

REGULAR CITY COUNCIL MEETING – AGENDA #3

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

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 residents. 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 residents 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 Resolution in Recognition of Service by Former Mayor Grace M. Powelson (Arbogast) to the City of Brooklyn Park

A. RESOLUTION

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 Authorize the Acceptance of Donations/Gifts for 4th Quarter 2024

A. RESOLUTION

4.2 Seventh Day Adventist – Planning Case #24-123 Site Plan Review for an Addition to the Existing Building and Variance for the Addition on a Property Zoned B-1 – Office Park District

A. SITE PLAN RESOLUTION

B. VARIANCE RESOLUTION

C. LOCATION MAP

D. PLANNING COMMISSION MINUTES

E. PLAN SET AND DRAFT VARIANCE FINDINGS OF FACT

4.3 The Brook (24-112) – An Application by OV Development for a Preliminary Plat, and Site Plan at 6001 94th Lane North for a 192-unit Multiple Dwelling Development

A. RESOLUTION

4.4 Sandgrass Pointe – An Application by Woda Cooper for a Site Plan Review at 5800 69th Avenue North for a 44-unit Development with a Multifamily Dwelling and Townhouses

A. RESOLUTION

4.5 Renewal of Cornerstone Agreement for Domestic Violence Services

A. RESOLUTION

B. AGREEMENT

4.6 Approve the Purchase of Edinburgh USA Equipment from D'Amico Catering

A. RESOLUTION

- B. EQUIPMENT LIST**
- 4.7** Approve a Tetrahydrocannabinol (THC) for Amcon Inc. dba Go for It Gas, Located at 7840 Lakeland Ave N. Brooklyn Park, MN 55443
- 4.8** Accept Hennepin Youth Activities Grant for The Zanewood Recreation Center Project
 - A. RESOLUTION**
 - B. FINANCIAL ANALYSIS/BUDGET AMENDMENT**
- 4.9** Accept \$100,000 Donation from the Thielen Foundation for the Zanewood Recreation Center Project
 - A. RESOLUTION**
- 4.10** Approval of Minutes
 - A. REGULAR CITY COUNCIL MEETING MINUTES, JANUARY 6, 2025**
 - B. REGULAR CITY COUNCIL MEETING MINUTES, JANUARY 13, 2025**

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

None.

6. LAND USE ACTIONS

- 6.1** DEV21-120 (8708 Green Haven Dr. N.) Subdivision of Property into Three Single-family Lots at 8708 Green Haven Dr. N.
 - A. RESOLUTION**
 - B. LOCATION MAP**
 - C. PLANNING COMMISSION MINUTES**
 - D. PRELIMINARY PLAT**

7. GENERAL ACTION ITEMS

- 7.1** Conduct a Periodic Review of the City Council's June 10, 2024 Censure of Council Member Maria Tran
 - A. RESOLUTION**
 - B. CENSURE REVIEW**
- 7.2** Request by Councilmember Maria Tran to Register for the National League of Cities Data Literacy for Electeds Self-guided Course and the League of MN Cities Elected Leaders Institute from February 21-22, 2025
 - A. TRAVEL POLICY**
- 7.3** Resolution Amending Fee Resolution #2000-202 Adopting a Schedule of Fees and Charges for Various Services, Licenses and Permits for the City of Brooklyn Park, Minnesota
 - A. RESOLUTION**

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.

City of Brooklyn Park

Request for Council Action

Agenda Item:	3B.1	Meeting Date:	January 27, 2025
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	X		
Ordinance:	N/A		
Attachments:	1	Prepared By:	Devin Montero, City Clerk
Item:	Resolution in Recognition of Service by Former Mayor Grace M. Powelson (Arbogast) to the City of Brooklyn Park		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO READ AND ADOPT RESOLUTION #2025-_____ IN RECOGNITION OF SERVICE TO THE CITY OF BROOKLYN PARK BY FORMER MAYOR GRACE M. POWELSON (ARBOGAST).

Overview:

Former Mayor Grace M. Powelson (Arbogast) passed away peacefully on December 13, 2024. The purpose of this resolution is to recognize her for her unwavering commitment to the community of Brooklyn Park over the course of her distinguished career. Her tireless efforts and selfless contributions had significantly enhanced the wellbeing and quality of life for the residents of Brooklyn Park.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.1A RESOLUTION

RESOLUTION #2025-

RESOLUTION IN RECOGNITION OF SERVICE BY
FORMER MAYOR GRACE M. POWELSON (ARBOGAST)
TO THE CITY OF BROOKLYN PARK

WHEREAS, Grace M. Powelson (Arbogast) displayed an unwavering commitment to the community of Brooklyn Park over the course of her distinguished career; and

WHEREAS, her dedication, kindness, and exceptional leadership had inspired countless individuals and fostered a spirit of unity within the community; and

WHEREAS, Grace began her elected service to the City of Brooklyn Park in January 1993 as a member of the City Council from the West District and In November of 1994, Council Member Arbogast was elected as the 10th Mayor of the City Of Brooklyn Park. She was subsequently re-elected as Mayor for a second term in November of 1998; and

WHEREAS, She served as Council Liaison to the Charter Commission, Vice Chair of the Tri-City Airport Committee, member of the Police Civil Service Commission, Board Member of Come Home To The Park, Board Member of the Brooklyn Park Fire Relief Association and Member of the Association of Metropolitan Municipalities. She also served a dual role on the Council as President of the City's Economic Development Authority; and

WHEREAS, Grace further distinguished herself as President of the North Metro Mayors' Association, as a Board Member on The Northwest Corridor Partnership and served on the Mayors' Housing Task Force; and

WHEREAS; As Mayor, she reinstated the annual City of Brooklyn Park Mayor's Prayer Breakfast in 1996 fostering a community of faith, fellowship and prayer; and

WHEREAS, Grace's commitment and determination ensured her vision of public safety, expansion of the business base and improvement of city parks, as promised In her campaign for city office, resulted in the following accomplishments in those areas: National Awards for National Night Out, Noble Sports Park, MRPA Tommy Johnson Award, Northwoods Athletic Complex Expansion, Fire Bond for New Fire Stations, Public Safety Referendum Renovation of Historical Farm, Park Bonds for Park Improvements, COPS Program, establishment of City Court, Crosstown North Business Park, Target North Campus, Protein Design Labs And CPU Options; and

WHEREAS, As a member of the City Council, Mayor Arbogast had been an active contributor and participant in the vision and leadership for Brooklyn Park, which resulted in numerous awards and recognition including: GFOA Budget awards, National Finalist for All-America City, CHTTP Hometown Pride Award, and Viking Council Spurgeon Award, and

WHEREAS, As Mayor, Graces's foresight and familiarity with the needs of a growing community resulted in the implementation and/or Expansion of many public facilities including the following: City Hall Remodeling Project, construction of Salt Storage building, new Water Towers, Water Treatment Plant Expansion, new Senior Center, Dennis C. Palm Ice Arena, Fracture Skate Park, pedestrian bridges, and CAC Addition for Recreation and Parks.

WHEREAS, Her contributions to strategic planning and goal setting resulted in the development and implementation of a vision for our community and include among others, the following Blueprints for growth and redevelopment: Next Area of Growth/Master Planning, Brooklyn Boulevard Redevelopment, Mississippi River Stewardship Plan, TH 610 Funding/Completion, Elm Creek Interceptor Issues/Funding and adoption of CIP/CEP; and

WHEREAS, Grace's devotion to the diverse needs of residents and determined oversight led to countless programs and policies including: DARE Program, Spruce Up The Park, Home Free Program, Great River Road Designation, Establishment of a Purchasing Manual, Apartment Rental Ordinance, Public Purchase Expenditure Policy, and Edinburgh Clubhouse Management; and

WHEREAS, Her due diligence in regard to development in our community resulted in the approval of a number of developments and development strategies Including but not limited to: Town Center Zoning District, addition of the Village Zoning District, 85th Avenue Pedestrian Bridge, North Brooklyn Park Master Park Plan, Highway 610 Overlay District, and Village North Redevelopment; and

WHEREAS, Grace's tireless efforts and selfless contributions have significantly enhanced the wellbeing and quality of life for the residents of Brooklyn Park; and

WHEREAS, Grace had exemplified the highest standards of public service, serving as a role model for all who follow in her footsteps.

NOW, THEREFORE, BE IT RESOLVED, that I, the Mayor of Brooklyn Park, City Council, city employees, and the residents of the city, extends its deepest condolences to the family, friends, and loved ones of Grace M. Powelson (Arbogast). We honor her legacy and express our heartfelt gratitude for her many years of dedicated service. Her memory will continue to inspire and guide our community, now and in the years to come.

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.1	Meeting Date:	January 27, 2025
Agenda Section:	Consent	Originating Department:	Finance
Resolution:	X	Prepared By:	Cheryl Keene, Finance Assistant I
Ordinance:	N/A		
Attachments:	1	Presented By:	LaTonia Green, Finance Director
Item:	Authorize the Acceptance of Donations/Gifts for 4 th Quarter 2024		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ AUTHORIZING STAFF TO ACCEPT GIFTS OF REAL AND PERSONAL PROPERTY PURSUANT TO MINNESOTA STATUTES, SECTION 465.03.

Overview:

Minnesota Statute 465.03 allows for the acceptance of donations and gifts by resolution of the City Council. Gifts with a value of \$15,000 or less can be included in a report to Council.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.1A RESOLUTION

RESOLUTION #2025-

**RESOLUTION AUTHORIZING STAFF TO ACCEPT GIFTS OF REAL AND PERSONAL PROPERTY
PURSUANT TO MINNESOTA STATUTES, SECTION 465.03**

WHEREAS, the City of Brooklyn Park is generally authorized to accept donations of real and personal property pursuant to Minnesota Statute, Section 465.03; and

WHEREAS, the following entities have offered to contribute gifts/donations as set forth below to the city:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that staff be authorized to accept the donations.

2024 Donations - 4th Quarter

Quarter	Date	Name of Recipient Department	Name of Entity Making Donation	Description of Donation	Total \$ Value
4th	10/8/2024	Police	Brooklyn Park Crime Prevention Assn	150 door stops/jams	\$ 450.00
4th	10/29/2024	Police	ARKO	500 donut holes	\$ 100.00
4th	10/29/2024	Police	Fleet Farm - Brooklyn Park	500 balloons and 1,000 pieces of candy for gift bags	\$ 150.00
4th	10/29/2024	Police	HyVee - Brooklyn Park	Hot chocolate, whipped cream, marshmallows, cups	\$ 150.00
4th	10/29/2024	Police	Kwik Trip (Noble)	Coffee	\$ 100.00
4th	10/29/2024	Police	Menards - Brooklyn Park	200+ snacks, glow sticks, children's activity books	\$ 150.00
4th	10/29/2024	Police	Mi-Sant Banh Mi Co.	Milk tea and Vietnamese coffee	\$ 100.00
4th	10/29/2024	Police	Target Store - Brooklyn Park	Candy and books	\$ 250.00
4th	10/29/2024	Police	Walmart - Brooklyn Park	Art supplies and books	\$ 200.00
4th	10/29/2024	Police	Brooklyn Park Crime Prevention Assn	Fruit snacks	\$ 75.00
4th	11/20/2024	Police	Revive Church	25 twin-sized quilts	\$ 500.00
4th	11/25/2024	Police	Revive Church	Toys for Santa Cop	\$ 1,927.00
4th	12/11/2024	Police	RidgePoint (Marion Ln W, Minnetonka)	30 hand-knit winter hats	\$ 300.00
4th	12/2/2024	Recreation & Parks	Collette Guyot-Hempel	Pizza donation for programs	\$ 200.00
Total:					\$ 4,652.00

City of Brooklyn Park Request for Council Action

Agenda Item:	4.2	Meeting Date:	January 27, 2025
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	XX	Prepared By:	Cara Donovan, Senior Planner
Ordinance:	N/A		
Attachments:	5	Presented By:	Paul Mogush, Planning Director
Item:	Seventh Day Adventist – Planning Case #24-123 Site Plan Review for an Addition to the Existing Building and Variance for the Addition on a Property Zoned B-1 – Office Park District		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ APPROVING A SITE PLAN REVIEW FOR THE FOR THE CONSTRUCTION OF AN ADDITION TO THE EXISTING STRUCTURE AT 7831 BROOKLYN BLVD.

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ ADOPTING FINDINGS OF FACT FOR THE APPROVAL OF A VARIANCE REQUEST FOR A BUILDING ADDITION SETBACK OF 32 FEET, A DEVIATION OF 18 FEET FROM THE REQUIRED 50 FEET FROM AN ADJACENT RESIDENTIAL USE AT 7831 BROOKLYN BLVD.

Overview:

This request is for the construction of an addition to the existing structure located at 7831 Brooklyn Blvd. The addition will expand the existing structure to the south, increasing the footprint of the structure by 6,771 square feet.

Planning Commission:

The Brooklyn Park Planning Commission heard this request at the January 8, 2025 Planning Commission Regular Meeting. The Planning Commission voted unanimously (7-0) to recommend approval of this application. A public hearing was held, and no members of the community spoke on this request.

Current Conditions:

Planning and Zoning Information		
	Current	Proposed
Land Use Plan	Institutional	Institutional
Current Zoning	B1 – Office Park District	B1 – Office Park District
Site Area	1.56 acres	
Neighborhood	Hartkopf	Hartkopf
Conforms to	Land Use Plan – Yes Zoning Code – Yes	
Public Notice	Notices were mailed to 98 properties within 500 feet.	

	Legal notice was published in the Sun Post on December 18, 2024. A Neighborhood email was sent to the Hartkopf Neighborhood.
60-Day 120-Day	February 17, 2025 April 18, 2025

Previous Approvals:

The existing building was constructed in 1972.

Current Conditions:

This site is developed with the existing 4,925 square foot building and parking to the south of the building.

Land Use/Zoning (and Overlay):

This property is zoned B-1 – Office Park District and is guided Institutional by the 2040 Comprehensive Plan. Religious institutions are a conditional use within the B-1 zoning district, and there is a conditional use permit for a religious institution for this property.

This building addition proposal does not meet setback requirements for the Office Park District (B-1) due to setback requirements abutting a residential district property line, and the applicant has applied for a variance.

Proposed Development:

The applicant is proposing a 6,771 square foot building addition on the south side of the existing building. The applicant has requested a variance for the expansion due to the proximity of a residential property line.

Site Plan Review:

Site plans has been reviewed against the evaluation criteria required by the Code (§152.303).

Lighting:

A lighting plan was provided with light specifications showing the lighting of the addition and additional parking north of the existing building will meet lighting requirements (§ 152.1013). The existing parking lot lighting south of the proposed addition will remain and is considered legally nonconforming.

Pedestrian Circulation:

The site plan includes pedestrian facilities associated with the building addition and additional parking which meet circulation requirements (§ 152.1021). There is an existing sidewalk on Brooklyn Blvd. There is not an existing sidewalk on 76th Ave N. However, the Engineering Division has requested a 5-foot sidewalk easement and plans to install a sidewalk on 76th Ave N.

Parking:

This site has 98 existing parking stalls, one of which is an accessible stall. The proposal would reduce the number of stalls to 80 parking stalls, four of which would be accessible stalls. The proposal would include 7 new parking stalls north of the existing building. The parking code requires 1 parking stall for 2.5 seats which requires this proposal to have 115 spaces. While the proposed total of 80 spaces would not meet this requirement the parking code (§152.1019) allows shared parking for 50% of the required parking. The property owner has an existing shared parking agreement with the adjacent property at 7835 Brooklyn Blvd for the use of 35 parking stalls. The 80 proposed parking stalls and the shared agreement with 35 parking stalls meet the requirement of 115 parking stalls.

Enclosures and Screening:

The site has an existing mechanical equipment enclosure which meets screening requirements and would be used to store residential style mobile waste containers.

Landscaping:

Planning staff will work with the architect and the Operations & Maintenance Department to ensure the final landscaping plan is consistent with code. No landscaping is proposed in the existing parking lot which is considered legally nonconforming.

Architectural Standards:

The proposal is consistent with the architectural standards outlined in §152.1004. The exterior architectural materials for the building addition are compatible with adjacent residential properties with stone veneer, board and batten, and horizontal lap siding. The existing building would be repainted to blend with the addition. The roof of the addition would be pitched away from the residential properties to minimize the vertical impact of the building. There is an existing 6-foot fence that screens the property from the neighboring residential properties.

Roadways:

The site is located between Brooklyn Blvd and 76th Ave, with an existing access point on both roads. No additional access points are proposed.

Grading and Drainage:

Grading and drainage changes are limited and focus on the area around the building addition and the new parking stalls north of the existing building.

Utilities:

The existing structure is already serviced by utilities, and the expansion of this building can be supported. One fire hydrant would be provided.

Variance:

Minnesota Statute requires all variance requests be evaluated and be found to meet all conditions of the three-factor test for practical difficulties (§ 462.357, subd. 6). The findings of fact are summarized below:

The first factor, a test of reasonableness, means that the landowner would like to use the property in a practical way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any practical use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or does not meet the required setback, the focus of the first factor is whether the request to place the building there is reasonable. *In this case:*

Applicant Submission: The applicant proposes to use the property in a reasonable manner not permitted by the zoning ordinance setback criteria. When the applicant evaluated the site for building addition options the options were limited to either closing the driveway on Brooklyn Blvd to allow the addition along the western property line or apply for a setback variance from one residential property east of the property. Relocating the main entrance to 76th Ave N would direct unnecessary traffic through the adjacent residential neighborhood, would add confusion to visitors, and would impact emergency vehicle access to the site. The applicant feels the variance is more reasonable option. In order to reduce the variance for the setback from the adjacent eastern property line the applicant has a purchase agreement for the the 10-foot wide

outlot that runs nearly the full length of the property which will increase the setback from the residential property from 24.7 feet to 32 feet.

Staff response: The addition is reasonable to support the existing church, and the variance request is the reasonable approach to avoid neighborhood traffic and emergency vehicle issues.

The second factor is that the landowner's problem is due to circumstances unique to the property and not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees. *In this case:*

Applicant Submission: The existing building was constructed in 1972 and purchased by this church in 2009. The unique characteristic of the site limit options for utilizing the site based on the 50-foot setback criteria from the adjacent property zoned R-4.

Staff response: The property is 125-feet wide with a 50-foot setback required setback from the adjacent residential properties. It is necessary to retain the existing drive aisle along the western property line which limits where a building addition can be located. The variance request is the most reasonable proposal and is due to circumstances unique to the property and not caused by the landowner.

The third factor is that a variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to the lot line and if that fits in with the character of the area. *In this case:*

Applicant Submission: The variance would not alter the essential character of the locality. The existing building and addition would be constructed of typical residential type materials and blend well with the character of the community.

Staff response: The approval of this application would not alter the character of the neighborhood. The request is compatible with the intent prescribed in the comprehensive plan and zoning ordinance.

The required findings of §152.303 have been addressed and Staff recommends approval of the Site Plan Review.

The required findings of §152.307 have been addressed and Staff recommends approval of the variance request.

Conditions of Approval:

Staff recommends the adoption of a resolution subject to the following conditions as listed in Section 5 of the site plan resolution.

Primary Issues/Alternatives to Consider:

1. Recommend approval of the site plan and variance request as presented.
2. Recommend approval of the site plan and variance request with modifications.
3. Recommend denial the proposal based on certain findings.

Budgetary/Fiscal Issues: N/A

Attachments:

- 4.2A SITE PLAN RESOLUTION
- 4.2B VARIANCE RESOLUTION
- 4.2C LOCATION MAP
- 4.2D PLANNING COMMISSION MINUTES
- 4.2E PLAN SET AND DRAFT VARIANCE FINDINGS OF FACT

RESOLUTION #2025-

RESOLUTION APPROVING A SITE PLAN REVIEW FOR THE FOR THE CONSTRUCTION
OF AN ADDITION TO THE EXISTING STRUCTURE AT 7831 BROOKLYN BLVD

Planning Commission File #24-123

WHEREAS, EHR, on behalf of United Central Seventh-Day Adventist Church, has made application for a Site Plan under the provisions of Chapter 152 of the City Code at 7831 Brooklyn Blvd and legally described as:

See Exhibit A

WHEREAS, the zoning of the property is B-1 – Office Park District – in which religious institutions are a conditional use; and

WHEREAS, the effect of the proposed use upon the health, safety, and welfare of surrounding lands, existing and anticipated traffic conditions, and its effect on the neighborhood have been considered; and

WHEREAS, the matter has been referred to the Planning Commission who held the public hearing on January 8, 2025.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park:

The Site Plan Review for the construction of an addition to the existing structure is hereby approved with the following conditions:

1.00 DRAWINGS

- 1.01 Site, landscaping, and grading plans for the property on file in the City Clerk's office dated December 31, 2024 are approved, subject to conditions listed below.

2.00 BONDS, ESCROWS AND DIRECT PAYMENTS

- 2.01 A Development Contract and bonding shall be required as a development bond or letter of credit in the amount of **\$150,500.00**, a cash bond in the amount of **\$7,900.00**, and a developer's escrow in the amount of **\$4,700.00** as required by Chapter 152. The developer's escrow must be posted with the City to cover engineering, legal and administrative costs incurred by the City. If this account becomes deficient, it shall be the developer's responsibility to deposit additional funds. This must be done before final bonding obligations are complete.

3.00 REQUIRED DOCUMENTS

- 3.01 All utility construction, drainage, grading and development plans must be approved by the City Engineer prior to receiving a building permit.

4.00 GENERAL CONDITIONS

- 4.01 It shall be the developer's responsibility to keep active and up to date the developer's contract and financial surety (Letter of Credit, bonds, etc.). These documents must

remain active until the developer has been released from any further obligation by City Council motion received in writing from the Engineering Department.

- 4.02 Before final bonding obligations are released, a certificate signed by a registered engineer must be provided. This certificate will state that all final lot and building grades are in conformance to drainage development plan(s) approved by the City Engineer.
- 4.03 No burying of construction debris shall be permitted on the site.
- 4.04 Dust control and erosion measures must be in place to prevent for dust and erosion including, but not limited to, daily watering, silt fences, and seeding. The City Engineer may impose measures to reduce dust and run-off.
- 4.05 Adequate dumpsters must be on site during construction. When full, they must be emptied immediately or replaced with an empty dumpster.
- 4.06 Signs must conform to the requirements of Chapter 150. The sign plans will be approved by staff to verify code compliance at time of building permit.

5.00 CONDITIONS

- 5.01 A 5-foot sidewalk easement is required to be dedicated to the City of Brooklyn Park.
- 5.02 All comments from Hennepin County must be addressed prior to construction.
- 5.03 Waste must be stored in a manner complying with 152.1028.
- 5.04 City Engineer must approve final stormwater plans prior to building permit approval.
- 5.05 Resolution to approve a variance for this application must be approved prior to Site Plan approval.
- 5.06 Acquisition of PID 29-119-21-12-0038 must occur prior to permitting, as approved by eastern property setback reduction approved by a variance for this application.

EXHIBIT A

UNPLATTED 29 119 21 WEST 125 FEET OF THE EAST 333 FEET OF THE
NORTHWEST QUARTER OF THE NORTHEAST QUARTER LYING NORTH OF 76TH
AVENUE NORTH EX ROAD, HENNEPIN COUNTY, MINNESOTA.

RESOLUTION #2025-

RESOLUTION ADOPTING FINDINGS OF FACT FOR THE APPROVAL OF A VARIANCE
REQUEST FOR A BUILDING ADDITION SETBACK OF 32 FEET, A DEVIATION OF 18 FEET
FROM THE REQUIRED 50 FEET FROM AN ADJACENT RESIDENTIAL USE AT 7831
BROOKLYN BLVD.

Planning Commission File #24-123

WHEREAS, EHR, on behalf of United Central Seventh-Day Adventist Church, has made application for a Variance under the provisions of Chapter 152 of the City Code at 7831 Brooklyn Blvd and legally described as:

See Exhibit A

WHEREAS, the matter has been referred to the Planning Commission who have given their advice and recommendation to the City Council; and

WHEREAS, the variance request for the setback of the building addition would require a deviation from City Code Chapter 152, Section 152.1019(B) to exceed the allowable side setback adjacent to a residential district property line; and

WHEREAS, the Planning Commission held a public hearing on January 8, 2025; and

WHEREAS, Minnesota Statute Section 462.357, subd. 6 provides:

1. Variances shall only be permitted (a) when in harmony with the general purposes and intent of the ordinance, and (b) when the variances are consistent with the comprehensive plan.
2. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties", as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality; and

WHEREAS, the effect of the proposed use upon the health, safety and welfare of surrounding lands and existing and anticipated effects on the neighborhood have been considered; and

WHEREAS, the Planning Commission has reviewed the variance request for a building setback decrease from 50 feet to 32 feet, and finds the request:

1. Is not in conflict with the purposes and intent of the ordinance and comprehensive plan.
2. The building addition is reasonable to support the existing church.
3. Given the lot dimensions and existing drive aisle a building addition on this property is most reasonable to the south of the existing building.
4. The approval of this application would not alter the character of the neighborhood.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOKLYN PARK, MINNESOTA that:

The application to issue a variance for the construction of a building addition with a setback of 32 feet from the adjacent residential use would require a deviation from City Code Chapter 152, Section 152.1019(B) to exceed the allowable setback adjacent to residential uses, is hereby approved.

The petitioner shall be required to record a copy of this resolution with the Hennepin County Recorder and to pay all fees for said recording. Proof of said recording shall be filed promptly with the City.

EXHIBIT A

UNPLATTED 29 119 21 WEST 125 FEET OF THE EAST 333 FEET OF THE
NORTHWEST QUARTER OF THE NORTHEAST QUARTER LYING NORTH OF 76TH
AVENUE NORTH EX ROAD, HENNEPIN COUNTY, MINNESOTA.

**UNAPPROVED MINUTES****MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION
Regular Meeting – January 8, 2025****5. PUBLIC HEARING****5.2 Planning Case #24-123 (Seventh Day Adventist Church) – Site Plan Review
Application and Variance to Zoning Code Application**

Senior Planner Donovan introduced the application for a site plan review and variance request from United Central Seventh Day Adventist Church for a building addition. She provided details about the site, its zoning, and adjacent uses. She reviewed the site plan and noted that the proposed addition would help to support the congregation of the church. She stated that the variance is requested for the setback noting that the applicant has a purchase agreement for the ten-foot outlot in order to reduce the variance request. Staff recommends approval of the site plan and variance request subject to the conditions and findings within the draft resolutions.

Commission Chair Cavin opened the public hearing.

Seeing no one approach the podium, Commission Chair Cavin closed the public hearing.

Commissioner Borer referenced the shared parking agreement and asked for more details.

Senior Planner Donovan explained that the addition will take up some of the existing parking stalls. She stated that there is a cross-parking agreement with the crematorium as the buildings have different hours of operation.

Commissioner Korosso asked for the estimated membership of the congregation and how that compares to the parking.

Senior Planner Donovan replied that she is unsure of the size of the congregation but noted that 115 stalls are required and that is provided through the church parking and shared parking of the crematorium.

Commissioner Fraser asked if the addition would increase the number of people attending and parking needs.

Senior Planner Donovan stated that the applicant is present but did not believe the congregation is expanding but more that the addition will accommodate the existing needs of the congregation.

Commissioner Turner asked if there would be visible signs posted for the entrance and exit to assist with traffic flow.

Senior Planner Donovan identified the access to the site. She stated that the second access has a gate that could be opened if needed.

Commissioner Udomah commented that if the congregation continues to grow, he would think the services could be staggered to allow attendance without creating parking problems.

Chris Cornelious, builder for the project, commented that the funeral home uses the parking the most during its weekly services. He stated that the church typically holds service on Saturdays

**UNAPPROVED MINUTES****MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION
Regular Meeting – January 8, 2025**

with some smaller classes during the week. He stated that the shared parking is very seldom used by the church and more benefits the funeral home.

Commission Chair Cavin asked if there is an immersive baptism pool on the stage and whether plumbing would be a part of that.

Mr. Cornelius confirmed that there would be a baptism pool and commented that they are working out the details of how that will drain. He stated that those details will be provided during the building permit process.

Commission Chair Cavin asked if the City has any rules related to baptism pools.

Senior Planner Donovan replied that if there is a pool on stage, it would be required to go through the sewer system and would not be allowed to drain to stormwater. She stated that regulation of that will go through the utilities department during building permit review.

