

REGULAR BROOKLYN PARK CITY COUNCIL MEETING

Monday, October 14, 2024
6:05 p.m.

Brooklyn Park Council Chambers
5200 85th Avenue North

CALL TO ORDER - Mayor Hollies Winston

PRESENT Mayor Hollies Winston; Council Members Boyd Morson, Xp Lee, Christian Eriksen, Tony McGarvey and Nicole Klonowski; City Manager Jay Stroebel; City Attorney Jim Thomson; Community Development Director Tim Gladhill; Finance Director LaTonia Green; Police Chief Mark Bruley and City Clerk Devin Montero.

ABSENT: Council Member Maria Tran (excused)

Mayor Winston opened the meeting with the Pledge of Allegiance.

2A RESPONSE TO PRIOR PUBLIC COMMENT

City Manager Stroebel stated there were three public comments at the last Council meeting. Paula Weakly-she encouraged Council action on the Community Activity Center project, specifically about adding basketball courts; Collete Guyott-Hempel-she encourage the Council's action on the Community Activity Center project, encouraged a special referendum and raised additional concerns regarding Osseo Area schools program offering; Hassanen Mohamed- he highlighted a meeting with the code enforcement manager working to resolve a parking issue and signage he was looking to do, also encourage additional communications around neighborhood sweeps and consideration of the Council starting Council meetings at 7pm versus 6pm.

2B PUBLIC COMMENT

1. Collette Guyott Hempel, 9277 Trinity Gardens. Asked the Council to vote on the budget with a special election next year to cover cost for the fire station, community activity center and other issues and possibly asking the task force to consider putting in a swimming pool and its costs on a referendum. She wanted to stand in support of all Council members who attend and support community events as well as the residents of the city in building the infrastructure such as the CAC, teen center and possibly a pool.

She wanted to say how much Council Member Tran had done for the community. She attends life works meetings, the city's consultant for the disabled residents in the city; She had attended housing, bonding and emerald ash borer events. She attended an event where state representative Holt, held that event on October 7 trying to get funds for emerald ash borer treatment for the residents and not just the city. She stated Council Member Tran had sought accountability for travel and other funding expenditures from the tax dollars, whether a person agreed on certain spending or not, was not the issue. The issue was, there was a conversation so that people knew where the money was going. She stated Council Member Tran attended and advocated for residents on housing issues for low income, fixed income or people feeling tormented by other residents whether it was from marijuana smoke or not. She stated Council Member Tran asked for two people to speak at the workshop and told they didn't have enough expertise. One person went through 6 years of watching their son die from marijuana and psychosis marijuana caused and the other person had a degree in psychology with

a minor in child psychology and had 40 years of experience including working in Minnesota correction facilities.

3A. MOTION MORSON, TO REMOVE ITEM 8.1 FROM THE AGENDA. THE MOTION FAILED DUE TO A LACK OF A SECOND.

3A MOTION LEE, SECOND KLONOWSKI TO APPROVE THE AGENDA AS SUBMITTED BY THE CITY CLERK. THE MOTION PASSED (5 TO 1) MORSON VOTED NO.

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

3B.1 Introduction of New Employees.

HR Director Sarah Kraabel introduced Lisa McLearn as a new employee to the Administration Department.

Community Development Director Tim Gladhill introduced Dylan Armstead as a new employee to the Community Development Department.

3B.2 Interview Applicants for Commissions.

The Mayor and Council Member interview applicants to fill current and upcoming openings on commissions.

3B.3 Proclamation Recognizing October 1, 2024, as "64th Annual Celebration of the Nigerian Independence Day" in the City of Brooklyn Park.

Mayor Winston read a proclamation Recognizing October 1, 2024 as "64th Annual Celebration of the Nigerian Independence Day" in the City of Brooklyn Park.

3B.4 Proclamation Declaring October 2024 as "Domestic Violence Awareness Month" in the City of Brooklyn Park.

Mayor Winston read a proclamation Declaring October 2024 as "Domestic Violence Awareness Month" in the City of Brooklyn Park.

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

4.1 TO FULLY RELEASE THE DEVELOPERS' ESCROW (\$24,721.88) FOR COMPLETION OF THE "PEMBERLY" PROJECT #19-114.

4.1 TO FULLY RELEASE THE PERFORMANCE DEPOSIT (\$18,700.00), TO FULLY RELEASE THE DEVELOPERS' ESCROW (\$12,918.37), AND TO FULLY RELEASE THE MERCHANTS NATIONAL BONDING, INC. BOND NO.: NMN1841 FOR COMPLETION OF THE "LUIPIENT COLLISION" PROJECT #19-123.

4.1 TO FULLY RELEASE THE DEVELOPERS' ESCROW (\$9,000.00) FOR COMPLETION OF THE "TWIN CITIES ORTHOPEDICS" PROJECT #20-001.

4.1 TO FULLY RELEASE THE PERFORMANCE DEPOSIT (\$19,801.28) FOR COMPLETION OF THE "RANGE USA" PROJECT #22-127.

4.1 TO FULLY RELEASE THE PERFORMANCE DEPOSIT (\$13,300.00), TO FULLY RELEASE THE DEVELOPERS' ESCROW (\$8,827.38), AND TO FULLY RELEASE THE WESTERN SURETY COMPANY BOND NO. 67076661 FOR COMPLETION OF THE "MARANATHA CHRISTIAN ACADEMY" PROJECT #24-103.

4.2 TO WAIVE THE READING AND ADOPT RESOLUTION #2024-148 TO ACCEPT AN AKC REUNITE GRANT AND AMEND THE 2024 GRANT FUND FOR THE PURCHASE OF A POLICE CANINE.

4.3 TO SET A PUBLIC HEARING ON OCTOBER 28, 2024, TO CONSIDER THE ISSUANCE OF AN ON-SALE INTOXICATING LIQUOR LICENSE FOR REYES BAR RESTAURANT BREAKFAST LLC, DOING BUSINESS AS REYES RESTAURANT BAR & BREAKFAST, LOCATED AT 7901 BROOKLYN BOULEVARD NORTH.

4.4 TO SET NOVEMBER 12, 2024, AT 6:00 P.M. AS THE DATE AND TIME TO CANVASS THE RESULTS OF THE NOVEMBER 5, 2024, CITY GENERAL ELECTION.

4.5 TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING CHAPTER 152 REZONING 2.41 ACRES FROM R-1 DETACHED SINGLE-FAMILY ESTATE DISTRICT TO PI PUBLIC INSTITUTION AT 6200 WEST BROADWAY.

4.6 TO WAIVE THE READING AND ADOPT RESOLUTION #2024-149 TO AMEND THE 2024 AMERICAN RESCUE PLAN ACT (ARPA) BUDGET TO ALLOW TRANSFER OF FUNDS FROM THE COMMUNITY RESPONSE PROPOSALS PROJECT TO THE LEGAL SERVICES PROJECT.

MOTION PASSED UNANIMOUSLY.

5. PUBLIC HEARINGS

5.1 Adopt Resolution for Proposed Special Assessments for Delinquent Utility Charges; Abatements Costs for Weed Cutting, Tree Removal, Nuisance Abatements, and Fire Inspection Fees; Administrative Penalty Citations; Various Costs Associated with Rental Housing Cases; And Administrative Fees, Except for Contested Charges and Costs Held Over For Further Review.

Finance Director Green briefed the Council on the Proposed Special Assessments for Delinquent Utility Charges; Abatements Costs for Weed Cutting, Tree Removal, Nuisance Abatements, and Fire Inspection Fees; Administrative Penalty Citations; Various Costs Associated with Rental Housing Cases; And Administrative Fees, Except for Contested Charges and Costs Held Over For Further Review.

Mayor Winston opened the public hearing.

