

**CITY COUNCIL
MEETING**

City Hall Council Chambers
August 10, 2026

AGENDA



1. Call to Order - 7:00 p.m.

Attendees please turn off cell phones and pagers during the meeting. A copy of the full meeting packet is available in the binder at the entrance to the Council Chambers.

2. Roll Call

3. Pledge of Allegiance

4. Informal Open Forum

This is an opportunity for the public to address the City Council on items that are not on the agenda. It is limited to 15 minutes. It may not be used to make personal attacks, air personal grievances, make political endorsements, or for political campaign purposes. Council Members will not enter into a dialogue with the presenter. Questions from the Council will be for clarification purposes only. It will not be used as a time for problem-solving or reacting to the comments made but for hearing the presenter for informational purposes only. The first call will be for those that have notified the Clerk that they would like to speak during the open forum and then ask if anyone connected to this meeting would like to speak. When called upon, please indicate your name and then proceed. Please be sure to state your name before speaking.

a. Meeting Decorum

5. Invocation - Jerzak

6. Approval of Agenda and Consent Agenda

These items are considered to be routine by the City Council and will be enacted by one motion. There isn't a separate discussion for these items unless a Councilmember so requests, then it is moved to the end of the Council Consideration Items.

a. Approval of Minutes

- *Motion to approve the following minutes:*

- *July 27, 2026, Study Session*
- *July 27, 2026, Regular Session*

b. Approval of Licenses

- *Motion to accept licenses as presented.*

c. Resolution Approving Amendment No. 3 to the Cooperative Agreement with Hennepin County for the Joint Community Police Partnership and Authorizing Execution

- Motion to approve the Resolution Approving Amendment No. 3 to the Cooperative Agreement with Hennepin County for the Joint Community Police Partnership and Authorizing Execution

- d. Resolution Amending Resolution No. 2024-47, the Brooklyn Center Cultural and Public Arts Commission, to Rename the Commission to Arts & Beautification Commission

- Motion to approve a Resolution Amending Resolution No. 2024-47, the Brooklyn Center Cultural and Public Arts Commission, to Rename the Commission to Arts & Beautification Commission

- e. Resolution Authorizing the Acceptance and Execution of Agreement for the Farm to Food Security Grant

- Motion to approve the Resolution Authorizing the Acceptance and Execution of Agreement for the Farm to Food Security Grant

- f. An Ordinance Adding New Section 35-5609 to the Brooklyn Center City Code of Ordinances Regarding Fence Regulations — Second Reading

- Motion to waive the second reading and adopt the ordinance amending Section 35-5609 (Fences) of the City Code of Ordinances allowing fences within the C-Commerce (Service/Office) District, as contemplated under Planning Commission Application No. 2026-005

- g. Code of Respect Formal Reprimand

7. Presentations/Proclamations/Recognitions/Donations

- a. Resolution Honoring LaToya Turk as a 2025 Top Influencer in Local Government

- Motion to approve the Resolution Honoring LaToya Turk as a 2025 Top Influencer in Local Government

- b. Robbinsdale Area Schools Bond Referendum for November Ballot

- Motion to accept the presentation

8. Public Hearings

9. Planning Commission Items

10. Council Consideration Items

11. Council Report

12. Adjournment



COUNCIL MEETING DECORUM FOR THE PUBLIC

To ensure meetings are conducted in a professional and courteous manner which enables the orderly conduct of business, all persons in attendance or who participate in such meetings shall conduct themselves in a manner that does not interfere with the ability of others to observe and, when allowed, to participate without disruption or fear of intimidation.

- A. Decorum. Persons who attend meetings must avoid conduct that disrupts, interferes with, or disturbs the orderly conduct of the meeting or the ability of other attendees to observe and participate as appropriate. To that end, persons who attend meetings are subject to the following:
 - (1) Members of the public may only speak during meetings when allowed under Council Rules and only after being recognized by the presiding officer. The City Council has established time limits for the acceptance of public comments or testimony.
 - (2) Public comments or testimony must be addressed to the presiding officer and not to other Council Members, staff, or others in attendance.
 - (3) All elected officials shall be referred to by their proper title and surname.
 - (4) Public comments should avoid personal accusations, profanity, or other improper content for a public meeting.
 - (5) Intimidating behaviors, threats of hostility, or actual violence are disallowed.
- B. The presiding officer shall request any person(s) who disrupt, interfere with or disturb the orderly conduct of a meeting to cease the conduct and, as necessary, shall issue an oral warning to the individual(s) found to be in violation. If the individual(s) persists in disrupting, interfering with, or disturbing the meeting, the presiding officer may have the individual(s) removed or, under appropriate circumstances, temporarily clear the gallery. If for any reason the presiding officer fails to take such action, a majority vote may be substituted for action by the presiding officer to maintain order and decorum over the proceedings.
- C. The Council Chambers capacity is 76 persons per fire code.

Council Regular Meeting

DATE: 8/10/2026
TO: City Council
FROM:
THROUGH:
BY: Senye Amenti, Administrative Assistant
SUBJECT: Approval of Minutes

Requested Council Action:

- Motion to approve the following minutes:

- *July 27, 2026, Study Session*
- *July 27, 2026, Regular Session*

Background:

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

ATTACHMENTS:

1. 2026.07.27 SS
2. 2026.07.27 CC

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
JULY 27, 2026
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council met in Study Session, called to order by Mayor April Graves at 6:01 p.m.

ROLL CALL

Mayor April Graves and Councilmembers Dan Jerzak, Teneshia Kragness, and Laurie Ann Moore. Also present were Interim City Manager Daren Nyquist, Interim Deputy City Manager & Public Works Director Liz Heyman, Deputy City Clerk Kat Ellgren, Planning Manager Ginny McIntosh, Police Chief Garrett Flesland, City Clerk Shannon Pettit, and City Attorney Siobhan Tolar.

Councilmember Kris Lawrence-Anderson was absent and excused.

Councilmember Jerzak stated he had corrections to the draft minutes at this time and had already sent them to the City Clerk, but on page 23 of 423, under 7c. The fourth paragraph stated that Mayor Gvaves added that the City appreciates Mr. Vestley’s service and wished him well in his retirement,” but the record should reflect that Mr. Vessey did not retire; he accepted a different position. On page 44, of 423, under where it was resolved to acting City Manager, it should be changed to acting City Manager rather than the City Manager title because it is a legal document.

Councilmember Moore noted that Commissioner Lunde’s name was spelled wrong in all of the notations.

Councilmember Kragness thanked Commissioner Jerzak for the clarity on Mr. Vessey’s position, as she thought he had retired as well. Mayor Graves added that it was not clear from the resolution.

Councilmember Jerzak noted that because he had worked with Mr. Vessey for so long, he knew about the new position, and it is not a reflection on the Council; he just wanted it clarified for the record.

CITY COUNCIL MISCELLANEOUS DISCUSSION ITEMS

CODE OF RESPECT AND ETHICS

Mayor Graves noted that she asked for this to be brought to the Council, and the Council should have received the document that she had drafted and worked with the City Attorney on to ensure that the Council is complying with its code of ethics.

Mayor Graves continued that she received a complaint regarding an instance that took place at the Senate District 38 DFL Convention reconvening on April 12. In summary, the complaint alleged that Councilmember Moore engaged in a confrontational and verbally hostile interaction with a City Commission member more than once at the event. The complaint described Councilmember Moore's use of derogatory or profane language and an aggressive stance towards the individual. Pursuant to the process outlined in the City Code of Respect and Ethics, Mayor Graves stated she initiated a Code of Respect investigation procedure. The investigation process involved fact-finding and evaluation of outcomes. The fact-finding process involved four separate interviews, including two independent eyewitness interviews who contemporaneously observed the incident. Based on the information compiled through the investigation, the complaint was determined to be substantiated. The violation section C. Council Conduct with the Public requires Councilmembers to treat members of the public with professionalism, courtesy, and respect in all settings, including unofficial community events. Section F. Council Conduct with Boards and Commissions establishes expectations for respectful and constructive relationships with appointed officials and discourages conduct that undermines collaboration or public confidence. The Code of Respect violation grid identifies the use of profane language toward elected official staff, constituents, or appointed officials as a tier three violation subject to censure, and other accountability measures. Generally, the Code of Ethics requires that elected officials avoid conduct that is intimidating, hostile, and demeaning or destructive to the integrity of Public Service and civic participation. She added that the resolution was consistent with the Code of Respect violation grid, and Councilmember Moore was offered the opportunity to participate in restorative measures, including private resolution and informal mediation. She noted that Councilmember Moore declined to engage in restorative measures; as a result, the violation grid in the Code of Respect contemplates sanctions when restorative measures fail. Based on the substantiated findings of the City's review, the conduct described meets the criteria for a tier three violation under the Code of Respect and Ethics. Due to this being Councilmember Moore's first violation, Mayor Graves noted that she is recommending that the City Council address this matter as a tier two violation. This recommendation reflects the City's commitment to progressive accountability and restorative practice while recognizing the seriousness of the conduct. Future violations of a similar nature may be addressed at the tier three level without reduction. According to the Code of Respect, the Council must vote on the proposed sanction.

Mayor Graves continued that her recommendation for Councilmember Moore is a formal reprimand. Other sanctions include a verbal warning and censure by the resolution adopted by the Council. Once the Council comes to a consensus in work session, the item will be moved to the Council Consideration. The Council will formally vote on the agreed-upon sanction. The Council will provide written notice to Councilmember Moore at least 14 days prior to the Council's formal action upon that sanction. At any time, Councilmember Moore may, in writing, request a hearing before the City Council, which must be held at the next regular City Council meeting, and after the hearing the Council would then decide whether to proceed with the sanction.

Mayor Graves noted that the Council has the letter in front of them, and asked if everyone had a chance to read it.

Councilmember Moore stated she would like to address the allegation. She noted that she made a mistake engaging with the City Commissioner at an event outside of Brooklyn Center in April of 2026. She stated she was sorry for the outcome of that engagement and firmly believes that City Councilmembers in their duly elected role are held to a higher standard of conduct, and that did not happen in this engagement. She stated she will endeavor to improve and uphold the Council Code of Respect and Ethics with the highest regard to honesty, accountability, and integrity with all interested parties in all places.

Councilmember Jerzak thanked Councilmember Moore for her statement. He noted that he and Councilmember Kragness initially came together to bring back the Code of Respect, and believes it applies to all members of the Council. He noted that while he appreciates what Councilmember Moore said, the Council has to be held accountable for their actions and behaviors, and when it comes time to vote, he will uphold that.

Councilmember Kragness stated that it was important to remember why the Council adopted the Code of Respect in the first place; it was not about one person; it was about setting clear expectations to treat people with respect, and expect to be treated the same way. She noted that she wants to make sure the Council is upholding the Code of Respect, because there was a reason it was put in place in the first place, and she noted she intends to maintain it. She added that she wants to make sure this Council sets the standard that if someone brings a complaint about a Councilmember, it will be investigated and taken seriously, and the Council needs to hold each other accountable. She thanked the residents for holding the Council accountable.

Mayor Graves echoed that she appreciated Councilmember Moore's apology, and one of the most important things about being a good leader is admitting mistakes and working on improving. Even with the apology, consequences and accountability are important. She stated that her recommendation for a tier two reprimand remains. She added that if the Council is ready to vote on that, she will start the motion.

City Attorney Siobhan Tolar stated that the Council will come to a consensus on this and move it to Council Consideration to vote.

Mayor Graves asked if there was consensus on moving forward with the reprimand for the next Council meeting. She noted that within those 14 days, Councilmember Moore has the opportunity to request a hearing.

Councilmember Jerzak noted that he stood by what he said. Mayor Graves confirmed that there is a consensus.

CITY MANAGER MISCELLANEOUS DISCUSSION ITEMS

BROOKLYN CENTER CULTURAL AND PUBLIC ARTS COMMISSION DISCUSSION REGARDING THE REVISION OF TERM LENGTHS AND RENAMING OF THE COMMISSION

Mr. Nyquist stated he was bringing back this item after it raised two issues regarding the consensus agreement to both change the name of the Commission to Arts and Beautification Commission (ABC) and also align their terms from a two-year term to a three-year term to match other Commissions. The Council had previously requested some information that was included in the weekly update and in the memo for this agenda packet. He stated he was bringing this up to get things in motion and move on. He asked if there were any questions about these two items, or if the Council was ready to put this on the agenda for formal approval at the next Council meeting.

Councilmember Moore thanked the Commission for their work on this, and had no objections about a name change, but all Commissions have different lengths of service. It is either two or three years, and it seems like the Council should decide on whether it should be two or three years.

Mr. Nyquist stated that there was no previous decision made; the conversation was that the current Commission stance is two years, and whether it should be raised to three years and aligning that across the Commissions.

Councilmember Moore stated that if the recommendation is three years, there are still other Commissions that only serve two years, so this would be a time to make sure that there is consistency across all Commissions. Councilmember Moore stated that the Council thinks that Commission members should serve a two-year term, which is a decent length of time, but three years means that the same Commissioners are doing the same advisory work for the Council. She noted that she brought up term lengths in the previous discussion regarding Commissions.

Councilmember Jerzak stated he appreciated the work that the Chair has done on this. He asked regarding the Charter Commission, which is done by a judge and set, and that is one of the things that needs to be reconciled, but may need an opinion from the City Attorney about that. The other issue is whether it has been drafted for Commission members' terms coming up who would be affected or extended and are able to communicate that so it is an orderly transition. He stated that the Council previously appointed task forces, and asked how this would affect task forces since there is not a requirement for that. He noted that he has heard both sides argue about term limit lengths, but it is getting harder and harder to recruit community members to make those commitments, which two- or three-year limits could either be considered a benefit or a detriment in those cases. He stated he would like more information on how and why the Commission wanted to change things.

Mayor Graves noted that a lot of those questions are better reserved for Staff that has been doing a lot of reorganizing and reconstituting because it seems like this is not specific to the Cultural Arts Commission; it is about all Commissions in general. She stated she does not disagree with a presentation from Staff to understand where they are in that process, but for this particular discussion item she does not want to hold up what this Commission has decided themselves works

for that body. She noted that if this is vastly out of alignment with whatever the Staff has been doing to better streamline the process, then they would have said something to the Council as part of this discussion.

Councilmember Jerzak stated his conversation occurred during his one-on-one with Mr. Nyquist, where it was discussed that this would go to all the Commissions. If this is just about renaming the Commission and their term length, then he has no problem with that.

Mr. Nyquist stated that there is a misunderstanding because there does need to be alignment across all Commissions in term lengths, but for tonight this only refers to the one Commission. It would be beneficial for Staff to present what the bylaws are in establishing resolutions, because there is a lot of non-conformity across Commissions that some work would help streamline the basic foundation for the Commissions, and the bylaws could be based on what the body thinks is appropriate for that particular case. However, the focus for tonight should be on this one Commission for now.

Councilmember Kragness stated that due to issues with having a quorum, changing the term length to three years may deter someone from signing up to serve. Even if there is a lesser term, people can always reapply. She added that when she was on the Finance Commission, she served for 12 years and would just reapply, and if the City can find someone who is able to commit that time to volunteer, it may be beneficial to keep the term length lower to begin with.

Mayor Graves stated that it is a discussion that the Council should have when talking about all the Commissions rather than this one in particular. She stated that if the Council felt like all questions about the Cultural Arts Commission have been resolved for now, then the Council can move this forward.

Councilmember Moore stated this was brought to the Council by the Commission to change the name and extend to three years. The Council does not have consensus to extend to three years, but does to change the name; this is just a Study session item. She asked if this is going to come before the Council for an official change in the future.

Mayor Graves noted that this discussion about term lengths was more specific to all Commissions, not necessarily this Commission.

Councilmember Jerzak stated he would like to keep the two-term length for the exact reason Councilmember Kragness mentioned, and hopefully that is done across the board with the exception of the Charter Commission.

Mayor Graves noted that there is consensus then on two-year term limits, changing the name, and will move it forward to the next meeting.

FINANCE DIRECTOR INTRODUCTION

Mr. Nyquist introduced Nicole Hegge as the new Finance Director. He stated she would come up and introduce herself and talk about her background. He added that she started last Monday and feels very fortunate to have her as a Staff member and a leader.

Finance Director Nicole Hegge stated she spent the last 10 years as a Senior Accounting Manager for Anoka County with a focus primarily on financial operations and grant reporting. She added that she has another 10 years in the private sector focused on retail. Ms. Hegge stated she started her career in Brooklyn Center, working at the Brookdale Shopping Mall in her formative years in a variety of retail locations. She added that she is excited to be working for Brooklyn Center.

Mayor Graves thanked Ms. Hegge and stated the Council is excited to have her here.

Councilmember Jerzak welcomed Ms. Hegge and asked her to pronounce her last name. Ms. Hegge stated it was pronounced Hegge, like the pizza. Councilmember Jerzak asked if she could assure the Council that she would stay there and was not trying out for the Olympics when she did something to her legs. Ms. Hegge stated it was unfortunately a genetic situation but is very committed to the City.

Mayor Graves asked how Ms. Hegge spells her last name. Ms. Hegge noted the spelling is H-E-G-G-E. Mayor Graves noted that her oldest son's last name is hyphenated Heege-Graves, but Heege is spelled H-E-E-G-E.

Mr. Nyquist noted that there was a mistake on the City Council's pay on the agenda, and Councilmember Moore caught it the first time it was on the agenda, and it was corrected. The mistake that the Council saw was that the 2027 and 2028 salary increases started in 2026, so it was off by a year; the corrected version has a three percent increase right off the bat.