Commissioner Wako commented that there is not a standing pool as the pool is only up and used during baptism services. He stated that the water comes from the existing line and is then drained out.

MOTION FRASER, SECOND WAKO TO RECOMMEND APPROVAL OF SITE PLAN REVIEW FOR THE CONSTRUCTION OF AN ADDITION TO THE EXISTING STRUCTURE AT 7831 BROOKLYN BOULEVARD, SUBJECT TO CONDITIONS IN THE DRAFT RESOLUTION.

FURTHER DISCUSSION: COMMISSIONER KOROSSO ASKED IF THERE SHOULD BE AN ADDITIONAL CONDITION RELATED TO THE SIZE OF THE CONGREGATION AND REQUIRED PARKING.

PLANNING DIRECTOR MOGUSH REPLIED THAT THE PARKING REQUIREMENT IS DETERMINED BY THE ZONING CODE AND IS BASED ON THE NUMBER OF SEATS WITHIN THE BUILDING, NOT THE NUMBER OF PEOPLE THAT SHOW UP FOR SERVICE OR EVENTS THEREFORE IT WOULD BE ARBITRARY FOR THE CHURCH TO REPORT THE NUMBER OF PEOPLE ATTENDING SERVICES.

MOTION CARRIED UNANIMOUSLY.

MOTION FRASER, SECOND TURNER TO RECOMMEND ADOPTION OF FINDINGS OF FACT FOR THE APPROVAL OF A VARIANCE REQUEST FOR A BUILDING ADDITION, SUBJECT TO CONDITIONS IN THE DRAFT RESOLUTION.

MOTION CARRIED UNANIMOUSLY.

Senior Planner Donovan stated the public hearing item is scheduled to be reviewed at the City Council meeting on January 27, 2025.



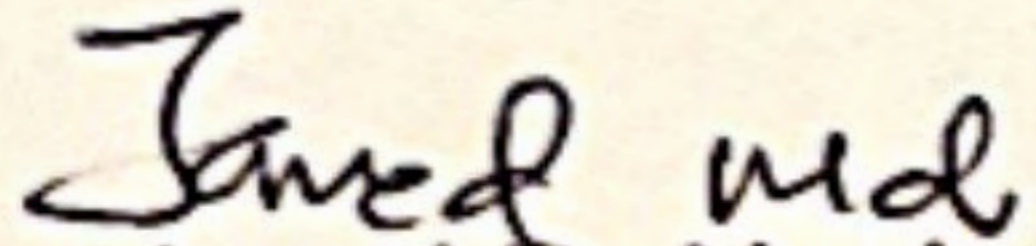
Date: 11/01/2024

To whom it may concern:

We the undersigned, hereby authorize Dennis Cornelius and Chris Cornelius to act on our behalf in all manners relating to application for variance approval, including signing of documents relating to these matters. Any and all acts carried out by Dennis Cornelius and Chris Cornelius on our behalf shall have the same affect as acts of our own.

This authorization is valid until further notice from United Central SDA Church

Sincerely,


Jared Dr Nyabuti

December 31, 2024 Revision #1

Site Plan Review & Variance Request United Central Seventh Day Advent Church:

United Central Seventh Day Advent Church (the Applicant) is applying for a Site Plan Review & Variance request for their property located at 7831 Brooklyn Boulevard (PID parcel #2911921120001) The property is currently zoned B-1

Site & Building plan review :

The applicant is submitting a site development plan, building exterior elevations with proposed finishes, building floor plans and a building image. The project is comprised of a 6,771 sf Sanctuary addition to the existing 4,925 sf building. The proposed Sanctuary is designed to accommodate a seating capacity of 286 people.

Parking criteria for a religious facility is 1 parking stall per 2.5 seats in the sanctuary. Based on the proposed seating the project will require 115 parking stalls. The sanctuary addition and related landscaping/hardscape area encroach on the church's existing parking lot, reducing the parking stalls available to 80 parking stalls. Per Brooklyn Park's zoning code, section 152.1019 (H)(c) Shared Parking, a religious entity, can account for up to 50% of their required parking through a shared parking agreement with an adjacent property. The church has entered into a joint shared parking agreement with The Cremation Society of Minnesota at 7835 Brooklyn Boulevard providing a cross parking agreement for a total of 35 parking spaces. **(see Exhibit #8)** This agreement, in conjunction with the proposed on-site parking, results in a total parking count of 115 stalls which meet the required parking for the church.

The existing site plan is a nonconforming use based on the current zoning code. The site and building were built in 1972 as a Beauty School and subsequently purchased by the church in its' current condition in 2009. The building's interior space was converted to accommodate the church's needs with no additional changes/improvements to the existing site.

Current zoning criteria call for a maximum impervious area of 70% and Minimum pervious area at 30% . The following schedule reflects existing site coverage conditions and anticipated coverages associated with the new addition. The church has a purchase agreement to acquire Outlot #1 **(See exhibits #10A)** (expanding the total site area as noted below.) With this acquisition the impervious area will be 72.2% and Pervious 27.8% . **(See exhibit #1 and #2 for existing and future site configurations.)**

The following schedule recaps the current site conditions and projected conditions resulting from the proposed addition

SDA Lot	existing SF	77,514 sf
Outlot #1	SF	5,000 sf
Total	SF	82,514 sf

description	Existing condition SF	lot coverage %	New site condition SF	lot coverage %	% coverage change +/-
county 152 & walk area	5,875	7.6%	5,855	7.1%	-0.5%
Building/accessory bldg.	5,118	6.6%	11,819	14.3%	7.7%
concrete walks/pads	2,322	3.1%	3,468	4.2%	1.1%
parking area	45,848	59.0%	39,332	47.7%	-11.3%
pervious area	18,359	23.7%	22,049	26.7%	3.0%
impervious area ***	59,163	76.3%	60,474	73.3%	-3.0%

*** Includes impervious area of CRF 152/walk surface

The following schedule reflects the current zoning criteria and conditions associated with the original building and proposed addition:

Existing Building	Required	Existing	rmk
N Public ROW Setback	50 LF	50.2 LF	
E setback C1 zoning	10 LF	24.7 LF	
W setback C1 zoning	10 LF	39.4 LF	
S Public ROW Setback	50 LF	406.1 LF	
Max site coverage	35%	6.5%	
Max height	40 FT	24.5 Ft	

New Addition	Required	Existing	rmk
N Public ROW Setback	50 LF	N/A	Addition south of existing building
E setback R4 zoning	50 LF	32 LF	Requires Variance
W setback C1 zoning	10 LF	30.2 LF	
S Public ROW Setback	50 LF	303.1 LF	
Max site coverage	35%	14 %	
Max height	40 FT	28.7 Ft	

The existing and new addition finishes are compatible with the adjacent duplex and single family residential finishes. The building incorporates a stone veneer and board and batten finish along the north elevation of the building. The balance of the building utilizes board and batten finish along the east and west side of the existing building which transitions to a horizontal lap siding with accent trim at the new addition. The existing building will be repainted to blend with the new color scheme for the addition. Residential style clad windows are provided at the new sanctuary and link between the new and existing building. Roofs are pitched at the existing building and new sanctuary with a flat roof transition between the existing and new building. Shingles will be architectural profile shingle similar in color and design to the existing building. **(See Exhibit #3 for additional finish detailing, floor plan and 3-D images of the building.)**

The landscaping plan incorporates (FL) foundation and (OL) open area landscaping complying with current landscaping guidelines in areas adjacent to the building and in the open area fronting Brooklyn Boulevard. *(The open area design scheme is per section 152.1012 (D)(3)(C). Planting diversity is achieved through subparagraphs (c)(i)(iii)(iv) and use of credits for existing trees. (See landscaping plan/site survey for location and size of existing trees.) Street fronting on CR 152 per 152.1012 (D)(3)(d)* The existing parking lot configuration is not scheduled to be revised and (CC) canopy criteria will remain non-conforming. The foundation and open areas will incorporate a new irrigation system. **(see Exhibit 4)**

Site lighting will be provided at the main access drive, parking stalls adjacent to the building and a single pole like the existing condition in the parking field. All building access points at the perimeter of the building will provide security and access lighting. The balance of the site will remain unlighted or low level lighting. Night use of the church is limited, and church prefers to minimize impact of lighting on the adjacent residential properties. **(see Exhibit #5)**

Site utilities are limited to the existing utility services currently servicing the building, these will service the new addition needs. One fire hydrant will be added on site as noted on the utility plan to provide a fire apparatus connection. **(see Exhibit 6)**

Site grading/storm water management is limited to drainage management associated with the new building pad and adjacent improvements. **(see Exhibit7)** Intent is to disturb only the portion of the parking lot needed for the addition/surrounding grading. The drive lane immediately to the west of the building extending to the main entrance will be reconfigured/repaved to accommodate the new parking stalls and straighten the west curbline. Approximate area of this disturbance is 11,500 sf. In addition, a small portion of the asphalt paving will be removed, and curb line reconfigured at the south end of the site. Area of disturbance at this location is 2,000 sf. Total project disturbed area is projected at 13,500 sf. Intent is to maintain the existing site drainage pattern which consists of the site surface draining from the existing building to a city catch basin located in 76th Ave N at the SW corner of the lot. The north side of the existing building, drive access lane and front landscape area are surface draining to the north with impervious areas draining to an existing catch basin located at the site entrance. The north Landscaped area surface drains to the north. The majority of run-off is

absorbed on site with minor overland flow to the curb located at Brooklyn Blvd. Based on site coverage calculations, the impervious surface area is reduced by approximately 2.5% effectively reducing the impact of site drainage because of this addition. Silt fencing will be incorporated as needed during construction activity.

The building will comply with life safety criteria per Brooklyn Parks' fire department policy. The existing building and new addition will incorporate a full fire sprinkler system and code compliant fire alarm system. A new fire hydrant will be added adjacent to the fire protection Siamese connection (see site utility plan for proposed location). Fire apparatus access dimensions based on an engine apparatus will comply with city criteria. The church does utilize a swing gate at both the main entry and secondary south entry. The gate is a simple manual single bar swing gate with paddle lock/chain at each location. The gate is utilized to minimize site vandalism/dumping and unauthorized vehicle parking. The church request that these gates be permitted and understands that they will need to address access with the fire department.

A full Architectural code analysis will be prepared as part of the final building permitting process. The existing building is a wood framed building constructed of glue laminated beams T & G decking and wood framed infill walls. The new addition will be comprised of wood framing, roof trusses and wood girder beams. Design code standards will be based on an A3 Occupancy and 5B Construction.

Site garbage collection is managed using residential style mobile containers (Garbage, recycling, compost) that are stored in the mechanical equipment enclosure adjacent to the west side of the building. The containers will be rolled out from the enclosed area on collection day and placed on a concrete pad immediately south of the enclosure for pickup by a local garbage collection agency.

The proposed addition complies with Brooklyn Park's City Code Chapter 152 Zoning requirements except for the following:

A. Existing non-conforming site conditions:

The existing site layout and coverages are non-conforming based on Chapter 152 site requirements. The intent is to limit existing site modifications to reconfiguring/stripping of a portion of the existing parking lot to accommodate the new addition and minor modifications to the south end of the parking field. All other site conditions will remain non-conforming.

The applicant proposes to provide upgraded landscaping/irrigation immediately adjacent to the addition and along the front set back area of the building. The balance of the parking field /landscaping will remain in the current format with re-stripping of the parking lot and relocation/replacement of one existing site light.

Final coverage conditions will be per the scheduled noted above with combined impervious coverage at 72.2% and previous at 27.8 % Net impact of the project will be an approximate reduction of 2.5% of impervious areas and a similar increase in pervious surfaces.

B. Building Setback Variance Request:

The applicant is submitting for review a request for variance relating to the proposed Addition. The addition complies with Brooklyn Park's City Code Chapter 152 Zoning requirements except for the required East property line. Per city zoning guidelines, a 50 ft building setback is required adjacent to a residential property with berming/or screen method to minimize impacting the residential property.

The basis for this variance request is based on the following condition which are a result of site specific practical difficulties limiting alternative placement of the addition.

The site currently fronts Brooklyn Boulevard on north and 76th Ave N to the south. The site is 125 ft wide and extends 610 ft in depth. The east side of the property abuts a (10 ft W x 500 ft D) outlot (**see Exhibit #10**) which extends from north property line of lot 2 to south side of lot 6. This lot separates the applicant's lot from the adjacent residential lots. Lots east of outlot #1 consist of two lots (1 &2) zoned B1 and four lots (3-6) zoned R4 and the west side of the property about lot (1) and Lot (3) zoned B1 and public streets at the north and south property lines. The outlot #1 is a non-buildable lot currently owned by owner of lot 2.

Exhibit #9 delineates the required setbacks from the adjacent properties and defines the buildable zone available and is overlaid with the proposed addition. The addition's proposed setback from the east residential property is 32 Lf. This setback does not meet the minimum 50 setback required.

When evaluating the site for the addition we discovered that our options were limited to either closing the entrance drive from Brooklyn Boulevard to allow the addition to be moved to the west side of the site which permits a 10 ft setback for the adjacent B-1 site (option #1) or try maximize setbacks from the east residential properties and request a variance. (option #2)

Option #1 Position building adjacent to west property line:

Logistically closing the existing entrance at Brooklyn boulevard does not make sense considering:

- Relocating the main entrance to 76th Ave N would direct un-necessary traffic through the adjacent residential neighborhood to access the southern entrance. Currently this south entrance is seldomly used with gate typically locked.
- Closing Brooklyn Blvd access would add confusion for visitors arriving at the Brooklyn Boulevard address with no street access.

- Closing the Brooklyn Boulevard entrance would impact life safety access to the site. Currently we have dual access to the site with a drive lane between the two entries for access by fire and emergency vehicles.

Option #2 Position building adjacent to east property line with setback variance:

- The design reflects maximum distance the addition can be positioned to the west and still allows vehicular access and a landscape/walk buffer between the new building and access drive.
- The existing building is currently positioned 24.5 Lf from lot #2. This lot is zoned B1 which allows a side lot setback of 10 ft. The original portion of the building meets the current setback requirements.
- The proposed addition to the church is positioned 32 Lf from Lot #3 which is designated R3 and requires a minimum setback of 50 ft. **This is the segment of the site that requires a setback variance.**
- None of the other residential properties along the east side of the site are being impacted by the position of the building. The balance of the site extending south is the church's parking lot.

To minimize the R3 setback issue the church has agreed to purchase the 10 ft wide outlot #1 (**see Exhibit #10**) immediately east of their property and add this outlot to the church property effectively increasing the setback for the existing building from lot 2 to 24.7 LF and the proposed addition to 32 Lf from lot 3.

Considering the massing impact of the new sanctuary on the adjacent property, the design of the roof is pitched away for the property line at a 6/12 pitch to minimize the vertical impact of the building. The roof is sloping from an eave height of 12.5 ft to a maximum ridge height of 28.6 ft. The architectural materials and general scale are compatible with the adjacent residential properties.

An existing 6 ft screen fence extends from lot 2 south to lot 6 providing the residential properties screening from the applicant's property.

Based on the above and enclosed exhibits the applicant requests that the variance requested be granted based on the following "practical difficulties" associated with development of this property.

- The applicant proposes to use the property in a reasonable manner not permitted by the noted zoning ordinance setback criteria.
- The plight of the applicant is due to circumstances unique to the property not created by the applicant. The existing building and parking lot were constructed in the 1972 and building was subsequently converted to a church utilizing the existing parking lot/site layout.

- The variance will not alter the essential character of the locality. The existing building and addition are constructed of typical residential type materials and blend well with the character of the community
- Economic consideration has no bearing on the difficulty associated with the practical difficulties associated with the project. The unique characteristics of the site limit options for utilizing the site based on the 50ft setback criteria from the adjacent R4 properties.

Miscellaneous Submittal documents:

The following supplemental documents are provided as part of the application:

Exhibit #1 Site Survey (existing conditions)

Exhibit #2 Architectural site plan (colored)

Exhibit (3.-3.6) Site plan, Building floor plans, exterior elevations, 3D images of building.

Exhibit #4 Landscaping plan.

Exhibit #5 Site Lighting photometrics.

Exhibit #6 Site Utility Plan

Exhibit #7 Grading/drainage concept plan.

Exhibit #8 Cross Parking agreement.

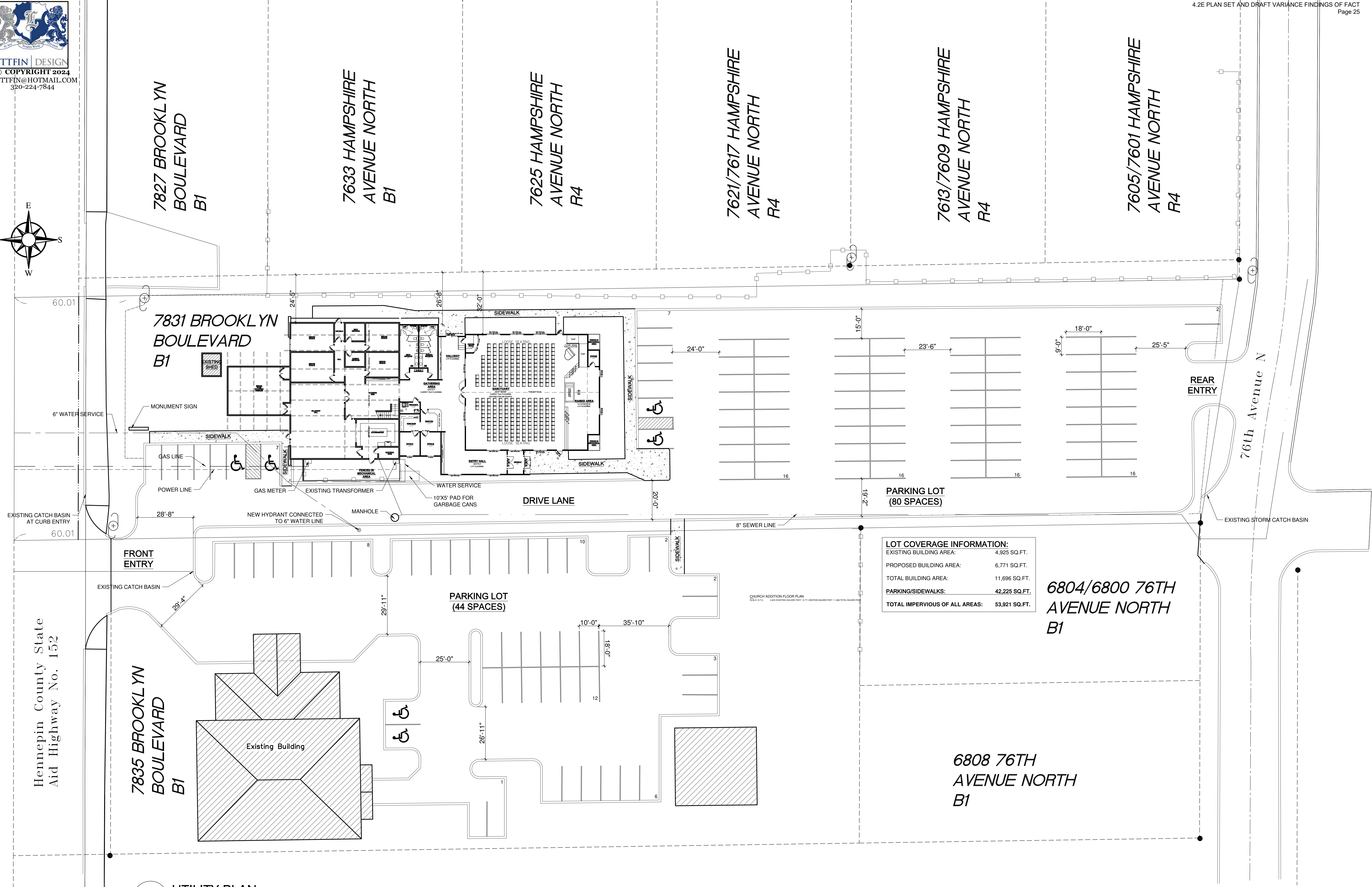
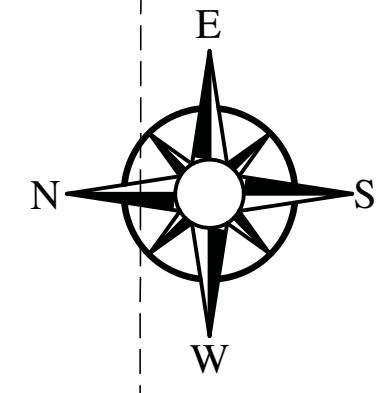
Exhibit #9 Zoning buildable area map.

Exhibit #10A Outlot #1 location plan

Exhibit #10B Outot PID information.

SDA CHURCH ADDITION SITE PLAN

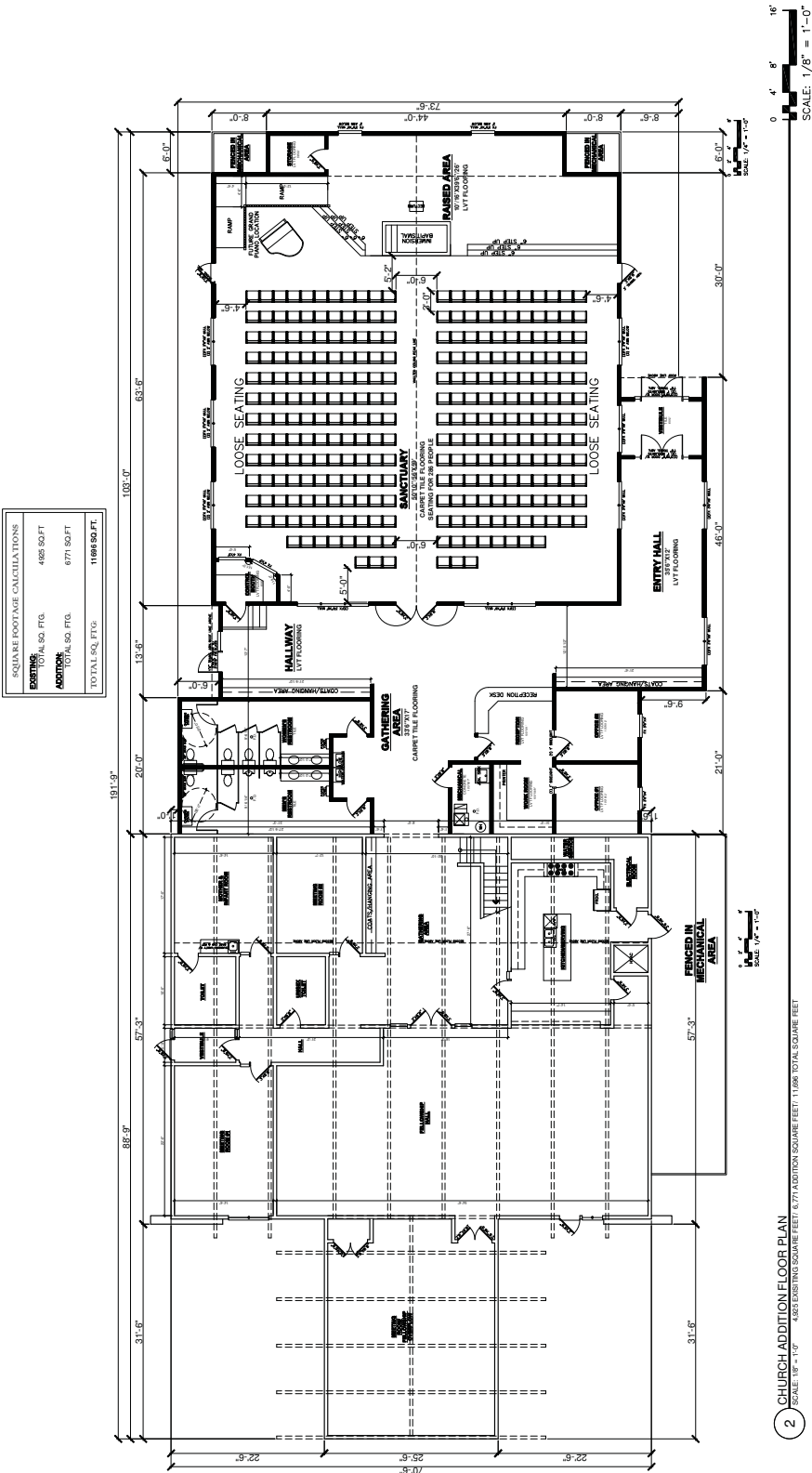


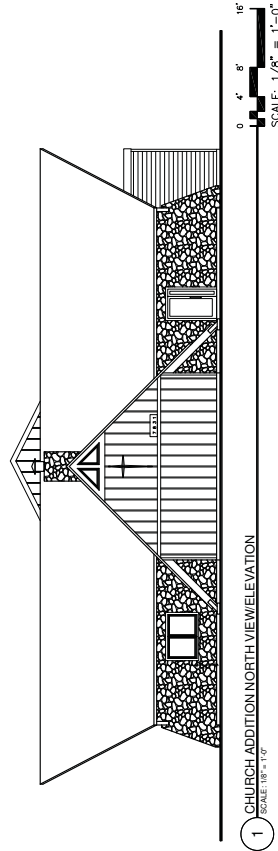


LOT COVERAGE INFORMATION:	
EXISTING BUILDING AREA:	4,925 SQ.FT.
PROPOSED BUILDING AREA:	6,771 SQ.FT.
TOTAL BUILDING AREA:	11,696 SQ.FT.
PARKING/SIDEWALKS:	42,225 SQ.FT.
TOTAL IMPERVIOUS OF ALL AREAS:	53,921 SQ.FT.

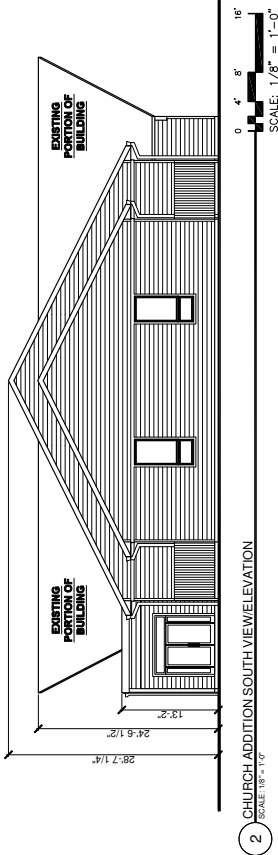
1 UTILITY PLAN
SCALE: 1" = 20'-0"

Exhibit 3.1 Site plan





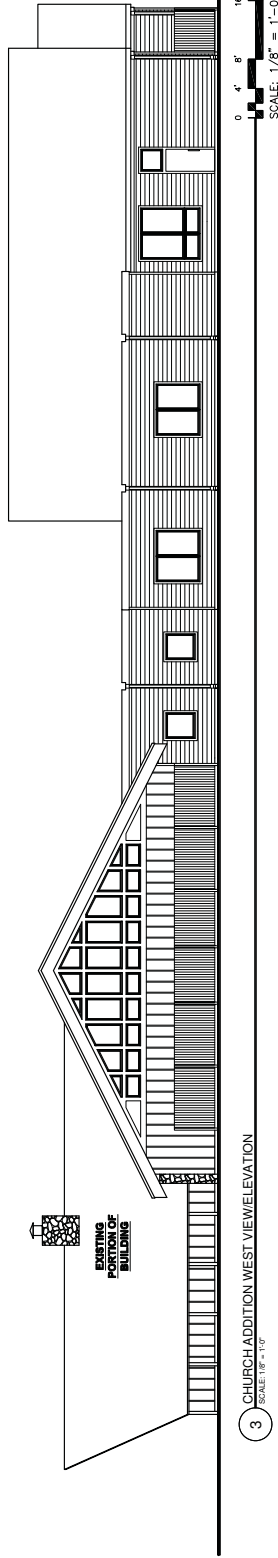
1 CHURCH ADDITION NORTH VIEW ELEVATION
SCALE: 1/8" = 1'-0"



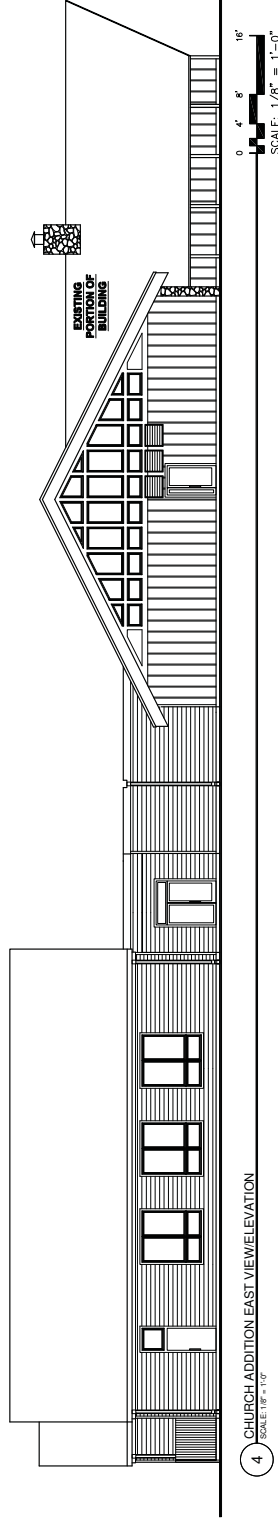
2 CHURCH ADDITION SOUTH VIEW ELEVATION
SCALE: 1/8" = 1'-0"

EXTERIOR MATERIAL KEY	
	BOARD & BATTEN SIDING -MATERIAL: SMART-PANEL, VERIFY W/ SPEC.
	8" HORIZONTAL SIDING -MATERIAL: SMART-SIDING, VERIFY W/ SPEC.
	CULTURED STONE -MATERIAL: STONE CULTURED STONE
	SOFFIT -MATERIAL: LP SOFFIT MATERIAL
	ROOF -MATERIAL: 30 YEAR GAF ASPHALT SHINGLES
	WINDOWS -MARVIN ESSENTIAL LINE

4.2E PLAN SET AND DRAFT VARIANCE FINDINGS OF FACT



3 CHURCH ADDITION WEST VIEW ELEVATION
SCALE: 1/8" = 1'-0"



4 CHURCH ADDITION EAST VIEW ELEVATION
SCALE: 1/8" = 1'-0"



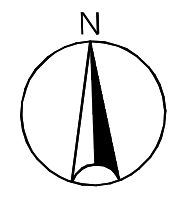
Exhibit 3.4 NW View



Exhibit 3.5 SW View



Exhibit 3.6 NW View



SCALE 1" = 8'

Landscape design by : Greg
Original Design Date : 11 - 24
Major Revision 1 Date : 12 - 29 - 24
Minor Revision 2 Date : 12 - 30 - 24
Revision 3 Date and why:

0 5 10 20
SCALE IN FEET

Eighth Scale 1" = 8'

SDA CHURCH
7831 Brooklyn Boulevard, Brooklyn Park, MN 55445

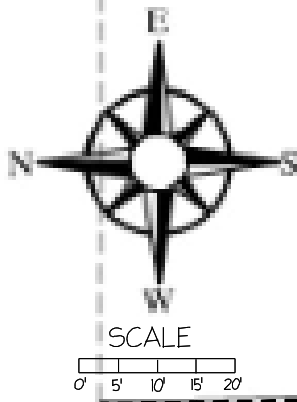
All plans are considered conceptual. Field verify before hidden or modern material. Always check permission from any HOA and for proper permit and arrange all the necessary services.

