

REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, July 23, 2018
7:00 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

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; Deputy Police Chief Mark Bruley and City Clerk Devin Montero.

ABSENT: None.

Mayor Lunde opened the meeting with the Pledge of Allegiance.

2A RESPONSE TO PRIOR PUBLIC COMMENT

City Manager Stroebel stated there was on comment with concerns with 93rd Avenue and stated staff had been working on strategies to address the situation along 93rd Avenue: We're installing advisory speed limits of 40 mph between Zane/Regent; will be 25 mph between Regent/Noble on a temporary basis; are pursuing no parking along 93rd Avenue, which was an item to bring back to Council for adoption; will be talking to the construction companies to get employees to not park on 93rd Avenue; staff is also working with both constructions sites to encourage them to direct their large construction vehicles to Zane Avenue versus Noble Avenue. Also, through the Police Department, the police were doing targeted speed enforcement in the area with a speed trailer to warn about the posted speed limit. He stated there was a lot of conversation around Noble/93rd Avenue intersections and were continuing conversation with the County and didn't have specific strategies at that intersection for tonight and those conversations were continuing.

He stated another resident commented at the last meeting and Mr. Helgeson's petition would be considered by the Council tonight. He also spoke about the snow emergency ban and it would also be discussed by the Council tonight.

2B PUBLIC COMMENT

1. Collette Guyott-Hempel, 9277 Trinity Gardens. Stated the last speed study, the likelihood of a pedestrian surviving at 30 mph was pretty good but going at 50 mph, it was an 85% chance of being killed, at 60 mph was 99% of being killed. She stated she kept seeing bicyclist, joggers, walkers, kids, and skateboarders on the road. She stated Hy-Vee staff walked along that roadway and the construction people and utility company had six trucks parked along 93rd Avenue last week and nowhere for them to park. She stated if someone was digging in that ditch, it was best to block it off completely for their safety.

She stated on that traffic study, someone was going 95 mph both east bound and west bound. On the shoulder area, there were some spots with zero shoulders and some were four feet wide. She stated there were 3,000 cars in four days that were going 55 mph or faster, with two cars going 95 mph. She stated there were 483 cars going 60 mph and according to the graph, 60 mph, virtually 100% pedestrians, kids, bicyclist could be dead. She also asked about not having the \$2.4 million to fix the roadway that

was promised 20 years ago. She appreciated the traffic studying being done with the State and would like to get a permanent lower rate and having pedestrian signs on the north side like it was proposed when TH610 went in and the Council promised it would happen between Regent and Zane.

Mayor Lunde stated he had people in the audience who had to leave early and would allow them to speak on Item 7.1.

2. Laurie Dehn, 6308 65th Ave N. She stated her mail box was knocked down three times and was blocked, and there was trash and used condoms and people came at all hours of the night from the Willows Apartments. She stated they would park in front of her house and she called the police many times. She stated there were dogs left in a car, a homeless person parked in front of her house and slept in a truck on weekends. She stated she didn't feel safe and hated the neighborhood. She stated people parked all hours of the night with garbage being thrown in her yard and didn't like it. She stated she didn't think she could sell her house with all that going on in neighborhood.
3. Phung Chau; 6501 Douglas Drive. Was concerned about the speeding problem and asked to check the records on the corner Douglas/65th Ave because there were a couple of accidents there. He stated last winter someone speeding ran into his yard and hit a tree and if the tree was not there, the car would have hit the front of his house. He stated another concern was the night parties, throwing trash, glasses, beer cans and even park on his yard. He asked the Council for help to prevent those problems.

3A. MOTION GATES, SECOND PARKS TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK. ADDED ITEM 3B4, PRESENTATION OF STEVE LAMPI MEMORIAL SCHOLARSHIP AND 3B5, LIBERIAN INDEPENDENCE DAY PROCLAMATION AND PULLING ITEM 4.6 FROM THE CONSENT AGENDA. MOTION PASSED UNANIMOUSLY.

3B PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B1 Mayor Lunde read a proclamation proclaiming August 7, 2018 as National Night Out in the City of Brooklyn Park.

3B2 Mayor Lunde proclaimed August 24, 2018 as American Legion Day in the City of Brooklyn Park.

3B3 Mayor Lunde and Council interviewed applicants to fill vacancies on Commissions. Mayor Lunde stated the appointments would be made at the August 27, 2018 Council meeting.

3B4 Council Member Jacobson briefed the Council on the Steve Lampi Memorial Scholarship and introduced Cathy and Tracy Lampi. Cathy Lampi briefed the Council on the winner and presented the scholarship to Jackie Cvek.

3B5 Mayor Lunde read a proclamation proclaiming July 26, 2018 as Liberian Independence Day.

4.0 MOTION GATES, SECOND PARKS TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEMS:

4.1 TO APPROVE THE NEW MANAGER, MARK MILTON SIMMONDS, FOR MJ HOLDINGS OF BP LLC DOING BUSINESS AS MAD JACKS SPORTS CAFE LOCATED AT 8078 BROOKLYN BOULEVARD.

4.2 TO APPROVE THE NEW MANAGER, ERIC PAUL LARSON, FOR MJ HOLDINGS OF BP LLC DOING BUSINESS AS MAD JACKS SPORTS CAFE LOCATED AT 8078 BROOKLYN BOULEVARD.

4.3 TO APPROVE THE NEW PARTNER, JUSTIN RICHARD LONGSTROM, FOR MJ HOLDINGS OF BP LLC DOING BUSINESS AS MAD JACKS SPORTS CAFE LOCATED AT 8078 BROOKLYN BOULEVARD.

4.4 TO APPROVE THE NEW MANAGER, RANDAL EDWIN IVERSON, FOR MJ HOLDINGS OF BP LLC DOING BUSINESS AS MAD JACKS SPORTS CAFE LOCATED AT 8078 BROOKLYN BOULEVARD.

4.5 TO WAIVE THE READING AND ADOPT ON SECOND READING ORDINANCE #2018-1234 AMENDING CITY CODE SECTION 72.11 PERTAINING TO ADDITIONAL REGULATIONS FOR SNOW EMERGENCIES AND REQUIRING STAFF TO BRING BACK A REPORT ON THE ORDINANCE CHANGE IN 2019.

4.7 TO RECEIVE AND PLACE ON FILE THE PETITION FOR VACATION OF DRAINAGE AND UTILITY EASEMENTS ON LOTS 1 AND 2, BLOCK 2, BROOKSIDE OF EDINBURGH.

4.7 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-102 ORDERING A PUBLIC HEARING FOR THE VACATION OF DRAINAGE AND UTILITY EASEMENTS ON LOTS 1 AND 2, BLOCK 2, BROOKSIDE OF EDINBURGH.

4.8 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-103 TO APPROVE SUPPLEMENTAL LETTER AGREEMENT WITH SRF CONSULTING GROUP, INC. TO PREPARE FINAL DESIGN PLANS AND SPECIFICATIONS FOR THE TRUNK HIGHWAY 169 / 101ST AVENUE INTERCHANGE; CIP 4042.

4.8 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-104 TO APPROVE SUPPLEMENTAL LETTER AGREEMENT WITH WSB & ASSOCIATES, INC. TO PROVIDE RIGHT OF WAY ACQUISITION SERVICES FOR THE TRUNK HIGHWAY 169 / 101ST AVENUE INTERCHANGE; CIP 4042.

