what to do.
- Cost per sign is \$150-\$200.

- Concerns with just posting speed limit and not enforcing it; residents can't tell what is enforceable; need to have standard across the city; rather go the route of changing it and enforcing it instead of putting up a sign.
- Police Chief's concern of putting up a sign and not able to enforce: exposing city to liability to accident.
- Did do temporary speed sign for construction purposes and don't know if it slowed it down. That is something immediate we could do. We are in process of getting prices for designing traffic signal at Noble Parkway.
- Asking MNDOT to add a third lane to TH 610.
- Adding a light at 93<sup>rd</sup>/Noble may encourage more people to jump off TH610 and use 93<sup>rd</sup> and have a much easier left hand turn; can move forward with traffic signal there based on accidents.
- Talking to MNDOT on reducing speed and how to petition that and getting a speed study.
- Three options: do a speed study, appeal to MNDOT leadership, or get something in legislation for that one mile stretch to approve specific speed limits.
- Fearful the 30 mph would go up on a speed study; if MNDOT does what they want, the city is stuck with that mph.
- Waiting until the second apartment complex could affect speed study.
- Crosswalk at 93<sup>rd</sup> and Regent.

Operations and Maintenance Director Dan Ruiz stated that what they could do so they could get the Council to vote on it and keep thing moving or at least have a direction was when they had all the pricing and proposals for the designs of that traffic signal intersection, have one motion to authorize that and move that forward with the signal. The other motion is to direct staff to work with MNDOT to do speed study from Zane to Regent. He stated in the meantime, they could have conversations with MNDOT. He stated what he was hearing from the Council and seemed to be consensus was only do the speed study if they could do that stretch; otherwise, bite the bullet and not do the speed study.

City Manager Stroebel stated if they were going to do the 93rd/Noble signal, it would likely result in a rate increase of street light utility and would bring back that information to the Council.

Operations and Maintenance Director Ruiz stated it would probably be a 3-5% rate increase and would do his best to reduce it. He stated it was just recovering costs, about \$400,000 less the County's share. He stated they hadn't adjusted the rates from that utility fund in three years.

#### C.2 Discussion on Potential Acquisition of the Old Hennepin County Brooklyn Park Library (8600 Zane Avenue)

Senior Project Manager Jennifer Jordan briefed the Council on the potential acquisition of the old Hennepin County Brooklyn Park Library at 8600 Zane Avenue. She briefed on the Community Activity Center parking needs, estimated costs, various community ideas for reuse, and next steps.

#### Comments:

- Did not realize parking lot went out that much from library, will have to acquire that property; no way to handle parking if someone else buys it; if City bought property we could wait on making decision to renovate it.
- Purchase it; will the County change price; demolition it or renovate it; not sure if worth renovating rather than demolition; put a pool there?
- Current PICA agreement goes through 2023. Three years ago, the City became the grant recipient for rehab of roof, \$55,000; if they were to change PICA and moving them, the City would have to pay that back to State of Minnesota; PICA has indicated an interest, the old city hall is old building.
- Need to acquire it; if we demolish it, the chances to develop it will not be soon; maybe future expansion for the Community Activity Center or aquatics facility. In meantime, there is an immediate need now in community to use that space. We hear about how we want to empower people to build businesses in the city; hard to do that if few don't have anything to help them. Business incubator is important to have a place to start up; there are a lot of smaller nonprofits that serve a lot bigger numbers in city and don't have a space to operate; programming space; gather and have meetings; a lot of nonprofits don't have support from the cities; recreational programming is tied to Community Activity Center; all for buying it and using it.
- If put in \$800,000, don't want to tear it down. If we do put nonprofits in there, what will they do if we redevelop it and where will they go; would love to see the pool happen there.
- Staff heard about the acquisition; the larger discussion will be the what next.

Community Development Director Berggren stated she was hearing that the Council had an interest in acquiring the whole parcel.

### C.3 Sister City Discussion (Assistant City Manager Wokie Freeman-Gbogba)

Assistant City Manager Freeman-Gbogba briefed the Council on the process and criteria for Sister City partnerships.

#### Comments:

- Important to this process on the clarity on expectations between the two cities; should not have expectation of sending surplus IT equipment or police equipment to that city at our expense; it's more of cultural exchange.
- Pending Council approval, will work with current sister city with MOU clearly outlining expectations; would have to be some description/relationship that aligns with goals of city; in addition to the cultural exchange, we have robust business environment in the city and making sure those industries are connected with the sister city; a potential for some trade and organization; and more engagement with that community.
- We should only do one sister city in a country, does not make sense for more than one; sister city relationship is important to us; diversity in city; expectations of being a funder and resources has to be clear.
- HTC, library and most school districts would want to be part of the sister cities; would be good to have a formal document to refer back to it.
- Cost to City if Brooklyn Park delegation travel between them. In past, those costs came out of donation account; city had; was very little that came out of general fund;

- All elected officials paid their own way to Liberia and patterns were set and expected to pay own way.
- Would they be under umbrella for security when they come here; we paid for police officer to stand guard outside of room in another place; are the sister cities expected to provide security too?
- I would like to see this go away; why do we have to have a door open for a sister city? If we exchange for trade, need to be careful to promote city; now a competitor has a trade advantage; don't see a two-way street here; rather benefit from everyone; seen a lot of things devalued and sent to another city; sold to nonprofit and sent overseas; plenty things close to home; we have smaller cities, and farmland and are struggling;
- Benefits of sister city: when set one up, go out and meet with that cultural group, increases dramatically; carries street credit; like things that matter to people living here; especially with groups we don't have connectivity with; like the policy; gives a way to say no and have to earn way in.

