

CITY COUNCIL MEETING

VIRTUAL meeting being
conducted by electronic
means in accordance with
Minnesota Statutes, section
13D.021 Public portion
available for connection via
telephone Dial: 1-312-626-
6799 Meeting ID:
89863993600# Passcode:
177384#
April 25, 2022

AGENDA



1. Informal Open Forum with City Council - 6:45 p.m.

Provides an opportunity for the public to address the Council on items which are not on the agenda. Open Forum will be limited to 15 minutes, it is not televised, and it may not be used to make personal attacks, to air personality grievances, to make political endorsements, or for political campaign purposes. Council Members will not enter into a dialogue with presenter. Questions from the Council will be for clarification only. Open Forum will not be used as a time for problem solving or reacting to the comments made but, rather, for hearing the presenter for informational purposes only.

I will first call on those who notified the Clerk that they would like to speak during open forum, and then I will ask if anyone else connected to this meeting would like to speak. When I do, please indicate your name and then proceed when I call on you. Please be sure to state your name and address before speaking.

2. Invocation - 7 p.m. (Elliott)

3. Call to Order Regular Business Meeting

This meeting is being conducted electronically under Minnesota Statutes, section 13D.021 due to the pandemic. For those who are connected to this meeting, please keep your microphone muted. If there is an opportunity for public comment, you may unmute and speak when called upon. Please do not talk over others and anyone being disruptive may be ejected from the meeting. The packet for this meeting is on the City's website, which is linked on the calendar or can be found on "City Council" page.

a. Council Norms

4. Roll Call

5. Pledge of Allegiance

6. Approval of Agenda and Consent Agenda

The following items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the consent agenda and considered at the end of Council Consideration Items.

- a. Approval of Minutes
 - *Motion to approve the following minutes:*
 - 4/11/22 - Study Session Meeting
 - 4/11/22 - Regular Session Meeting
 - 4/11/22 - Work Session Meeting
- b. Approval of Licenses
 - *Motion to approve the licenses as presented.*
- c. Resolution Declaring May 15-21, 2022, National Public Works Week in the City of Brooklyn Center
 - *Motion to approve a resolution declaring May 15 through May 21, 2022, as National Public Works Week in Brooklyn Center.*
- d. Resolution Declaring April 29, 2022, to be Arbor Day and May 2022 to be Arbor Month in Brooklyn Center
 - *Motion to approve a resolution declaring April 29, 2022, to be Arbor Day and May 2022 to be Arbor Month in Brooklyn Center.*
- e. Resolution Recognizing Brooklyn Center as a Tree City USA for the Thirtieth Consecutive Year
 - *Motion to approve a resolution recognizing Brooklyn Center as a Tree City USA.*
- f. Resolution Designating 2022 Planting List of Allowable Boulevard Tree Species
 - *Motion to approve a resolution designating the 2022 planting list of allowable boulevard tree species.*
- g. An Ordinance Amending Chapter 2, Section 2.06 of the City Charter of the City of Brooklyn Center (First Reading)
 - *Motion to approve the first reading of an ordinance Amending Chapter 2, Section 2.06 of the City Charter of the City of Brooklyn Center and calling for a public hearing at the May 23, 2022 City Council meeting*

7. Presentations/Proclamations/Recognitions/Donations

- a. Proclamation Declaring May 6, 2022 as Provider Day
 - *Motion to approve a proclamation declaring May 6, 2022, to be Provider Appreciation Day in Brooklyn Center, MN.*

8. Public Hearings

The public hearing on this matter is now open. I will first call on those who notified the Clerk that they would like to speak to this matter, then I will ask if anyone else on this meeting would like to speak during this hearing. When I do, please indicate your name and then proceed when I call on you. Please be sure to state your name and address before speaking.

9. Planning Commission Items

10. Council Consideration Items

- a. Resolution Directing the City Manager to Direct the Return to In-Person Meetings

- Motion to approve a resolution directing the City Manager to direct the return to in person meetings.

11. Council Report

12. Adjournment

We Agree To

Internal Council Relations – Norms for 2021 – Practiced for next 90 days

- Seek to not repeat or re-iterate points that were already shared
- Engage in discussion and sharing alternate perspectives *without* weaponizing other people's words
- Recognize others with "What I heard you say is _____, with your permission, I'd like to move forward now."
- Call for consensus when it's time to make a discussion
- Allow new solutions in a time of dynamic change, process: (1) name the problem (2) find the process to resolve (3) have the discussion (4) make a decision.
- After open discussion, close down the chat during council chamber discussion (*need to vote on it).

Council Regular Meeting

DATE: 4/25/2022

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, City Clerk

SUBJECT: Approval of Minutes

Requested Council Action:

- Motion to approve the following minutes:

- 4/11/22 - Study Session Meeting
- 4/11/22 - Regular Session Meeting
- 4/11/22 - Work Session Meeting

Background:

In accordance with Minnesota State Statute 15.17, the official records of all meetings must be documented and approved by the governing body.

Budget Issues:

None

Inclusive Community Engagement:

None

Antiracist/Equity Policy Effect:

None

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
4/11 Study Session	4/18/2022	Backup Material
4/11 Regular Session	4/18/2022	Backup Material
4/11 Work Session	4/18/2022	Backup Material

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF BROOKLYN CENTER IN THE COUNTY
OF HENNEPIN AND THE STATE OF MINNESOTA

STUDY SESSION
APRIL 11, 2022
VIA ZOOM

CALL TO ORDER

The Brooklyn Center City Council met in a Study Session called to order by Mayor Mike Elliott at 6:05 p.m.

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Reggie Edwards, Community Development Director Meg Beekman, City Attorney Jason Hill, and City Clerk Barb Suciu.

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

MISCELLANEOUS

IN-PERSON MEETINGS

City Manager Reggie Edwards stated the topic of in-person meetings was discussed at the last City Council meeting. He provided the memo by City Attorney Jason Hill to the Council to aid them in making a decision.

Councilmember Ryan stated they need to return to in-person meetings. While it is convenient to meet from home, there is less justification to meet remotely from a public health standpoint, as cited by City Attorney Jason Hill in his memo. He added most cities have returned to meeting in person.

City Attorney Jason Hill agreed most cities are meeting in person. He noted he doesn't have anything new to add since the last meeting. It is no longer practical and prudent to continue meeting remotely. Therefore, it is his recommendation to return to in-person meetings.

Mayor Elliott stated he would take the issue under advisement. He stated there are recent reports about COVID-19 numbers increasing again due to a new variant.

Councilmember Ryan stated he has been receiving complaints from constituents with concerns about how the meetings are remote. He asked if it is the role of the Mayor to make the decision. Mr. Hill stated the statement signed by the Mayor included that the remote meeting must be repealed by the Mayor. The State Statute states the City Manager or City Attorney may make the decision. If there was a majority consensus of the Council to return to in-person meetings, then he

could look into options for the City Manager and City Attorney to repeal the statement. Councilmember Ryan stated he would like Mr. Hill to look into alternatives because it is not appropriate for the Mayor to decide on his own.

City Clerk Barb Suciú stated Mayor Elliott has left the meeting. Mayor Pro Tem Butler took over the meeting.

Councilmember Lawrence-Anderson agreed she would like to meet in person. She added they will later be recognizing Park Center High School, and the recipients will be in Council Chambers without the presence of the Council.

Councilmember Graves noted she was in Council Chambers to take photos with the basketball players and provide them with copies of the proclamation. She agreed she would like to meet in person and added there are dividers and masks in place.

Councilmember Ryan asked Mayor Pro Tem Butler about her feelings regarding returning to in-person meetings. Mayor Pro Tem Butler stated she enjoys the comfort of her home, but she appreciated meeting with the Council in person at the Board of Equalization meeting.

Councilmember Ryan stated the Council is concerned that the City Attorney has advised the Council to return to in-person meetings. They run the risk of becoming problematic with the law, and they need to maintain confidence with the public.

Councilmember Ryan asked why Mayor Elliott had to leave the meeting. He noted Mayor Elliott has left several previous meetings early. City Manager Reggie Edwards stated Staff is not sure why Mayor Elliott left the meeting.

Mayor Pro Tem Butler asked if the majority of the Council would like to return to meet in person, and what are the next steps. Mr. Hill stated he will put something together for the next meeting that will be on the regular agenda.

Mayor Elliott returned to the meeting. He noted there is an option to stay remote while some members of the Council return to Chambers. Mr. Hill stated he will address the option at the next meeting along with the request from Mayor Pro Tem Butler.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

CONCEPT REVIEW FOR 6100 SHINGLE CREEK PARKWAY (FORMER TARGET)

Dr. Edwards summarized the topic and introduced Community Development Director Meg Beekman to continue the Staff presentation.

Ms. Beekman stated the concept review process is an opportunity for the City Council to review a development concept before a formal proposal from an applicant, provide comments, ask questions, and indicate whether or not the City would be open to the project. Concept reviews are helpful for projects that would involve Economic Development Authority (EDA)-owned land or

public subsidy, as it provides insight to staff and the developer as to the City Council's level of interest, and any specific concerns, related to a project.

Ms. Beekman explained concept review is considered advisory and is non-binding to the City and the applicant. No formal action can be taken at a work session, and the Council is not being asked to vote on the proposal. If the developer chooses to submit a formal application to the City to proceed, it would be subject to the full review process, as with any other development application.

Ms. Beekman stated the site is at 6100 Shingle Creek Parkway and is 9.01 acres. It has been vacant since 2018 and is owned by Brooklyn Center EDA. She noted the strip mall is not owned by the City. She showed an image of the Opportunity Site Master Plan the site.

Ms. Beekman explained the Opportunity Site Master Plan calls for new roadways, a new neighborhood park, and the creation of five new development parcels requires replacing properties and taking out right-of-way, requires negotiations to acquire parkland as sources of funding are constrained and requires land acquisition from adjacent properties to assemble development parcels. She noted development will likely need to be phased in over time given the current market constraints.

Ms. Beekman stated the proposal is an International Food Village, anchored by an international food grocer and bulk distributor. It would be a campus-style development with related commercial and community uses. There is an inclusion of a housing component, but the density and unit mix is to be determined. Phasing is proposed to accommodate the timing of site acquisition and food grocer leads.

Ms. Beekman showed a site plan which includes a two-level grocery, parking ramp, commercial clinic, multi-family housing, freestanding commercial space, public park, event center, and additional commercial fronting Main Street. The proposal requires the assembly of an adjacent strip mall. The EDA is currently in discussions with the adjacent property owner on acquiring additional land. The project is phased to start on the former Target site and then move south and then west pending land assembly.

Ms. Beekman explained a significant amount of due diligence and pre-development will need to occur before the project could move forward. The development team is seeking a Preliminary Development Agreement from the City, which will provide them with the site control they need to begin to gather funding and conduct pre-development work. A full and formal review would take place as part of a land-use application.

Ms. Beekman noted tax increment financing will be needed at a minimum to cover public infrastructure improvements. If the Council is favorable to this concept staff will begin drafting a Preliminary Development Agreement to bring back to a future EDA meeting for approval.

Ms. Beekman added Mr. James Sanigular, owner of International Food Corporation (IFC), a local food distribution company focusing on African and international foods and his team has been working on the concept to bring an international foods market and bulk food warehouse. They have engaged LSE Architects to look at the former Target site, and adjacent retail strip center, to

develop a mixed-use international food village, that would become a destination in the region.

Mr. Sanigular introduced his management team to the Council. He explained IFC has been looking for a location for an international food village for several years. They have been actively looking in Brooklyn Center as it is the most diverse area in the State. They have done work with other chain grocery stores.