Design By: Gregory Berg
31654 Newport Curve
Lindstrom, MN 55045
775-690-2953



Laun areas to sod or hydro seed Sod out edge as needed where concrete is not 20+ cubic yards of hardwood mulch

Key	Qty	Botanical Name	Common Name	Size/Condition	Remarks
Trees					
AFJ	2	Acer x freemanii 'Jeffersred (Autumn Blaze(L))'	JEFFERSRED (AUTUMN BLAZE(L)) FREEMAN MAPLE	0 2'-25' Caliper	
Ca	9	Cornus alternifolia	PAGODA DOGWOOD	0 5 gal	
ToD	11	Thuja occidentalis 'Degroot's Spire'	DEGROOT'S SPIRE AMERICAN ARBORVITAE	0 5 gal	
Shrubs					
HyS	34	Hydrangea paniculata 'SM-HPL-06' pp#25136, cbr#5406 (Proven Winners)	LITTLE QUICK FIRE(L) HARDY HYDRANGEA (Proven Winners)	0 2-3 gal	
SjL	20	Spiraea japonica 'Little Princess'	LITTLE PRINCESS JAPANESE SPIREA	0 2-3 gal	
Ornamental Grasses					
CaK	30	Calamagrostis x acutiflora Karl Foerster'	KARL FOERSTER FEATHER REED GRASS	0 2'	
Perennials and Annuals					
HAD	32	Hosta 'Abba Dabba Do'	ABBA DABBA DO HOSTA	0 2"	



Hennepin County State Aid Highway No 152 (CSAH 152)
State Highway No. 152

7827 BROOKLYN
BOULEVARD

7633 HAMPSHIRE
AVENUE NORTH

7625 HAMPSHIRE
AVENUE NORTH

7621/7617 HAMPSHIRE
AVENUE NORTH

7613/7609 HAMPSHIRE
AVENUE NORTH

7605/7601 HAMPSHIRE
AVENUE NORTH

76th Avenue N

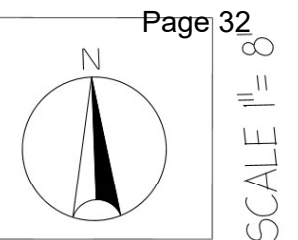
7835 BROOKLYN
BOULEVARD

6804/6800 76TH
AVENUE NORTH

6808 76TH
AVENUE NORTH

1 SITE PLAN
SCALE: 1" = 20'-0"

LOT COVERAGE INFORMATION:	
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PROPOSED BUILDING AREA:	6,771 SQ.FT.
TOTAL BUILDING AREA:	11,356 SQ.FT.
PARKING SPACES:	44 SPACES
TOTAL IMPERVIOUS OF ALL AREAS:	53,921 SQ.FT.



Landscaping design by : Greg
Original Design Date : 11-24
Major Revision 1 Date : 10-23-24
Minor Revision 2 Date : 12-30-24
Revision 3 Date and why :

0 5 10 20
SCALE IN FEET
Eighth Scale 1" = 8'

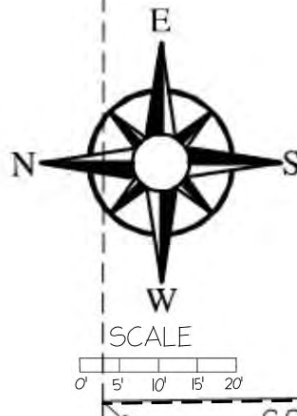
SDA CHURCH
7831 Brooklyn Boulevard, Brooklyn Park, MN 55445
All plans are considered conceptual. Field verify before bidding or ordering material. Always seek permission from any HOA, apply for proper permits and arrange utility locating services.

Design By: Gregory Berg
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Laun areas to sod or hydro seed Soil cut edge as needed where concrete is not 20+ cubic yards of hardwood mulch

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SpL	20	Spiraea japonica 'Little Princess'	LITTLE PRINCESS JAPANESE SPIREA	0 2-3 gal	
Ornamental Grasses					
CaK	30	Calamagrostis x acutiflora 'Karl Foerster'	KARL FOERSTER FEATHER REED GRASS	0 2 gal	
Perennials and Annulds					
HAD	32	Hosta 'Abba Dabba Do'	ABBA DABBA DO HOSTA	0	



Hennepin County State Aid Highway No 152 (CSAH 152)

7827 BROOKLYN BOULEVARD

7633 HAMPSHIRE AVENUE NORTH

7625 HAMPSHIRE AVENUE NORTH

7621/7617 HAMPSHIRE AVENUE NORTH

7613/7609 HAMPSHIRE AVENUE NORTH

7605/7601 HAMPSHIRE AVENUE NORTH

76th Avenue N

FRONT ENTRY

REAR ENTRY

7835 BROOKLYN BOULEVARD

6804/6800 76TH AVENUE NORTH

6808 76TH AVENUE NORTH

1 SITE PLAN
SCALE: 1" = 20'-0"

SCALE
0 5 10 20

SEE LOT COVERAGE
AREA SCHEDULE
PAGE 3 OF
APPLICATION

PARKING LOT
(80 SPACES)

PARKING LOT
(44 SPACES)

DRIVE LANE

Existing Building

EXISTING ADDRESS FOR PLAN
ONLY - DO NOT SCALE

EXISTING ADDRESS FOR PLAN
ONLY - DO NOT SCALE

EXISTING ADDRESS FOR PLAN
ONLY - DO NOT SCALE

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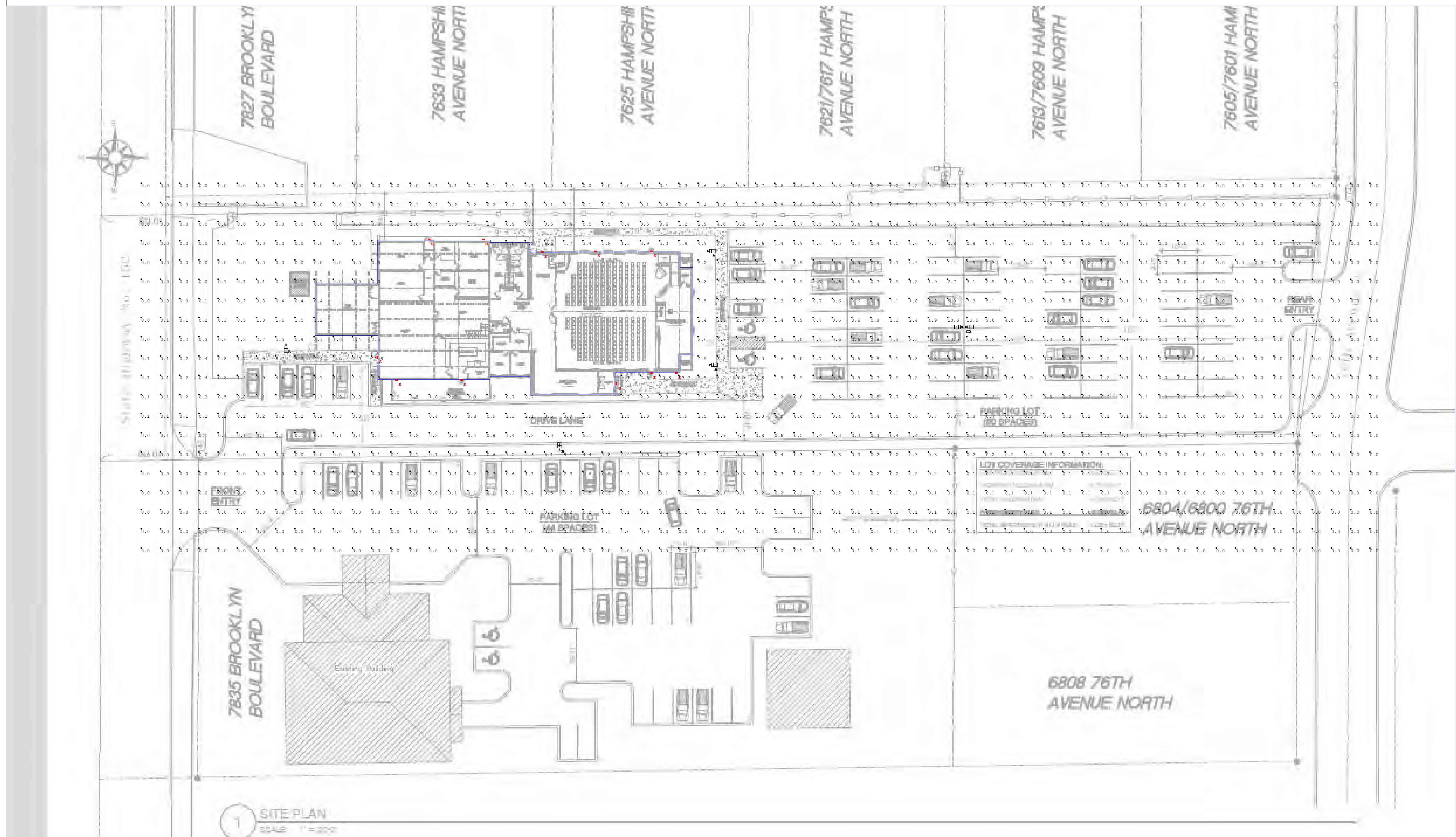
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Scale: 1 inch= 25 Ft.

ROUZER
G R O U P

Prepared For: JH Larson

Job Name:
7831 Brooklyn Blvd Church
Lighting Layout
Version A

Scale: as noted

Date: 12/27/2024

Filename: 7831 Church2.AGI

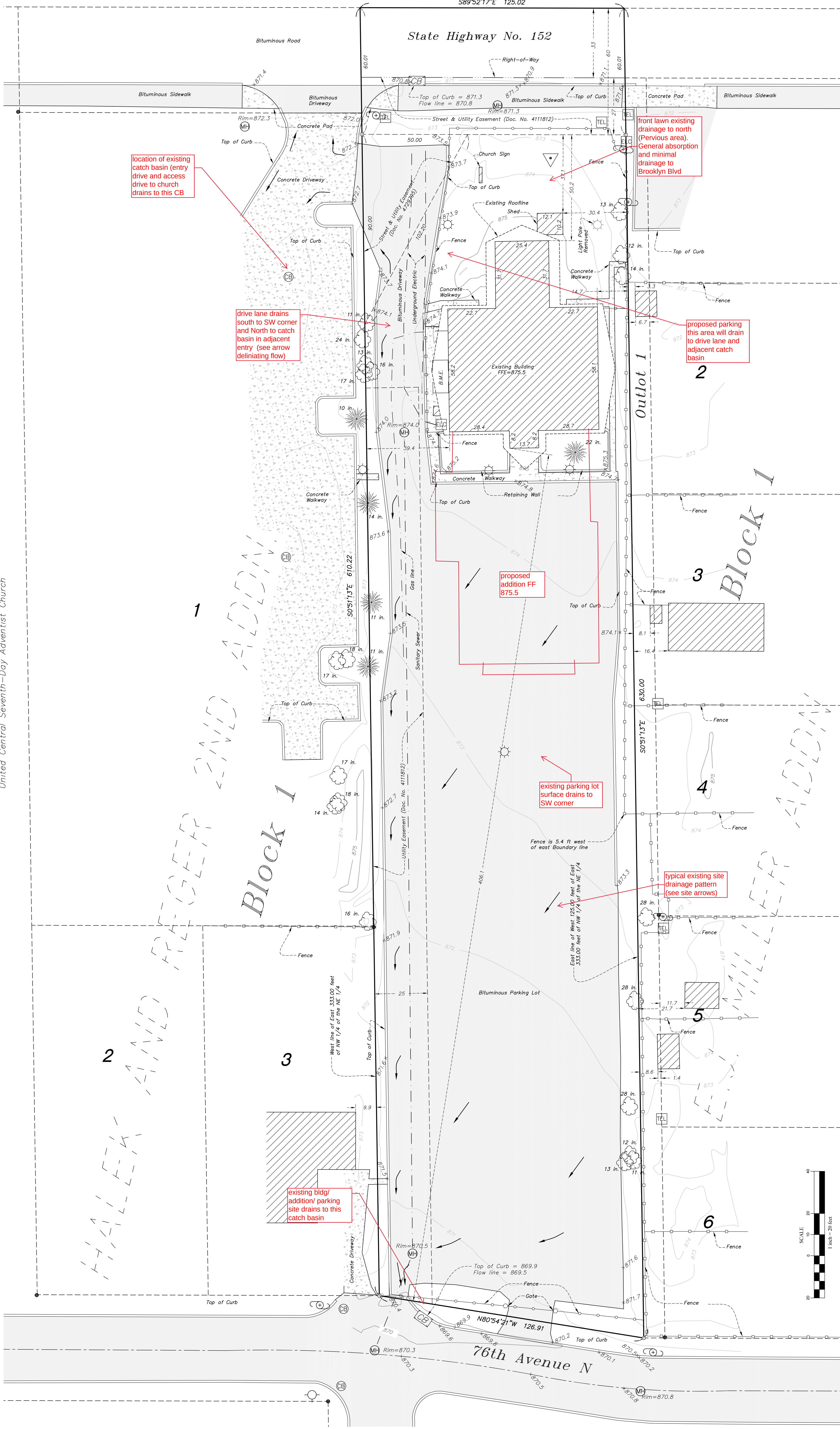
Drawn By: Eric Nephew

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Certificate of Survey

Prepared for:
United Central Seventh-Day Adventist Church



SCHOBORG LAND SERVICES INC.
765-972-3271
8897 Co. Rd. 13 SE
Durand, MN 55328
www.schoborgland.com

I hereby certify that this certificate of survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.
Kelly L. Brauer
Kelly L. Brauer
Date: November 27, 2024
Registration No. 48328

Job Number:	9746
Survey Date:	05/16/24, 11/19/24
Drawing Name:	UnitedCentralS04.dwg
Drawn by:	SKH
Revisions:	Scale Change (06/04/24) Contours (11/27/24)

- Legend**
- Found Iron Monument
 - Set Iron Monument (LS 14700)
 - Existing Elevation
 - Existing Contour
 - Drainage
 - Existing Roofline
 - Existing Well
 - Existing Catch Basin
 - Manhole
 - Flag Pole
 - Hydrant
 - Telephone Pedestal
 - Chain-link Fence
 - Wooden Privacy Fence
 - Electrical Pedestal
 - Air Conditioner
 - Utility Pole
 - Existing Structure
 - B.M.E. Building Mechanical Equipment
 - Light Pole (w/ Conc. Pedestal 1.6 ft Diameter)
 - Tree (deciduous)
 - Tree (coniferous)

Boundary Description (Per Doc. No. 9340346)
Quarter of the Northwest
Quarter of the Northeast Quarter of Section 29, Township 119,
Range 21 lying North of 76th Avenue North, Hennepin County,
Minnesota.

Site Address:
7651 Brooklyn Boulevard,
Brooklyn Park, MN 55435

Exhibit # 7 Grading concept/storm water mgmt

Bearings based on Hennepin County Coordinate System.



PARKING LOT LICENSE AGREEMENT

THIS PARKING LOT LICENSE AGREEMENT ("Agreement") is made and entered into this 25 of September, 2024 ("Effective Date"), by and between United Central Seventh-Day Adventist Church ("United Central") and Cremation Society of Minnesota, LLC d/b/a First Memorial Funeral Chapel ("First Memorial Chapel").

WHEREAS, United Central owns a parking lot located at **7831 Brooklyn Boulevard, Brooklyn Park, Minnesota** ("United Central Premises"), a portion of which First Memorial Chapel desires to use for overflow parking;

WHEREAS, the legal description for the United Central Premises is as follows:

Addition Name:	UNPLATTED 29 119 21
Lot:	
Block:	
Approximate parcel size:	IRREGULAR
Metes & Bounds:	W 125 FT OF E 333 FT OF NW 1/4 OF NE 1/4 LYING N OF 76 TH AVE N EX ROAD
Abstract or Torrens:	ABSTRACT

WHEREAS, **First Memorial Chapel** owns a parking lot located at **7835 Brooklyn Boulevard, Brooklyn Park, Minnesota** ("First Memorial Premises"), a portion of which United Central desires to use for overflow parking;

WHEREAS, the legal description for the First Memorial Premises is as follows:

Addition Name:	Halek & Reger 2 nd Addn
Lot:	001
Block:	001
Metes & Bounds:	Subject to Road
Abstract or Torrens:	Abstract

WHEREAS, collectively the United Central Premises and the First Memorial Premises may be known as the Licensed Premises; and

NOW, THEREFORE, for the exchange of promises herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, United Central and First Memorial Chapel, intending to be legally bound, agree as follows:

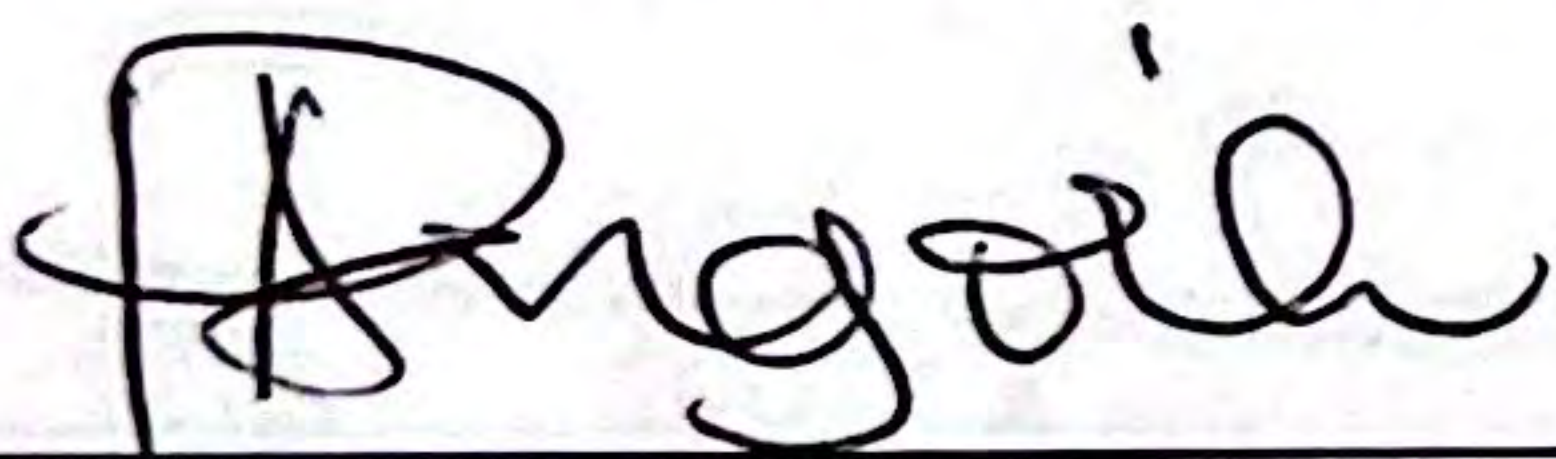
- 1) United Central hereby grants to First Memorial Chapel a nonexclusive, royalty-free license to use 35 parking spaces on the United Central Premises for overflow parking.
- 2) First Memorial Chapel hereby grants to United Central a nonexclusive, royalty-free license to use 35 parking spaces on the First Memorial Premises for overflow parking.
- 3) Each party will work with the other party in good faith to mitigate any adverse traffic impact that may inure to either party by reason of this overflow parking arrangement.

- 4) Each party will be responsible for notifying its staff and guests of the availability of overflow parking.
- 5) Each party will be responsible for putting up signage at its own expense to identify the Premises under this Agreement.
- 6) Each party will be responsible for the maintenance and upkeep of its own Premises.
- 7) Each party agrees to indemnify, defend, and hold harmless the other party, its owners, officers, subsidiaries, and representatives from and against any claims, demands, liabilities, judgments, damages, costs, and expenses including reasonable attorneys' fees arising out of each party's use of the Licensed Premises, including injury to property or person, except to the extent caused by the party's own negligence or willful misconduct.
- 8) Either party may terminate this Agreement for any reason upon written notice to the other party. Termination will be effective after 30 calendar days after the date of the written notice. Upon termination, the terminating party will cooperate with the other party to terminate any recorded notice of this Agreement.
- 9) This Agreement was modified on September 24, 2024 by WRW Legal, PLLC, counsel for First Memorial Chapel and its parent entity, 1700 Summit Lake Drive, Suite 101, Tallahassee, Florida 32317. The drafter of the version of this Agreement from which WRW Legal, PLLC made modifications is unknown.
- 10) This agreement constitutes the entire agreement and understanding between the parties with response to the subject matter hereof and supersedes all previous written or oral agreements, offers, representations, warranties, statements, correspondence, and understandings between the parties with respect to the subject matter hereof. This Agreement may only be amended or modified by written agreement signed by all parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

SIGNATURES:

United Central Seventh-Day Adventist Church



Signature

PATROBA ANGOI

Name

SECRETARY

Title

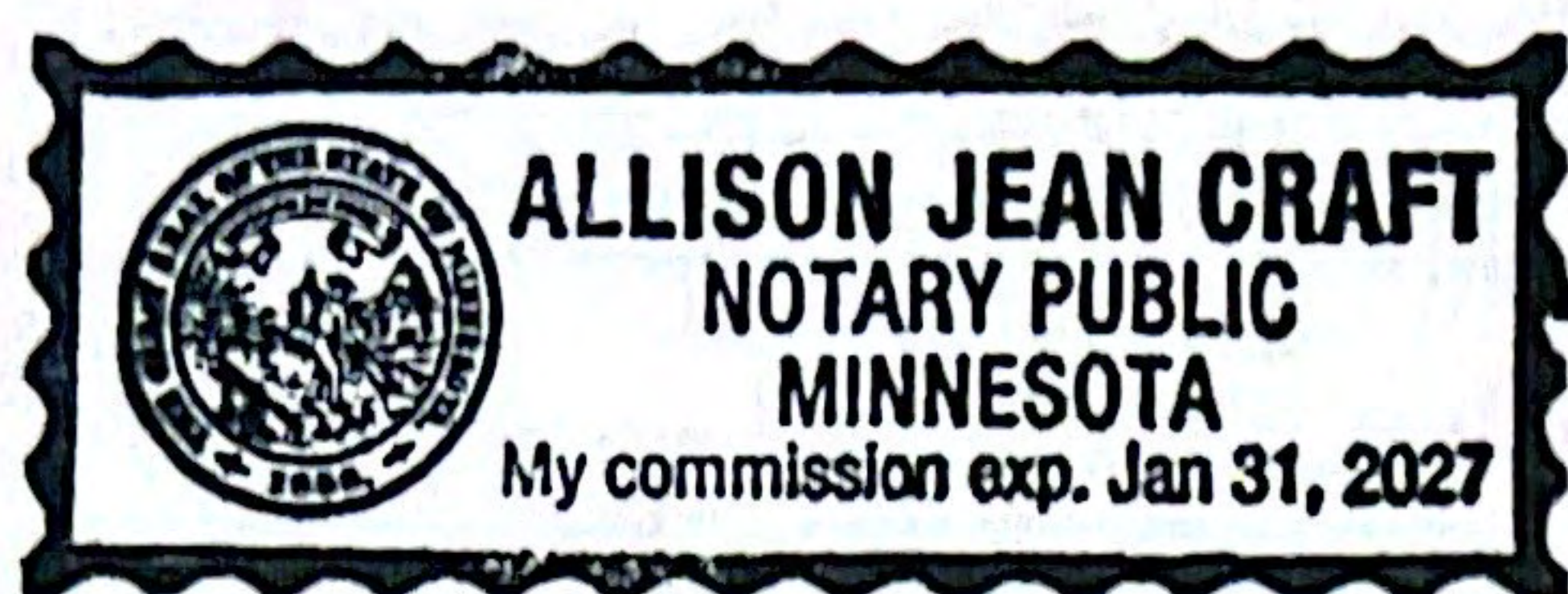
State of Minnesota

County of Hennepin

This instrument was acknowledged before me on 25 by Allison Craft
DATE INDIVIDUAL

as Notary of Cremation Society
TITLE OF SIGNOR ENTITY

Stamp:



[Signature]
NOTARY SIGNATURE

Notary
TITLE AND RANK

My commission expires: 1/31/2027

Cremation Society of Minnesota

[Signature]
Signature
Allison Craft
Name
Lead Funeral Director
Title

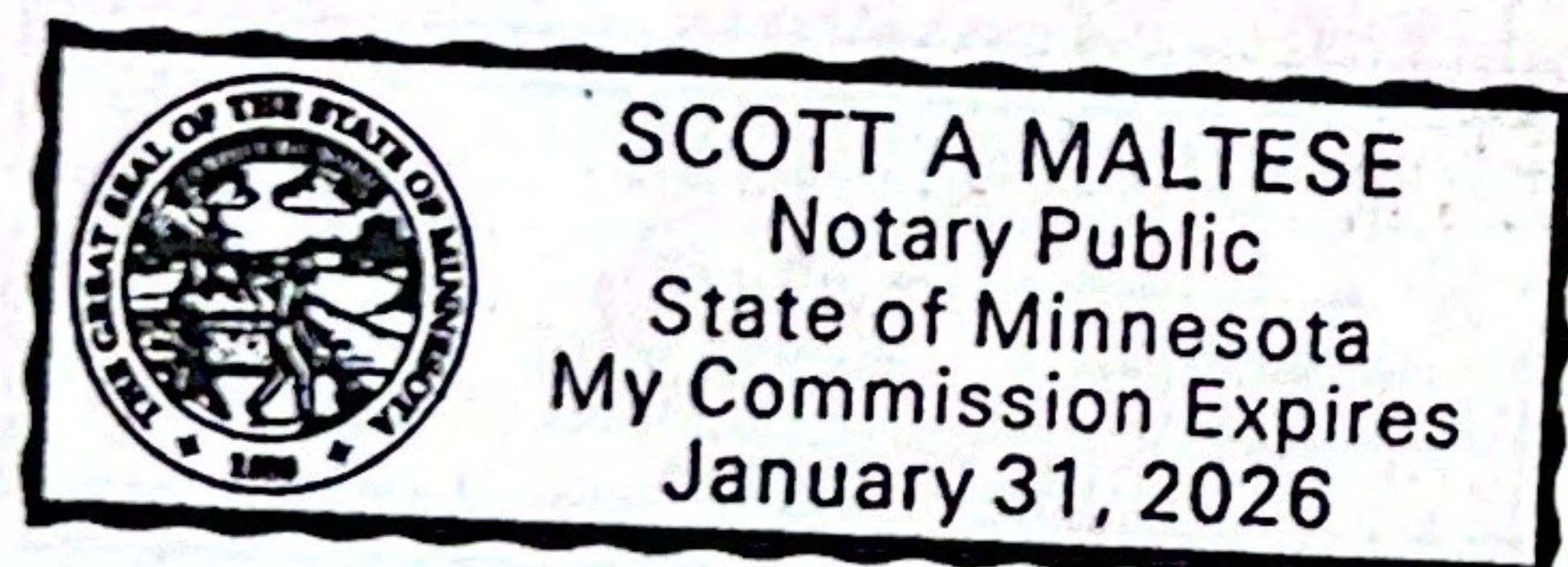
State of Minnesota

County of Hennepin

This instrument was acknowledged before me on 9-26-24 by Scott Maltese
DATE INDIVIDUAL

as Notary of Cremation Society of MN.
TITLE OF SIGNOR ENTITY

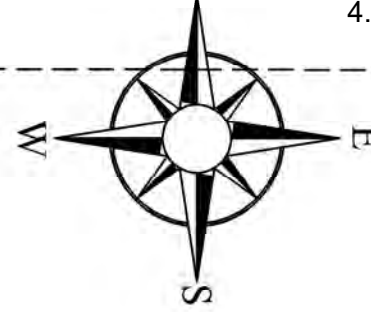
Stamp:



[Signature]
NOTARY SIGNATURE

Notary
TITLE AND RANK

My commission expires: 1-31-26



Hennepin County State
Aid Highway No. 152

7827 BROOKLYN
BOULEVARD
B1

7633 HAMPSHIRE
AVENUE NORTH
B1

7625 HAMPSHIRE
AVENUE NORTH
R4

7621/7617 HAMPSHIRE
AVENUE NORTH
R4

7613/7609 HAMPSHIRE
AVENUE NORTH
R4

7605/7601 HAMPSHIRE
AVENUE NORTH
R4

76th Avenue N

7835 BROOKLYN
BOULEVARD
B1

7831 BROOKLYN
BOULEVARD
B1

PARKING LOT
(44 SPACES)

PARKING LOT
(80 SPACES)

LOT COVERAGE INFORMATION:	
EXISTING BUILDING AREA:	4,925 SQ. FT.
PROPOSED BUILDING AREA:	6,771 SQ. FT.
TOTAL BUILDING AREA:	11,696 SQ. FT.
PARKING/SIDEWALKS:	42,225 SQ. FT.
TOTAL IMPERVIOUS OF ALL AREAS:	53,921 SQ. FT.