Councilmember Jerzak asked if some presentations could be made instead of sitting around for 25 minutes in this heat. Mayor Graves noted that she was going to move to the EDA. Councilmember Jerzak added that was his thought too if the Council wanted to do that.

Councilmember Moore stated she wanted to correct Mr. Nyquist on the resolution that technically the salaries have been updated, but section two should be effective January 1, 2027, and section three should be effective January 1, 2028. She added that the agenda should be updated with correct years for the increases, and thanked Mr. Nyquist for his patience.

ADJOURNMENT

Mayor Graves adjourned the Study Session at 6:24 p.m.

Motion passed unanimously.

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
JULY 27, 2026
CITY HALL – COUNCIL CHAMBERS

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

(1:02:47) The Brooklyn Center City Council met in Informal Open Forum, called to order by Mayor April Graves at 6:58 p.m.

2. ROLL CALL

Mayor April Graves, Councilmembers Dan Jerzak, Teneshia Kragness, and Laurie Ann Moore. Also present were Interim City Manager Daren Nyquist, Interim Deputy City and Public Works Director Liz Heyman, Office of Community Prevention Health and Safety Director LaToya Turk, Associate Planner Krystin Eldridge, Planning Manager Ginny McIntosh, Public Works Planner Kory Anderson Wagner, Interim Finance Director Dan Tienter, City Clerk Shannon Pettit, and City Attorney Siobhan Tolar.

Councilmember Kris Lawrence-Anderson was absent and excused.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. INFORMAL OPEN FORUM

Mayor April Graves opened the meeting for the purpose of Informal Open Forum and reviewed the Rules of Decorum.

Julie B. noted that she had some concerns about data requests. She stated she would like to know what steps the Council is taking to protect people from those weaponizing data requests to micromanage work. She stated she had concerns about the level of focus that some requesters have had on the City's Black Staff, Commissioners, and community members. It became clear when she asked for a list of requests for one individual that the requests were very targeted at a specific population, which unfortunately seems to be a pattern from someone on the Council. She stated she did not find irony in the ongoing attacks on Black Staff and continued attempts to undermine the work those Staff are doing and utilizing data requests to micromanage and intimidate them. There are no other Departments within the City that are facing this level of scrutiny or harassment in recent years. Some Councilmembers have publicly stated their intention to get rid of a number of the Black Staff leaders, and entire Departments altogether. Given that those same Councilmembers were successful in firing the City Manager without cause, there is

grave concern in the community that the Department in question will be next, not because the Department is not doing solid work, but because of an ongoing vendetta against the individuals who created the Department. She continued that she is also concerned about the ongoing notation that there is an overlap in services and duplicity in services, as it seems that those noting this have a clear misunderstanding of the different scopes of services in question around the mental health response. She noted that she has worked in the mental health field for the last 16 years, responding to mental health crises herself, and is often the first call for families. She assured the Council that these services are not duplicitous and each has a purpose. She added that more education should happen with the Council regarding differentiation in each of those services, so that moving forward decisions are being made from a fact-based place.

Cassandra with the Association for Non-Smokers, as part of the young adult action team, is working on a coalition working on commercial tobacco prevention in the Brooklyns. She noted that the organization would be at the Brooklyn Center Health Fair at Brooklyn Center High School from 12:00 p.m. to 4:00 p.m. on August 8. Educating and engaging the community on how communities can address commercial tobacco use. She noted that the organization would love to talk to the Council and see them at their event to talk in greater detail about their work.

Kyle B. stated he wanted to address an inadequacy of support to Sections 19.15.51 through 19.15.55, regarding native and naturalistic gardens. He noted that he and his partner applied for a permit and were denied because the planting currently resembles an overgrown turf grass until they decided to mow it, and face a fine or have a contractor destroy his efforts. The planting in question does, in fact, resemble turf grass because they are employing a no-till method to avoid habitat disruption and windborne erosion. Due to this approach, the planting does contain a small percentage of Kentucky Bluegrass, which has since been abated to the eight-inch limit. However, he noted the vast majority of the planting is currently Rocky Mountain Fescue, a native of Minnesota and well adapted to the plot of land he is trying to revitalize. He stated that preventing this grass from going to seed is defeating the purpose of the native plant restoration, and the goal is to provide habitat and forage for wildlife. He continued that his interactions with Community Development have been disappointing. He noted that he brought samples into the City to prove the correct variety of grasses growing and that it was not simply turf. He stated he was told by City Staff that they do not have time or funding to verify such things, and he needed to cut it down because people driving by cannot tell what it is, despite having native signage on both street-adjacent sides of their lot. He noted that both he and his partner qualified for and completed the Launch Legumes Grant and meticulously documented their progress, and it is terribly frustrating to be threatened by the City with destruction of their investment, because this first year happens to be drought-stricken. Kyle B. added that it is his belief that if the City of Brooklyn Center does not have the time or funding to verify its claims, it has no grounds to threaten destruction of property over the opinion of an individual who spreads so thin as to not have the time to diligently approach such situations.

Mayor Graves thanked Kyle B. for speaking, and asked for his email to connect him with a different community member who had a similar complaint.

Mary O. stated she is a member of the Brooklyn Center School Board and noted there are three openings on the School Board starting in January, but there is only one day left to apply. Applicants have to apply at 5910 Shingle Creek Parkway, at the School District Office. Anyone interested in the District who would like to apply to be on the School Board should go over and apply tomorrow.

Mayor Graves asked if the School Board does not currently have enough people who have put their name in the hat. Mary O. stated that she recently checked, and no one had applied, but today a few applications came in; there is only one more day to apply. If only three apply, they will all get the positions. Mayor Graves thanked Mary O. for the clarification and bringing awareness, and noted the importance of having a lot of good candidates to choose from.

Councilmember Jerzak asked for the School District number, because there is more than one.

Mayor Graves stated it was District number 286.

Councilmember Jerzak added that people have to live in the District to apply for it, which is why he brought it up.

Mayor Graves moved and Councilmember Moore seconded to close the Informal Open Forum.

Motion passed unanimously.

5. INVOCATION

Councilmember Kragness recited a poem about leadership, by Jess Urlichs, "Can we put someone in power who plants seeds and not fear. Make sure every single person at the table has a chair. Can we put someone in power who leads with their heart. Who builds bridges, not walls, to keep families apart. Can we put someone in power who knows the weight of a cry that shatters your soul, that breaks your inside. Can we put someone in power who will mend and not break. Doesn't lead to feel big, who will give, and not just take. Can we put someone in power who is still willing to learn. Uses their fire for warmth, not to tear down and burn. Who cares about people in the smallest voice, not just profit and power, who gives people a voice. A person who feels the grief of another; maybe the world should be ruled by a mother."

6. APPROVAL OF AGENDA AND CONSENT AGENDA.

Councilmember Moore moved and Mayor Graves seconded to approve the Agenda and Consent Agenda, as amended, with amendments to the minutes as stated during the Study Session, and changes made to the salaries in item 8a. Ordinance Amending Ordinance No. 2024-05 Regarding Council Salaries For 2027-2028 (Second Reading), and adding the Code of Respect and Ethics discussion to the Council Consideration Items as item 10c., and the following consent items were approved:

6a. APPROVAL OF MINUTES

07/27/26

-3-

DRAFT

1. June 22, 2026 – Study Session
2. June 22, 2026 -- Regular Session
3. July 13, 2026 – Regular Session

Motion passed unanimously.

6b. LICENSES

GARBAGE HAULERS

Midwest Grease

P.O. Box 319
Redwood Falls, MN 56283

Holiday Stationstores LLC

420 66th Avenue North
Brooklyn Center, MN 55430

- 6c. RESOLUTION ACCEPTING BID AWARDING A CONTRACT, IMPROVEMENT PROJECT NO. 2026-19, LIFT STATION 3 RECONSTRUCTION PROJECT**
- 6d. RESOLUTION AUTHORIZING EXECUTION OF PROFESSIONAL SERVICE AGREEMENTS WITH QUALIFYING TREE REMOVAL CONTRACTORS**
- 6e. RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS, PROJECT NO. 2026-29, BROOKLYN CENTER COMMUNITY CENTER POOL PROJECT**
- 6f. RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT, PROJECT NO. 2027-03, -04, -05, -06, ORCHARD LANE NORTH AREA IMPROVEMENTS**
- 6g. RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT, IMPROVEMENT PROJECT NO. 2026-10, 2026 POND MAINTENANCE**

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. OCPHS 2025 ANNUAL REPORT

Office of Community Prevention Health and Safety (OCPHS) Director LaToya Turk stated she would present the wins and lessons for 2025. In 2025, OCPHS increased prevention-first alternatives to a response-only model, which is what the City had prior to OCPHS. OCPHS directed stakeholder contact and data collection that builds the trust that programming depends on with community engagement. The Arts and Beautification also sits under OCPHS, which handles murals that use environmental design to build civic pride and community wellness. Advisory Commissions that include three resident-driven bodies: Cultural and Public Arts, Sister Cities, and

Community Safety and Violence Prevention, which formalizes resident voices in policy, are also a part of OCPHS.

Ms. Turk explained that the core functions of OCPHS for Community Wellness and Safety include strengthening community relationships, focusing on partnering with local organizations to provide health and wellness resources from preventative to critical services are needed which is the intersection of health and safety. OCPHS also continues to create a coordinated ecosystem of public health stakeholders such as the Health Fair which is an annual engagement put on in the City to bring health resources to the community, and to improve access to critical services like community safety, mental health resources, economics, and access to life essential resources. These resources would include food, transportation, housing, and academic resources.

Ms. Turk explained that some of the Health and Prevention-related initiatives in 2025 included utilizing prevention tools to put life-saving responses in the hands of residents while reducing the reliance on emergency-only intervention, which costs the City more. In 2025, OCPHS held 12 Narcan trainings, which provided education on opioid awareness through that initiative, and trained 252 individuals to administer Narcan. Medpods, which are telehealth units that do wellness checks for the community, had eight deployments logged. Medpods use contracted local nurses to go out into the communities where there is medical mistrust, as well as a lack of resources and access to medical services anywhere. Last week, the Kenyan Community Church used one of the Medpods and was able to service over 135 individuals.

Ms. Turk noted that to date, the Expanded Response Team has responded to 1,330 calls for service and is two years into the pilot program. She pointed out that Brooklyn Center has one of the highest rates of opioid related deaths in the county, and those numbers went down by 67 percent in 2024. Deaths from opioid use went from 20 deaths to 15 with the additional training to community partners on opioid awareness as well as the Narcan training.

Ms. Turk explained that Health Equity and Community Safety focuses on the overall wellness of the community. When looking at the data and census tracts from the CDC, there are some trends that do impact public safety. These things continue to show up in 911 calls, and looking at the tracts from the Palmer Lake community, 39.5 percent of adults there are reporting chronic loneliness. OCPHS uses this data to drive their engagement strategy and go out and meet people where they are, not solely utilizing digital communication since people are craving that person-to-person contact. The Palmer Lake tract also had 21 percent of adults reporting housing insecurity, which is one of the baseline needs that people need to feel safe and healthy, and 18 percent reporting frequent mental distress, which is showing up in 911 calls for service. There are some underlying conditions that surface later in 911 calls, from welfare checks to mental health crises, and if those needs are not met, OCPHS will continue to see them, and it will cost more money to service those individuals.

Mayor Graves asked Ms. Turk to go back a slide and discuss the last line, which really emphasizes the importance of prevention. Mayor Graves read the line from the slide aloud, “closing the health equity gap and tracts like this one is not separate from public safety work; delivered early, it is public safety work.” Ms. Turk added that a lot of times people think of public safety work as one

entity, when in reality everyone is responsible for being part of the public safety ecosystem, and if they can swim upstream and address it early, it actually costs the City less.

Ms. Turk noted that for Community Engagement with OCPHS, the core functions include outreach and trust-building, program collaboration, and equity, inclusion, and cultural responsiveness. These are the same core functions that OCPHS had last year; staff just continued to build on them this year. Community Engagement hosted over 59 events for 2025, had over 3,500 resident touch points or attendance at different engagements, and was able to secure 362 surveys; more than 50 percent were collaborative engagements. OCPHS collaborated with outside entities such as local churches, schools, other Departments within the City, and was able to obtain the top influencer in local government by engaging local government leaders last year, where 100 professionals were recognized across the country, and Ms. Turk noted that she was one of them.

Ms. Turk explained that Public Art and Beautification is rooted in the resolution and the City's Master Plan and looks for frameworks to include inclusive, sustainable, and culturally representative public art and beautification across the City. The Arts and Beautification Department has completed five murals so far, and there are stickers outside City Hall Chambers of those murals that people can take with them. One mural is at the Shingle Creek Liquor Store, which was one of the first murals that went up. On the Brooklyn Center Elementary School facing Highway 252 is another mural that came out of the Arts and Beautification Department. Another mural will be completed soon on the side of the Community Center. The Artist in Residency was able to engage over 340 stakeholders in the process of doing the murals, and a total of nine sites have been impacted since the beginning of the Department. Last year, Staff were able to leverage around \$24,000 in grant dollars. She added that public art impacts crime levels, and one statistic from the University of Pennsylvania in 2024 stated that daytime crime fell 42 percent and nighttime property crime fell 40 percent in areas that receive murals, with the effects lasting up to seven years. Murals also impact mental wellness and increase the overall aesthetics of the property.

Ms. Turk stated that the OCPHS has three Advisory Commissions, as mentioned before. The Sister Cities Commission has one partner city in Jumanja, and there are five members who sit on that Commission. This Commission maintains international partnerships as an advisory body on matters affecting sister city relationships. The Arts and Beautification Commission guides aesthetic considerations and promotes public art as a mechanism to foster civic pride, community health, and guide further planning as an advisory body. There are seven voting members of this Commission, and four affiliates. The newest Commission is the Community Safety and Violence Prevention Commission, which is an advisory body to the City on issues related to community safety and violence prevention, and OCPHS is currently reviewing applications for those appointments.

Ms. Turk pointed out that OCPHS is a small team and there is no way they could do the level of work and the quality they have been able to do without internal partnerships. OCPHS has partnered with the Brooklyn Center Fire and Police Department with their Expanded Response Team, and the shared outcome is responding to mental health and behavior calls for service. One of the Staff from OCPHS works with the Public Works Department and sits with the Highway 252

Task Force and participates with the MnDOT on the project and enhances engagement with the Highway 252 Task Force. Community Development has helped OCPHS tremendously with the Arts and Beautification Commission and their murals, helping them find sites for murals and getting zoning rules handled correctly. Parks and Recreation continues to enhance the prevention modeling and youth programming to expand access to wellness and prevention resources, and the Finance Department has helped OCPHS with their grant management and budget alignment.

Ms. Turk noted that some of the accomplishments for 2025 include co-creating a City-wide community engagement strategic plan using a national engagement framework. Mayor Graves asked Ms. Turk to explain the IAP2 framework. Ms. Turk explained that the IAP2 is a national framework that helps Staff analyze the level of engagement they want to utilize and helps create a model of how Staff wants to show up in the community, and every Department has the opportunity to sign up to learn more about IAP2.

Ms. Turk added that OCPHS increased their community collaborations and really advanced their Two Brooklyns One Vision by co-hosting some events with Brooklyn Park, as well as their local community partners that focus on faith-based communities and incorporating metrics and work plans into all of their Community Engagement. All of OCPHS's engagements look at how they align with OCPHS's strategic priorities in the City and make sure that they are meeting metrics that are set internally.

Ms. Turk noted that 2026 OCPHS priorities include leveraging community data to drive decision-making. This has been a safe mechanism for them to continue to collect and use data to identify trends, measure reach and equity, and ensure engagement efforts are meeting the needs of all the stakeholders. Some of the key strategies to do this include developing an annual community engagement report to track participation and incorporate qualitative community stories and lived experiences and reports to complement metrics, which Staff has started to work on. The Council will eventually get to see videos of people talking about the impacts of the work and what is going on at OCPHS.

Ms. Turk noted that priorities for 2026 and going into 2027, and with the help of two BrookLynk interns, OCPHS has been working on community resource mapping and GAP analysis. OCPHS has also been working with the Minneapolis Health Department and neighboring regional partners to do an audit of what critical resources the City has available from mental health providers, housing resources, and prevention programs. Staff will also use GIS mapping to visualize areas of over- or under-resourced services and create a centralized public dashboard for internal and external stakeholders. OCPHS is also working on a strategic public health plan to address social determinants and expanded response models. OCPHS will be partnering with the Public Health Department for technical assistance and align plan pillars with violence prevention, behavioral health response, emergency preparedness, and environmental health. OCPHS will also host community listening sessions to co-create objectives and outcomes.

Ms. Turk stated that those are OCPHS's priorities and thanked regional collaborations, community stakeholders, City Staff and interns, and the City Council for all of their support in the years 2024 and 2025.

Councilmember Jerzak asked if there has been discussion of regional participation with surrounding cities to share resources and costs for the Expanded Response model as the grant funding is coming to an end. He added that the reason he is asking is that mental health response does not disappear just because the funding did, and Brooklyn Center has very fluid borders and shares the same challenges as neighboring cities. Ms. Turk stated the OCPHS Staff is working on an outcome report that will be presented to City Council in the next 30 days, and is hoping to present the Council with several options and what next steps could be for the Expanded Response Team. OCPHS Staff have also been in several meetings where the county has discussed a regional approach, because mental health crises will still be there and will be more consistent with the current times that the City is in. She noted that OCPHS is looking at how to diversify that response and hopes to put something in front of the Council that would be fiscally appropriate for the City.

