

REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Tuesday, November 13, 2018  
7:00 p.m.

Brooklyn Park Council Chambers  
5200 85th Avenue North

CALL TO ORDER – Mayor Pro Tem Terry Parks

PRESENT: Mayor Pro Tem Terry Parks; Council Members Susan Pha, Mark Mata, Bob Mata and Lisa Jacobson; City Manager Jay Stroebel; Assistant City Manager Wokie Freeman-Gbogba; City Attorney Lizzy Brodeen-Kuo; Community Development Director Kim Berggren; Finance Director LaTonia Green; Deputy Police Chief Todd Milburn and City Clerk Devin Montero.

ABSENT: Mayor Jeffrey Lunde (excused) and Rich Gates (excused)

Mayor Pro Tem Parks opened the meeting with the Pledge of Allegiance.

2A RESPONSE TO PRIOR PUBLIC COMMENT – None.

2B PUBLIC COMMENT – None.

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

3B PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B1 Introduction of New Employees.

Assistant City Manager Wokie Freeman-Gbogba introduced Camille Hepola as a new employee to the Administration Department; Deputy Police Chief Todd Milburn introduced new police cadets to the Police Department.

3B2 Proclamation Declaring November 24, 2018, as Small Business Saturday in the City of Brooklyn Park, Minnesota.

Mayor Pro Tem Parks read a proclamation proclaiming November 24, 2018 as Small Business Saturday in the City of Brooklyn Park, Minnesota.

3B3 Interview Applicants for the Community Long-range Improvement Commission and Human Rights Commission.

Mayor Pro Tem Parks and Council interviewed applications for the Community Long-range Improvement Commission and Human Rights Commission.

4.0 MOTION M. MATA, SECOND B. MATA TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEMS:

4.1 TO WAIVE THE READING AND ADOPT RESOLUTION #2018-157 APPROVING A SUBGRANT AGREEMENT WITH HENNEPIN COUNTY FOR JUSTICE ASSISTANCE GRANT (JAG) FUNDING.

MOTION PASSED UNANIMOUSLY.

5.1 Public Hearing for the Stormwater Pollution Prevention Plan (SWPPP).

City Engineer Jesse Struve briefed the Council on the Stormwater Pollution Prevention Plan. He introduced Meghan Litsey, WSB and Associates and she briefed on the plan.

5.1 Mayor Pro Tem Parks opened the public hearing to consider the Stormwater Pollution Prevention Plan (SWPPP).

The following individuals addressed the Council – None.

5.1 Mayor Pro Tem Parks closed the public hearing and returned the item back to the table for consideration.

5.1 MOTION JACOBSON, SECOND PHA TO REVIEW THE CITY OF BROOKLYN PARK'S STORMWATER POLLUTION PREVENTION PLAN (SWPPP) AND RECEIVE PUBLIC COMMENTS. MOTION PASSED UNANIMOUSLY.

7.1 City Clerk Devin Montero briefed the Council on the November 6, 2018 General City Election and Special Election.

7.1 MOTION PHA, SECOND JACOBSON TO WAIVE THE READING AND ADOPT RESOLUTION #2018-158 CANVASSING THE GENERAL ELECTION HELD ON NOVEMBER 6, 2018.

7.2 Recreation and Parks Director Jody Yungers briefed the Council on the cell tower lease amendments and extensions.

7.2 MOTION B. MATA, SECOND M. MATA TO WAIVE THE READING AND ADOPT RESOLUTION #2018-159 APPROVING NOBLE WATER TOWER (T-MOBILE) AMENDMENT AND TO GRANT AUTHORITY TO THE CITY MANAGER TO EXECUTE THE SIX OUTSTANDING PROPOSED CELL TOWER AGREEMENT AMENDMENTS. MOTION PASSED UNANIMOUSLY.

7.3 Community Engagement Manager Josie Shardlow briefed the Council on the Community Events and Initiatives Partnership Policy.

Council Member Jacobson stated on the Partner Role of the City, talked about refreshments and food and could mean a lot of things. She asked if they had a budget specifically for it, if there was a limit on each event, if it was a per head amount that was assessed they knew about and how they set the budget. She stated that could be a significant expense.

Community Engagement Manager Shardlow stated the city and the other community groups were equal at the table planning the event together. She gave an example, the Community Forum on Race where they partnered with the school district and other community groups. She stated those bigger events like that, they budgeted for it ahead of time. She stated it was a subjective policy and had to run through the approval factors and figure out the level of partnership or available funds for that event. She

stated it also depended on how the event would help reach city goals and also how much budget the city had for the event. She stated it was not common that they were getting a per head amount. She stated another example was the Think Again Brooklyn partner. when they had a forum that aligned with city goals, they provided pizza and the cost was small. She stated it was good leveraging for the city because they didn't have to plan that forum.