4.9 TO RELEASE THE ON-SITE LETTER OF CREDIT #1093 POSTED BY TRADITION CAPITAL BANK (\$126,000) AND RELEASE THE OFF-SITE LETTER OF CREDIT #1094 POSTED BY TRADITION CAPITAL BANK (\$75,000) FOR SATISFACTORY PROGRESS OF THE "VILLAS OF RUSH CREEK TRAIL" PROJECT #15-123 LOCATED EAST OF FALLGOLD PARKWAY AND NORTH OF 101ST AVENUE FOR RAMSAY PROPERTIES LLC.

4.9 TO RELEASE THE ON & OFF SITE LETTER OF CREDIT #182 POSTED BY SIGNATURE BANK (\$25,000) FOR SATISFACTORY PROGRESS OF THE "WICKFORD VILLAGE" PROJECT #13-120 LOCATED AT WICKFORD PARKWAY

AND REGENT AVENUE FOR ASTRA VENTURES, INC.

4.9 TO RELEASE THE ON-SITE LETTER OF CREDIT #HACH5455430S POSTED BY BMO HARRIS BANK N.A. (\$17,000), REDUCE THE CASH BOND BY \$2,800, AND REDUCE THE ENGINEERING ESCROW BY \$3,000 FOR SATISFACTORY PROGRESS OF THE "TODAY'S LIFE CHILDCARE" PROJECT #17-004 LOCATED AT 9995 XENIA AVE N FOR TODAY'S LIFE PROPERTIES LLC.

4.9 TO RELEASE THE ON-SITE PERFORMANCE BOND #106513181 POSTED BY TRAVELERS CASUALTY AND SURETY CO. (\$503,500), REDUCE THE CASH BOND BY \$20,000, AND REDUCE THE ENGINEERING ESCROW BY \$15,000 FOR SATISFACTORY PROGRESS OF THE "NOTT COMPANY" PROJECT #16-108 LOCATED AT 10300 XYLON AVE N. FOR R.J. RYAN CONSTRUCTION AND SCANNELL PROPERTIES #258.

4.10 TO APPROVE THE NEW MANAGER, TEK BAHADUR KARKI, FOR BIG LIQUOR WAREHOUSE LLC DOING BUSINESS AS BIG LIQUOR WAREHOUSE LOCATED AT 8020 BROOKLYN BOULEVARD.

4.11 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-105 CALLING FOR A PUBLIC HEARING BY THE CITY COUNCIL ON THE PROPOSED ADOPTION OF A MODIFICATION TO THE DEVELOPMENT PROGRAM FOR DEVELOPMENT DISTRICT NO. 1 AND THE PROPOSED ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT NO. 1-26 THEREIN AND THE ADOPTION OF THE TAX INCREMENT FINANCING PLAN THEREFOR FOR 7:00 P.M. LOCAL TIME ON AUGUST 27, 2018.

MOTION PASSED UNANIMOUSLY.

Council Member M. Mata stated he pulled the item because he felt the Council should have the ability to discuss them in closed doors before they adopted them. He stated that was done in the past where they started the negotiations process, and gave where the city stood and heard where the other group stood, and after the Council gave their input, it would come back to the Council to say yes or no or make some changes. He stated now it was left in the City staff's hands and looking at the budget they adopted every year, the budget was people and had five unions discussed. He stated it was huge dollar value with all of them and suggested that in the future it come back to the Council in a closed executive session to go over it to make sure there might be something the Council might want to change, like it or not like it, and then it would come back for approval.

City Manager Stroebel stated he spoke with staff earlier this afternoon and thought it was good practice, as it was done historically, and happy to do that. He stated they wanted to ensure the Council was well informed and answer questions before it was formally brought to the Council in the future. He stated he was updating Council next week on where they were and the status of the five contracts. He stated two of them had been resolved and the item tonight was the third one and still had two outstanding contracts for 2018/2019.

4.6 MOTION M. MATA, SECOND JACOBSON TO WAIVE THE READING AND ADOPT RESOLUTION #2018-106 TO APPROVE THE 2018-2019 COLLECTIVE BARGAINING

AGREEMENT WITH THE TEAMSTER POLICE DEPARTMENT NON-LICENSED EMPLOYEES LOCAL 320. MOTION PASSED UNANIMOUSLY.

7.1 City Engineer Jesse Struve briefed the Council on the Petition and Deny Parking Regulations Along Both Sides of 65th Avenue North Between Douglas Drive and Edgewood Avenue.

The following individuals addressed the Council:

1. Dan Helgeson, 65th Avenue. Stated the streets were provided for property owners, two reasons, the property owners paid taxes to maintain streets and not all of the right of way was paved. In his case 15 feet was on his lawn, which was city property and had to maintain it, mow it and pick up litter. He stated residents from the apartment complexes came onto his street and threw garbage and was basically a slave to the apartment complexes. He stated the new parking permit situation for the apartment complexes was an entitlement program and went around the zoning laws. He stated the apartment complexes didn't want to spend money to upgrade security and pushed them out on the streets. He stated street parking was not an entitlement and residents had the same rights as neighbors. He had a question on Page 2 of report because it seemed the Council was voting on it, and it said, "up to the past few years, the City Council considered on-street parking; as provided for the convenience of the adjacent property owners, however, the current position, these are public roadways, on the street parking should be allowed on both sides unless there is a safety issue." He stated the safety issue was a subjective term as his driveway was a safety issue and directly across it was a safety issue. He asked the Council if they agreed in the old ordinance where the parking was for the convenience of the adjacent property owners or agreed with the new standard where they had to have a safety issue.

Council Member Bob Mata asked how long they had been asking to have discussions with the Willows and Eden Park apartment complexes about their restrictions on their parking. He stated he knew they asked for a long time and why it was being suggested as a solution now.

City Engineer Struve stated he didn't know the history on what had taken place with the apartments and knew there were a lot of parking issues. He stated there had been conversations with the police and them reaching out to the apartment complexes to work and deal through the parking issue. He stated it was not a new solution and had been working on it throughout the years. He stated it would be more of a refresher situation on what had been done in the past and trying to reach out to the residents directly with a flyer or door knocking to give them a traffic lesson 101 on the parking regulations.

Council Member Bob Mata stated the Council heard tonight from the residents from that block and they all had an issue from the disrespect they got from the people that were parking there. He stated they parked on the grass, threw garbage out of cars and blocked mail boxes and were doing it all night long. He stated he hoped the Council had seen the video that was sent to the Council showing people coming and going at 2 to 3 a.m. and some switching cars. He stated he disagreed with denying the installation of the signs.

7.1 MOTION B. MATA, SECOND M. MATA TO ACCEPT PETITION AND DIRECT STAFF TO INSTALL "NO PARKING ANYTIME" SIGNS ALONG BOTH SIDES OF 65TH AVENUE NORTH BETWEEN DOUGLAS DRIVE AND EDGEWOOD AVENUE.

