

SPECIAL BROOKLYN PARK CITY COUNCIL MEETING

Monday, January 17, 2023
6:00 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

CALL TO ORDER – Mayor Hollies Winston

PRESENT Mayor Hollies Winston; Council Members , Christian Eriksen, Boyd Morson, Xp Lee, and Nichole Klonowski; City Manager Jay Stroebel; City Attorney Rachel Tierney; Community Development Director Kim Berggren; Finance Director LaTonia Green; Operations and Maintenance Director Dan Ruiz; Recreation and Parks Director Brad Tullberg; Police Chief Mark Bruley and City Clerk Devin Montero.

ABSENT: Council Members Christian Eriksen (excused) and Maria Tran (excused)

Mayor Winston opened the meeting with the Pledge of Allegiance.

2A RESPONSE TO PRIOR PUBLIC COMMENT

City Manager Stroebel stated there were two comments at the last meeting. One was from Collette Guyott-Hempel largely providing input to the Council regarding the legislative agenda. The second comment was Hassanen Mohamed. The City Clerk and City Manager spoke with him today. He raised questions on televising work sessions and the availability of the audio recordings of those sessions. He stated that with research looking back to 2010 all of the work sessions with a few isolated ones were not televised. The purposed of the work session were meetings that were open to the public and the meetings provided an opportunity for background information and in-depth discussion of issues but no official actions were taken in the work sessions. He stated the city clerk did all the audio recordings and were available back to 2015 and meeting minutes prior. He stated in discussions with the city clerk, they could post the audio recordings to the city's webpage similar to the video recordings done for the ease of access. He stated they would be asking CCX Television on the additional cost if the city was to televise the work sessions if the Council wanted them to be on television. He stated it was a matter for the Council to decide for the work sessions to be on television or not.

2B PUBLIC COMMENT

1. Collette Guyott-Hempel, 9277 Trinity Gardens. She thanked the police and first responders for responding so quickly at an accident that occurred at 93rd Avenue and Regent Avenue on Saturday night. She thanked city staff and street crews for making sure the four way stop was cleared even at 5:30 a.m. on snowy days and their response to a school bus that had difficulty navigating the street today because of parked cars in the snow. She stated they were out after a parent called in and the crews did a plow through to make it safer for a large school bus that went through the cul-de-sac every morning.

She stated the Marijuana bill at state legislature, the House already approved two ounces to be on individuals with no consequence. She stated there was nothing in the bill that said, people couldn't bring marijuana and THC and use them in the parks and schools. She stated there were no consequences for two ounces per adult. She was concerned with limited police resources that is budgeted in the past and present that the city could end up with a party bus incident that occurred in Osseo last fall, happen in the city. She stated that law needed to have guidelines. She stated on the Twin Cities live show, a food critics were talking about having

desserts with THC or marijuana at bars and restaurants as well as alcohol. She stated it was a deadly combination and each were deadly on their own. She asked Council to send a letter to state or email them and ask those two not be combined and used in the same locations.

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

4.0 MOTION MORSON, SECOND KLONOWSKI TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEM:

4.1 TO APPROVE TRAVEL FOR COUNCIL MEMBER NICHOLE KLONOWSKI TO ATTEND THE LEAGUE OF MINNESOTA CITIES' ELECTED LEADERS INSTITUTE FOUNDATIONAL PROGRAM IN ALEXANDRIA, MINNESOTA ON MARCH 3-4, 2023.

4.2 TO APPROVE COUNCIL MEMBER MORSON'S REQUEST TO ATTEND THE ECONOMIC DEVELOPMENT ASSOCIATION OF MINNESOTA 2023 WINTER CONFERENCE IN BLOOMINGTON, MINNESOTA ON JANUARY 26-27, 2023.

4.3 TO APPROVE LEASE AGREEMENT WITH HENNEPIN COUNTY FOR THE DIGITAL SCAN VOTING SYSTEM, POLL BOOKS AND ASSISTED VOTING TECHNOLOGY EQUIPMENT.