The following individuals addressed the Council:

1. Benetta Johnson. 3401 77th Ave N. Appealed assessment. Asked for an extension on the bill.

2. Beverley Hart, 9320 Austrian Pine. Appealed assessment. Did no speak.
3. George Johnson, 6500 Georgia Ave N. Appealed assessment.
4. Elizabeth Richardson, 6688 84th Court N. Appealed assessment. Did not speak.
5. Varney Menobah, 7132 Jewel Ave N. Appealed assessment. Did Not Speak.
6. Youa Xiong, 8009 Vincent Ave N. Appealed assessment. Did not speak.
7. Najib Amini, 1341 84th Ave N. Appealed assessment. Did not speak.
8. Michael Doleman. Appeal received by the city on October 2, 2024. (Mr. Newby stated there was an appeal through the county courts from 6917 67th Ave N.)
9. Email received prior to the meeting from Perpetual Jones, 7688 Hampshire Avenue. Appealed assessment.

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

5.1 MOTION LEE, SECOND KLONOWSKI TO WAIVE THE READING OF THE PUBLISHED NOTICE OF HEARING ON PROPOSED ASSESSMENT FOR DELINQUENT UTILITY CHARGES, ABATEMENT COSTS FOR WEED CUTTING, TREE REMOVAL, NUISANCE ABATEMENTS, FIRE INSPECTION FEES, ADMINISTRATIVE PENALTY CITATIONS, VARIOUS COSTS ASSOCIATED WITH RENTAL HOUSING CASES, AND ADMINISTRATIVE FEES AND HOLD THE PUBLIC HEARING. MOTION PASSED UNANIMOUSLY.

5.1 MOTION LEE, SECOND KLONOWSKI TO WAIVE THE READING AND ADOPT RESOLUTION #2024-150 LEVYING SPECIAL ASSESSMENTS FOR DELINQUENT UTILITY CHARGES, ABATEMENT COSTS FOR WEED CUTTING, TREE REMOVAL, NUISANCE ABATEMENTS, FIRE INSPECTION FEES, ADMINISTRATIVE PENALTY CITATIONS, VARIOUS COSTS ASSOCIATED WITH RENTAL HOUSING CASES, AND ADMINISTRATIVE FEES, EXCEPT FOR CONTESTED CHARGES AND COSTS HELD OVER FOR FURTHER REVIEW. MOTION PASSED UNANIMOUSLY.

5.2 Resolution Authorizing an Amendment to the Grant Contract Dated September 27, 2021, Between City of Brooklyn Park and the State of Minnesota Acting Through the Department of Employment and Economic Development for The Project Titled Industrial Fabrics Corporation dba: Cleardge Technical Fabrics, Inc..

Business Development Coordinator Malcom Hicks, briefed the Council on the Amendment to the Grant Contract Dated September 27, 2021, Between City of Brooklyn Park and the State of Minnesota Acting Through the Department of Employment and Economic Development for The Project Titled Industrial Fabrics Corporation dba: Cleardge Technical Fabrics, Inc.

Council Member McGarvey asked if it was possible to see the contract since it was before the Council's time except for Council Member Morson.

Coordinator Hicks stated he would have to check with the Director but didn't see an issue with providing the contract.

Mayor Winston opened the public hearing.

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 LEE, SECOND KLONOWSKI TO WAIVE THE READING AND ADOPT RESOLUTION 2024-151 AUTHORIZING AN AMENDMENT TO THE GRANT CONTRACT DATED SEPTEMBER 27, 2021, BETWEEN CITY OF BROOKLYN PARK AND THE STATE OF MINNESOTA ACTING THROUGH THE DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT FOR THE PROJECT TITLED INDUSTRIAL FABRICS CORPORATION DBA: CLEAREDGE TECHNICAL FABRICS, INC. THE MOTION PASSED (5 TO 1) MCGARVEY VOTED NO.

5.3 Approve an On-Sale Intoxicating Liquor License for Sky Lounge and Bistro LLC, Doing Business as Sky Lounge and Bistro, Located at 8515 Edinburgh Centre Drive North, Contingent on Approval and Issuance of a Food License, All Required Permits, and all Required Inspections.

Rental and Business Licensing Manager Keith Jullie briefed the Council on the On-Sale Intoxicating Liquor License for Sky Lounge and Bistro LLC, Doing Business as Sky Lounge and Bistro, Located at 8515 Edinburgh Centre Drive North, Contingent on Approval and Issuance of a Food License, All Required Permits, and all Required Inspections.

Mayor Winston opened the public hearing.

The following individuals addressed the Council-None.

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

5.3 MOTION MORSON, SECOND LEE TO APPROVE AN ON-SALE INTOXICATING LIQUOR LICENSE FOR SKY LOUNGE AND BISTRO LLC, DOING BUSINESS AS SKY LOUNGE AND BISTRO, LOCATED AT 8515 EDINBURGH CENTRE DRIVE NORTH, CONTINGENT ON APPROVAL AND ISSUANCE OF A FOOD LICENSE, ALL REQUIRED PERMITS AND ALL REQUIRED INSPECTIONS. MOTION PASSED UNANIMOUSLY.

5.4 Public Hearing to Consider the Recommendation of the Brooklyn Park Charter Commission to amend Chapter 2, Section 2.06 and Chapter 4, Section 4.03 of the Home Rule City Charter.

Charter Commission Chair Dennis Secara briefed the Council on the amendments Chapter 2, Section 2, and Chapter 4, Section 4.03 of the Home Rule City Charter.

Council Member Morson asked if the amendment also included the mayor's seat.

Chair Secara stated it referred to city Council members. He stated if the mayor was to leave office either through death or resignation, the Mayor Pro Tem would take their place until a special election was held. He stated in the case for the regular Council members, and had at least two years left on their term, currently a special election must be held and had to be a declaration of vacancy.

Mayor Winston opened the public hearing.

The following individuals addressed the Council-None.

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

5.4 MOTION KLONOWSKI, SECOND LEE TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING CHAPTER 2, SECTION 2.06 OF THE HOME RULE CITY CHARTER. MOTION PASSED. MORSON ABSTAINED.

5.4 MOTION KLONOWSKI, SECOND LEE TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING CHAPTER 4, SECTION 4.03, OF THE HOME RULE CITY CHARTER. MOTION PASSED. MORSON ABSTAINED.

6. LAND USE ACTIONS-None.

7. GENERAL ACTION ITEMS.

7.1 Appointments to Commissions.

Mayor Winston briefed the Council on the appointments to commissions.

BUDGET ADVISORY COMMISSION (BAC) One appointment (Central)
Central (One appointment)

7.1 MOTION WINSTON, SECOND KLONOWSKI:

7.1 TO APPOINT COKIE FARQUEMA TO THE BUDGET ADVISORY COMMISSION REPRESENTING THE CENTRAL DISTRICT EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A THREE-YEAR TERM TO EXPIRE APRIL 1, 2026. (Reappointing or Replacing Ang Thatch)

COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION (CLIC) Two appointments

City At-large (One appointment)

7.1 TO APPOINT ASHANTE GILL TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A THREE-YEAR TERM TO EXPIRE APRIL 1, 2026. (Replacing John Pharr)

West District (One appointment)

7.1 TO APPOINT JORGE MARTINEZ TO THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION REPRESENTING THE WEST DISTRICT EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A THREE-YEAR TERM TO EXPIRE APRIL 1, 2025. (Replacing Andrea Boyle)

HUMAN RIGHTS COMMISSION (HRC) One appointments (1 City At-large)

City At-large (One appointment)

7.1 TO APPOINT BERNICE COOPER, TO THE HUMAN RIGHTS COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A THREE-YEAR TERM TO EXPIRE APRIL 1, 2025. (Replacing Jania Dammer)

RECREATION AND PARKS ADVISORY COMMISSION (RPAC) Two appointments (1 City At-large; 1 Central)

City At-large (One appointment)