Council Member Mark Mata stated it was not a problem that started last year. He stated that area had been an issue for some time. He stated Eden Park apartments was given a lot of resources by the city to close off the access point to get into their property so it was more of a gated area and easier for the Police Department to manage a bad situation. He stated there were 156 citations and 50 were from that block. He asked if they had history from talking to the people and if they paid a fine. He stated he didn't want to put signs all over the city because it would be difficult because each block would be different. He wanted to hear what staff discussed with them and what their solutions were. He stated it was a cut through street and would support it for the purpose of doing it. He stated his goal was to make it go all the way down 65th Avenue. He asked what they had done on the other side of Zane and what they were dealing with on the other side of Zane. He stated the Council had four different apartments in their districts where that issue was happening and asked staff to do something.

Community Development Director Berggren stated she wanted to give more context of the work they had been doing on the parking issue and it went beyond the work the Engineering staff did. She stated they had been working on the Apartment Action Plan action items and one of them was to work with each of the complexes to do a parking study and had interns helping with that project in the summer. She stated they started with that complex because they knew it was the most challenging area. She stated she was optimistic going into that area to identify strategies to suggest to the Council what might help with that situation. They concluded with staff and were recommending tonight that one option was educational outreach with the residents and try to get on top of the enforcement as much as they could. She stated she knew the police already did a lot to enforcement and could always put more resources toward enforcement if that was the desire of the Council. She stated it was always the Council's discretion of adding those no parking signs but staff got nervous of deploying no parking signs because they would get into the uniformity conversations across the city. She stated it was the Council's discretion if that was considered one the areas they thought were needed and would be a policy choice of the Council. She stated they did take it seriously and heard from residents and appreciated they were not liking their experience in their neighborhood. She stated that after significant analysis to identify other strategies than what they were presenting to the Council, they had not gone back now and after the conversation tonight if they directed them to work more with the apartment complex for educational outreach they would do that with the tenants.

Council Member Gates stated he couldn't vote for it because it set a precedence for every street that didn't want no parking. He stated there was one easy way to fix it and was the year round no parking ban overnight. He stated it was a solution and easy to fix because it was the entire city 365 days a year that would clear up the mess. He stated all they had to do was start tagging and towing and if other cities could do it, so could Brooklyn Park. He stated they had been talking for 12 years about on-street parking and now they had one street with four houses on it. He stated it was everywhere and not just that one street and not just by the apartment complexes that had the same issue. He stated there were streets that were horseshoes where 12 cars were parked in the corner and couldn't get around it. He stated there was no way to get police or an ambulance through because there were so many cars on a corner. He stated he couldn't vote for it because it was one small street and set a precedence and could fix it by doing a year round ban.

Council Member Pha stated she didn't support having no parking signs for residential public streets. She stated if they started approving them on a regular basis, on Consent without a review into why, then everyone in the in city would want it and then it became an enforcement

issue and was a concern. She stated she did support it when there were safety issues and did realize there were certain times it was needed and with that particular case, she would support it. She stated the reason why was when she looked at the safety, she didn't just look at the safety of the public but also thought about the safety of the property owners that lived there. She stated that most who lived in that small section had three of the four in attendance tonight who were concerned with their own safety with littering on their property and cleaning up after other people. She stated people were driving fast and hitting their trees and mailboxes late night, and were parking overnight and in front of their home. She stated she would consider their concerns to be valid and would not appreciate people parking on her street and littering consistently and having to clean up after them. She stated that had been a documented and ongoing issue for that section of the street and considered it valid for a safety issue and would support it because of those reasons.

City Engineer Struve stated when they did an analysis, about 50% of footage on that road was parkable but 50% of it fell across from driveways on the corner by the fire hydrant. It eliminated the parking on about 50% of the roadway. If everything was enforced, there was 50% of a road where they could legally park at times. He stated that one item he wanted to clear up was when he mentioned safety issue, there were national standards associated with that type of road segments and studies indicated whenever traveling on a road there was an inherent risk of accidents. He stated there were 278 miles of roadway in the city and when they looked at the accident history in that area, didn't account for side swipes, and knocked over mail boxes were not reported. He stated when they looked at the history of that segment, it fell below the national average for crashes for that type of roadway.

Council Member Jacobson stated her concerns were that they were going to notify residents of existing parking restrictions and didn't believe it was the residents that were parking there and were the guests or people who were not part of the lease. She stated that notifying the residents would not do any good and the parking was a mess in many parts of the city. She stated that doing the apartment action plan seemed to be moving along slowly and knew it was difficult getting apartments to cooperate because they wanted their rules to be what they were and wanted people on the lease. She stated whether it was 4 or 400 houses, it was a problem and no one deserved to be treated like trash. She stated that to continue to enforce the parking restrictions currently in place and writing tickets was not doing any good because the problems continued. She stated she was concerned about the uniformity process on no parking areas and was important so it was not different in areas of the city. She stated she was looking for answers from staff if they could create a process and procedure around having uniformity, what it would look like and how long it would take. She stated they couldn't let it go on and someone was always going to lose, however they voted. She stated that question would continue to come at the Council and by saying yes or no to it, would be the first of many that would come.

City Manager Stroebel stated the current process was if people wanted to petition for no parking, they could go through that process and unfortunately parking was not uniform across the city. He stated in some situations they had to consider all of variables that were discussed tonight, get staffs opinion regarding the situation, hear public testimony, gather the input and Council made a decision. He stated there was not a real streamlined approach to it and they knew there were situations that were being contemplated tonight where someone would lose and someone would win and would not solve the overall issue. He stated that Deputy Chief Bruley talked about having some enforcement there and he talked to them this morning and they were willing to commit more resources to do more enforcement. He stated they also knew

they couldn't tow unless there were six citations written. He stated they already knew the County, that parking was not a high priority for them. He stated the community understood and learned about the parking citation tickets that could be disregarded because it took six times until they were actually towed per state law and the County was not going to enforce the citation anyway. He stated the staff was doing what they could and doing the best job with the resources they had of committing those police resources on those high needs. He stated that in terms of a uniform policy, approach or process, they did have what was before the Council, which was that residents could bring forward a petition and consider them one at a time. He stated they understood when there was a public concern like tonight, it was their responsibility to take it on.

Council Member Bob Mata stated his concern was a safety issue and the complete disregard for people that lived there where people parked on the grass, blocked mailboxes, parked on both sides of street and across the driveway where residents couldn't back out of their driveway. He stated it was disrespect from the people parking there showing the residents that lived there that they didn't care about them and threw trash on their lawns. He stated they had been doing that battle for more than a year and had been no resolution at all. He stated that was why he said no parking anytime, to get the signs up and get them off the street or put in a meter and get the cars towed when it expired. He stated something had to be done until something permanently could be done.

Council Member Parks stated that it would take more land away and had been talking about parking for three and half years. He agreed with Council Member Gates and had been trying to get no parking from 2 a.m. to 5 a.m. all year long and thought it would work for everyone. He stated he couldn't agree with the 24-hour parking because it would set a precedent. He stated they were asking people to pay taxes for streets and not letting them use it. He stated he would not vote for the 24-hour petition because that would set the Council up for a lot more and would have to look at the other motion to see if the Council wanted to do that.

Mayor Lunde called for a roll call vote. He stated the motion on the floor was to accept the petition and install signs.