6804/6800 76TH
AVENUE NORTH
B1

6808 76TH
AVENUE NORTH
B1

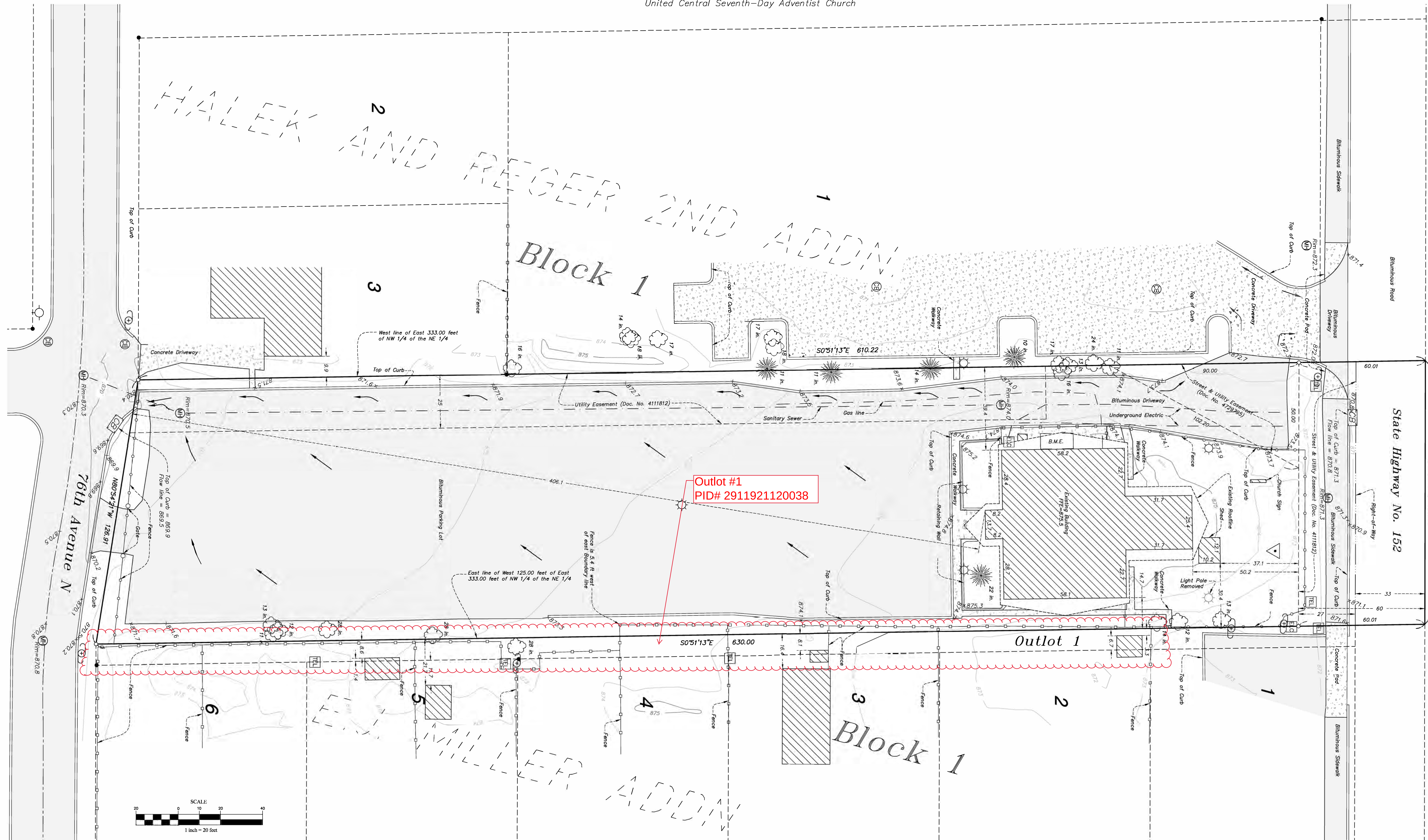
ZONING PLAN

1

SCALE: 1" = 20'-0"

Certificate of Survey

Prepared for:
United Central Seventh-Day Adventist Church



Bearings based on Hennepin County Coordinate System.

SCHOBORG
LAND SERVICES
INC.

763-972-3221 8997 Co. Rd. 13 SE
www.schoborgland.com Delano, MN 55328

I hereby certify that this certificate of survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Kelly L. Brouwer
Kelly L. Brouwer

Date: November 27, 2024

Registration No. 48328

Job Number: 9746
Survey Date: 05/16/24, 11/19/24
Drawing Name: UnitedCentralSDA.dwg
Drawn by: SKH
Revisions: Scale Change (06/04/24)
Contours (11/21/24)

Legend

- Found Iron Monument
- Set Iron Monument (LS 14700)
- Existing Elevation
- Existing Contour
- Drainage

- Existing Roofline
- Existing Well
- Catch Basin
- Manhole
- Flag Pole

- Hydrant
- Telephone Pedestal
- Chain-link Fence
- Wooden Privacy Fence
- Electrical Pedestal

- Air Conditioner
- Utility Pole
- Existing Structure
- Building Mechanical Equipment
- Light Pole (w/ Conc. Pedestal 1.6 ft Diameter)

- Tree (deciduous)
- Tree (coniferous)

Boundary Description (Per Doc No. A9403406)
The West 125.00 feet of the East 333.00 feet of the Northwest Quarter of the Northeast Quarter of Section 29, Township 119, Range 21 lying North of 76th Avenue North, Hennepin County, Minnesota.

Site Address:
7831 Brooklyn Boulevard,
Brooklyn Park, MN 55445

Exhibit #10A Outlot #1 Location

City of Brooklyn Park Request for Council Action

Agenda Item:	4.3	Meeting Date:	January 27, 2025
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	X	Prepared By:	Matt Hayes-Regan, Associate Planner
Ordinance:	N/A		
Attachments:	1	Presented By:	Paul Mogush, Planning Director
Item:	The Brook (24-112) – An Application by OV Development for a Preliminary Plat, and Site Plan at 6001 94 th Lane North for a 192-unit Multiple Dwelling Development		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-___ AMENDING RESOLUTION #2024-119 APPROVING A SITE PLAT FOR A 192-UNIT MULTIPLE DWELLING AT 6001 94TH AVENUE NORTH.

Overview:

City Council:

Resolution #2024-119 approving a final plat for “The Brook” at 6001 94th Avenue North for the creation of one lot was approved on consent at the October 28, 2024 City Council meeting. Upon review, the resolution references a project that is not applicable. The draft resolution has been updated and references “The Brook” project.

Primary Issues/Alternatives to Consider:

1. Approve the resolution as presented.
2. Approve the resolution with modifications.
3. Deny the resolution, based on certain findings.

Budgetary/Fiscal Issues: N/A

Attachments:

4.3A RESOLUTION

RESOLUTION #2025-

AMENDING RESOLUTION #2024-119 APPROVING A SITE PLAT FOR A 192-UNIT
MULTIPLE DWELLING AT 6001 94TH AVENUE NORTH.

Planning Commission File #24-112

~~Text with strikeout is proposed for deletion~~
Underlined text is proposed for insertion

WHEREAS, the plat of ~~“Six Ten Zane Fifth Addition”~~ “The Brook” has been submitted in the manner required for platting of land under the Brooklyn Park Codes and under Chapter 462 of the Minnesota Statutes and all proceedings have been duly had thereunder, and

WHEREAS, said plat is in all respects consistent with the City plan and the regulations and requirements of the laws of the State of Minnesota and codes of the City of Brooklyn Park, Chapters 151 and 152.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park, Preliminary Plat Request ~~#23-101 “Six Ten Zane Fifth Addition”~~ #24-112 “The Brook” shall be approved subject to the following conditions:

1. Title review by the City Attorney and all conditions therein.
2. Easement review and approval by the City Engineer and all conditions therein.
3. Submission of a CAD copy of the plat.
4. Official approvals of a formal Site Plan Review must be obtained prior to any development of the site.
5. No additional grading may occur without a permit issued by the City Engineer.

BE IT FURTHER RESOLVED that such execution of the certificate upon said plat by the Mayor and City Manager shall be conclusive showing of proper compliance therewith by the subdivider and City officials and shall entitle such plat to be placed on record forthwith without further formality, all in compliance with M.S.A. 462 and the Ordinance of the City.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.4	Meeting Date:	January 27, 2025
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	X	Prepared By:	Matt Hayes-Regan, Associate Planner
Ordinance:	N/A		
Attachments:	1	Presented By:	Paul Mogush, Planning Director
Item:	Sandgrass Pointe – An Application by Woda Cooper for a Site Plan Review at 5800 69th Avenue North for a 44-unit Development with a Multifamily Dwelling and Townhouses		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ AMENDING RESOLUTION #2024-121 APPROVING A SITE PLAN FOR 44-UNIT MULTIPLE DWELLING AND TOWNHOUSE DEVELOPMENT AT 5800 69TH AVE NORTH.

Overview:

City Council:

Resolution #2024-121 approving a site plan for a 44-unit multiple dwelling and townhouse development at 5800 69th Ave North was approved on consent at the October 28, 2024 City Council meeting. Upon review, the resolution includes an incomplete legal description. The draft resolution has been updated to include the full legal description

Primary Issues/Alternatives to Consider:

1. Approve the resolution as presented.
2. Approve the resolution with modifications.
3. Deny the resolution, based on certain findings.

Budgetary/Fiscal Issues: N/A

Attachments:

4.4A RESOLUTION

RESOLUTION #2025-

AMENDING RESOLUTION #2024-121 APPROVING A SITE PLAN FOR A 44-UNIT MULTIPLE DWELLING AND TOWNHOUSE DEVELOPMENT AT 5800 69TH AVE NORTH.

Planning Commission File #24-113

~~Text with strikeout is proposed for deletion~~

Underlined text is proposed for insertion

WHEREAS, an application has been made by Woda Cooper for a Site Plan Review under the provisions of the City Code on properties legally described as:

~~THAT PART OF THE SOUTHERN 633 FT OF THE SOUTHEAST 1/4 OF
THE SOUTHWEST 1/4 LYING WEST OF THE EASTERN 577 56/100 FEET
THEREOF AND EAST OF THE WEST 465 FEET THEREOF; EXEMPT ROAD, Hennepin
County, Minnesota~~

See Exhibit A

WHEREAS, the zoning of the property is Multiple Family District (R4) –in which multifamily dwellings are allowed by right; and

WHEREAS, the effect of the proposed use upon the health, safety, and welfare of surrounding lands, existing and anticipated traffic conditions, and its effect on the neighborhood have been considered; and

WHEREAS, the matter has been referred to the Planning Commission who held the public hearing on August 14, 2024; and

WHEREAS, the Planning Commission voted unanimously to recommend approval of the site plan; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park:

The Site Plan Review for two multifamily dwellings is hereby approved with the following conditions:

1.00 DRAWINGS

- 1.01 Site, utility, and grading plans on file in the City Clerk's office are approved, subject to conditions listed below.
- 1.02 Building elevations, which are undated are approved to proceed to building permit, subject to conditions listed below.

2.00 BONDS, ESCROWS AND DIRECT PAYMENTS

- 2.01 A Development Contract and bonding shall be required as a development bond or letter of credit in the amount of **\$1,345,400.00**, a cash bond in the amount of **\$70,800.00**, and a

developer's escrow in the amount of **\$42,400.00** as required by Chapter 152. The developer's escrow must be posted with the City to cover engineering, legal and administrative costs incurred by the City. If this account becomes deficient, it shall be the developer's responsibility to deposit additional funds. This must be done before final bonding obligations are complete.

3.00 REQUIRED DOCUMENTS

- 3.01 All utility construction, drainage, grading and development plans must be approved by the City Engineer prior to receiving a building permit.

4.00 GENERAL CONDITIONS

- 4.01 It shall be the developer's responsibility to keep active and up to date the developer's contract and financial surety (Letter of Credit, bonds, etc.). These documents must remain active until the developer has been released from any further obligation by City Council motion received in writing from the Engineering Department.
- 4.02 Before final bonding obligations are released, a certificate signed by a registered engineer must be provided. This certificate will state that all final lot and building grades are in conformance to drainage development plan(s) approved by the City Engineer.
- 4.03 No burying of construction debris shall be permitted on the site.
- 4.04 Dust control and erosion measures must be in place to prevent for dust and erosion including, but not limited to, daily watering, silt fences, and seeding. The City Engineer may impose measures to reduce dust and run-off.
- 4.05 Adequate dumpsters must be on site during construction. When full, they must be emptied immediately or replaced with an empty dumpster.
- 4.06 Signs must conform to the requirements of Chapter 150. The sign plans will be approved by staff to verify code compliance at time of building permit.

5.00 CONDITIONS

- 5.01 The Affordable Housing Plan must be submitted and approved by Economic Development and Housing staff prior to issuance of building permits.
- 5.02 An updated photometric plan including amenity spacing must be submitted prior to issuance of building permits to ensure all spaces meet lighting requirements.

Exhibit A

Beginning at a point on the South line of Section 28, Township 119, Range 21, distant 577.56 feet West from the Southeast corner of the Southwest Quarter of said Section 28, thence West along said South line a distance of 265.94 feet, thence North parallel with and 465 feet East of the West line of the Southeast Quarter of the Southwest Quarter a distance of 633.0 feet, thence East parallel with South line of Section 28, a distance of 267.07 feet, then South parallel with the East line of the Southwest Quarter of the South Half of Section 28, Township 119, Range 21, to the point of beginning, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.5	Meeting Date:	January 27, 2025
Agenda Section:	Consent	Originating Department:	Police
Resolution:	X	Prepared By:	Stephanie Heiberger, Administrative Assistant
Ordinance:	N/A		
Attachments:	2	Presented By:	Police Chief Mark Bruley
Item:	Renewal of Cornerstone Agreement for Domestic Violence Services		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ TO RENEW AN AGREEMENT WITH CORNERSTONE TO PROVIDE VICTIMS AND FAMILIES EXPERIENCING DOMESTIC VIOLENCE WITH ADVOCACY SERVICES.

Overview:

In March of 2012, Cornerstone began serving victims of domestic violence from Brooklyn Park with a full-time advocate based out of the Police Department. The arrangement greatly increased communication between police staff and advocates allowing for more effective service for the victims and their families. The arrangement also greatly increased the accessibility to community-based advocacy for victims with limited transportation.

Cornerstone will continue to provide a community-based response by providing advocates working out of the Police Department. The advocates will continue to work in cooperation with the Police Department and City Attorney's Office on case follow-up, victim services, officer in-service training, and review of system responses.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

Cornerstone will invoice the Police Department \$16,250 on a quarterly basis. This is within the amount of the 2025 budget for domestic violence advocacy services, which has been budgeted at \$65,000 annually. This agreement will be for a period of two years, effective January 1, 2025, through December 31, 2026.

Attachments:

4.5A RESOLUTION
4.5B AGREEMENT

RESOLUTION #2025-

RESOLUTION TO RENEW AN AGREEMENT WITH CORNERSTONE
TO PROVIDE VICTIMS AND FAMILIES EXPERIENCING DOMESTIC VIOLENCE
WITH ADVOCACY SERVICES

WHEREAS, in March 2012, Cornerstone Advocacy Service began serving victims of domestic violence from Brooklyn Park with a full-time advocate based out of the police department; and

WHEREAS, the arrangement has greatly increased communication between police staff and advocates, allowing for more effective service for victims and their families; and

WHEREAS, the advocates will continue to work in cooperation with the Police Department and the City Attorney's Office on case follow-up, victim services, officer in-service training and review of system responses.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to enter into a two-year agreement with Cornerstone Advocacy Service to provide advocacy to victims and families experiencing domestic violence.



CORNERSTONE
REBUILDING LIVES, RESTORING HOPE

PROFESSIONAL SERVICES AGREEMENT
WITH CORNERSTONE ADVOCACY SERVICE

This Professional Services Agreement (“Agreement”) is made effective as of the 1st day of January 2025 by and between the City of Brooklyn Park, a Minnesota municipal corporation (the “City”) and Cornerstone Advocacy Service, a Minnesota non-profit corporation (“Provider”).

WHEREAS, the Provider is a Minnesota non-profit corporation focused on community-based domestic violence legal advocacy, support, training, and intervention services for incidents arising in the suburban area of Hennepin County, which includes Brooklyn Park, Minnesota;

WHEREAS, the Provider represents that it has the requisite skills to assist City employees, officials, contractors, and agents responding to specific domestic violence cases and to assist City employees, officials, contractors, and agents and policy makers in evaluating the City’s collective response to domestic violence in the City by providing criminal justice advocacy and liaison services; training on Domestic and Sexual Violence topics and best practices; and civil and criminal justice systems information, safety planning, and court accompaniment to the City’s residents (“Professional Services”);

WHEREAS, the City believes that the provision of Provider’s Professional Services to City residents promotes public health, safety, morals, and the general welfare;

WHEREAS, the City desires to engage the Professional Services of the Provider, and the Provider desires to assist the City with its Professional Services; and

WHEREAS, the parties wish to set forth in writing the terms and conditions of this Agreement.

NOW, THEREFORE, in return for the mutual agreements set forth below, the parties agree as follows:

AGREEMENT

1. TERM

The term of this Agreement shall be from January 1, 2025, through December 31, 2026 regardless of the dates of execution, unless terminated earlier as provided herein.

2. SERVICES

Provider agrees to provide professional services to the City as described on the attached Exhibit A (“Advocacy Service Plan”). The Provider shall provide the required personnel and related support services and supplies to effectively and efficiently provide its Professional Services, including but not limited to a designated advocate(s) that maintains regular office hours at an office located at the City’s Police Department or as otherwise agreed upon between the parties. The City agrees to cooperate with the Provider as deemed appropriate by the City’s Chief of Police to ensure the timely provision of Provider’s Professional Services. Recipients of Provider’s Professional Services shall not be financially charged. Would-be recipients of Provider’s Professional Services may decline Provider’s services.

The Provider will follow the advocacy service plan as provided in Exhibit A when delivering services. The service plan will be reviewed annually with a representative from the Provider and the Police Chief’s designee to ensure that the service plan meets the needs of the City and the recipients of the service.

3. TRAINING

Training on domestic and sexual violence and best practices may be provided by the Provider as a part of its Professional Services. The topics, duration, and frequency of said

training shall be as mutually agreed upon between the parties. As deemed appropriate by the City Manager or the City Manager's designee and on an as needed basis, the City will make its personnel available for training in furtherance of the aims and procedures of Provider's Professional Services.

4. PAYMENT

Upon receipt of a quarterly invoice for \$16,250.00 from the Provider and so long as the Provider is providing its Professional Services to the satisfaction of the City, the City will issue payment to the Provider. The City agrees to pay the Provider up to \$130,000.00 for its Professional Services rendered during the term of this Agreement.

5. RECORDS

The Provider shall maintain such records as are necessary to ensure that the Professional Services are provided as represented by the Provider. The records remain the Provider's property. The Provider will maintain the records in a manner that ensures confidentiality to service recipients as required by law, regulation and grant compliance requirements. The Provider will disclose identifying information for service recipients to the City or a third party only if required by law or regulation. In the event that identifying information is disclosed, the City and third parties as applicable will take all appropriate measures to prevent unnecessary dissemination of identifying information beyond those parties and agencies that require said information to effectuate services for service recipients. All reports provided to the Provider shall be securely maintained in locked file drawers or a locked room. It is Provider's policy to dispose of all reports seven years after the initial complaint when there are no further incidents involving that offender and such shredding may occur either in-house or by a commercial shredding company.

6. EXCHANGE OF INFORMATION

Upon the Provider's request, the City agrees to provide the Provider with access to the following domestic violence related information, subject to the requirements of Minnesota Statutes, Section 13.83, subdivision 5; Section 629.341, subdivision 4; and any other applicable local, state, or federal law, rule, or regulation: (A) copies of misdemeanor, gross misdemeanor and felony arrest reports and citations; and (B) copies of investigative reports. The Provider acknowledges that the City may withhold information, data, or reports when the release of such information could compromise an ongoing criminal or civil investigation, when it contains information regarding child sexual abuse or juvenile offenders, or when dissemination is prohibited by law or regulation. The Provider agrees that it will not distribute City Police Department reports

to any third party, except the following: Brooklyn Park Attorney's Office, Hennepin County Attorney's Office, and Hennepin County Probation Office. The Provider further agrees that it will not provide copies of City Police Department reports to victims or offenders and will refer any individual or entity that requests such information to the City Police Department. The Provider agrees that it will not attach a City Police Department report to an Order for Protection. The Provider's use of City Police Department reports for training or technical assistance must be pre-approved in writing by the City's Chief of Police (or designee), except that Provider may use City Police Department reports to train advocates that will be assigned to work with Brooklyn Park cases. The Provider's usage of such reports must be consistent with the requirements of any applicable local, state, or federal law, rule, or regulation.

7. DISCRIMINATION

The Provider agrees not to discriminate in providing Professional Services under this Agreement on the basis of race, color, sex, creed, national origin, disability, age, sexual orientation, status with regard to public assistance, or religion.

8. TERMINATION

This Agreement may be terminated by either party at any time with or without cause, upon forty-five days written notice as provided in paragraph 14 herein. In that case, City shall only pay on a pro rata basis for Professional Services rendered in accordance with this Agreement before the termination date.

9. CONFLICTS OF INTEREST

The Provider shall use best efforts to meet all professional obligations to avoid conflicts of interest and appearances of impropriety. It is the intent of the Provider to refrain from handling matters for any other person or entity that may pose a conflict of interest or may not be in the best interests of the City. Should a potential conflict arise, the Provider will contact the Police Chief's designee and consult before making a final decision on how to handle the situation.

10. UNSPECIFIED SERVICE

The City will honor no claim for services not specified in this Agreement.

11. ENTIRE AGREEMENT

The entire agreement of the parties is contained in this document, Exhibits A and B, and any addenda or amendments signed by the parties. This Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter of this Agreement. This Agreement is valid only when signed by both parties.

12. AMENDMENT

Any amendment of the Agreement must be in writing and signed by both parties.

13. ASSIGNMENT

The rights and obligations created by this Agreement are assignable only by the written consent of both parties to this Agreement.

14. NOTICES

All notices required to be given by either party pursuant to this Agreement shall be in writing and sent to the other party at the following addresses:

To the City: City of Brooklyn Park
Attention: Chief of Police
5200 85th Ave North
Brooklyn Park, MN 55443

To the Provider: Cornerstone Advocacy Services
Attention: Executive Director
1000 East 80th Street
Bloomington, MN 55420

All notices shall be deemed received when delivered, if hand-delivered, or three business days after deposit with the United States Postal Service, postage prepaid. Notices by fax or email alone are not sufficient. The addresses for notices may be changed by the parties from time to time by delivery of written notice to the other party as provided herein.

15. INDEPENDENT CONTRACTOR

Nothing in this Agreement is intended, nor shall be construed, to create the relationship of partners or employer/employee between the parties. The Provider, its officers, agents, employees, and volunteers are, and shall remain for all purposes and services under this Agreement, independent contractors.

16. INSURANCE

The Provider shall maintain the following insurance coverage during the term of this Agreement:

- a. Worker's Compensation Insurance as set forth in Exhibit B; and
- b. Professional, automobile, general liability and property insurance in amounts as set forth in Exhibit B and in forms satisfactory to the City; and the Provider shall list the City as an additional insured on all such policies.

17. INDEMNIFICATION

The Provider does hereby, for itself and its successors and assigns, release and agree to defend, indemnify and hold the City harmless from all Loss or Damage in any manner, directly or indirectly arising out of, resulting from, or in any manner connected with this Agreement, the provision of facilities, programs and services pursuant to this Agreement. The term "Loss or Damage" as used herein means all losses, costs, expenses (including without limitation, reasonable attorneys' fees, disbursements of counsel and costs of investigation), liabilities, damages, debts, fees, fines, penalties, charges, assessments, judgments, liens, settlements, claims, demands, rights, actions, suits, causes of action, and proceedings, and other obligations of any nature whatsoever and of any person whomsoever, including for death or injury to any person (including the parties and their employees, agents, and contractors) and including damage to property owned by, leased, rented to, or in the care, custody, or control of the parties and including damage to the environment or natural resources. The indemnity obligations contained in this paragraph shall survive termination of this Agreement. Nothing in this Section shall be construed

as a waiver of any liability limits or immunities contained in Minnesota Statutes, Chapter 466.

18. DATA PRACTICES ACT COMPLIANCE

Data and information provided to Provider under this Agreement or through the provision of services for the City under this Agreement shall be administered in accordance with Minnesota Statutes, Chapter 13, and all data on individuals shall be maintained in accordance with all applicable laws, rules, and regulations.

19. APPLICABLE LAW

This Agreement will be governed and construed in accordance with the laws of the State of Minnesota.

20. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

IN WITNESS WHEREOF, the City of Brooklyn Park and Cornerstone Advocacy Service have executed this Professional Services Agreement effective as of the date first written above.