Councilmember Jerzak stated he is looking forward to that report, and the Council cannot base human lives on cost, but it does become a factor. He stated when the pilot program was first presented, the costs were going to be significantly lower by having the program versus single responses, and he is curious if the data proved that. He stated that he was one of the first to participate in Naloxone training, and asked if there is an expiration on it because he has had it for three years in his vehicle, never had to use it thankfully, but if there is an expiration, he asked where people can go to get it replaced. Ms. Turk stated that as a healthcare provider, he should look at the label and there will be an expiration date on it, and it needs to be stored in a cool place. She added that OCPHS has expired medications that they send overseas all the time, and it is going to work, and if it was an emergency, she would not tell him not to use an expired bottle of Naloxone because it is expired. The appropriate response would be to use it, and then call 911.

Councilmember Jerzak added that he was asking more for educational purposes. Ms. Turk added that it should not be left in the car for winter, spring, summer, and fall. Councilmember Jerzak stated that was good information to have, and he would check the label on his. He asked where he would go to get it replaced if it is expired. Ms. Turk stated that Naloxone is available over the counter at Walgreens or Walmart now, and at any first responder locations like the Fire Department and the Recovery Centers have it. She noted that Hennepin County has an amazing opioid response website that lists all the locations where someone could pick up Naloxone.

Councilmember Kragness thanked Ms. Turk for her presentation, and recognized that sometimes it is hard to accept praise, which is why the font is so small on the presentation, but the fact that Ms. Turk was one of only 100 professionals recognized nationwide needs to be applauded and recommended the Council give a proclamation to recognize that accomplishment.

Mayor Graves stated that it is a great idea.

Councilmember Moore stated that in light of economic times and affordability for all, the Canopy Roots contract ends September 2026, and she noted she was vocal last year about whether or not people could meet basic needs or whether or not their tax dollars should pay for an Artist in Residence. She asked if the outcome report data is going to show exactly how many interactions the Expanded Response Team had, the resolution, or if it was triaged from 911. She stated she did see that the OCPHS had a dashboard, but she thought that was previously developed. She asked

what exactly the outcome report will be because it is the end of July and there are only two months left of the Canopy Roots contract.

Ms. Turk stated that Staff will use a cohort model that comes from the Harvard Institute on reporting out on Expanded Response and alternative responses, and if there is something specifically that Councilmember Moore would like for OCPHS Staff to include, she should let Mr. Nyquist know, and Staff will make sure to include that data. She assured Councilmember Moore that her report will be thorough.

Councilmember Moore stated that what is so confusing for everyone is using the terms expanded and alternative when all they want is to make sure when someone has a crisis they know who to call. Someone would typically call 911, then it is triaged, and then there are all these other resources, including COPE, who presented at a neighborhood meeting recently on their data regarding Brooklyn Center residents. She stated she wants a cohort model expanded, and alternative numbers on how many calls actually deployed Canopy Roots versus COPE versus a Social Worker, paramedic, or a Police Officer cleared the situation, and it was resolved. She asked if it is true that 95 percent of these calls include a Police Officer responding to these calls to make sure it is safe for the professional to provide some mental health assistance.

Ms. Turk responded that those were a lot of questions that Councilmember Moore asked, but back in March of 2025 there was a presentation on Expanded Response. She added that she wanted to be very clear to the stakeholders and residents that they reach Expanded Response by calling 911, and they are a fourth responder in the emergency medical system. It is the same way that a resident would reach the Fire Department and the Police Department. When a resident calls 911 and gives the dispatch their information, dispatch will triage that, and the decision of whether Expanded Response or a Social Worker responds to that call is not dependent on her or Police Chief Flesland; it is dependent on the City's 911 dispatch system. She added that dispatch will triage that call if it meets the metrics, and if the Expanded Response team is dispatched, Fire and the Police Department are all on the same CAD radio system, and they work together, so at that point it is a decision between the responders. A call might be originally triaged to the Social Worker, and the Police Department might feel they need to take it and will step in; that is a mutual agreement between two professionals, and the way the system has worked from the very beginning.

Councilmember Moore stated that was an exquisite clarification for everyone. She asked, in terms of data from those calls, what kind of detail the Council will receive, and no matter who the resident gets after triage, if they are being linked to a service. She asked if the Council will get reports on how many residents go to Public Health because of something medical, or whether it is a cut or a medication, and the numbers on who goes to county intake because they need food or housing resources.

Ms. Turk stated they have to be mindful of HIPAA, and there will be things OCPHS cannot report, but there will be documentation on a transport and where that person was transported to without violating HIPAA. She noted that if Councilmember Moore would like transport information, it can be included in the report as well.

Councilmember Moore asked if the data that will be provided will be expanding on what OCPHS has been doing for the last three to four years, along with the new collaborations including faith-based communities. Ms. Turk stated that she was confused by Councilmember Moore's question, and noted that the report on Expanded Response will only be on Expanded Response. The data regarding increased OCPHS engagement with faith-based communities and local stakeholders is in regard to their annual report for community engagement. Councilmember Moore stated that is what she is referring to now regarding alternative response, but in terms of community engagement.

Mayor Graves asked if Councilmember Moore wanted more data than what she provided about community engagement in this presentation. Councilmember Moore noted that there was no specificity made about what organizations other than Brooklyn Park and faith-based organizations, along with videos of individuals in regard to community engagement activities.

Ms. Turk noted that she did mention the Kenyan Community Church and several local churches that are volunteering at the Health Fair. She stated that if Councilmember Moore attends the Health Fair, she would be happy to introduce her to some of the Pastors that are leading the volunteer initiatives there.

Mayor Graves asked if Councilmember Moore would like a list of the organizations. Councilmember Moore stated she did not; what she wanted was that Ms. Turk had stated that OCPHS is doing community engagement work, which also includes the alternative response and the Artist in Residence, and she would like to be able to highlight what OCPHS has expanded in terms of those engagement activities. She noted that putting out a video is awesome, but in terms of faith-based organizations which individuals often turn to first if they have a need, she wanted to highlight the expansion of OCPHS efforts around community engagement, not only with Brooklyn Park but from a regional perspective. She thanked Mayor Graves for asking the question, and the frame is finally clicking to what she wanted to say to Ms. Turk.

Mayor Graves stated that she and Ms. Turk often find themselves in similar situations, because she works full-time with the Minneapolis Health Department and supports the Community Health Improvement partnership, which is a county-wide effort and incorporates many jurisdictions, including Brooklyn Park and Brooklyn Center. She noted that recently Ms. Turk was there to talk about youth mental health needs with the Youth Mental Health Action Team. She stated she sees Ms. Turk out connecting with the City's jurisdictional partners, and a lot of people that come to those meetings are not just government service providers but are Blue Cross Blue Shield or other community organizations. She thanked Ms. Turk for the presentation.

Mayor Graves stated she would like to follow up on Councilmember Kragness's suggestion that the Council does a proclamation for Ms. Turk, and noted that the Council did a proclamation recently for the Parks and Recreation Staff and the award that they got for the swimming program and would like to do the same for Ms. Turk and the Community Engagement Staff.

Mayor Graves moved and Councilmember Kragness seconded to accept the presentation.

Motion passed unanimously.

8. PUBLIC HEARINGS

8a. ORDINANCE AMENDING ORDINANCE NO. 2024-05 REGARDING COUNCIL SALARIES FOR 2027-2028 (SECOND READING)

Mr. Nyquist explained that this Ordinance is in relation to the three percent Council raises, which are the cost-of-living adjustments for the years 2027 and 2028. Per the discussion in the Study Session, there are several errors that have been corrected and will be corrected, but this is the Public Hearing and second reading to lock in those three percent raises for 2027 and 2028, which needs to happen per the *City Charter*.

Mayor Graves moved and Councilmember Kragness seconded to open the Public Hearing.

Motion passed unanimously.

Councilmember Jerzak asked if Mayor Graves could read into the record what the salaries will be. Mayor Graves stated she was looking for it in the packet, and if Councilmember Jerzak had it ready, he could go ahead and read it into the record. Councilmember Jerzak pointed out that Councilmember Moore is the one who is most familiar with the corrections; if she would be willing to read it, he would yield to her.

Councilmember Moore asked if Councilmember Jerzak wanted her to read the amounts. Councilmember Jerzak stated that the public needs to know what the salaries are and what the proposed changes are.

Mayor Graves agreed.

Councilmember Moore read aloud, "The proposal effective January 1, 2026, for the annual salary for the Mayor shall be \$15,762, and the annual salary for Councilmembers shall be \$11,838. Effective January 1, 2028, the annual salary for the Mayor shall be \$16,235, and the annual salary for Councilmembers shall be \$12,193."

Mayor Graves asked if anyone would like to come forward for the Public Hearing.

No one wished to address the Council.

Mayor Graves moved and Councilmember Moore seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Moore moved and Mayor Graves seconded to approve the Ordinance amending Ordinance No. 2024-05 regarding Council salaries for 2027 through 2028.

Motion passed unanimously.

Councilmember Moore stated she wanted to make sure that City Clerk Shannon Pettit and Mr. Nyquist had the correct dates and the correct amounts.

9. PLANNING COMMISSION ITEMS

9a. AN ORDINANCE AMENDING SECTION 35-5609 – FENCES OF THE CITY CODE OF ORDINANCES REGARDING FENCES IN THE COMMERCE SERVICE/OFFICE DISTRICT – FIRST READING

Associate Planner Krystin Eldridge explained that this is the first reading for an Ordinance amendment for Chapter 35 for fences in the C District.

Ms. Eldridge noted that in late 2025, City Staff were informed of a fence being installed without a permit at 1915 15th Avenue North. Unfortunately, fences are not permitted in the C district in which it was located. City staff advised the Applicant, Milavetz Law Firm P.A., that a Planning Commission application would need to be submitted for review and consideration by the Planning Commission and City Council for an Ordinance amendment, or the fence had to be removed. She noted that the purpose of the C (Commerce Service and Office) District is to support commerce activity in the form of retail sales, eating establishments, service and office uses, repair service uses, medical and health uses, contract and construction office uses with no outdoor storage, educational uses, and other uses similar in nature as determined by the City Council. Properties within this district include HealthPartners Clinic, Casey's Gas Station, Christy's Auto, O'Reilly's Auto, Family Dollar, and Metro Dental Care.

Ms. Eldridge noted that for the request for the Ordinance amendment, while City Staff asked the Applicant to remove the fence, it is because it is in the clear view triangle and goes right up to the stop sign, and there can be no obstructions within the clear view triangle between the heights of two and a half and ten feet. The Applicant has the fence and shrubs there, so City Staff is asking the Applicant to remove the shrubs, and the fence is currently 61 inches and needs to be reduced to four feet.

Ms. Eldridge noted that Staff went around to other properties in the C District to measure fences, and Casey's Gas Station does have a fence, but it was installed prior to the City having an Ordinance.

Ms. Eldridge explained that the amendment would have small changes to include that a C District property could have two allowable fence heights for a front yard: a non-opaque fence shall not exceed four feet, and no fence shall exceed six feet in height on the side and rear property line. The MXB and I District and the Residential Districts are already in the Ordinance, but there are no other Districts in the Ordinance.

Ms. Eldridge noted that there are criteria that Staff uses when looking at an Ordinance amendment. Staff also asked the Applicant to look at those criteria and respond to them, and agreed with all of

the Applicant's responses. Currently, the Ordinance for Residential Districts has four feet listed for the height of a fence in the front, and six feet in the back. For the Business and Mixed Use Industrial, a non-opaque fence up to eight feet in the front yard setback is permitted. No fence is permitted in the clear view triangle to ensure safe access and sightlines to pedestrians and vehicles approaching the right-of-way. She noted that Staff did look at other cities for consideration, but most other cities have very similar ordinances and do not consider Commercial Districts separately, mainly because the purpose of the C District is usually for walkable, pedestrian-friendly type front doors, so City Staff did not consider C District for this Ordinance either. However, City Staff do see merit beyond the interest of any particular owner in that ornamental, non-opaque fencing can provide certain aesthetic improvements to a property while serving a more practical purpose, and given the City's past history of allowing fences in the C District, there is precedent in continuing to allow certain types of fencing.

Ms. Eldridge noted that City Staff held a Public Hearing with the Planning Commission on July 9, 2026, and two members of the public were online and members of the public were in the audience, but no one chose to speak. The Applicant gave a brief reason as to why it was necessary for him to have a fence in the District; however, he expressed willingness to follow the Ordinance if it were approved. Commissioners acknowledged the Applicant's statements and expressed that the Ordinance would apply City-wide. City Staff clarified City process and specifications around the affected fence on the Applicant's property. If application requests are approved, the Applicant is aware the existing fence will need to be relocated out of the clear view triangle and height maximums would have to be maintained. The Planning Commission unanimously recommended for City Council approval.

Councilmember Jerzak stated he dealt with 15 years of trying to enforce vague fence Ordinances, and feels for the Applicant. He asked if a complaint was brought forward regarding this fence, and while no one wants to obstruct a view or be in the clear view triangle, he has driven by this property hundreds of times and never noticed a problem with it. He stated he was very much in favor of doing a City-wide Ordinance, and apologized for the struggles for the Applicant.

Councilmember Moore asked if all fences in the City and these current Districts do have a clear view triangle, and this was the only one, and if some were grandfathered in.

Ms. Eldridge noted that some C District properties do have fences that were put up prior to the City Code having a fence Ordinance. Most of those fences exist in the rear of the property and are used to screen them from Residential Districts.

Councilmember Moore stated that some were grandfathered in, and asked if, because of the code changes, there cannot be anything in the clear view triangle because that would be a carve-out. She stated that the Applicant put a five-foot one-inch fence in, and asked if the code is now requiring it to be four feet, so the Applicant will have to remove the entire thing and reinstall a four-foot fence, or cut off the metal and it cannot be in the clear view triangle.

Ms. Eldridge noted that the first 25 feet of the fence will have to be changed to four feet, and are in the clear view triangle, so he will have to reduce that height to two and a half feet.

Councilmember Moore stated that was unbelievable. Ms. Eldridge continued that there is an extra 10 feet of the fence that the Applicant would have to reduce the fence to four feet to meet that 35-foot setback, and after the 35-foot setback he can have the five-foot fence.

Councilmember Moore asked if it was a metal fence. Ms. Eldridge confirmed that was correct. Councilmember Moore noted that the Council has a member who worked in this area, but what she has experienced both as a resident and as a Council member is absolute craziness that the Council would make this individual do this. She stated she knows exactly where this property is located, and it is located close to her. She stated she raised her hands just like the Applicant did, and asked if this is really what the City is going to do after it has already been installed.

Planning Manager Ginny McIntosh pointed out for clarity that the clear view triangle is not just a zoning Ordinance; the Public Works Department and Hennepin County also have clear view regulations, so that was not something City Staff were willing to change. It is a safety requirement. She noted that Staff discussed it with the Applicant already that the fence could be angled so there will still be a fence. She noted that the Applicant was having issues with people cutting through traffic and driving through and over his curb, and onto the grass, so there could still be a fence, but it would have to be out of that first 25 feet of the triangle and then could move up to the maximum height of six feet.

Councilmember Moore noted it would have to be reduced to two feet, though. Ms. McIntosh noted that for the section, it would not make sense at that point. The fence is currently right up to the stop sign, but he can bring it back and angle it and move it up to the six feet or, in his case, the five-foot-one-inch one, once he gets out of that front yard, so it is just an adjustment. Councilmember Moore stated that clarified a lot, and apologized if she missed that in the presentation. She noted that the Applicant can keep the fence at five feet, as long as it is out of the clear view triangle. She added that nothing can be in the clear view triangle, including a campaign or garage sale sign.

Mayor Graves moved and Councilmember Jerzak seconded to approve a First Reading regarding the adoption of an Ordinance amending Section 35-5609 (Fences) of the City Code of Ordinances allowing fences within the C-Commerce (Service/Office) District, as contemplated under Planning Commission Application No. 2026-005, and set the Second Reading for August 10, 2026.

Motion passed unanimously.

9b. PLANNING COMMISSION APPLICATION NO. 2026-006 FOR A MAJOR AMENDMENT TO THE PLANNED UNIT DEVELOPMENT AND APPROVAL OF A SITE AND BUILDING PLAN FOR 6500 CAMDEN AVENUE NORTH (JAMBO AFRICA)

Ms. McIntosh noted that AWC Holdings, LLC, also known as Jambo Africa or the Applicant, has two requests up for consideration: a major site building plan approval, as well as a major Planned Unit Development (PUD) amendment. Ms. McIntosh noted that the Applicant is requesting review and consideration of a proposal that would relocate Jambo Africa from its existing location at 1601

Freeway Boulevard, and construct a new approximately 5720 square-foot restaurant, bar, and event facility with an indoor-outdoor patio at 6500 Camden Avenue North. The subject property is currently owned by the City's Economic Development Authority and will require site and building plan approval as well as an amendment to the existing PUD due to the proposed use and a request for certain flexibilities. The property sits on just over an acre and a half, and is in a PUD/C2 District and is guided as commercial in the Comprehensive Plan. The subject property is owned by the EDA; AWC Holdings LLC entered into a purchase and development agreement with the EDA in November 2024, and the EDA recently received an amended and restated PDA at the meeting on June 22, which was approved. This was specifically to guide the Applicant and provide them with additional time to get through this process. She noted that Chapter 35 of the City Code provides that those PUD's that were established before the new zoning code are allowed to follow all of their prior zoning regulations and remain in effect and subject to any and all agreements, conditions, and standards applicable to that PUD. There are criteria that the property is reviewed against specifically for PUD amendments, and there are certain triggers, including the introduction of new uses that were included in the PUD approval, as well as other triggers such as changing the size of a building, green space, or parking. The PUD that this property sits under was originally established in July of 1998 for the Regal Theatres development, which was originally located just south of this property, and served as an outer parking lot for the Regal Theatres. She noted that in 2017, as part of the TopGolf development, the agreement that was approved identified certain commercial, recreational, and entertainment uses as well as a commercial lot with interim use as a park-and-ride site for this subject property.

