

CITY COUNCIL WORK SESSION – AGENDA #19

Si usted necesita esta información en español: 763-424-8000. Yog xav tau kev pab, thov hu rau 763-424-8000 lawv mam li nrhiav ib tus neeg txhais lus rau koj. If you need this information in another language or alternative format, email access@brooklynpark.org or call 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

- A. **CALL TO ORDER – Mayor Hollies Winston**
- B. **GENERAL INFORMATION**
None.
- C. **DISCUSSION ITEMS/GENERAL ACTION ITEMS – These items will be discussion items but the City Council may act upon them during the course of the meeting.**
 - C.1** Charter Commission Presentation
 - A.** BROOKLYN PARK SPECIAL ELECTIONS
 - C.2** PUPS Facility Discussion
 - C.3** Security in the Council Chambers
 - C.4** Discussion on Cannabis Use in Public Places, Sale, and Possible City Retail
 - A.** PROPOSED ORDINANCE
 - B.** 2011 TOBACCO FREE PARKS POLICY
- D. **VERBAL REPORTS AND ANNOUNCEMENTS**
 - D.1** COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS
 - D.2** CITY MANAGER REPORTS AND ANNOUNCEMENTS
- E. **ADJOURNMENT**

City of Brooklyn Park Council Work Session

Meeting Date:	May 6, 2024	Originating Department:	Administration
Agenda Item:	C.1	Prepared By:	Devin Montero, City Clerk
Agenda Section:	Discussion Items/ General Action Items	Presented By:	Dennis Secara, Charter Commission Chair
Item:	Charter Commission Presentation		

Summary:

The Charter Commission Chair will update the council on the Charter Commission, history of special elections and issues for discussion.

Attachments:

C.1A BROOKLYN PARK SPECIAL ELECTIONS

BROOKLYN PARK SPECIAL ELECTIONS

Accept Resignation Date	Declare Vacancy Date	Call for Special Election Date	Special Primary Date	Special Election Date	Canvass Election Date	Recount Date	Certify Recount Date	Candidate Sworn in Date	Vacant Seat
West – K. Draeger February 5, 2001	February 5, 2001	February 5, 2001	No Primary Per Resolution	May 15, 2001	May 21, 2001	N/A	N/A	S. Draeger May 29, 2001	4 Months
Central- M. Trepanier June 11, 2001	June 11, 2001	June 11, 2001	No Primary per Resolution	September 20, 2001	September 24, 201	N/A	N/A	R. Haglund October 8, 2001	5 Months
East-T. Pistilli March 17, 2003	March 17, 2003	March 17, 2003	No Primary per Resolution	June 17, 2003	June 23, 2003	N/A	N/A	P. Schnellman July 14, 2003	5 Months
Mayor-S. Lampi (Died Feb. 26, 2011)	March 7, 2011	March 7, 2011	No Primary per Resolution	April 30, 2011	May 9, 2011	N/A	N/A	J. Lunde May 16, 2011	3 Months
West-J. Meyer (Died May 20, 2012)	May 21, 2012	May 29, 2012	No Primary per Resolution	August 14, 2012	August 17, 2012	August 21, 2012	August 27, 2012	B. Mata September 4, 2012	5 Months
West-J. Jordan Elected November 2012; Sworn in January 7, 2013; Resigned August 31, 2016	September 12, 2016	(Initiated the Appointment Process)	N/A	N/A	N/A	N/A	N/A	S. Pha -Elected November 8, 2016 -Appointed by Mayor on November 10, 2016	4 Months
Mayor-J. Lunde December 14, 2020	December 14, 2020	January 4, 2021	April 13, 2021	August 10, 2021	April 15, 2021 August 13, 2021	August 19, 2021	August 23, 2021	L. Jacobson August 30, 2021	9 Months
East-L. Jacobson Elected as Mayor, August 10, 2021	September 7, 2021	October 11, 2021	No Primary per Resolution; (Redistricting) Amended Charter	February 8, 2022	February 14, 2022	N/A	N/A	Xp Lee February 22, 2022	6 Months
West-S. Pha December 12, 2022	December 12, 2022	January 9, 2023	May 9, 2023	August 8, 2023	May 15, 2023 August 18, 2023	N/A	N/A	T. McGarvey August 28, 2023	9 Months

NOTE:

1. The absentee voting period was changed from 30 days to 46 days by the state legislature in 2010.
2. Ordinance #2014-1167, added the special election primary provision.
3. The requirement to hold special elections on uniform dates was passed by the state legislature in 2017.