Mr. Sanigular explained the project would increase the tax base for the City and provide more commercial and residential property for the community. He added the development would be the first of its kind in the country. IFC puts a large emphasis on sustainability and promoting mental wellness, food safety, and nutrition education. The location is near many other diverse cities and would be a perfect foundation for the venture.

Mohamed Lawal, the CEO and Principal Architect of LSE Architects stated he has been working on the concept of the International Food Village along with IFC. They envision a world-class destination for global foods. He showed the location of the Target site on a regional area map. He noted the proximity to various highways. Mr. Lawal then showed the proposed site plan and neighborhood context.

Mr. Lawal explained there are three parcels included in the site plan. The area up for discussion currently is one parcel of approximately 9.01 acres. He then showed a slide with a table depicting the distribution of amenities. The international grocery store would be over 10,000 square feet.

Mr. Lawal explained the first phase would include a 75,000 to 100,000 international foods village. The additional stores and services featured in the building could be accessed from either inside the market or the street. They haven't determined the types of housing, but it would be 175-200 units. They are also proposing a parking ramp to replace all of the surface parking.

Mr. Lawal noted LSE is the largest black-owned architectural firm in the Midwest. He showed a slide with a three-dimensional rendering of the site use. There would be apartments with parking underneath, an African brewery and tasting room, an outdoor market, a community park, a north-facing glass facade, cultural murals and art, an open entry plaza on Summit Drive and Shingle Creek, a green roof, street-front commercial space, elevated parking, retail entries along the edge, and townhouses with retail below.

Councilmember Ryan stated the Council will need to dig into the details more. He thanked the presenters for the information and their work on the project. The diverse food offerings would be appealing to many cultural groups. Mayor Elliott agreed the project would be a great asset to the community.

Councilmember Butler thanked the presenters for their work on the project. She stated she has wanted a global market in Brooklyn Center for a long time and is very excited about the concept and future details.

Discussion of this item continued and concluded on April 11, 2022, Work Session.

ADJOURN STUDY SESSION TO INFORMAL OPEN FORUM WITH CITY COUNCIL

Hearing no objection, Mayor Elliott closed the Study Session at 7:00 p.m.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)
CITY OF BROOKLYN CENTER)

ss. Certification of Minutes

The undersigned, being the duly qualified and appointed City Clerk of the City of Brooklyn Center, Minnesota, certifies:

1. That attached hereto is a full, true, and complete transcript of the minutes of a Study Session of the City Council of the City of Brooklyn Center held on April 11, 2022.
2. That said meeting was held pursuant to due call and notice thereof and was duly held at Brooklyn Center City Hall.
3. That the City Council adopted said minutes at its April 25, 2022, Regular Session.

Barbara Suciu, City Clerk

Mike Elliott, Mayor

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF BROOKLYN CENTER IN THE COUNTY
OF HENNEPIN AND THE STATE OF MINNESOTA

REGULAR SESSION
APRIL 11, 2022
VIA ZOOM

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

The Brooklyn Center City Council met in the Informal Open Forum called to order by Mayor Mike Elliott at 7:00 p.m.

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Reggie Edwards, City Engineer Mike Albers, Community Development Director Meg Beekman, City Clerk Barb Suci, and City Attorney Troy Gilchrist.

Mayor Mike Elliott opened the meeting for the Informal Open Forum.

Bri S. stated thanks to the structure of the City's government, the Council was able to take swift action to pass the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. She noted the City curtailed the militarized response that punished peaceful protestors for exercising their legal right to protest. She noted she does not understand why there is a possibility of a new structure of government in Brooklyn Center. The Council needs to vote against the proposed City structure to keep the government consistent.

Lori B. noted she was at the event for Daunte Wright. She agreed with Bri S. and her support of the work by Mayor Elliott in response to the unprecedented crisis in Brooklyn Center. Changing the structure of the government would give the City Manager even more power, and he is already in charge of all of the finances for the City. The decision needs to involve more community engagement.

Lori B. stated she helps with the upkeep of the memorial for Kobe Heisler, and there has been an overwhelming amount of positive feedback about the memorial. The site has created opportunities for conversation and reflection. On her most recent visit, she found the City had moved a picnic table and bolted it down in the center of the memorial. It was intentional and an insult to the space created for Kobe. She requested the City relocate the picnic table and noted she would accept any feedback from the Parks and Recreation Department or the City Council to resolve the issue immediately.

Lori B. added she would like the invocation to include acknowledgment of the one-year anniversary of Daunte Wright. She thanked Mayor Elliott and Councilmember Butler for stopping by the gathering.

City Manager Reggie Edwards stated he would get more information about the picnic table and get back to Lori B.

Wendy O. stated they live on the street where the Daunte Wright memorial is located. They have put up with increased traffic, picking up garbage, and singing. She received a flyer from Daunte Wright's mother for the event and explained to her that wheelchair-bound neighbors are unable to use the sidewalk due to the memorial. She explained she was told the memorial would be moved. Wendy O. stated they were unable to get to their house because of the barriers and the event.

Dr. Edwards stated there are barriers and City personnel at the event. He stated he will call them to see what was happening. The barriers are meant to allow for people to still access their homes. He will call them to address the issue. He added Staff is still working on the issue of the memorial location.

Joy G. noted she was at the anniversary event. Some cars can access homes without moving any major barriers. Joy G. added a person who uses a wheelchair has commented to the Council that they can access the sidewalks by the memorial.

Joy G. stated she does not understand why they are looking to make any changes to the charter and she is opposed to any governmental structure changes.

Han stated she is in a wheelchair and can get around the memorial with no issue. She noted she is at the memorial currently and has no accessibility concerns.

Mayor Elliott moved and Councilmember Lawrence-Anderson seconded to close the Informal Open Forum at 6:15 p.m.

Motion passed unanimously.

Reordering of Agenda

Mayor Elliott asked if the item Consent Agenda Item 6c, An Ordinance Amending Chapter 2, Section 2.08 of the City Charter of Brooklyn Center (First Reading), needed to be voted on this evening. Dr. Edwards stated item Consent Agenda Item 6c, An Ordinance Amending Chapter 2, Section 2.08 of the City Charter of Brooklyn Center (First Reading), is only a first reading. From there, there would be a public notice and a public hearing. However, the first reading doesn't have to happen this evening.

Mayor Elliott stated he would like the Council to review Consent Agenda Item E., Resolution Amending Precinct 4, and Absentee Voting Polling Places.

2. INVOCATION

This item was considered after the 7. Presentations/Proclamations/Recognitions/Donations Item 7a. Proclamation Declaring March 26, 2022 as "Park Center High School Boys 'Basketball Team Day" and prior to 5. Pledge of Allegiance.

3. CALL TO ORDER REGULAR BUSINESS MEETING

The Brooklyn Center City Council met in Regular Session called to order by Mayor Mike Elliott at 7:20 p.m.

4. ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Reggie Edwards, City Engineer Mike Albers, Community Development Director Meg Beekman, City Clerk Barb Suci, and City Attorney Troy Gilchrist.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. PROCLAMATION DECLARING MARCH 26, 2022 AS "PARK CENTER HIGH SCHOOL BOYS BASKETBALL TEAM DAY"

Mayor Elliott read in full a Resolution declaring March 26, 2022, as "Park Center High School Boys Basketball Team Day."

City Manager Edwards shared that he was at the game but sitting on the mix of the of Wayzata crew, students, and parents. He added he was proud of the team and their achievement.

Isaiah F. stated his favorite moment of the year was playing alongside his best friends. Next year he plans to play college basketball.

Keaton L. stated his favorite part of the year was playing with people he has played with since elementary school and going on to the State championship. He plans to continue his academic and athletic pursuits at Macalaster College by playing football and pursuing a degree in computer science.

Evanston A. stated his favorite part of the season was seeing his friends play in the State tournament. He added he would like to play college basketball.

Mouhamed D. noted his favorite moment of the season was going to Arizona. He added he will be playing football at the University of Sioux Falls.

James S. stated he is looking forward to playing college sports.

Ayouba B. explained he stated his favorite part of the season was having fun with his team. He stated he doesn't know what his plans are for next year.

Cody P. stated his favorite part of the season was playing with friends and he will be attending Lamar University to play basketball.

Leo T. stated he will be attending San Jose State University to play basketball. He did a shoutout for his friends in Victoria Townhomes.

Braden C. stated his favorite moment from the year was watching the coaches run. He stated he will be continuing his academic and athletic career at the University of Minnesota.

Cash C. stated his favorite memory was going out to eat with his teammates. He added he will be staying at home in Park Center.

An unidentified speaker clarified Cash C. is a sophomore. He recognized the coaches, a variety of Park Center staff, and the parents of the team.

Mayor Elliott congratulated the team on their victory and showed what excellence looks like. He added it is not just about athletic excellence but also academic excellence. He stated whatever they do, do it to the fullest extent.

2. INVOCATION

Councilmember Graves noted it is the first anniversary since Daunte Wright lost his life at the hands of police officer Kim Potter. She explained she is proud of the progress the City has made in the past year. She then read a statement she wrote on April 14, 2021, regarding the incident, the aftermath, and the feelings the community has experienced.

Mayor Elliott stated they would take a minute of silence for Daunte Wright.

Councilmember Lawrence-Anderson noted her prayers are with the family.

Councilmember Ryan stated Councilmember Graves has done an excellent job of expressing the feelings that he has experienced. Daunte Wright should be alive. They will continue to determine how to govern the community in the best interest of all people.

Councilmember Butler echoed the beautiful statement of Councilmember Graves. She stated she was able to express her condolences to the family before the meeting. She acknowledged it is a difficult day for the City. The City has made progress in the past year, and the best way to honor Daunte is to continue the work.

Mayor Elliott stated they are reminded of how deadly the consequences are if the City doesn't succeed in the work they are undertaking. He noted members of the community have expressed concerns about their children becoming old enough to drive. Such a thing should not happen in America, the greatest country in the world. There are black and brown people all over the country that are not safe. They cannot be divided based on color. Instead, they must unite to transform the community. The future of Brooklyn Center is incredibly bright.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was not recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Mayor Elliott suggested they move Consent Agenda Item 6c., An Ordinance Amending Chapter 2, Section 2.08 of the City Charter of Brooklyn Center (First Reading), to become Council Consideration Item 10a., An Ordinance Amending Chapter 2, Section 2.08.