7.1 TO APPOINT EMILY ARIAS TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A THREE-YEAR TERM TO EXPIRE APRIL 1, 2025. (Replacing Joseph Gomez)

Central District (One appointment)

7.1 TO APPOINT BRENDA GILSON TO THE RECREATION AND PARKS ADVISORY COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A THREE-YEAR TERM TO EXPIRE APRIL 1, 2025. (Reappointing or replacing Deborah Lande)

YOUTH LIAISON – City At-large (Ages 14-17 – One-year terms) (One appointment)

7.1 TO APPOINT KLARISSA YU TO THE RECREATION AND PARKS ADVISORY COMMISSION AS A YOUTH LIAISON REPRESENTING THE CITY AT-LARGE EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A ONE-YEAR TERM TO EXPIRE APRIL 1, 2025. (Vacant Seat)

EMERGING LEADER – City At-large (Ages 18-24 – One-year terms) (One appointment)

7.1 TO APPOINT MARVELOUS ANAKO TO THE RECREATION AND PARKS ADVISORY COMMISSION AS AN EMERGING LEADER REPRESENTING THE CITY AT-LARGE EFFECTIVE IMMEDIATELY FOR THE BALANCE OF A ONE-YEAR TERM TO EXPIRE APRIL 1, 2025. (Vacant Seat)

MOTION PASSED UNANIMOUSLY.

7.2 Conduct a three-month review of the City Council's April 15, 2024 censure of Council Member Boyd Morson.

Mayor Winston briefed the Council on the three-month review of the City Council's April 15, 2024 censure of Council Member Boyd Morson. He read some of the information from the staff report.

Council Member Klonowski asked about the second censure put in place, that said the Council had censured Council Member Morson twice. She stated that not accurate. She stated with the first censure, thought five of the current Council members were not there. She asked the city manager if he could talk about the censure as they were not elected official at that point outside Council Member Lee and Council Member Morson.

City Manager Stroebel stated on the first censure, regarding Council Member Morson was related to harassment claims from a female staff person as well as communications sent to staff and directed toward staff. He stated they were contrary to the elected officials city Council code of conduct.

Council Member Klonowski asked if the code of conduct was in place prior to the first censure and if that required an investigation and what the cost was to the city.

City Manager Stroebel stated the code of conduct was in place and the approximate cost was \$5,000.

Mayor Winston stated tonight was to determine as a Council if the censure should be lifted on Council Member Morson or if it should stay in place given the behavior they had seen or any changes in the behavior they had seen since the last discussion.

He stated since the last discussion, and stated he wasn't going to cover all items, regarding speaking to staff besides the EDA Executive Director and city manager. He stated Council Member Morson received complaints from staff on July 24. He engaged in several staff on site the prior day while at Zanewood, where he took pictures of staff and youth involved in a camp and posted those on social media. He stated staff requested that Council Member Morson not take pictures, and they were still posted. He stated the Council made it very clear that based on the former censure and current censure, Council Member Morson was not to engage with anyone but City Manager Stroebel and the EDA director.

He stated he knew Council Member Morson posted other things, saying the Council needed to hold a special Council meeting regarding the city manager and city attorney. He stated at a special Council meeting that Council Member Morson said twice he did not necessarily care about the censure.

Mayor Winston stated other things the Council had seen since then, calls for the FBI to get involved and look at the Council. He stated he wanted to make it clear because people always pointed out freedom of speech, people confused freedom of speech with freedom of consequence. He stated the Council came up with the rules in terms of how they engaged with each other, the public and when the Council members or staff were constantly being called out on social media, it went against those rules. He stated staff deserved the right to have privacy and didn't deserve to have pictures taken if they didn't want their pictures taken. He stated if they felt they were in an environment where they did not feel safe, they deserved to have a safe environment. He stated the censure grew out of that and there was not any desire to squelch on free speech because people would say what they wanted to say. He stated that was outlining the behavior the Council had seen.

Council Member Klonowski stated the Council had another Council Member that had a harassment complaint from staff. She stated it required an investigation and asked the city manager to outline how much it cost the city for the investigation and if it was a private investigator or an internal investigator.

City Manager Stroebel stated for Council Member Tran it was closer to \$11,000. He stated that beyond the financial costs on those investigations related to the censure those types of actions by the Council member had an impact on staff morale, recruitment, retention of staff, took time away from the Council to do its business, took time from the city manager, attorney and other senior staff that could be spent on building the city versus addressing those Council situations. He stated it was clearly a financial cost. He stated additionally they had spent time investing in Council team building work which had been an investment financially and from a time perspective. He stated it was important to have good relationships among Council and staff in doing business of the Council and city.

Council Member Klonowski asked if the city had lost any staff that had expressed those were some of the reasons why they left the city

City Manager Stroebel stated without a doubt, yes. He stated those types of censures, types of activities by the Council had impact on the ability of retaining and recruiting staff.

Council Member Lee stated it was the non-attempt and non-interest in taking some of the recommended classes or training courses to try to remedy the situation. He stated those were offered after the first censure and stayed on the table for the second censure. He stated the communication with staff and Council had gotten better. He stated recently there was a call for an investigation into the mayor, Council and staff. He stated he witnessed Council Member Morson running late to a public event and parked in a very hazardous place on the boulevard, half on the boulevard and half on a park trail which was busy at that time. He thought that was very peculiar and a dangerous place to park although Council Member Morson did make it for the photo opportunity. He thought those details and lack of responsibility for the consequences of his actions led him to believe the censure should still stay active.

Mayor Winston stated the financial costs were real especially when residents felt it in their budget and the city was not flushed with cash. He stated there needed to be an environment where staff felt safe. He stated elected officials were not rulers that staff existed to do their bidding. He stated the Council had their roles and staff had their roles and to make it difficult for staff to do their roles or make it an environment where it was not safe, affected the work product or the output, and it affected the quality what they could do and made it difficult for the city to compete with other cities, when employees were say, "this is a great place to work". He thought staff overall was doing a great job and the city manager was making the city welcoming to people. He stated considering the meetings the Council had recently where they talked about making sure the pay scales were competitive against other cities, that was another factor they competed with. He stated the type of services and quality of services was how efficient they were as a city and did not depend on the seven Council members elected into office. He stated he had not seen recognition of that especially when people were saying, "let's bring in the feds" and any acronym that could be listed and have an investigation in staff and the Council. He stated it went against the code of conduct and also went against making the city a competitive city and did not allow them to work to the fullest extent as a city. He stated he would not be in favor of removing the censure. He stated there were also opportunities given for that training too.

He stated relationships were a two-way street and couldn't just be the Council saying, they were putting forward an opportunity to get training to come to that event. He stated that was the responsibility of someone censured to say, "*you know what, I may disagree with some of this, but I'm going to extend my hand and maybe we will have some type of meeting where we discuss some of this stuff to work through it*" and that hadn't been extended either. He stated it was almost like the onus had been put on everyone else and was very much a two-way street. He thought as a Council they had been patient, and he was not in favor of removing censure. He stated he wished they could remove the censure and didn't think it was appropriate given how staff had been treated and some of the statements that were made by the Council. He stated even when staff were running an election process, they knew it was a good process, and various Council members had been there when the machines were tested and showing how the system and the process worked. Then they had someone saying because of an issue, they did not have faith in the process, or they were the person who got the police officer put in place after hours, when in fact, and had been documented, that a person was put in place because there were meetings in city hall for many years after 4:30 pm and after 5pm. He stated the city had grown and now they had to have that security. He stated that security was in place well before and even talking about the voting and that also went against the code of conduct making up wholesale, whole cloth things against staff, against employees, against the Council when they knew for a fact, that processes were put in place for something else and creating a false argument to serve a purpose. He stated he would not be in favor of lifting the censure and wished they could remove it and was not up to him and was up to the complete Council in terms

of removing it. He stated he would not be in favor because things they asked to be addressed had not been addressed and more egregious behavior had been in place in terms of trying to destabilize someone's belief in their actual government to serve one's purpose. He stated it was irresponsible to try to make people think their government was not respecting them or respecting their processes or respecting what mattered to them. He stated to him he had not seen anything that would make him change that but opened it up to the Council members.