Council Member Jacobson stated that on Section E, it said "the following are required for a partnership to be considered" and said "nonpartisan." She stated that was a huge conversation with the elections and asked who decided what was partisan and nonpartisan because that seemed very subjective.

Community Engagement Manager Shardlow stated they consulted with city attorney, city clerk, city manager or sometimes with Council Members if there was a question about it.

She stated it would be part of the vetting process when receiving an application. If there was a question about being partisan or not, they would bring it to them. She stated it was a subjective policy and how it was currently done. She stated they were just trying to put the past practices to paper so everyone was all on the same page.

Council Member Jacobson stated she was not sure that was solved through the policy and concerned her. She stated she received a question from a constituent about a political event was told that group was paying for the space, but she saw other events where groups were not paying for the space which appeared to be as political as the other event. She stated she wanted that part to be looked at and made tighter.

Council Member Pha stated the policy was more detailed, well thought out and had a lot of input from many different people the from community and was glad to see it come to the Council for adoption.

### 7.3 MOTION PHA, SECOND JACOBSON TO APPROVE THE COMMUNITY EVENTS AND INITIATIVES PARTNERSHIP POLICY.

Council Member M. Mata asked about Section E and Section F, under "Required." He stated Council Member Jacobson asked about the nonpartisan issue. He stated he couldn't support the policy until he knew how they were going to make it happen.

He asked about an organization partnering with the city and on the day of the event, they found out different things and happened to be a Saturday or 5 p.m. when staff went home. He asked who was going to make sure they revoked and denied the partnership and the city pulling out because of what just happened.

He stated there needed to be teeth in the policy to stop some of those things to make sure the City wasn't a part of it.

He stated it was is a nice policy but there were a lot of areas that could be interpreted differently. He stated he would like to see "Open to the Public and welcomed." He stated that "Open to the public" didn't mean all were welcomed. He stated that "is free or low cost," it should be a free event if the City was a partner.

On "aligns with one or more of the *BP 2025* community goals," thought he could take anything that could come to the city and want an event and he could make it align with one of the goals because there were so many goals they wanted to do.

On "does not promote any religion," stated he could come to the City and have an event and at 6:00 p.m. at night they then start promoting it. He asked how they were going stop it and couldn't because the City was already involved. Then the interpretation of that was the City supported it, promoted it and endorsed it.

He stated there was not a lot of teeth on how they could shut it down if someone asked the City to partner with them. He stated it was the image of the City and had to make sure it was done right.

In Section F, Denial/Revoking a Partnership, asked who was going to deny it. If he was at an event as a Council Member and felt it was incorrect, it became very difficult to deny it at that point.

7.3 MOTION M. MATA, SECOND B. MATA TO TABLE THE ITEM AND TO COME BACK TO THE COUNCIL ON INPUT OF THE CITY'S ABILITY TO PUT SOME TEETH INTO IT AND REMOVE THE FOOD.

Council Member Pha stated there had been to a lot of community meetings hosted by TAB, other organizations, by staff and some of the partnerships they did with the city. She stated she saw value in it and thought when people applied for a partnership with the city, staff took their word. She stated she often saw staff go to those meetings and was not just the community. She stated that if they saw they were not doing what they were supposed to do at the event, Council would know and the the next time they applied, they would not partner with them. She stated she had yet to see a concern on the events she had attended.

She stated that if they saw someone not doing what they were supposed to do, they could revoke that partnership and was why she liked the policy because it stated it very clearly that the city had the right to revoke it where before they didn't have a policy that said if not abiding by it, the city could revoke the partnership. She stated that without approving it was concerned they were not going to have a policy to enforce. She stated she would still vote for the policy to be implemented.

City Manager Stroebel stated that part of the city's work and working toward advancing the community goals was in partnership with a number of community partners and appreciated those partnerships whether it was the school district, community college or community-based organizations. He stated those partnerships were critical to the city and there were situations where the city was asked to partner, and staff was put in an uncomfortable position of trying to make a decision if it crossed lines that had been blurry in the past. He stated they were trying their best to advance the partnership that helped take out some of the gray area. He stated it would be difficult to remove all of it as the policy stated it often time ended up with the city manager around if it was crossing the line where they felt some of those areas might be exceeded. He stated the policy didn't remove all of it or made it clear in black and white and recognized the points made by the Council. He stated that in regard to some of the foods thought the easiest way to address concerns with foods was through the public expenditures

policy. He stated that was something they would look at when they brought forward the procurement manual back to the Council in the first six months of 2019 requested by the Council. He stated that policy outlined what instances city funds could be used to purchase food or beverages.

Mayor Pro Tem Parks asked if the food they ordered for the groups was it in the budget. He stated he had been to a few of those meetings where food had been donated by businesses around town.