Mayor Elliott moved and Councilmember Ryan seconded to approve the Agenda and Consent Agenda, as amended, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. March 28, 2022 – Study Session
2. March 28, 2022 – Regular Session
3. March 28, 2022 – Work Session Session

6b. LICENSES

GARBAGE HAULER

Dick's Sanitation Service

8984 215th Street West
Lakeville, MN 55044

GASOLINE SERVICE STATION

Northern Tier Retail LLC
dba: Speedway

1901 57th Avenue North
Brooklyn Center, MN 55430

Northern Tier Retail LLC
dba: Speedway

6950 Brooklyn Boulevard
Brooklyn Center, MN 55429

Northern Tier Retail LLC
dba: Speedway

6545 West River Road
Brooklyn Center, MN 55430

HOSPITALITY ACCOMMODATIONS LICENSE

Extended Stay America

2701 Freeway Boulevard
Brooklyn Center, MN 55430

LIQUOR 3.2 OFF SALE

Northern Tier Retail LLC
dba: Speedway

1901 57th Avenue North
Brooklyn Center, MN 55430

Northern Tier Retail LLC
dba: Speedway

6950 Brooklyn Boulevard
Brooklyn Center, MN 55429

Northern Tier LLC
dba: Speedway

6545 West River Road
Brooklyn Center, MN 55430

MECHANICAL

Corporate Mechanical

5114 Hillsboro Avenue North
New Hope, MN 55428

First Class Plumbing & Heating LLC

108 Dundas Road Suite H2
Monticello, MN 55362

GV Heating & Air Inc

5182 West Broadway
Crystal, MN 55429

Kirts Mechanical

2803 Roth Place
White Bear Lake, MN 55110

RENTAL

INITIAL (TYPE IV – six-month license)
6918 Halifax Avenue North

Gracelands LLC

6112 Quail Avenue North

David I. Koenig

3006 51st Avenue North

Naisha Nicole Bell

INITIAL (TYPE III – one-year license)
5555 Dupont Avenue North

Maria Magdalena Velez

2912 Nash Road

ML Henjum Etal

INITIAL (TYPE II – two-year license)
6001 Earle Brown Drive

Evercare Senior Living LLC

1619 73rd Avenue North

SFR Acquisitions 2 LLC

3025 65th Avenue North

Wilmer Alexander G. Mendoza

RENEWAL (TYPE IV – six-month license)
700 66th Avenue North

Georgetown-BC Company LLLP
C/O James Wiensch

3401 47th Avenue North

BMW Holding LLC Et Al
C/O Halverson & Blaiser Group

5347 Penn Avenue North

Abdifatah Mohamed Abdullahi &
Yassin Mahamud Noor

5338-40 Queen Avenue North	Thanh Kim Oan
6130 Scott Avenue North	2017 1 Ih Borrower L P C/O Invitation Homes
2006 Brookview Drive	Mnsf Ii W1 LLC
3812 Commodore Drive	David Koenig
5442 James Avenue North	Gerald R. Stigsell
6614 Bryant Avenue North	Yi Lin & Xi Lin
6243 France Avenue North	FYR SFR Borrower LLC C/O Altisource Asst Mgmt Cor
3100 Thurber Road	Tyler Morgan Henderson
6706 Toledo Avenue North	Stephen Burson
<i>RENEWAL (TYPE III – one-year license)</i>	
6804 Fremont Place North	M Shaffer & C Shaffer
1325 68th Lane North	Roth Wagner 2 LLC C/O Konrad Wagner
3224 62nd Avenue North	Laura A. Mills
<i>RENEWAL (TYPE II – two-year license)</i>	
5739 James Avenue North	Rifive Investments LLC
1012 72nd Avenue North	Hpa Us1 LLC
7085 Unity Avenue North	I-chang Wen & Yanhua Sun
<i>RENEWAL (TYPE I – three-year license)</i>	
5353 72nd Circle	D Gilbert/b Notenberg Et Al Donovan Gilbert
2208 69th Avenue North	3511 Fremont LLC Jaden Ghylin
6037 June Avenue North	Miller Rental Properties LLC
5942 Aldrich Avenue North	Joseph Palen BRP II LLC

TOBACCO RELATED PRODUCTS

Northern Tier Retail LLC
dba: Speedway

1901 57th Avenue North
Brooklyn Center, MN 55430

Northern Tier Retail LLC
dba: Speedway

6950 Brooklyn Boulevard
Brooklyn Center, MN 55429

Northern Tier LLC
dba: Speedway

6545 West River Road
Brooklyn Center, MN 55430

- 6c. WATER METER PURCHASE AND INSTALL CONTRACT - FERGUSON WATERWORKS**
- 6d. RESOLUTION NO. 2022-43; IDENTIFYING THE NEED FOR LIVABLE COMMUNITIES DEMONSTRATION ACCOUNT (LCDA) FUNDING AND AUTHORIZING AN APPLICATION FOR GRANT FUNDS**
- 6e. RESOLUTION NO. 2022-44; AMENDING PRECINCT 4 AND ABSENTEE VOTING POLLING PLACES**
- 6f. RESOLUTION NO. 2022-45; APPROVING AND AUTHORIZING EXECUTION OF A JOINT POWERS AGREEMENT WITH THE CITY OF BROOKLYN PARK FOR THE IMPROVEMENT OF A PORTION OF 73RD AVENUE NORTH (HALIFAX AVENUE NORTH TO FRANCE AVENUE NORTH) TOGETHER WITH A PORTION OF KYLE AVENUE NORTH (WOODBINE LANE TO SHARI ANN LANE) AND TOGETHER WITH A PORTION OF NOBLE AVENUE NORTH (WOODBINE LANE TO NOBLE COURT NORTH)**
- 6g. RESOLUTION NO. 2022-46; APPROVING AND AUTHORIZING EXECUTION OF A JOINT POWERS AGREEMENT WITH THE CITY OF BROOKLYN PARK FOR THE MAINTENANCE OF A PORTION OF 73RD AVENUE NORTH (HALIFAX AVENUE NORTH TO FRANCE AVENUE NORTH) TOGETHER WITH A PORTION OF KYLE AVENUE NORTH (WOODBINE LANE TO SHARI ANN LANE) AND TOGETHER WITH A PORTION OF NOBLE AVENUE NORTH (WOODBINE LANE TO NOBLE COURT NORTH)**
- 6h. RESOLUTION NO. 2022-47; DECLARING APRIL 17-24, 2022, TO BE COMMUNITY CLEANUP WEEK**
- 6i. RESOLUTION NO. 2022-48; DECLARING APRIL 22, 2022, AS EARTH DAY IN BROOKLYN CENTER**

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. PROCLAMATION DECLARING MARCH 26, 2022 AS "PARK CENTER HIGH SCHOOL BOYS BASKETBALL TEAM DAY"

This item was considered after 4. Roll Call and before 2. Invocation.

7b. OPPORTUNITY SITE PILOT PROJECT – COMMUNITY ENGAGEMENT UPDATE

Dr. Edwards introduced Community Development Director Meg Beekman to continue the Staff presentation.

Ms. Beekman stated at the June 28, 2021, meeting, that the City Council approved moving ahead with a community engagement process related to the Opportunity Site. The engagement process would focus on the initial pilot development project being led by developer Alatus. The approved engagement process authorized staff to enter into contracts with up to 10 local community-based organizations to lead community engagement efforts.

Ms. Beekman noted as part of this work, a citizen advisory task force was to be formed, which would distill the larger engagement efforts and work to identify a term sheet for the development, which would form the basis of a community benefits plan.

Ms. Beekman added the city contracted with NEOO Partners to manage the engagement effort and provide technical assistance to the local community partners conducting the engagement work. In addition to leading their community engagement efforts, ACER was contracted to form and facilitate the citizen advisory taskforce. The citizen advisory task force is tasked with receiving the engagement data from the community partners, distilling that information, and delivering to the City an equity development scorecard and a community benefits agreement based on the engagement work.

Ms. Beekman stated at the November 22, 2021, City Council meeting, NEOO Partners and ACER, Inc co-presented an update of the work to the City Council. Much work has been accomplished since this process began in June. The community partners have been out in the community door-knocking, holding focus group sessions, and larger community listening sessions. The engagement work has been concluded and passed on to the citizen advisory task force. ACER has convened the citizen advisory task force and they have largely completed their work.

Ms. Beekman noted an April 19, 2022 meeting has been scheduled for the community partners to report to the community the results of their work. For April 11, 2022, City Council meeting, a select group of community partners will report their findings to the City Council and present their final engagement report. The Council is being asked to accept the team's engagement report.

Christina Berry, the representative of NEOO Partners, explained that NEOO Partners is a real estate, urban planning, and community engagement firm that was selected to oversee the community engagement process for the Opportunity Site. They have been working with various local organizations that have met with over 2,000 residents and 50 local businesses. The

engagement team asked a variety of questions regarding the Opportunity Site and provided information about the project.

Andrew Mua, Youth Outreach Specialist for Brooklyn Bridge for Youth, started by acknowledging the first anniversary of the death of Daunte Wright. He explained the engagement goals were to inform the development of the proposed Downtown Masterplan and its implementation, build relationships with youth using an intentional engagement model, and expose and provide opportunities to youth to engage with city systems that have not traditionally been available to them.

Mr. Mua noted advancing equity is ensuring they are including those most impacted and least included in planning historically. They approached this work with careful intentionality to amplify youth views and voices in community development efforts.

Mr. Mua stated the engagement was a direct continuation of work from 2019. Four themes emerged from their times in the schools including investing more funds into schools and education, expanded retail and entertainment options, affordable housing opportunities and expanded housing, and community spaces for youth and families to bond. He added there was a disconnect between gentrification and the impacts of development that comes from introducing retail, entertainment, and housing.

Mr. Mua showed a slide depicting the Youth Outreach and Engagement Model that was built out between staff and four interns. They engaged with 51 students, and the intention was to go deeper by building relationships with 51 students rather than just extracting knowledge from the youth.

Mr. Mua explained they engaged with youth in the Brooklyn Center High School and the Brooklyn Center Early College Academy across four grades. 90 percent of the students engaged in the process were youth of color, which was representative of the greater Brooklyn Center community.

Mr. Mua noted part of intentional engagement with young people is building community. They wanted to make sure that there is a relationship between us and the students while also learning about youth and how they view Brooklyn Center. There was a central theme of moving forward together. One student noted student life is dominated by schools. If teachers and schools don't make personal connections or promote positive environments for their students, it will reflect on how students feel about their community.

Mr. Mua stated based on feedback from the youth, the strengths of the downtown plan include a community-centered approach designed to bring people and families together, a walkable and bikeable area with activities and space that otherwise are not currently being used, emphasis on small-business development for economic growth of local business owners with the potential for job creation for youth and adults, centralized services make the area more accessible for folks with transportation barriers and reduces financial burden attached with commuting, expanded housing for affordable living, and green spaces and added parks for both youth and families to enjoy.

Mr. Mua noted some pieces of the Opportunity Site require more clarification based on the feedback from the youth. For example, they would like to see an intentional plan or consideration

that focuses on the public safety of residents and their well-being, essential businesses and spaces related to health, basic needs, and other specialized services for people from all backgrounds, strong efforts by the city to prevent gentrification and displacement of current residents, affordable recreation, entertainment, and public art, environmentally friendly plan that focuses on clean building, clean streets, and clean water, and development that leads to improved community education.

Mr. Mua added there were other key findings from the youth engagement process that may be of importance to the Council and the project. Youth have expressed an interest in moving the community forward and together, and there is a strong sense of pride that is harbored in youth in Brooklyn Center. Especially when their school experience is positive, it impacts their view of the city. There is a gap in engagement between existing city assets and the community. Students have expressed the need for certain services yet are unaware that some of these services exist within the city.

Mr. Mua explained youth would like to see public safety implemented into the overall plan, and youth want to feel safe and secure. They were also interested in direct and intentional efforts to prevent inequitable impacts of development for residents. Students want to see themselves and their families prioritized first. Also, it was not clear to students how this will impact their schools.

Mr. Mua stated overall, youth feel a strong sense of passion and pride in the people of Brooklyn Center, but not in the physical space of the city. There was a sense of being an underdog and it's reflected in how they view the empty lots and spaces in their city, or their differences in experiences in comparison to their peers in other cities.

Mr. Mua thanked a variety of people and organizations that have supported his youth engagement work. He offered to answer any questions the Council may have.

Mayor Pro Tem Butler noted Mayor Elliott asked her to take over the meeting.