Mayor Winston asked the city attorney if the Council needed to vote on it or have a Council consensus.

City Attorney Thomson stated they could either take a vote or not take a vote. He stated to remove the censure would require a vote and could make a motion to not remove it or take no action.

Council Member Eriksen stated he would also be in favor of leaving the censure in place. He wanted to raise one specific point for Council Member Morson's consideration. He stated the censure instructed Council Member Morson should only engage the city manager and EDA Director and when he did engage other staff members, that put them in an awkward position because they had received instructions from their manager to not engage with Council Member Morson. He stated the city staff were people, and they did not want to be rude, did not want to dismiss other people and it was an awkward position Council Member Morson was intentionally putting the staff in when they were receiving instructions from the Council, city manager and Council Member Morson had received the same instruction. He stated it was a very uncomfortable and inappropriate position to put the employees in.

Council Member Morson stated not one time had he been asked by staff not to post the picture, even though he took pictures all the time. He stated if they had told him, he would never have done it and it never happened.

He stated he provided the city clerk and city manager with a letter he got from a resident and he didn't say that. He stated the letter said someone walked in the Council chambers and they had seen those machines in the Council chambers, and he relayed the message to the city clerk and to the city manager. He stated after that, they had the police sitting at the front desk and no police were there before that at all. He stated whether those machines were there or not, he didn't know anything about it and the resident reached out to him.

He stated if they were talking about fairness, other Council members had posted on their page about other Council members, and nothing had been done to those Council members who were talking publicly about other Council members in the chambers. He stated if they were talking about equality and ethical conduct then those things existed too and still existed today.

He stated there were other people sitting up at the dais that were targeting other Council members and asked where the censures were, the closed meetings and the costs associated with that. He stated no action had been taken regarding the complaints against the mayor and mayor pro tem or any other Council member. He stated if they wanted to talk about ethics and fairness and those types of things then they should talk about it and see what had been done as the result of it.

He stated in response to that email, he was aware the building was open because the resident did complain about why the building was opened after hours. He stated there were meetings going on at city hall after hours and had been going on ever since he had been on the Council

and prior to him as well. He stated the resident didn't know that and his concern was the safety and welfare of the city. He stated the resident and someone else walked in and saw the DMV gate was down but had access to the chambers and walked in there and saw the voting stuff in there, whether the machines were there or not he didn't know that because he was not there.

He stated anything else out there if they wanted to do ethic, fairness, and equality then there were Council members there who were spewing stuff on the internet on their Facebook pages and others. He asked where the meetings were to talk about the council members to censure those people who conducted themselves in the same inappropriate manner, if they wanted to call it that. He just wanted to make sure the residents were listening and paying attention to it because wrong didn't become right, evil didn't become good and just because the majority of the people thought that it was so.

Mayor Winston stated it was a matter of process in both censures where complaints came. He stated the first censure came for sexual harassment of an employee and the second one for continuously violating the code of conduct, where a complaint was made against Council Member Morson and they followed through on the complaint and that was how the process worked.

He stated some of the things Council Member Morson was trying to point out about other Council members, they did not break the code of conduct. He stated Council Member Morson might not like what they said or not like they didn't agree with him, but the code of conduct was not egregiously stepped on the same way Council Member Morson stepped on a regular basis and there was a difference there.

He stated he would like to have the city manager speak about what happened regarding that, because it was one thing to say in the chambers when he was in front of the cameras and everything, stories changed. He stated if he recalled that post, thought someone had screen shot it, because he did not follow all of it. He stated it was not a matter of him saying what he passed on, it was a matter of Council member Morson taking credit and saying that was what happened because of his advocacy, that outcome occurred. He stated it was not about Council Member Morson being benevolent and passing that information to the residents. It was much more of a look what was passed onto him, he addressed it, and that was what his leadership looked like. He stated that was one of the things they got concerned about was that it would be a different approach when those things were brought up. To say it was a misunderstanding, it didn't occur that way, but constantly having to set the record straight and point out what things that happened, that was why they were there, but they also put the three months in not because they wanted to consistently review, but because they wanted to give an opportunity for that particular behavior to change which they had not seen.

City Manager Stroebe stated that on the cadet sitting in lobby area, those conversations of getting a cadet to sit out there or a staff person preceded the letter that came in from the community member. He stated it was initiated by the people that opened city hall in the morning and were concerned, even though the operations and maintenance staff went through city hall in the evenings. He stated city hall was used as a place for people to have evening meetings, and potentially someone staying inside overnight could be a risk to staff members opening the building in the morning. He stated staff had concerns and raised it to him and others and they talked to the police chief and ultimately came up with a solution to bring in a cadet. He stated at the same time in the process of making that decision, there was a concern that came from a resident who was able to come into city hall, just like tonight there was election equipment in back of the room. He stated what was important to know about the voting equipment, it was just

voting equipment in terms of all the ballots, they were secured along with all the important items, every evening by the city clerk and team and not left open for the public to walk in on in the evening. He stated there was voting equipment in back of the room now and voting supplies and was what the person observed.

Mayor Winston stated what the city manager was referring to, in the back was where they filled out a ballot, no ballots, just a booth and some collated packets. He stated it was nothing that anyone could vote on that would affect the election. He stated it made sense for the Council to help people understand the legitimacy of that process, how that process worked, and there were a few fail safes in place. He wanted to make it clear there were no ballots or anything that could determine the elections were there, and it was only voting booths where people could fill out the ballot in the back. He stated that it could have been pointed out or made clear to help people be put at ease but that was not what came out of that communication, which he thought was a travesty against democracy itself.

Council Member McGarvey wanted to make a point of clarification regarding Council Member Morson's remarks. He stated they were not talking about fairness. They were reviewing the censure of a Council member who had shown absolutely no effort to resolve the behavior, which resulted in the censure in the first place. He stated that rather than responding with humility of a public servant, the Council was consistently met with defensiveness and refusal to take the offered steps for a conclusion to the censure. He stated with that said, he was not in favor of removing the censure.

Council Member Eriksen wanted to be clear the concern expressed tonight had nothing to do with why there was a police cadet out there or the fact that Council Member Morson received a concern from a resident and shared it with the city manager and city clerk. He stated that was entirely appropriate and exactly what he should have done. He stated where it should have stopped, was posting the letter from the resident on Facebook with no clarifying context that at no point, was the election process in jeopardy, when they were living in a time where the American people had an all-time low level of trust in the electoral process. He stated City Clerk Montero did a phenomenal job administering the elections and the fact that Council Member Morson posted that letter and calling into question the security of the elections, with no context clarifying the process by which Mr. Montero did secure the elections was the problem.

Council Member Lee stated the fact that Council Member Morson shared that misinformation publicly on social media was irresponsible.

Council Member Morson wanted to make it clear that he took actions in what a resident confided in him to do. He stated whether he was there to see any machines in the room or not, he wasn't there. He stated he took the information and provided it to the right people who he thought should take care of. He didn't question the resident what they said or what happened with him and the people that came to the city and seen it. He stated that wasn't his reason to justify that. He asked if he thought the city clerk was not doing his job, he stated he never thought that and hadn't said that. What he was saying was what the resident wrote to him and said and what they had seen when they came to city hall. He stated he provided it to the city manager and city clerk and addressed it and that was the end of it. He stated the big thing about him talking about machines, didn't know if people would have walked in there and thought those were ballot machines and got it confused.