Community Engagement Coordinator Shardlow stated it was rare they purchased food for another organization and was basically for a city event. She stated if the City did provide food, it was budgeted and complied with the public purchase expenditure policy.

Council Member Jacobson stated they were missing the Mayor and one Council Member and thought they ran the risk of it failing without another version coming back to the Council. She stated that under Refreshment and Food section maybe having parenthesis: "See the Policy" could be added and have more detail around it. She stated that on the nonpartisan issue, maybe put in there what the process was, who determined it just so that the community knew what that meant. She stated it might mean different things to different people. She stated she feared it would not pass anyway and was wondering if it could come back to the Council with small tweaks and clarity on things and that might make difference for it to pass.

Council Member Bob Mata thought it needed more teeth in it. He stated he had been to several meetings the city had that ended up being political rallies for a political party. He stated there were too many people in the city that didn't have an idea what nonpartisan meant. He stated that had been very evident in the last election for a nonpartisan city there was a lot of partisanship going on. He agreed to table it and come back with something with teeth in it then maybe it could pass.

Council Member Jacobson asked how soon the policy could be brought back to the Council and it was important to get it in place.

City Manager Stroebel stated there were still a few meetings and envisioned bringing it back on December 3 or December 10 of this year.

Mayor Pro Tem Parks appreciated what staff had done. He stated he had been to a lot of meetings that were nonpartisan and were put on by a certain group that was considered partisan and didn't see it at any of the meetings. He stated he liked the way it was and agreed with adding more and tweaking it and would like to have all seven Council Members present for more discussion.

7.3 THE MOTION TO TABLE THE ITEM PASSED UNANIMOUSLY.

7.4 Parks and Facilities Manager Brad Tullberg briefed the Council on the parameters to develop the Community Activity Center Catering Policy.

Council Member Jacobson stated she saw language around developing the catering policy and another language around revising the catering policy. She asked if there was a full written catering policy or only the part of the policy around those caterers must be used.

Parks and Facilities Manager Tullberg stated there was not a specific CAC catering policy. He stated the parameters existed around the contracts that were in place and they were part of the room rental agreements. He stated it would develop the CAC policy based on those parameters and would be partnered with their room rental policies as one packet.

Council Member Jacobson stated when they had a wedding there, they were required to have a licensed police officer because they were serving alcohol and had an hourly cost. She asked if that was going to remain the same.

Parks and Facilities Manager Tullberg stated it was not going to remain the same and they would be working with the Police Department to set the rate based on the information they provided to them.

Deputy Police Chief Milburn stated it might increase depending on the contract for the officers in a given time. He stated it depended on when the next contract was settled, and if there was an agreement on the rate it would increase and would not expect it to be significant.

Council Member Jacobson suggested adding it to the policy. She stated it was an added expense if they were having an event. She asked about the damage deposit, if it was the same amount for both rooms because those rooms differed in the amount of carpeting. She stated the fee to rent those rooms differed and asked if the damage deposit was the same.

Parks and Facilities Manager Tullberg stated yes and based on if it was a potluck or different thresholds there. He stated they the damage deposit would be same and the capacity in the Grand Room was 350 and the Garden View room was 250, relatively similar, but if they were at full capacity in both rooms, it was a significant risk there.

Council Member Jacobson stated with the damage deposit, it could be a financial hardship for people. She asked if they were taking a check they were going to hold and not cash unless there was damage done or were they putting it on a credit card that they didn't process. She stated that coming up with that kind of money could be a hardship off the top.

Parks and Facilities Manager Tullberg stated they processed that damage deposit based on their financial policies. He stated people put it on a credit card and it was more effective to return the damage deposit and processed quickly on a credit card than having a check processed and mailed back to them.

Council Member Jacobson stated she had another concern, was the preferred catering policy making a commission. She stated that additional money was coming from the caterers and now raising the fees and charging additional money was coming from the residents. She stated she was also interested to know with opening it up to any licensed restaurants or caterers, if they were able to provide some type of PR materials, whether that be a list of Brooklyn Park specific restaurants and caterers to help the city's own businesses rather than businesses in other communities.

Parks and Facilities Manager Tullberg stated they talked about what they could do and how to maintain that list. He stated they wanted to be fair in how they promoted businesses and would maintain a list of interested businesses who were willing and able to cater events at CAC.

Council Member Jacobson stated she was interested in having a pilot phase with some type of time frame to pilot it for all parties and not just for the city but for the people who were going to be renting the space, bringing food and using the catering. She stated they might find it might need some tweaks. She asked how long it would take in coming back to the Council if it was a simple tweak whereas if it was pilot phase, it could be on the agenda and they could say it was great or this part didn't work and could be changed. She stated it took us so long to get back to a place where they could even talk about removing the caterers that had contracts for several years, which tied our hands, and was looking for ways to not tie the Council's hands and give it a try for all parties.