Councilmember Ryan asked what was the total cost of the engagement efforts. Ms. Beekman stated the invoices are still incoming. The Council had originally agreed to an engagement process not to exceed \$300,000. After some refinement, there was a lower budget agreed upon by the Council. Councilmember Ryan noted there have been concerns that there has not been widespread enough engagement to support the project.

Councilmember Ryan noted his agreement that the plan should look at gentrification and displacement. He stated he expects the Community Development Director has considered such factors. There is research about gentrification, displacement, new developments, and affordable housing that needs to be considered. The Council may be giving their discretion up to affordable housing advocates without thinking about the greater need of the residents of Brooklyn Center.

Mayor Pro Tem Butler thanked Mr. Mua for the presentation and noted her excitement for the depth of youth engagement included in the process.

Mayor Pro Tem Butler moved and Councilmember Graves seconded to accept the presentation

Opportunity Site Pilot Project - Community Engagement Update.

Motion passed unanimously.

7c. HIGHWAY 252/I-94 ENVIRONMENTAL IMPACT STATEMENT (EIS) UPDATE

Dr. Edwards introduced the item and welcomed City Engineer Mike Albers to continue the Staff presentation.

Mr. Albers stated the City is partnering with MnDOT, Hennepin County, the City of Brooklyn Park, and the City of Minneapolis on an Environmental Impact Statement for the Highway 252/I-94 corridor from Highway 610 in Brooklyn Park to 4th Street in Minneapolis. The project partners will use the Economic Impact Statement (EIS) to gain a better understanding of safety and transportation needs in the area and take a closer look at how a potential construction project could affect the environment surrounding Highway 252 and I-94.

Aaron Tag, MnDOT Public Engagement Manager, explained the project is currently in the phase involving the Environmental Impact Statement. The first step of the phase was to determine the purpose and need. Currently, they are working on a Scoping Decision Document. The next phase includes the draft EIS and a formal public comment period. They hope to wrap up the phase at the end of 2025 and begin construction in 2026.

Mr. Tag showed a slide depicting the project development process. They started with a mix of elements that may address the needs. Those that move forward past evaluation, look for elements they may be missing. When they have added an element, they restart the process. They are continuing to gather public feedback on several alternatives.

Mr. Tag showed a slide depicting the project committee process. The project team compiles project information, shares existing, background, and reference information conducts data analysis and discusses assumptions through a rough framework. From there, the project is reviewed by a Technical and Policy Advisory Committee, various participating agencies, and the public.

Mr. Tag stated they have heard concerns from the City Council, and they want to be responsive to those. They have heard interim safety improvements are needed, and safety improvements will be implemented in 2023. Workforce opportunities are important and need to be communicated to the project. MnDOT has developed a workforce plan. MnDOT has also released a request for proposals from community-based organizations to develop and administer two workforce programs for the 252 project.

Mr. Tag noted the Council has a desire to see diverse engagement methods. Round Three engagement will include in-person, online, small group, and targeted methods to reach residents where they are and gather meaningful feedback. Air quality and asthma issues are a concern. Air quality and environmental justice analyses are evaluated during the draft Environmental Impact Statement.

Mr. Tag stated interim safety improvement measures will come in the late summer of 2023. They will install new pedestrian crosswalk pavement markings at 66th, 70th, 73rd, and 81st Avenues, and Brookdale Drive, deploy speed feedback trailers, upgrade the “One Way” signing, implement Toward Zero Deaths (TZD) strategies, and make the crossing times longer for pedestrians.

Mr. Tag added for more specific projects, MnDOT will install warning flashers on southbound Hwy 252 for the signal at 85th Avenue, and add more signal heads on Hwy 252 at Humboldt Avenue/81st Avenue. Improve westbound to southbound turn movement, remove free right turn in the southwest corner of Hwy 252 and 66th Avenue, install “Signal Ahead” pavement markings on northbound Hwy 252 for 66th Avenue Signal.

Mr. Tag explained two rounds of public engagement are complete. Pop-up meetings have taken place in coordination with City Staff. There is a collaboration with CAPI to engage diverse populations in Brooklyn Center and targeted outreach to communities of faith in partnership with the Stairstep Foundation. Furthermore, there are Equity and Health Neighborhood Advisors as a piece of targeted outreach.

Mr. Tag noted the project has received 1582 comments, and 321 of those comments involved questions needing a response. Comment themes include the project process, freeway conversion, safety, environment, and transit. The community input has informed the project in several ways. Additional project alternatives have been included for consideration, the project team has established an interim safety improvements plan, transit is considered in all alternatives, and MnDOT is utilizing additional tools and techniques to engage the community.

Leif Garnass, SRF Engineer, stated they are on the second step of the scoping process which combines project elements to develop a list of project alternatives. From there, they will determine which alternatives should be studied further in the draft EIS, and they will review the draft EIS alternatives and determine if there is a preferred alternative.

Mr. Garnass explained step two identifies Hwy 252 and I-94 corridor alternatives for further study in step three. There is a range of alternatives for Hwy 252 considering the overall function and purpose of Hwy 252 in Brooklyn Center, and tradeoffs between Hwy 252 and local roadways are considered in technical evaluation. Evaluation criteria include vehicle safety, vehicle mobility, walkability and bike-ability, environment considerations, and transit considerations.

Mr. Garnass stated the first alternative is to convert Hwy 252 to a transit corridor. This would reduce Hwy 252 to one lane in each direction and only allow transit vehicles to travel along Hwy 252. It would not allow general traffic to turn onto or off Hwy 252. Local access across Hwy 252 could be served with intersections or interchanges.

Mr. Garnass explained they could sever Hwy 252 at Hwy 610 and convert Hwy 252 to a local collector roadway. In that scenario, the connection to Hwy 610 and from Hwy 252 on the north end would be severed, and the connection to I-694 and from Hwy 252 on the south end would be maintained. This alternative would also reduce Hwy 252 to a three-lane roadway and reduce the posted speed limit on Hwy 252 to 35 miles per hour.

Mr. Garness added another alternative would be converting Hwy 252 to a four-lane low-speed expressway. This option would provide only two lanes in each direction on Hwy 252 and reduce the speed limit on Hwy 252 to 35 miles per hour. This alternative was revisited based on community feedback.

Mr. Garness stated they are considering an E-ZPass as a transit advantage and congestion-free choice. A managed lane provides flexible travel options during busy commuting hours. The goal is to move more people by providing a dedicated lane that transit riders and carpoolers can use for free during high-traffic times. An E-ZPass lane is an example of a managed lane and in Minnesota, solo drivers pay to access the lane if they do not qualify via transit or carpooling options.

Mr. Garness explained the price to use the lane varies based on the lane's location, time of day, and traffic to help keep the lane less congested. Minnesota E-ZPass lanes are open to all motorists during low traffic time, which is nearly 90 percent of the time. The purpose of Minnesota's E-ZPass managed lane system is to improve the Twin Cities 'highway and transit systems by providing users with more efficient travel options.

Mr. Garness showed a slide showing a table with a high-level evaluation summary for step two. The table was broken down into expressway alternatives, freeway alternatives, and Hwy 252 reductions compared to evaluation criteria. Mr. Tag added no corridor alternatives have been eliminated.

Mr. Tag stated round three of community engagement will begin at the end of April. They will refine alternatives and recommend those to advance and those not to advance. Round four of community engagement will take place in fall 2022 and the Scoping Decision Document will be finalized in early 2023. He added two engagement opportunities will be coming up. A Brooklyn Center Open House is scheduled for Tuesday, April 26 from 5:30 to 7 p.m. at the Lutheran Church of The Master.

Councilmember Ryan noted there are several conflicting interests. He explained he would defer his questions and concerns until a later discussion.

Councilmember Lawrence-Anderson thanked the members of MnDOT that have met with her individually in the past. She added it is concerning for the interim safety measures to be so delayed. She stated the option for a light preceding a stoplight to warn of an upcoming red light could be a helpful safety measure that would be much quicker than the current proposed safety measures timeline.

Mr. Tag explained MnDOT's projects depend on when funding is available. Additionally, several design elements must be put together which takes time to complete. The flashing lights require design work as well and would require integration and complicated connections into the signal system.

Councilmember Graves asked if there are any additional project alternatives beyond those presented. She added if there were any additional project alternatives beyond those presented, she would like to know why they were not included. She noted her appreciation of consideration of

walkability and bike-ability. However, she would like to receive more information about community engagement and feedback received about the projection options. She asked if the reported pros and cons are based on MnDOT's assumptions or collected community feedback.

Mr. Tag stated round three of engagement will include receiving feedback specifically about the proposed alternatives. He stated four alternatives will be presented to the community. The upcoming open house meeting will include a full presentation of the four options along with an analysis of the alternatives. MnDOT looks forward to receiving and implementing feedback from the community.

Mayor Pro Tem Butler asked if the Council could have access to all of the community feedback that has been received from the community engagement efforts. She also asked if they could receive future community feedback before any future MnDOT presentations to the Council. Mr. Tag stated the team will put the comments together for the Council to review. Mayor Pro Tem Butler noted she had additional questions, but in the interest of time, she would email the project team.

Mayor Elliott moved and Councilmember Ryan seconded to accept the presentation by MnDOT on the current status of Highway 252/I-94 Environmental Impact Statement (EIS).

Motion passed unanimously.

8. PUBLIC HEARINGS

None.

9. PLANNING COMMISSION ITEMS

None.

10. COUNCIL CONSIDERATION ITEMS

10a. AN ORDINANCE AMENDING CHAPTER 2, SECTION 2.08 OF THE CITY CHARTER OF BROOKLYN CENTER (FIRST READING)

Mayor Pro Tem Butler stated Dr. Edwards confirmed the discussion on Council Consideration Item 10a., An Ordinance Amending Chapter 2, Section 2.08 of the City Charter of Brooklyn Center (First Reading), could be moved to the April 25, 2022 meeting as it is not a pressing matter.

Hearing no objection, Mayor Pro Tem Butler rescheduled Council Consideration Item 10a. An Ordinance Amending Chapter 2, Section 2.08 of the City Charter of Brooklyn Center (First Reading), to April 25, 2022.

11. COUNCIL REPORT

None.

12. ADJOURNMENT

Councilmember Graves moved and Mayor Pro Tem Butler seconded the adjournment of the City Council meeting at 9:24 p.m.

Motion passed unanimously.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)
CITY OF BROOKLYN CENTER)

ss. Certification of Minutes

The undersigned, being the duly qualified and appointed City Clerk of the City of Brooklyn Center, Minnesota, certifies:

1. That attached hereto is a full, true, and complete transcript of the minutes of a Regular Session of the City Council of the City of Brooklyn Center held on April 11, 2022.
2. That said meeting was held pursuant to due call and notice thereof and was duly held at Brooklyn Center City Hall.
3. That the City Council adopted said minutes at its April 25, 2022, Regular Session.

Barbara Suciu, City Clerk

Mike Elliott, Mayor

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL/ECONOMIC
DEVELOPMENT AUTHORITY OF THE CITY OF BROOKLYN CENTER
IN THE COUNTY OF HENNEPIN AND
THE STATE OF MINNESOTA

WORK SESSION
APRIL 11, 2022
VIA ZOOM

CALL TO ORDER

The Brooklyn Center City Council/Economic Development Authority (EDA) met in Work Session called to order by Mayor Pro Tem/President Pro Tem Marquita Butler at 9:47 p.m.

ROLL CALL

Mayor/President Mike Elliott, Mayor Pro Tem/President Pro Tem Marquita Butler, and Councilmembers/Commissioners April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Reggie Edwards, and City Clerk Barb Suciu.