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

7.1 MOTION LUNDE, SECOND GATES TO ACCEPT PETITION AND DENY THE INSTALLATION OF "NO PARKING ANYTIME" SIGNS ALONG BOTH SIDES OF 65TH AVENUE NORTH BETWEEN DOUGLAS DRIVE AND EDGEWOOD AVENUE.

Mayor Lunde asked if it was possible to get in six months or nine months or what they thought was the right time frame some feedback if that had done anything on the increased enforcement and education. He stated if the end result was still the same problem, then he would vote to install the signs. He stated his yes vote was that he wanted to try the other steps but if that was not going not work, then he would vote for the signs.

City Engineer Struve stated he would talk with the City Manager and staff to come up with an evaluation process and duration and when they could bring it back.

Council Member Jacobson stated she could go either way too. The parking was an issue and a

mess in the city. She stated it was not the answer but there had to be an answer out there. She stated when they talked about the snow emergency, suggested to set a time where if they were not going to install those signs but did other enforcements and stepped up enforcement, to come back whether that was six months or nine months and determine that as part of the motion because maybe after that she would change her vote and maybe voting for signs all across city at that point.

Council Member Pha stated if they had voted to install the sign, didn't believe it would set a precedent. She stated it had been the city's history up until last year where they automatically approved it on the Consent agenda for people who petitioned for a sign in front of their homes. She thought they had been putting more layers of qualifications before automatically issuing a no parking sign because they asked for it. She hoped the homeowners who attended tonight who had concerns, came back to the Council in six months or a year and let the Council know if things had not gotten better.

Council Member Mark Mata asked staff to send out an email to the Council letting them know where in the city there were special signs that pertained to roads that were adopted by Council in the past that showed the process. Where the residents had a petition, and four of the seven Council Members agreed and then it happened. He stated he didn't just mean the no parking signs, meant signs like no drive through traffic or no right-hand turns. He stated they paid taxes there too and there was a precedence. He stated the three home owners who already left the room, that if they were not happy with the decision, that two Council Members said they would change their votes based on data in the future. He stated they needed to tell those three people to not stop and keep bringing that matter forward because it swayed three Council Members to make a decision and needed one more and to make sure they understood that.

He offered a friendly amendment to the motion to revisit it before the snow ban started. He stated that should be more than enough time to get through summer and bring it back by October 15 to talk about it and see if that was enough data.

Mayor Lunde stated he would not accept the friendly amendment only because he would like a deadline and would rather have staff come back and tell Council what it was. He stated he agreed with the intent but not the date. He stated staff would come back on how much time was needed to come up with that data.

City Manager Stroebel stated that was an area he and Police Chief Enevoldsen talked about this morning and he was committed to putting additional enforcement in the area. He stated they could report monthly on how many citations were being written in that area and if they wanted a full report, thought six months was a good time frame, but they could report back on the number of citations on a regular basis.

Mayor Lunde stated the motion was to accept the petition and to deny the installation. He stated that was the motion that was written in the packet.

Council Member Parks stated there was now a six-month date and asked if they could add that to the motion.

City Attorney Thomson suggested to act on the motion and if the Council wanted to give direction to staff to come back at an "X" amount of time, they could do that separately.

Mayor Lunde called for a roll call vote.

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

7.2 City Engineer Jesse Struve briefed the Council on the Final Layout for 109th Avenue North from Jefferson Highway to East of Winnetka Avenue North. He introduced Lee Gustafson, WSB and Associates, and he continued with the presentation.

7.2 MOTION PHA, SECOND GATES TO WAIVE THE READING AND ADOPT RESOLUTION #2018-107 APPROVING FINAL LAYOUT FOR 109TH AVENUE NORTH FROM JEFFERSON HIGHWAY TO EAST OF WINNETKA AVENUE NORTH.

Council Member Mark Mata asked why they didn't have more roundabouts there. He stated that continuing west on the road toward Maple Grove and Champlin where they bordered, there were two roundabouts continuing down the road before it terminated. He stated he liked them because there were no stop lights, was not making a person stop unless they had to and allowed traffic to flow. He stated he knew two lane roundabouts could be difficult to understand but they would be figured out. He stated that the Xylon access going north into Champlin was to stop people from coming off Highway 169 and turning into Xylon. He asked if there was a barrier. He stated in the third paragraph of the report talked about it was going to have a right in and right out and that was telling him they couldn't cross something. He asked what that something was.

Mr. Lee stated it was a median. He stated there was no way that a car could go off of Highway 169 heading east bound on 109th Avenue and take a left hand turn into Xylon Avenue. He stated they could pull into Xylon Lane but would have to wait at a signalized intersection and wait for permission to take a left-hand turn onto Xylon Lane.

Council Member Mark Mata asked why not take advantage and end one of those outlets and close one off. He stated it did a couple of things: it kept traffic more focused through one line and it secluded another area. He asked in the future why wouldn't one of those two exits be closed off. He stated it seemed to be common sense to eliminate one and eliminate the whole on/off interchange and force traffic over to one signalized area to get on and off that road. He stated the other was that he had seen the history of the city to under develop its major streets, not a lot of lanes, hard to get out of shopping centers and they were undersized compared to other cities. He stated tonight they were asking the Council to develop a major roadway without having the major part of the land that would feed into it developed.

He stated he got confused why he was being asked to vote for this because part of him says he didn't want to vote for it because they had not developed it to withstand the road. He stated they hadn't developed the other side of Highway 169 which was coming from the roundabout. He stated they didn't know what was going to be built and had no idea if it was cars or trucks, a 10-story office building, or a hotel. He asked what the volume of the traffic they could be experiencing there and stated they had predesigned a project and could see it was all fields. He stated TH610 should be three lanes the day it was built and now is stop and go traffic during rush hour. He stated he didn't want to put money into something that would come back in 5 to 10 years that underutilized itself. He stated they already talked about 93rd Avenue and had a stop light situation there. He stated 93rd Avenue and Wyoming would sit there forever. He stated

he didn't want to set them up for failure and felt that was what he was doing by voting for it. He stated Champlin was all developed and knew their traffic count on that road and might need two more lanes or might need a dedicated truck lane. He stated there was a lot of things that could happen that they didn't know. He stated they were just going to develop it and rip it down and going to spend money on something that a future Council would tear it apart. He stated he couldn't support it because the city was not ready and didn't have businesses to tell him what the traffic counts would be. He stated he had no idea and didn't want to underfund a road because he had already seen what happened.

Mr. Lee stated that on the question with access in and out of Champlin, they looked at every different possibility with regards to eliminating Xylon, had cul-de-sacs drawn, four to five different options for each roadway to see what made sense. After reviewing those with the city of Champlin, came to the conclusion what was before Council was the right option. He stated it was not forcing all the traffic over to Xylon Lane and was trying to balance impacts of changes to residents in Champlin. He stated they looked at a variety of things, they had frontage roads, had cul-de-sacs and a variety of things they looked at and agreed that the proposal tonight provided the best access but minimized some of the impacts to both residents and on Xylon Ave and Xylon Lane.