Parks and Facilities Manager Tullberg stated they could pilot it. He stated they were constantly evaluating their operations on how things were working, especially with new policies and procedures. He stated they could put a time frame on it to have a six-month check-in or a year check-in. He stated his preference would be six-month check in starting May 1 and check and report back to the Council if things were going great or if there were hiccups.

The following individuals addressed the Council:

1. Hassanen Mohamed, 6589 Douglas Dr. N. He stated he rented rooms for his community in School District 279 for religious gatherings and didn't pay deposits. He stated they were billed and he paid the bill. He stated they had the same kind of potlucks and had done it for years. He was against the policy presented tonight with having three tiers. He stated the second tier said 150 or more and would need to have a combination of commercially prepared or potluck. He suggested making it two tiers, one for people who had a caterer and wanted to use the kitchen and could pay the \$250. The other group, if they wanted to buy from the outside or have a potluck they could do it. He stated they shouldn't limit the people to 150 because the capacity in those rooms were 250 and 350 and didn't need to monitor them to see if they had 150 people coming in to an event. He stated the other thing was looking at affordability and accessibility and those went hand in hand. He stated with the deposit of \$600, there were other places they invited the Council to their events and they didn't pay a \$600 deposit. He stated the next Council Member who was African descent would be invited many times to different places, like New Brighton, Maple Grove, and Hopkins for events. He suggested reducing the \$600 deposit to \$200 for Brooklyn Park residents and if the Council wanted to charge non-residents higher prices, he was fine with it. He stated that over the three years, he has had events at the School District 279 and Maple Grove and had never been charged a deposit for any damage that had happened.

Council Member Mark Mata stated he liked the policy because it gave people an opportunity to bring in their own food because in the past they went with a list of caterers. He stated with the diversity in the city, it limited what they could do there. He stated he was going to ask for revised policy in six months with details and data and Council could stop it, change or add to it anytime because it was a policy.

He stated the different levels were confusing and liked to see the damage deposit be at \$1,000 because anyone renting room should have a credit card, like organizations and businesses, when they were doing things like it.

He stated they would have something that was tangible to bill and could bill it the day of and

was inspected that night by staff or the next day and credit it back. He stated the \$300 or \$600 damage deposit could add up quick. He stated they were not allowing to have someone in the kitchen in the back to go back to the sinks and dump things in there and the opportunity was increasing now to do that.

He didn't think it was a hardship for someone to write out a check or use a credit card. He stated for someone getting married, they would have to put a down payment on a church. He stated it was to cover the city because things happened during events.

He stated the example about the school district not charging, that was the school district, but who paid for it were all the taxpayers in the school district. He asked why should they force the citizens to bear the burden for a group that came in to use it and made a mess. He stated sometimes the damage deposit could be more than \$1,000 and the City would never collect it later down the road. He stated if it came back that a lot of questions were asked on the damage deposit that was the pilot area to say what would work. He stated it was his job to protect the city's assets and there was no guarantee it was residents of the city who were going to every event in the city.

Council Member Pha agreed to promote the city's restaurants with a giving out a list because there were about 84 in the city. She agreed the Council should review the policy and any time trying something new it was good to review it and see where they could make improvements or changes. She thought six months might be too quick because they didn't implement it until May. She stated in a year they could come back and review it and give them time to put it in place. She stated she would advocate for a lower deposit because sometimes deposits were a barrier for people to access space, but understood that unless people had deposits, they might not have any investment in it where they would lose something if they didn't take care of the facility. She stated that maybe a year from now when it was reviewed if they didn't have incidents or issues with people damaging the facility to consider lowering it, or if they were having issues, they could increase it. She stated many people in the community had asked for the change for many years and was glad today they were at a point where they were discussing it and going to implement something. She thanked all community members who came out to meetings and gave input and ideas because it was something that came out of the community and was a change. She thanked the Recreation and Parks Advisory Commission for all their work, staff, and knew it was a lot of time to meet with different community members and stakeholders. She stated she supported the policy and a lot of community voices had gone into it.

City Manager Stroebel asked how the deposit worked, i.e., if someone reserved it in six months for a wedding reception, would they give the deposit at the time when signing the contract and the CAC was holding the deposit for six months or did they ask for the deposit closer to the actual time of the wedding reception.

Parks and Facilities Manager Tullberg stated the damage deposits were handled closer to the event. He stated they did run into issues with credit cards being changed and often times it was advantageous for them to collect it closer to the event and was easier to put it back on their card when the event was over. He stated they ran in advance of the event and not the day of because if someone had a card that was bad, it was difficult to track it down and did it 7 to 14 days in advance of event.