CONCEPT REVIEW FOR 6100 SHINGLE CREEK PARKWAY (FORMER TARGET)

Councilmember/Commissioner Ryan stated he would like the item to return to the Council/EDA in a timely fashion. He explained he supports the initiative if the housing is market-rate. The City has only been pushing for affordable housing in recent years, and the project in question would appeal to those looking for market-rate housing.

Councilmember/Commissioner Lawrence-Anderson asked when the Planning Commission will review the project and if the Parks and Recreation Commission will be involved in the process. She added she would defer comments to a later date.

Councilmember/Commissioner Graves explained she has been trying to advocate for small business support, so the concept is exciting to her. She noted she would like more details down the line and has some concerns about later phases. However, she is on board with the concept overall.

Mayor/President Elliott agreed he was excited about the project and pointed out it is the most exciting project in the Twin Cities. He added there will likely be different types of housing options in the project.

Mayor Pro Tem/President Pro Tem Marquita Butler stated she would ask more questions later on.

The majority consensus of the City Council/EDA was in support of the Concept Review for 6100 Shingle Creek Parkway (Former Target).

Mayor Pro Tem/President Pro Tem Marquita Butler added the discussion about liquor stores can be moved to a later meeting.

ADJOURNMENT

Mayor/President Elliott moved the adjournment of the City Council/Economic Development Authority Work Session at 9:53 p.m.

Councilmember/Commissioner Ryan pointed out Mayor/President Elliott moves in and out of the meeting and leaves the leading of the meeting to Mayor Pro Tem/President Pro Tem Butler. The order of conducting the meeting is regular and needs to be addressed.

Mayor/President Elliott explained he was at the Daunte Wright memorial gathering during the meeting. Many people at the memorial were aware of the City's meeting and would have liked more of the Council/EDA to be present at the memorial. He stated he wanted to be part of the healing on the first anniversary.

Mayor/President Elliott added Mayor Pro Tem/President Pro Tem Butler has done an excellent job leading the meeting. The purpose of her role is to step up in situations like the current one. Mayor/President Elliott noted Councilmember/Commissioner Ryan may want Mayor/President Elliott to be fully present at the meeting, but he has conducted every meeting since becoming Mayor/President. Therefore, it doesn't need to become an issue.

Mayor Pro Tem/President Pro Tem Butler seconded adjournment of the City Council/Economic Development Authority Work Session at 9:56 p.m.

Councilmember/Commissioner Graves asked if the liquor store item would be moved to a later meeting. Mayor Pro Tem/President Pro Tem Butler confirmed Dr. Edwards stated the liquor store item is not pressing and can be moved to a later meeting.

Motion passed unanimously.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)
CITY OF BROOKLYN CENTER)

ss. Certification of Minutes

The undersigned, being the duly qualified and appointed City Clerk of the City of Brooklyn Center, Minnesota, certifies:

1. That attached hereto is a full, true, and complete transcript of the minutes of a Work Session of the City Council of the City of Brooklyn Center held on April 11, 2022.
2. That said meeting was held pursuant to due call and notice thereof and was duly held at Brooklyn Center City Hall.
3. That the City Council adopted said minutes at its April 25, 2022, Regular Session.

Barbara Suciu, City Clerk

Mike Elliott, Mayor

Council Regular Meeting

DATE: 4/25/2022

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Alix Bentrud, Deputy City Clerk

SUBJECT: Approval of Licenses

Requested Council Action:

- *Motion to approve the licenses as presented.*

Background:

The following businesses/persons have applied for City licenses as noted. Each business/person has fulfilled the requirements of the City Ordinance governing respective licenses, submitted appropriate applications, and paid proper fees. Applicants for rental dwelling licenses are in compliance with Chapter 12 of the City Code of Ordinances, unless comments are noted below the property address on the attached rental report.

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Amusement Devices License

Metro Coin Sales	City of Brooklyn Center Community Center 6301 Shingle Creek Parkway Brooklyn Center MN 55430
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Fireworks Permanent

Diamond Lake 1994 LLC dba Cub Foods	3245 Co Rd No 10 Brooklyn Center 55429
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Hospitality Accommodations License

Best Western	2050 Freeway Blvd Brooklyn Center 55430
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Mechanical Licenses

A-abc Appliance & Heating Inc	8818 7 th Ave N Golden Valley MN 55427
Aairgate Htg & Air Inc	PO Box 1649 Maple Grove 55311
Air Express, Inc.	PO Box 490400 Blaine 55449
Airics Heating and Air Conditioning Inc	9220 James Ave S Bloomington 55431
Apollo Plumbing Inc.	307 Jackson Ave, Suite 4 Elk River 55330

Aquarius Water Conditioning	3180 Country Dr Little Canada 55429
B & D Plbg, Htg & A/C	4145 Mackenzie Court St. Michael 55376
Blue Ox Heating & Air LLC	5720 International Pkwy New Hope 55428
Centraire Heating & A/C, Inc	6811 Washington Avenue Edina 55439
Corporate Mechanical	5114 Hillsboro Ave N New Hope 55428
Culpepper Heating & Cooling, LLC	605 Crest Haven Drive S. St. Paul 55705
Daikin Applied Americas Inc	13600 Industrial Park Blvd Minneapolis 55441
Forward Air, Inc. FFM LLC	9440 Wright Bros Ct SW Cedar Rapids IA 52404
Glowing Hearth and Home	100 Eldorado Dr Jordan 55352
Harris St. Paul Inc	909 Montreal Circle St. Paul 55102
Hero Home Services	10900 Hampshire Ave S Bloomington 55438
Hoffman Refrigeration & Heating	5660 Memorial Ave N Stillwater 55082
Home Energy Center	2415 Annapolis Lane N. Ste. #170 Plymouth 55441
Horwitz Inc	7400 49 th Ave N New Hope 55428
J-Berd Mechanical Contractors, Inc	1 Industrial Blvd. Sauk Rapids 56379
Larson Plumbing Inc	PO Box 459 Isanti 55040
Majestic Custom Heating & Air Conditioning	8800 Royal Ct NW Anoka 55303
Midwest Heating & Air Cond	26355 Tucker Road Rogers 55374
Mike's Custom Mechanical, Inc	PO Box 171 Champlin 55316
Modern Heating & A/C	2318 First Street NE Minneapolis 55418
Northern Heating & A/C Inc	9431 Alpine Drive NW Ramsey 55303
Northland Mechanical Contr	9001 Science Center Dr. New Hope 55428 225 Bridgepoint Dr,

Schadegg Mechanical, Inc	South St. Paul 55075
Schwantes Heating and Air Conditioning, Inc	6080 Oren Ave S. Stillwater 55082
Stafford Home Service	6225 Cambridge Street St. Louis Park 55416
Standard Heating & A/C	130 Plymouth Ave N Minneapolis 55411
Street Plumbing Inc	12107 12 th Ave S Burnsville 55430
Tim's Quality Plbg. Dba A Aarts Quality Plbg	225 County Rd 81 Osseo 55369
Vector Services	712 Vista Blvd Suite 102 Waconia 55387
WJW Company	10068 Flanders Court Blaine 55449
Yale Mechanical	220 W 81 st Street Bloomington 55420

Motor Vehicle Dealership Licenses

BB Motor Sales LLC dba Luther Brookdale Buick GMC	4301 68th Ave N Brooklyn Center 55429
BB Motor Sales LLC dba Luther Brookdale Chevrolet	6701 Brooklyn Blvd Brooklyn Center 55429
BCV Motors LLC dba Luther Brookdale Volkswagen	6801 Brooklyn Blvd Brooklyn Center 55429
Brooklyn Park Motors Inc dba Luther Brookdale Toyota	6700 Brooklyn Blvd Brooklyn Center 55429
Metro Brookdale LLC dba Luther Brookdale Mazda Mitsubishi	4435 68th Ave N Brooklyn Center MN 55429
R L Brookdale Motors Inc dba Luther Brookdale Honda	6800 Brooklyn Blvd Brooklyn Center 55429

Signhangers License

Indigo Signworks	4133 Iowa St, Ste 100 Alexandria 56308
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Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	3/16/2021	Backup Material
Rental Licenses 4-25-2022	4/19/2022	Backup Material

Property Code and Nuisance Violations Criteria		
License Category (Based on Property Code Only)	Number of Units	Property Code Violations per Inspected Unit
Type I – 3 Year	1-2 units	0-2
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 2 but not more than 5
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 5 but not more than 9
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 9
	3+ units	Greater than 3

b. Police Service Calls.

Police call rates will be based on the average number of valid police calls per unit per year. Police incidences for purposes of determining licensing categories shall include disorderly activities and nuisances as defined in Section 12-911, and events categorized as Part I crimes in the Uniform Crime Reporting System including homicide, rape, robbery, aggravated assault, burglary, theft, auto theft and arson.

Calls will not be counted for purposes of determining licensing categories where the victim and suspect are “Family or household members” as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (b) and where there is a report of “Domestic Abuse” as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (a).

License Category	Number of Units	Validated Calls for Disorderly Conduct Service & Part I Crimes (Calls Per Unit/Year)
No Category Impact	1-2	0-1
	3-4 units	0-0.25
	5 or more units	0-0.35
Decrease 1 Category	1-2	Greater than 1 but not more than 3
	3-4 units	Greater than 0.25 but not more than 1
	5 or more units	Greater than 0.35 but not more than 0.50
Decrease 2 Categories	1-2	Greater than 3
	3-4 units	Greater than 1
	5 or more units	Greater than 0.50

Rental Licenses for Council Approval on April 25, 2022

Location Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	Police CFS*	Final License Type **	Previous License Type ***
3701 Woodbine La	Single	Initial	Rose Blalock	3	Type II	N/A	Type II	
3712 53rd Pl N	Single	Initial	V Otunuga & S Otunuga	0	Type I	N/A	Type II	
3812 58th Ave N	Single	Initial	MY Issa F Abdullahi M Issa	5	Type II	N/A	Type II	
6800 Quail Ave N	Single	Initial	Haselin Ning Lee	8	Type III	N/A	Type III	
4408 69th Ave N	Multiple Family - 1 Bldg - 4 units	Renewal	Dmow LLC Diane Wright	8 = 2 per unit	Type III	0	Type III	Type II
6109 Beard Ave N	Multiple Family - 1 Bldg - 3 units	Renewal	James I & Bobbie S Simons - Met Requirements	2 = 1.5 per unit	Type II	0	Type II	Type III
4700 68th Ave N	Two Family - 2 units	Renewal	Chufeng Xiong	0	Type I	0	Type I	Type II
5341 Penn Ave N	Two Family - 2 units	Renewal	Lifetime Resrcs Prop Mgt Llc	8 = 4 per unit	Type III	0	Type III	Type I
1307 65th Ave N	Single	Renewal	Nalee Vang	3	Type II	0	Type II	Type I
2018 54th Ave N	Single	Renewal	Giselle P Oo - Did not meet requirements	6	Type III	0	Type IV	Type IV
2718 Ohenry Rd	Single	Renewal	5118 66th Ave N - Did not meet requirements	4	Type II	0	Type III	Type III
3800 Commodore	Single	Renewal	Connie Gindorff Thomas J Sweetman Et Al - Did not meet requirements	5	Type II	0	Type IV	Type IV
3808 61st Ave	Single	Renewal	Adegbola Fola Ogundipe	3	Type II	0	Type II	Type II
3912 58th Ave N	Single	Renewal	Prosperous Property Llc	0	Type I	0	Type I	Type I
4200 Winchester La	Single	Renewal	Obafemi Oladeji - Did not meet requirements	10	Type IV	0	Type IV	Type III
4913 Winchester La	Single	Renewal	Huda Hassen - Did not meet requirements	10	Type IV	0	Type IV	Type II
5112 70th Ave N	Single	Renewal	Ih3 Property Minnesota Lp - Did not meet requirements	10	Type IV	0	Type IV	Type III
5300 France Ave N	Single	Renewal	Ih3 Property Minnesota Lp - Did not meet requirements	2	Type I	0	Type IV	Type IV
5325 Knox Ave N	Single	Renewal	Maria Collaguazo - Did not meet requirements	3	Type II	0	Type III	Type III