MOTION PASSED UNANIMOUSLY.

5. PUBLIC HEARINGS – None.

6. LAND USE ACTIONS

6.1 APC Towers – Conditional Use Permit and Variance, #22-123 for a Communication Tower on a Property Zoned PI – Public Institution.

Planning Director Paul Mogush briefed the Council on the Conditional Use Permit and Variance, #22-123 for a Communication Tower on a Property Zoned PI – Public Institution at 5840 59th Avenue North.

6.1 MOTION LEE, SECOND MORSON TO WAIVE THE READING AND ADOPT RESOLUTION #2023-10 ADOPTING FINDINGS OF FACT FOR THE APPROVAL OF A VARIANCE REQUEST FOR A SETBACK REDUCTION OF 101 FEET 9 INCHES FROM THE NORTHERN PROPERTY LINE FOR A SETBACK OF 142 FEET 3 INCHES, AND A REDUCTION OF 143 FEET 6 INCHES FROM THE EASTERN PROPERTY LINE FOR A SETBACK OF 100 FEET 6 INCHES FOR A COMMUNICATIONS TOWER AT 5840 69TH AVENUE NORTH, SUBJECT TO THE CONDITIONS IN THE RESOLUTION. MOTION PASSED UNANIMOUSLY.

6.1 MOTION LEE, SECOND MORSON TO WAIVE THE READING AND ADOPT RESOLUTION #2023-11 APPROVING A CONDITIONAL USE PERMIT FOR A COMMUNICATIONS TOWER AT 5840 69TH AVENUE NORTH, SUBJECT TO THE CONDITIONS IN THE RESOLUTION. MOTION PASSED UNANIMOUSLY.

7. GENERAL ACTION ITEMS

7.1 2023 Federal and State Legislative Priorities and Positions

City Manager Stroebel briefed on the 2023 Federal and State Legislative Priorities and Positions. He briefed on the updates made to the agenda and the proposed priorities: Public Safety, Housing Investment and Reinvestment, Key Community Investments, Development Catalysts, and Financial Stability.

Comments from the Mayor and Council Members:

PICA/Head Start-Resources for Expansion.

Council Member Morson asked if the EDA had some support for moving their vision forward and provide resources to complete that project.

State Financial Support of consortium to purchase fence to protect public facilities.

Council Member Morson asked what type of fencing was being considered.

Emergency Assistance.

Council Member Morson stated he had a conversation in the past where a resident came to the city for resources during the wintertime as their furnace went out. His concern was that it did not get resolved or the Hennepin County helped them. He asked what was needed to be done to lower the requirements to enable residents receive the resources. He stated the resident lost their job due to COVID and could not replace the furnace because there were restrictions on the requirements for low-income residents, one was they needed to provide pay stubs, but that resident lost their job.

Water Tower/NW Infrastructure/Fire Department.

Council Member Morson asked how were they meeting the needs of the northwest part of the city now and what percentage was short falling because of servicing them now. He asked if they were asking to build the infrastructure before they continued developing that area.

Mayor Winston stated when they talked about and not necessarily the northwest water development, the water quality and improvement and talking about the infrastructure for creating the fire department and the new fire station, he thought that was an ask for the legislators. He asked if there was a way they could game out what it would look like for them to use those as a type of revenues centers. He realized it would not generate \$20 million a year for each, but stated it would be nice to know if they could structure those so that regionally they were playing a part in the infrastructure and solving some of those infrastructure problems and what dollars they could bring back to the city from that and maybe it could help the city show value when staff went to the legislature asking for those dollars. He asked if there was a way to create a model for that sooner than later. He understood the models could take some time, but for the purpose of the legislature, something simple that they could get in front of them and say that was the value they brought, that was the revenue expected, and that was going to help with some of the city's future infrastructure issues. He asked if that was possible and could be done

in the next few weeks because the legislature was in session now and wanted to start getting it in front of them.