Council Member B. Mata stated if there was a problem with it as they started to implement it to

come back to the Council right away and not wait six months or a year and tell Council there was a problem, it was not working, and needed to reevaluate it and change the policy. He stated if the reason was that the damage deposit was not enough and had to replace carpets, replace walls, or lights, because damage deposit was not covering the damages to increase the deposit. He stated if they were seeing they were not collecting any damage deposits and giving it all back and all seemed to be fine, maybe they didn't need to collect as much.

Council Member Parks stated \$600 was not a large number and he was a member of many organizations in the area and they had higher damage deposits. He asked if they charged \$600 and find out later there was \$1,000 worth of damage, how was that taken care of.

Parks and Facilities Manager Tullberg stated the damage deposit would not be refunded and they were billed for any additional damage.

7.4 MOTION PARKS, SECOND PHA TO WAIVE THE READING AND ADOPT RESOLUTION #2018-160 TO APPROVE PARAMETERS TO DEVELOP THE COMMUNITY ACTIVITY CENTER CATERING POLICY EFFECTIVE MAY 1, 2019.

7.4 MOTION M. MATA TO AMEND THE MOTION THAT THE DAMAGE DEPOSIT BE \$1,000. THE AMENDMENT TO THE MOTION FAILED DUE TO A LACK OF A SECOND.

7.4 THE VOTE ON THE MAIN MOTION PASSED UNANIMOUSLY.

7.5 Finance Director LaTonia Green briefed the Council on the resolution adopting a schedule of fees and charges for various services, licenses and permits for the City.

The following individual addressed the Council:

1. Hassenan Mohamed, 6589 Douglas Drive. He questioned the picnic pavilion at a 150-person capacity and the new fee of \$200, on page 5. He stated he invited Mayor Pro Tem Parks to one of their events at the Centennial Park gazebo that holds 250 people and paid \$150 and the deposit was \$100. He stated now the residents were renting in other cities and not using the facilities in the city because they were not affordable. On page 13 for Zanewood, stated four years ago they couldn't find a place for prayer, so he rented space at Zanewood for \$50 per hour and the congregation eventually moved out and returned to a larger space in Brooklyn Center that was \$150 for three hours.

He stated the City was now increasing fees for four hours from \$200 to \$300 and was a 50% increase. He stated a lot of people who rented Zanewood were not the type that would rent at the CAC and they were closing down the market for people using it.

He stated that the fees for people who did not pay utility bills, used to charge them \$50 after certification and the proposed budget is charging them \$15 for a late notification and \$35 if they did not come and contest it and got certified.

He stated that looking at the notification numbers sent last year, it was 3,525 and if calculated by \$15, they would be making \$52,875. 2,097 of those paid and 1,428 would be assessed \$35 and that would total \$49,980 with total of \$102, 855. He stated that on a usual amount for the 3,528 they sent the notices to, 1,428 were assessed and got

about \$71,400. The difference of change with the \$15 up front and \$35 was making \$31,455. He asked who the people were paying the \$31,455 to and were they the people who were not able to pay the bill when sending late notice. He stated that not only were they charging them \$15 initially, they charged them 10% on the bill too. On the water bill, it said if they didn't pay by a certain time, they would be charged 10% of it. He stated they were going to force staff to come back next year and tell the Council that they were creating a revenue of \$31,455 on the backs of poor people. He suggested that staff go back and find other ways of making money and not on the backs of the poor people.

Council Member M. Mata stated he did some comparisons of the golf course executive nine with Centerbrook, New Hope and Eagle Lake, all par 3s and set up differently. He stated that looking at the fee structure on page 15, golf cart rental, he would like to see that at \$15. He asked Mayor Pro Tem Parks if he should make the motion and then do amendments after it.

7.5 MOTION M. MATA, SECOND PARKS TO WAIVE THE READING AND ADOPT RESOLUTION #2017-161 AMENDING FEE RESOLUTION #2000-202 ADOPTING A SCHEDULE OF FEES AND CHARGES FOR VARIOUS SERVICES, LICENSES AND PERMITS FOR THE CITY OF BROOKLYN PARK, MINNESOTA.

Parks and Facilities Manager Tullberg stated it was \$19 per person for a cart at Edinburgh and was 18 holes compared to Brookland at 9 holes.

7.5 MOTION M. MATA TO AMEND THE MOTION TO CHANGE ON PAGE 15, THE GOLF CART RENTAL FEE TO \$15 FOR THE FIRST ROUND AND STRIKING OUT PER PERSON AND REMOVE THE \$10 PER PERSON FROM THE SECOND ROUND.

He stated what he was doing was that right now it was \$10 per person for the first round of golf and he was making that \$15 for the cart. He stated that two people could only fit in it and was making that \$15 and striking out the \$10 per person for the second round.