Council Member Klonowski clarified why there weren't any issues happening to other Council members. She stated the two censures for Council Member Morson, the first censure was being

sexual harassment and that was a claim made by a staff person. The second censure was a claim by a staff person about being attacked personally via Council Member Morson's social media account and the same with Council Member Tran's censure was also initiated because of her harassment claim by a staff person. She thought the defining thing was going after staff, attacking staff, and staff asking for recourse by the employer and by the Council.

Mayor Winston stated that it looked like from Council members there was not an appetite, a majority, to remove the censure. He stated it would continue to stay in place and if necessary, reviewed it in another three months. He stated that when attacking staff, they put the city at risk legally and the Council had legal responsibility and a duty to address those issues.

He stated the censure was coming from that and was not coming from stuff that had been aimed at the Council. He stated they had ignored that to a great degree and people had asked why the Council was letting him say those things. He stated people could say what they wanted to say about the Council. He stated it was centered around treatment of staff and not changing the behavior with staff and the treatment they had seen and in his tenure he had seen. He thought it went back four years and people should understand, the censure came from that. He stated there was a need to protect the city and make sure they were protecting the city from legal liability. He stated they also had a duty to protect staff and people that worked with them. He stated they had to make it clear they did not tolerate people attacking staff and the people they depended on and valued to a high degree. He thought with the censure staying in place, hopefully, if the behavior changed and going forward, it was not taken in a defensive manner. He thought the other piece of it was always met with defense and never a hand outreach to say they didn't see eye to eye, how could they make sure they worked together as a Council.

8. DISCUSSION ITEMS

8.1 Follow-up and Next Steps on October 7, 2024 Work Session Discussion on Council Relations.

Mayor Winston stated the meeting started with the Council expressing concerns around Council Member Tran and where residents had said she had made contributions to the city and he would read those from the letter the Council members prepared on the interactions. He stated there were some concerns, and the Council said they were not mental health professionals and didn't want to be. He stated the Council had seen some things that were concerning them and it seemed like they were divorced from reality and the rest of the Council were experiencing it on a regular basis. He stated the Council had reached out to have meetings, tried to have team meetings and there were no shows for the meetings, or the team meeting was 4 hours and Council Member Tran was there for 20 minutes of the meeting.

He stated it seemed like increasingly there was an issue with being divorced from reality and the Council didn't have an issue with that and one issue that had come out, there was interest in Council Member Tran having the ability to bring a gun to the Council meetings.

He stated as a Council they felt they wanted to ask Council Member Tran, to do everything in her capacity to ensure they were all on the same page in terms of how they were engaging with each other and was not always easy. He stated there was a suggestion from Council Member Morson at the work session, when they were talking about a resolution, and Council Member Morson suggested a letter of some communication to Council Member Tran to ask her to speak to a mental health expert because the Council members were not mental health experts.

He stated there were safety concerns as a Council and didn't think that would have been raised except for that safety concern because he believed there was some behavior that was divorced from reality when people were dealing with firearms. He stated they had seen things go south in the country a number of times and was not a fun topic to address.

Mayor Winston read the letter, signed by the majority of Council and stated Council member Morson had not signed it and knew he made that suggestion and might change afterward.

He stated tonight was a discussion, and they were not coming up with a resolution tonight and were to discuss the next steps. He stated the step of sending the letter and didn't read all of the letter because there were areas of behavior that were shown that was concerning and sharing the letter with that concern made sense. He stated they discussed and made a determination they thought it was better for Council members and the mayor to be in person at Council meetings. He stated the meetings were better when they saw eye to eye, there was better communication, much clearer, less choppy and things didn't get lost in translation and sometimes that happened when people were logging in from afar.

He stated one of the things they needed to do was make an exception for Council Member Tran. If she saw things and felt unsafe, and for them to function as a Council, he was fine with her being upstairs in another room or being remote.

He thought about the letter and making the exception, then remedying the seating chart to represent some of the Council Member's concerns were three tangible steps they could take to address it. He was not interested in escalating it further than that but thought it was important to address the concerns of Council members in terms of their safety.

He stated they had heard from a number of people that it should have been private, and people had to try to address it privately. He stated there had been Council members that had repeatedly since day one, since month one, when they got into office many of them two years ago to address it and it didn't work. He stated the state law on how they conducted meetings, it couldn't be a closed meeting and had to be done publicly. He thought it made sense for residents to understand what the Council was struggling with in terms of dealing with other Council members.

He stated the Council members were married, had children and asked people to consider not only some Council members who were worried if a firearm was brought to the chambers, with someone showing that behavior, and the families were concerned and had a right to be concerned. He stated the Council had every right to address it and also had staff there too and their responsibility was to create an environment where staff felt safe and they were safe.

Council Member Klonowski stated there had been a lot of steps leading to today and led to last Monday and had been something the city put a lot of effort and energy, and the Council collectively. She asked the city manager if he could outline the steps they had taken as a group and what he had taken to address those issues, including the training. She stated there had been a lot of activities trying to get things functional.

City Manager Stroebel stated early on they did an orientation for new Council members because two years ago with the election there were 4 of 6 new Council members. He stated they invested some initial time early on with relationship building, team building last fall and winter and added additional investment of time at the request of Council members as they were concerned about relationship building too. He stated they brought in a consultant to work on that

and do individual conversations with each Council member and few senior staff to get a pulse from staff's leadership perspectives on the relationships among Council and senior staff through those individual conversations and team building efforts. He stated it was held at the local park facility to try and mend some fences and build bridges and not everyone participated but made that attempt. He stated there had been additional attempts by the consultant to do one on one to address some of the concerns that had risen from Council members.

Council Member Klonowski stated there had been some work behind the scenes to try to build relationships for open communications to quell any concerns about people's intentions. She thanked the city manager for the time and energy and Council Member Morson for recommending the letter for Council Member Tran to seek an evaluation and it showed leadership on his side. She stated they were elected to represent districts and people had a right to know what's happening. She stated they had seen things in the news and probably confusing and as they tried to help behind the scenes but some of it kept exploding out in public.

She stated none of the Council members claimed to be mental health experts, however, some did have a background in the field. She stated she spent a long time of her life working with adults with developmental disabilities and with mental health related issues. She stated she was an emergency responder in a vocational setting where if someone was having violent activities, that was one of the first people called because they knew how to deescalate it. She stated she had learned to do property basket holds keeping people from harming themselves and others. She also had a close family member with severe mental illness where the state of Minnesota forcibly hospitalized her because she was a danger to others. She stated she had a career working with people struggling with mental health issues if that was happening with Council Member Tran. She stated it was part of her personal life, and she took seriously the warning signs. She thought the Council members had taken it seriously too because as the mayor had said not only were they all sitting up at the dais, but they also had families at home who were scared and had expressed fear. She stated she had four grandchildren and two daughters and didn't want any harm going to anyone or anyone else's kid and family, which was why they were taking it exceptionally serious. She thanked all Council members for stepping up because those were not fun conversations and had been hard for the last two years working on it. She stated behind the scenes it was not fun and was not a welcomed conversation to have with the public, media and each other.

Council Member Lee stated the Council wanted everyone to feel comfortable, safe and everyone to be able to succeed in their own way. He stated, even through the censures, the rest of the Council wanted to be able to work effectively, cooperatively, and closely with Council Members Morson and Tran.

He stated the issues facing the city today and tomorrow, yes, tonight was hard and heavy conversations on both fronts, but that was what they wanted for residents. He stated it didn't come lightly to write the recommendation letter, but based on what they had seen, what they knew, and based on facts, it was an act they felt they needed to take to keep everyone comfortable, safe and hopefully encourage everyone to be successful in what they could do and be. He stated it was not a small decision, and they went at it from the caring lens for the people involved for the effectiveness and the work the Council needed to do for the residents and consideration to the Council members who were there, and their families and friends too.