Ms. McIntosh noted that the TopGolf property and the subject property are both subject to certain use restrictions under that agreement. The subject property is subject to the following limitation under the existing PUD agreement: the EDA property may be used for the interim use as a park-and-ride; except as otherwise permitted herein, the uses of the subject properties shall conform to the zoning regulations of the City of Brooklyn Center applicable to C-2 districts; and any additional buildings or structures on the subject properties will require sit plan approval by the City Council.

Ms. McIntosh continued that the specific asks for this application include the elimination of the subject properties' interim use as a park and ride lot with Metro Transit. The allowance of the proposed restaurant, bar, and event center that is typically a C-2 special use under the old City Code. There is also a request for flexibility or variance to the minimum 40-foot rear setback along Highway 252. This is specifically because there are large drainage and utility easements running down the center of this property, which really restricts where anything can be built. The fourth request is to determine that the proposed Equitone fiber cement product that the Applicant has on their architectural renderings be classified as a class one material, rather than a class two.

Ms. McIntosh noted that for site and building plan approval, this is a 100 percent change because it is currently a vacant property. The PUD agreement requires site and building plan approval from City Council. The criteria that Staff reviewed against are noted, and as mentioned, the proposed development does meet the minimum setback requirements with the exception of the rear setback, which faces Highway 252, and that is a five-foot deviation. The building would be constructed on one level, with a large dancing and dining area, lounge-style seating as part of that along the perimeter. A private 380 square foot dining area and a 520 square foot bar would be on

the north end, and a proposed indoor-outdoor patio. The hours of operation would be Tuesdays from 11:00 a.m. to 1:30 a.m., and Wednesdays through Saturdays from 11:00 a.m. to 2:00 a.m. The business would be open from 5:00 p.m. to 2:00 a.m. on Sundays. The building would be comprised primarily of the fibrous cement product, stucco, glass, stone, and metal paneling. As a note, the requirements under the old code require four sides to be at least 50 percent class one, and the remaining class two, and the Applicant is requesting that fiber cement be considered class one in order to meet those requirements. For traffic and access, the property's main access is off of a curb cut on Camden, but it is actually on the Topgolf property. There is a recorded access easement that allows traffic to access the subject property through TopGolf as long as there are no obstructions to it. There is a declaration of easements and covenants that does not allow any cross-parking, so customers of Jambo Africa cannot park on the TopGolf site. Staff did review the Applicant's parking justification and conducted a variety of different calculations assuming different scenarios and did revise some assumptions for the dining and dancing area. There is a requirement from the building and Fire Staff, and there is parking proposed for the staff on the north side of the building and 20 feet for fire access, which brings the number down to 152 parking spaces. She noted that the bare minimum of parking spaces would be 148 spaces, and 214 at the top end.

Ms. McIntosh noted that for lighting, the Applicant will need to submit a revised photometric plan as it does not provide the detail necessary to determine whether code is met. The revised lighting schedule will also have to be submitted with site and wall lighting and proposed mounting heights. Staff did receive landscape plans, along with a pallet sheet of proposed plantings, and a free preservation plan was provided as well. There are some restrictions on landscaping along Camden, but the Applicant is not proposing any new plantings in that area and the majority of the plantings will be in the indoor-outdoor patio area. There are no specific signage requests at this time, so any new signage would have to comply with the old Chapter 34 of the underlying C-2 property. There are a number of items that Staff still need to work through as part of the Metro Transit bus stop; there is a pedestrian easement and walkway on the subject property right now, and there is also a request to MnDOT due to Highway 252, but Staff is not expecting any major comments from them.

Ms. McIntosh noted the Building Official Dan Grinsteinner conducted a cursory review of the proposal in a memorandum dated July 2, 2026. As mentioned earlier, six staff parking spaces will likely need to be removed, along with fire sprinkler installation, and SAC determination on any of the water and sewer connections and Health Department approvals. A Public Hearing was held at the Planning Commission meeting on July 9, and there were questions around plans for the relocation or closure of the existing Jambo Africa location. Removal of parking calculations in the functionality of the space and events, and the exterior building materials were discussed. The Planning Commission did unanimously recommend City Council approval of this application.

Councilmember Jerzak stated he sees Simone and her family in the audience, and gave them credit because it has been a long haul to get to this point. He stated he really wants this project to move forward, and could not think of a better use for that particular property. He asked if Simone would be willing to give a timeline of when the project would be ready, and noted he looks forward to it because it will be a huge contribution to the City.

Councilmember Jerzak asked if he could ask Adrian a question. Mayor Graves confirmed he could.

Councilmember Jerzak asked if Adrian remembered when he questioned him about this project at the Health Fair last year. Adrian confirmed he did, and that Councilmember Jerzak basically said the same thing about this project verbatim last year.

Robert Sanders of Sanders Development Group, who is working with the owner, said the timeline for the project is anywhere from 10 months to a year to completion.

Councilmember Jerzak asked if Mr. Sanders had a validation to approximate costs of the project, and the reason he asked is that this is a significant investment in this community and he wants the community to recognize that. Mr. Sanders stated he has been having conversations about this with Economic Development Staff as well, and has been working with Steiner Construction to get pricing along the way to make it efficient as it actually develops, but the price right now is anywhere from \$3.5 to \$4 million in investment to this site.

Councilmember Jerzak noted that the Applicant should be well aware that licenses will have to be reapplied, and asked if there were any plans for the existing facility now and if it will be kept open. Mr. Sanders noted that the goal is to dispose of it to prepare for future development of the City.

Councilmember Kragness stated she was very excited for the Applicant, and thanked them for investing in the City.

Mayor Graves stated that Simone has been a huge asset to the community and this next location will hopefully be their forever home to pass down to the next generation and continue to give back to the community.

Councilmember Moore moved and Councilmember Kragness seconded to approve Planning Commission Application No. 2026-006 for approval of a major amendment to the Planned Unit Development and site and building plan for construction of an approximately 5,720-square foot restaurant, bar, and event facility with an indoor-outdoor patio at the subject property located at 6500 Camden Avenue North, based on the findings of fact and submitted application, and as amended by the conditions of approval in the resolution.

Motion passed unanimously.

10. COUNCIL CONSIDERATION ITEMS

10a. LAKESIDE PARK NATURALIZATION PROJECT

Public Works Planner Kory Anderson Wagner noted that this item is a proposed native landscaping installation at Lakeside Park. He stated he will discuss the alignment of this with the City's Capital Investment Plan, community support for the project, maintenance approach, and ask for Council's direction on this project. In 2025, the City adopted the City's Park Capital Investment Plan; among

a variety of key recommendations in that plan were implementation of stormwater infrastructure within parks for flood mitigation, implementing native plantings, and maintaining and investing in existing facilities. Those recommendations are the most in line with this project. This project is in the southwest corner of the City just north of Twin Layton Lake Beach Park, and is a roughly triangle-shaped strip of grass with no dedicated parking for the park and is just grass and trees. Part of the reason it is being looked at in terms of the Park Capital Plan is to spread investments across the City, and it is not a major investment, but there is an opportunity to do investment there. During the Park Capital Investment Plan, City Staff went out to the public and did engagement on illustrative concepts for every park in the entire system, and Lakeside Park was one of them that was proposed to become a native prairie restoration project and only received five responses, so Staff knew that they needed to go back and get more feedback from the community. As a result, last fall Staff went back to the community and sent postcards to every resident within a quarter mile of the park and received 45 responses via the postcard QR code survey, which is a really good response rate, as well as additional phone calls from residents asking for more information to discuss the project. The survey results showed that 80 percent of respondents wanted the restoration, and that breaks down to 73 percent were strongly supportive, 18 percent were opposed, and two percent were neutral. He noted that Staff asked if they were to naturalize this space, what sort of a mixture of prairie turf would the residents like, and 42 percent wanted an entirely prairie, 40 percent wanted a mix, 13 percent just wanted to keep it as is, and four percent preferred mostly turf with a small section of prairie. Some of the comments that emerged from this conversation were comments about it being a better use of an underused park space, that it would add beauty and a native habitat and biodiversity support for walking past benches, and improved lighting. He noted that there was interest in education about native prairie benefits, an opportunity to reduce mowing and chemical use, and a desire to preserve some open turf for casual play. On the opposition side, key comments were the preference to keep the park as open turf, and concerns about losing space for children, pets, and casual play. There were also concerns about visibility, dumping and long-term upkeep, as well as concerns about pests such as mice, bees, and wildlife. There were also questions about the water-quality benefit and a desire to avoid repeating past issues with unmanaged prairie. At the January 20 Parks Commission meeting, Commission members unanimously supported the City working on the Lakeside Park Project. The Parks Commission recommended a mix of prairie and turf to reflect the majority of support, and turf will be maintained for recreational uses, but transition a portion of the park into prairie and wildflowers.

Mr. Wagner noted that the preliminary plan is to convert 25,000 square feet into a native landscape with native grasses, sedges, and wildflowers selected for both sunny open areas and shaded areas under larger trees. The plan is to prepare the site through fall herbicide treatment, light tilling and raking, seeding, and straw mulch stabilization, and the installation would be completed in fall 2026. The expected benefits of this project include creating a habitat for pollinators, songbirds, butterflies, and bees, and creating a more distinctive naturalized park appearance. The seed mixtures will only be allowed to grow to one to four feet in height. He added that the native prairie maintenance includes seasonal maintenance that would occur four times per year during establishment. Given the park's location, seasonal and dormant mowing would be used instead of prescribed burning. The maintenance includes monitoring and establishment mowing at approximately four to six inches, spot mowing and targeted weed control, and would be contracted out. Brooklyn Center Staff would continue to do turf and edge maintenance with weekly mowing

and trash pick-up of the remaining turf areas. Mowing would occur once a week during growing months, which would be reduced if experiencing a drought, and a 10-foot mowed buffer would be maintained around the prairie edges to ensure good visibility along the park's edge.

Mr. Wagner explained that he would not read the entire seed mixture, but wanted to highlight that the mixture allows for blooming time to start in late spring all the way through October so there will be something happening in the park at all times. The seed mixture will be supporting monarchs, swallowtails, bumblebees, and fireflies with all of these mixtures. He noted that one of the City Engineers moonlights as a gardener and really likes these seed mixtures.

Mr. Wagner stated that Staff is seeking City Council direction on whether to proceed with the proposed Lakeside Park native landscape installation, and noted that this project is consistent with the City's 2025 Park Capital Improvement plan and reflects community feedback with 80 percent support for native prairie restoration. However, this project represents a significant change to this park since it has been turf for a very long time, and because of that, Staff is asking for City Council to weigh in. He asked if the Council wishes to proceed with moving forward to convert a portion of Lakeside Park from turf to native prairie planting, and would stand for questions and discussion.

Councilmember Jerzak thanked Mr. Wagner for the presentation. He stated he is on his third bee and hummingbird garden, and is very familiar with native planting, but he has concerns because there is very poor education around native plantings and people will recommend cutting the grass due to City Ordinances. He noted that until that Ordinance gets fixed, Staff will not get his vote, and he has no interest in going beyond this conversation because of the unfavorable Ordinance and that it goes against what the community actually wants. He stated it is disappointing because native plantings take time and education, but when there is Canadian Thistle growing that is taller than him, that is bothersome, and he understands the concerns from the neighbors on both sides. He added that he also does not want this property to turn into another one of those rain gardens, where there is not enough capacity to maintain it with Public Works Staff, and the homeowners are supposed to do it but then sell the property and the new owners never receive that information. He stated he recently went over to Hennepin County to look at their native plantings, and then looked at Brooklyn Center's, and years ago the City spent several hundred thousand dollars on those native plantings, but looking at it now it is hard to tell if those are native plants or volunteer trees. The other native planting property also had to be dredged, and the budget for all of that was around \$300,000 and ended up being a complete failure. He stated that he would like to proceed very carefully and define policies for this, and just because the City can do something like this does not mean that they should. He asked Mayor Graves if he could read aloud an email he received from a resident regarding this topic.

Mayor Graves confirmed he should read the email. Councilmember Jerzak read aloud, "Can Staff clarify how many of the 239 postcard addresses are actually adjacent to those facing the park versus further out in the quarter mile radius. I want to understand this: whether the 80 percent support figure reflects the immediate neighbors who live in this daily, or the broader area that is less directly affected." He stated that the way he reads this, the impact will be very visual to those that are living there. He added that he does not want to get into the whole Not Against My Business or Industry (NAMBI) thing, but that is real because for about five years until the blooming goes

into effect, it does not look great, especially during drought seasons. He added that while he is in favor of this, Staff need to fix some other things, and he lives in an area where there has been an ongoing battle about a native garden for years, and it has become very hostile, and the City should not be hostile because the City is trying to do the right thing for the environment.

Councilmember Jerzak pointed out that he would also need to know if there have been any complaints with the other native planting gardens about animal harborages because it attracts mice and feral cats, and there are a lot of issues that go on with that. He added that maintenance expectations should be set so the neighborhood knows that it is contracted out. Dumping of litter is also problematic with these types of gardens. He stated that Staff should go out tonight and look at the Shingle Creek's native plantings that were supposed to clean up the creek, but it is now so full of plant debris that a person could walk across the creek.

Councilmember Moore agreed with Councilmember Jerzak that there seems to be quite a few people, including the gentleman who spoke about his issues with his native plantings in Open Forum, that are trying to do this in their yards. She stated she also asked what percentage actually lived around the park in the 80 percent that Mr. Wagner had mentioned.

Mr. Wagner asked how the Council would like him to respond, if it was one at a time or at the end, because he has been taking notes. Mayor Graves asked Councilmember Moore how many more questions she has.

Councilmember Moore noted that Mr. Wagner did not answer any of Councilmember Jerzak's questions on who the respondents to the survey were, and there are the \$15,000 annual fees and mowing schedules that are separate but adjacent to this discussion. She stated she has been around the City looking at rain gardens, prairies, and individuals, and there is one close to them that people might call aesthetically pleasing to most, but she is not in favor of this unless the majority of the people that live around this are ok with this. The maintenance for this project, on top of mowing the turf, is too much for the Public Works Staff that is already stretched thin. She added that she has received emails that have been shared in previous meetings about rain gardens not being kept up and other sites that are returning to native prairie plantings. She stated she would not be in support of doing this in this particular site, as Councilmember Jerzak mentioned, unless there were some code enforcement changes around native prairie plantings.

Mr. Wagner noted that he appreciated all the comments and was writing them down so he could run through all the different pieces. He noted that the Excel Energy site that the resident reached out about last week is being discussed with Excel Energy and will take a look and see if things are not being maintained correctly. It is Excel Energy's property, and therefore is ultimately theirs to maintain. He stated he does understand that there can be issues of maintenance and upkeep, which has been discussed tonight. The critical difference between that property and this property is that the City owns this one, and would be establishing a contracted maintenance plan. The cost associated with that is included with the establishment costs of getting this project fully grown. He added that he has been working with the Excel project for a couple of years now as a City representative, and their general approach is to do one establishment in November and some basic mowing, but the City's lot would have a more hands-on approach because it is local. He noted that

Excel is looking at a much larger territory, and that is more challenging for them. The City-owned site would have dedicated Staff that is on-site weekly. City Staff for the prairie area would only be maintaining the park four times a year during that establishment period.

Mr. Wagner explained the distinction of proximity to the park, which involved Staff drawing a quarter-mile buffer around that area, because that is a widely accepted distance that someone would walk or bike to the park. So that is the general catch radius. Staff does not ask in the survey where residents live, but a variety of comments did list their address, and there was a mix of folks that live directly near the park who were for it and against it. He asked Public Works Director Liz Heyman if she wanted to discuss rain gardens specifically.

Ms. Heyman stated she could speak to some of the questions around rain gardens versus landscaping, but first pointed out that Public Works has worked on this project in a joint effort, so Maintenance Staff are on board and understanding and supportive of this recommended approach for the park. She noted that there is a distinction between a rain garden and a landscaping area along DuPont. There is also a distinction between which of those rain gardens that are adjacent to DuPont are actually owned and maintained by the City, and some which are owned and maintained as private property. Unfortunately, this year along DuPont, the rain gardens, which, because they are a stormwater benefit, the City can use stormwater utility funds to pay for some higher-level amounts of maintenance. The rain gardens do have to receive a higher amount of water and runoff because they have an inlet that specifically is meant to let water run into the garden off the road, so the rain gardens do receive more water through the hot and dry summer. Due to Public Works Staff capacity, Staff did have to make the decision to water all of the new trees, which means they no longer have the ability to come through and water those landscaping areas along DuPont in order to get the type of water it needs. She added that she agreed with Mr. Wagner's statement that this would be a very different approach to what has taken place in the past with other projects that have investments on City land.