He stated that on what the road should look like and the number of lanes, they did a traffic analysis. It was looking at it from a 20/40 perspective and looking at everything in Champlin in accordance with Brooklyn Park's Comprehensive Plan. He stated they also looked at all the traffic studies and all different analysis that were done as part of reviewing the entire area. One from SRF, ROK and they also did their traffic study as part of the analysis to make certain what they were proposing would accommodate all different traffic that would come out of the area and go to 109th Avenue. He stated the 101st interchange was taken to extreme considerations with regards to how the traffic was going to flow out of the area, traffic projects were done, percentages coming out of Xylon Lane, if the traffic there would go to Winnetka and some traffic would go north and some would go through.

He stated the City of Champlin did another traffic study on 114th Avenue and Winnetka to make certain that the same concerns, if it was approved, what was the amount of traffic to go through on 114th Avenue and Winnetka and that was one of the issues that delayed the process. He stated of the three traffic studies done, their traffic study analysis looked at all of the background information. Looked at the city's Comprehensive Plan and looked at all proposed developments that were a part of it. He stated the development was likely going to change. He stated some of the development that had come had been less from what originally was proposed as far as the number of trucks and amount of traffic. He stated it was just 30 percent design plans and what those design plans got them was the ability to apply for grants and functional class change. He stated it was not a final design and it was in the city of Champlin's CIP for 2021/2022; by the time they applied for grants and funding would be 2023. He stated it was a long time out before they were ready on final plans. He stated it just acknowledged the current design before Council and accommodated everything through 2040. He stated it allowed them to apply for grants and functional class changes. He stated it also allowed developers to say both city of Champlin and Brooklyn Park acknowledged the main access points for the massive undeveloped area on the southside of 109th Avenue would line up with Xylon Lane and would be a fully signalized intersection.

Council Member Gates stated he was fine from Winnetka to Highway 169 and was glad there were no roundabouts there because he would have not voted for it. He stated he agreed with the roundabout at Jefferson Highway and didn't like roundabouts because no one knew how to drive on them especially a two lane roundabout. He stated that on the west side of Highway 169, had no idea what would go in there. He stated that even if they got the interchange at 105th Avenue and if projected out to 2040, no one could have said when Noble Avenue was built from Brooklyn Boulevard to 85th Avenue that it was not going to back up every day from 4 to 6:30 p.m., from 85th Avenue to Noble Avenue every night. He asked how they could plan for something without an idea of what would be going in there. He stated he was fine with Winnetka and Highway 169 but couldn't vote for it because he was not going to put money to something that he didn't know what would happen or having it come back in three years to be changed again.

City Engineer Struve stated that when they were planning for those projects were only going to be moving forward with 30 percent and allowed them to apply for grants. He stated those grants took three to five years before they could use them. If they got them today, puts it out to 2022. He stated if that area developed and without improving 109th Avenue, depending on what the updated traffic analysis happened for the area to develop, it might limit how much they could develop that area. He stated there was mitigation that had to happen to account for traffic flows. He stated that while it was a delicate process to try to envision what was going to happen in 30 to 40 years, as the area developed it was very important to realize without improving 109th Avenue, it could actually stop development south of it. He stated they did the traffic analysis based on the city's comprehensive plan and develop a road that could handle that traffic. He stated they were not asking for final design for the area, but they needed to move forward with getting grants because it was going to be five years before it got developed. He stated without those grants to offset it, if a development came in and the city had to all of the sudden reconstruct 109th Avenue in a small time frame, they would miss out on those grants to offset it. He stated the estimated cost was between \$8 to \$10 million for the project.

Council Member Gates asked why spend money on a roundabout when they could still make improvements in the intersection. In 10 to 20, years if it was warranted, they could come back and put it in. He stated the roundabout was as expensive as a signal and there was a stop sign there. He stated the wouldn't put in a signal there and could leave the stop sign.

City Engineer Struve stated that while they showed a roundabout as a potential solution, part of the preferred layout was from the public process they got. He stated 109th Avenue continued west and there were additional roundabouts and a roundabout in that corridor fit with the character with 109th Avenue on that side. He stated that depending on how the area developed, 109th Avenue could get reconstructed in a phased approach too. He stated it could just get reconstructed east of Highway 169 and the area west of Highway 169 would lag by multiple years. He stated they didn't know how 109th Avenue was going to get reconstructed or what phasing it would be. He stated without grants, it would be difficult for the city to move forward with construction projects on 109th Avenue.

He stated that without approval of the final layout of that area, they couldn't move ahead with the reclassification of 109th Avenue. Without reclassification of 109th Avenue, they couldn't apply for many grants and was similar to the regional solicitation they received \$7 million for the 101st interchange project.

Council Member Gates asked if they voted for the roundabouts and in five years when they came back, could they say they didn't need it.

City Engineer Struve stated it was a possibility. He stated while they showed it in the layout, in five years, as development dictated, it and only needed to reconstruct 109th Avenue east of Highway 169, the area west of Highway 169 would be held until the development on that side warranted it. He stated at that point it could be evaluated again and ask if the roundabout was the correct option and what was being proposed for development warranted a roundabout or traffic signal. He stated that was still all up for future discussion and approval.

Council Member Gates stated he knew 109th Avenue needed to be done and would vote for it but wanted the record to show that he didn't support the roundabouts in the final layout.

Council Member Bob Mata stated if the Council needed to approve the plan, asked why they had the roundabout in there and why didn't they just take it out and let the Council approve it. If they needed it later, they could then come back with it.

City Engineer Struve stated that in 2016 when the city entered into agreement with the city of Champlin, the boundaries agreed were from west of Jefferson Highway to east of Winnetka Avenue. He stated through the process they explored many different items for the roundabout on Jefferson Highway, for it to remain a 4-way stop and how long the traffic signals would be. He stated those items were brought to the Councils in October 2017 and brought a roundabout based on feedback from the residents from Brooklyn Park and Champlin indicating they preferred a roundabout at that intersection. He stated from the public feedback from the property owners and city of Champlin, that was what was decided through that process and in October when they brought it forward, while there was concern for the potential roundabout, the Council decided to move forward with presenting it to public to gain feedback and showing a roundabout at Jefferson Highway. He stated that was the process they followed and did not get negative feedback from the public.

Mayor Lunde called for a roll call vote.

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

7.3 Keith Jullie, Rental and Business Licensing Manager, and Mark Bruley, Deputy Police Chief, briefed the Council on the Peddler/Solicitor Ordinance Amendment.

Council Member Jacobson stated she liked the changes to prohibit activities related to exemptions, penalties, and fines. She asked about the fee structure that some of the cities said zero for nonprofits and asked if they had that covered in Section 119.31, B3, where it said, "professional fundraisers working on behalf of an organized exempt person or group are exempt from licensing requirements." She asked if they felt it was enough.

Rental and Business Licensing Manager Jullie stated yes and had not had issues in the past. He stated he knew there were cities that would have solicitor registration for nonprofits and not charge a fee. He stated they discussed that and felt that was extra paperwork and administrative in nature to give someone a registration and not charge a fee knowing they were

exempt from the rules. He stated if they were exempt anyway, their thought was just to be allowed to conduct their business.

7.3 MOTION JACOBSON, SECOND LUNDE TO WAIVE THE READING AND ADOPT ON THE FIRST READING AN ORDINANCE AMENDING CHAPTER 119 OF THE BROOKLYN PARK CITY CODE PERTAINING TO PEDDLERS AND SOLICITORS.

