

Monday, April 26, 2021
6:00 p.m.

Brooklyn Park Council Chambers
And by Telephone or other Electronic Means
5200 85th Avenue North

REGULAR COUNCIL MEETING – AGENDA #15

Some members of the City Council may participate in the meeting by telephone pursuant to Minnesota Statutes, Section 13D.021 rather than in-person at the City Council's regular meeting place at City Hall, 5200 85th Avenue North, Brooklyn Park, Minnesota. Members of the public can monitor the Council meeting by watching it on CCX Media Channel 16, by livestreaming it at https://nwsgcc-brooklynpark.granicus.com/ViewPublisher.php?view_id=5 or by calling into the Conference Call Number: Dial 1-312-626-6799 US (Chicago) Meeting ID: 919 8068 8388. After you join, press # when you are asked to enter a Participant ID.

Anyone who wants to address the Council during the Public Comment period or on an Agenda Item may do so by calling 763-493-8180 or emailing devin.montero@brooklynpark.org by 4:30 p.m. on April 26, 2021. You will be asked to provide your name, address, email, and phone number. You will then be registered to speak during the Public Comment period or on the Agenda Item to address the Council.

Members of the public who desire to give input or testimony during the meeting may do so by texting City Clerk Devin Montero at 763-439-1883 or emailing him at devin.montero@brooklynpark.org. (Subject line: "Council Testimony").

Anyone who wants to address Public Hearing agenda item 5.1 may do so by calling 763-493-8114 by 3:30 p.m. on Monday, April 26, 2021. You will be asked to provide your name, address, email and phone number. You will then be registered to speak on the Agenda Item to address the Council. You may send a letter before the hearing to: Engineering Division, Operations & Maintenance Department, 5200 85th Avenue North, Brooklyn Park, MN 55443, or fax to 763-493-8391, or you may send an e-mail to jesse.struve@brooklynpark.org.

If you need these materials in an alternative format or need reasonable accommodations for a City Council meeting, please provide the City with 72-hours' notice by calling 763-424-8000 or emailing Josie Shardlow at josie.shardlow@brooklynpark.org.
Para asistencia, 763-424-8000; Yog xav tau kev pab, 763-424-8000.

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

Our Brooklyn Park 2025 Goals:

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

I. ORGANIZATIONAL BUSINESS

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

2. PUBLIC COMMENT AND RESPONSE 6:00 p.m. Provides an opportunity for the public to address the Council on items which are not on the agenda. Public Comment will be limited to 15 minutes (*if no one is in attendance for Public Comment, the regular meeting may begin*), and it may not be used to make personal attacks, to air personality grievances, to make political endorsements or for political campaign purposes. Individuals should limit their comments to three minutes. Council Members will not enter into a dialogue with citizens. Questions from the Council will be for clarification only. Public Comment will not be used as a time for problem solving or reacting to the comments made, but rather for hearing the citizen for informational purposes only.

2A. RESPONSE TO PRIOR PUBLIC COMMENT

2B. PUBLIC COMMENT

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

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

3B.1 Interview Applicants for Budget Advisory Commission – West District

- A. ATTENDANCE SHEET AND VOTING FORM
- B. PUBLIC DIRECTORY

3B.2 Interview Applicants for Brooklyn Park Development Corporation Resident Representative

- A. ATTENDANCE SHEET AND VOTING FORM
- B. DIRECTORY

- 3B.3 Mayor Pro Tem's Proclamation Declaring May 1, 2021 as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park
 - A. PROCLAMATION
- 3B.4 Mayor Pro Tem's Proclamation of May 1-May 31, 2021, as "Asian-Pacific American Heritage Month"
 - A. PROCLAMATION
- 3B.5 Planning Commission 2020 Annual Report and 2021 Work Plan
 - A. 2020 ANNUAL REPORT
 - B. 2021 WORK PLAN