Council Member Eriksen stated several people pointed out how many good things Council Member Tran did in public and didn't think any of the Council members who were in favor of the letter denied that. He stated from day one when she took office, they saw passion from her

holding the HOA accountable for their actions and relations with their residents, a real passion for taking care of veterans living in the community and for safe housing for the poorest among them. He stated those were all the things she was advocating for and the Council shared but if a colleague was living in fear that one of their colleagues might kill them or living in fear, they would be a victim of violence going to and from city hall. He stated none of that built a successful platform for doing that work. He thought the Council members would never see their names in the newspaper. He stated he would rather see a great new multiuse development on the old Regent Avenue site or land a big legislative win that allowed the city to complete the CAC renovations. He stated it was the kind of work they signed up for, but they couldn't do that with the level of dysfunction with some of the behavior they talked about tonight created. He stated he would rather do all of that and never read a thing about it in the news and just do that work they were elected to do and be able to put all that behind them. He stated if people weren't willing to invest in their own wellbeing, their own accountability for their actions that could happen effectively, hoped tonight's action was a first step in doing some of that repair which led to more of that work and hopefully no one read about.

Council Member Morson wanted to make it clear the Council members repeatedly said the suggested the letter to be written. He stated that was something that anyone or a caring person would think about was the welfare of someone. He stated he suggested other things too and Council didn't act on those things. He stated as he sat there for the past four years representing the community, Council member Tran was not there tonight, and she asked it to be removed from the agenda until she was there to defend herself. He stated he didn't know if it was considered but didn't happen. He stated he knew Council Member Tran filed complaints against Council Members and none of those things to his knowledge were investigated because he wasn't involved in it with the exception of one that he knew the city attorney, city manager, him and another Council member along with Council Member Tran was in a meeting regarding a Council member. He stated as the result of that meeting, actions were taken, seats were changed, things happened, and apologies were made.

He stated any other complaints that Council Member Tran made, even though she had a complaint against city staff, the mayor publicly stated just be careful because someone could write you up too and as a result, a city staff did make a complaint on Council Member Tran and they did investigate that action whatever the staff member alleged. He stated Council Member Tran made statements about city staff harassing her and Council Member Lee wanted to know who it was and wanted to look into it and those things never happened. He stated Council Member Tran filed complaints against several Council members and no action was followed, no procedures were taken and there was no hearing of those alleged concerns by Council Member Tran.

He stated everyone knew he was a strong proponent of the police chief and the only body in the meeting last week that had enough information and experience to allege any type of consideration of wrongness mentally about Council Member Tran's action. He stated the police chief had seen some things that weren't appropriate and took action to ensure the safety and welfare of Council Member Tran, residents and Council members within the community.

He stated neither one of the Council members was doctors or psychologists and asked why they were saying what the issue was. He stated those things were irrelevant and unethical. He stated if she was entitled by law to buy a weapon just like anyone else, that Council Member Lee said he purchased a gun because he was in fear of the Asian hate. He asked why the same thing couldn't apply to Council Member Tran, she had that right to apply for anything and there was a law that said they couldn't have a weapon if they didn't meet the standards and one of the

standards was to put the address on the application. He stated If they didn't, then they didn't meet the qualifications to get the approval to have a firearm.

Council Member Morson asked if they ever investigated those alleged complaints with the exception of what the Police Chief identified about Council Member Tran and the police chief excusing himself and sent the complaint to Brooklyn Center for further investigation. He stated any other complaints on any Council members, asked if they had any actions or efforts exhausted on them. He stated Council Member Tran showed and said publicly she had some complaints and concerns about city staff following her and whatever was going on and wanted action taken as the result to follow up on the investigation. He stated nothing was done on the alleged investigation.

He stated he wasn't there and didn't know but she made a complaint which should have been followed up on, which was the process, and they didn't follow the process. He stated now, the shoe was on the other foot and if he suggested that action be considered, they took that action by letter, and he would not sign the letter. He stated the Council members were to contribute his name to that conduct and stated it was inexcusable, inappropriate, and unethical conduct and would not attach his name to it. He stated he was not a doctor or a psychologist but knew that was a violation of human rights.

He stated it was something he was sensitive about and sincere about human rights and everyone knew he had served on the Human Rights Commission for years. He stated he wouldn't participate in any witch hunt or any unethical conduct, they didn't have the ability to implement or act on regarding someone's health and welfare. He stated he would not be a part of it even though he suggested the letter be considered. He stated he would not give his name to it to try to cause harm, injure, hurt, shame or embarrass someone. He stated Council Member Tran exercised her right to say there were things going wrong and there was no investigation except for one he was part of along with the city attorney, city manager and a Council member. He stated as the result of that, seats were changed, and things happened.

He stated the only thing he knew that happened, Council Member Tran filed complaints against several Council members and nothing happened. He thought it was something looked at from one side because it applied for city staff to be investigated for their complaint and should be the same for the Council member and didn't happen. He stated everyone was entitled to their opinions but didn't justify the causation and the rationale that someone on the Council said that something was wrong with Council Member Tran. He stated residents had engaged Council Member Tran as they spoke intelligently about her and Council Member Eriksen shared that residents defended and supported Council Member Tran. He stated barriers were put in her way by trying to make her feel ashamed, embarrassed, injured, hurt or harm her reputation and her family's reputation was unacceptable. He stated those things and efforts were to make things happen and thought they would cause damage to Council Member Tran and would not be a part of it.

He stated during that meeting last week the police chief was the only person who witnessed his years of experience where he engaged and lent his perspective to the issue. He stated he respected and valued his opinion, but he was not a doctor or psychologist. He stated the chief shared his opinion and shared some things concerning, they had a conversation and helped him get to the bottom of some things with Council Member Tran to clarify things, to make sure and ensure, that it wasn't a situation that could turn into a Council member massacre. He stated he was not comfortable lending his voice and signature on anything that labeled anyone unstable. He suggested the letter but would not sign it. He asked where the effort was to investigate

Council Member Tran's complaints but hers was turned over to Brooklyn Center. He stated she had complaints about city staff and asked if they took her complaint seriously and was months and months ago and still hadn't been investigated. He stated during that time Council Member Lee wanted to know who that person was and to get to the bottom of it and reneged on following up on it. He stated he was trying to paint an even picture and wouldn't be a part of it to harm or injure someone. He thought it was unethical, unnecessary and violated her human rights. He stated a doctor should determine whether she was unfit or unstable and the residents would determine that by not voting for her or removing her from office. He stated he didn't think it was his duty or responsibility and wouldn't be a part of it.

He asked how much city staff spent on those investigations, how many manhours were exhausted investigating her claims against staff or Council members to get to the bottom of her claim. He stated it was never investigated and was ridiculous to him and wouldn't be part of the ridiculous conduct and behavior or be part of that dysfunction exhibited by the Council. He stated if she needed help there were other avenues for the doctor. He stated sometimes people didn't know the sensitive things going on with Council Member Tran. She came from Vietnam where she suffered while she was a little girl, and it still lived with her today. Like banging on a door, terrified her because she experienced that as little girl and when she heard that banging on the door, her recollection was her dad being taken away from the home for 8 years. He stated that memories as a young child was with her and there was lot of things going on people didn't know that she had her life from domestic violence to many other things that was part of her situation that she was careful and cautious about.

He stated if she followed the law, it allowed her to have a firearm if she met the requirements and qualifications set by the state and federal government. He stated the chief found some things inappropriate that didn't happen, so he acted because a name was needed on the application and applauded him for stepping up and doing his job as the police chief. He stated if she didn't do those things then she was not entitled to carry a firearm. He stated she said she needed it for protection as she lived alone, and they knew there was an increase in the Asian hate in the country and in the city. He stated Council Member Lee said he went out and bought a gun and asked why he wasn't challenged. He stated residents reached out to him saying a Council member was having an alcohol problem and asked if they sent them to Alcohol Anonymous. He stated residents also wrote that two Council members were put out of a bar for being totally drunk and asked if they were investigated to see if they were alcoholics or put that on their records too. He stated he was not a doctor to say that about those individuals, but it was what they what they saw and asked where that investigation was, where the letter of support was and suggestion they needed to seek help.