Recreation and Park Director Yungers stated it was not 18 holes and was nine holes and the bookends of golf. She stated they were trying to get people to grow the game and make sure people that couldn't play 18 holes anymore played. She stated the number one user of the golf carts at Brookland were the seniors. She stated they wanted to keep them active and that was the way for them to do that. She stated he was doubling the rate of the game between the entrance fee and cart and did not recommend jumping by almost a 50% increase for the cart rental.

Council Member M. Mata stated that if they were trying to get seniors to golf asked why they did not have a senior discount for the cart rentals.

Recreation and Parks Director Yungers stated they did not have a cart differential rate for seniors at Brookland.

Council Member M. Mata stated that most people who play golf were in pairs and he just reduced the rate from \$20 to \$15 dollars. He stated that was well within the \$16 charged at Centerbrook, \$14.91 in Eagle Lake and \$13 per adult for New Hope. He stated his number was in the middle.

Parks and Facilities Manager Tullberg stated it would end up with a per person rate at Edinburgh and Brookland. He stated it was effective at Brookland for the senior leagues, and women's leagues that there might be one person interested in a cart and making it affordable for them at \$10 per person instead of \$15 whether one or two had been effective strategy for them.

7.5 THE MOTION FAILED DUE TO A LACK OF A SECOND.

7.5 MOTION M. MATA, SECOND B. MATA TO AMEND THE MOTION TO CHANGE ON PAGE 15 FOR THE SECOND ROUND OF GOLF TO \$9 AS OPPOSED TO \$5.58 PLUS TAX.

Council Member B. Mata asked if they could charge \$10 for the cart and if they did do per person do \$10 for the cart and \$5 for the second person. He stated they would now have \$15 coming in cheaper for everyone involved and getting more seniors out. He thought they could do better because that was \$20 per cart to put two people on the cart and was for 9 holes and another \$20 for another 9 holes.

Council Member Pha asked if there were any potential issues to the increases they could anticipate.

Parks and Facilities Manager Tullberg stated that potentially it would deter people from playing second rounds. He stated most people played Brookland because it was a 9 hole course and could play 9 holes and be done. He stated there were a few that would play another round if it was a nice day. He stated he would have to find out the number of rounds impacted and how significant that impact would be and couldn't seeing it being a significant impact either way.

Council Member Jacobson suggested she was not comfortable raising it to \$9 but would be comfortable rounding it up to \$6 instead of \$5.58.

Mayor Pro Tem Parks called for a roll call vote.

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

Council Member M. Mata stated that under Fire Protection and Prevention Services Fees, on Page 5, Daycare License Fee, that Council had a memo that said the deputy fire marshal was getting numerous requests from commercial daycares. He asked for a number on what they meant by numerous. He stated to him it was 20.

Fire Chief Cunningham stated that year-to-date they had four.

Council Member M. Mata stated that if it was four, didn't see that as something they should be charging for. He stated there were certain business in the state that required them to have someone of a certain licensure and go and do the inspection once when they first opened. The state fire marshal's office did not require them to have subsequent inspections. It was just that one upon the initial inspection. He stated that in the situation presented tonight, if the city did not provide that level of inspection, the state fire marshal would come out and do it for that business for free. He stated he knew they charged schools for it but didn't know they charged commercial.

Fire Chief Cunningham stated the fee schedule was set in state statute that the state fire marshal office charged \$50 and was set in their language. He stated the municipalities had the local authority and ability, training and process in place to do the inspections on behalf of state. He stated they also had the ability to charge the fee which was included in the resolution to be in line with state statute and what the state was charging.

Council Member M. Mata stated he was going not make an amendment to the motion. He stated his reasoning was because there were so many businesses in the city that opened themselves up and they paid taxes to the city. He stated the daycare centers were not a nonprofit, it was a tax-based organization that would come to the city and they had to pay an extra \$50 for what other businesses who opened up, like a restaurant coming to the city, where the Fire Department would still go through and do the inspection and there were no additional charges for anything other than schools or commercial licensed daycare facilities. He stated the same benefit was afforded to other businesses in the city that was not being afforded to a commercial licensed daycare center. He stated in the past years, it was a zero-dollar value and were talking no more than \$200 in total revenue for the four that came this year.

7.5 MOTION M. MATA, SECOND B. MATA TO AMEND THE MOTION TO REVERT TO LAST YEARS DOLLARS TO ZERO FOR THE DAYCARE LICENSE FIRE INSPECTION. THE MOTION FAILED (2 TO 3). COUNCIL MEMBERS JACOBSON AND PHA AND MAYOR PRO TEM PARKS VOTED NO.

Mayor Pro Tem called for a roll call vote on the main motion.