Mayor Winston stated the water had been an issue for some time. He stated they had the legislators and a Governor in place that might be willing to help move on those things but realized there was a time element on making some of those decisions. He stated he was searching for a way to narrow down some of those opportunities so they could come up with something and put it in front of the legislature or just say it was not necessary because maybe they would be dealing with the Minneapolis water or something of that nature. He stated they should expedite a timeline if they needed to discuss it at a future meeting. He thought it should be expedited in terms of if they needed to discuss it at a future meeting within the next week or two to dive deeper in the options and he stated he knew not all of the research had been done. He thought part of the problem was if they waited to have all the research done and some of the opportunities would pass by and then be grappling with some other issues two to six years from now where the water was once again put on the back burner. He thought that was something needed to do a much deeper dive with the facts they had on the table and more facts within the next week or two.

Council Member Morson asked if they produced more wells, would the city still have hard water and if staff talked to Golden Valley, Crystal, and New Hope about partnering on accessing the water from Minneapolis. He asked if they had hard water. He stated it would be less expensive than doing it independently and asked if that would eliminate the need for a water tower in the northwest development.

Council Member Lee stated that on the legislative priority, it was only focusing on development of the northwest area with getting the plumbing, pipes, sewers and everything to getting it ready. He stated his opinion was the water softening question was very complicated, had a lot of information, but still needed to do a lot more. He stated he did not see that happening with enough diligence in the next six months. If the Council wanted to look at it, they could make that a priority to start and start the studies, get information, numbers and options, and start that process. He didn't think it would be enough to have the conversation on water softening for the legislative session right now.

Mayor Winston stated in tonight's presentation, the water quality was a portion of that. There was the infrastructure in the northwest and then there was the water quality issue and believed it was in the legislative agenda. He stated he heard Council Member Lee and was very complicated but at some point, movement had to begin. He stated that given what they were seeing at the Capitol now, he was not sure a year or two years from now they would be in a position to begin asking for developmental dollars, or dollars for the city to look into it or whatever needed to happen. He stated in the next two weeks if they could have a more comprehensive report in terms of various options, that would be appreciated so they could begin to expedite the process. If they waited six months to jump into many of those details, the process would have flown by, and would have an issue. He stated he was not saying they would solve it within two weeks but thought they needed to start shutting down some of the considerations and narrowing down that path and seeing what was available to help them move in that direction. He stated that would be what he would suggest in the next week or two. He asked if that was possible in the next week or two to start moving more resolutely to figure out the various options and then shutting some of them down so they could have better considerations.

Council Member Klonowski agreed with Mayor Winston to have the discussions. She stated it was a good time to get it in the House Speaker's mind and other legislators minds if they had the potential to have that conversation. She suggested the city have conversations with Osseo, Champlin, and Maple Grove too. She stated she had spoken to another Commissioner in the area and he was also saying the surrounding communities were struggling with hard water as well and didn't think they were part of the joint water commission. She stated at their orientation, Mayor Winston had discussed the potential to have it be a revenue source for the city and didn't know if that was a possibility but if they were investing and treating water if they could be providing it to the surrounding communities for a fee and thought it was a fantastic suggestion.

Mayor Winston stated asked staff to reach out to Minneapolis and any of those partners and Golden Valley, talk to them to see what the potential was, what the pitfalls might, or some other solutions. The same was with Osseo, Champlin and Maple Grove, suggested by Council Member Klonowski and see what considerations they might have so that they had that information in front of them and he didn't expect to have a full picture. He stated if they could have that for that work session in February was fine, three weeks made sense. He stated if there was anything the Council could do in between to prepare, and staff felt they need to be promoted on, to let the Council know. He stated the EDA meeting was coming up next week and could let them know there too. He thought it was time to get a jump and a start on it and thought the residents were asking for it too.

Council Member Morson stated for the meeting in the February work session, to also share with the Council five or six scenarios. He stated staff could revisit them and put them in language so the Council could have them for the February meeting to consider. He stated they could look at them or stop pondering on them to say they might like that or go to wells or go to Minneapolis and or do other things suggested would be helpful for the Council He stated it was a process of elimination and get a better understanding of what was presented to the Council and how they could achieve it.