City of Brooklyn Park Council Work Session

Meeting Date:	May 6, 2024	Originating Department:	Police
Agenda Item:	C.2	Prepared By:	Chief Mark Bruley
Agenda Section:	Discussion Items/General Action Items	Presented By:	Chief Mark Bruley
Item:	PUPS Facility Discussion		

Summary:

The current PUPS (Pets Under Police Protection) facility located in Maple Grove is over capacity. We share this facility with numerous other agencies to offset the cost, however Brooklyn Park continues to have the largest usage. The current group of participating agencies are considering adding on to the facility and sharing the cost of that buildout. This item needs to be discussed with Council to help understand the current situation and potential solutions.

Attachments: N/A

City of Brooklyn Park Council Work Session

Meeting Date:	May 6, 2024	Originating Department:	Administration
Agenda Item:	C.3	Prepared By:	Jay Stroebel, City Manager
Agenda Section:	Discussion Items/General Action Items	Presented By:	Chief Mark Bruley, Police
Item:	Security in the Council Chambers		

Summary:

Police Chief Mark Bruley will be reviewing the protocols for safety issues that arise during Council meetings.

Attachments: N/A

City of Brooklyn Park Council Work Session

Meeting Date:	May 6, 2024	Originating Department:	Administration
Agenda Item:	C.4	Prepared By:	Jay Stroebe, City Manager
Agenda Section:	Discussion Items/ General Action Items	Presented By:	Mark Bruley, Police Chief; Jason Newby, Inspections and Environmental Health Manager; Keith Jullie, Rental and Business Licensing Manager; Brad Tullberg, Recreation and Parks Director
Item:	Discussion on Cannabis Use in Public Places, Sale, and Possible City Retail		

Summary:

This discussion will provide an opportunity to share an update and receive feedback on several items related to the use and sale of cannabis in Brooklyn Park. This follows the conversations the City Council had at the September 5, 2023 and October 30, 2023 Council meetings. Specific updates and discussion will be focused on:

- Proposed ordinance that would regulate the use of cannabis in public places. A related update on tobacco use in public places will also be discussed.
- A draft ordinance for consideration regarding the sale of cannabis in public places.
- While cannabis licenses will be issued by the state, a decision needs to be made on whether we want to locally register cannabis businesses or defer that responsibility to the County.
- While we are still waiting for final guidance from the state, staff is seeking feedback on whether staff time should be invested to consider a possible Brooklyn Park application for a license that would allow the city to own a cannabis business.

For all the items stated above, we understand that the County will likely be putting in place a county-wide ordinance with a public health lens that could impact the use and sale of cannabis. That draft ordinance has not been released yet.

Attachments:

- C.3A PROPOSED ORDINANCE
- C.3B 2011 TOBACCO FREE PARKS POLICY

ORDINANCE 2024-

AN ORDINANCE AMENDING CHAPTERS 126 AND 95 OF THE BROOKLYN PARK CITY CODE PERTAINING TO CRIMINAL PENALTIES ASSOCIATED WITH THE SALE OF UNAUTHORIZED SALE OF PRODUCTS CONTAINING TETRAHYDROCANNABINOL

The City Council of Brooklyn Park does ordain:

Section 1. Title XI, Chapter 126.99 (A) (6) of the City Code is amended to read as follows:

§ 126.99 VIOLATIONS AND PENALTY.

(6) *Misdemeanor prosecution.* Nothing in this section prohibits the city or any other legitimate jurisdiction from seeking criminal prosecution for an alleged violation of this chapter or any other state or federal law regulating licensed products. This includes seeking misdemeanor prosecution for any alleged violation of this Chapter under City Code, section 10.99.