Mr. Wagner noted that Councilmember Jerzak had asked about the Excel complaints along the corridor, and in three years he has only received one complaint last week, and the question was really about when the City was getting to it.

Councilmember Jerzak noted that more community engagement, direct discussion, and cleaning up the Ordinance to clearly define what a native garden is and what is acceptable need to be done first. It is premature without more discussion, and he is on his third native garden, and the benefits to the animals are very interesting, especially in an urban area, but there is more work to do first; that is his position, and he is only one of four on the Council.

Councilmember Kragness noted that 80 percent of the community supported this, and her issues are around maintenance as well, but with the property being City-owned, it would be the City's responsibility. She noted she would be interested to hear from people who live nearby that would be directly impacted by this project, and while postcards were sent out, it is up to the residents to respond, and the Council does have to use the data that they receive. She stated she would want to ensure that whatever happens, the City maintains what they said they are going to do so that it looks controlled.

Mayor Graves noted from her perspective that it is a positive that the City would keep some of the park open for kids to play football and do cartwheels, and still have the aspect of the prairie restoration. She stated that because of the comment earlier tonight, and also emails that she has received prior and shared with the Council and Staff not too long ago with similar complaints about being told the City was going to cut down all of their native plants. This particular resident also goes around the City picking up trash in the community and is really trying to be a steward of the environment. She stated there is some work that needs to be done around the Ordinance to make sure that people who are trying to do something positive for the environment know what those guidelines are and if it is a problem with the City's Ordinance that needs to be updated right away. She continued that she is okay with moving forward with the recommended action right now, and wants to make sure the City is not penalizing other people who are doing the same thing. She added that there is not a consensus among the Council right now, but if there is focus on the particular Ordinance that needs to be updated, there might be.

Councilmember Jerzak asked City Attorney Siobhan Tolar if there was a way to suspend code enforcement temporarily from destroying a native garden until a definition is made in the Ordinance because there is a dispute about what it is in the Ordinance. He continued that it is not only the gentleman that spoke during Open Forum that was approached and stated they had documentation for a native garden with the DNR, but it is in conflict with the City's Ordinance. He asked again if the Council could opt to suspend enforcement temporarily until the Council had the opportunity to define what a native garden is and either amend, pass, or reject an Ordinance before sending in a contractor to destroy weeks of work, time, and money spent.

Ms. Tolar asked if Councilmember Jerzak was asking to suspend enforcement of this Ordinance while it is revisited. Councilmember Jerzak stated there needs to be a definition of what a native garden is, and suspend mowing those that have been identified as native gardens until such time that the Ordinance has defined what a native garden is. Ms. Tolar stated that would be a call made by Code Enforcement or Public Works, but there is nothing legally wrong with suspending while the Council reviews.

Councilmember Moore stated she would like to focus back in, and noted this discussion about the Lakeside Park Naturalization Project, which the Council does not have consensus on, but maybe going forward they will. As far as Code Enforcement goes, there are rules in place, so the Supervisor of that division would need to talk to the Interim City Manager and bring it back to the Council; otherwise, it has to be enforced because there are no exceptions to Code Enforcement.

Mayor Graves stated the Council did not need to debate and follow up with another discussion at an upcoming meeting around those particular questions. She asked Mr. Wagner if he has gotten some direction. Mr. Wagner confirmed that he did, but the Council needs to fully understand the implications if this is going to be moved back to a later time. The growing season or target would be this fall, so given that delay, this would not happen in 2026; just so everyone understands, that is the timeline.

Mayor Graves called for a brief recess at 7:43.

Mayor Graves reconvened the meeting at 7:49.

10b. RESOLUTION APPROVING AN AMENDMENT TO THE FUND BALANCE AND CLASSIFICATION POLICY

Dan Tienter introduced himself as the Senior Municipal Advisor with Ehler's and Associates, and up until last week he was the Interim Finance Director. He noted that he and Finance Director Nicole Hegge are working through the natural transition that will be occurring in the Finance Department over the next year.

Mr. Tienter noted that in May earlier this year, the Council reviewed a long-term financial management plan and reviewed a number of funds. Those were 13 funds spread across the plan and included a series of recommendations related to long-term financial health. One of the principal recommendations for Brooklyn Center was to modify the fund balance requirement for the City's General Fund. As a reminder, the General Fund is the largest fund in the City, and it supports all of the general operations of the organization, so it does need to carry a rather significant balance in order to cash flow the ongoing concerns of the organization and deliver many of the services that residents and businesses of Brooklyn Center rely on. Previous discussions centered around the City's current policy, as currently adopted by the City Council, to maintain 50 to 52 percent in unassigned fund balance of next year's expenditures in the General Fund. He noted that generally, that is regarded as a rather high fund balance requirement. There are a couple of organizations that Ehler's looked at with similar fund balance requirements for a City's General Fund and one is the Government Finance Officers Association (GFOA), which is the professional organization for Finance Directors, Assistant Finance Directors and various Public Finance professionals, the other is the Office of the State Auditor (OSA), which opine that a City out to maintain in reserve between 40 and 50 percent in General Fund unassigned fund balance of next year's expenditures. The amendment that is being presented this evening for Council consideration is really adjusting that unduly high fund balance amount and endorsing the best practices as established by the GFOA and the OSA. The thing to keep in mind is that the City also has the fund balance policy requirement that if the fund goes over that fund balance requirement, those extra monies will be swept into the Capital Improvement Projects Fund.

Mr. Tienter noted that under the current policy, it is 52 percent; under the new policy, it would be 50 percent. The City has not swept any money from the Capital Improvement Plan fund for quite some time because, since 2022, the City has not been meeting its fund balance policy as established by the City Council. When looking at the Financial Management Plan for next year, the fund balance would be closer to 43 or 44 percent. He noted that the City is holding a higher fund balance requirement than what is recommended by best practices, but then not meeting that higher requirement. This policy amendment strives to bring the City in line with best practices and recognize the fund balance the City currently holds. He added that Ehler's does not have any concerns about that fund balance because the City is still maintaining that 40 to 50 percent of next year's General Funds. He noted that credit rating agencies look at whether the City is following policies that are consistent with best practices, so it could be a strike against the City if it is holding a fund balance policy and not meeting that policy for a series of years. The City still has a double-A

credit rating through SP, which is the third highest rating, for the purpose of creditworthiness, and the credit agencies would look favorably on this kind of management.

Mr. Tienter noted that by modifying the policy to be consistent with best practices, the Council is doing it in a way that protects the financial position of the organization and has no negative effect on the City's credit rating, which is why it was discussed in the Financial Management Plan and recommended for consideration this evening. He noted that the other reason is that Staff is preparing the proposed 2027 budget for the Council's consideration at some future meetings. If the City policy does call for a higher fund balance requirement in order to meet that fund balance requirement, Ehler's would recommend raising the property tax levy to meet that fund balance requirement or raising property taxes to save money, and this policy change would prevent that inclusion in the proposed 2027 budget.

Mr. Tienter stated he would be happy to answer any questions. Mayor Graves thanked Mr. Tienter for the concise and thorough presentation.

Councilmember Moore stated that she does not have any questions, as this has been discussed before, and would like to make the motion.

Councilmember Kragness stated this has been discussed before and how it reflected the bar and capabilities. She is glad Mr. Tienter confirmed and asked if this would be something done on an annual basis to revisit at the beginning of the budget year.

Mr. Tienter noted that for the fund balance policy itself, it is set and only adjusted when needed. With that stated, the operating budget and the position of the General Fund should be reviewed on an annual basis. While the policy may not be revisited every year, the City's fund balance and the financial position of the General Fund will be reviewed on an annual basis as part of the budget development process.

Mayor Graves stated this is helpful too because it adds more flexibility with the Staff to decide what the essential services are, and what the City might want to invest in while having a bigger range of money to work with, while not getting too close to that 40 percent unless the City absolutely had to.

Councilmember Kragness pointed out that the City is not having any kind of financial issues because this amount is being changed; the City just happened to have a higher standard than the GFOA and the OSA had.

Mr. Tienter added that in addition to the GFOA and OSA, this fund balance policy is consistent with what Ehler's sees in other cities in Minnesota of this size.

Mayor Graves moved and Councilmember Moore seconded to adopt the RESOLUTION approving an Amendment to the Fund Balance and Classification Policy.

Motion passed unanimously.

10c. CODE OF RESPECT AND ETHICS

Mayor Graves moved and Councilmember Kragness seconded to issue a formal Letter of Reprimand to Councilmember Moore Laurie Ann Moore for conduct that occurred on April 12, 2026, rising to the level of a Brooklyn Center City Council Code of Respect and Ethics violation.

Councilmember Moore abstained. Motion passed.

11. COUNCIL REPORT.

Councilmember Moore reported on her attendance at the following events and provided information on the following upcoming events:

- Shared that she attended the Soldier Six Fundraiser that provides support and service dogs to Veterans and First Responders. There were also compassion and therapy dogs like Brooklyn there, and she ran into Chief Berg at the event.
- Shared that she is now a member of the Metro Cities Revenue and Policy Committees that meet on Zoom.

Councilmember Kragness reported on his attendance at the following events and provided information on the following upcoming events:

- Shared that she attended the LWV Candidate Forum for Senate 38 and House 38A and 38B.
- Shared that she attended a gathering at Metro Transit to meet two new officers who are stationed there full-time at Brooklyn Center Transit Station.
- Shared that she attended the City of Brooklyn Center District 38 Town Hall with Senator Pha.
- Shared that she attended the swearing-in of two new Police Officers, Officer Caitlin and Officer Jackson.
- Shared that she attended the Anti-Violence Youth and Family Game Night at Zaynwood Recreational Center.
- Shared that she attended Entertainment in the Park and watched How to Train Your Dragon.
- Shared that she was a guest speaker as an alumnus at a graduation ceremony.
- Shared that she attended the second annual Liberian Independence Day Parade and Day hosted by Brooklyn Park, and noted that Brooklyn Center has the largest Liberian population in the state.
- Shared that she attended the third annual Garden Party in ECY Open House and met with the Interim City Manager.
- Shared that upcoming events include Night to Unite on Tuesday, August 4, and August 8 is the Community Health Fair.

Councilmember Jerzak reported on his attendance at the following events and provided information on the following upcoming events:

- Shared that he attended the Metro Transit event and the swearing-in ceremony.
- Shared that he attended one-on-one meetings with the Interim City Manager.

12. ADJOURNMENT

Mayor Graves moved and Councilmember Kragness seconded adjournment of the City Council meeting at 9:01 pm.

Motion passed unanimously.

Council Regular Meeting

DATE: 8/10/2026
TO: City Council
FROM: Garrett Flesland, Chief of Police
THROUGH: Daren Nyquist, Interim City Manager
BY: Garrett Flesland, Chief of Police
SUBJECT: Resolution Approving Amendment No. 3 to the Cooperative Agreement with Hennepin County for the Joint Community Police Partnership and Authorizing Execution

Requested Council Action:

- Motion to approve the Resolution Approving Amendment No. 3 to the Cooperative Agreement with Hennepin County for the Joint Community Police Partnership and Authorizing Execution

Background:

The City of Brooklyn Center has a longstanding partnership with Hennepin County through the Joint Community Police Partnership, commonly referred to as JCPP. The current cooperative agreement covers the period of January 1, 2024, through December 31, 2026.

The JCPP is a collaborative effort involving Hennepin County and several participating cities. Its mission is to enhance communication and understanding between law enforcement and multicultural residents. Program activities include culturally informed training for law enforcement personnel, community engagement, community outreach, culturally specific events, community dialogues, New American Academies, Youth and Teen Academies, and support for the Multicultural Advisory Committee.

The agreement provides for a Hennepin County Human Services Department Senior Administrative Assistant to support the partnership. The position meets regularly with police personnel, organizes community forums and workshops, develops community engagement initiatives, facilitates training for police and community members, and supports the Multicultural Advisory Committee. The City is responsible for 30 percent of the salary and benefits associated with the position.

Amendment No. 3 would extend the agreement for two additional years, through December 31, 2028. It would also establish the City's 2027 contribution at an amount not to exceed \$52,448. The 2028 funding amount will be determined at a later date. All other terms and conditions of the agreement, including the prior amendments, remain in effect.

The City Attorney reviewed the proposed amendment and did not recommend any changes.

Approval of this item will allow the City and Hennepin County to continue the Joint Community Police Partnership without interruption through 2028.

Budget Issues:

The City funds 30 percent of the salary and benefits of the Hennepin County Senior Administrative Assistant assigned to the JCPP.

The City's prior not-to-exceed obligations were:

- \$39,465 for 2024
- \$46,858 for 2025
- \$50,120 for 2026
- \$52,448 for 2027

The 2027 amount represents an increase of \$2,328 over the 2026 not-to-exceed amount. Funding for 2027 will need to be included in the Police Department's approved 2027 operating budget.

The 2028 funding amount has not yet been established and will be determined at a later date. Any 2028 financial obligation should be incorporated into the City's 2028 budget process once the amount is provided and agreed upon by the City and Hennepin County.

Inclusive Community Engagement:

The JCPP directly supports inclusive community engagement by strengthening relationships and communication between law enforcement and Brooklyn Center's diverse communities.

The program supports community dialogues, culturally specific community events, New American Academies, Youth and Teen Academies, officer training related to diverse cultures, and the Multicultural Advisory Committee. The JCPP position also works with police personnel and community members to address concerns, organize forums and workshops, and develop engagement initiatives.

Continuation of the agreement will allow these engagement efforts to continue through 2028.

Antiracist/Equity Policy Effect:

Approval of the amendment supports the City's equity goals by continuing a program

specifically intended to improve communication, understanding, and trust between law enforcement and multicultural communities.

The JCPP provides opportunities for residents from historically underrepresented and culturally diverse communities to communicate directly with police personnel, participate in community programs, identify concerns, and help inform engagement efforts. The partnership also supports culturally informed training and outreach designed to reduce misunderstanding and conflict and improve equitable access to police-community engagement opportunities.

The amendment does not change the scope of the program but extends the existing partnership and associated services through December 31, 2028.

Strategic Priorities and Values:

ATTACHMENTS:

1. BC JCPP A2412159 extend amend 3 6-11-26
2. JCPP 2024 through 2026
3. JCPP Amendment #1 effective 20250101
4. JCPP Amendment #2 effective 20260101
5. DRAFT resolution for JCPP amendment 3

**AMENDMENT #3 TO COOPERATIVE AGREEMENT FOR JOINT COMMUNITY
POLICE PARTNERSHIP**

This agreement ("Agreement") is between the COUNTY OF HENNEPIN, STATE OF MINNESOTA, A-2300 Government Center, Minneapolis, Minnesota 55487 ("COUNTY"), on behalf of the Hennepin County Human Services Department ("HSPHD"), and City of Brooklyn Center ("CITY") on behalf of its Police Department ("PD"), 6645 Humboldt Avenue North, Minnesota 55430. The parties to this Agreement may also be referred to individually as "Party" or collectively as "Parties".

IT IS HEREBY AGREED that Agreement No. A2412159 between the above-named parties, including prior amendments if any, is hereby amended in accordance with the provisions set forth below.

Clause 1, TERM OF THE AGREEMENT, shall be amended to read:

1. TERM OF THE AGREEMENT

The term of the Agreement shall be from January 1, 2024, through December 31, 2028, unless terminated earlier in accordance with the provisions herein.

Clause 3, FUNDING/PAYMENT, paragraph A., shall be amended to read:

3. FUNDING/PAYMENT

A. PD will provide funding, via its approved budget, for 30% of the salary and benefits of a HSPHD Senior Administrative Assistant FTE not to exceed \$39,465.00 for 2024.

PD will provide funding, via its approved budget, for 30% of the salary and benefits of a HSPHD Senior Administrative Assistant FTE not to exceed \$46,858.00 for 2025.

PD will provide funding, via its approved budget, for 30% of the salary and benefits of a HSPHD Senior Administrative Assistant FTE not to exceed \$50,120.00 for 2026.

PD will provide funding, via its approved budget, for 30% of the salary and benefits of a HSPHD Senior Administrative Assistant FTE not to exceed \$52,448.00 for 2027.

Future funding amounts to be determined at a later date.

This Amendment shall be effective December 31, 2026.

Except as herein amended, the terms, conditions and provisions of said Agreement No. A2412159, including prior amendments or ministerial adjustments if any, shall remain in full force and effect.

(The remainder of this page intentionally left blank.)

**HENNEPIN COUNTY ADMINISTRATOR APPROVAL
COOPERATIVE AGREEMENT**

The Parties hereto agree to be bound by the provisions set forth in this Agreement.

Reviewed for COUNTY by the County Attorney's Office	COUNTY OF HENNEPIN STATE OF MINNESOTA
_____	By: _____ County Administrator
Date: _____	Date: _____

Reviewed by	Reviewed by
By: _____ County Administration Clerk	By: _____ Deputy County Administrator
Date: _____	Date: _____

CITY OF BROOKLYN CENTER

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

COOPERATIVE AGREEMENT FOR JOINT COMMUNITY POLICE PARTNERSHIP

This agreement (“Agreement”) is between the COUNTY OF HENNEPIN, STATE OF MINNESOTA, A-2300 Government Center, Minneapolis, Minnesota 55487 (“COUNTY”), on behalf of the Hennepin County Human Services Department (“HSPHD”), and City of Brooklyn Center (“CITY”) on behalf of its Police Department (“PD”), 6645 Humboldt Avenue North, Brooklyn Center, Minnesota 55430. The parties to this Agreement may also be referred to individually as “Party” or collectively as “Parties”.

