

REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, April 13, 2020

Brooklyn Park Council Chambers  
Via Telephone  
5200 85th Avenue North

7:53 p.m.

CALL TO ORDER – Mayor Jeffrey Lunde

PRESENT: Mayor Jeffrey Lunde.

VIA TELEPHONE: Council Members Tonja West-Hafner, Susan Pha, 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; Fire Chief John Cunningham; and City Clerk Devin Montero.

ABSENT: None.

Mayor Lunde read a statement regarding the telephone meeting.

Mayor Lunde opened the meeting with the Pledge of Allegiance.

2A RESPONSE TO PRIOR PUBLIC COMMENT – None.

2B PUBLIC COMMENT:

Mayor Lunde stated Collette Guyott-Hempel, 9277 Trinity Gardens, sent an email and he read the email. (The email is on file in the City Clerk's office)

Council Member Jacobson stated that email was testimony for Item 7.2.

3A. MOTION LUNDE, SECOND MATA TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK.

Mayor Lunde called for a roll call vote.

3A. THE MOTION PASSED UNANIMOUSLY ON A ROLL CALL VOTE AS FOLLOWS: YES – MATA, PHA, WEST-HAFNER, RUSSELL, JACOBSON, PARKS, LUNDE; NO – NONE.

3B PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B1 Mayor's Proclamation Declaring May 2, 2020 as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park.

Mayor Lunde declared May 2, 2020 as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park.

3B2 COVID-19 Update and Budget Implications.

City Manager Stroebel gave an outline of the updates related to COVID-19 and the Budget Implications.

- I. EOC and Public Safety Update
  - a. Latest from EOC and state (Fire Chief Cunningham)
  - b. Broader public safety concerns (Police Chief Enevoldsen)
- II. Anticipated Impact of COVID-19 on 2020 and 2021 budget
  - a. Overview (City Manager Stroebel)
  - b. Revenue and expenditure forecasts (Finance Director Green)
  - c. Initial strategies for 2020 (Finance Director Green)
  - d. 2021 budget development (Finance Director Green)
  - e. Specific budget related topics (City Manager Stroebel)
- III. Questions and feedback (City Manager Stroebel)

4.0 MOTION LUNDE, SECOND JACOBSON TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEMS:

4.1 TO WAIVE THE READING AND ADOPT RESOLUTION #2020-58 ACCEPTING BIDS AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO A CONTRACT WITH ROSTI CONSTRUCTION FOR THE REDEVELOPMENT OF RIVER PARK IN THE AMOUNT OF \$2,597,349.00 FOR RIVER PARK REDEVELOPMENT PROJECT, CIP 2011-19.

4.2 TO WAIVE THE READING AND ADOPT RESOLUTION #2020-59 FOR PROFESSIONAL SERVICE AGREEMENT WITH WSB FOR CONSTRUCTION ADMINISTRATION, STAKING, TESTING AND INSPECTIONS ASSOCIATED WITH RIVER PARK REDEVELOPMENT PROJECT IN THE AMOUNT OF \$188,581.

4.3 TO WAIVE THE READING AND ADOPT RESOLUTION #2020-60 TO AUTHORIZE THE CITY MANAGER AND OPERATIONS AND MAINTENANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE MINNESOTA POLLUTION CONTROL AGENCY FOR THE ALTERNATIVE LANDSCAPING EQUIPMENT GRANT PROGRAM.

4.4 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF AUGUST 26, 2019, AS PRESENTED BY THE CITY CLERK.

4.4 TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF MARCH 16, 2020, AS PRESENTED BY THE CITY CLERK.

4.4 TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF MARCH 16, 2020, AS PRESENTED BY THE CITY CLERK.

4.4 TO APPROVE THE MINUTES OF THE BROOKLYN PARK SPECIAL CITY COUNCIL MEETING OF MARCH 23, 2020, AS PRESENTED BY THE CITY CLERK.

4.5 TO WAIVE THE READING AND ADOPT RESOLUTION #2020-61 TO ACCEPT THE PETITION AND ORDER PREPARATION OF FEASIBILITY REPORT FOR THE EXTENSION OF 94<sup>TH</sup> AVENUE N TO HAMPSHIRE AVENUE N.

4.6 TO WAIVE THE READING AND ADOPT RESOLUTION #2020-62 ACCEPTING FEASIBILITY REPORT FOR 94<sup>TH</sup> AVENUE N., CIP 4018-20 AND ORDER

PREPARATION OF PLANS AND SPECIFICATIONS.