Council Member M. Mata stated he would like the main motion repeated since it was a roll call vote to do it again. He asked if it was the amendment they were voting on or if it was back to the main motion that was on page 1.

Mayor Pro Tem Parks stated they were going to the main motion and didn't know of any other amendments on the floor.

Council Member Pha stated she thought the fees for picnic pavilion were too high, on Page 5, second chart. She stated the city charged \$200 rental for residents and would only speak about the residents' fee and the \$300 deposit. She stated that was \$500 just to use the outdoor picnic pavilion that she saw empty quite a bit. She stated she saw people using it and just not reserving it because when it was empty, then anyone could use it without reserving it because it was too high.

She stated she would like to see where they could charge a fee that was affordable to reserve it and use it. She stated that \$500 said the City didn't want them to use the pavilion in the park and it should be accessible to everyone. She stated the fee needed to be reduced and the deposit needed to be reduced. She asked why it was so high.

Recreation and Parks Director Yungers stated it was in line with what was happening around the city in other park systems. She stated it took cleaning and maintenance and also had park service attendant that went around and checked the garbage and toilet paper. She stated those were services included and in no means covered the costs for operations and maintenance of the facilities but was a choice they could make. She stated they would have to do some

adjustments to the operating budget and would have to get back to Council on what that impact might be depending on the rate being recommended.

Council Member Pha stated the outdoors spaces were a lot different than indoor spaces. With the indoor spaces, they could control who used them, and didn't because they locked the door and no one else could go in. She stated those were outdoor spaces and saw them being used whether reserved or not, and clearly people could see it was empty but cost so much to reserve.

She stated she would like to propose an amendment to reduce the fees from \$200 to \$150 and the deposit from \$300 to \$100. She stated the deposit was a big barrier for people, whether or not people were reserving it, they were using it anyway. She stated she would rather them go through the city and reserve it.

7.5 MOTION PHA TO AMEND THE MOTION TO INCLUDE THAT FOR THE 150 PERSON CAPACITY, BE REDUCED FROM \$200 TO \$150; FROM 60 PERSON CAPACITY, REDUCE \$100 TO \$75; FROM 50 PERSON CAPACITY, LEAVE AT \$50; FROM 40 PERSON CAPACITY LEAVE AT \$25; AND FOR THE DAMAGE DEPOSIT FOR ALL ACROSS BOARD ON ANY PAVILLION RESERVATION THAT IT BE \$100 AS FLAT SECURITY DEPOSIT NO MATTER WHAT THE CAPACITY IS.

Recreation and Parks Director Yungers clarified on the \$300 refundable damage deposit with the larger capacity of 150. She stated that was related to a prior action Council took related to amplified sound and insuring they were compliant with using the sound system they provided, that had been sound tested and that was a big process they went through. She recommended they held on to that deposit because that was closely associated to equipment they distributed to get it back.

Council Member Pha asked why they were charging everyone for that and not everyone used the sound system. She asked if they could charge it as separate item and only if they did the rental for the amplified sound equipment that it would have its own deposit and charges than having to pay \$300.

Recreation and Park Director Yungers stated they needed enough damage deposit to make sure people were cleaning up after themselves. She stated it was a problem and was across the board and staff had to clean up and take out the garbage. She stated it was a deterrent from not just walking away and leaving a mess and cleaning up. She stated they had to make sure people realized even though it was an outdoor facility, it also caused other secondary problems, especially when it was left overnight and not cleaned up. She stated the damage deposit was very important and they did get the deposit back.

Council Member Pha stated she saw people using it now and couldn't afford \$500 and didn't use it. They saw it was empty and then used it, they paid zero dollars to rent it and zero dollars for the deposit. She stated if they left a mess, staff didn't have anyone to go after because they didn't reserve it. She stated if they made it more affordable, they would reserve it and put a deposit that could be collected. She stated she would rather have it affordable so people were using it and putting a deposit down and not excluding people not using those park facilities due to costs. She stated \$500 was a huge deterrent from people using the facility.

7.5 THE MOTION FAILED DUE TO A LACK OF A SECOND.

Council Member Pha stated that on the athletic fields, they charged for the soccer and lacrosse fields at higher price than softball and baseball fields. She asked what differentiated those costs. She stated she didn't want to charge one sport more than the other unless there was an amenity of some kind that they were giving on a particular field than the other. I would like to see those fees more in line with the others.

Facilities Manager Tullberg stated the fee with soccer fields were different because they provided irrigation and a few other things on the soccer fields. He stated the other baseball fields in the neighborhood communities didn't have that same level of service.

Council Member Pha stated she wanted to make sure if they were charging more for one particular field or sport there was a reason why. She stated she understood they had to recoup their costs for athletic fields for soccer and softball. She stated liked to see the prices stay the same and didn't like the increase. She stated she knew it was a \$5 increase for a game and some were \$10, but that could be a deterrent for youth leagues that played.