Mayor Winston stated that when they were talking about youth infrastructure, in the legislative agenda, if they could call out language regarding and was talked about in terms of strategies, support, alternative approaches for youth and young adults, but for the juveniles' portion, the therapeutic portion taking a lead on a facility or building a coalition around it, if they could start looking into that and seeing what that meant. He stated he knew Hennepin County was saying there were some dollars available for it and thought that was something that could be actionable and start looking into it. He stated for the Zanewood Recreation Center, knew the legislature liked cities to come to them with some kind of formed projects or partially formed projects and not just ideas. He stated he would like to begin considering below 85th Avenue some of the youth infrastructure and knew there was an RFQ out there regarding violence interruption. He believed it would have an impact in addition to the direction the Police Department was moving. He also thought having youth infrastructure and more structure down that way would also go a long ways one to four years out. He suggested at the next work session or sooner than later if they could start considering it. He stated he knew there was some work and options being considered, but if staff could get those in front of the Council and then they could also begin to look into ideas about what that should look like. He thought that would be key long term addressing some of those issues that they were seeing down there.

Mayor Winston thought the Legislative agenda was moving in the right direction and knew it was

a lot of work to come up with some bullet points that covered a lot of areas and bring it down to specifics. He stated he would also like as they got further in the process, and knew they had a meeting with some of the electeds on Friday, if staff could start, especially for some of the priority areas, public safety, housing, infrastructure, start matching up some of the actual policies or the bills they might pursue with those specific bullet points for those priorities that would help get a better understanding and would also help the Council as electeds begin to push legislators and other folks around specific items that the Council needed to see moved. He thought the next steps were those specifics and matching them up to the priorities so they could see them, and the public and residents could see them too and see exactly what they were moving toward.

Council Member Morson stated he wanted to go back to Chief Cunningham and Fire Station. He stated his concern had been for the past year, and stated he wanted them to have what they wanted, he supported him and the firefighters for what they did since he came on the Council. He stated he was having trouble in his head about the fire station. He was trying to find out how they could make those things happen, but he needed to see for himself, and he has asked before, the schematics and costs of building upwards, for second and third floors as opposed to tearing it down, moving and rebuilding it. He asked how did that relate to the city. He stated the Council had to be concerned about the taxpayers and what they were going to spend to do those things. He stated he was also aware that some of the stations they toured, that was the only fire station in those cities. They put all their resources into that fire station and didn't have to have the other facilities to utilize the command station and those type of things and build them all around the cities to make money to create other avenues. He stated they put more money on that one project to make it as grandiose as it was. He stated he wanted the police and fire to have anything they needed to do their jobs to serve the residents, within reason, because he wanted them to come home to their families at the end of the day. He stated it had to be reasonably done to convince him that they needed to move in that area. If they got a \$2.50 budget and in the bank account and asking Council for \$5, that would be hard to do without giving him a clearer understanding on how they get that extra \$2.50. He stated he wanted to make sure that he clearly stated that he just needed to see what the costs would be if they built up on the current fire station right now in comparison to a \$22 million new station and all the reallocations and tear downs. He stated he had to look out for the residents' pockets as well as trying to help meet their needs.

Council Member Klonowski stated that regarding the new fire station, asked how they were going to pursue it, was it going to be a qualified RFP or looking at bids. She asked if they had the ability to do design build with a guaranteed max price and anything to avoid some of the surprises. She stated typically in a hard bid, especially for such a large projects they were going to run in to a lot of change orders, overruns, errors in drawings that had to get sorted out in real time and was curious how they were pursuing that as a city.

7.1 MOTION LEE, SECOND KLONOWSKI TO ADOPT THE CITY OF BROOKLYN PARK'S 2023 FEDERAL AND STATE LEGISLATIVE PRIORITIES AND POSITIONS. MOTION PASSED UNANIMOUSLY

7.2 Authorize Expenditure of Funds to Reimburse Costs for the White House Newly Elected Mayors Meeting on December 16, 2022.