The Parties agree as follows:

1. TERM OF THE AGREEMENT

The term of the Agreement shall be from January 1, 2024, through December 31, 2026, unless terminated earlier in accordance with the provisions herein.

2. PROJECT/PROGRAM DEFINITION, PURPOSE

- A. The Joint Community Police Partnership (“JCPP”) is a collaborative effort of the cities of Richfield, Hopkins, Bloomington, Brooklyn Park, Brooklyn Center, Edina, Crystal, New Hope, Robbinsdale and Hennepin County. The mission of the JCPP is to enhance communication and understanding between law enforcement and multicultural residents of these cities. The JCPP includes training of officers regarding diverse cultures, community engagement, and community outreach by community liaisons embedded in the police department. The goal of the JCPP is to alleviate conflict in culturally diverse communities by working directly with community members and law enforcement.
- B. As part of its collaboration with JCPP, PD will provide police community outreach. PD will participate in outreach activities including community dialogues, culturally specific community events, New American Academies and Youth/Teen Academies.

3. FUNDING/PAYMENT

- A. PD will provide funding, via its approved budget, for 30% of the salary and benefits of an HSPHD Senior Administrative Assistant FTE not to exceed \$39,465.00 for 2024. Future amounts to be determined at a later date and subject to the agreement of COUNTY and CITY.
- B. The Senior Administrative Assistant will be hired, employed, and equipped by HSPHD and participate in supervision and training by HSPHD in accordance with local, state and federal regulations.
- C. HSPHD shall, within thirty (30) calendar days following the last day of each quarter, submit an invoice to PD for 30% of the cost of one position assigned to the program.
- D. PD will make payment within thirty-five (35) days from receipt of the invoice. If the invoice is incorrect, defective, or otherwise improper, PD will notify HSPHD within ten (10) days of

receiving the incorrect invoice. Upon receiving the corrected invoice from HSPHD, PD will make payment within thirty-five (35) days.

4. DUTIES OF HSPHD

Senior Administrative Assistant will:

- A. Meet regularly with police personnel to address community concerns.
- B. Organize community forums and workshops.
- C. Develop and organize community engagement initiatives.
- D. Organize and facilitate training for police and community.
- E. Facilitate the Multicultural Advisory Committee ("MAC").

5. DUTIES OF PD

PD shall provide HSPHD with workspace including, work surfaces, desk chairs, guest chairs, access to conference rooms, interview rooms, lavatories, and break room facilities, telephone, fax service, and use of copy machine.

6. LIABILITY/INDEMNIFICATION/DUTY TO NOTIFY

- A. Each Party shall be liable for its own acts and the results thereof to the extent provided by law, and shall defend, indemnify, and hold harmless the other Party (including their present and former officials, officers, agents, employees, volunteers, and subcontractors), from any liability, claims, causes of action, judgments, damages, losses, costs, or expenses, including reasonable attorneys' fees, resulting directly or indirectly from any act or omission of the indemnifying Party, anyone directly or indirectly employed by it and/or anyone for whose acts and/or omissions it may be liable, in the performance or failure to perform its obligations under this Agreement. Each Party's liability shall be governed by the provisions of Minnesota Statutes, Chapter 466 and other applicable law.
- B. Under no circumstances shall a Party be required to pay on behalf of itself and the other Party, any amounts in excess of the limits on liability established in Minnesota Statutes Chapter 466 applicable to any one Party. The limits of liability for the Parties may not be added together to determine the maximum amount of liability for any Party.
- C. Duty to Notify: Each Party shall promptly notify the other Party of any claim, action, cause of action or litigation brought against the notifying Party, its present and former officials, officers, agents, employees, volunteers, and subcontractors which arises out of the services described in this Agreement and shall also notify the other Party whenever there is a reasonable basis for believing that the notifying Party, its present and former officials, officers, agents, employees, volunteers or subcontractors, or the other Party, might become the subject of a claim, action, cause of action, administrative action, criminal arrest, criminal charge or litigation arising out of/or related to the services described in this Agreement.

7. **INSURANCE**

Each Party warrants that it has a purchased insurance or a self-insurance program sufficient to meet its liability obligations and, at a minimum, to meet the maximum liability limits of Minnesota Statutes Chapter 466. This provision shall not be construed as a waiver of any immunity from liability under Chapter 466 or any other applicable law.

8. **WORKERS' COMPENSATION**

Each Party shall be responsible for injuries or death of its own personnel. Each Party will maintain workers' compensation insurance or self-insurance coverage, covering its own personnel while they are performing activities pursuant to this Agreement. Each Party waives the right to sue any other Party for any workers' compensation benefits paid to its own employees or volunteer or their dependents, even if the injuries were caused wholly or partially by the negligence of any other Party or its officers, employees, or volunteers.

9. **INDEPENDENT PARTY**

- A. It is understood that the relationship between the Parties constitutes only the understandings set forth in this Agreement.
- B. It is further agreed that, notwithstanding any other formal, written agreements or contracts which may exist between COUNTY and CITY/PD, nothing is intended or should be construed as creating or establishing the relationship of a partnership or joint venture between the Parties or as constituting CITY/PD as the agent, representative, or employee of COUNTY for any purpose. CITY/PD is and shall remain an independent contractor with respect to all services performed under this Agreement. CITY/PD's personnel and/or subcontractors engaged to perform any work or services required by this Agreement will have no contractual relationship with COUNTY and will not be considered employees of COUNTY. COUNTY shall not be responsible for any claims related to or on behalf of any of CITY/PD's personnel, including without limitation, claims that arise out of employment or alleged employment under the Minnesota Unemployment Insurance Law (Minnesota Statutes Chapter 268) or the Minnesota Workers' Compensation Act (Minnesota Statutes Chapter 176) or claims of discrimination arising out of applicable law, against CITY/PD's, its officers, agents, contractors, or employees. Such personnel or other persons shall neither accrue nor be entitled to any compensation, rights, or benefits of any kind from COUNTY, including, without limitation, tenure rights, medical and hospital care, sick and vacation leave, workers' compensation, unemployment compensation, disability, severance pay, and retirement benefits.

10. **NONDISCRIMINATION**

Each Party agrees that it shall not exclude any person from full employment rights nor prohibit participation in or the benefits of any program, service or activity on the grounds of any protected status or class, including but not limited to race, color, creed, religion, national origin, sex, gender expression, gender identity, age, disability, marital status, sexual orientation, or public assistance

status. No person who is protected by applicable law against discrimination shall be subjected to discrimination.

11. NO THIRD PARTY

Except as herein specifically provided, no other person, customer, employee, or invitee of COUNTY, CITY, or PD or any other third party shall be deemed to be a third-party beneficiary of any of the provisions herein.

12. DATA PRIVACY

Each Party and their respective officers, agents, owners, partners, employees, volunteers and subcontractors, shall abide by the provisions of the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13, and all other applicable state and federal laws, rules, regulations and orders relating to data privacy, confidentiality, disclosure of medical records or other health and enrollment information, and as any of the same may be amended. The terms of this paragraph shall survive the cancellation or termination of this Agreement.

13. PROGRAM STATISTICAL INFORMATION

Each Party agrees to maintain such statistical records relating to services as shall be necessary, appropriate, and convenient for the proper administration of this Agreement.

14. MERGER, MODIFICATION, AND SEVERABILITY

- A. The entire Agreement is contained herein and supersedes all oral agreements and negotiations between the Parties relating to the subject matter. All items that are referenced or that are attached are incorporated and made a part of this Agreement. If there is any conflict between the terms of this Agreement and referenced or attached items, the terms of this Agreement shall prevail.
- B. Any alterations, variations, or modifications of this Agreement shall only be valid when they have been reduced to writing as an amendment to this Agreement signed by the Parties. Except as expressly provided, the substantive legal terms contained in the Agreement including but not limited to Liability / Indemnification / Duty to Notify; Insurance; Workers' Compensation; Merger, Modification and Severability; Cancellation or Minnesota Law Governs may not be altered, varied, modified or waived by any change order, implementation plan, scope of work, development specification or other development process or document.
- C. If any provision of this Agreement is held invalid, illegal or unenforceable, the remaining provisions will not be affected.
- D. The Parties are each bound by their own electronic signature(s) on this Agreement, and each agrees and accepts the electronic signature of the other Party.

15. CANCELLATION

- A. This Agreement may be canceled with or without cause by either Party upon thirty (30) days written notice.
- B. If HSPHD has reason to believe that the safety or well-being of Senior Administrative Assistant may be endangered by actions of PD, its agents, and/or employees, HSPHD may terminate the Agreement immediately.

16. NOTICES

Any notice or demand which must be given or made by a Party hereto under the terms of this Agreement or any statute, rule, regulation or ordinance shall be in writing, and shall be sent via registered or certified mail. Notice to HSPHD shall be sent to COUNTY Administration at the address listed in the opening paragraph of this Agreement, with a copy to HSPHD as described below. Notice to CITY/PD shall be sent to one of the following addresses:

PD
Dr. Reginald Edwards
City Manager
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, MN 55430

Tony Gruenig
Acting Chief of Police
Brooklyn Center Police Department
6645 Humboldt Avenue North
Brooklyn Center, Minnesota 55430

HSPHD
Nathan Howard
Professional Services Supervisor
Hennepin County
6125 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

17. MARKETING AND PROMOTIONAL LITERATURE

CITY/PD shall notify COUNTY prior to publication, release, or occurrence of any Outreach (as defined below). The Parties shall coordinate to produce collaborative and mutually acceptable Outreach. For clarification and not limitation, all Outreach shall be approved by COUNTY, by and through its Public Relations Officer or his/her designee(s), prior to publication or release. As used herein, the term "Outreach" shall mean all media, social media, news releases, external facing communications, advertising, marketing, promotions, client lists, civic/community events or opportunities, and/or other forms of outreach created by, or on behalf of CITY/PD (i) that reference or otherwise use the term "Hennepin County" or any derivative thereof; or (ii) that directly or indirectly relate to, reference, or concern the County of Hennepin, this Agreement, the services performed hereunder, or COUNTY personnel, including but not

limited to COUNTY employees and elected officials.

18. MINNESOTA LAWS GOVERN

The laws of the State of Minnesota shall govern all questions and interpretations concerning the validity and construction of this Agreement and the legal relations between the Parties and their performance. The appropriate venue and jurisdiction for any litigation will be those courts located within the County of Hennepin, State of Minnesota. Litigation, however, in the federal courts involving the Parties will be in the appropriate federal court within the State of Minnesota.

19. SURVIVAL OF PROVISIONS

Provisions that by their nature are intended to survive the term, cancellation or termination of this Agreement do survive such term, cancellation or termination. Such provisions include but are not limited to: LIABILITY/INDEMNIFICATION/DUTY TO NOTIFY; INSURANCE; WORKERS' COMPENSATION; INDEPENDENT PARTIES; DATA PRIVACY; MERGER, MODIFICATION, AND SEVERABILITY; MARKETING AND PROMOTIONAL LITERATURE; and MINNESOTA LAW GOVERNS.

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HENNEPIN COUNTY ADMINISTRATOR APPROVAL COOPERATIVE AGREEMENT

The Parties hereto agree to be bound by the provisions set forth in this Agreement.

Reviewed for COUNTY by the
County Attorney's Office

Wendy Zellw

Date: May 7, 2024

COUNTY OF HENNEPIN
STATE OF MINNESOTA

By: [Signature]

County Administrator

Date: May 8, 2024

Reviewed by

By: [Signature]

County Administration Clerk

Date: May 8, 2024

Reviewed by

By: [Signature]

Deputy County Administrator

Date: May 7, 2024

CITY OF BROOKLYN CENTER:

By: [Signature]

Tony Gruening (Mar 28, 2024 09:57 CDT)

Title: Acting Chief of Police

Date: Mar 28, 2024

By: [Signature]

Dr. Reggie Edwards (May 7, 2024 16:28 CDT)

Title: City Manger

Date: May 7, 2024

AMENDMENT #1 TO COOPERATIVE AGREEMENT FOR JOINT COMMUNITY POLICE PARTNERSHIP

This agreement ("Agreement") is between the COUNTY OF HENNEPIN, STATE OF MINNESOTA, A-2300 Government Center, Minneapolis, Minnesota 55487 ("COUNTY"), on behalf of the Hennepin County Human Services Department ("HSPHD"), and City of Brooklyn Center ("CITY") on behalf of its Police Department ("PD"), 6645 Humboldt Avenue North, Brooklyn Center, Minnesota 55430. The parties to this Agreement may also be referred to individually as "Party" or collectively as "Parties".

IT IS HEREBY AGREED that Agreement No. A2412159 between the above-named parties, including prior amendments if any, is hereby amended in accordance with the provisions set forth below.

Clause 3, FUNDING/PAYMENT, paragraph A., shall be amended to read:

3. FUNDING/PAYMENT

- A. PD will provide funding, via its approved budget, for 30% of the salary and benefits of an HSPHD Senior Administrative Assistant FTE not to exceed \$39,465.00 for 2024.

PD will provide funding, via its approved budget, for 30% of the salary and benefits of an HSPHD Senior Administrative Assistant FTE not to exceed \$46,858.00 for 2025.

Future amounts to be determined at a later date.

This amendment shall be effective January 1, 2025.

Except as herein amended, the terms, conditions and provisions of said Contract No. A2412159, including prior amendments or ministerial adjustments if any, shall remain in full force and effect.

(The remainder of this page is intentionally left blank.)

HENNEPIN COUNTY ADMINISTRATOR APPROVAL COOPERATIVE AGREEMENT

The Parties hereto agree to be bound by the provisions set forth in this Agreement.

Reviewed for COUNTY by the
County Attorney's Office

Wendy Zellw

Date: Oct 24, 2024

COUNTY OF HENNEPIN
STATE OF MINNESOTA

By: [Signature]

County Administrator

Date: Oct 29, 2024

Reviewed by

By: [Signature]

County Administration Clerk

Date: Oct 25, 2024

Reviewed by

By: [Signature]

Deputy County Administrator

Date: Oct 24, 2024

CITY OF BROOKLYN CENTER:

By: IR. REGINA EDWARDS

Title: CITY MANAGER

Date: 10-23-2024

By: [Signature] GARET FRESLEY

Title: CHIEF OF POLICE

Date: 10-24-2024

**AMENDMENT #2 TO COOPERATIVE AGREEMENT FOR JOINT COMMUNITY
POLICE PARTNERSHIP**

This agreement ("Agreement") is between the COUNTY OF HENNEPIN, STATE OF MINNESOTA, A-2300 Government Center, Minneapolis, Minnesota 55487 ("COUNTY"), on behalf of the Hennepin County Human Services Department ("HSPHD"), and City of Brooklyn Center ("CITY") on behalf of its Police Department ("PD"), 6645 Humboldt Avenue North, Minnesota 55430. The parties to this Agreement may also be referred to individually as "Party" or collectively as "Parties".

IT IS HEREBY AGREED that Agreement No. A2412159 between the above-named parties, including prior amendments if any, is hereby amended in accordance with the provisions set forth below.

1. Clause 3, FUNDING/PAYMENT, paragraph A., shall be amended to read:

3. FUNDING/PAYMENT

- A. PD will provide funding, via its approved budget, for 30% of the salary and benefits of a HSPHD Senior Administrative Assistant FTE not to exceed \$39,465.00 for 2024.

PD will provide funding, via its approved budget, for 30% of the salary and benefits of a HSPHD Senior Administrative Assistant FTE not to exceed \$46,858.00 for 2025.

PD will provide funding, via its approved budget, for 30% of the salary and benefits of a HSPHD Senior Administrative Assistant FTE not to exceed \$50,120.00 for 2026.

2. This Amendment shall be effective January 1, 2026.
3. Except as herein amended, the terms, conditions and provisions of said Agreement No. A2412159, including prior amendments or ministerial adjustments if any, shall remain in full force and effect.

(The remainder of this page intentionally left blank.)

**HENNEPIN COUNTY ADMINISTRATOR APPROVAL
COOPERATIVE AGREEMENT**

The Parties hereto agree to be bound by the provisions set forth in this Agreement.

Reviewed for COUNTY by the
County Attorney's Office

Wendy Zellw

Date: 12/11/2025

COUNTY OF HENNEPIN
STATE OF MINNESOTA

By: Jodi M. Wentland

County Administrator

Date: 12/12/2025

Reviewed by

By: Grace Helgerson
Grace Helgerson (Dec 12, 2025 14:18:06 CST)

County Administration Clerk

Date: 12/12/2025

Reviewed by

By: Kareem Murphy
Kareem Murphy (Dec 12, 2025 06:47:49 CST)

Deputy County Administrator

Date: 12/12/2025

CITY OF BROOKLYN CENTER

By: [Signature]

Title: CITY MANAGER

Date: 12-10-2025

By: [Signature]

GARETT FRESLAND

Title: CHIEF OF POLICE

Date: 12/09/2025

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2026-

RESOLUTION APPROVING AMENDMENT NO. 3 TO THE COOPERATIVE AGREEMENT (A2412159) WITH HENNEPIN COUNTY FOR THE JOINT COMMUNITY POLICE PARTNERSHIP (JCPP) AND AUTHORIZING EXECUTION

WHEREAS, the City of Brooklyn Center and Hennepin County entered into Cooperative Agreement No. A2412159 for participation in the Joint Community Police Partnership for the period of January 1, 2024, through December 31, 2026; and

WHEREAS, the Joint Community Police Partnership is a collaborative effort involving Hennepin County and participating municipalities intended to enhance communication and understanding between law enforcement and multicultural communities through community engagement, outreach, officer training, culturally specific events, community academies, and related programming; and

WHEREAS, under the agreement, the City provides funding for 30 percent of the salary and benefits of a Hennepin County Human Services Department Senior Administrative Assistant assigned to support the Joint Community Police Partnership; and

WHEREAS, Amendment No. 3 extends the term of the agreement through December 31, 2028, and establishes the City's 2027 contribution at an amount not to exceed \$52,448, with the 2028 funding amount to be determined at a later date; and

WHEREAS, all other terms, conditions, and provisions of Cooperative Agreement No. A2412159, including prior amendments, will remain in full force and effect.