CITY OF BROOKLYN PARK

By _____

Hollies Winston, Mayor

By _____

Jay Stroebel, City Manager

CORNERSTONE ADVOCACY SERVICE

By _____

Artika Roller, Executive Director

EXHIBIT A

Advocacy Service Plan

Cornerstone services will be available to the following individuals: intimate partners, parties who reside together with a current or past intimate relationship, child-in-common, ex-intimate partner, immediate family (parent/child or siblings) who reside together, and family members where residency has been established. *Cornerstone reserves the right to discretion on how to handle cases.*

Cornerstone will not assist in group home matters, roommates with no past intimate relationship or familial connection, adult siblings that do not reside together, or distant relations that do not have established residency.

Conflict Cases

There will be no conflict cases for DV Coordinator. Advocate will email DV Coordinator cases that are conflicts for Cornerstone. DV Coordinator will refer victim to DASC for services.

Unable to Provide Advocacy Services

Should Cornerstone find that they cannot fulfill any of the below services, it is up to the advocate to refer the victim to appropriate services that can assist.

While all services will be provided by Cornerstone, duties are listed in descending order of importance.

Safety Planning and/or Advocacy Services

for BP residents or victims of charged criminal cases

- Return or make the following calls:
 - Residents who have asked officers for advocacy services
 - Residents whom the DV Coordinator has flagged as requesting services either through a phone call to the DV Coordinator or a request in a police report but no original referral made from officer
 - Residents who have requested services through the MH unit
 - Be available during normal business hours for
 - Calls from the MH Unit who are on the scene with an individual requesting to speak with an advocate
 - Walk ins to the BPPD who are requesting to speak with an advocate.
 - These interactions will address the following, but are not limited to,
 - Immediate safety concerns
 - Long term safety concerns
 - Provide potential options such as OFPs/HROs/ERPOs, criminal and civil court processes, exit plans, shelters, extra patrol, breaking lease, Safe at Home, connection to community resources.
-

Order for Protections/HROs/ERPOs

for BP residents or victims in charged criminal cases

- Screen for eligibility of protective orders and explore alternatives based on victims needs
- Draft protective orders
- Assist in filing protective orders
- Prepare victim for civil court hearings
- Attend any court proceedings when requested by the victim
- Communicate with civil court professionals with or on behalf of petitioner
- Assist in any follow-up orders (amendments, contempt, dismissal, extension, subsequent order)

Interventions

- BPPD officers can call Cornerstone's 24-hour crisis line on scene with victims based on the officer's assessment of victim's immediate safety needs.
- The shelter advocate will call the victim as soon as possible following receipt of intervention information. If the intervention call is received by the shelter advocate between the hours of 12am-5am, the shelter advocate will make a call to the victim the following morning.
- BPPD will send completed police reports within 4 hours of an incident to intervention@cornerstonemn.org and policereports@cornerstonemn.org
- BP Advocate will call the victim upon receiving intervention and/or police report, regardless of the level of the charge, the following business day to provide supportive services including, but not limited to, safety planning, protective orders, shelter, community resources, and criminal/civil court process.

Criminal Court

for victims in charged criminal cases

- BP Advocate will call the victim before the in custody hearing to explain differences between DANCO/NCO/OFP/HRO, discuss criminal court process and offer ongoing support along with advising the victim of the DV Coordinators role in the criminal court process. BP Advocate will gather input for INC hearing (release conditions, safety concerns, input on contact restrictions) and provide an email to prosecution and DV Coordinator.
- For Misd. and GM cases, DV Coordinator will provide court input for the following hearings: arraignment, pre-trial, settlement conference, and jury trial.
- For Misd. and GM cases, DV Coordinator will call a victim after every court proceeding listed above and provide an update as to what occurred at the hearing.
- DV Coordinator will continue to provide all input for restorative court cases to prosecution and MH Unit.

- DV Coordinator will advise victim of crime victim rights, discuss plea offers, provide information about restitution and reimbursement, assist with victim impact statements, and expungements.
- DV Coordinator will advise victims of services offered by Cornerstone. If requested, DV Coordinator will refer victim to Cornerstone to provide services.
- BP Advocate will do a check-in call with the victim in advance of a settlement conference hearing.
- BP Advocate will be on call to either speak to a victim over the phone or at the courthouse for Brooklyn Park court dates.
- BP Advocate will be available to attend hearings and/or jury trials with victims upon their request.
- When victim calls prosecution with disagreement on charging decision prosecution will email the advocate to follow up with victim to provide support.
- BP Advocate will reach out to prosecution when a victim is requesting charging decision updates.

Community Outreach

- Advocates will spend time connecting with community agencies to strengthen connections with the community in an attempt to provide better referrals and increase access to community supports for victims.

Training

- BP Advocate will provide training to new officers around advocacy, how the partnership works and best practices for working with victims.
- Advocates will attend periodic in-service training for the police officers to provide information about trends and update officers about services advocates are providing. This could include the coordination of outside professionals coming in to provide training on larger topics (i.e. strangulation, trauma informed interviewing, digital abuse, etc.)
- Advocates will spend time connecting with officers through roll calls and ride alongs to further the advocate's understanding of officers roles and strengthen officers understanding of advocacy services.

EXHIBIT B**Insurance Requirements**

General Liability:

\$1,000,000 Each Occurrence

\$1,000,000 Personal Injury/Advertising Injury

\$2,000,000 Products/Completed Operations Aggregate

\$2,000,000 Annual Aggregate

\$100,000 Damage to Rented Premises

\$5,000 Medical Payments (optional)

Auto Liability:

\$1,000,000 Combined Single Limit – Bodily Injury & Property Damage

\$1,000,000 Hired & Non-Owned Auto Liability

Workers' Compensation:

\$100,000 Each Accident

\$500,000 Policy Limit

\$100,000 Each Disease

Statutory Limits Apply

Umbrella/Excess Liability:

\$1,000,000 Each Occurrence and Annual Aggregate

City of Brooklyn Park Request for Council Action

Agenda Item:	4.6	Meeting Date:	January 27, 2025
Agenda Section:	Consent	Originating Department:	Recreation & Parks
Resolution:	X	Prepared By:	Brad Tullberg, Recreation & Parks Director
Ordinance:	N/A		
Attachments:	2	Presented By:	Brad Tullberg, Recreation & Parks Director
Item:	Approve the Purchase of Edinburgh USA Equipment from D'Amico Catering		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ TO APPROVE THE PURCHASE OF EDINBURGH USA EQUIPMENT FROM D'AMICO CATERING IN THE AMOUNT OF \$75,000.

Overview:

The Clubhouse at Edinburgh USA is both a community public recreation facility and an economic development strategy designed to meet the leisure time needs of our golf course patrons, individual residents, community groups, organizations and the public to enhance the quality of life in Brooklyn Park. While the EDA owns the clubhouse, Recreation and Parks manages clubhouse operations along with golf course operations.

The Brooklyn Park Economic Development Authority (EDA) entered into a Clubhouse Management Services Agreement with D'Amico Catering beginning January 1, 2019 to operate all food and beverage services at the Edinburgh Clubhouse. The EDA and D'Amico Catering mutually agreed to terminate the agreement on December 31, 2024 due to poor financial performance.

Through a Request for Proposal process the EDA selected the Tavern at Edinburgh to enter into an agreement for restaurant management and alcohol catering services at Edinburgh USA effective January 1, 2025. In addition, the EDA approved the change in banquet and event operations to allow for an open catering policy in the clubhouse. Open catering allows customers to utilize any licensed caterer to provide food for their banquets or events.

In order to provide the appropriate amenities to allow open catering, it is necessary for the clubhouse to purchase equipment that is currently used to service banquets and events that was purchased by D'Amico Catering in 2019 from former operator Lancer Catering. The items being purchased are needed to execute events include; AV equipment, tables, kitchen equipment to plate and serve food, and other miscellaneous items. The equipment identified on the list was purchased by D'Amico Catering through a loan from the EDA. The loan will be paid off prior to the purchase of the equipment as listed.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The equipment will be purchased through the Recreation Enterprise Fund for the Clubhouse. The final value of the equipment was established through a third-party equipment vendor.

Attachments:

4.6A RESOLUTION

4.6B EQUIPMENT LIST

RESOLUTION #2025-

TO APPROVE THE PURCHASE OF EDINBURGH USA EQUIPMENT FROM D'AMICO CATERING IN THE
AMOUNT OF \$75,000

WHEREAS, the Clubhouse at Edinburgh USA is both a community public recreation facility and an economic development strategy owned by the Brooklyn Park Economic Development Authority (EDA) and operated by the Recreation and Parks department; and

WHEREAS, the EDA entered into a Clubhouse Management Services Agreement with D'Amico Catering beginning January 1, 2019 to operate all food and beverage services at the Edinburgh Clubhouse and both parties agreed to terminate the agreement on December 31, 2024; and

WHEREAS, the EDA selected the Tavern at Edinburgh to enter into an agreement for restaurant management and alcohol catering services at Edinburgh USA effective January 1, 2025; and

WHEREAS, the EDA also approved the change in banquet and event operations to allow for an open catering policy in the clubhouse which allows customers to utilize any licensed caterer to provide food for their banquets or events; and

WHEREAS, to support open catering it is necessary for the clubhouse to purchase equipment that is currently used to service banquets and events that was purchased by D'Amico Catering in 2019 from former operator Lancer Catering; and

WHEREAS, the equipment will be purchased through the Recreation Enterprise Fund for the Clubhouse at an amount established by a third party equipment vendor; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to Approve the Purchase of Edinburgh USA Equipment from D'Amico Catering in the Amount of \$75,000.

ITEM NAME	2025 Quantity
Cater Hoffman banquet cart w/wheels - 64 in	1
Oval tables	54
Single Door Carter Hoffman	1
Double stack Accu-temp steamer w/ rack	1
Dance Floor (21 X 21) & (19 X 19)	2
Vulcan two door oven on wheels	1
Blodgett two door oven on wheels	1
Cookshack electric smoker - 26 in	1
Classroom tables	31
Stainless steel portable bar units on wheels - 66"	3
Tables - 8 ft	30
Carter Hoffman heated banquet cart - single door	1
Hobart floor mixer w/bowl	1
Broiler - 47"	1
Two door beer meister on wheels - 69"	2
Stainless steel tables w/1 shelf on wheels - 6'x 42'	3
Metro shelves w/wheels - 5' x 2'	6
True refrigerator double door below w/sandwich table - 5'	1
Superior chef base refrigerator for broiler - 53"	1
Hoshizaki Tabletop worktop refrigerator w/bottom 2 doors - 5 ft	1
Tables - 4 ft	13
Portable bars	2
Custom 9 ft table w/ multi-level shelves - Middle island	1
Metro racks - 5 ft x 80 in	3
Pitco double fryers 65 lb 140,000 BTU	2
Gas salamander - 34"	1
Flat top grill w/oven - 36"	1

Superior 6 burner oven w/single oven door	1
Cocktail tables	10
Grade A security safe	1
Built-in Catering prep table w/backsplash & single drawer (10')	1
Pitco single fryer 40-50lb	1
Built-in water station sink - 66' x 32"	1
Double door beer bottle refrigerator unit - 6 ft	1
Single door mega top w/single door refrigerator below - 28"	1
Coat racks - 76"	2
Dance Floor Carts	4
Hobart slicer	1
Therma-tek char grill - 3 ft	1
Built-in Catering prep table w/produce wash sink/single drawer (12')	1
Double door beer bottle refrig unit - 4 ft	2
Bolted propane rack	1
Green metro w/wheels - 5'	1
Green metro rack - 5' x 2'	1
Stainless steel square table w/lower shelf - 8' x 30"	1
Rolling metro racks - 5' x 2'	1
Built in pass through - 2 ft x 150"	1
Built in pass through - 2 ft x 80"	1
Metro rack - 2 ft x 36 in	1
Rolling metro rack - 4' x 2'	1
Rolling metro rack - 3' x 2'	1
Rolling metro rack - 4' x 2'	1
Stainless steel table - 48'	1
Stainless steel square table - 8' x 2'	1
Stainless steel coffee table - 4' x 30"	1

Rolling metro rack - 3 ft x 2 ft	1
Hayman deposit safe w/keypad	1
Mixer stand	1
Stand for grill w/wheels - 3 ft	1
Office chairs	3
2-drawer file cabinet	1
Outdoor Chairs	30
Round patio tables	8
Tile faced firepit table w/4 chairs	1
Tents	4
Christmas Tree	1
Yamaha Speakers	2
Soundcraft Audio mixers	2
LTI Blox interface	1
Panasonic projector	1
Outdoor Grill	1
Combi Oven	1

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.7	Meeting Date:	January 27, 2025
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	N/A		Megan Bookey, Program Assistant III
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Keith Jullie, Rental and Business Licensing Manager
Item:	Approve a Tetrahydrocannabinol (THC) for Amcon Inc. dba Go for It Gas, Located at 7840 Lakeland Ave N. Brooklyn Park, MN 55443		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE A TETRAHYDROCANNABINOL (THC) LICENSE FOR AMCON INC. DBA GO FOR IT GAS, LOCATED AT 7840 LAKELAND AVE N, BROOKLYN PARK, MN 55445

Overview:

This is a new THC license for Go For it Gas. This business has a tobacco license and is adding THC to the products being sold. The THC license application have been approved, and the police department has completed their investigation of the applicant. There are no known code violations at the property and the Police and Community Development Departments recommend approval of these THC Sales licenses.

Background:

On July 1, 2022 the Minnesota legislature legalized the sale of limited amounts of Tetrahydrocannabinol (THC), which is the intoxicating component within the hemp plant. THC can be extracted from the plant and added to edibles and beverages for consumption. State law requires that these products contain no more than 0.3% of any THC total, no more than five milligrams of THC per serving, and no more than 50 milligrams of THC per package. The law prohibits the sale of edible THC products to anyone under the age of 21 and contains several requirements regarding labeling and packaging.

Ordinance Requirements:

The THC ordinance and licensing requirements include regulations from State law and City code including:

- Businesses must have a license approved by the city council to sell THC products effective March 1, 2023.
- Customers must be 21 years old to purchase THC products, and it is a petty misdemeanor violation for anyone under 21 to possess licensed products.
- Customers must provide a valid government issued photo identification for purchase upon request.
- Products must be located behind a counter or in a locked case requiring store employees to access.
- License applicants must pass a background check prior to license approval.
- Compliance checks and business inspections are required to ensure compliance with regulations.
- Annual license fee of \$1,000 and background check fee of \$500
- The total number of THC licenses allowed in the city proposed at 15 per each of three city council districts (east, central, west) and 45 total licenses allowed in the city based on discussion with the city council during the first reading.
- THC licenses are allowed in all retail areas except within 300 feet of a school.

- Penalties for violations and appeal processes are comparable to tobacco compliance processes.

THC Business Locations:

Business Name	Location	Council District	West	Central	East
A&J Tobacco	8058 Brooklyn Blvd	West	X		
A1 Smokes and Vapes	3015 85th Ave	East			X
Boone Tobacco	6284 Boone Ave	West	X		
BP Smoke Shop	7654 Brooklyn Blvd	East			X
BP Smoke Shop	7642 Brooklyn Blvd	East			X
Cellar's Wine & Spirits	7944 Brooklyn Blvd	West	X		
E-Cig Market	8413 West Broadway	West	X		
E-Vapor and Tobacco	4658 85th Ave	Central		X	
Fast N Fresh	6321 Zane Ave	West	X		
Go For It Gas	7820 Lakeland Ave	West	X		
Good Zen	8509 Jefferson Ln	West	X		
High Cloud	8517 Zane Ave	Central		X	
Ike's Wine & Spirits	9682 Colorado Ln	West	X		
Kwik Trip	5801 96th Ave	Central		X	
Kwik Trip	9495 Noble Pkwy	Central		X	
Love is an Ingredient	6276A Boone Ave	West	X		
Love is an Ingredient	8505 Jefferson Ln	West	X		
New Superette	6290 Boone Ave	West	X		
Palmer Lake VFW	2817 Brookdale Dr	East			X
Pixie Liquor	1512 Brookdale Dr	East			X
Speedy Market & Tobacco	7401 Regent Ave	East			X
Tobacco for Less	9334 Zane Ave	Central		X	
Tobacco Plus	1436 - 85th Ave	East			X
Up North Liquor	9570 Noble Pkwy	Central		X	
Winner Gas	1500 Brookdale Dr	East			X
		Totals	11	6	8

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: THC license fee of \$1,000 will be added to the general fund.

Attachments: N/A

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.8	Meeting Date:	January 27, 2025
Agenda Section:	Consent	Originating Department:	Recreation and Parks
Resolution:	X	Prepared By:	Brad Tullberg, Recreation and Parks Director
Ordinance:	N/A		
Attachments:	2	Presented By:	Brad Tullberg Brad Tullberg, Recreation and Parks Director
Item:	Accept Hennepin Youth Activities Grant for The Zanewood Recreation Center Project		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-____ TO ACCEPT HENNEPIN YOUTH ACTIVITIES GRANT FOR THE ZANEWOOD RECREATION CENTER PROJECT IN THE AMOUNT OF \$300,000.

Overview:

The Minnesota Twins Ballpark sales tax, approved by the Minnesota Legislature in 2006, funds the Hennepin Youth Sports Program. State legislation authorizing the construction of Target Field allows Hennepin County to use a portion of the 0.15% sales tax surcharge to grant over \$2 million dollars each year to Hennepin County communities to assist with youth activities.

In October 2024, Recreation & Parks staff applied for a Hennepin Youth Activities Grant for the Zanewood Recreation Center project in the amount of \$300,000. The purpose of the grants is to allow municipalities, park districts, watershed districts, and school districts to create, expand, or improve athletic and recreational facilities to enhance opportunities for youth participation.

Staff were notified on December 12, 2024, that the Zanewood Recreation Center renovation and expansion project had been awarded a grant in the amount of \$300,000.

Staff have reviewed grant requirements and agree to be bound by the Hennepin County Grant Agreement and are prepared to be the fiscal agent for the award, to disburse the funds, and ensure the funds are used as listed in the application.

Primary Issues/Alternatives to Consider:

Staff recommends acceptance of the Hennepin Youth Activities Grant in the amount of \$300,000 to support the renovation and expansion of the Zanewood Recreation Center.

Budgetary/Fiscal Issues:

Grant awards will be paid to grant recipients through a cost-reimbursement contract. The awards are paid as reimbursement after the Local Government Unit (LGU) submits documentation of project activity expenses.

Attachments:

- 4.8A RESOLUTION
- 4.8B FINANCIAL ANALYSIS/BUDGET AMENDMENT

RESOLUTION #2025-

TO ACCEPT A HENNEPIN YOUTH ACTIVITIES GRANT FOR THE ZANEWOOD RECREATION CENTER
PROJECT IN THE AMOUNT OF \$300,000

WHEREAS, state legislation authorizing the construction of Target Field allows Hennepin County to use a portion of the 0.15% sales tax surcharge to grant over \$2 million dollars each year to Hennepin County communities to assist with youth activities; and

WHEREAS, in October 2024, Recreation & Parks staff applied for a Hennepin Youth Activities Grant for the Zanewood Recreation Center project in the amount of \$300,000; and

WHEREAS, staff were notified on December 12, 2024, that the Zanewood Recreation Center renovation and expansion project had been awarded a grant in the amount of \$300,000; and

WHEREAS, staff have reviewed grant requirements and agree to be bound by the Hennepin County Grant Agreement and are prepared to be the fiscal agent for the award, to disburse the funds, and ensure the funds are used as listed in the application; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to Accept a Hennepin Youth Activities Grant for the Zanewood Recreation Center Project in the Amount of \$300,000.

City of Brooklyn Park Financial Analysis



City Council Meeting Date: 1/27/2025

RFCA Title: Youth Activities Grant Acceptance

Agenda Section/Number: 4.8

Fiscal Analysis/Explanation for Budget Amendment:

Rec and Park applied for and received the Hennepin County Youth Activities Grant, which provides \$300,000 towards the construction of the new gymnasium at Zanewood Recreation Center.

Changes to the GENERAL LEDGER Budget

Financing Changes

<u>Fund</u>	<u>Revenue Classification</u>	<u>Description</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Amended Budget</u>
203	Other Grants	HC Youth Activities Grant	\$ -	\$300,000.00	\$ 300,000.00
			\$ -	\$ -	\$ -
					\$ -
					\$ -
Total			\$ -	\$300,000.00	\$ 300,000.00

Spending Changes

<u>Fund</u>	<u>Expense Classification</u>	<u>Description</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Amended Budget</u>
203	Capital Outlay	Teen Center Construction	\$ -	\$300,000.00	\$ 300,000.00
			\$ -	\$ -	\$ -
					\$ -
					\$ -
					\$ -
Total			\$ -	\$300,000.00	\$ 300,000.00

Changes to the PROJECT Budget (Only complete this section if this is a CIP/CEP/Grant)

Financing Changes

<u>Project Number</u>	<u>Funding Source</u>	<u>Description</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Amended Budget</u>
GROHC-YAG	G.R. - Grants	HC Youth Activities Grant	\$ -	\$300,000.00	\$ 300,000.00
					\$ -
					\$ -
					\$ -
					\$ -
Total			\$ -	\$300,000.00	\$ 300,000.00

Spending Changes

<u>Project Number</u>	<u>Expense Category</u>	<u>Description</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Amended Budget</u>
GROHC-YAG	Construction/Maintenance	Teen Center Construction	\$ -	\$300,000.00	\$ 300,000.00
					\$ -
					\$ -
					\$ -
					\$ -
Total			\$ -	\$300,000.00	\$ 300,000.00

City of Brooklyn Park Request for Council Action

Agenda Item:	4.9	Meeting Date:	January 27, 2025
Agenda Section:	Consent	Originating Department:	Recreation & Parks
Resolution:	X	Prepared By:	Brad Tullberg, Recreation & Parks Director
Ordinance:	N/A		
Attachments:	1	Presented By:	Brad Tullberg, Recreation & Parks Director
Item:	Accept \$100,000 Donation from the Thielen Foundation for the Zanewood Recreation Center Project		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ TO ACCEPT A \$100,000 DONATION FROM THE THIELEN FOUNDATION FOR THE ZANEWOOD RECREATION CENTER PROJECT.

Overview:

Adam Thielen is a National Football League wide receiver who played for the Minnesota Vikings and currently plays for the Carolina Panthers. Adam and his wife, Caitlin Thielen, founded the Thielen Foundation in the fall of 2018 to help serve, educate and inspire those in need.

With an overarching theme on youth development, the Thielen Foundation aims to create programs that will equip and empower kids to reach their full potential in life. The motto, "achieve your full potential", is a guiding principle lived out by Adam every day and is meant to inspire and motivate individuals to overcome challenges and adversity, so they can tackle some of life's biggest goals.

Brooklyn Park staff and representatives from the MN Chill Foundation worked with the Thielen Foundation to request and receive a \$100,000 donation to support the construction and furnishing of the gym during the Zanewood Recreation Center expansion and renovation. Amy Sinclair, Executive Director of the Thielen Foundation, announced the award of the \$100,000 donation during a presentation at the January 6, 2025 City Council meeting.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.9A RESOLUTION

RESOLUTION #2025-

TO ACCEPT A \$100,000 DONATION FROM THE THIELEN FOUNDATION FOR THE ZANEWOOD
RECREATION CENTER PROJECT

WHEREAS, Adam Thielen is a National Football League wide receiver who played for the Minnesota Vikings and currently plays for the Carolina Panthers and along with his wife, Caitlin Thielen, founded the Thielen Foundation in the fall of 2018 to help serve, educate and inspire those in need; and

WHEREAS, the Thielen Foundation aims to create programs that will equip and empower kids to reach their full potential in life; and

WHEREAS, on January 6, 2025, the Thielen Foundation presented a donation of \$100,000 to the City of Brooklyn Park for the Zanewood Recreation Center gymnasium construction and equipment; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to Accept a \$100,000 Donation from the Thielen Foundation for the Zanewood Recreation Center Project.

City of Brooklyn Park

Request for Council Action

Agenda Item:	4.10	Meeting Date:	January 27, 2025
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Devin Montero, City Clerk
Ordinance:	N/A		
Attachments:	2	Presented By:	Devin Montero
Item:	Approval of Minutes		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF JANUARY 6, 2025, AS PRESENTED BY THE CITY CLERK.

MOTION _____, SECOND _____, TO APPROVE THE MINUTES OF THE BROOKLYN PARK CITY COUNCIL MEETING OF JANUARY 13, 2025, AS PRESENTED BY THE CITY CLERK.

Overview: N/A

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

- 4.10A REGULAR CITY COUNCIL MEETING MINUTES, JANUARY 6, 2025
- 4.10B REGULAR CITY COUNCIL MEETING MINUTES, JANUARY 13, 2025

REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, January 6, 2025
6:00 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

City Clerk Montero announced the swearing in of Council Members.

Mayor Roslyn Harmon, City of Golden Valley, swore in Shelle Page as Central District Council Member.

City Clerk Montero swore in Amanda Cheng Xiong as East District Council Member.

City Clerk Montero swore in Tony McGarvey as West District Council Member.

City Clerk Montero announced that due to the Mayor being absent and a Mayor Pro Tem has not been appointed, the Council would have to appoint a Council chair for tonight's meeting.

MOTION ERIKSEN, SECOND MCGARVEY TO APPOINT COUNCIL MEMBER KLONOWSKI AS COUNCIL CHAIR FOR TONIGHT'S MEETING.

MOTION TRAN TO APPOINT COUNCIL MEMBER PAGE AS COUNCIL CHAIR FOR TONIGHTS MEETING. THE MOTION FAILED DUE TO A LACK OF A SECOND.

THE VOTE ON THE MAIN MOTION TO APPOINT COUNCIL MEMBER KLNOWSKI AS COUNCIL CHAIR FOR TONIGHTS MEETING PASSED UNANIMOUSLY.

CALL TO ORDER – Chair Nichole Klonowski

PRESENT Chair Nichole Klonowski; Council Members Christian Eriksen, Amanda Cheng Xiong, Shelle Page, Tony McGarvey and Maria Tran; City Manager Jay Stroebe; City Attorney Jim Thomson; Community Development Director Tim Gladhill; Finance Director LaTonia Green; Operations and Acting Maintenance Director Greg Hoag; Recreation and Parks Director Brad Tullberg; Police Chief Mark Bruley; City Clerk Devin Montero and Deputy City Clerk Jenny Gooden.

ABSENT: Mayor Hollies Winston (excused)

Chair Klonowski opened the meeting with the Pledge of Allegiance.

2A RESPONSE TO PRIOR PUBLIC COMMENT

City Manager Stroebe stated there was no public comment at the last Council meeting.

2B PUBLIC COMMENT

1. **Collette Guyott Hemple, 9277 Trinity Gardens.** She congratulated the new Council Members as well as Council Member McGarvey for returning, She asked again for the Council's help regarding Minnesota and federal constitutions that the Council had taken an oath for, regarding the Osseo School District. She stated it was year 4 of the community education and now excluded some of the schools in the city primarily the

ones south of 85th. She stated any ones south of 85th that did, had 1 out of 69 listed after school activities on the community education website for after school for kids.

She stated the city had 404 group homes, the largest number other than Minneapolis or St. Paul, in the state and they did not have disabled courses and there were no senior courses physically present in the city from the school district.

She stated they were closing Crest View elementary and from a federal standpoint, when closing a school, had to give kids choices of less highly mobile and at-risk schools. She stated the Crestview kids were told they could go to Edinbrook elementary with 50% turnover within a year: Fair Oaks or Zanewood. She stated the public needed to know when that meeting was held. She stated she knew in the past the city Council had tried phone calls and the City Manager and Parks and Recreation Department had tried having meetings with the school district and nothing seemed to change. She stated it had been for 4 years of that happening since covid ended.

She thanked the Park and Recreation Department for the last two years they had put together an excellent winter break with bus transportation and everything to serve kids in the city. She stated the Lions Club had done the Drum Corp and Dance line for 15 years. The Rotary club and other clubs as well as individuals paid for specific programs and there were foundations like the Thielen Foundation and Minnesota Chill that made such an impact.