5351 4th St N	Single	Renewal	Infinite Property Llc	0	Type I	0	Type I	Type II
5401 70th Cir	Single	Renewal	Kris Kienzle/becky A Kienzle	2	Type I	0	type I	Type I
5425 70th Cir	Single	Renewal	786 Homes-m25 Llc	2	Type I	0	Type I	Type I
5600 Judy La	Single	Renewal	B D Morlock & N D Morlock	10	Type IV	0	Type IV	Type II
5601 Camden Ave N	Single	Renewal	Western Sky Properties	5	Type II	0	Type II	Type I
5724 Logan Ave N	Single	Renewal	Konstantin Ginzburg	11	Type IV	0	Type IV	Type II
5737 Emerson Ave N	Single	Renewal	Nutida Wong - Did not meet requirements	11	Type IV	0	Type IV	Type III
5740 Irving Ave N	Single	Renewal	Sean A Rahn	1	Type I	0	Type I	Type II
5807 Dupont Ave N	Single	Renewal	D & T Properties Llc	4	Type II	0	Type I	Type I
5819 Knox Ave N	Single	Renewal	Crystal Brummer Brummer Realty, LLC - Met Requirements	8	Type IV	0	Type III	Type IV
6319 Scott Ave N	Single	Renewal	Adegbola Fola Ogundipe	1	Type I	0	Type I	Type II
6342 June Ave N	Single	Renewal	D A Swartout Jr/t L Swartout	10	Type IV	0	Type IV	Type II
6615 Camden Dr	Single	Renewal	Johnson Organization Inc	1	Type I	0	Type I	Type I
6926 West River Rd	Single	Renewal	Mark Pivec	20	Type IV	0	Type IV	Type II
7001 Emerson Ave N	Single	Renewal	Moses Gibson & Mara K Jenson - Did not meet requirements	9	Type III	0	Type IV	Type IV
7012 Unity Ave N	Single	Renewal	Shuxing Sun - Met Requirements	5	Type III	0	Type III	Type III
7018 France Ave N	Single	Renewal	Crystal Clear Investment Llc - Did not meet Requirements	3	Type II	0	Type III	Type III
7021 Unity Ave N	Single	Renewal	Geri L Williams - Did not meet requirements	5	Type II	0	Type IV	Type IV
7037 Fremont Ave N	Single	Renewal	Edwina Pamela McGill - Met requirements	7	Type III	0	Type III	Type III
7037 Humboldt Ave N	Single	Renewal	Gao Qiang Liu	3	Type II	0	Type II	Type I
7037 Perry Ave N	Single	Renewal	Vera Dixon & Moliza R Dennis	10	Type IV	0	Type IV	
7101 France Ave N	Single	Renewal	Kris Kienzie	8	Type III	0	Type III	Type I

7218 Kyle Ave N	Single	Renewal	Prosperous Property Llc	0	Type I	0	Type I	Type I
7207 Willow La N	Single	Renewal	Ari R Woods	0	Type I	0	Type I	Type I

* CFS = Calls for Service for Renewal Licenses Only (Initial Licenses are not applicable to calls for service and will be listed N/A).

** License Type Being Issued

*** Initial licenses will not show a Type I = 3 Year, Type II = 2 Year, Type III = 1 Year, Type IV = 6 months

All properties are current on City utilities and property taxes

Council Regular Meeting

DATE: 4/25/2022

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Elizabeth Heyman, Director of Public Works

BY: Michael Marsh, Deputy Director of Public Works

SUBJECT: Resolution Declaring May 15-21, 2022, National Public Works Week in the City of Brooklyn Center

Requested Council Action:

- Motion to approve a resolution declaring May 15 through May 21, 2022, as National Public Works Week in Brooklyn Center.

Background:

National Public Works Week is a celebration of the tens of thousands of people in North America who provide and maintain the infrastructure and services collectively known as public works. Instituted as a public education campaign by the American Public Works Association (APWA) in 1960, the weeklong celebration calls attention to the importance of public works in community life. The week seeks to enhance the prestige of professionals who serve the public good every day with quiet dedication. The theme for 2022 is "Ready & Resilient".

The Public Works Department employs 42 full-time and 20 seasonal employees in the six divisions of the department - engineering, street maintenance, park maintenance, public utilities, central garage, and building and grounds maintenance. All divisions work together as a team to provide high-quality service for people who visit, live, or work in Brooklyn Center.

Many of the tasks like plowing streets, mowing parks, putting up signs, pumping water, maintaining large equipment, maintaining all City facilities and grounds, and improvement projects are high profile. Many more tasks are completed almost unnoticed except in their absence.

Many people do not realize that significant efforts of the department take place while everyone else is sleeping. It is not unusual for street or park employees to get called out in the middle of the night after a storm to clear fallen trees from the road, to plow or provide ice control during a winter storm, or utility employees to be called out to respond to a sewer backup or water main break. Our Public Works employees take great pride in their work.

Budget Issues:

There are no budget issues to consider.

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Resolution	4/19/2022	Cover Memo

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING MAY 15-21, 2022 NATIONAL PUBLIC WORKS WEEK IN THE CITY OF BROOKLYN CENTER

WHEREAS, Public Works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as engineering, water, wastewater, storm drainage, streets and highways, parks and central vehicle fleet maintenance; and

WHEREAS, the health, safety and comfort of this community greatly depend on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities including their planning, design, construction, operation and maintenance are vitally dependent upon the efforts and skill of Public Works personnel.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that May 15-21, 2022, as "National Public Works Week" in the City of Brooklyn Center, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which Public Works personnel make every day to our health, safety, comfort and quality of life.

April 25, 2022

Date

Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 4/25/2022

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Elizabeth Heyman, Director of Public Works

BY: Michael Marsh, Deputy Director of Public Works

SUBJECT: Resolution Declaring April 29, 2022, to be Arbor Day and May 2022 to be Arbor Month in Brooklyn Center

Requested Council Action:

- Motion to approve a resolution declaring April 29, 2022, to be Arbor Day and May 2022 to be Arbor Month in Brooklyn Center.

Background:

Arbor Day originated in 1872 in America as a national holiday in which individuals and groups are encouraged to plant and care for trees. Each year, Brooklyn Center typically celebrates National Arbor Day and Arbor Month by hosting local volunteer/educational events with students from an elementary school and other groups within the City. In 2019 the event included members of the second grade from New Millennium Academy planting five trees in Happy Hollow Park. In 2020 and 2021, the event was canceled due to the pandemic. For 2022, staff has planned an event that includes the third and fifth grades from Evergreen Park World Cultures Community School planting two trees in Evergreen Park.

This event and resolution support the City's Forestry Program that has resulted in Brooklyn Center receiving its thirtieth consecutive national Tree City USA award by the National Arbor Day Foundation.

Budget Issues:

Funding for the event supplies is expected to be less than \$1,000 and is included in the 2022 Forestry budget.

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Enhanced Community Image

ATTACHMENTS:

Description	Upload Date	Type
-------------	-------------	------

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING APRIL 29, 2022, TO BE ARBOR DAY
AND MAY 2022 TO BE ARBOR MONTH IN BROOKLYN CENTER

WHEREAS, Trees are an increasingly vital resource in Minnesota today, enriching our lives by purifying air and water, helping conserve soil and energy, serving as recreational settings, providing habitat for wildlife of all kinds and making our cities more livable; and

WHEREAS, Trees in our City increase property values, enhance the economic vitality of business areas and beautify our community; and

WHEREAS, Human activities such as pollution, as well as drought, disease and insects threaten our trees, creating the need for concerted action to ensure the future of urban and rural forests in our state, country and world; and

WHEREAS, People can contribute to the environmental stewardship of our community by locally planting trees and ensuring that these trees are nurtured, protected and wisely used in the years ahead; and

WHEREAS, The City of Brooklyn Center desires to continue its tree management efforts.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that

1. April 29, 2022, to be Arbor Day in the City of Brooklyn Center.
2. May 2022 to be Arbor Month in the City of Brooklyn Center.
3. I urge all citizens to support efforts to care for our trees and woodlands and to support our City's Community Forestry Program.

April 25, 2022

Date

Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

RESOLUTION NO. _____

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 4/25/2022

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Elizabeth Heyman, Director of Public Works

BY: Michael Marsh, Deputy Director of Public Works

SUBJECT: Resolution Recognizing Brooklyn Center as a Tree City USA for the Thirtieth Consecutive Year

Requested Council Action:

- Motion to approve a resolution recognizing Brooklyn Center as a Tree City USA.

Background:

For each of the past thirty years, Brooklyn Center has strived for and achieved designation as a Tree City USA by the National Arbor Day Society. The City has again been notified that Brooklyn Center has received this recognition for its 2021 efforts. This national award recognizes communities with effective community forestry programs. The City's Forestry Program includes the following:

- Care for and planting of park and boulevard trees
- Diseased and nuisance tree removal program
- Mandatory tree contractor registrations requiring certain minimums of liability insurance
- Boulevard tree planting permits requiring proper placement of tree and selection of tree species
- A tree ordinance specifying proper standards of care for all trees
- An Arbor Day and Month Program that includes educational activities and an event to promote the planting of trees

Budget Issues:

Funding needed to support and meet goals of this program in 2022 is included in the 2022 Forestry operating budget.

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Enhanced Community Image

ATTACHMENTS:

Description
Resolution

Upload Date
4/19/2022

Type
Cover Memo

Member _____ introduced the following resolution and moved
its adoption:

RESOLUTION NO. _____

RESOLUTION RECOGNIZING DESIGNATION OF BROOKLYN CENTER AS A
TREE CITY USA FOR THE THIRTIETH CONSECUTIVE YEAR

WHEREAS, the City of Brooklyn Center is committed to preserving and enhancing its
urban forest; and

WHEREAS, the National Arbor Day Society has designated the City of Brooklyn
Center as a Tree City USA in recognition of 2021 forestry activities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn
Center, Minnesota, that:

1. The City Council hereby recognizes and accepts the designation of Tree City
USA for the thirtieth consecutive year.
2. The City Council reaffirms its commitment to urban forestry and directs staff to
continue its reforestation efforts as planned and budgeted in 2022.
3. The City Council commends Brooklyn Center residents and staff for their work
in maintaining and enhancing Brooklyn Center's urban forest.

April 25, 2022
Date

Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 4/25/2022

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Elizabeth Heyman, Director of Public Works

BY: Michael Marsh, Deputy Director of Public Works

SUBJECT: Resolution Designating 2022 Planting List of Allowable Boulevard Tree Species

Requested Council Action:

- Motion to approve a resolution designating the 2022 planting list of allowable boulevard tree species.

Background:

In 1990, City residents and Council Members expressed strong support for an improved City Forestry Program. Staff was directed to develop a Community Forestry Work Plan and policies regarding public tree care. In February 1992, Chapter 20 of the Code of Ordinances regarding trees was adopted by the City Council.