II. STATUTORY BUSINESS AND/OR POLICY IMPLEMENTATION

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

- 4.1 Approve Cooperative and Subgrant Agreement with Shingle Creek Watershed Management Commission for the Bass Creek Restoration Project from Cherokee Drive to Interstate 94
 - A. RESOLUTION
 - B. LOCATION MAP
 - C. COOPERATIVE AND SUBGRANT AGREEMENT
- 4.2 Approve Cooperative and Subgrant Agreement with Shingle Creek Watershed Management Commission for the Shingle Creek Connections II Project from Regent Avenue to Brooklyn Boulevard
 - A. RESOLUTION
 - B. LOCATION MAP
 - C. COOPERATIVE AND SUBGRANT AGREEMENT
- 4.3 Approve a Temporary On-Sale Liquor License for Blue Wolf Brewing for the Brooklyn Park Lions Smelt Fry to be held May 12-14, 2021 at the Armory Gymnasium, 5500 85th Avenue North

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

5. PUBLIC HEARINGS

- 5.1 Public Hearing for the Vacation of 94th Avenue Right of Way
 - A. RESOLUTION
 - B. PETITION
 - C. PROPOSED ROADWAY VACATION AREA
 - D. PROPOSED EASEMENT VACATION AREA
 - E. TEMPORARY CUL-DE-SAC VACATION AREA

6. LAND USE ACTIONS

- 6.1 "Sicheneder Estates" (Richard Sicheneder) – Preliminary and Final Plat to Subdivide Property into Two Single-Family Lots at 3809 Sunset Road North
 - A. RESOLUTION
 - B. LOCATION MAP
 - C. PLANNING AND ZONING INFORMATION
 - D. PLANNING COMMISSION MINUTES
 - E. PLANS
- 6.2 NorthPark Business Center Building VII (Scott Moe, Scannell Properties) – Site Plan Review and Plat #21-109 for a 221,000 Square Foot Office/Manufacturing/ Warehouse Building at 10600 Xylon Avenue North
 - A. RESOLUTION – FINAL PLAT
 - B. RESOLUTION – SITE PLAN REVIEW
 - C. LOCATION MAP
 - D. PLANNING AND ZONING INFORMATION
 - E. PLANNING COMMISSION MINUTES
 - F. DEVELOPMENT PLAN

- G. PLANS
- 6.3 Rasmussen University Higher Education Building (Joe Mahoney, Opus Development Company, L.L.C.) – Conditional Use Permit for a 41,472 Square-Foot Two-Story Higher Education/Office Building at 5555 96th Avenue North
 - A. RESOLUTION
 - B. LOCATION MAP
 - C. PLANNING AND ZONING INFORMATION
 - D. PLANNING COMMISSION MINUTES
 - E. APPLICANT'S NARRATIVE
 - F. APPROVED DEVELOPMENT PLAN
 - G. PLANS

7. GENERAL ACTION ITEMS

- 7.1 Second Reading of an Ordinance Establishing Park Villas Townhomes Homeowners' Association Inc. Housing Improvement Area
 - A. ORDINANCE
- 7.2 First Reading of an Ordinance to Consider Updating Chapter 94 Nuisance and Chapter 98 Garbage and Refuse
 - A. ORDINANCE WITH PROPOSED UPDATES
- 7.3 Removal of a Commissioner
 - A. CLIC ATTENDANCE
- 7.4 Appointment to the Community Long-range Improvement Commission
 - A. PUBLIC DIRECTORY
- 7.5 Business in Right-of-Way Ordinance
 - A. ORDINANCE
 - B. DRAFT FEE SCHEDULE RESOLUTION
 - C. FOOD TRUCK PARKING MAP

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

- 8. DISCUSSION ITEMS**
None

IV. VERBAL REPORTS AND ANNOUNCEMENTS

- 9A. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS**
- 9B. CITY MANAGER REPORTS AND ANNOUNCEMENTS**

V. ADJOURNMENT

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