Council Member Pha stated she was hopeful with that in place that anyone who was licensed or able to go door to door and solicit, that the homeowners identified them by a badge approved by the city. She stated that showed they had a license to solicit. She stated if they had nonprofits who were doing that and didn't have an ID badge, it would be hard to identify whether or not they been licensed by the city and doing it in violation of the ordinance unless they asked them. She stated it had been a concern of residents in asking people for credentials or badge. She asked if it was possible they would have nonprofits that would apply but not pay a fee to get badge so that the homeowners could identify them easily as any other solicitor.

Rental and Business Licensing Manager Jullie stated they could add that to the ordinance. He stated it would be a registration requirement for those otherwise exempt. He stated they hadn't had issues with that but had not done research on it to see if there were complaints coming through the Police Department. He stated he agreed on having that in place that anyone who was going door to door would have to have some sort of check at the city. He stated if they were exempt, he assumed they would not background them and it would be more of a registration. He stated they could look at it and discuss it with staff.

Council Member Pha asked about the background check. She stated there was a \$200 fee for the background check and before there wasn't a fee and didn't get a background check. She asked how long the background check would be good for, 1 year, 5 years, 10 years, 1 time, 30 days or 60 days.

Rental and Business Licensing Manager Jullie stated the background for a solicitor, there was no fee or background check required. For the peddlers, by the current definition and if they were carrying the product with them and they didn't do that anymore, there was a background check and fee for them. He stated that on the new background check, each year when they came, they would apply for a new license and would be background checked again and it would be good for the duration of that license.

Council Member Pha stated when they had the annual only option it made sense and now they were proposing to expand it to 30 days, 6 months and annually. She would like to see they make it last at least a year from the last time they had a background check. She stated that way if someone was applying for 30 days and a couple months later applied for another 30 days they had to pay another \$200 for a background check. She stated the fees were quite high where it went from \$50 and \$100 fee for peddlers with no other fee and it would be \$600 for the fee and \$200 for background check. She stated that was \$800 compared to \$50 before and that was a high jump and much higher than most of the cities around the city. She stated she would like to see something in between and would like to add a length of license an additional annual option where they had before and it would be 30 days, 6 months and annual.

Council Member Pha stated she would like to make a friendly amendment to the fees schedule on page 10 of the staff report.

7.3 \$100 FOR 30 DAYS, \$200 FOR 6 MONTHS, \$300 FOR ANNUAL AND FOR BACKGROUND CHECKS \$100 PER BUSINESS AND \$50 PER APPLICANT AND FOR THE LENGTH OF THE LICENSE TO ADD AN ANNUAL OPTION.

She stated she believed they wanted to regulate it and wanted to charge people appropriately for staff time and for background checks didn't want to charge large amounts of fees that were high from the original \$50 and \$100 to now \$800 a year and was much higher than all other cities except for Champlin.

Mayor Lunde asked the motioner and seconder if they would accept the friendly amendment to the motion.

Council Member Jacobson stated she would not take that friendly amendment to the motion. She stated she would like to see it pass or fail and they could make a new motion. She stated she was looking at Champlin charging \$650 a year for a business and it wasn't like it was completely pulled out of the air. She stated there was precedent set for that fee structure already.

Mayor Lunde stated the friendly amendment was not accepted and could make another motion.

City Attorney Thomson suggested to do one motion at a time. He stated they combined three things into one motion and some might be acceptable and not acceptable. He stated what he heard was maybe go first with the added option for a year license and then the fees.

Community Development Director Berggren stated she wanted to clarify the fees. She stated they just needed direction on the fees as it was not part of the ordinance. If the Council wanted to offer direction on the fees, it didn't have to be done through an official action because they would be bringing something back for the next meeting. She stated one thing they had done with the fee update last year was to try to have a uniform background check fee. She stated they did that because it took quite a bit of administrative staff time to run the background checks on the Police Department side and also to process it through the license. She stated they could look at that and could give the Council additional information at the next meeting.

Rental and Business Licensing Manager Jullie stated the ordinance did spell out on Page 6 of the report, under F, Duration, "Licenses are valid for either 30 days or 6 months and only during the time period." He stated they would need, if there was support for the annual license, to have that into that section of the code. He stated he would need direction to make that change for the second reading.

Mayor Lunde suggested having staff do research and bring it back by the second reading. He stated that way the Council could have all that information in front of them and decide. He asked Council Member Pha to repeat her ideas so staff could bring those back for the second reading.

Council Member Pha stated that since they could talk about the fees separate from the motion, that she would be in favor of the motion and bringing it back with an adjusted fee schedule. She stated her fees would be \$100 for 30 days, \$200 for six months, \$300 for annual and then for the background checks, \$100 for businesses, \$50 for each applicant and to add an option for an annual license versus eliminating it.

Rental and Business Licensing Manager Jullie stated they didn't have a license for the businesses now and that was not part of the proposed amendment to add a business license. He stated it had always been for just the individual and wouldn't be a need for a fee for a business in the code because they didn't license them.

Council Member Mark Mata asked what the intent was for changing the fee structure. To bring in more income to the city or to make it more expensive for a person to pay to get it. He stated he didn't know what was paid for a background check on someone and couldn't imagine the cost equaling what they were proposing. He stated he would like to see if they could ask the State of Minnesota to do the background checks because they did background checks for industries.

Deputy Police Chief Bruley stated the direction they got during a Council work session from the Council was to seek out background checks and heard from residents they wanted an in-depth background check, and a consistent way of doing it and they had done that. He stated they could do a public background check but was not as thorough and would get the public record and working through the attorney's office allowed them to use police resources and do a thorough background check. He stated it did take an actual licensed police officer to do that through a process and it took some time. He stated if it was very simple, it could take under an hour. If it was complex and needed vetting, it could take several hours. He stated to calculate out the staff time was difficult, but could get a sense of how expensive it would take with a full-time police officer or detective vetting it out.

Council Member Mark Mata asked if they did the larger vetting process, were they looking for more police officers in the budget because they were not able to accomplish the goal of getting people licensed and didn't have the resources because their staff was busy. He asked if it was something they could do within their budget.

Deputy Police Chief Bruley stated they thought with the fee structure in place, it kept the fly-by-night people from just getting a license and the proposed fee restricted people that were truly in it for good business reasons and reduced the number. He stated the second part was the first initial background that could be done through clerical staff, quickly and efficiently. He stated it would be wasteful if they had the State or outside resource do it because they were paying the resources in their building that had the talent to do that. He stated it was when there was an actual crime or conviction that showed up that required it to get signed out to a detective. He stated they thought the majority of those were going to be simple background checks and once cleared through the matrix, they had it signed off by a detective. He stated it was only a few of them in the year where they expected to take an in-depth look, and with the new process it would have to come back in year to reevaluate it.

Council Member Mark Mata asked Council Member Pha of the intent to change what staff brought forward because he would like to pass the motion as it was presented and do what the work session was meant to do. That was to get the Council together and discuss issues like the fees on what the options were and arrive at a consensus, and when they were at the regular Council meeting, they could vote on something they were happy with.