2. **Sandi Richmond, Big Brothers/Sisters organization, 3110 Washington Avenue, Minneapolis.** She stated the organization was the largest mentoring hub located in north Minneapolis, where they created and supported mentoring relationships. She stated January was national mentoring month and in attendance to celebrate with everyone and share some volunteer and mentoring opportunities. She stated they had volunteer opportunities ranging from 12 weeks to 1 year. They matched adult volunteer mentors with youth in their programs based on shared interest and proximity to one another. She stated they currently had 23 Brooklyn Park youth waiting to be matched with mentors and meant 23 parents or care givers had found their mission very valuable enough to sign their child up to receive a mentor. She stated they had over 500 youth waiting in the counties of Hennepin, Ramsey, Dakota, Washington and Anoka. She stated if anyone was interested in being a Big or know someone who would make a great Big, to inquire at www.bigtwincities.org/volunteer or connect with her on LinkedIn. She stated making an impact together would be bigger together.
3. **Robert Klave, 6280 Forest Avenue North.** He stated at the request of Rick Luckow, Public Utilities Superintendent, referred him to speak tonight about sewer assessment issue. He stated he had his own well and found out many years ago, his billing did not relate to the people that had water coming from the city and was about 3 times as much. He thought there should be some type of assessments for those residents including himself. He stated he would like that to be looked at quickly, because compared to the residents or others in the area was very costly for him. He stated he just wanted it to be looked at and based on the number of households too because he thought the assessment was done according to how many people were in the house and that had changed dramatically in the past couple decades. He stated the single households made a difference as far as the sewage and water were being consumed.
4. **Jammer Miceli, 6281 Florida Avenue North.** Stated he had an issue that was ongoing in Hennepin County, the wheelage tax. He stated it was designed in 1970 or 1980 for big trucks/semis that did damage to the local roads. He stated in the last number of years the county had implemented it on all residents. He stated everyone was paying an extra

\$20 a year. He stated he had 5 vehicles on the road and was an extra \$100 a year. He stated the tabs paid that money for the roads and were being double taxed. He believed that \$9 million overflow was part of it and was owed back to everyone. He stated he would like the Council made a motion to end it. He stated he was told by DMV to go to Hennepin County, and he went to the county, and they said he had to go the Council meeting to address it and get the ball rolling. He stated he would like to see it taken out of the legislature or whatever they had to do to get that money back to the people who paid it because it was unconstitutional and were being double tax for the roads.

3A. MOTION KLONOOWSKI, SECOND MCGARVEY TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK WITH REMOVAL OF ITEMS 4.9, 7.1 AND 7.2 TO THE NEXT MEETING. MOTION PASSED UNANIMOUSLY.

3B PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B1 Introduction of new employees.

Assistant City Manager Smith introduced Cindy Devonish as a new employee to the Administration Department.

3B2 Acknowledge and Accept a \$100,000 Donation from the Thielen Foundation for the Zanewood Recreation Center Project.

Recreation and Parks Director Tullberg briefed the Council on the donation from the Thielen Foundation for the Zanewood Recreation Center Project. He introduced Cindy Hill, Chill Foundation and she briefed about the Council of the partnership with the Thielen Foundation. She introduced Amy Sinclair, Thielen Foundation and she briefed about the foundation and the donation of \$100,000. She presented the check to Director Tullberg.

Parks and Facilities Manager Marcus Hill thanked Council, city manager; Director Tullberg; Youth Services Coordinator Pam McBride and staff at Zanewood for investing in the project and making it a state-of-the-art project facility. He stated the recreation center would be able to serve the youth and families of the community. He gave a special thanks to the Minnesota Chill Foundation and Thielen Foundation for the generous donation. He stated Adam and him both believed in having a state-of-the-art facility for youth and so proud to be doing it with him. He stated Adam was truly their man of the year and if asked everyone to go to NFL.com, and vote for man of the year, Adam Thielen and would greatly be appreciated. He stated in 2023, one of his former Chill players was shot and killed in the city on a Friday night and believe he would still be alive if he had a teen center where he could go and play basketball, be around good staff and mentors. He stated he was a straight A student, going to graduate early from high school and was taking classes at Anoka Ramsey. He stated the new building will forever change lives and happy that everyone would be part of the project.

Council Member Page asked to pull Item 4.8 from the Consent agenda for further understanding

4.0 MOTION ERIKSEN, SECOND MCGARVEY TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEMS:

4.0 THE MOTION TO APPROVE THE CONSENT ITEMS AND PULLING ITEM 4.8 PASSED UNANIMOUSLY

4.1 TO CONFIRM THE MAYOR'S APPOINTMENT OF AKIHITO JACOBS, CHRIS SULLIVAN AND JASON NEWBY AS ASSISTANT WEED INSPECTORS FOR THE YEAR 2025.

4.2 TO CONFIRM THE CITY COUNCIL APPOINTMENT OF AKIHITO JACOBS AND ALTERNATE'S CHRIS SULLIVAN AND MIKE CARHILL AS CITY TREE INSPECTORS FOR THE YEAR 2025.

4.3 TO WAIVE THE READING AND ADOPT RESOLUTION #2025-01 APPOINTING MARCUS CULVER AND MITCHELL ROBINSON AS DIRECTOR'S AND LATONIA GREEN AS ALTERNATE DIRECTOR OF THE SUBURBAN RATE AUTHORITY FOR 2025.

4.4. TO CONFIRM THE CITY MANAGER'S APPOINTMENT OF DR. MATTHEW HOCKETT AS BROOKLYN PARK'S HEALTH OFFICER FOR A TERM OF ONE YEAR TO EXPIRE DECEMBER 31, 2025.

4.5 TO DESIGNATE THE BROOKLYN PARK SUN-POST AS THE OFFICIAL NEWSPAPER FOR THE CITY OF BROOKLYN PARK FOR THE YEAR 2025.

4.6 TO AUTHORIZE THE CITY MANAGER TO DESIGNATE A DEPARTMENT DIRECTOR, FIRE CHIEF, POLICE CHIEF OR THE ASSISTANT CITY MANAGER TO SERVE, IF NEEDED, AS ACTING CITY MANAGER THROUGH DECEMBER 31, 2025.

4.7 TO WAIVE THE READING AND ADOPT RESOLUTION #2025-02 TO ACCEPT A MINNESOTA DEPARTMENT OF PUBLIC SAFETY ARMER GRANT FOR THE PURCHASE OF POLICE RADIOS.

4.10 TO WAIVE THE READING AND ADOPT RESOLUTION #2025-03 RELATING TO COUNCIL/STAFF RESPONSIBILITIES.

4.11 TO WAIVE THE READING AND ADOPT RESOLUTION #2025-04 AUTHORIZING SUPPLEMENTAL COMPENSATION FOR MAYOR AND COUNCIL MEMBERS WHO ATTEND APPROVED MUNICIPAL FUNCTIONS.

4.12 TO WAIVE THE READING AND ADOPT RESOLUTION #2025-05 RELATING TO BUSINESS EXPENSES OF THE CITY COUNCIL.

4.13 TO APPROVE THE APPLICATION AND APPOINTMENT POLICY FOR FILLING A VACANCY IN THE OFFICE OF MAYOR OR COUNCIL MEMBER.

4.14 TO SET THE LOCAL BOARD OF APPEAL AND EQUALIZATION MEETING FOR MONDAY, APRIL 14, 2025, AT 6:00 P.M.

4.15 TO WAIVE THE READING AND ADOPT RESOLUTION #2025-06 DESIGNATING REAL PROPERTY APPRAISERS FOR 2025.

4.8 Community Activity Center Improvements Task Force Member Recommendations.

Recreation and Parks Director Tullberg briefed the Council on the Task Force recommendations.

Council Member Tran announced the names of the Members of the Task Force and thanked everyone for serving the city.

Council Member Page asked about the 19 applications for the 6 at large. She ask if there was room for the individuals to be added to the Recreation and Parks Advisory with Terry Parks and Ice Sports with Sarah Pericho and TBD for hockey. She asked if there was room in that capacity to put them in there for support or was that part of a group and they were leading it and was not familiar with the process.

Director Tullberg stated the appointments to the RPAC, Ice Sports and Hockey came from the organizations. He stated at the time of the packet, the hockey representative was not identified but Collin Steen, President of Osseo Maple Grove Hockey, which serves a big portion of Brooklyn Park would be the hockey representative on the task force. He stated that the folks not selected they would be alternates but he had heard from everyone that they accepted to be a part of it and look forward to be on the task force. He stated they would need to be part of those specific organizations to represent whether it was Courts or Ice.

Council Member Page asked about the meetings and who would be attending.

Director Tullberg stated he would be attending with Parks and Facilities Manager Hill, CAC Manger Mark Palm and those 12 people and would meet once or twice a month to have discussions on the improvements.

4.8 MOTION MCGARVEY, SECOND TRAN TO WAIVE THE READING AND ADOPT RESOLUTION #2025-07 TO APPROVE AND APPOINT RECOMMENDED COMMUNITY ACTIVITY CENTER IMPROVEMENTS TASK FORCE MEMBERS. THE MOTION PASSED UNANIMOUSLY.

5. PUBLIC HEARINGS-None.

6. LAND USE ACTIONS-None.

7. GENERAL ACTION ITEMS.

7.3 Public Purpose Expenditures Policy Approval.

Finance Director Green briefed the Council on the Public Purpose Expenditures Policy.

Council Member Tran asked about the meals and refreshments she had seen in the reports relating to interviews.

Director Green stated if it was a meeting with staff to discuss candidates, lunch would be provided, but if they were interviewing, meals would not be provided, but did provide water.

Council Member Tran stated residents were not happy with property taxes and needed to try to minimize it because it was a burden on the taxpayers. She stated the Council had to do what they could to do their best to serve the residents.

7.3 MOTION XIONG, SECOND ERIKSEN TO WAIVE THE READING AND ADOPT RESOLUTION #2025-08 ACCEPTING THE CURRENT PUBLIC PURPOSE EXPENDITURES POLICY. MOTION PASSED UNAIMOUSLY.

7.4 Request by Mayor Winston to Travel to and Attend the Mississippi Rivers and Towns Initiatives Special Mayoral Reception from January 17-18, 2025.

City Manager Stroebel briefed the Council on the Mayor's request to travel to the Mississippi Rivers and Towns Initiatives Special Mayoral Reception from January 17-18, 2025.

7.4 MOTION MCGARVEY, SECOND XIONG TO APPROVE MAYOR WINSTON TO TRAVEL TO AND ATTEND THE MISSISSIPPI RIVERS AND TOWNS INITIATIVES SPECIAL MAYORAL RECEPTION FROM JANUARY 17-18, 2025. THE MOTION PASSED. (5 TO 0) TRAN ABSTAINED.

8. DISCUSSION ITEMS – None.

9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Council Member Page wanted to take the opportunity at her first meeting to thank staff of Brooklyn Park for all the help they provided to the elected Council Members. She stated she was excited to work with the current Council Members, City Manager Stroebel, and Police Chief Bruley. She stated she had a lot to learn and thanked the Central District voter who voted her in.

Council Member Tran thanked the Thielen Foundation for their generous donation to the city and would make good use of the donation. She thanked those serving on the CAC Task Force and former Council Member Tery Parks and wanted more residents to come forward and serve. She welcomed the new Council Members and returning Council Member McGarvey who were sworn in today.

Council Member McGarvey thanked the voters of the West District for reelecting him to represent them on the Council. She thanked his wife, SueAnne and daughter and husband, to attend the swearing in ceremony tonight as well as many of his union brothers and sisters. He thanked the Thielen Foundation for the generous donation for the Zanewood Recreation Center. He thanked everyone for their confidence in the Council and participate and help the Council run the city.

Council Chair Klonowski welcomed Council Members Page and Xiong and great to have more women at the dais and glad to have Council Member McGarvey back. She said happy new year to everyone and hoped everyone had time to rest with family.

Council Member Xiong thanked the voters, staff and Council and giving her confidence to serve as a Council Member. She stated she reMembers the time she testified in front of the Council in at the age of 19/20 and promising she would someday be sitting at one of those seats at the dais. She the thank the residents of the city doing all they could and ensuring the city would be a hospitable one. She thanked the voters in the East District who showed up to vote for her and made her proud. She also thanked the Thielen Foundation and was important to continue to investment in the youth and glad the city was able to receive the donation as she was living proof that Brooklyn Park did invest in youth.

9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel stated there was and a Council orientation this afternoon and as promised passed out the respectful workplace policies for their orientation binders. He also congratulated Council Members Xiong and Page for joining the Council and Council Member

McGarvey for returning to Council. He stated on behalf of staff they were excited for the two new Council Members coming on and returning of Council Members McGarvey, as they got going in 2025 of what all they could accomplish together along with the community. He stated what had been said tonight, the Council needed the resident's input and engagement so they all could do better. He stated if the mayor was watching or listening, he hoped the mayor was doing better.

ADJOURNMENT - With consensus of the Council, Chair Klonowski adjourned the meeting at 7:23 p.m.

NICHOLE KLONOWSKI, COUNCIL CHAIR

DEVIN MONTERO, CITY CLERK

REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, January 13, 2025
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, Amanda Cheng Xiong,, Nicole Klonowski, Shelle Page, Tony McGarvey and Maria Tran; City Manager Jay Stroebel; City Attorney Jim Thomson; Community Development Director Tim Gladhill; Finance Director LaTonia Green; Acting Operations and Maintenance Director Greg Hoag; Recreation and Parks Director Brad Tullberg; Police Chief Mark Bruley and City Clerk Devin Montero.

ABSENT: None.

Mayor Winston opened the meeting with the Pledge of Allegiance.

2A RESPONSE TO PRIOR PUBLIC COMMENT

City Manager Stroebel stated there were four public comments at the January 6 council meeting. In terms of response, the first couple of comments did not need a response but was a reminder from Ms. Guyotte-Hemple and shared her concerns regarding to the lack of opportunities form Osseo Area Schools providing to many of the students south of 85th Avenue relative to those provided to north of 85th Avenue and other communities within the district. She also raised concerns with Crest View Elementary closing.

The second public comment was from Ms. Richmon, Big Brothers, Big Sisters organization and talked about the opportunities in terms of having mentors and number of opportunities for Brooklyn youth and encouraging people to step up with volunteering.

The third comment was from Mr. Clave, he raised questions regarding his sewer and water issues. He was in a unique situation, where his concern was about how high his sanitary sewer bill of \$65.50 per quarter. He was in a unique situation where his house was hooked up to sanitary sewer collections, but he was on a well. Typically, the sanitary sewer rates were connected to how much water usage took place. City Manager Stroebel stated the Public Utilities Superintendent contacted him and let him know there was a flat rate for sanitary sewer of \$65.50 per quarter and obviously did not know how much water he used and he ended up paying the flat rate. For the 99.9% of the homes in the community that sanitary sewer rate was connected back to the water usage rate.

The fourth comment from Mr. Marcelle, raising concerns about the wheelage tax, and the City Engineer would be reaching to Mr. Marcelle. On the tax, the city did not have jurisdiction over the tax and the City Engineer was going to relay that information to Mr. Marcelle.

2B PUBLIC COMMENT

1. Collette Guyott Hempel, 9277 Trinity Gardens. She thanked the Recreation and Parks staff, Minnesota Chill Foundation and Adam and Caitlin Thielen Foundation for their generous donation. She stated the staff efforts expressed the needs of the youth today and future. She asked the council to approve staff's request to fund the sidewalks and bike trails along 101st Avenue. She noticed the safety difference it had made on 93rd

Avenue. She stated that although the snow removal between 3 and 5 a.m. was early, and she heard it meant the walkways and biking paths were safe for people trying to get to work at 6 a.m. in the morning when it was dark and going to Zane and Noble.

She stated that on the conduct code for council members, asked to include respect toward residents who spoke at the council meetings. She stated she had been speaking for 30 years for the kids in the community. She stated she was at the Educational Center when Maple Grove parents were saying to ship them back regarding Fair Oaks kids and not wanting to have three campus schools. She stated she was there when a music teacher, Weaver Lake Science and Magnet school said, when the Math and Science was closing at Edgewood that the students from Edgewood would ruin their blue-ribbon school. She was there arguing for the dome at Maple Grove High school, when Maple Grove was paying for it that Park Center as well as Osseo school kids were able to use it.

She stated she had been at council meetings for 4 years about the community education books and requested the council hold a joint meeting with the board members in the chambers with the television cameras on to get some clarification because they said there were safety concerns and then said there were other activities. She stated they opened their community education afterschool catalog that was online only now, they would find Birch Grove and other schools in Brooklyn Park, have zero course listings when they were giving 69 opportunities within the district for elementary kids and needed to hold them accountable.

2. Robert Klave, 6280 Forest Ave N. Had concern is with the adjustments that needed to be made with the sewer usage billings in the city. He stated that according to a number of household documents, through investigations and finding out there were single person dwelling were charged as much as three times for their sewage usage versus a person that received city water service. He stated if there was a flat rate that should be looked at and not just one person but all households that did not have city water in the city. He stated that if anyone had more concerns to contact Mr. Rick. Luckow, Public Utilities Superintendent.

3A. MOTION ERIKSEN, SECOND KLONOWSKI TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK AND ADDING ITEM 3B.2 PROCLAMATION FOR UMAM DUKULY. MOTION PASSED UNANIMOUSLY.

Mayor Winston stated he would go to Item 3B.2 when Mr. Dukuly and representatives would be present.

3B PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B.1 Mayor's Proclamation to Recognize January 20, 2025, as Reverend Dr. Martin Luther King Jr. Day in the City of Brooklyn Park.

Mayor Winston read a proclamation to Recognize January 20, 2025, as Reverend Dr. Martin Luther King Jr. Day in the City of Brooklyn Park.

4.0 MOTION ERIKSEN, SECOND TAN TO APPROVE THE FOLLOWING ADMINISTRATIVE CONSENT ITEM:

4.1 TO WAIVE THE READING AND ADOPT RESOLUTION #2025-09 TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR ENGINEERING SERVICES WITH BOLTON AND MENK FOR DESIGN, BIDDING AND CONSTRUCTION ADMINISTRATION OF THE 2025-2027 NORTHWEST WATER TOWER PROJECT

4.2 TO WAIVE THE READING AND ADOPT RESOLUTION #2025-10 ORDERING A PUBLIC HEARING FOR VACATING THAT PART OF THE STREET EASEMENTS ON THE NORTHERNMOST THIRTY FEET OF PROPERTIES (PID 0811921220001 AND PID 0811921220002), HENNEPIN COUNTY, MINNESOTA

4.3 TO APPROVE PAUL LELII AS A HEARING OFFICER FOR THE CITY'S ADMINISTRATIVE ENFORCEMENT PROGRAM.

THE MOTION PASSED UNANIMOUSLY.

5. PUBLIC HEARINGS

5.1 Public Hearing for Easement Vacation at Lot 2 & 3, Block 1, Brolin's Winnetka Industrial Park.

Water Resources Engineer Mitch Robinson briefed the council on the Easement Vacation at Lot 2 & 3, Block 1, Brolin's Winnetka Industrial Park.

Mayor Winston opened the public hearing to consider the Easement Vacation at Lot 2 & 3, Block 1, Brolin's Winnetka Industrial Park.

The following individuals addressed the council-None

Mayor Winston closed the public hearing and returned the item back to the table for consideration.

5.1 MOTION KLONOWSKI, SECOND XIONG TO WAIVE THE READING AND ADOPT RESOLUTION #2025-11 VACATING THAT PART OF THE DRAINAGE AND UTILITY EASEMENTS ON LOT 2 & 3, BLOCK 1, BROLIN'S WINNETKA INDUSTRIAL PARK ACCORDING TO THE RECORDED PLAT THEREOF, HENNEPIN COUNTY, MINNESOTA. MOTION PASSED UNANIMOUSLY.

5.2 Public Hearing for Easement Vacation at Outlot A, Six Ten Zane Second Addition.

Water Resources Engineer Mitch Robinson briefed the council on the Easement Vacation at Outlot A, Six Ten Zane Second Addition.

Mayor Winston opened the public hearing to consider Easement Vacation at Outlot A, Six Ten Zane Second Addition.

The following individuals addressed the council-None.

Mayor Winston closed the public hearing and returned the item back to the table for consideration.

5.2 MOTION TRAN, SECOND ERIKSEN TO WAIVE THE READING AND ADOPT

RESOLUTION #2025-12 VACATING THAT PART OF THE UTILITY EASEMENTS ON OUTLOT A, SIX TEN ZANE SECOND ADDITION ACCORDING TO THE RECORDED PLAT THEREOF, HENNEPIN COUNTY, MINNESOTA. MOTION PASSED UNANIMOUSLY.

6. LAND USE ACTIONS-None.

7. GENERAL ACTION ITEMS.

7.1 Appointment of Council Liaisons to Commissions and Committees

Mayor Winston briefed the council on the Council Liaisons to Commissions and Committees

7.1 MOTION WINSTON, SECOND KLONOWSKI TO CONFIRM THE MAYOR'S COUNCIL LIAISON APPOINTMENTS TO COMMISSIONS AND COUNCIL OR STAFF LIAISONS TO COMMITTEES FOR THE YEAR 2025.

MAYOR WINSTON TO APPOINT **NICHOLE KLONOWSKI**, **TONY MCGARVEY**, AND **SHELLE PAGE** AND AS MEMBERS OF THE AUDIT COMMITTEE.

MAYOR WINSTON TO APPOINT **SHELLE PAGE** AS LIAISON BETWEEN THE CITY COUNCIL AND THE BUDGET ADVISORY COMMISSION.

MAYOR WINSTON TO APPOINT **NICHOLE KLONOWSKI** AS LIAISON BETWEEN THE CITY COUNCIL AND THE CHARTER COMMISSION.

MAYOR WINSTON TO APPOINT **CHRISTIAN ERIKSEN** AS LIAISON BETWEEN THE CITY COUNCIL AND THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION.

MAYOR WINSTON TO APPOINT **AMANDA CHENG XIONG** AS LIAISON BETWEEN THE CITY COUNCIL AND THE HUMAN RIGHTS COMMISSION.

MAYOR WINSTON TO APPOINT **TONY MCGARVEY** AS LIAISON BETWEEN THE CITY COUNCIL AND THE PLANNING COMMISSION.

MAYOR WINSTON TO APPOINT **SHELLE PAGE** AS LIAISON BETWEEN THE CITY COUNCIL AND THE RECREATION AND PARKS ADVISORY COMMISSION.

MAYOR WINSTON TO APPOINT **CHRISTIAN ERIKSEN** AS THE COUNCIL LIAISON TO THE BROOKLYN PARK DEVELOPMENT CORPORATION.

MAYOR WINSTON TO APPOINT **CHRISTIAN ERIKSEN** AS PRIMARY LIAISON AND **AMANDA CHENG XIONG** AS ALTERNATE LIAISON BETWEEN THE CITY COUNCIL AND THE BROOKLYNS YOUTH COUNCIL.

MAYOR WINSTON TO APPOINT **AMANDA CHENG XIONG** AS PRIMARY LIAISON AND **CHRISTIAN ERIKSEN** AS ALTERNATE LIAISON BETWEEN THE CITY COUNCIL AND THE BROOKLYN BRIDGE ALLIANCE.

MAYOR WINSTON TO APPOINT **MAYOR HOLLIES WINSTON** AS PRIMARY LIAISON BETWEEN THE CITY COUNCIL AND THE MINNEAPOLIS NORTHWEST TOURISM BOARD WITH TIM GLADHILL SERVING AS PRIMARY STAFF LIAISON AND THE

ECONOMIC DEVELOPMENT AND HOUSING DIRECTOR AND **SHELLE PAGE** SERVING AS ALTERNATE LIAISON.

MAYOR WINSTON TO APPOINT **TONY MCGARVEY** AS LIAISON BETWEEN THE CITY COUNCIL AND THE PROPERTY MANAGER'S COALITION.

MAYOR WINSTON TO APPOINT **MAYOR HOLLIES WINSTON** AS THE LIAISON TO THE COMMUNITY ACTIVITY CENTER IMPROVEMENT TASKFORCE.

MAYOR WINSTON TO APPOINT **CHRISTIAN ERIKSEN** AS THE LIAISON AND **AMANDA CHENG XIONG** AS ALTERNATE LIAISON TO THE 252 TASKFORCE.

MAYOR WINSTON TO APPOINT **MAYOR HOLLIES WINSTON** AS PRIMARY LIAISON AND **NICHOLE KLONOWSKI** AS THE ALTERNATE LIAISON TO THE BOTTINEAU COMMUNITY WORKS STEERING COMMITTEE.

MAYOR WINSTON TO APPOINT **MAYOR HOLLIES WINSTON** AS PRIMARY LIAISON AND **AMANDA CHENG XIONG** AS THE ALTERNATE LIAISON TO THE METRO BLUE LINE CORRIDOR MANAGEMENT COMMITTEE.

MAYOR WINSTON TO APPOINT **MAYOR HOLLIES WINSTON** AS PRIMARY LIAISON AND **NICHOLE KLONOWSKI** AS THE ALTERNATE LIAISON TO THE CITY COUNCIL LEADS ON LEGISLATIVE AFFAIRS.

THE MOTION PASSED. (5 TO 0) PAGE AND TRAN ABSTAINED.

Council Member Tran asked if she was still off the assignments as Council Liaison because of the censure.

Mayor Winston stated under the censure, she couldn't be on the commissions and publicly representing the city.

7.2 Appointment of Mayor Pro Tem.

Mayor Winston briefed on the appointment of Mayor Pro Tem.

7.2 MOTION WINSTON, SECOND KLONOWSKI, TO APPOINT COUNCIL MEMBER CHRISTIAN ERIKSEN AS MAYOR PRO TEM FOR THE YEAR 2025. THE MOTION PASSED. (6 TO 1) TRAN VOTED NO.

7.3 Approval of Elected Officials Rules of Procedures and Code of Conduct Manual.

City Manager Stroebel briefed the council on the Elected Officials Rules of Procedures and Code of Conduct Manual.

Mayor Winston stated the Elected Officials Rules of Procedures and Code of Conduct Manual was something they voted on and important to hold the council accountable to how they treated one another or how they treated residents. He stated he was all for voting and approving it and thought it provided structure in terms of how they interacted with one another but it also protected the council in a number of ways legally when they were interacting with one another. He stated it was important to have some type of foundation as to know how they should resolve

some of the issues or how they should resolve disciplinary issues. He stated that working with the City Manager Stroebe and City Attorney Thomson, they were very well versed in the document. He stated they took it very seriously and majority of the council took it seriously and needed to continue to do that because it was a wonderful standard told the council accountable.

Council Member Tran stated she thought it wasn't enough to serve the council because she didn't feel safe and didn't feel respected from other council members in the past. She stated the document still needed to be supported and changed.

Mayor Winston asked Council Member Tran if there were any particular suggestions that needed to be changed.

Council Member Tran stated she wanted to see more changes from the other council members because she didn't think it was adequate.

7.3 MOTION KLONOWSKI, SECOND WINSTON TO APPROVE THE ELECTED OFFICIALS' RULES OF PROCEDURES AND CODE OF CONDUCT MANUAL. THE MOTION PASSED. (6 TO 0) TRAN ABSTAINED.

Mayor Winston thanked the council for approving the elected official rules of procedure and code of conduct manual. He stated how they conducted themselves as a council. He stated if council members had grievances or concerns of how they were treating one another, they should first be checking themselves internally and morally to make sure they were honoring it. Secondly they should be looking at the document to see where it came into play, and how it informed the council in terms of how they should be conducting themselves. He stated it was created out of some kind of strife, before any of the current council members were on the council and had grown stronger through that. He stated they needed to adhere closely to it to make sure they were honoring the document.

7.4 Consider Bike Lanes and Parking Restriction on 101st Ave – Zane Ave to Fallgold Pkwy.

City Engineer Marc Culver briefed the council on the Bike Lanes and Parking Restriction on 101st Ave – Zane Ave to Fallgold Pkwy.

Council Member Klonowski stated the bike lane was close in proximity to the bike path because the bike path was a block off of it and asked if the residents would be using 101st Avenue because the bike path went all the way from Zane Avenue, and it would be parallel.

City Engineer Culver stated she was talking about the regional trail. He stated they looked at that as well. He stated the pedestrian bicycle plan went through a public process even with the regional trail there, it was still identified as a recommended-on street treatment. He stated the reason they went to Fallgold Avenue, was because Fallgold Avenue had a connection to the regional trail; and were other spots along 101st Avenue where there was a paved connection between a local street and the regional trail. He stated the bike lane would allow people to travel from their homes along 101st Avenue to one of those direct connections to the regional trail. He stated it enhanced connections to the regional trail but also a shorter trip for someone commuting versus the regional trail. He stated the regional trail was more winding and from a length perspective was a longer.

