

## REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, June 10, 2019  
7:00 p.m.

Brooklyn Park Council Chambers  
5200 85th Avenue North

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde; Council Members Tonja West-Hafner (arrived at 7:15 p.m.), Terry Parks, Mark Mata, Wynfred Russell and Lisa Jacobson; City Manager Jay Stroebel; City Attorney Jim Thomson; Community Development Director Kim Berggren; Finance Director LaTonia Green; Police Chief Craig Enevoldsen and City Clerk Devin Montero.

ABSENT: Council Member Susan Pha (excused)

Mayor Lunde opened the meeting with the Pledge of Allegiance.

### 2A RESPONSE TO PRIOR PUBLIC COMMENT

City Manager Stroebel stated one community member expressed concerns regarding the safety and speeding on 93<sup>rd</sup> Avenue. The Council met in a work session last Monday to discuss the next steps with regards to considering investments to 93<sup>rd</sup> and how to address the short-term and long-term strategies on 93<sup>rd</sup> and the intersection of 93<sup>rd</sup> and Noble. Staff would be bringing an opportunity for the Council to vote on moving forward with a design for a new traffic signal at 93<sup>rd</sup> and Noble and also for the request of a speed study done by the State on 93<sup>rd</sup>. That would be the next steps in the process as well as considering any additional investments as part of the 2020 process.

### 2B PUBLIC COMMENT

1. Collette Guyott-Hempel, 9277 Trinity Gardens. Showed a photo taken at 4 p.m. showing six pedestrians on 93<sup>rd</sup> Avenue during rush hour. She stated that in December 2017 during the Planning Commission meeting, the developer asked for 93<sup>rd</sup> to be finished and mentioned they put money in to finish 93<sup>rd</sup>. Stated seven residents raised concerns on speeding, sirens and safety of neighborhood and felt the Council didn't care. Stated last year, on December 10, 2018, told the Council about a car accident at the stop sign on Regent/93<sup>rd</sup> Avenue. At the city work session, staff said there was only one, but it was the second accident. The Lions Club mentioned picking up a number of auto parts a couple weeks ago and now there were two more bumpers on 93<sup>rd</sup> Avenue, one close to 94<sup>th</sup> and one by Super America, which indicated there were two more accidents. She stated the number of pedestrians had increased with schools being out. She stated MnDOT said all commuter and collector streets (93<sup>rd</sup> was supposed to be only a collector street between Zane and Noble) were to have sidewalks on both sides as a best practice and that was published by the state in 2013. She stated the city had collected money for over 25 years from Stonehenge, Lennar Homes, Trident Homes and received MSA and LGA dollars that could be used to finish the road.

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

3B PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL

COMMUNICATIONS

3B.1 Introduction of New Employees

Assistant Finance Director Jeanette Boit-Kania introduced Tim Jacobs as a new employee to the Finance Department.

Police Chief Craig Enevoldsen introduced Vamoughne Kanneh and Colin Easley as new employees to the Police Department.

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

Mayor Lunde proclaimed June 13-15, 2019, as "Tater Daze" in the City of Brooklyn Park.

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

Council Member Lisa Jacobson briefed the Council on the Tater Daze Festival Sponsors. She introduced Tater Daze Chair Tait Turnquist and he briefed on the Tater Daze events.

3B.3 MOTION JACOBSON, SECOND PARKS TO READ AND ADOPT RESOLUTION #2019-95 ACKNOWLEDGING THE 2019 TATER DAZE FESTIVAL SPONSORS. MOTION PASSED UNANIMOUSLY.

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

Finance Director Green briefed the Council on the 2018 Audited Comprehensive Annual Financial Report and Auditor's Reports. She introduced Chris Knopik and John Lorenzini, CliftonLarsonAllen, LLP and they briefed the Council on the reports.

They briefed on the following: Required communications, Internal Control Items, Minnesota Legal Compliance, General Fund Financial Results-Revenues, General Fund Financial Results-Expenditures, General Fund Months Expenditures in Fund Balance, Enterprise Funds-Operating Income, Other Financial Highlights, and Emerging issues.

3B.4 MOTION MATA, SECOND RUSSELL TO RECEIVE THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE YEAR ENDED DECEMBER 31, 2018. MOTION PASSED UNANIMOUSLY.