Mayor Winston asked Police Chief Bruley to speak to the topic of safety of the Council and people's ability to do the work of the Council. He stated those were the two things they were concerned about. He stated as far as people were being pulled out of bars, being it was an election year, that there was something being thrown out and hoping it stuck. He stated those were the two things they should be focusing on rather than trying to disparage the reputation of the Council.

Council Member Eriksen stated Council Member Morson said Council Member Tran filed complaints against many of the Council members and nothing happened. He stated Council Member Tran did file a complaint against him and accused him of wishing he could punch her in the face. He stated it was something he never said about anyone, and never hit another human being, and wouldn't and had no plans to start. He stated it was investigated. Inspector Weinbeck went out to Council Member Tran's house and had an interview with Council Member Tran. He

stated because of a potential conflict of interest and many of the officers knew the Council members and vice versa, Police Chief Bruley sent it over to the city of Brooklyn Center. He stated they sent a detective to his office at work and interviewed him. He stated he didn't get the benefit of having any of that private. He stated there were people posting that police report on Facebook. He stated his coworkers knew that a Brooklyn Center detective showed up at his office to interview him. He stated he didn't get to keep that private, but he was investigated and to say that Council Member Tran was filing complaints and not investigated because they were. He stated the Council took things seriously and it was right that it was investigated. He stated if he made a complaint, he would like it investigated, and he didn't get the privilege of privacy. He stated in most cases none of the Council members there were elected officials, their faces were out there all the time and didn't have the same benefit of privacy as the people sitting out in the audience.

He stated other residents and now Council Member Morson had insinuated, the Council was practicing medicine without license. He stated they were not psychologists and Council Member Klonowski and several of the Council members did have backgrounds in mental health. He stated he had a master's degree in family therapy which he never pursued licensure for and had spent a lot of time working with people with mental health concerns. He gave an example, if they were to see Council Member Lee sitting at the dais and his eyes rolled back in his head and convulsed, those were indicators of problems. If he saw them, he would get Fire Chief Conway to take care of him. He stated the symptoms were indicators of a problem and didn't have to be a medical professional to recognize them and wanted someone to get help for them.

Police Chief Bruley stated shortly after Council Member Tran had got on to the Council, she started bringing things to him and the police department. He stated one continuous theme he had seen throughout the numerous reports, investigations and things that she had told him was the paranoia of bodily harm, fear of someone killing her and someone after her and attacking. He stated that it had given him significant concern especially when many of those things they looked into and it was clear there were no reasonable facts, she could articulate or she could bring to the table, that would lead him to say, she was actually in legitimate fear or would have similar fears. He stated it was very concerning for a couple of reasons. It was obvious Council Member Tran was legitimately concerned and was very fearful. He stated he couldn't find facts that supported that behavior; and stated it didn't mean that was not how she was feeling, which was heart breaking to live like that believing people were going to harm her and was a horrible way to live. He stated that was where he applauded the Council for asking and they all hated it to be public but there was no other way for the Council to take that action.

He stated throughout the journey with her what brought it to the forefront, Council Member Tran had contacted one of his Sergeants about applying for a gun. He stated his office issued many gun permits and if they were eligible for a gun permit, followed the constitution they got that permit and did all the background checks. He stated one of the concerns was she indicated to the Sergeant who did not know who she was, that she was not going to complete the form and put the address on it because she believed the Council would have the police chief go to her address and she was receiving threats and being attacked by Council and needed a gun. He stated she was essentially asking the Sergeant to circumvent the process of the applications so she could get the gun to protect herself from the Council. He stated once the Sergeant figured out who she was, a Council member, brought it immediately to Chief Bruley and he immediately became concerned. He stated if she met the requirement, she was entitled to it but it was the concern that she was being attacked by the Council and wanted to get a gun and those two things gave him significant concerns knowing there was no facts supporting that a person would want to get a gun to protect them from this Council or any actions. He stated he immediately started reaching out to Council Member Tran continuously throughout the day and could not get a hold of her. He went to her house and knocked on her door and she essentially told the assistant city manager that she was not going to talk to Chief Bruley and did not want to have any contact with him. He stated he expressed some sympathetic text messages about needing to resolve it and that was when they brought it to the Council about his concern for all the Council members and needed some situational awareness that if she was

trying to obtain a gun, they should have the right to know. He stated he knew Council Member Morson had a relationship with Council Member Tran and contacted him as a resource and he helped out immensely by contacting her and determined that she had not been able to get a gun which put him at ease temporarily and that led to where they were today.

Mayor Winston thanked Chief Bruley for bringing it to the Council. He stated it was about safety and being able to do their job in a safe environment. He stated things were thrown about, to obfuscate the issue, to throw the Council in a different direction and render what they were talking about absurd and make it seemed absurd, when the reality of situation was, they had staff and Council members who had families and the families were concerned about them and the Council was concerned about the family and staff and was a real discussion brought forward by it.

He stated they had been dealing with it for under two years. He stated it came forward when Chief Bruley given his professional experience, brought it forward to the Council out of his concern. He stated they had been dealing with it for two years and when it was escalated, that was how the Council dealt with it in that particular way.

He stated what he said to Council Member Tran some of it was taken out of context or hearsay and was not bringing that in. He stated if they looked at the letter, it was bringing well-determined sources in front of the Council. He stated he was not interested in the hearsay, or saying someone heard this and heard that and was either misinformation or a bold face lie regarding the complaints.

He stated Council Member Eriksen had a good response when he made it clear that other complaints were made and they were addressed. He thought it was either bold face lies or misinformation and would give the benefit of the doubt to misinformation, which was still not fair to residents. He stated they would want Council members to be educated on the subject. He stated the complaints made were taken into account and the other complaints had not been brought forward from that individual, from Council Member Tran or other Council members.

At 8:30 pm Council Member Morson departed.

He stated those complaints brought forward were addressed. He thought it began to reek of disingenuousness when people said, well what happened to that investigation, and then that investigation, and then after that investigation. He stated then they would have investigations in perpetuity because someone wanted to undermine the legitimacy and wanted to make their point and wanted to be on the record. He stated they didn't want to have a real interaction with the Council and wanted to pick up their bag, like he was 8 year old and leave. He stated they made their statement that said what they wanted to say and wasn't meant to improve relations, it was meant to make a point. He stated that going forward if they stuck to the safety component of it and the Council was able to do business that was where they should focus on and not get into the hearsay. He stated what was read from the letter, those were documented cases brought to the staff, someone had proven that through emails, or some type of communication or brought to the police department. He stated everything they were discussing was real.

Council Member McGarvey stated he was going to ask for clarification from Council Member Morson but wanted the record to show that in the midst of one of the most difficult and hard conversations, the Council has had in his time on the Council, Council Member Morson got up and walked away and no longer in the chambers.

He stated his point of clarification was that no one on the Council had any intention of curtailing anyone's bill of rights, all 26 amendment rights, much less the 2nd amendment. He stated the cause or reason for the conversation tonight and reminded everyone listening that during the conversation with the Sergeant in charge of approving and processing permits to purchase a

handgun asked Council Member Tran what she needed to purchase a gun for. He stated Council Member Tran said it was to protect herself from Council colleagues who had been attacking her. He stated that was why it was being discussed not only because of the Council, but there were people in the chambers. He stated there were city staff at any time of the day at multiple places all over the city and that it was concerning language, behavior and why it was happening.

Mayor Winston stated he would also like people to note that once Chief Bruley made his statement about why it was brought to the Council, Council Morson had enough and he left. He stated much of Council Member Morson's argument was around the Council trying to pick a fight with Council Member Tran, which for two years everyone had done everything but that. He stated they avoided it, even when they were insulated, intelligence insulted, and other brutal things were said at the dais. He stated that was the reality. He stated what Council Member Morson was trying to paint was a picture of the Council trying to create some fight that was never there and tried their best to avoid it. He stated the reason they were there was the police Chief saw something and concerned him and had to act. He stated those that said, they had no right to do that, the reality was, they had seen the school shootings, seen city Council meetings across the country where people had to deal with violence and there were signs.