Council Member Klonowski asked about the trail off Noble. She stated there was a bike path off Noble that ran perpendicular and could access the trail. She stated she would not be in favor of

blocking completely parking on 101st Avenue because when there were activities at Eidem, it did flow on the street and was the only time she saw parking there but was significant. She stated they drew a crown when the farm did an adult type activity with beer and that was the most parking she had ever seen and overflowed the lot significantly. She stated she had no objections to the bike bath and thought it was a little redundant with the trail literally a block away with so many access points. She stated she was not in favor of not having parking adjacent to the farm and asked what it would look like if they kept parking on one side and had a two-lane bike path on the other side of the road, and asked if it would be safe.

City Engineer Culver stated that was in their packet and presented a slide that showed option 1 and option 2 and option #2; showed the parking lane on one side and the bike lane on each side of the street. He stated there would be one of the bike lanes immediately adjacent to parking area.

Council Member Klonowski asked if there were other places in the city that did not have bike paths. She stated the city had robust bike trails so close and asked if there were other areas that could use that resource.

City Engineer Culver stated there were other areas identified in bike plan for future conventional bike lanes with on street bike lanes. He stated there were a few spots identified for protected bike lanes, which would be more like she was suggesting. He stated they had both directions of the bike lanes on one side of the street, and they would have physical separation between the bike lanes and the traffic. He stated they were executing the recommendations the pedestrian and bicycle plan and that was one of the recommendations. He stated there were others north/south and east/west streets across the city that had recommendations. He stated when they did similar projects on those streets, they would look at implementing those bike lanes at that time.

Council Member Klonowski asked what would happen to the bike riders when they got to Zane, if there were bike paths on Zane.

City Engineer Culver stated there was a trail along the west side of Zane and sidewalk along the east side of Zane, which they could take down to other trails or other points.

Council Member Page asked if there was a reason why it 40 MPH when all the other ones said 30 MPH.

City Engineer Culver stated it was just the way 101st Avenue was originally designed and opened. It was a straight roadway without many curves in it.

Council Member Page asked how far apart the posted speed limit signs were.

City Engineer Culver stated if turning off Zane Avenue onto 101st Avenue they would have a speed limit sign there because it was a major change in a speed limit from two roadways. He stated they would not have a sign after every intersection but where they were coming from a higher speed or different roadway that had a larger differential in speed, they post speed limit signs to indicate it.

Council Member Page asked about the parking. If they did the no parking, what were the rules for conditional parking permits. She asked if the city had no parking how that worked if someone needed it for once a year events.

City Engineer Culver stated that if they just post a parking restriction on one side of 101st Avenue, they would have signs that indicated no parking on the side that was prohibited. He stated there would not be any signage on the other side and there would be no need for permits because there was availability of parking at least on one side of the roadway.

Council Member Page asked about if there was no parking on both sides of the street.

City Engineer Culver stated if there was no parking on both sides and was not familiar with all options, there might be opportunities for someone to petition the city to temporarily allow parking where they would maybe bag some no parking signs in rare cases. He stated they would have to request that exemption for a period of time, if it was a major event. He stated the city wouldn't necessarily have to approve it, staff would look at what the conditions were, if the street supported it, but would look at it on a case-by-case basis.

Council Member Tran asked how long the project for the community was to be aware of for feedback. She asked if the community was aware of the project.

City Engineer stated they sent the original letter out to public in late December.

Council Member Tran stated that time was too short and should give more time for the public to let the council now about the project with feedback. She stated she wanted to hear more from people before the council made the decision and vote on it. She stated it was a community use, benefit and convenience.

City Engineer Culver stated they could wait a couple weeks and the only hesitation he had for that was that they were doing the final design and needed to route their plans through a couple of different agencies for review before they could bid it. He stated they were hoping to bid the project by the end of February to get reasonable bids before the construction season started. He stated the longer they waited the more likely it they would not be able to open bids when they would like too for the project. He stated it was not impossible, and they could do it, but it would delay that process.

Council Member Tran asked if it was possible to give 3 weeks so the council could hear more from the residents.

City Engineer Culver stated they could come back on February 10 to the council. He stated he would have to confirm with staff when they needed to submit the plans because they were using state aid funding. He stated they needed to submit plans to MNDOT for review and would check with staff on how long that normally took. He stated it was an option but people have had the letter since before Christmas when letters were sent out and received and only one comment was made.

Council Member Tran stated she wanted to make sure the people in that area had the right, be aware and had time to contribute feedback. She asked to give the council two weeks and try to reach out to the people to hear from them before the council voted on it.

Mayor Winston stated it would depend on the council making that decision and asked if Council Member Tran had further comments.

Council Member Tran asked how the council members how they felt about her suggestion to hear from the residents.

Mayor Winston stated other council members would like to speak on it and if she wanted to make a motion, she could but suggested to let other council members speak.

Council Member Tran asked City Engineer if it was okay to do the 15 days.

Mayor Winston stated he did not make that decision; the council made that decision.

7.4 MOTION TRAN TO DELAY THE VOTE FOR 15 DAYS SO COUNCIL MEMBER TRAN AND OTHER COUNCIL MEMBERS COULD REACH OUT TO THE RESIDENTS OF THE AREA SO THE COUNCIL COULD HEAR FROM THEM BEFORE MAKING THE DECISION.

Council Member McGarvey asked for a point of clarification. He asked if the residents that lived in that area were the recipients of the letter, so they had been notified and had the opportunity to respond.

Mayor Winston stated she made motion and asked if there was a second. He stated there was no second and motion dies on the floor.

7.4 THE MOTION FAILED FOR THE LACK OF A SECOND.

Council Member Eriksen stated he would like to make a couple of points of clarification. One for Council Member Tran and one for council member Klonowski. He stated to council Member Tran that he believed it was part of the trails and bikes master plan and asked if the map was in the presentation.

City Engineer Culver stated the overall city map was in the council packet.

Council Member Eriksen stated the overall plan was passed by the council in the past.

City Engineer Culver stated it was 2015 when it was adopted by the council.

Council Member Eriksen stated the residents had been aware of it for nine years.

City Engineer Culver stated it was and also reaffirmed and included as an attachment in the city's latest Comprehensive Plan.

Council Member Eriksen stated the residents of the city had been aware of the project for some time. He stated the city manager had mentioned in a phone call that the project was part of a standard road upgrade process so there were no additional costs and asked if that was correct.

City Manager Stroebel stated his understanding the project was part of the routine 2025 pavement management program; and the additional costs would be in potential stripping it might be incurred as result of the different options presented. He stated his assumptions and deferred to the city engineer on any costs difference among the options. He stated they wouldn't know until they got the bids back and guessed they would minor.

Council Member Eriksen stated they were foregoing any other possible projects, but there were not hundreds of thousands of dollars being spent that could have built a trail elsewhere.

City Engineer Culver stated they were talking about \$30,000 to \$50,000; between striping and signage and that would be state aid dollars.

Council Member Xiong asked if there was a reason why the parking was proposed on the north end of 101st Avenue instead of the south based upon public comment because there was more parking in the south.

City Engineer Culver stated based on their experience which they had not seen much for parking, there had been special event parking circumstances for the park as well as for the school, and the schools were trying to discourage that. He stated they also noticed there were, of the very few properties that had direct access, had driveways to 101st Avenue and the majority of those were on the north side. He stated there were 6 or 7 total properties all but 2 of those were on the north side of 101st Avenue. He stated they thought if there were people going to use it, those would be the people with the driveways to 101st Avenue. He stated that was the reasoning they used. He stated there wasn't a strong engineering reasoning for either side. The most recurring dense on street parking would be for the farm which was on south side of 101st Avenue.

Council Member McGarvey asked if they had a figure on what the signage costs were and how long was the stretch of the road they were talking about.

City Engineer Culver stated it was one mile in length from Zane to Fallgold. He stated the signs were to furnish and install and a sign for parking was \$100-\$150 per sign and would be looking at several signs. He stated if they were putting no parking signs on one side of the street, every 150 to 200 feet, and would have an occasional bike lane sign through there, was about thousands of dollars for the signage. He stated the stripping could get spendy because it was a much longer line and would use epoxy to last longer and would be a larger cost. He stated it would be from \$30,000 to \$50,000.

Council Member McGarvey stated they would be saving couple of thousand dollars if they put parking on one side of street.

Council Member Page stated her understanding was that everyone was notified properly through letters, the bike lane was coming and going to have it. She stated it was the matter of the parking question where the major groups affected was the farm and school and the school said they did not want them to park there, anyway. She stated it seemed like the residents had been notified and was not a concern for the residents.

Council Member Klonowski stated she thought what Council Member Xiong brought up was spot on, on the parking and should be on the south side not the north because the school didn't want it with kids crossing a busy street to get to the farm if there is overflow parking. She stated she was in favor of the two bike lanes with parking on the south side and asked if she had it as one of the options to make motion.

City Engineer Culver stated the resolution in the packet would need to be amended by changing the word "south" to "north". The resolution was to prohibit parking on "X" side so they would be prohibiting parking on the north side instead of the south side.

7.4 MOTION KLONOWSKI, SECOND PAGE TO APPROVE ON STREET BIKE LANES ON 101st AVE FROM ZANE AVE TO FALLGOLD PKWY. THE MOTION PASSED. (6 TO 1) TRAN VOTED NO.

Council Member Tran stated before they voted, wanted to let the council members know that residents kept coming to her to complain on lost mail and had to use a post office box for several years. She stated the residents continued to complain to her and was not sure the residents received letters from the city. She stated that was why she wanted to make sure the people who lived there the project affected them and wanted to hear from them just like the feedback they got in the packet. She stated it was about the people and not just the council and was a decision for the people.

Council Member Klonowski called the question.

7.4 THE MOTION PASSED. (6 TO 1) TRAN VOTED NO.

7.4 MOTION KLONOWSKI, SECOND WINSTON TO WAIVE THE READING AND ADOPT RESOLUTION #2025-13 PROHIBITING PARKING ON THE NORTH SIDE OF 101st AVE FROM ZANE AVE TO FALLGOLD PKWY.

Council Member Tran stated she could not vote before she got feedback from the people and wanted to hear more feedback from the residents who lived there just like the person who sent feedback to the council in email today.

Council Member Klonowski called the question.

7.4 THE MOTION PASSED. (6 TO 1) TRAN VOTED NO.

Mayor moved to Item 3B.2.

3B.2 Proclamation Proclaiming January 18, 2025 as "Imam Dukuly Day" in the City of Brooklyn Park.

Mayor Winston read a proclamation Proclaiming January 18, 2025 as "Imam Dukuly Day" in the City of Brooklyn Park.

Mr. Imam Day addressed the council and audience.

At 7:25 Winston called for a recess.

At 7:34 p.m. Mayor Winston reconvened the meeting.

8. DISCUSSION ITEMS

8.1 Body-Worn Camera Audit Results.

Police Chief Bruley briefed the council on the Body-Worn Camera Audit Results. He briefed on Body Cameras-Introduction, Body Cameras, Internal Audit Process, External Audit Process, 2024 External Audit Summary and Future Body Camera Technology.

Council Member Tran asked who had the ability to update or remove part of the records.

Police Chief Bruley asked if she was asking if the officer could manipulate their own body worn camera footage.

Council Member Tran stated if someone in administration, upper level who could alter, remove part of or update the footage.

Police Chief Bruley stated no one had the authority to do anything with the video other than having obligations to provide and disseminate it to the courts for cases or sometimes data practices requests required them to release it on individual in that video. He stated they had a right to it and gave an example, if at a traffic stop and the driver was on the body worn camera, they had the right to that footage. He stated if other people were captured in the footage, they had to redact it and had staff to do the redacting of voices and faces of other people.; He stated if there was a public request for the footage he had staff who was able to redact the video to release publicly. He stated no one had the authority to change or manipulate the data and it was stored and kept on the axon platform.

Council Member Klonowski asked what time duration did they keep the video.

Police Chief Bruley stated they followed state guidelines. 7 years for straight videos, example, for a traffic stop and officer has body worn camera, the retention is 7 years if some action was taken. He stated if video where officers turned on the camera and no action was taken, example, took a report on a missing lawnmower and it was found the next day that video would be kept for 30 days and removed from the system. He stated it depended on the category. He stated if it involved a homicide, it was kept indefinitely, and if criminal case, it stayed with that criminal case then 7 years after that. He stated it was how the data was categorized or how it was captured.

Mayor Winston suggested in some one on ones to understand what could be done with some of the data or long-term trends so the council could begin to understand. He knew it took a while to dive into that about the data and there were specific services that did all that but thought it would be nice as a council they could learn more about what they could do with it to help improve the city and help understand the trends going forward.

9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Council Member Tran stated when the city sends out letters to people, it was assumed to they got it and know about the project. She stated that more than half in the city have many language barriers. She stated in her neighborhood, residents kept going to her and happened for several years, about the lost mail. She stated when people get mail delivered that maybe they could not read the address correctly or number correctly and that was why the city sent something to people, the council wanted to hear back from them. She stated they needed to make sure to include the language barrier people population and the mail delivery where it was possible the people did not get it because it was messed up by the wrong delivery. She stated that was why she wanted to bring it up to city and council members. They needed to take in those facts before they assumed that they all knew about the project and got the letters sent by the city and was not the case.

Council Member Page commented on the approval of the Elected Officials Rules of Procedures and Code of Conduct. She stated one of the biggest comments when running for council was how it was important for the council to be cohesive and work together. She stated without a doubt, it was important the council follow the Roberts Rules when having conversations. She thanked everyone who work so hard and put it together because it was taking time away from

the city when they were not running efficient meetings. She stated their hard work was noticed in the code of conduct and appreciated the fact they worked hard on the time and where it might feel it was a deterrent for some. She stated order was important, process matters, and she appreciated the fact the council prior to her being elected worked so hard to work together so they could do business the city needed versus taking away from important city issues. She stated sometimes they had to show up when it was hard, and that was character and was a lot of character at the dais.

Mayor Winston thanked Council Member Page and was wonderful way to bring in the new year. He thanked staff for when they sent the notices out and what they did for best practices for the city of notifying people. He stated he would also tell residents and was the same for council members. It was not always easy to track all information they got in front of them. He stated there was a duty of residents as citizens, as Council Members did the work of tracking and keeping up with those important decisions and couldn't always push that back and couldn't always ask for more information. He stated the decisions needed to be made when the decisions were needed to be made and their responsibility to stay up to date with information that was put in front of the council. He appreciated council members doing that and the residents, even though, they had a lot going on in their lives and got a ton of information pushed to them.

9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebe stated everyone got in park pages, Jan/Feb issue, a draft set of the city goals that were out, BP2025 community strategic plan the council adopted in 2017. He stated they had done some thorough engagement of nearly one thousand people to date and took that feedback to the steering committee and working on proposed new language for the new community strategic plan as they thought about the next 5 to 10 years. He stated a draft version was out for people to provide feedback on the website and encouraged people to go to BP2025 and could see new proposed language and asked for feedback over the next two weeks. He stated it would eventually come back to the council for a conversation at a work session in February and adoption in late February or March but needed the public's input as they worked to finalize the new vision and new goals for the community.

He stated tonight there was a proclamation recognizing Reverend Dr. Martin Luther King Jr. Day. He stated on Monday in observance of that holiday city offices would be closed and the EDA meeting would be held on the Tuesday.

ADJOURNMENT - With consensus of the Council, Mayor Winston adjourned the meeting at 7:50 p.m.

HOLLIES WINSTON, MAYOR

DEVIN MONTERO, CITY CLERK

City of Brooklyn Park

Request for Council Action

Agenda Item:	6.1	Meeting Date:	January 27, 2024
Agenda Section:	Land Use	Originating Department:	Community Development
Resolution:	X	Prepared By:	Matt Hayes-Regan, Associate Planner
Ordinance:	N/A		
Attachments:	4	Presented By:	Paul Mogush, Planning Director
Item:	DEV21-120 (8708 Green Haven Dr. N.) Subdivision of Property into Three Single-family Lots at 8708 Green Haven Dr. N.		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-____ APPROVING A PRELIMINARY PLAT SUBDIVIDING 8708 GREEN HAVEN DR. N. INTO THREE SINGLE FAMILY LOTS.

Overview:

The property owner of 8708 Green Haven Dr. N. is requesting to subdivide this property into three residential lots. This property is located west of Bottineau Blvd. on the southeast corner of Green Haven Dr. and Mount Curve Blvd.

Planning Commission:

The Planning Commission held a public hearing at the January 8, 2024 Regular Meeting. A motion to recommend approval of the preliminary plat failed (3-4). The commission took no further action. Four residents spoke, sharing concerns about the Green Haven neighborhood in general and how this application may impact the neighborhood.

The proposed plat meets all requirements of the zoning and subdivision codes. Staff cannot identify a basis for denial of the application.

Previous Approvals:

This lot was created with the approval of the plat titled the Ward Hill Addition in 1983.

Current Conditions:

The subject property is 1.18 acres. There is an existing house with a detached garage on the west central portion of the property, which would be located on proposed Lot 1. There is open space on the east portion of the property abutting the existing house running along Green Haven Dr. which would become the proposed Lot 2. Finally, there is open space at the corner of Green Haven Dr. and Mount Curve Blvd., which would become proposed Lot 3.

Future Land Use Plan	Low Density Residential
Current Zoning	R1 - Detached Single Family Estate
Proposed Zoning	R1 - Detached Single Family Estate
Neighborhood	Green Haven
Site Area	1.18 acres

	Current	8708 Green Haven Dr. N., Lot 1, Block 6, Ward Hill Addition, Hennepin County, Minnesota (1.18 acres)
	Proposed	8708 Green Haven Dr. N., Lot 1, Block 1 Ward Hill Addition, Hennepin County, Minnesota (0.66 acres, 27,722 sq. ft.) Address Unassigned, Lot 2, Block 1, Ward Hill Addition, Hennepin County, Minnesota (0.22 acres, 10,972 sq. ft.) Address Unassigned, Lot 3, Block 1, Ward Hill Addition, Hennepin County, Minnesota (0.29 acres, 12,514 sq. ft.)
Conforms to:		
Land Use Plan	Yes	
Zoning Code	Yes	
Notification	49 Public Hearing Notices mailed Posted in the Sun Post Neighborhood email sent to Green Haven neighborhood	
Timeline (MN §15.99) 60-day 120-day	January 28, 2025 March 31, 2025	

Lots and Density:

The property is zoned R1 – Detached Single-Family Estate. The proposed plat meets all zoning requirements established for the R1 zoning district (§152.506) as well as all setback requirements as shown by the setback lines marked on the proposed preliminary plat. The proposed plat also meets or exceeds the R1 minimum lot area (9,750 sq. ft.) and lot width (75ft) requirements.

The Comprehensive Plan guides this area for low density residential uses (up to 3 units per acre). The three proposed parcels would allow up to three single-family homes which would meet the Comprehensive Plan guidance.

Access:

This site is adjacent to Green Haven Dr. and Mount Curve Blvd. Access to the existing residence will remain on Green Haven Dr., though the driveway will be moved so that the entirety of the driveway is located on the proposed Lot 1.

Utilities:

Utilities are available on the proposed Lot 1 because of the existing house on the property. Engineering Staff have confirmed that the proposed Lot 2 and Lot 3 have access to utilities.

Pedestrian Connections:

There are no existing sidewalks in this neighborhood and sidewalks are not required to be constructed as a result of this subdivision. City Code §152.131 outlines required locations for sidewalks, including traffic volumes exceeding 1,000 trips per day, a roadway connecting a neighborhood to a commercial area, park, school,

religious institution or other community-oriented facility, along any street in a business district, or a multi-family, office, commercial or industrial use that is expected to generate pedestrian traffic.

Park Dedication:

Land dedication in this instance would not conform to Chapter 7: Parks and Trails of the 2040 Comprehensive Plan, and as such a fee in lieu is requested with this plat. The proposed plat creates three single family lots from one existing lot. The fee in lieu established for residential properties is \$4,600 per newly created lot, for a total of \$9,200 due for this subdivision. The money collected is deposited into the Open Space Land Acquisition and Development (OSLAD) fund which is only used for purchase of new parkland and the development of the parks. It cannot be used for programming, maintenance, or administration costs by state law. The nearest neighborhood park is Greenhaven Park, located southeast of the property.

Final Plat:

The final plat and title commitment will be reviewed by the City Attorney's office in the future as the normal course of review. All necessary revisions to the plat as required by this review must be made prior to the request for Council action on the final plat.

Primary Issues/Alternatives to Consider:

1. Approve the preliminary plat as presented.
2. Approve the preliminary plat with modifications.
3. Deny the preliminary plat based on certain findings.

Budgetary/Fiscal Issues: N/A**Attachments:**

- 6.1A RESOLUTION
- 6.1B LOCATION MAP
- 6.1C PLANNING COMMISSION MINUTES
- 6.1D PRELIMINARY PLAT

RESOLUTION #2025-

RESOLUTION APPROVING A PRELIMINARY PLAT SUBDIVIDING 8708 GREEN HAVEN DR. N. INTO
THREE SINGLE FAMILY LOTS.

Planning Commission File #24-120

WHEREAS, the plat for the property addressed 8708 Green Have Drive North has been submitted in the manner required for platting of land under the Brooklyn Park Codes and under Chapter 462 of the Minnesota Statutes and all proceedings have been duly had thereunder, and

WHEREAS, said plat is in all respects consistent with the City plan and the regulations and requirements of the laws of the State of Minnesota and codes of the City of Brooklyn Park, Chapters 151 and 152.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park, Preliminary Plat Request #24-120 for the property addressed 8708 Green Haven Drive North shall be approved subject to the following conditions:

1. Title review by the City Attorney and all conditions therein.
2. Easement review and approval by the City Engineer and all conditions therein.
3. Submission of a CAD copy of the plat.
4. All comments provided by Hennepin County must be addressed prior to building permitting.
5. The driveway must be moved so that the entirety of the driveway is located on the proposed Lot 1.

BE IT FURTHER RESOLVED that such execution of the certificate upon said plat by the Mayor and City Manager shall be conclusive showing of proper compliance therewith by the sub divider and City officials and shall entitle such plat to be placed on record forthwith without further formality, all in compliance with M.S.A. 462 and the Ordinance of the City.



Preliminary and Final Plat Planning Application
Case #24-120 – 8708 Green Haven Dr N
Area of Request (August 2023 Air Photo)
8708 Green Haven Dr N

Brooklyn Park 



**UNAPPROVED MINUTES****MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION**
Regular Meeting – January 8, 2025**5. PUBLIC HEARING****5.1 Planning Case #24-120 – 8708 Green Haven Drive N – Preliminary and Final Plat Application**

Senior Planner McDermott presented a request for a preliminary plat of the property located at 8708 Green Haven Drive N, which would subdivide the lot into three residential lots. They reviewed details of the site, zoning, and adjacent uses. They reviewed details of the proposed preliminary plat, noting that all new lots would meet the minimum standards of the zoning district therefore staff recommends approval subject to the conditions within the draft resolution. They stated that staff were made aware today that there was a conversation with property owners in the neighborhood and there may be concerns residents wish to discuss. They reminded the public that the topic of discussion tonight is solely related to the subdivision request and residents with other concerns are welcome to sign up for a neighborhood meeting, noting the location of the sign-up sheet. They stated that staff will set up a meeting in a more accommodating setting to discuss the overall neighborhood concerns.

Commission Chair Cavin opened the public hearing.

Nicole Joynes, Green Haven Drive resident, stated that she does not agree with this plan as she was just made aware of this. She commented that the area around the neighborhood is changing with no thought to the greenspace or wildlife. She stated that the applicant purchased a 100-year-old home with greenspace and removing that greenspace to add additional homes would take away that greenspace and encroach on the neighborhood. She was unsure why someone would want to come to the neighborhood to destroy the character. She stated that this is urban sprawl coming into their neighborhood and will push away the wildlife.

Tasha Pasioka, Green Haven Drive resident, stated that she has lived in her home for eight years and the neighborhood is a sanctuary in the urban area they live in. She stated that dividing this plot would bring in more development that does not need to occur in this area. She stated that Green Haven Drive connects Brooklyn Boulevard and 81 and has therefore become a main thoroughfare and adding more homes will continue to increase traffic in the neighborhood. She stated that 8609 Green Haven is residential property but there is a business running out of that location which significantly increases traffic. She did not believe that this request is in the best interest of the neighborhood.

Tom Campbell, 8149 Mount Curve Boulevard, commented that he and his wife have lived in their home since 1972 and have seen a lot of change since that time. He stated that the lots that were built was supposed to be the end of development in that area. He commented that this is their quiet neighborhood, and this would chop up a piece that is not supposed to be chopped at this neighborhood is all supposed to be 100-foot lots.

John Ward, Mount Curve Boulevard, stated that he grew up in the home being discussed as that was his family's childhood home. He stated that about one year ago the current owner purchased the property and has since made the decision to request to split the property. He appreciated the passion and agreed with the comments about the neighborhood being a great neighborhood. He also agreed that there are other issues that they need to deal with as a neighborhood through the neighborhood meeting that has been set up. He stated that he, his sister, and his nephew

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purchased lots from his parents and remain within the neighborhood. He did not believe there was much that could be done to stop the plans of the current owner. He stated that he and his wife are interested in purchasing the lots that will be created and would not place homes on the lots.

Commission Chair Cavin closed the public hearing but reminded the public that comments can be submitted via email to City Staff for consideration in the City Council agenda packet.

Commissioner Borer asked if the current home that exists has access to all the space via the driveway.

Senior Planner McDermott confirmed that to be accurate.

Commissioner Turner thanked the residents for attending tonight and providing input. She asked the intention of the owner when they purchased the home, specifically whether the intent had been to split the property from the beginning.

Senior Planner McDermott replied that was not the intent of the applicant when purchasing the property. They stated that they are not at liberty to discuss the personal situation of the applicant but stated that there was a personal situation that led to this outcome as the method in which the applicant could remain living in the home.

Planning Director Mogush stated that zoning regulations are independent of the ownership of the property and the subdivision regulations that apply in this district have existed for decades. He stated that there is a right of the property to be subdivided according to the zoning regulations. He recognized that this can be an emotional thing for the neighborhood but for the Commission, it is more black and white in that this request meets the standards.

Commissioner Gaye-Bai appreciated the passion of the neighborhood. He asked if there are buildings on the lots to be divided.

Senior Planner McDermott replied that there is a structure on lot one but no structures on lots two and three. they stated that a condition of approval would be to remove the driveway that runs through lots two and three.

Commissioner Gaye-Bai asked the reason to divide the lots.

Senior Planner McDermott replied that the property owner will maintain ownership of lot one and will sell lots two and three.

Commissioner Udomah thanked the residents for attending tonight. He explained that the request complies with the laws of the City and the owner of the property has a right to do what they want with their property, whether or not others agree. He stated that the role of the Commission is to determine whether an application meets the appropriate criteria, and this application does that.

Commissioner Wako thanked the residents for attending tonight and commented that it is hard to hear these comments. He stated that he would find it difficult to move this forward without the

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owner present. He asked for input on the engagement of the owner with the neighborhood on this request.

Senior Planner McDermott replied that there is not a requirement for engagement of the neighborhood for a subdivision request and therefore she does not believe the owner spoke with neighbors about this request. They stated that engineering reviewed the request and did not have concern that two potential new homes would increase traffic in the neighborhood.

Commission Chair Cavin allowed an additional question from the public.

Tomasina Proue, 8901 Green Haven, commented that the owner of the property has not addressed anyone in the neighborhood about this request. She asked why there is an opportunity for the public to provide comments if the request meets the requirements and cannot be denied by the Commission.

Commission Chair Cavin explained that the Planning Commission is responsible for following the guidelines set by the City, specifically through the zoning regulations.

MOTION UDOMAH, SECOND CAVIN TO RECOMMEND ADOPTION OF A RESOLUTION APPROVING A PRELIMINARY PLAT SUBDIVIDING 8708 GREEN HAVEN DRIVE N. INTO THREE SINGLE-FAMILY LOTS, SUBJECT TO CONDITIONS IN THE DRAFT RESOLUTION.

MOTION FAILED 3 AYES (CAVIN, UDOMAH, FRASER) – 4 NAYS .

6. OTHER BUSINESS

Planning Director Mogush referenced Case 5.1, noting that he was a bit thrown by the chaos and the eventual outcome. He stated that the motion to approve the staff recommendation failed and staff will report that to the City Council. He explained that is not an affirmative recommendation to the City Council and the Commission could leave it at that. He stated that he will explain to the City Council that it is their obligation to approve that request because it meets all required zoning requirements. He stated that the Commission could attempt to make the case that the request does not meet the zoning code, but those specifics would need to be provided. He stated that the Commission could also make a motion to reconsider and revote.