Section 2 Title IX, Chapter 95.03 (A) (4) of the City Code is amended to read as follows:

(A) *Drug, cannabis, and alcohol use and sales.* It shall be unlawful for any person to:

(1) Use, possess or sell any alcoholic beverage in violation of state statutes or City Code § 112.047 and unless expressly approved by city permit or license.

(2) Consume or display any alcoholic beverage at sites where the city or its agent is a licensed vendor of alcoholic beverages, unless purchased at that site, or authorized by special permit.

(3) Possess or bring beer or wine into a park in kegs, barrels, or other bulk tap quantities, except by city permit.

(4) Use, manufacture, possess, constructively possess, sell, give away, barter, exchange, distribute, or otherwise transfer any controlled substance, except on a lawful prescription by a person licensed by law to prescribe and administer controlled substances as specifically defined in City Code Chapter 135.

(5) Inhale, breathe, or drink or be or become intoxicated by reason of inhaling, breathing, or drinking any substance defined as "glue."

(6) Sell, furnish or deliver intoxicating liquor for any purpose to any minor or to any person obviously intoxicated or to any other person to whom sale is prohibited by state statute or by the City Code.

(7) Sell, give away, barter, exchange, distribute, or otherwise transfer any product or substance containing or consisting of cannabis flower or any cannabinoid, synthetic cannabinoid, or artificially derived cannabinoid, including by not limited to tetrahydrocannabinol (THC), unless specifically allowed under Minnesota Statutes, section 342.09, subdivision. 1 (6), or authorized by city permit.

Section 3 Title IX, Chapter 95.04 (A) (1) of the City Code is amended to read as follows:

(1) Solicit, sell, or in any manner charge admission, or otherwise peddle any goods, wares, merchandise, services, liquids or edibles in a park except by authorized concessionaire with a city permit and the required licenses from the city. Including any product or substance containing or consisting of cannabis flower or any cannabinoid, synthetic cannabinoid, or artificially derived cannabinoid, including by not limited to tetrahydrocannabinol (THC).

Section 4 Title IX, chapter 95.08 of the City Code is amended by adding a new subdivision (F) to read as follows:

(F) Misdemeanor prosecution. Nothing in this section prohibits the city or any other legitimate jurisdiction from seeking criminal prosecution for an alleged violation of this chapter unless a different penalty is explicitly set in this Chapter. This includes seeking misdemeanor prosecution for any alleged violation of this Chapter under City Code, section 10.99.

Section 5. Effective Date. This ordinance shall be effective on _____ following passage and publication.

Brooklyn Park Outdoor Recreational Facilities Tobacco-Free Policy

1. Guideline Statement

The City of Brooklyn Park Recreation and Parks Tobacco-Free Policy is designed to protect the health, welfare, and safety of our park patrons.

2. Policy Statement

The City of Brooklyn Park is committed to the quality of life for all residents; therefore, we believe that:

- Tobacco product use in the proximity of children, youth and adults engaging in or watching recreational activities is unhealthy and detrimental to the health of others.
- Tobacco products consumed in public spaces are often discarded on the ground, thus posing a risk of ingestion to toddlers and animals, and causing a litter problem.
- As-parents, leaders, coaches, and officials, we are thought of as role models and the use of tobacco products around youth has a negative effect on their lifestyle choices.

3. Tobacco use prohibited in outdoor recreational facilities

No person shall use any form of tobacco at city-owned parks including playgrounds, athletic fields, trails, parks, spectator areas and excluding the two golf courses and designated smoking areas outside of the Community Activity Center.

4. Compliance Procedures

The emphasis on enforcing the Tobacco-Free parks and recreation policy is through voluntary compliance:

- Appropriate City-owned parks and facilities will be signed.
- City of Brooklyn Park staff will meet with activity organizations and/or leaders or coaches to discuss the policy and to distribute flyers with the "Tobacco Free" regulations.
- City staff will make periodic observations of activity sites to monitor compliance.

5. Effective Date

This policy statement is effective immediately upon the date of adoption.

Appropriate City Official

Date