Council Member Pha stated when she looked at the fee schedule it was a huge hike from \$50 to \$800. She stated it would make it difficult for businesses already in place that were currently soliciting in the neighborhoods. She stated she would have to validate why they were charging

\$750 more. She stated she had always been advocating to make sure to recover the costs that whatever services the city provided, especially to businesses who were going work in the city, to recover the staff time and the costs and they were not charging them an arm and a leg. She didn't think the fee schedule was appropriate and believed they could recover the costs and staff time at a lower rate. She stated with the explanation of the background check, she was comfortable with the in-dept background check. She thought it was the basic background check they would do and to her it should cost from \$25 to \$40 but understood if they did do the in-depth background check that it would cost staff time and was comfortable with keeping it at \$200 if that was the kind of background check they were going to do.

Council Member Mark Mata stated that if a Brooklyn Park business was doing something in the city to solicit their business, they were already paying taxes and now asking them to pay another fee. He stated he didn't have a problem with someone who was outstate and coming into the city because staff didn't know who they were bringing with them. He stated he would like to see something that if they were a Brooklyn Park business, then something was reduced because they were already being taxed. He stated he didn't want to change the fee structure because he knew from the work session they talked about doing the in-depth and going after someone to see if they should be walking in the neighborhood. He stated he was okay with the fee structure as presented but would like to see something different for someone who was a Brooklyn Park business and actually in the city.

City Attorney Thomson stated the resolution and fee was not before the Council tonight and heard the Council's concerns. He stated that charging fees based on interstate and out of state was a legal issue and was one of the issues they had to address when they drafted it because there was interstate commerce and problems with charging different fees. He stated they could give the Council more information when it came back and staff had direction on what the debate was on the fees and would come back with an actual resolution to vote on.

The following individual addressed the Council:

1. Ryan Jancic stated the door-to-door solicitation had been an issue and problem and kept hearing that solicitors were going door-to-door and not sure if they were legitimate and sometimes people were afraid of them for various reasons. He stated that on November 7 this year, he had a door-to-door solicitor go to his house and he didn't answer the door, but the solicitor tried to open the front door and was caught on video surveillance and it was an upsetting thing to happen and he filed a report.

He stated he tried to find out about it and there was some confusion of what was allowed and what wasn't and had limited ability to restrict that person from getting a license. He stated that while he was at City Hall that person showed up and applied for a new license for the next year. He stated he did some investigating to figure out what happened and it turned out that person who came to his door had a criminal background for domestic assault and violation for orders of protection. He stated that according to the current ordinance, that person should not have been able to even obtain a license to go door-to-door. He stated there was some confusion in various areas and some things being interpreted wrong and staff was fantastic taking his concerns seriously and addressing them. He stated he liked the new ordinance and it addressed a lot of concerns. He stated there were some discussions about where nonprofits should have to display a badge and from a crime watch perspective that was one of the most important things people would like to see, that everyone had to have that. He stated then

there was no question that they had gone through the city, if legitimate or not. He stated they could use a common graphic design that looked the same for everyone and push out the example to the crime watch groups so they could know if they were registered and had been a background check done. He stated they could also compare the picture to the person who was there.

Rental and Business Licensing Manager Jullie stated the way the ordinance was drafted, it was a maximum of \$300 for up to 6 months for the license and then a \$200 background check. He stated the maximum was \$500 one person would be charged. He stated Council Member Pha mentioned \$850 and asked to clarify it. He stated he was also to bring back language regarding the registration for nonprofits.

Council Member Pha stated she was comparing it annual to annual because \$300 was for 6 months and if doubled it would be the annual.

Mayor Lunde stated the intent of the Council was to pass it and have some of those concerns brought back to the Council after Mr. Jullie had a chance to do some research and then give the Council those options to have something to compare.

7.3 THE VOTE ON THE MOTION PASSED UNANIMOUSLY.

7.4 Parks and Facilities Manager Brad Tullberg; Amy Alias, SRF; and Nancy O'Brien, Wagner Bluestem, briefed the Council on the Eidem Homestead Master Plan.

The following Individuals addressed the Council:

1. Ardis Beamish, 1016 Pearson Parkway. Stated she didn't hear about it until she read it in the newspaper and was surprised so much was going to be done. She stated she was afraid it would not look like a farm anymore with all the modern amenities. She was thrilled to have the community gardens and thought it was only for seniors, but it had been very welcoming to the immigrant community and growing different things. She thought the changes were way too much and not what she envisioned a historical farm being.
2. Eldon Tessman. Stated he was not aware of what was being proposed and read it in the newspaper too. He stated that between City Hall and North Hennepin Community College, they had two historic homesteads. He stated he lived in one where his great grandfather homesteaded in 1870. He thought the city should consider retaining one or both the Tessman farmsteads on 85th Avenue.

Nancy O'Brien stated there was an inaccuracy in the newspaper report and they were not recommending modernizing the historic farm. She stated what they were trying to do was to create a frame around the historic farmstead to make it clear that visitors would be stepping back in time into a place. She stated they wanted to create more useful and practical experience for visitors by creating a place with a functional bathroom over in a new visitor center. She stated they wanted to have the exhibit to be the west farm and get the functional spaces away from the farm.

Parks and Facilities Manager Brad Tullberg stated they heard their community gardeners' concerns and were working to come up with a plan to make improvements and enhancements

to the gardens. He stated there were no intentions of displacing the gardeners and were keeping the same number of spots. He stated they also wanted grow those gardens elsewhere because they were popular. He stated they would be doing an outreach to the community gardeners in August to discuss the plans they had at the farm and do a focused conversation on the future concept plans and other concerns the gardeners might have.

Council Member Bob Mata stated he didn't like the idea of adding to the farm and making it more of an amusement park than a historic farm. He stated if it was going to be a historic farm, to keep it a historic farm. If they wanted another building there, suggested doing an old fashion barn raising and get volunteers to build the barn. He stated that \$2 million for first phase and \$8 million over 10 years was a lot of money to put in a farm. He thought they could buy a new farm for that money. He agreed they needed money to keep and maintain the historic value of the farm, but could not see spending that much money. He stated it was not a big draw or feature for people who lived in the city. He stated he recognized the value of history that was there along with the Tessman Farm but didn't think they needed to add a modern building to the historic farm.

Parks and Facilities Manager Brad Tullberg stated the farm was a unique asset in the community and was struggling to remain relevant based on the use with school groups and tour groups. He stated it was lacking modern amenities when there were kids interacting with animals and had a sack lunch with them, there was nowhere to wash hands and do other things when working with animals. He stated as they continued to create the unique destination and uphold the heritage and the vision of the farm, what it was intended to do when it was purchased in 1976, was to celebrate the history and grow upon the history but important to reinvest in that. He stated there hadn't been a lot of investment in the farm over the years and needed some investment going forward.

7.4 MOTION LUNDE, SECOND GATES TO WAIVE THE READING AND ADOPT RESOLUTION #2018-108 TO ACCEPT THE EIDEM HOMESTEAD MASTER PLAN, AND OFFICIALLY RENAME EIDEM HOMESTEAD TO HISTORIC EIDEM FARM.