Section 20-402 of the ordinance states that the City Council shall annually adopt a resolution designating allowable boulevard tree species. This section is included in the ordinance to emphasize the importance of maintaining a variety of species to minimize the impact of future tree disease.

Attached is a resolution designating the 2022 planting list of allowable boulevard tree species along with a copy of the boulevard permit that residents are required to complete and submit before the planting of boulevard trees. The resolution includes additional species for boulevard trees in order to diversify the urban forest canopy (Catalpa, Corktree, Ginko, Hawthorn, Hickory, Hophornbeam, Hornbeam, Pear and Planetree).

Budget Issues:

Staff time for inspections is included in the Forestry budget. There are no other budget issues.

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Enhanced Community Image

ATTACHMENTS:

Description	Upload Date	Type
Resolution	4/19/2022	Cover Memo
2022 Boulevard Permit	4/19/2022	Cover Memo

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DESIGNATING 2022 PLANTING LIST OF ALLOWABLE BOULEVARD TREE SPECIES

WHEREAS, the City of Brooklyn Center promotes a diverse urban forest so as to minimize the spread of tree disease; and

WHEREAS, Section 20-402 of the ordinance provides for an annual listing of allowable boulevard tree varieties.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the following trees are hereby designated as allowable boulevard tree species for 2022:

Apple (Crabapple)
Birch (River, Paper)
Catalpa (Chinese, Northern)
Coffeetree (Kentucky)
Corktree (Amur)
Elm (American, Hybrid)
Ginko (Seedless)
Hackberry (Common)
Hawthorn (Hawthorn)
Hickory (Bitternut)
Honeylocust (Thorny)
Hophornbeam (Eastern)
Hornbeam (American)
Linden (American, Hybrid)
Maple (Freeman, Red, Sugar, Tatarian)
Oak (Bicolor, Bur, Hybrid, Northern Red, Northern Pin, White)
Pear (Ussurian)
Planetree (London)
Serviceberry (Allegheny)

April 25, 2022

Date

Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

RESOLUTION NO. _____

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.



BOULEVARD TREE PLANTING PERMIT

6301 Shingle Creek Parkway, Brooklyn Center, MN 55430
763-569-3340 763-569-3440 (Fax)

PROPERTY ADDRESS: _____

OWNER NAME: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: DAY _____ OTHER _____

VARIETY OF TREE: _____

TO BE PLANTED (COMMON NAME)

APPROXIMATE DATE OF PLANTING: _____

Please stake or otherwise indicate your preferred tree location as soon as possible.

I have called or will call Gopher State One Call at 651-454-0002 to obtain underground utility locations.

Owner Signature _____ Date _____

*** ALLOW 48 HOURS FOR PROCESSING ***

City use only:
Initial and date each item checked

Variety _____
Sight Distance _____
Approximate Width of Blvd. _____
Sidewalk _____

At least 5' from underground utilities
At least 10' from overhead utilities
Proposed distance from edge of street
Proposed distance from edge of sidewalk

ALL REQUIREMENTS MET: _____
Signature Title Date

BEFORE YOU PLANT . . .

The City Council of the City of Brooklyn Center has adopted an ordinance to establish policies for the care of boulevard trees. The ordinance contains very specific information regarding where boulevard trees may be planted. Please read the following information before you plant a boulevard tree. A copy of the complete ordinance is available at City Hall.

Section 20-200. PUBLIC TREE CARE IN GENERAL

Subdivision 3. Planting Boulevard Trees. No tree may be planted on the boulevard except by permit obtained from the Director of Public Works or designee. The City may move, remove or trim or cause or order to be moved, removed or trimmed any boulevard tree not planted by permit, or any boulevard tree which is not in compliance with this code. This section does not prohibit the planting of boulevard trees by adjacent property owners providing the selection, location and care of said trees are in accordance with the provisions of this code.

The purpose of a permit is to ensure that all requirements are met, especially those relating to sight distance, both at corners and near driveways, sidewalks, alleys, etc.

Council Regular Meeting

DATE: 4/25/2022

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Dr. Reginald Edwards, City Manager

SUBJECT: An Ordinance Amending Chapter 2, Section 2.06 of the City Charter of the City of Brooklyn Center (First Reading)

Requested Council Action:

- Motion to approve the first reading of an ordinance Amending Chapter 2, Section 2.06 of the City Charter of the City of Brooklyn Center and calling for a public hearing at the May 23, 2022 City Council meeting

Background:

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
Charter Commission letter	4/4/2022	Backup Material
Ordinance	4/4/2022	Ordinance

BROOKLYN CENTER HOME RULE CHARTER COMMISSION

April 3rd, 2022

Dr. Reggie Edwards
City Manager
City of Brooklyn Center
6301 Shingle Creek Pkwy.
Brooklyn Center, MN 55430

Re: Transmittal of Recommended Amendment to the City Charter

Dear Dr. Edwards:

The purpose of this letter is to transmit to the Brooklyn Center City Council a proposed amendment to the Brooklyn Center City Charter. The enclosed recommended amendment is being forwarded for consideration for adoption by ordinance pursuant to Minnesota Statutes, section 410.12, subdivision 7 and Section VIII(B)(3)(a) of the Charter Commission's Rules of Procedures ("Rules").

The recommended amendment was accepted by a 2/3 affirmative vote of the actual membership (with never less than eight affirmative votes) of the Charter Commission as required by Section VIII(B)(1) of the Rules and are being transmitted as separate recommendations the City Council may act on individually or jointly. The Charter Commission understands the City will draft one or more ordinances as needed to address the recommended amendment and will act on them within the timelines established in Minnesota Statutes, section 410.12, subdivision 7.

Please feel free to contact me if there are any questions or if you would like me to provide additional information regarding the Charter Commission's reasons behind the recommended amendment.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Goodell", written in a cursive style.

Mark Goodell
Chairperson

Enclosure – Recommended Amendment #1

BROOKLYN CENTER HOME RULE CHARTER COMMISSION

RECOMMENDED CHARTER AMENDMENT

The Brooklyn Center Home Rule Charter Commission hereby transmits the following recommended amendment to the City Charter for consideration and action by the City Council by ordinance pursuant to Minnesota Statutes, section 410.12, subdivision 7.

Recommended Amendment #1

Chapter 2, Section 2.06, of the City Charter of the City of Brooklyn Center is hereby amended by deleting the ~~stricken~~ material and adding the double underlined material as follows:

Section 2.06. THE MAYOR. The Mayor shall be the presiding officer of the Council, except that the Council shall choose from its members a president pro tem who shall hold office at the pleasure of the Council and shall serve as president in the Mayor's absence and as Mayor in case of the Mayor's disability or absence from the City. The Mayor shall have a vote as a member of the Council and shall exercise all powers and perform all duties conferred and imposed upon the Mayor by this charter, the ordinances of the City, and the laws of the State. The Mayor shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor for the purposes of martial law. The Mayor shall study the operations of the City government and shall report to the Council any neglect, dereliction of duty, or waste on the part of any officer or department of the City. ~~In time of public danger or emergency the Mayor may, with the consent of the Council, take command of the police, maintain order and enforce the law.~~ In time of public danger or emergency the Mayor may coordinate with the City Manager, Police Chief, Fire Chief, and other municipal resources as part of the emergency response system to communicate with the public and to aid in identifying resources to assist the response effort, to maintain public safety and to respond to the emergency including, but not limited to, requesting assistance from local, state, and federal agencies as may be needed.

Submitted to the City this 3rd day of April 2022.

BY THE CHARTER COMMISSION

Mark Goodell, Chairperson

Kathryn Ellgren, Secretary

CITY OF BROOKLYN CENTER

Notice is hereby given that a Public Hearing will be held on the ____ day of _____ at 7 p.m. or as soon thereafter as the matter may be heard at the City Hall, 6301 Shingle Creek Parkway, to consider an ordinance amending Chapter 2 of the Brooklyn Center City Charter; Section 2.06. Auxiliary aids for persons with disabilities are available upon request at least 96 hours in advance. Please contact the City Clerk at 763-569-3300 to make arrangements.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 2 SECTION 2.06 OF THE
BROOKLYN CENTER CITY CHARTER

THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS
FOLLOWS:

Section 1. Chapter 2, Section 2.06 of the City Charter of the City of Brooklyn Center is hereby amended by deleting the stricken material and adding the double underlined material as follows:

Section 2.06. THE MAYOR. The Mayor shall be the presiding officer of the Council, except that the Council shall choose from its members a president pro tem who shall hold office at the pleasure of the Council and shall serve as president in the Mayor's absence and as Mayor in case of the Mayor's disability or absence from the City. The Mayor shall have a vote as a member of the Council and shall exercise all powers and perform all duties conferred and imposed upon the Mayor by this charter, the ordinances of the City, and the laws of the State. The Mayor shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor for the purposes of martial law. The Mayor shall study the operations of the City government and shall report to the Council any neglect, dereliction of duty, or waste on the part of any officer or department of the City. ~~In time of public danger or emergency the Mayor may, with the consent of the Council, take command of the police, maintain order and enforce the law.~~ In time of public danger or emergency the Mayor may coordinate with the City Manager, Police Chief, Fire Chief, and other municipal resources as part of the emergency response system to communicate with the public and to aid in identifying resources to assist the response effort, to maintain public safety and to respond to the emergency including, but not limited to, requesting assistance from local, state, and federal agencies as may be needed.

Section 2. This ordinance shall be effective after adoption and ninety (90) days following its legal publication.

Adopted this _____ day of _____, 2022.

Mayor

ATTEST: _____
City Clerk

ORDINANCE NO. _____

Date of Publication:

Effective Date:

(~~Strike out~~ indicates matter to be deleted, double underline indicates new matter.)

PROCLAMATION

DECLARING MAY 6, 2022, AS PROVIDER APPRECIATION DAY

WHEREAS, Child Care Aware® of America and other organizations nationwide are recognizing Child Care Providers on this day; and

WHEREAS, over half the children under the age of six nationwide are estimated to spend some time in a nonparental care arrangement on a weekly basis, which provides critical enrichment opportunities and nurtures development for children of all backgrounds and is a vital building block of our state economy; and

WHEREAS, the COVID-19 pandemic has created tremendous hardship for child care providers and the families of the City of Brooklyn Center who depend on them, who have continued to meet the needs of families while risking their health and financial stability to remain open; and

WHEREAS, the City of Brooklyn Center recognizes these hardships and has provided much-needed relief to providers to help sustain the viability of child care; and

WHEREAS, our future depends on the quality of the early childhood experiences provided to young children today; support for high-quality child care represents a worthy commitment to our children's future.

NOW, THEREFORE I, MIKE ELLIOT, AS MAYOR OF THE CITY OF BROOKLYN CENTER, State of Minnesota, with consent and support of the Brooklyn Center City Council, do hereby proclaim May 6, 2022, as Provider Appreciation Day in Brooklyn Center, MN and urge all citizens to recognize Child Care Providers for their important work.