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

4.1 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-96 AUTHORIZING FUNDING FOR BODY WORN CAMERA BY AMENDING THE 2019 CAPITAL EQUIPMENT PLAN BUDGET BY AUTHORIZING A TRANSFER FROM THE GENERAL FUND (CONTINGENCY) TO THE INFORMATION AND TECHNOLOGY SERVICES FUND.

4.2 TO WAIVE THE READING AND ADOPT RESOLUTION #2019-97 ADOPTING POST-ISSUANCE DEBT COMPLIANCE POLICY FOR TAX-EXEMPT AND TAX-

ADVANTAGED GOVERNMENT BONDS.

4.3 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF APRIL 23, 2018, AS PRESENTED BY THE CITY CLERK.

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

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

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

MOTION PASSED UNANIMOUSLY.

7.1 Appointment to the Recreation and Parks Advisory Commission.

Mayor Lunde briefed the Council on the appointment to the Recreation and Parks Advisory Commission.

7.1 MOTION LUNDE, SECOND PARKS TO APPOINT PATRICIA DOMINGUEZ-MEJIA TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A TERM TO EXPIRE APRIL 1, 2021. MOTION PASSED UNANIMOUSLY.

8.1 Update on Huntington Place Apartments.

Police Chief Craig Enevoldsen gave an update on the Huntington Place Apartments. He briefed on Property Data, Crime Increase in 2018, June 20, 2018 Meeting with Huntington Place, June 20, 2018 Agreements Made, June 28, 2018 Recommendations, Remainder of 2018, Crimes at Huntington by Year, January 1 to December 31, 2018 Crime, 2018 Total Calls for Service, 2018 Arrests at Huntington, 2018 Huntington Comparison to City, City Resources Utilized, 2019 First Meeting, March 20, 2019 Meeting, Tenant Livability Concerns-Interior Lighting, Interior Walls/Ceilings, Exterior, May 6, 2019 Phone Call, Crimes at Huntington by Year, January 1 to June 4, Crimes at Huntington by Year, January 1 to December 31, and May 30, 2019 Meeting, Remaining Concerns.

Community Development Director Kim Berggren briefed the Council on 2019 Maintenance Investment Schedule, Huntington Place Information, Other Information, Eviction and Quality of Life Collaborative Work, and City Request to Owner/Manager.

Mayor Lunde stated his comments were directed at the owners. He stated he took a tour of Huntington Place without telling anyone. He stated the nonprofits helped him with the tenants that took him through the building. He stated the fact that they were now doing trash, lights, security; he was not giving the owners one ounce of credit. He stated he didn't think that they would be doing anything if city wasn't in there raising questions. He stated he didn't take pictures because the tenants were afraid of management and if he took pictures, they would get

in trouble. He stated he was not giving them credit for doing what they supposed to do and that was the expectation; they owned the property and could take care of the trash. He stated he was very angry at that place and thought of them as slum lords, by taking money from the tenants and taking it somewhere else. He stated he noticed they could come to an agreement to build somewhere else and spend a \$100 plus millions in another city, but they couldn't come to an agreement to spend on things that were maintenance that they should have been doing. He stated the residents were fearful and 99 percent of them just want a place to live. How they were being treated, he couldn't imagine what it was like to live there. He stated to imagine coming home after work and was dark at night and knew there was crime there just to get inside the building. He thought the taxpayers in the city had the right to ask and didn't know if there was a way the police chief could figure out the city's costs for that one complex just to have estimates. He stated the taxpayers of the city had the right to ask that owner, because they were the problem, how much money the city was pushing into it to take care of their problems because they were not investing. He asked if there was a way to calculate it according to some industry standards, i.e., if owning a \$50 million complex where the average yearly maintenance was "x" amount and every fifth year they have a capital improvement like a roof. He stated he was curious to see what they were coming close to.

Mayor Lunde thought those owners should be held accountable. He stated he talked to other people in other cities and asked if there was a way to add the classification of slum lord to the city code where someone earned their way into it, that the city put the full weight of everything the city had to watch over the owners. He stated the tenants were the victims and most of those people in that apartment complex just wanted to go home and be safe. He stated when stats were shown, nearly 50 percent of the crime was being caused by people from outside the complex. He stated that was what predators did, they went to places where they could have fun because no one was watching them and did what they chose to do.