Mayor Lunde stated he understood it represented a plan and didn't see the city writing a check for \$7.8 million. He stated having a plan in place allowed them to apply for grants and they couldn't try to get money unless they had a plan because a grant might require certain things. He stated the Church of St. Gerards put in a community garden and one of the reasons why a lot of people wanted to grow was because it was owned locally. He stated he also thought it fit with the idea with the Mississippi Gateway that was about introducing kids to nature in a controlled setting. He thought having a separate facility to host was good. He stated his sons went through the Master Gardner Plan at Jackson Middle School on how to grow their own food to understand the culture of it. He stated some kids didn't get that opportunity and a lot of people would love that opportunity. He asked if there were more places to expand and add opportunities for the community gardens.

Parks and Facilities Manager Tullberg stated the expansion of community gardening was throughout the Master Plan Park system. He stated Lakeland Park and a couple of other parks did have community garden plots and to be able to distribute it throughout the community was important.

Council Member Jacobson stated while she would love to vote to accept the Master Plan and

have them go out and find money, she was not happy to see the two options for the new names. She stated tonight on the presentation it became the final name and felt they needed to vet it more. She stated when they renamed the Coon Rapids Regional Park they did a community survey and had three options and the community voted and that was how the name came to be. She stated she liked the words "gardens" in there and was not in the name in the other option. She stated it could it be Historic Eidem Farms and Gardens if that was a major part of it and 40 plus percent who went there now were there for the gardens. She stated she could not vote for it as written because she was not happy that they jumped to a name without doing a process around that and allowing feedback from the community and users of the farm to play a part in it.

Nancy O'Brien stated they did survey the audience about a variety of different names and the two names they recommended were 31 and 33 percent in popularity of the 400 people surveyed. She stated that as the interpreter and historian, she just wanted to encourage the Council to drop the name "homestead" because it was historically misleading, and they did do some research on it.

Council Member Gates stated that on the name, the historic part was important to him if they were going to keep it historic and keep the history. He stated they had farmland and not gardens and the plots were put there in the last 12 years. He stated he would not want the name "gardens" in there. He stated he liked the Historic Eidem Farm and the farm was important because that was what it was. He asked to get the sign fixed so people knew it was there and would be important. He stated it was no different than 109th Avenue the Council just approved. He stated it was a plan to get money to do it and there were certain parts he didn't like on 109th Avenue and certain parts of the Park Plan he didn't like. He stated he could go either way, but it was a plan. He stated that at least 8 years of his last 12 years, the Council talked about it and every time it was brought forward, all they got was small amounts of money to do minor repairs to keep it from falling over and never did anything massive on it. He stated he was excited to see a Master Plan and it was not going to be built tomorrow, in 10 years, or longer than that unless there was someone else's money. He stated he was fine with it, loved the name, fix the sign and he was ready to vote.

Council Member Pha agreed it was just a plan and was why she was supporting it. She stated if it was going to cost the city \$8 million, she would say no because they had a lot of other plans going on in the city that were costing a lot of money. She stated it was not on her high priority list if they were spending the city's money. She agreed that unless they had a plan, they would not be able to solicit and get contributions. She asked when they started the phase to make sure the community gardeners who invested money and time when they were moved that they were not going to displace and not be a financial hardship to rebuild the plots they had earlier. She stated that might mean they would have to pay more money in making sure those plots had the proper nutrition and soils needed. She asked what the number of visitors they had per year at the farm.

Site Manager Eve Burlingame stated the attendance was 6,000 because of their limitations with everything being reliant on the weather because none of the building were heated or air conditioned. She stated on cold days when they did events, their numbers were lower and when hot not as many people were coming. She stated they also didn't have electricity in the buildings and when they had cloudy days or rainy days, it was hard for people and families to come and experience a lot of the different activities.

Council Member Mark Mata stated he didn't see the usership benefitting from the dollar value. He stated the plan being presented was a plan of over \$7 million but wanted to give clear direction to staff because he was bothered when it came back to him and said he supported the plan and when it came time to pay for it, staff didn't understand because Council didn't support the plan anymore. He stated he didn't support the plan and didn't have a problem with community gardens there and could make them bigger. He stated the building was just an older building and the city had other older buildings in the city that mirrored that age. He stated the city had other farmers, that farmed property in the city but were booted out. He stated the Fischbachs were one of them and just destroyed the farm because of a bridge and overpass. He stated that land was farmed since the late 1800s. He stated he didn't see the school districts paying money to the city to bring tours over there. He stated he had neighbors who had large gardens in their backyards and were not venturing to the farm. He stated he understood it was needed and had no problem with it, but it was putting that amount of money back into the property with no returns. Yet, the Recreation and Parks Department was coming to the Council with all kinds of things and all those grandiose plans.

He asked how many more things would go out and ask people to spend a lot of money on the ballot. He stated they just went through a survey of the same thing and stated the residents would be the funding source. He stated he understood they would get some grants from outside sources to help match, but it was going to burden the taxpayers and the usership was not there. He stated he would like to see staff come back and find a way to make it self-sufficient, by getting the people coming by and touring it that paid for it to survive on its own. He stated he didn't mind giving the cost it paid for taxes on the land because the city owned it, but asked if it covered itself in costs and it wasn't something he was looking to be a subsidized by the city. He stated he wasn't willing to burden the taxpayers to raise their taxes for that piece of property.

Council Member Jacobson asked if there was a process for naming other things in the city. She thought a name was very important and felt like they felt it was not important. She asked how they named the parks and facilities and the process.

Parks and Facilities Manager Tullberg stated they had a facility naming policy for naming the parks and different amenities within the parks system. He stated the name was a variation of the existing name and they currently operated under: Eidem Homestead. He stated the new name was based on community engagement they did within the model and fit within the parameters of the facility naming policy. He stated if it was the desire for staff to go back to the community as a broader reach and more specific targeted approach to the naming, he would be willing to do it.

Council Member Jacobson stated she was surprised to see it in the motion as the new name and if no one was surprised on the Council, she was not going to stop the acceptance of the plan.

Parks and Facilities Manager Tullberg stated they did vet it through the Recreation and Parks Advisory Commission on Wednesday, July 18 and they approved the recommendation of submitting the plan to the Council for acceptance as well as renaming it to Historic Eidem Farm.

Mayor Lunde called for roll call vote.

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

9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Council Member Parks stated he attended the 100th Anniversary for Liberty Carton on Friday. He stated it was well attended as the Mayors of Golden Valley and New Hope attended. He congratulated Liberty Carton on their 100th year in the city. He stated that on Saturday, he along with Council Member Jacobson attended the ribbon cutting Ceremony for Mi Sant Restaurant. He stated their pastries and sandwiches were fantastic and wanted to welcome them to the city.

9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel stated he would be working on creating a joint Council and Recreation and Parks Advisory Commission conversation on August 8 with a virtual tour and potential elements of the park referendum. He understood that every Council Member might not be able to make it but would be working toward planning it. He stated it would be virtual and not an actual tour.

Other events announced:

- Tuesday, July 24, the third meeting in a series of the Corridor Development Initiative was being held at the Brooklyn Park Library.
- Wednesday, July 25, the Farmers Market at the Zane Sports Parks, from 2-6 p.m.
- Reminder: National Night Out, August 7, encouraged the community to participate and have a lot of fun.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 10:37 p.m.

JEFFREY JONEAL LUNDE, MAYOR

DEVIN MONTERO, CITY CLERK