He stated if they were depending on someone to go to a mental health expert, talk to them and ask if they had a problem, and the mental health professional would say they had a problem and to not to do things and it stopped, there was not a record of that happening in the country. He stated it was often people saying they saw the signs, not the experts, but regular people saw the signs and might want to pay attention to that. He stated what the Council was doing now, was not taking away anyone's rights, they were saying they were aware of the situation and asked for them and the Council to look into it and hopefully it changed some behavior, so the Council felt safe. He stated they had every right with families they were concerned about and staff and their families, to say the Council was seeing some disconcerting behavior and wanted to address it just in case.

He stated there had been other times when people had said they wished someone would have said something because it might of stopped what it was about. He stated everything else was clouding the picture, serving an agenda, it was an election year and some of the disingenuous conversation he had heard in his entire life and didn't serve any public good. He stated the Council had taken it seriously every step of the way and the complaints that had been received were discussed by the Council. The complaints on Council Member Lee and Council Member Eriksen were dealt with. He stated the complaints besides the two mentioned, might be grievances and had not received in an official process and Council Member Tran knew the process because she had used the process multiple times. He stated things were pointed away from the topic at hand. He stated the Council wanted to talk about safety and had been talking about safety, talking about concern for another Council member and addressed it. He stated they had been talking about Council relations. He stated the person decided to make a political statement and getting up and walking out and showing they couldn't work with other Council members. He stated the person talked about everything but the reason why the Council brought it there tonight. He stated it was brought because of the police chief's experience, and the letter made it clear the Council had concerns. He thought the placement in a different way was not blocking the exit and allowing Council member Tran to be remote to attend Council meetings, the Council was saying okay to do it and find a way to make it work as a Council. He stated that was why they wanted to make it clear to the public why the Council was there and doing that. He stated there were steps that had been going on for quite some time, a lot of things happening behind the scenes, people had been bending over backwards to accommodate and

now dealing with the issue.

Council Member Klonowski stated there was a stigma around mental health and it didn't need to be and not meant to embarrass anyone. She stated mental health was part of the world they lived in and there were a lot of people struggling with anxiety, mental issues, and addiction. She stated the point was to ask their colleague and friend to get help, not shame her or remove her from her service because she did well serving the community and the Council wanted to see her to be in the best possible shape to get to do that work while at the same time maintaining their safety because that was also paramount.

She stated by law that they could not do it in a closed session, and they asked for a closed session, that was their preference and could not do that. She stated it was not their intention to have those conversations publicly, but the residents also deserved to understand what was going on at the dais and behind closed doors.

She stated any complaint that had been made was investigated, including early on when they were first elected. She stated she was witness to an incident that happened that spurred a huge issue. They were at training set up by the city manager and it was about personality traits, learning how to communicate together and people having side conversations. At one point Council Member Tran and Council Member Morson were talking when the facilitator was speaking. Council Member Lee respectfully asked if they could have someone speaking one at a time and that spurred a huge issue. Council Member Tran was upset with Council Member Lee and the city attorney had to get involved, mediation was set up, hours and hours of time and energy was used because she felt he was being sexist, anti-Asian and ageist, all against her because he asked politely for them to tone it down so the facilitator could do her work.

She stated then it came into a whole issue of mind reading and things and Council Member Lee had been nothing but professional, kind and all he cared about in that situation was making Council Member Tran feel comfortable. She stated he did everything in his power to make her comfortable by meeting with her to try and smooth it over even though he had done nothing wrong. She stated that was how all that started and had not gotten better. She stated everyone tried to remedy the situation in many ways. She stated Council Member Lee got screamed at because of some perceived issue that wasn't his intention. She stated Council Member Tran wanted a restraining order on Council Member Lee and he still said he wanted to help smooth that over. She stated there was no grand conspiracy to harm her. The only issue they had right now was around their safety, wellbeing and Council Member Tran's wellbeing so she could show up and do the job the residents of her district elected her to do.

Council Member Lee stated he wanted to correct Council Member Morson's statement earlier about one investigation that led to the seat changes. He stated it was not an investigation; it was a reconciliatory phone conference in which Council Member Morson and himself helped arrange. He stated they got a phone call informally to talk things out and he was trying to reconcile but ultimately Council Member Tran decided not to.

Mayor Winston stated it was not an easy discussion to have from a safety perspective. He stated it was brought to the Council as a safety issue, not as a concern or a person was exhibiting a behavior. He stated they had addressed it for the last few weeks because it was brought as a safety issue with a concern for staff, Council members and for Council Member Tran. He stated it was not about a policy because some of the policies that Council Member Tran was regarding was HOAs and affordable housing and the Council had said that was part of their platform. He stated that was something they addressed now and spoke to on a regular

basis.

He stated they disagreed on policy from time to time as a Council and voted separately and no repercussions came from that. He stated it was not about people casting aspersions at the Council. He stated they had responded as Council when it was around staff and now safety. He stated even before many of the Council members came on board, the first censure against Council Member Morson was around staff feeling safe. He stated that was something they inherited and was about staff. He stated if he was insulted as a Council member, that was their prerogative, but when it came to respecting staff, their safety, and safety of the families, then they began to take action. He stated that was where they were tonight and in agreement on it brought up by the police chief and how they had handled it especially for Council Member Lee after the insults he had taken. He stated the way he responded spoke a great deal to Council Member Lee's character and who he was.

9A COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

Council Member Lee stated the city was updating the community goals and had a survey online and asked people to go to the website at www.brooklynpark.org/brooklyn-park-2025 and fill out the survey. He stated it would help the Council envision what was next for the city. He stated they currently had the BP2025 goals and were coming up with the next goals to roll out. He stated he was hoping to get one thousand responses and currently at 600. He asked the Council and everyone to spread the word and the deadline was October 31 to give feedback. He stated they would take the feedback, synthesize it and help what the next plan would look like.

Council Member McGarvey stated he was the historian of a band. Last week, he attended an event sponsored by the Native Veterans Remembered. He stated it was a civil war style commemoration of Peter Bottineau, son of Pierre Bottineau, a well-known early pioneer in Minnesota. Peter served three years for the Fifth Minnesota Infantry and signed up as veteran after already serving three years for the Fifth Minnesota Infantry and resigned for additional three years and fought in numerous battles and marched thousands of miles in the heat and in the deep south. He stated Corporal Bottineau became ill in early 1865 and was sent home to recuperate and ultimately succumbed to yellow fever. He stated it was right across the street from west Brooklyn Park in Osseo at the cemetery at Osseo. He stated Peter Bottineau had a new headstone and dedicated last Saturday and was an incredible event to be a part of.

Council Member Klonowski stated the work the Charter Commission did on their recommendation for the amendment meant to help save the city money in elections. She stated it was something the Council had asked them to look into because they had an empty seat for some time until Council Member McGarvey was elected. She stated it was time-consuming, cost a lot of money for the city and that was what the Charter amendment was seeking to do. She asked the Council to read it over and was worth voting yes with saving the city unnecessary expenditures.

9B CITY MANAGER REPORTS AND ANNOUNCEMENTS

City Manager Stroebel also encouraged people to do the survey. He stated it took 60 seconds to do and could go to the city's homepage and search BP2025 and would take you to survey.

He reminded the Council if they had not done his 360-performance review, Wednesday was the last day to do it.

ADJOURNMENT - With consensus of the Council, Mayor Winston adjourned the meeting at 8:56 p.m.

HOLLIES WINSTON, MAYOR

DEVIN MONTERO, CITY CLERK