He stated he didn't want to give them credit for doing what the city would expect them to do. He thought the chronic non-investment in the property reflected in the problems and was no different than being picked on and bullied. He stated most people were stuck there because of affordability and having slum lords there making their money. He stated the money was going somewhere if they were able to afford all the other projects, and the money was not going back to those tenants.

He stated the tenants did not feel safe talking to city staff or police, and the nonprofits had said the same thing. He stated they were afraid management would want to talk to them. If it was something that happened near the management office, no one goes to management and are afraid they would be evicted because they saw problems. He stated that any outreach the city had to do had to be outside their management office. He stated he had been told clearly by the four nonprofits that were in there, including the mediation services, that people would not come and engage near the office because they were afraid to be called in. He stated the city had to figure out a way to help with it. He asked if they should put in a police substation there because at what point does it become so bad. He stated that complex was basically the size of the City of Osseo and by looking at the crime data, could argue it was its own city. He stated he wanted to do whatever staff could find out and put pressure on the owners and didn't know what the ordinances might be, but they were preying on people and need to be held accountable. He believed there would be a shooting there and someone would be killed. He stated he watched the 411 Reports and it was escalating and a matter of time for someone to get shot and thought it was the owner's fault.

Council Member Jacobson asked about 3,235 total dispatch calls and if there was another single place in the community that had that many calls.

Police Chief Enevoldsen stated it was the largest complex in city and didn't have any businesses that required 3,000 calls for service.

Council Member Jacobson stated Dominion was a large and successful property developer, and eight days ago it was announced they were purchasing Four Seasons Mall in Plymouth and creating a very large scale project. She stated they were investing in another community when they had not invested in the city and echoed the Mayor's anger too. She stated that just keeping up with basics, they should not be rewarded for it and they needed to focus on the livability today for the residents there today. She stated it is not safe night or day and there was no time at that location that she would feel safe. She stated 25 years ago they were talking about it and they were committing to it and the city hadn't been able to make it happen. She asked if it was because they knew the city couldn't pull their rental license because 2,500 people in the community would suddenly be homeless.

Community Development Director Berggren stated that in her opinion that until there was motivation to do something different, they were going to be doing what they had been doing. She stated that property was financially stable for the owners as long as things were going along and would continue with their business model. She stated it would need some disruption to make it change. She stated as the Police Chief showed that the cycle was up and down, and the city had seen that cycle several times now. She stated the city had been communicating that the owners needed to make a decision about what their long-term strategy was because that cycle was not working.

Police Chief Enevoldsen stated that was part of the reason they were there tonight. He stated he was involved in 2009/2010 when they had to approach them again about crime on the property and he knew two inspectors worked all summer on it. He stated it got better but they were doing it again. He stated it had been the accepted practice where the city came down on them, they reinvested and the crime went down. The police chief went away, and the deferred maintenance occurred, but it was why the Chief was there tonight again discussing it with the Council.

Council Member Jacobson asked if Chief Enevoldsen could provide the number of hours invested by the police, and not even talking about Community Development hours and all the other time spent as a city. She asked what that would look like in costs. She stated that the ownership group needed to commit to the property today with no more deferred maintenance and deferred conversations. She asked where the owners were and why they were not showing up and it was time to get serious to commit to the residents who were community members.

Council Member West-Hafner stated she thought Huntington had gotten better but the tour they went on was eye opening. She asked if the deferred maintenance with the big holes in the walls, broken lights and water had been cleaned up.

Community Development Director Berggren stated when they went out in March, everything had been cleaned up. She stated that when new holes come up now, they were not being repaired

right away. She stated it was more of a function of the ongoing maintenance that seemed to be the problem and were now increasing the staffing levels that should help problems. She stated they were doing supplemental inspections from the Rental Division to confirm things were getting fixed. She stated she saw it as a short term because they weren't staffed to do ongoing inspections in the rental space. She stated it was more on an annual basis but were looking at adjustments they could make to get out to more of complexes more than once a year to do common spaces within their existing budget. She stated that was the responsibility of the apartment managers so they could comply. She stated there was a period of time when Huntington was staffed properly and now they must not be because of the repairs that were lingering.

Council Member West-Hafner stated she was disappointed in conditions and livability of that building and wanted people to be in safe and healthy place. She asked if there was any reason given why the ownership did not show up for the meeting.