Mayor Lunde called for a roll call vote.

4.0 THE MOTION PASSED UNANIMOUSLY ON A ROLL CALL VOTE AS FOLLOWS: YES – PHA, WEST-HAFNER, RUSSELL, JACOBSON, PARKS, MATA, LUNDE; NO – NONE.

7.1 Business License Renewal Deadlines Due to COVID-19.

Community Development Director Kim Berggren briefed the Council on the Business License Renewal Deadlines Due to COVID-19.

7.1 MOTION LUNDE, SECOND PARKS TO DIRECT STAFF TO EXTEND THE 2020 DEADLINES FOR CERTAIN BUSINESS LICENSE RENEWALS UNTIL 30 DAYS AFTER THE BUSINESS CAN REOPEN TO THE PUBLIC.

Council Member Mata stated he would not be in favor of prorating and the fees the city charged was minimal and nearly covered the costs and should cover the costs of staff time. He stated it was not an expense they were looking to profit by and if they gave a smaller cost, it meant the rest of the taxpayers would burden the additional costs. He stated he would be in favor if someone made an amendment to July 31.

City Attorney Thomson stated the motion in the packet gave staff and the city flexibility rather than picking a specific date and said all of those licenses stayed in renewal. He stated they would not expire until 30 days after the business was allowed to reopen to the public. He stated they already automatically had a 30-day grace period after whatever action the Governor took. He stated if a particular business was not able to open during that 30-day period, their license wouldn't be extend beyond the 30-day period. He stated they didn't have to open and just wouldn't have the license and could wait another 30 days if that was what it took for them to rehire and get their staff. He stated it was not a drop dead date and it just gave them the flexibility that they didn't have to pay for any current licenses until they chose to renew them which would be after the 30 days.

He stated that on the issue of fees, the pending motion didn't cover anything about fees. He stated the motion was just on renewals and staff was looking for direction on it and if a follow up motion was on the fee charges, that could be address too. He stated it was important to understand what the current motion did. He stated it gave the greatest flexibility other than taking another date and was not able to open, otherwise staff would have to come back with a follow up action.

Council Member Pha agreed with Council Member Mat on the 30 days because of the flexibility. She stated she would like to propose to extend that to 60 days. She stated the small businesses have been impacted by COVID 19, have bills stacking up and 30 days seemed manageable but goes by fast. She wondered if they could extend it 60 days and still get money and couldn't offer grants like some cities did but could offer the extension to get them up and running.

She stated the other thing council could do was 20% reduction in the fees to help them and suggested 60 days and for 20% reduction in the fees just for this year.

7.1 MOTION PHA, SECOND MATA TO AMEND THE MOTION TO CHANGE THE 30 DAYS TO 60 DAYS.

City Attorney Thomson recommended the motion not include the fee reduction. He stated the action now was only the extensions of the license and understood the amendment to the motion on the table to say 60 days instead of 30 days.

Mayor Lunde called for a roll call vote on the amendment.

7.1 THE VOTE ON THE AMENDMENT TO THE MOTION PASSED UNANIMOUSLY ON A ROLL CALL VOTE AS FOLLOWS: YES – MATA, PHA, WEST-HAFNER, RUSSELL, JACOBSON, PARKS, LUNDE; NO – NONE.

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

7.1 THE VOTE ON THE MAIN MOTION PASSED UNANIMOUSLY ON A ROLL CALL VOTE AS FOLLOWS: YES – WEST-HAFNER, JACOBSON, PARKS, MATA, PHA, LUNDE; NO – NONE. ABSENT: RUSSELL (He was not available via telephone when called upon.)

7.1 MOTION PHA TO AMEND THE MOTION TO REDUCE THE BUSINESS LICENSE FEES AT 20% FOR ALL BUSINESSES ON THE LIST AFFECTED BY THE GOVERNOR'S EXECUTIVE ORDER.

7.1. THE MOTION FAILED FOR LACK OF SECOND.

7.2 Approve Final Layout for 93<sup>rd</sup> Avenue Reconstruction, CIP 4054-20.

City Engineer Jess Struve briefed the Council on the Final Layout for 93<sup>rd</sup> Avenue Reconstruction, CIP 4054-20.