7.2 MOTION LEE, SECOND MORSON TO AUTHORIZE EXPENDITURE OF FUNDS TO

REIMBURSE COSTS RELATED TO ATTENDING THE WHITE HOUSE NEWLY ELECTED MAYORS MEETING ON DECEMBER 16, 2022. MOTION PASSED UNANIMOUSLY.

9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Council Member Morson stated he wanted to tell the Asian community his heart went out to community regarding the previous unprovoked incident that happened to an 18-year-old Asian girl on the bus. She was stabbed 18 times for being Asian, a hate crime. He stated that was unacceptable to any particular race, when people feel as they could cause harm or injure anyone in the world. He stated it was the same country he fought and defended for and was a slap in the face and also to the Asian community for the young 18 year old girl that went to the University of Indiana. He stated his heart was with the Asian community as well as with the family and hoped she had a speedy recovering to get back to her life as best as she possibly could.

Council Member Lee stated yesterday was Martin Luther King, Jr. Day and there were a lot of celebrations and hoped everyone spent time reflecting on civil rights and humanity and where it was going and what that meant for everyone in their lives. He appreciated the sentiments from Council Member Morson and they continued to strive for a better community and the dream. He stated they just had to keep working at it coming together to build a better community. He also suggested getting something to be more active in the city next year.

Council Member Klonowski reported on the Charter Commission meeting. She stated the Commission was working on formalizing their work plan. They had long conversation on changes to the Charter to put in an appendix. There was a lot of discussion on Ranked Choice Voting which sounded like the community was in favor of, however, the current laws did not support it for the city because the way the city voted would require two ballots to fit all of the candidates on it and at this time it was not feasible. She stated they table that discussion until the future.

Mayor Winston thanked Council Member Morson for bringing that up and stated he stood with him on that the country has come a long way but they still had a ways to go. He stated he believed the city was part of that solution rather than part of problem and thought they would be more and more part of that solution. He thanked Council Member Lee for bringing up Martin Luther King, Jr. Day which was an important day and agreed that going forward the city needed to have more of a celebration but also thought it was held for many of the events that were in the city too.

He stated he attended the Planning Commission meeting and they had their annual organizational meeting. They adopted bylaws, elected officers and Liam Cavin was the Chair, James Turnham, Vice Chair; and Kathy Fraser would be the general officer. He stated the Commissioners considered a site plan review application for Range USA, a propose indoor gun range on Winnetka, across from Takeda Pharmaceuticals. He stated the Commissioners recommended the Council approve the site plan which would be on the January 30 agenda. The Commissioners also reviewed its work plan for 2023, which included finishing an update to the zoning code and starting the process of planning for the northwest corner of the city.

9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel stated today was the National Day of Racial Healing and city staff participated with a national speaker over the lunch hour today. REDI Manager, Marcellus Davis was involved in coordinating it. He stated it was in partnership with a number of other cities and was great to see a lot of participation from folks from other communities.

He stated tonight from 6-8 p.m., there was an opportunity for the community to participate in a similar event.

He stated Council Member Morson already had the board of appeal and equal training certificate and looking for one or two more Council Members willing to that training by the end of this month. He stated if there was interest in that training to let him or the city assessor know and would help coordinate that training. He stated it was all done online and reach out if interested to do that. He stated they had to have at least one trained Council Member at the board of appeal and equalization meeting and if for some reason Council Member Morson was not able to be there, they were not able to hold that meeting and would put the city in a hard position and needed at least one person there.

He stated there was a meeting on Friday, at 5 p.m., with the Minnesota legislative delegation. He stated he was working with the Mayor in terms of the agenda and how they would be presenting things that evening and encouraged the Council to participate.

He stated Council Member elect Christian Eriksen had not been around for the swearing in ceremony, and it would take place next Monday at 6 p.m. before the EDA meeting and after that the meeting would start.

ADJOURNMENT – With consensus of the Council, Mayor Winston adjourned the meeting at 7:56 p.m.

HOLLIES WINSTON, MAYOR

DEVIN MONTERO, CITY CLERK