City Manager stated he would bring back the formal policy for Council's consideration.

#### C.4 Council Travel Policy Discussion

City Manager Stroebel briefed the Council on the Council Travel Policy and proposed considerations to the policy.

#### Comments:

- What was spent on in-state travel for conferences this year?
- Sometimes Council trips funded by organization and given to city for reimbursement.
- Previous Council Members on Finance and Steering committees.
- Concerns with Council Members alternating and going on two trips per term and if a Council Member has an unused travel budget, others could use that budget to go on another travel, which is still spending money.
- Preference for Council to get an allocated amount for four years and give it back to the City if not spent.
- What will the City benefit from going on a personal conference and should be something the City benefits from?
- Eliminate personal car insurance and use Uber, which is a safer method. Get an Uber account, use it and then close it.
- Still need car rental if driving to Wisconsin for an event and can't fly there. If going to Washington DC, use Uber and not rent a car.
- Can the Council use a city vehicle to travel?
- Approved municipal functions, which are approved at the beginning of year (resolution) and don't have to come back to Council. Only events outside of the resolution had to come back.
- If Council Member requested travel to an event, Council should vote on it and the Council Member should say why they want to go and what the City could get out of it .
- Council should report on the trip at a Council meeting.
- Previous Council Members became accustomed to going annually and that's their conference and should move away from that and shouldn't be an entitlement to going.
- Limiting it to two per term on travel.

- Out of state travel, Mayor could request additional travel beyond one time per year.
- Mayor Pro Tem should be spelled out too for trips.
- Not going to a conference is not always a good thing if there is a value of going to a conference to expand Council's knowledge and using it to be better policy makers.
- If a Council Member doesn't want to go, they should not give up their portion of the travel budget. All should have a limit; shy away from alternating every year. Each get a certain amount of time and actual budget limit and Council could know what that can be.
- Council can manage their own travel funds.
- Use \$2500, not to exceed per trip; could be potentially four trips: Mayor goes on one; three Council Members go on one.
- Some conferences cost more, with airfare, lodging.
- Does that affect what has already been approved?
- The \$2,500 covers all reimbursements and all expenses.
- If it's a five-day conference, Council could only go for three days.
- Do it as a pilot project.

#### D.1 COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Council Member Parks stated the Brooklyn Park Lions Club cleaned up 93<sup>rd</sup> Avenue and collected 15 bags of trash. He stated people underestimated what groups did in the city.

Council Member Pha stated she would not be at the next Council meeting on June 10, 2019 due to being on vacation.

#### D.2 CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel stated that Tater Daze was June 13 to 15 and there was the Council's root beer float event, parade, and open house for the Police Department, Fire Department and Recreation and Parks on June 15.

He stated there was grand opening of Edinburgh USA on Thursday, June 6.

#### E. ADJOURNMENT

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 9:17 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>	7.1	<b>Meeting Date:</b>	June 10, 2019
<b>Agenda Section:</b>	General Action Items	<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>	Appointment to the Recreation and Parks Advisory Commission		

## City Manager's Proposed Action:

Appoint commissioner to fill an East District vacancy on the Recreation and Parks Advisory Commission.

**RECREATION AND PARKS ADVISORY COMMISSION (RPAC)** One East District appointment

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPOINT PATRICIA DOMINGUEZ-MEJIA TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A TERM TO EXPIRE APRIL 1, 2021. (Replacing Eric Peterson)

## Overview:

On May 28, 2019, the City Council interviewed applicants to fill a vacancy on the RPAC.

## Primary Issues/Alternatives to Consider:

Selection and appointment of a commissioner.

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

**Attachments:** N/A

# City of Brooklyn Park Request for Council Action

<b>Agenda Item:</b>	8.1	<b>Meeting Date:</b>	June 10, 2019
<b>Agenda Section:</b>	Discussion Items	<b>Originating Department:</b>	Police
<b>Resolution:</b>	N/A	<b>Prepared By:</b>	Craig Enevoldsen, Police Chief
<b>Ordinance:</b>	N/A		
<b>Attachments:</b>	N/A		
<b>Item:</b>	Update on Huntington Place Apartments		

**City Manager's Proposed Action:** N/A

**Overview:**

The Police Department would like to update the Council on the City's work related to Huntington Place apartments. We will cover concerns over the level of crime, livability issues and code enforcement issues. The City has been attempting to proactively work on these issues with the management company and ownership group. We will discuss progress year to date as well as the remaining concerns, including long-term sustainability. The management company has been invited to attend.

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

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

**Attachments:** N/A