April 25, 2022

Date

Mayor

Council Members

ATTEST:

City Clerk

Kennedy

&

Graven

CHARTERED

Jason M. Hill
150 South Fifth Street
Suite 700
Minneapolis MN 55402
(612) 337-9207 telephone
(612) 337-9310 fax
jhill@kennedy-graven.com
<http://www.kennedy-graven.com>

Also: St. Cloud Office
501 W. Germain Street, Suite 304
St. Cloud, MN 56301
(320) 240-8200 telephone

MEMORANDUM

To: Brooklyn Center City Council
Dr. Reggie Edwards, City Manager
Barbara Suci, City Clerk

From: Jason M. Hill, City Attorney

Date: April 20, 2022

Re: Return to In-Person Meetings Under the Open Meeting Law

In follow-up to a request from the City Council at its meeting of April 11, 2022, please find attached to this memorandum the following:

1. A Resolution Directing the City Manager to Direct the Return to In-Person Meetings; and
2. Chief Administrative Officer Statement Directing the Return to In-Person Meetings.

As is referenced in the resolution, Minnesota Statutes, section 13D.021, subd. 1(1) also gives the chief administrative officer of a governing body, in this instance City Manager Dr. Reggie Edwards, the authority to determine whether it is practical or prudent to conduct meetings in-person due to a health pandemic. As was indicated previously in the context of the repeal of the face covering ordinance, the attached resolution and statement reference the changes in the CDC guidance and recommendations, and most significantly, they cite the change to Hennepin County's classification from a high transmission to a low transmission area for COVID-19. It must be remembered that operating remotely is an exception to the standard rules and requirements of the Open Meeting Law ("OML"), and once the justification for conducting meetings remotely no longer exists, communities must return to operations that existed prior to March 2020. The attached resolution directs City Manager Edwards to direct the return to in-person meetings, which is accomplished by City Manager Edwards executing the attached statement.

As you will note, I included determination that the return to in-person meetings at 11:59 p.m. on April 25th – effectively after the April 25th City Council meeting and starting with any meeting (including the EDA, boards, commissions and committees) on April 26th. If there is reason to change that date, that would be okay, so long as it isn't too far out. There is no specific deadline or date that must be met.

Remote Participation

At the April 11th meeting, Mayor Elliott also requested information with regard to options for City Council members to participate remotely after the return to in-person meetings. As was indicated in previous memoranda with regard to these issues, one of the types of electronic meetings allowed under the OML is what we have referred to as occasional/hybrid electronic meetings, which is authorized by Minnesota Statutes, section 13D.02. This option is also specifically referenced in the attached resolution. This option allows some members to participate electronically if certain conditions are met.

The authority under Minnesota Statutes, section 13D.02 has been “on the books” for some time, but has not been used all that often because most communities did not have the technology in place to allow someone to participate remotely and the inconvenience of the additional requirements associated with using this exception.

A. Qualifying Criteria

Occasional/hybrid electronic meetings can only be held if **all** of the following are met:

- (1) all members of the body participating in the meeting, wherever their physical location, can **hear and see** one another and **can hear and see all discussion and testimony** presented at any location at which at least one member is present;
- (2) members of the public present at the regular meeting location of the body **can hear and see all discussion and testimony and all votes** of members of the body;
- (3) at least one member of the body is physically present at the regular meeting location;
- (4) all votes are conducted by roll call so each member's vote on each issue can be identified and recorded; and
- (5) each location at which a member of the body is present is open and accessible to the public.

Minn. Stat. § 13D.02, subd. 1(a).

There is also an additional notice requirement that applies:

Subd. 4. Notice of regular and all member locations.

If interactive technology is used to conduct a regular, special, or emergency meeting, the public body shall provide notice of the regular meeting location and notice of any location where a member of the public body will be participating in the meeting by interactive technology, except for the locations of members participating pursuant to subdivision 1, paragraph (b). The timing and method of providing notice must be as described in section 13D.04.

The notice must include the location of each member that will be participating electronically. Minnesota Statutes, section 13D.02, subd. 4. Presumably the location information must be specific enough to allow a member of the public to go to the remote site to participate in the meeting (i.e., specific address, not just a reference to a city).

B. Challenges and Considerations

While local governments are in a far better position to comply with these requirements now that they have worked through the bugs of conducting electronic meetings, setting up the room so everyone can see and hear **everyone** may still be a challenge. While the Council Chambers is set up to video the meeting, there would be the additional challenging of being able to display the image and sound from each member participating electronically. Someone sitting in the back of the room needs to be able to see and hear each of the remote members, and the remote members need to be able to see and hear those speaking in the room. Those issues become even more of a challenge for meetings of larger bodies and those occurring in meetings rooms not wired for video and sound.

Another issue is how to satisfy the requirement that the location of all members “is open and accessible to the public.” Neither the courts nor the Data Practices Office has issued an opinion that describes the conditions that must be satisfied for a location to be considered open and accessible to the public. The reality is that it never really becomes an issue because a member traveling for work in Texas will not have a Texan who cares to watch a Minnesota meeting over the member’s shoulder. I suspect at some point someone will request an opinion on this issue, but until then the remote location must be reasonably open to the public. For example, a hotel room on a floor that cannot be accessed except by a key card probably does not qualify as open and accessible. It is not clear whether a private home would be considered open and accessible under the statute.

I have been involved in a community allowing a member to remote into a meeting under this statute. It certainly can work, but the technology needs to be in place to satisfy the conditions. My concern is that attempting to run meetings with a substantial number of members in remote locations is likely to be the kind of situation that will eventually result in someone asking if each of those remote locations are truly open to the public.

C. Electronic Public Participation

The criteria associated with occasional/hybrid electronic meetings only needs to be satisfied with respect to members participating remotely. They do not apply to the public who participate electronically. The City is not required to allow the public to participate in their in-person

meetings electronically. However, if remote public participation is allowed, then the room needs to be set up so everyone can see and hear everyone else. It is also possible to offer remote participate by the public for only certain meetings. There may be a public hearing or input session for which the Council is interested in as much public input as possible.

I suspect the Council Chamber is, or can be set up, to accommodate at least some members remoting in, but I would guess that is not the case for the City's other meeting locations. Until and unless such technology is set up in a meeting room, it is unlikely members of boards, commissions, committees, etc. will be able to satisfy the criteria to remote into a meeting. Additionally, anytime a member does intend to remote in, that needs to be communicated to staff with sufficient advance notice to allow staff to provide the additional notice and specific location information for each member that will be participating remotely. As mentioned above, the remote location must also be open and accessible to the public.

Realistically, the ability for a member to remote into a meeting will likely be limited to Councilmembers and maybe to any other body that meets in the Council Chambers. That is likely also the case with respect to allowing the public to participate remotely.

Member
adoption:

introduced the following resolution and moved its

RESOLUTION NO. 2022-_____

CITY OF BROOKLYN CENTER, MINNESOTA

A RESOLUTION DIRECTING THE CITY MANAGER TO DIRECT THE RETURN
TO IN-PERSON MEETINGS

WHEREAS, on August 9, 2021, the Mayor, as the presiding officer of the City of Brooklyn Center, Minnesota (“City”), issued his Presiding Officer Statement Directing Meetings to be Conducted by Telephone or other Electronic Means (“Presiding Officer Statement”), in accordance with Minnesota Statutes, section 13D.021, requiring meetings of the City Council, Economic Development Authority, City boards, committees, and commissions to be conducted by telephone or other electronic means due to the COVID-19 health pandemic; and

WHEREAS, in support of the Presiding Officer Statement, the Mayor cited (1) the dramatic increase in the number of COVID-19 infections from the Delta Variant of the virus, (2) CDC and Minnesota Department of Health recommendation for those in areas with substantial or high transmission rates, (3) the identification of Hennepin County as a high transmission rate area, (4) and the rapid spread of the Delta Variant and its ability to infect those who have been vaccinated, and in accordance with cited findings, the Mayor found that it was not practical or prudent to conduct in-person meetings; and

WHEREAS, the Presiding Officer Statement provides that meetings were to continue to be conducted electronically until repealed by the Mayor; and

WHEREAS, Minnesota Statutes, section 13D.021, subd. 1(1) provides that the “chief administrative officer for the affected governing body” also has the authority to determine whether it is practical or prudent to conduct in-person meetings; and

WHEREAS, although Hennepin County experienced a surge in COVID-19 cases and hospitalizations due to the Omicron Variant, cases and hospitalizations have decreased significantly, and in response to the downward trend in cases and hospitalizations and high vaccination rates, the CDC no longer finds Hennepin County to be an area of high transmission, and it currently defines Hennepin County as a low transmission area; and

WHEREAS, as a low transmission area, the CDC provides that wearing a mask is a personal preference based on an individual’s personal level of risk, and it provides that individuals stay up to date with COVID-19 vaccinations and that they get tested if they have symptoms; and

WHEREAS, the CDC has also relaxed or removed its masking, social distancing, and other related protective COVID-19 recommendations; and

WHEREAS, the City's buildings are open to the public, and due to the CDC's identification of Hennepin County as a low COVID-19 transmission area and the diminished public health risk, the City Council finds that it is once again practical and prudent to allow members and staff to return to in-person meetings and in the best interests of the City and its residents to return to in-person meetings effective as of 11:59 p.m. on April 25, 2022; and

WHEREAS, the City Council notes that after returning to in-person meetings, the Minnesota Open Meeting Law allows members to participate in meetings remotely if the requirements of Minnesota Statutes, section 13D.02 are satisfied; and

WHEREAS, the City has also experienced the benefits of allowing the public to participate in City Council meetings electronically and the City will continue to explore options to continue electronic participation once the City Council returns to in-person meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brooklyn Center as follows:

1. The City Manager, as chief administrative officer of the City, is hereby directed to issue a statement directing the return to in-person meetings, conducted in accordance with the Minnesota Open Meeting Law, of the City Council, Economic Development Authority and of all other City boards, committees, and commissions effective as of 11:59 p.m. on April 25, 2022.
2. The Mayor, City Manager, City staff, and City attorney are authorized and directed to take any and all additional steps and actions necessary or convenient in order to accomplish the intent of this Resolution.

April 25, 2022

Date

Mayor

ATTEST: _____

City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Chief Administrative Officer Statement Directing the Return to In-Person Meetings

As City Manager and the chief administrative officer in the City of Brooklyn Center, I find as follows:

- a. The City, including the City Council, Economic Development Authority, and all other City boards, committees, and commissions, has been conducting its meetings electronically due to the health pandemic caused by COVID-19 in accordance with Minnesota Statutes, section 13D.021.
- b. Although Hennepin County experienced a surge in COVID-19 cases and hospitalizations due to the Omicron Variant, cases and hospitalizations have decreased significantly, and in response to the downward trend in cases and hospitalizations and high vaccination rates, the CDC no longer finds Hennepin County to be an area of high transmission, and it currently defines Hennepin County as a low transmission area.
- c. As a low transmission area, the CDC provides that wearing a mask is a personal preference based on an individual's personal level of risk, and it provides that individuals stay up to date with COVID-19 vaccinations and that they get tested if they have symptoms.
- d. The CDC has also relaxed or removed its masking, social distancing, and other related protective COVID-19 recommendations.
- e. The City's buildings are open to the public, and due to the CDC's identification of Hennepin County as a low COVID-19 transmission area and the diminished public health risk, it is once again practical and prudent to allow members and staff to return to in-person meetings.
- f. I will continue to monitor the health pandemic and will issue a statement to return to electronic meetings if that becomes necessary.

Based on the above findings, I hereby determine and state as follows:

1. Effective as of 11:59 p.m. on April 25, 2022, meetings of the City Council, Economic Development Authority and of all other City boards, committees and commissions shall return to in-person meetings conducted in accordance with the Minnesota Open Meeting Law.
2. The previous statement directing meetings to be conducted by electronic means is rescinded effect as of 11:59 p.m. on April 25, 2022.

Dated this 25th day of April 2022.

Dr. Reginald Edwards , City Manager