NOW, THEREFORE, BE IT RESOLVED that, after appropriate examination and due consideration, the governing body of the City:

1. Amendment No. 3 to Cooperative Agreement No. A2412159 between the City of Brooklyn Center and Hennepin County for the Joint Community Police Partnership is hereby approved.
2. The City Manager and Chief of Police are authorized to execute Amendment No. 3 and any related documents necessary to implement the agreement and the JCPP program.

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: 8/10/2026
TO: City Council
FROM: Raquel Diaz Goutierez, Artist-in-Residence
THROUGH:
BY: Shannon Pettit, City Clerk
SUBJECT: Resolution Amending Resolution No. 2024-47, the Brooklyn Center Cultural and Public Arts Commission, to Rename the Commission to Arts & Beautification Commission

Requested Council Action:

- Motion to approve a Resolution Amending Resolution No. 2024-47, the Brooklyn Center Cultural and Public Arts Commission, to Rename the Commission to Arts & Beautification Commission

Background:

The Cultural and Public Arts Commission is requesting updates to the establishing resolution to better align with Council direction and organizational Commission practice.

Commission Name Change/Rebranding

On June 5, 2025, the Commission reached consensus to recommend a name change to better reflect the scope of its work:
Art, Beautification, and Culture (ABC) Commission.

This change is intended to:
Clarify the Commission's purpose
Align with adopted planning documents
Improve public understanding and engagement

On July 27, 2026, Council considered the name change and came to a consensus during discussion.

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

ATTACHMENTS:

1. Resolution_Establishing_Beautification_and_Arts_Commission

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2026-

RESOLUTION AMENDING RESOLUTION NO. 2024-47, THE BROOKLYN
CENTER CULTURAL AND PUBLIC ARTS COMMISSION, TO RENAME THE
COMMISSION TO ARTS & BEAUTIFICATION COMMISSION (ABC)

WHEREAS, the City Council adopted Resolution No. 2024-47 establishing the Brooklyn Center Cultural and Public Arts Commission and defining its duties and responsibilities; and

WHEREAS, the Cultural & Public Arts Commission has reviewed its governance structure and recommended amendments to better support effective operations and reflect the scope of its work; and

WHEREAS, on June 5, 2025, the Commission reached consensus to recommend a name change to better reflect its role in advancing art, beautification, and culture within the City; and

WHEREAS, the City Council finds that these amendments align with standard municipal practices and support clarity, effectiveness, and public understanding of the Commission's role.

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

1. All references to the "Cultural and Public Arts Commission" in Resolution No. 2024-47 are hereby amended to read: "Arts, Beautification, and Culture (ABC) Commission."

August 10, 2026

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: 8/10/2026
TO: City Council
FROM: Carissa Goebel, Deputy Director of Parks & Recreation
THROUGH: Cordell Wiseman, Director of Parks & Recreation
BY: Carissa Goebel, Deputy Director of Parks & Recreation
SUBJECT: Resolution Authorizing the Acceptance and Execution of Agreement for the Farm to Food Security Grant

Requested Council Action:

- Motion to approve the Resolution Authorizing the Acceptance and Execution of Agreement for the Farm to Food Security Grant

Background:

Brooklyn Center Parks and Recreation in partnership with Hennepin County, have applied for and been confirmed as a recipient for the Farm to Food Security (F2FS) Grant through the Minnesota Department of Agriculture.

- The (F2FS) grant will allow Brooklyn Center to buy food grown and raised in Minnesota and distribute them at no cost to community members experiencing food insecurity, particularly individuals whose needs are not met through the traditional emergency food system. The grant request is for \$16,500 and requires no matching funds. This grant will run from August 2026 – June 2028.
- The (F2FS) grant is similar to the Local Food Purchase Assistance (LFPA) Grant Brooklyn Center Parks and Recreation received in 2024.

Budget Issues:

This grant requires zero matching funds.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

ATTACHMENTS:

1. 2026 F2FS Resolution

Member
adoption:

introduced the following resolution and moved its

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE ACCEPTANCE AND EXECUTION OF
AGREEMENT FOR THE FARM TO FOOD SECURITY GRANT**

WHEREAS, Hennepin County applied for the Farm to Food Security Grant on behalf of the City of Brooklyn Center.

WHEREAS the grant policy requires City Council Approval to accept funds

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

1. The City of Brooklyn Center was awarded \$16,500 from the Farm to Food Security Grant to purchase fresh produce and distribute to community members.
2. The City Manager and the Parks and Recreation Director are authorized and directed to execute the contract for the Farm to Food Security grant.

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: 8/10/2026
TO: City Council
FROM: Krystin Eldridge, Associate Planner
THROUGH: Ginny McIntosh, Planning Manager
BY: Krystin Eldridge, Associate Planner
SUBJECT: An Ordinance Adding New Section 35-5609 to the Brooklyn Center City Code of Ordinances Regarding Fence Regulations — Second Reading

Requested Council Action:

- Motion to waive the second reading and adopt the ordinance amending Section 35-5609 (Fences) of the City Code of Ordinances allowing fences within the C-Commerce (Service/Office) District, as contemplated under Planning Commission Application No. 2026-005

Background:

Alan Milavetz of Milavetz Injury Law, P.A. (“the Applicant”) requested an ordinance (text) amendment to Section 35-5609 (*Fences*) of the Unified Development Ordinance (UDO) to allow for fences within the City’s C (Commerce – Service/Office) zoning district, where the Applicant’s business is located at 1915 57th Avenue North. Fences are currently permitted within the City’s Residential, Business Mixed-Use (MX-B), and Industrial (I) districts.

Due to the nature of the request, a public hearing notice was published in the Brooklyn Center *Sun Post* on June 25, 2026.

City Staff was informed in November 2025 of the installation of a fence at Milavetz Injury Law, P.A. At that time, the Applicant was notified that the fence was not permitted in the C (Commerce/Service) District, and it would either have to be removed, or the Applicant could pursue an ordinance (text) amendment to permit the installation of a fence.

A public hearing was held at the Planning Commission meeting on July 9, 2026. No public comments were received in advance of or at the meeting and no public comments were provided by anyone in person or online. The Planning Commission recommended the unanimous approval (6-0) of the application by Council and forwarded the application on to the City Council for final review and consideration.

Following a presentation by City Council during the July 27, 2026, meeting, City Council requested clarification on the clear view triangle and how it might apply broadly across the City. The City Council also inquired how it might affect other properties and business owners in the C District, but understood the need to amend the ordinance for safety and the need for its consistent application across zoning districts. City staff noted that City Public Works and Engineering staff also follow the clear triangle provisions, as

well as Hennepin County.

After a brief discussion, City Council members unanimously recommended (4-0) approval of the requested fence amendment under Planning Commission Application No. 2026-005.

A copy of the Planning Commission Report for Planning Commission Application No. 2026-005 and drafted ordinance amendment language for Section 35-5609 are included with this memorandum. If approved, the requested amendment language would go into effect 30 days from publication in the Brooklyn Center *Sun Post*.

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

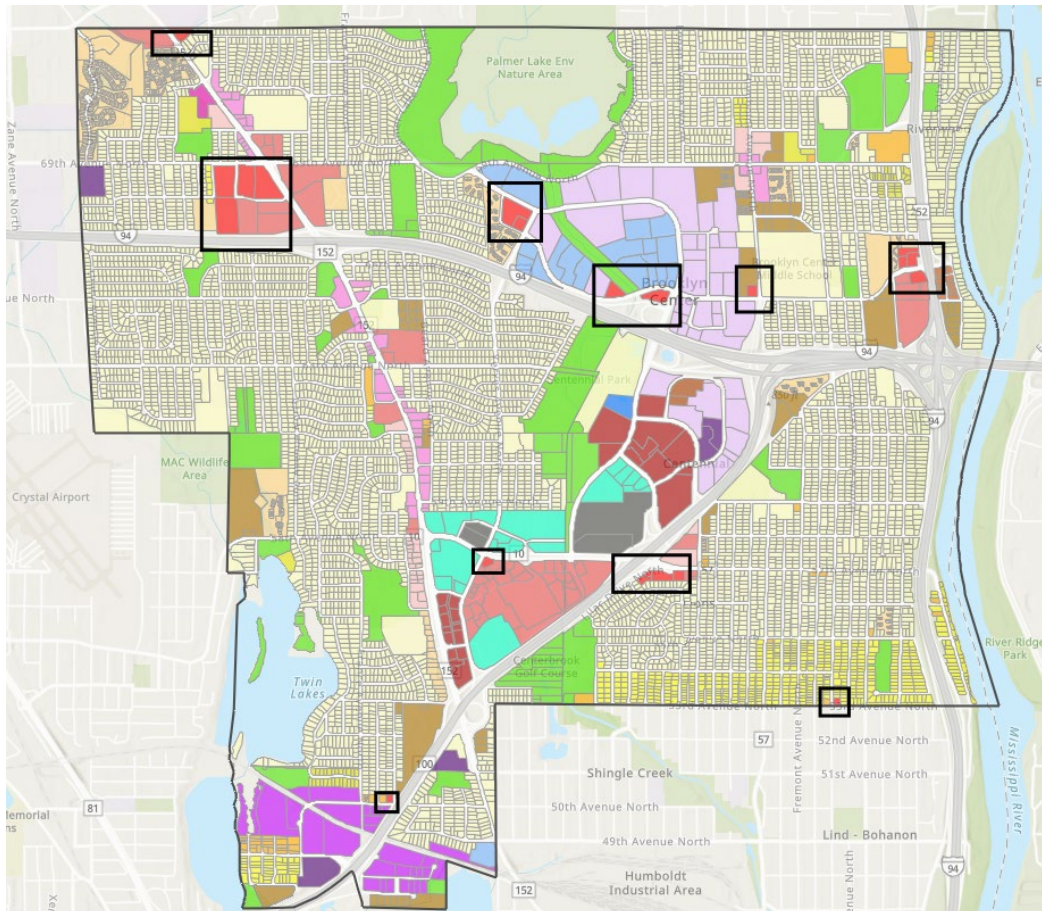
ATTACHMENTS:

1. Staff Report with Exhibits — Planning Commission Application No. 2026-005
2. An Ordinance Adding New Section 35-5609 (Fences) to the City Code of Ordinances

Planning Commission Report
Meeting Date: July 9, 2026

- Application Filed: 06/09/2026
- Review Period (60-day) Deadline: 08/08/2026
- Extension Declared: No
- Extended Review Period Deadline:

Application No. 2026-005
Applicant: Alan Milavetz of Milavetz Injury Law, P.A. (1915 57th Ave N. Brooklyn Center, MN)
Request: Ordinance Amendment (Text)



Map 1. Commerce (Service/Office) District Properties.

REQUESTED ACTION

Alan Milavetz of Milavetz Injury Law, P.A. (“the Applicant”) is requesting an ordinance (text) amendment to Chapter 35-5609 (*Fences*) of the Unified Development Ordinance (UDO) to allow for fences within the City’s C (Commerce – Service/Office) Zoning District, where the Applicant’s business is located at 1915 57th Avenue North. Fences are currently permitted within the City’s Residential, Business Mixed-Use (MX-B), and Industrial (I) Districts.

Due to the nature of the request, a public hearing notice was published in the Brooklyn Center *Sun Post* on June 25, 2026 (Exhibit B).

ORDINANCE AMENDMENT (TEXT)

Background

Per Section 35-71301 (*Applicability*), an amendment of the City's Unified Development Ordinance may be initiated by the City Council, Planning Commission, or a City property owner. In this case, City staff were informed of a fence being installed without a permit and it was determined the fence would not be permitted in the district for which it was located. The Applicant has expressed a desire to have a fence due to the large amount of cut-through traffic on the property and was advised by City staff that a Planning Commission application would need to be submitted for review and consideration by the Planning Commission and City Council, or the fence removed.

During initial discussions, City staff noted that the fence on the Applicant's property is higher than is generally permitted in the front yards of residential district properties (maximum four feet in height) and higher fence heights in the front yards of MX-B and I District properties are generally reserved for the purposes of security and outdoor storage areas. Concerns were relayed regarding the optics of "gating off" commercially zoned properties, and the current fence is also located within the designated clear-view triangle, which is prohibited. The proposed text amendment considers maximum heights for fences within the C District and the clear view triangle.

The Applicant's building was constructed in 1966 and has a long history in the City. Recently, the owner has reported an increase in foot traffic from neighboring properties and decided to install a fence to discourage pedestrians from using their property as a shortcut along Lilac Drive North and 57th Avenue North. Unfortunately, the City's Unified Development Ordinance does not consider fences in the C (Commerce – Service/Office) District because this district is service oriented, pedestrian traffic is generally encouraged, and visibility is a key component for business operations.

The purpose of the C (Commerce – Service/Office) District is to, "support commerce activity in the form of retail sales, eating establishments, service/office uses, repair/service uses, medical and health uses, contract/construction office uses (no outdoor storage), educational uses, and other uses similar in nature, as determined by City Council." Fences often discourage patrons from frequenting businesses as they can serve as an obstruction and can decrease visibility. There are 21 properties in the City that hold a C District zoning designation. Properties within this district include the HealthPartners Clinic (6845 Lee Avenue North), Casey's Gas Station (2101 Freeway Boulevard), Christy's Auto Service (5300 Dupont Avenue North), O'Reilly's Auto and Family Dollar (2105 57th Avenue North), office buildings at 7240 Brooklyn Boulevard and 2800 Freeway Boulevard, and Metro Dentalcare (512 66th Avenue North).

City staff have been in contact with the Applicant and their contractor since December 2025 to address the clear view triangle and the fence ordinance. The clear view triangle is defined in the Unified Development Ordinance under Section 35-9000 as a "triangular area that is formed where the curb or street intersect where objects shall not materially impede views between the heights of 2 ½ and 10 feet." As the installed fence is approximately 61 inches in height, the Applicant was notified that any visual obstructions within this clear view triangle would need to be removed and that City staff could not support the installation of an obstruction within this defined area.

City staff researched other cities' fence regulations and most cities reviewed only mention fences in residential and industrial districts. Residential fences are typically permitted up to a maximum of four (4) feet in the front yard and six (6) feet for all other yards, and industrial districts range from six (6) feet to eight (8) feet. Industrial fences are typically utilized to screen their outdoor storage or visitors to the

property (security). These regulations are generally in line with the fencing allowances within the City of Brooklyn Center for its own residential and industrial district properties.

City Staff visited all properties in the C District, and those properties with fences are generally located in the rear to screen from neighboring properties. These fences were installed prior to the city's current fence regulations, and it should be noted that there are *separate* provisions for those "fences" that act as screening against lesser intensity uses like single-family residential properties. City staff are providing visual examples of the installed fence at the Applicant property as well as a fence located at Casey's Gas Station — refer to Images 1 and 2 below.

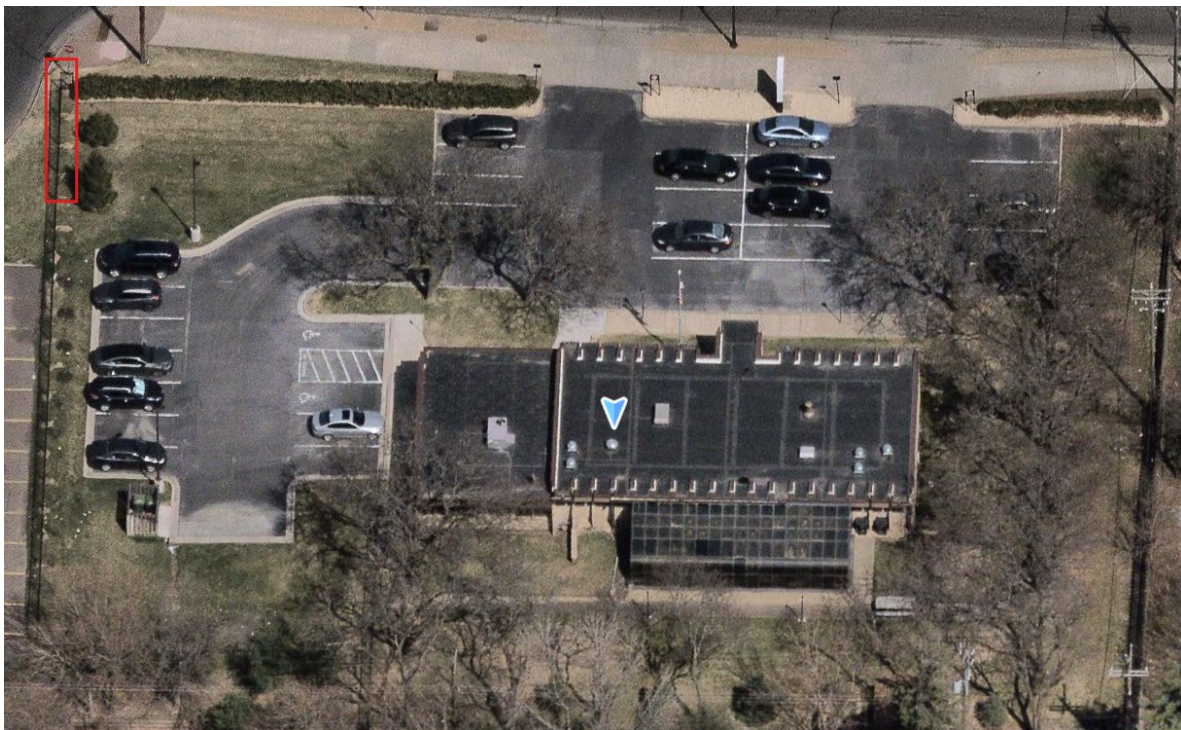


Image 1. Installed Fence at Applicant Property (Milavetz Injury Law, P.A. at 1915 57th Avenue North) and Aerial View of Applicant Property Noting Area for Fence Height Reduction and Relocation from Clear View Triangle (in red).