7.2 MOTION LUNDE, SECOND WEST-HAFNER TO WAIVE THE READING AND ADOPT RESOLUTION #2020-63 APPROVING FINAL LAYOUT FOR 93<sup>RD</sup> AVENUE RECONSTRUCTION, CIP 4054-20.

Mayor Lunde read the questions from an email sent by Collette Guyotte-Hempel.

"My questions regarding 93rd are as follows:

- 1) Will there be street lighting of the sidewalk and trail like it is between Regent and Noble? They have between 10-12 street lights for their half mile.
- 2) Will the ditch be filled in for all property owners between Regent and Zane to set it at a city street and not a rural look?
- 3) What kind of plant screening will be between the path and property lines since most of us can't see on the other side of the berm?
- 4) How far is the curbing on Regent to the south moving and where will the corner street light be moved?"

City Engineer Struve responded to the questions.

Mayor Lunde called for a roll call vote on the motion.

7.2 THE VOTE ON THE MOTION PASSED ON A ROLL CALL VOTE AS FOLLOWS: YES – RUSSELL, JACOBSON, PARKS, PHA, WEST-HAFNER, LUNDE; NO – MATA.

7.3 Approve Change Order 1 for TH 169 / 101<sup>st</sup> Avenue N Interchange; CIP 4042-19.

City Engineer Jesse Struve briefed the Council on the Change Order 1 for TH 169 / 101<sup>st</sup> Avenue N Interchange; CIP 4042-19.

7.3 MOTION LUNDE, SECOND PARKS TO WAIVE THE READING AND ADOPT RESOLUTION #2020-64 APPROVING CHANGE ORDER 1 TO NEW LOOK CONTRACTING, INC. OF ROGERS, MN IN THE AMOUNT OF \$245,223.60 FOR A TOTAL CONTRACT AMOUNT OF \$13,384,658.50 FOR CONSTRUCTION OF THE TH 169 / 101<sup>ST</sup> AVENUE NORTH INTERCHANGE PROJECT; CIP 4042-19.

Discussions were held on this item.

Council Member Mata stated he was not amending the motion because they were tearing up sidewalks. He stated he was voting no to the motion.

Mayor Lunde called for a roll call vote on the motion.

7.3 THE VOTE ON THE MOTION PASSED ON A ROLL CALL VOTE AS FOLLOWS: YES – JACOBSON, PARKS, PHA, WEST-HAFNER, RUSSELL, LUNDE; NO – MATA.

7.4 Authorize the city of Brooklyn Park to Defer its Metropolitan City Status and Participate in the Urban Hennepin County Community Development Block Grant (CDBG) Program.

Community Development Director Kim Berggren briefed the Council on the Metropolitan City Status and the Urban Hennepin County Community Development Block Grant (CDBG) Program.

7.4 MOTION LUNDE, SECOND JACOBSON TO WAIVE THE READING AND ADOPT RESOLUTION #2020-65 AUTHORIZING THE CITY OF BROOKLYN PARK TO DEFER ITS METROPOLITAN CITY STATUS AND PARTICIPATE IN THE URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT(CDBG) PROGRAM.

Council Member West-Hafner stated she would be recusing herself from further discussions and voting on Item 7.4.

Mayor Lunde called for a roll call vote on the motion.

7.4 THE VOTE ON THE MOTION PASSED UNANIMOUSLY ON A ROLL CALL VOTE AS FOLLOWS: YES – PARKS, MATA, PHA, RUSSELL, JACOBSON, LUNDE; NO – NONE; RECUSED – WEST-HAFNER.

## 9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Mayor Lunde stated he had over two dozen conversations with small local business owners and those who owned franchises. He stated they were concerned of the longer shutdown staying in  
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order and their ability to reopen. He stated he shared those comments with Community Development to make sure they heard what they were saying. He stated they also said some money would be great, but it would not change the outcome. He stated every week/month they were not able to fully operate their businesses and there was not a grant program that could save them with who they owed money too whether they leased or with a bank.

#### 9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel stated Council Member Mata mentioned earlier about scammers and that Xcel Energy sent weekly updates and the update this morning talked about scammers. He stated he passed it on to the Communications Manager to put on the COVID 19 resource page.

ADJOURNMENT – With consensus of the Council, Mayor Lunde adjourned the meeting at 10:08 p.m.

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JEFFREY JONEAL LUNDE, MAYOR

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DEVIN MONTERO, CITY CLERK