7.5 MOTION PHA TO AMEND THE MOTION TO KEEP ALL THE FEES IN ATHLETIC FIELDS INCLUDING SOCCER, LACROSSE, SOFTBALL AND BASEBALL FIELDS FEES REMAIN THE SAME AS IN 2018.

Council Member M. Mata asked about the ballfield dollar value if they were talking about just the Brooklyn Park Athletic Association, which was a youth baseball group made up of Brooklyn Park residents, parents and the kids. He asked if they were charging that association an additional dollar value per field, per game for use or talking about charging him and his family who wanted to go down to one of the ball parks and throw together a game of baseball.

Facilities Manager Tullberg stated there were two different tiers of fees for local youth athletic associations and other groups. He stated there were different discounted rates based on the makeup of the athletic organization that was requesting fields, and if they got an outside organization looking to rent space, they paid the higher fee than the local youth associations.

Council Member M. Mata asked Council Member Pha if her amendment was changing the fees for everything or just the local athletic associations.

Council Member Pha stated for all the ones in that field that would include the other groups because the other groups could be non-formal associations.

Council Member M. Mata stated he would only be willing to do it for the local athletic associations because those were formal organizations that treated the fields with respect and knew the game, were accountable and staff knew who they were if there was a problem. He stated they were parents of the city whose kids were already paying once and now they were going to pay again at a higher price. He stated he couldn't support that for outside organizations only the ones he knew that were guaranteed residents that were already involved in all of the city's youth sports.

He stated he was willing to do it for the local athletic associations and couldn't support it for outside organizations and would second it if Council Member Pha was willing to change the amendment.

7.5 MOTION PHA, SECOND M. MATA AMEND THE MOTION TO INCLUDE ONLY THE TOP TWO YOUTH ATHLETIC ASSOCIATIONS BUT NOT INCLUDE THE OTHER GROUPS. THE AMENDMENT TO THE MOTION PASSED. (4 TO 1) MAYOR PRO TEM PARKS VOTED NO.

Council Member Pha stated the Zanewood meeting and space were increased from \$200 to \$300 dollars and was a 50 percent increase for that space. She stated that often times people would rent the Zanewood Community Center because they couldn't afford the Community Activity Center and those who rented the Community Activity Center couldn't afford Edinburgh. She stated that if they were going to increase the Zanewood spaces, it would make it tough. She stated that in order to have more spaces in places for people to meet and gather, they needed to keep prices affordable. She stated to have a \$300 rental charge for four hours and a \$100 deposit was \$400 for four hours to give out to use a meeting space or do something at the Zanewood Community Center. She stated she wanted it to be affordable.

7.5 MOTION PHA TO AMEND THE MOTION TO KEEP CHARGES AND FEES TO the 2018 ORIGINAL \$50 PER HOUR AND \$100 DEPOSIT FOR ZANEWOOD MEETING SPACES.

Council Member Jacobson stated she knew they used that facility a lot for their own programming and asked if it was rented out very often.

Facilities Manager Tullberg stated it was not rented out very often. He stated they had a church group that used it on Sundays, but was not a regularly rented space. He stated they had changed away from using the teen lounge as a rental space and it was the only multipurpose space that was rented there.

Council Member Jacobson stated that if they agreed to the change, asked if it would not be a huge hit to the budget, income wise.

Facilities Manager Tullberg stated it would not be a huge hit to the budget.

7.5 COUNCIL MEMBER JACOBSON SECONDED THE AMENDMENT TO THE MOTION.

7.5 THE VOTE ON THE AMENDMENT TO THE MOTION PASSED. (4 TO 1) M. MATA VOTED NO.

7.5 THE VOTE ON THE MAIN MOTION PASSED UNANIMOUSLY

#### 9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Council Member Pha stated that on behalf of the United Hmong Family Association, invited Council and staff the Hmong New Year for the State of Minnesota. She stated it was a big event and was held in Saint Paul River Center on Friday, November 23, Saturday, November 24 and Sunday November 25. She stated the Council was invited to the Saturday, November 24, ribbon cutting at 10:00 a.m. and at noon she was asked to speak and asked the Council to join her. She stated she would be picking up passes for staff and Council who wanted to attend.

#### 9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel reminded the Council that the Mayor's Prayer Breakfast was on Friday,

from 7 a.m. to 9 a.m. and tickets were available at City Hall.

He stated that next week, City Hall would be closed on Thursday and Friday for the Thanksgiving Day holiday.

ADJOURNMENT – With consensus of the Council, Mayor Pro Tem Parks adjourned the meeting at 10:31 p.m.

TERRY PARKS, MAYOR PRO TEM

DEVIN MONTERO, CITY CLERK