Community Development Director Berggren stated it was a fragmented ownership and there were two owners and a lot of attorneys involved to navigate it. She stated the Asset Manager for Dominion felt he was the representative of the ownership group. She stated they had expressed that it was not working and needed to be connected to the actual owners who were making those decisions and made sure they understood the city had a sense of urgency around their decision making.

Council Member West-Hafner asked if the ownership groups had talked at all about selling the property.

Community Development Director Berggren stated they had, and one decision had to be made whether to maintain the ownership long term and they had not been able to make that decision. She stated that two of the owners had estates and there had been some recent deaths that made it a complex situation. If the complex does sell, it opens up another situation with the city in terms what the role the city has in helping with that transition.

Council Member West-Hafner asked about the 14 to 18 hours of team outreach that they were willing to help pay for and asked how many staff would be involved.

Community Development Director Berggren stated it did significantly increase the hours. She stated they were in the process. The Recreation and Parks Department, who manages that contract, was in the process of increasing the number of workers so they could fulfill those time slots. She stated it was to be determined if whether or not they had enough hours to do the 14 to 18 hours a week of extra service.

Council Member West-Hafner stated she also was interested in knowing the costs as well. She stated she would like to send them a bill to show them what the actual costs were for the city to help them manage their property. She stated she was not happy about the condition where people were living. She stated that it looked like the owners would be working with the city on the eviction issues and modifying their policies and that was the least they could do. She stated they just needed to do a better of managing the property and if the ownership didn't like what the city had to say, what the city did, or what the city asked them to do, then they needed to get out of that property. She asked if they could get a preview of what the redesign looked like in

those plans. She asked if it talked about taking some of the buildings and creating a complete new project there.

Community Development Director Berggren stated there was a plan for 1994 that was drawn up. She stated it was just reconfiguring a roadway to create kind of a main street through the development and to cut off the access points around the buildings. She stated it would feel more like a city block and that was one idea from 1994. She stated the Dominion representatives had conversations around if they needed to make changes, how it could happen, but it came down to the commitment of the ownership group to make those changes. She stated the city had offered to sit down and have those conversations on how they could make those changes long term there and what it would take to make it happen. She stated it could include either tearing down some apartments and replacing them with different configurations or separating it out so it was not managed as one large 830-unit complex so it could be divided and managed in smaller communities.

Council Member Mata asked about the apartment policy regarding the hole in the wall. He asked if that hole should have been fixed 9 a.m. the next morning and what their policy was on how long they had to get it fixed. He stated those were the things they could look at and help them modify it and maybe put something in place to make it city wide. He stated he didn't want to just pick on one place, because there were other complexes in the city that were doing the same thing, but they didn't have someone making phone calls to the police department or walking Council Members through the complex looking at things. He stated that when talking about doing changes, it should be made for all apartment complexes on what their policies were.

He stated they used to have a security company for many years and didn't know if they dropped it. He asked if they talked to the security company to help them out, such as having the on duty sergeants number to call to do a drive through in the parking lots. He stated it was better to have a police squad car than a security company car because the security company couldn't do much and the crime elements knew that. He stated it kind of fell into situation like a bar the city had when they received so many police calls and the Council mandated the bar to have an off duty officer to sit at their door paid by the bar on Thursday, Friday and Saturday evenings when most calls came from there. He stated they were there until the end of the shift and asked if that deterred the crime there.

Police Chief Enevoldsen stated the changes made at that establishment that had the most impact on it was not having police officer there. It was that the Council could revoke their alcohol license if certain acts occurred on their property and that's what cleaned up that property. He stated they did not have a desire to be on the property at that point because they wanted to use the police officers as an extension of their security. He stated that was not what police did, they didn't enforce their policies at a bar or apartment complex, they enforced the Constitution of the State of Minnesota.

Council Member Mata stated at one time they had that if someone received three calls against the tenant, they were asked to be evicted. He stated the management did not have support of police department at the time. When they tried to evict them, it didn't work out well. He stated that maybe the city needed an eviction policy that said if they get one of the major crimes caused by someone on their lease, they were gone. He stated it was not a tenant the city was looking for. He asked if the city was making sure they were doing the criminal background

checks or it could be brought back to the city because the complex had so many calls to their complex and all renters' background checks were coming through the city now. He asked what steps were being taken because it wasn't new even at a rate at 200 calls instead of the 500 they were at.