Commission Chair Cavin asked if there are other implications for the Commission in not following the guiding principles of the zoning.

Planning Director Mogush stated that if the City Council approves the subdivision, he does not have any concerns. He stated that if the Council takes the input of the Planning Commission and denies the request, he would have serious concerns as to the City's legal exposure.

Commissioner Turner stated that mitigation and outreach should have occurred with the neighbors prior to this meeting. She had concerns about moving something through when she did not believe it was fair to the residents as to what was going to be moved through. She understood the rights of the property owner, but as a neighbor, there are things that can be done to avoid this situation. She stated that if the property owner were in a situation where this was a

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forced decision, she could have brought the neighbors along without going into detail about her situation.

Commissioner Udomah stated that in a perfect world, he would agree with that, but this is not a perfect world. He stated that the property owner has the right to do what they want with their property and the neighbors want to impose their own sense of morality on the property owner. He stated that the situation of the property owner is unknown, perhaps they have aging parents or a child with special needs. He stated that the property owner has to take care of themselves over the desire of the neighbors to see turkeys. He stated that they must follow the rules and not make decisions based on the preferences of neighbors and who they like or do not like. He stated that the neighbors could have approached the owner if they were concerned.

Commissioner Gaye-Bai stated that the owner should have been here to explain.

Commissioner Wako stated that the Commission heard the presentation and made a decision after deliberation although it may not be to the satisfactory of anyone. He stated that the majority of the Commission spoke and did not believe it would be procedurally appropriate to continue to rehash this.

Commissioner Fraser stated that this was an emotionally complicated decision and understood the position of the residents, but the job of the Planning Commission is to approve or deny things based on the zoning code and not emotions. She stated that in the future perhaps some of those conversations can occur with neighbors and the decision could be deferred to allow those conversations, so they understand the obligations of the Commission.

Commissioner Borer echoed the comments of Commissioner Fraser. She stated that there are rules in place and there were questions from the neighborhood. She stated that in this type of scenario, she would be willing to defer a decision until those additional conversations can occur.

Commission Chair Cavin stated that the Commission heard the residents and made the decision it did. He acknowledged the position of staff to inform them of the decision and also inform the Council of its role and responsibility in making that decision.

Planning Director Mogush stated that his main intent was to ensure that the Commission had the opportunity to make an affirmative action on the case, as the job of the Commission is to inform the Council and make a recommendation. He stated that if the Commission recommends denial of an application, reasons and findings of fact would be provided as to why the request does not meet the subdivision regulations.

Commissioner Udomah stated that the Commission should explain why it deviated from the procedure.

Commission Chair Cavin did not believe that anyone on the Commission could articulate why the case did not meet the zoning regulations and therefore the reasoning would be based on opinions.

Commissioner Udomah provided personal experience he had with a property he purchased in Saint Francis and neighbors sent someone to come and talk to him about his plans. He stated that if the neighbors were concerned, they should have approached the applicant. He stated that

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the Commission then followed along with those residents rather than following the appropriate procedure and basing its decision on the zoning regulations. He commented that the decision was made arbitrarily.

Commissioner Turner stated that they voted and there have been split votes in the past as well. She stated that she would feel better about moving that case forward if there were mitigation and conversations prior to the meeting. She stated that there are personal biases all the time and this is no different. She understood that the decision is black and white but that does not make it right.

Council Liaison McGarvey stated that when this body voted yes or no on the subdivision of the lot across the street from his house, his wife testified and made the same comments that these residents provided, but the Commission had no problem approving that request. He stated that the item passed through the City Council because all requirements were met. He stated that the role of the Commission and Council is quasi-judicial, in that a ruling must be based on the rules. He recognized that the difference in this case is that a large group of people showed up.

Commissioner Wako stated that perhaps this is a discussion for a work session. He stated that the Commission is provided the opportunity to vote yes or no and if the decision must be yes, then it would seem the Commission is not needed.

Commission Chair Cavin stated that there are legal ramifications that follow these decisions, noting lawsuits that the City has been involved in. He stated that sometimes people who do not follow the rules end up in those situations.

Commissioner Fraser suggested that the Commission add a comment as to why this decision was made.

Commissioner Korosso referenced the outreach part of the process and suggested that the planning department go out to the community to inform the residents of the proposed project.

Planning Director Mogush replied that there is a requirement for a public hearing to notify residents of the public hearing. He stated that a mailing is done to all properties within 500 feet of the subject property, which is how residents are made aware. He stated that letter includes a link to the staff report which provides the information on the request. He stated that staff commonly receive a few calls or emails from neighbors to ask questions and learn about the plans. He stated that nine times out of ten that is the end and sometimes others attend the meeting. He stated that he agrees as a person that neighbors should talk to one another, although that is not a City requirement. He stated that this applicant met all requirements.

Commissioner Korosso stated that perhaps the additional statement could be made related to the public concern that was expressed that the Commission responded to.

Commissioner Udomah stated that he does not believe the Commission will agree on a comment and believes the case should be left as is.

Commission Chair Cavin agreed that he would not to debate the issue again as the public that were interested in the topic have left.

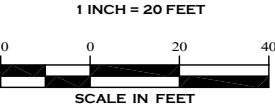
**UNAPPROVED MINUTES****MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION
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Commissioner Turner noted the neighborhood meetings that were mentioned and asked if that provides the neighborhood with false hope, as they know what the outcome will be because of the rights of the property owner. She stated that it was difficult for her to say yes because she felt empathy for the residents who spoke.

Commission Chair Cavin stated that the comment was made by a neighbor that he was going to purchase the two lots and leave them natural, but noted that it is not the job of the Commission to consider that or make that happen.

Commissioner Turner asked if this item would return to the Commission.

Planning Director Mogush replied that the Commission could have chosen to table the request, if there was sufficient review time available, noting that he would not have recommended that.



LEGEND

- Found Iron Monument
1/2" Iron Pipe
- Set 1/2" x 14" Iron Monument
Inscribed R.L.S 15230
- - - - - Building Setback Line
- Water Shutoff
- ⊙ Fire Hydrant
- ⊕ Light Pole
- ⊗ Gas Meter
- ⊖ Power Pole
- ⊙ Boulder
- Stone Retaining Wall
- Concrete Curb
& Gutter
- Bituminous

PLAT — refers to the distance as shown on the plat of
WARD HILL ADDITION, recorded in the office of the County
Recorder, Hennepin County, Minnesota.

Basis or Bearings:
Orientation of this bearing system is based upon
Hennepin County Coordinates, North American Datum
of 1983, 1986 Adjustment.

Zoning:
R1 — Detached Single-family Estate District

Residential Density:

Total Area = 51,208 square feet = 1.175 acres
Residential Density = 2.54 (units/acre)

Required Minimum Lot Specifications:

Area — 9,750 square feet
Width — 75 feet (as measured at the front setback)
Maximum Impervious Area = 40%
Maximum Building Footprint = 40%

Required Setbacks:

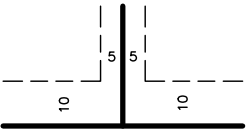
Front — 25 feet
Side — 7.5 feet
Side — 20 feet (Corner lots — all public streets that
are not Principal and "A" or "B"
Minor Arterials)
Rear — 30 feet (All public streets that are not
Principal and "A" or "B" Minor Arterials
and interior property lines)

PRELIMINARY PLAT OF
THE LORD PROVIDES

EXISTING PROPERTY DESCRIPTION:

Lot 6, Block 1, Ward Hill Addition, Hennepin County, Minnesota,
except the Northwesterly 4 feet of that part of Lot 6 lying
East of the Southerly extension of the West line of Lot 5,
Block 1, said Addition and except that part of said Lot 6 lying
Southwesterly of a line bearing North 7 degrees 39 minutes
04 seconds West from a point on the Southerly line of said
Lot 6 distant 89.68 feet Easterly along said southerly line
from the most Westerly corner of said Lot 6. For the
purposes of this description, the bearings are assumed to be
as shown on the plat of Ward Hill Addition

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 5 FEET IN WIDTH AND ADJOINING
LOT LINES, BEING 10 FEET IN WIDTH
AND ADJOINING REAR LOT LINES AND
BEING 10 FEET IN WIDTH AND
ADJOINING PUBLIC WAYS AND, UNLESS
OTHERWISE INDICATED ON THIS PLAT.

THE MOST WESTERLY CORNER OF
LOT 6, BLK 1, WARD HILL ADD.

Lot Areas:

Lot 1 = 27,722 Sq. Ft. = 0.66 Acres
Lot 2 = 10,972 Sq. Ft. = 0.22 Acres
Lot 3 = 12,514 Sq. Ft. = 0.29 Acres

Lot 1 Proposed Impervious Surface Area:

Lot Area = 27,722 SF
House = 1,870 SF
Garage = 544 SF
Decks = 281 SF
Concrete = 274 SF
Bituminous Drive = 1,896 SF
Total = 4,865 SF
Impervious = 17.6%

GENERAL NOTES:

- Existing building dimensions are measured to siding and not building foundation.
- No title commitment was provided and no research was performed for any easements not shown on this survey.
- Location of utilities shown are from observed evidence in the field and/or plans furnished by others and are considered approximate. Gopher State One
Call or a private utility locator should be contacted to locate utilities on site before excavation.

SITE ADDRESS
8708 Green Haven Drive
Brooklyn Park MN

REVISIONS

DATE	REMARKS

I hereby certify that this survey, plan, or report was prepared by me or under my
direct supervision and that I am a duly registered Land Surveyor under the laws of
the State of Minnesota.
W. BROWN LAND SURVEYING, INC.
Woodrow A. Brown, R.L.S. MN REG 15230
DATED: 11-25-2024



W. BROWN LAND SURVEYING, INC.
8030 OLD CEDAR AVENUE SO., SUITE 228
BLOOMINGTON, MN 55425
PH: (952) 854-4055
WBROWNLANDSURVEYING.COM
EMAIL: INFO@WBROWNLANDSURVEYING.COM

City of Brooklyn Park

Request for Council Action

Agenda Item:	7.1	Meeting Date:	January 27, 2025		
Agenda Section:	General Action Items	Originating Department:	Administration		
Resolution:	X				
Ordinance:	N/A			Prepared By:	Jim Thomson, City Attorney
Attachments:	1			Presented By:	Mayor Hollies Winston
Item:	Conduct a Periodic Review of the City Council's June 10, 2024 Censure of Council Member Maria Tran				

City Manager's Proposed Action:

As required by the June 10, 2024 Censure of Council Member Tran, to conduct a periodic review and consider modifications to the Censure.

Overview:

On January 31, 2024, Mayor Winston and City Manager Stroebel received a complaint from a city employee regarding Council Member Maria Tran.

Pursuant to the procedures set forth in the Code of Conduct for Elected Officials, the Mayor and City Manager reviewed the complaint and consulted with City Attorney Thomson. An independent investigation was completed on April 19, 2024. On May 20, 2024, the City Council met in closed session to consider the allegations against Councilmember Tran. On May 28, 2024, the City Council requested the City Attorney to draft a resolution to censure Councilmember Tran for violating the City of Brooklyn Park's Respectful Workplace Policy and Elected Officials Code of Conduct Policy.

Per item 7 in the resolution: "For purposes of accountability, the City Council will consider modifications to its Censure of Council Member Tran every six months to ensure that Council Member Tran is following the provisions outlined in this Censure and has modified her behavior towards City Staff."

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

- 7.1A JUNE 10, 2024 CENSURE RESOLUTION
- 7.1B JANUARY 27, 2025 TRAN CENSURE REVIEW

**City of Brooklyn Park
RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY OF BROOKLYN PARK CENSURING
COUNCIL MEMBER MARIA TRAN**

Recitals

- A. On October 23, 2017, the City Council approved a revised Code of Conduct for Elected Officials. The Preamble in the Code of Conduct states that one of the City Council's basic principles is that public meetings be conducted in an atmosphere of respect and civility. As articulated in the Code of Conduct, one of the City Council's core values is that every person is entitled to respect and dignity.
- B. On January 31, 2024, the City received a complaint from a City employee alleging that certain actions by Council Member Maria Tran violated the Elected Officials Rules of Procedures and Code of Conduct and created a hostile work environment for the employee.
- C. As required by the Code of Conduct, the Mayor consulted with the City Manager and City Attorney. As authorized by the Code of Conduct, the Mayor determined that the matter should be referred to an outside investigator to conduct an independent fact finding.
- D. The investigator issued her report on April 19, 2024. The investigator concluded that the employee's complaint was substantiated and that Council Member Tran's actions violated the following provisions in Section 6.2 of the Code of Conduct:
1. **Treat all staff as professionals.** Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments toward staff is not acceptable.
 2. **Limit contact to specific City staff.** Questions of City staff and/or requests for additional background information should be directed to the City Manager, City Attorney, or Department Heads, unless otherwise directed by the City Manager. The City Manager should be copied on or informed of any request.
 3. **Council direction to staff.** In accordance with Charter Section 2.10, individual Council Members cannot give direction to city staff either publicly or privately. The Council as a body may provide staff direction on matters that come before the Council.

Requests for follow-up or directions to staff should be made only through the City Manager or the City Attorney when appropriate. When in doubt about what staff contact is appropriate, Council Members should ask the City Manager for direction. Materials supplied to a Council Member in response to a request for information of interest to all Council Members will be made available to the entire Council so that all have equal access to the information.

- 4. Never publicly criticize an individual employee.** Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation.
- E. The investigator noted that the City's Respectful Workplace Policy applies to elected officials and that the Policy prohibits the use of disrespectful language and other offensive behavior in the workplace.
 - F. The investigator confirmed that Council Member Tran was aware of and received training on the Code of Conduct and Respectful Workplace Policy after she was elected to the City Council. She was therefore aware of the Code's requirements that she should not make personal attacks or disparaging comments toward City staff and that any concerns about a City employee's work performance were to be brought to the attention of the City Manager. The investigator concluded that Council Member Tran disregarded those requirements on several occasions.
 - G. The Investigator stated that she was not able to find any justification or reasonable explanation for Council Member Tran's disregard of the requirements in the Code of Conduct. To the contrary, the Investigator determined that all of Council Member Tran's assertions in that regard were unsubstantiated.
 - H. The City Council met in closed session on May 20, 2024 to discuss the results of the investigation with Council Member Tran. As a result of that meeting, the City Council was prepared to address the matter by a written reprimand rather than by a censure based on Council Member Tran's acknowledgement that her actions were not consistent with the Code of Conduct and Respectful Workplace Policy.
 - I. At the May 28, 2024 City Council meeting, a proposed letter of reprimand was before the City Council for consideration. During the discussion of that agenda item, it became clear that Council Member Tran no longer acknowledged the inappropriateness of her behavior towards the employee who had filed the complaint against her. Council Member Tran again violated the Code of Conduct by publicly accusing the complainant of using drugs on City property despite having no evidence to support her accusations.
 - J. As a result of Council Member Tran's statements during the May 28, 2024 Council meeting, the City Council has determined that a censure, rather than a letter of reprimand, is the appropriate action for the City Council to take in response to Council Member Tran's actions. Council Member Tran's statements during the May 28 Council meeting and her actions as summarized in the investigative report, in addition to violating the Code of Conduct, expose the City to the risk of potential significant civil liability.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOKLYN PARK, MINNESOTA AS FOLLOWS:

- 1. The City Council formally censures Council Member Maria Tran for engaging in conduct that created an intimidating, hostile, and offensive work environment in violation of the Code of Conduct for Elected Officials and the City's Respectful Workplace Policy.

2. Until further notice, Council Member Tran's communications, whether in person, by phone, by email, or by any other means, with City staff must go through the City Manager or the City Manager's Assistant or with the EDA Executive Director or the EDA's acting Executive Director with respect to EDA matters.
3. To prevent further inappropriate interactions with City Staff, Council Member Tran is removed from her liaison appointments to, or her membership on, all City commissions, committees, task forces, boards, and associations.
4. Council Member Tran shall not represent the City in an official capacity at any City-sponsored public event.
5. No further expenditures of public funds are allowed for Council Member Tran to participate in, or to travel to, conferences or events on behalf of the City.
6. Council Member Tran's future public statements, whether verbally, by email, or on social media, with respect to City officials and employees must be professional and not belligerent, impertinent, abusive, or disparaging.
7. For purposes of accountability, the City Council will consider modifications to its Censure of Council Member Tran every six months to ensure that Council Member Tran is following the provisions outlined in this Censure and has modified her behavior towards City Staff.

BE IT FURTHER RESOLVED that the City Council sincerely hopes that Council Member Tran can modify her behavior so that she can become an effective and productive member of the Brooklyn Park City Council.

Adopted: June 10, 2024.

Mayor of the City of Brooklyn Park

Council Member Tran Censure Review – January 27, 2025

On June 10, 2024 the City Council approved a Censure of Council Member Tran. One of the provisions of the Censure was a regular six-month review as noted here - "For purposes of accountability, the City Council will consider modifications to its Censure of Council Member Tran every six months to ensure that Council Member Tran is following the provisions outlined in this Censure and has modified her behavior towards City Staff." The items below were possible violations of the censure provisions since the censure.

- 1) One of the provisions of the Censure resolution states: "Council Member Tran's future public statements, whether verbally, by email, or on social media, with respect to City officials and employees must be professional and not belligerent, impertinent, abusive, or disparaging."

Since June 10, 2024, Council Member Tran has been observed and reported on two occasions to have violated this provision:

- A. On August 1, 2024, Councilmember Tran responded to an email from a resident that was disparaging to City officials and employees:

"Yes, I agree. You can write an email to express it to the city manager and council members. See how they respond, keep in mind that city manager and city staffs are being loyal to each other. He thinks he must protect his employees from residents harassing. That was why city employees acting like politicians. They have the power to make false complaint against elected officials and use our tax dollars \$11,000 to pay for a law firm to set up for a reprimand illegally. I now focus on strategy with a lawyer how to fight back and reverse the illegitimate censure towards me. I got verbally violent threat from Christ on July 8 and found evidences he and his wife slandered to harmed my reputation on BP facebook for many months. Some residents stood up for me. I got more than enough proofs to prove in court. Wish me luck!

- B. At the October 28, 2024 City Council meeting, Councilmember Tran made allegations against Chief Bruley during the public meeting:

The allegations against Chief Bruley can be found at https://nwsgcc-brooklynpark.granicus.com/ViewPublisher.php?view_id=5. More specifically, at 6:45 of the meeting, the discussion on seating arrangements starts. At 9:17 Chief Bruley is referenced. There is a recess called between 10:20 and 15:45. Allegations start at 18:50, including that the Chief misbehaves; he is being reported to Post Board, county and state; statement that Chief Bruley makes up the story (insinuating he is lying); statement that the Chief violates her second amendment by banging on her door; notes that she is scared to death and doesn't feel safe.

City of Brooklyn Park Request for Council Action

Agenda Item:	7.2	Meeting Date:	January 13, 2025
Agenda Section:	General Action Items	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Jay Stroebel, City Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Jay Stroebel, City Manager
Item:	Request by Councilmember Maria Tran to Register for the National League of Cities Data Literacy for Electeds Self-guided Course and the League of MN Cities Elected Leaders Institute from February 21-22, 2025		

Possible Council Action:

MOTION _____, SECOND _____, TO APPROVE COUNCIL MEMBER MARIA TRAN TO REGISTER FOR THE NATIONAL LEAGUE OF CITIES DATA LITERACY FOR ELECTEDS SELF-GUIDED COURSE AND THE LEAGUE OF MINNESOTA CITIES ELECTED LEADERS INSTITUTE FROM FEBRUARY 21 – 22, 2025.

Overview:

Councilmember Tran has requested to register for the NLC Data Literacy for Electeds Course. This is a self-guided course (available from January 30 – Mar 7, 2025). The cost for this course is \$500.00. There are no travel costs associated with this request.

Councilmember Tran has also requested to attend the LMC Elected Leaders Institute from February 21-22, 2025 in Plymouth, MN. The cost for this course is \$350.00.

NLC Data Literacy for Electeds Course: \$500.00

LMC Elected Leaders Institute: \$350.00

Total cost: \$850.00

This expenditure would be covered under 2025 budgeted resources in the Mayor and Council conferences/schools expense lines.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

Other expenses in 2025:

The Mayor traveled to Washington, D.C. in January 2025, with an expected cost of \$1500.00.

Attachments:

7.2A TRAVEL POLICY

All expenses except those made directly by the City Manager will have two different approval signatures, one for first level approval and one for second level approval. All second level approvals must be made by a supervisor. Expense reimbursements to all employees (including directors and the City Manager) must be approved by an employee in a supervisory level above the employee requesting reimbursement. No employee may approve their own expenditures. The Mayor or City Attorney must approve the expense reimbursements for the City Manager.

Advances

Advances are considered an exception and should be submitted to Finance with a reason for the advance and the approval of the supervisor and department director. All advances will require a travel expense form to be completed and approved after the travel has been completed. (The use of a City Purchase Card is encouraged when possible.)

Elected Official Travel

Elected Official Travel

The City recognizes that its elected officials may at times receive value from traveling within the state or out of state for workshops, conferences, events, and other assignments. To manage budget resources and provide equal opportunities for all members of Council to participate in learning opportunities the following statements set forth the conditions for elected official travel.

Out-of-State Travel

The Mayor/Mayor Pro Tem and three Council Members (alternating) have the opportunity to travel out-of-state (domestically) one time annually, pending Council's approval. This approach would allow for the Mayor/Mayor Pro Tem to travel up to four times per term and Council Members to travel two times per term. If necessary, and if approved by Council, additional out-of-state travel could be approved for the Mayor/Mayor Pro Tem or Council members using unused Council travel budget resources or other funding resources (e.g. EDA, Administration budget, etc.) Expenses for out-of-state travel are encouraged to not exceed \$2500.

In-State Travel

Travel for League of Minnesota Cities Newly Elected Official training would be available for all new Council Members. As resources allow, and if approved by Council, the Mayor and Council Members can request to travel to in-state conferences annually.

The statements below set forth the conditions under which travel by elected officials will be reimbursed by the City.

- The event, workshop, conference or assignment must be approved in advance by the City Council at an open meeting and must include an estimate of the cost of travel, description of the public purpose and expected benefit.
- Upon returning from an event, workshop, conference or assignment the elected official will make a public presentation on key learnings within 45 days.
- No reimbursements will be made for attendance at events sponsored by or affiliated with political parties.
- Travel costs will be reimbursed in accordance with the Travel Costs section of this policy.
- Requests for reimbursement must be submitted with appropriate receipts on a signed travel expense form to the Finance Department for review and payment.

- Elected officials appointed to serve on a National League of Cities Policy or Steering Committee will be allowed to attend both the Congressional City Conference and the Congress of Cities.
- When feasible, a city vehicle should be considered for in-state transportation needs.

Extending Business Travel with Personal Travel

When a Traveler combines personal and business travel, reimbursable expenses will cease to accrue as of the expected return date and time. The City will reimburse the Traveler only for the documented expenses that are directly related to the business portion of the trip. Excess travel time and activities not required for the business trip purpose shall be at the Traveler's own expense.

Transportation

The most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements must be used, using the most direct and time-efficient route. Government and group rates must be used when available.

Air Transportation

- The cost of airline tickets will be reimbursed or paid for when traveling on City business. It is expected that city officials will travel by coach or economy class.
- Travel by air is limited to the lowest, non-refundable, coach/economy class fare available at time of booking. Travelers may select their seat to another seat within coach/economy (exit row, aisle seats or "extra leg room") on any flight, when no other coach/economy seats are available, or it better meets the traveler's needs.
- When the total flight time, excluding layovers, from departure to arrival is 8 or more hours (including connecting domestic legs), travelers may, with preapproval from their unit, upgrade from coach to the next most economical class of travel over coach (business class in most cases, first class in cases where business class is not offered).
- Travelers may not travel using a private plane or non-approved air charter unless the City Risk Management Office grants an exception in advance of the travel. If the traveler does not obtain an exception, the City will not reimburse the unapproved transportation expenses.
- Employees are prohibited from piloting personal or leased aircrafts while on City business travel. If they choose to do so, the City will not consider the traveler to be acting in an official capacity of the City nor will the City reimburse the traveler for any related expenses.
- It is recommended that no more than 20 City staff, or Regents fly on the same plane at the same time.

Airport Parking / Baggage

- Long-term parking must be used for travel exceeding 24-hours. The maximum reimbursement rate, regardless of where you park, is the long-term parking lot parking rate at the airport they are flying out of.
- Parking at the destination hotel or business site is reimbursable and limited to the lowest daily rate
- Baggage fees is reimbursable
- Valet parking is not reimbursable

City of Brooklyn Park

Request for Council Action

Agenda Item:	7.3	Meeting Date:	January 27, 2025
Agenda Section:	General Action Items	Originating Department:	Community Development
Resolution:	X	Prepared By:	Keith Jullie, Rental and Business Licensing Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Keith Jullie
Item:	Resolution Amending Fee Resolution #2000-202 Adopting a Schedule of Fees and Charges for Various Services, Licenses and Permits for the City of Brooklyn Park, Minnesota		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ AMENDING FEE RESOLUTION #2000-202 ADOPTING A SCHEDULE OF FEES AND CHARGES FOR VARIOUS SERVICES, LICENSES AND PERMITS FOR THE CITY OF BROOKLYN PARK, MINNESOTA.

Overview:

At its meeting on November 25, 2024, the Brooklyn Park City Council approved an ordinance amendment related to the sales of adult use cannabis in Brooklyn Park. The State Office of Cannabis Management (OCM) is finalizing the licensing process for cannabis businesses, which is anticipated to start this spring or early summer 2025. The city will be registering cannabis retail businesses, and this fee amendment is necessary to assign fees to the registrations.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

Revenues from cannabis registrations are difficult to determine currently. Registration fees and tax sharing revenues won't be fully known until cannabis businesses are up and running in Brooklyn Park.

Attachments:

7.3A RESOLUTION

RESOLUTION #2025-

RESOLUTION AMENDING FEE RESOLUTION #2000-202 ADOPTING A SCHEDULE
OF FEES AND CHARGES FOR VARIOUS SERVICES, LICENSES AND PERMITS
FOR THE CITY OF BROOKLYN PARK, MINNESOTA

WHEREAS, fees and charges are assessed for various services for the City of Brooklyn Park; and

WHEREAS, in the year 2000, the Brooklyn Park City Council approved Resolution #2000-202 adopting a schedule of fees and charges for various services, licenses and permits for the City of Brooklyn Park; and

WHEREAS, the City Council of the City of Brooklyn Park, Minnesota resolves to adopt the following schedule of fees and charges for the calendar year 2025.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brooklyn Park approves the following schedule of fees and charges for various services, licenses and permits for the calendar year 2025.

~~Test with strikeout is proposed for deletion~~

Underlined text is proposed for insertion

APPENDIX: FEE RESOLUTION

Business License and Permit Fee Schedule

<i>Code Section</i>	<i>Type of License</i>	<i>Conditions and Terms</i>	<i>Amount</i>
<u>Cannabis Businesses</u>			
<u>Ch. 127</u>	<u>Cannabis Retailer</u>	<u>Initial Retail Registration Fee</u>	<u>\$500 or half of State license fee, whichever is less</u>
		<u>Renewal Retail Registration Fee</u>	<u>\$1,000 or half of State license fee, whichever is less</u>
<u>Ch. 127</u>	<u>Cannabis Microbusiness</u>	<u>Initial Retail Registration Fee</u>	<u>\$500 or half of State license fee, whichever is less</u>
		<u>Renewal Retail Registration Fee</u>	<u>\$1,000 or half of State license fee, whichever is less</u>
<u>Ch. 127</u>	<u>Cannabis Mezzobusiness</u>	<u>Initial Retail Registration Fee</u>	<u>\$500 or half of State license fee, whichever is less</u>
		<u>Renewal Retail Registration Fee</u>	<u>\$1,000 or half of State license fee, whichever is less</u>
<u>Ch. 127</u>	<u>Cannabis Medical with Retail</u>	<u>Initial Retail Registration Fee</u>	<u>\$500 or half of State license fee, whichever is less</u>
		<u>Renewal Retail Registration Fee</u>	<u>\$1,000 or half of State license fee, whichever is less</u>

<u>Ch. 127</u>	<u>Low Potency Edibles</u>	<u>Initial Retail Registration Fee</u>	<u>\$500 or half of State license fee, whichever is less</u>
		<u>Renewal Retail Registration Fee</u>	<u>\$1,000 or half of State license fee, whichever is less</u>