Police Chief Enevoldsen stated that as he shared with the management company of Huntington, it was unfair to say they were not going to have crime on that property with that many people condensed in small place. He stated things were going to happen because it was the size of a small city, like Osseo, and they had crime. He stated his concern was the violence of the crime that was occurring. He stated he was doing his best nothing like that happened on that property because the city had 27 square miles with residents that needed policing.

Council Member Mata stated the city had 30 other neighborhoods and if they were spending all that time in there, they were not getting what their paid taxes for. He asked that with the codes they could enforce, what was taking so long. He felt it was something that would keep happening because the city in 2005 did not vote to tear out all apartments. He stated there were good people living there and what was needed was for them to create a group where they can come to City Hall and say who the bad eggs were, what bad things were happening, because that was the only way to solve a problem that was within. He asked what staff was doing to reach out, or maybe knock on every door and ask if there was a problem in their neighborhood. He stated he would like staff to come back and tell Council what they were doing. He asked why staff was not in front of Council last year. He asked what was solved and thought there were good managers there, but now they were gone and hired managers who were being told what to do by the tenants because they were afraid. He asked when it was said that management turned over did it mean the people were gone who could have handled those things. He asked what their policies were before and how soon were things fixed when something was broken. He stated a hole in the wall couldn't be fixed if no one reported. He asked what their policies were and why were they not enforcing their own policies.

Council Member Russell stated there seemed to be a lot of issues at Huntington for a long time and was happy staff was working to turn things around. He asked if they knew the nature of the calls they got from Huntington. He asked if they were crime related or some called because maybe a roommate was locked out of the apartment or a pet was run over. He asked how regularly they had a police presence at Huntington from the substation at Village Creek.

Chief Enevoldsen stated not all of the calls were crimes. He stated that on the presentation tonight there was a list: one was welfare checks at 36 calls as of June 20, 2018. He stated they were calls like "check on my dad, I haven't heard from him in a while." He stated it went back to the calls for service on the property and the number of crimes. He stated there were over 3,000 911 calls but 600 were crimes.

He stated they had a collective efficacy study done some time ago and morphed into Blue Blocks. He stated it measured the amount of time officers were assigned to the area spent at Huntington not on 911 calls. He also asked officers and other neighboring adjoining areas to help provide that discretionary support there. He stated he didn't measure if a squad car went to each building and it took them 20 minutes, and they left and did not take any action. He stated that happened nightly. He stated the ones they directed to walk the hallways and that kind of thing, had it available on where they spent their time. He stated that for a complex that size, it

would require a lot of police resources, but for him, 3,000 calls for service and 700 crimes was not acceptable.

Council Member Russell asked what the Council could do to help strengthen their efforts and help bring a resolution to the out of control situation at Huntington.

Chief Enevoldsen stated that the vast majority of it was his and Director Berggren's job and the conversation they have had was why did they have that conversation every nine years and invest the kind of staff time in that work. He stated they had never come to the Council to talk about work they had been doing at Huntington because they just did it. He stated that looking at that continuing cycle, it was time for the elected officials to get involved and talk with the ownership or management company to let them know the city was paying attention to it, that it was very serious to the city, and what were they going to do about it because the Council represented 80,000 residents who help pay for the service.

#### 9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Council Member Mata stated one Council Member was not in attendance to start the meeting because they were at a commission or something that was a planned event for city. He suggested to the City Manager to change the date of the meeting or have it at an earlier time so it didn't conflict with the Council meeting. He stated commission meetings never conflicted with a planned Monday Council meeting and was not sure why the Relief Association would be any different since it was asking for Council representation.

Council Member Jacobson reminded everyone that the Mayor and Council would be serving root beer floats at Tater Daze on Friday night at 6:15 p.m. and come and visit with the Council.

#### 9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel thanked D'Amico and Sons, staff and Council for the grand opening last Thursday at Edinburgh, USA. He stated it was a nice event and there had been a lot of progress in terms of updates to the facility. He stated they had been getting positive reviews on the restaurant and facility.

He stated that on the Tater Daze festival, he did hear that the police chief might be in a dunking booth at the Open House on Saturday from 12-3 p.m.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 8:52 p.m.

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JEFFREY JONEAL LUNDE, MAYOR

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DEVIN MONTERO, CITY CLERK