Image 2. Fence installed at Casey's Gas Station (2101 Freeway Boulevard).

City Staff are not opposed to the allowance of fencing so long as pedestrian and vehicle access is maintained. To ensure commercial properties remain generally inviting and provide clear visibility for building addressing and emergency access, City staff are proposing a maximum allowance of up to four (4) feet in height for the required front and secondary (corner) yards, and a maximum of six (6) feet in height for the side and rear yards for C (Commerce- Service/Office) District properties based on the overall compatibility with the rest of the ordinance and to preserve the intent of the code for the Commercial Districts to be pedestrian/customer friendly and have easy street visibility. Fences located in the C District would need to be *non-opaque* in nature.

For additional clarification, the proposed ordinance amendment language below would provide additional clarification that a fence permit is required for installation of any fence taller than 2 ½ feet in height and all fences located adjacent to public sidewalks and/or trails are to be located a minimum of two (2) feet from the edge of said sidewalk or trail.

As proposed, the following language would be modified under Section 35-5609 (*Fences*):

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 35-5609 – FENCES OF THE CITY CODE OF ORDINANCES
REGARDING FENCES IN THE COMMERCE DISTRICT

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

Article I. Brooklyn Center City Code, Chapter 35, Section 35-4103 Allowed Use Table is amended by adding the following double-underlined language:

(Double -underlined language indicates new matter.)

a. PERMIT REQUIRED.

- 1) A fence permit is required before any work may commence on the installation of any fence

App. No. 2026-005

PC 07/09/2026

Page 4

taller than 2 ½ feet.

- 2) Fences adjacent to public sidewalks/trails must be set back a minimum of two feet from the sidewalk/trail.

b. FENCE STANDARDS.

- 1) Allowable heights in the residential districts.

A. Front yard. No fence shall exceed four (4) feet in height at the front property lines.

B. No fence shall exceed six (6) feet in height in the side and rear property lines.

C. No fence shall encroach within the Clear View Triangle, unless otherwise permitted by the Zoning Administrator

- 2) Allowable heights in the C district.

A. Front yard. A non-opaque fence shall not exceed four (4) feet in height at the front property line. Fences located on the secondary corner or in any frontages abutting a street may not exceed four (4) feet in height.

B. No fence shall exceed six (6) feet in height in the side and rear property lines.

- 3) Allowable heights in MX-B and I districts.

A. Front yard. A non-opaque fence shall not exceed eight (8) feet in height at the front property line.

- 4) Clear view triangle, visual obstructions, and vehicle queuing. No fence shall encroach within the Clear View Triangle, as defined in Section 35-9000, unless otherwise permitted by the Zoning Administrator. Additionally, any proposed fence shall be set back a sufficient distance from sidewalks and rights-of-way to ensure adequate space, access, and safety for pedestrians and adequate space for vehicles entering the property through a gate or other entry through the fence.

In reviewing requests for ordinance amendments, certain amendment criteria shall be considered as outlined under Section 35-71304 (*Amendment Criteria*). The Planning Commission and City Council shall review the necessary submittal requirements, facts, circumstances of the proposed amendment, and make a recommendation and decision on the amendment based on, but not limited to, consideration of the following criteria and policies:

- a. Whether there is a clear and public need or benefit;
- b. Whether the proposed amendment is consistent with and compatible with surrounding land use classifications;
- c. Whether all permitted uses in the proposed zoning district can be contemplated for development of the subject property;
- d. Whether there have been substantial physical or zoning classification changes in the area since the subject property was zoned;
- e. Whether there is an evident, broad public purpose in the case of City-initiated rezoning proposals;
- f. Whether the subject property will bear fully the UDO development restrictions for the proposed zoning districts;

- g. Whether the subject property is generally unsuited for uses permitted in the present zoning district, with respect to size, configuration, topography, or location;
- h. Whether the rezoning will result in the expansion of a zoning district, warranted by:
 - 1) Comprehensive Planning;
 - 2) The lack of developable land in the proposed zoning district; or
 - 3) The best interests of the community.
- i. Whether the proposal demonstrates merit beyond the interests of an owner or owners of an individual parcel.
- j. The specific policies and recommendations of the Comprehensive Plan and other City plans;
- k. The purpose and intent of this UDO, or in the case of a map amendment, whether it meets the purpose and intent of the individual district; and
- l. If applicable, the adequacy to buffer or transition between potentially incompatible districts.

Unified Development Ordinance and 2040 Comprehensive Plan / Commercial Districts

The current permit process was adopted in January 2023 with the update of the Unified Development Ordinance. Fences are permitted in residential districts in the front yard at four (4) feet in the front setback and a maximum of six (6) feet in the side and rear setbacks. Business Mixed-Use and Industrial District properties are allowed a non-opaque fence of up to eight (8) feet in the front yard setback. No fence is permitted in the clear view triangle to ensure safe access and sightlines to pedestrians and vehicles approaching right of way.

Fences installed prior to the new permit process were often approved as part of the City's screening requirements to shield incompatible uses, such as commercial uses from residential uses (e.g. parking lots and headlight illumination). Today, City staff requires verification of property boundaries before construction of any fence and still maintains screening requirements for developments.

Today's C District is a scaled back version of the City's former C1 and C2 zoning districts, which were overwhelmingly retired in 2023 to accommodate the introduction of districts that offer mixed-uses (e.g. Neighborhood Mixed-Use, Commercial Mixed-Use, Transit-Oriented Development Districts). Today, the largest C Districts are located near Trunk Highway 252 and the Interstate 94/694 corridor, and Brooklyn Boulevard.

While the requested ordinance amendment is being requested by a particular property owner, City staff do see merit beyond the interests of any particular owner or owners of an individual parcel in that ornamental, non-opaque fencing can provide certain aesthetic improvements to a property while serving a more practical purpose and given the city's past history in allowing for fencing to be installed on C1 and C2 district properties (now, in part, the C District), there is precedent in continuing to allow for certain types of fencing, if desired, so long as it remains true to the intent and purpose of the district and complementary to adjacent uses.

RECOMMENDATION

Based on the above noted findings, and in response to Section 35-71304 (Amendment Criteria) of the City Code, City staff recommends the Planning Commission recommend City Council approval of Planning Commission Application No. 2026-005, which would amend Section 35-5609 (Fences) of the City Code of Ordinances regarding the regulation of fences in the C (Commerce- Service/Office) zoning district.

Any subsequent approval by City Council for the above-requested amendment to Chapter 35 (Unified

Development Ordinance) shall require that any applicant, including the Applicant for Planning Commission Application No. 2026-005, submit a separate application for review and approval of a fence. In the case of the Applicant property, if the existing fence is to remain and the ordinance is amended per the recommended language, it will require alterations to relocate the fence out of the designated clear view triangle and conform to maximum height requirements.

Attachments

Exhibit A- Planning Application No. 2026-005 narrative, prepared by Alan Milavetz of Milavetz Injury Law, P.A.

Exhibit B- Public Hearing Notice, published in the Brooklyn Center *Sun Post*, and dated June 25, 2026.

Application for a Text Amendment for fence in Commercial district. June 8, 2026

Submitted by: Alan Milavetz

1915 57th Ave North

Brooklyn Center, MN 55430

(Criteria presented by Krystin Eldridge and Ginny McIntosh)

a. The proposed amendment is consistent with and compatible with surrounding land use classifications.

The fence does not alter the fundamental use of the land; rather, it functions as a standard, auxiliary structure that harmonizes with the existing neighborhood fabric. Fences are a ubiquitous and expected element in this zoning district and surrounding classifications and are present on many of the commercial properties in the immediate vicinity as do the properties behind the law firm. Instead of disrupting the area, the proposed design acts as a visual and physical buffer that clearly defines property boundaries, thereby reinforcing the established orderly development pattern of the neighborhood and clearly directing pedestrians toward the sidewalk on 57th rather than through a parking lot where the existence of pedestrians may not be predictable or visible to drivers.

b. There have been no substantial amendment changes in the area since the subject property was zoned;

Because the surrounding neighborhood has maintained a stable zoning trajectory since the subject property was originally zoned, this amendment is not a reactionary measure to runaway development, but a targeted update to fix a localized oversight. Approving this amendment will not trigger a domino effect or disrupt a rapidly changing area. It represents a minor, static adjustment intended to bring this specific parcel into alignment with a long-standing, stable neighborhood environment.

c. The subject property will bear fully the zoning restrictions for the proposed amendments;

The landowner is seeking localized relief for their specific parcel and is fully prepared to absorb any and all development restrictions, maintenance obligations, and compliance costs associated with the amendment. This request places zero

operational, financial, or regulatory burdens on adjacent properties or the city. The impact is entirely internalized within the subject property's boundaries, ensuring that neighboring landowners experience only the benefits of the new buffer, without any of the restrictions.

d. The current language for the property is unsuitable for uses permitted in the present zoning district, with respect to size, configuration, topography or location;

The current, strict zoning language fails to account for the unique physical realities—such as the specific size, configuration, topography, or location—of this particular parcel, effectively rendering the permitted use of the land impractical without a fence. The law firm building does not fit squarely into the definition of a commercial property such as the Brookdale development and is more in the nature of a small neighborhood office in a residential neighborhood.

Due to the Law firm property being located between a neighborhood and a bus stop, there is a high volume of pedestrian traffic that walks through the law firm parking lot, presenting:

1. a hazard to all pedestrians walking through the lot early in the morning and late in the afternoon in low light conditions;
2. A hazard to employees and customers, some with disabling injuries who back out of parking spots where it would not be expected to encounter pedestrians.

Non-residents walk through the lot, frequently have used it as a place to sleep, rest, use drugs, discard garbage from purchases at nearby stores and socialize which interferes with the law firm employees and its customers use and enjoyment of the premises in a safe manner. The standard rules create undue hardship. Updating the language allows the landowner to reasonably utilize and secure their property in a way that standard configurations allow by default on more conventional lots. The existence of a fence clearly signals that the law firm lot is not a place for people to use the lot as they wish. It is a different situation than the large surface lots at the Brookdale development.

e. The proposal demonstrates merit beyond the interests of the owner or owner of the parcel;

While the fence provides privacy and security for the owner, it simultaneously delivers distinct civic benefits to the city and the immediate community.

1. Public Safety: It prevents accidental trespassing, secures potential hazards, and clearly separates private land from public rights-of-way or adjacent properties.

2. **Aesthetics and Value:** A well-designed fence improves the city's overall visual streetscape and protects local property values by ensuring the parcel looks maintained and orderly. It is also consistent, if not of better quality and appearance to other existing fences in the immediate area.
3. **Nuisance Mitigation:** It acts as a barrier, reducing the ability of snowplows to pile snow on the property line between the law firm and the Dollar Store property. Historically the snowplows pile snow on the entire length of the subject property line creating a visual barrier for drivers approaching 57th St. The fence stops plows from depositing snow which is piled well over four feet in height. The fence between properties fosters better neighbor relations and reduces disputes where snow can be placed. The fence prevents snowplows from piling snow onto the city required plants along the fence line, which have needed to be replaced on several occasions.

f. The language meets the purpose and intent of the zoning district.

The underlying intent of this zoning district is to promote safe, orderly, and compatible land utilization. The proposed fence amendment directly advances these exact municipal goals.

Rather than circumventing local policy, the amendment fulfills the spirit of the zoning code by enhancing property safety, defining land use clear-cut boundaries, and encouraging the aesthetic upkeep of the district. It implements the city's high-level vision at a practical, parcel-specific level.

CITY OF BROOKLYN CENTER NOTICE OF PUBLIC HEARING

Exhibit B

 Save Share

Details for CITY OF BROOKLYN CENTER NOTICE OF PUBLIC HEARING

Jun 25, 2026

CITY OF BROOKLYN CENTER NOTICE OF PUBLIC HEARING TO WHOM IT MAY CONCERN: Please take notice that the Planning Commission of the City of Brooklyn Center will hold an in-person public hearing on Thursday, July 9, 2026 at approximately 7:00 p.m. to hear from the public, discuss, and make a recommendation upon amendments to Chapter 35 of the City Code of Ordinances Section 35-5609 (Fences) to include provisions for fences in the C (Commerce - Service/Office) District. Meeting materials can be accessed by visiting the City of Brooklyn Center's website at:

<https://www.brooklyncentermn.gov/> . A definite time for this application to be considered cannot be given as it will depend on the progression of the agenda items. Comments and questions may be forwarded to gmcintosh@brooklyncentermn.gov up until 4:30 pm on the day of the meeting, or by contacting Ginny McIntosh at (763) 569-3319. Your comments will be included in the record and addressed as part of the meeting.

Alternatively, you may participate in the Planning Commission meeting via Webex at: logis.webex.com Meeting Number (Access Code): 2861 890 8735 Password: BCPC07092026 By Phone: 1 (312) 535-8110 (Enter Access Code)

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. Respectfully, Ginny McIntosh Interim Deputy Community Development Director and Planning Manager Published in the Sun Post June 25, 2026 1543533

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-5609 – FENCES OF THE CITY CODE OF ORDINANCES REGARDING FENCES IN THE COMMERCE SERVICE/OFFICE DISTRICT
THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS FOLLOWS:

Section 1. Brooklyn Center City Code, Chapter 35, Section 35-5609 – FENCES is amended by adding the following double-underlined language:

a. PERMIT REQUIRED.

- 1) A permit is required before any work may commence on the installation of any fence taller than 2 ½ feet.
- 2) Fences adjacent to public sidewalks/trails must be set back a minimum of two feet.

b. FENCE STANDARDS.

1) Allowable heights in the residential districts

A. Front yard. No fence shall exceed four (4) feet in height at the front property lines.

B. No fence shall exceed six (6) feet in height at the side and rear property lines.

2) Allowable height in the C district

A. Front yard. A non-opaque fence shall not exceed four (4) feet in height at the front property line. Fences located on the secondary corner or in any frontages abutting a street may not exceed 4 feet in height.

B. No fence shall exceed six (6) feet in height in the side and rear property lines.

3) Allowable heights in MX-B and I districts.

A. Front yard. A non-opaque fence shall not exceed eight (8) feet in height at the front property line.

c. Clear view triangle, visual obstructions, and vehicle queuing. No fence shall encroach within the Clear View Triangle, as defined in Section 35-9000, unless otherwise permitted by the Zoning Administrator. Additionally, any proposed fence shall be set back a sufficient distance from sidewalks and rights-of-way to ensure adequate space, access and safety for pedestrians and adequate space for vehicles entering the property through a gate or other entry through the fence.

Section 2. This ordinance shall be effective after adoption and thirty days following its legal publication.

Adopted this ____ day of _____, 2026.

Mayor

ATTEST: _____
City Clerk

Date of Publication:

Effective Date:

Council Regular Meeting

DATE: 8/10/2026
TO: City Council
FROM:
THROUGH:
BY: Shannon Pettit, City Clerk
SUBJECT: Code of Respect Formal Reprimand

Requested Council Action:

Background:

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

ATTACHMENTS:

1. Letter_to_CM_LM



Wednesday, August 5, 2026

TO: Councilmember Laurie Moore
CC: Brooklyn Center City Council, Brooklyn Center, Minnesota
RE: **Formal Warning Regarding Conduct and Compliance with the Brooklyn Center City Council Code of Respect and Ethics**

Dear Councilmember Moore,

Pursuant to Sections G(1)(b)(ii) and G(2)(a) of the *Brooklyn Center City Council Code of Respect and Ethics* ("Code of Respect"), detailing Accountability Measures for City Council Members, this letter serves as a formal reprimand regarding your conduct during the Senate District 38 DFL Convention reconvening held on April 12, 2026, at Woodland Elementary School in Brooklyn Park. (See also the *Code of Respect Violation Grid*.) On July 27, 2026, the City Council of Brooklyn Center agreed to issue a formal reprimand for your conduct described in this letter. You have declined to have a public hearing on this issue. As such, at the next regular (available) City Council Meeting, the City Council will take a formal vote on the matter.

As you know, the Code of Respect outlines the complaint investigation process for Council Members, and the subsequent accountability measures resulting from said investigation. I received complaints regarding the incident on April 12, 2026. Pursuant to Sections G(4)(d) and G(6)(a-c), I, in partnership with the City Manager and the City Attorney, initiated the outlined Code of Respect Investigation Procedure. As outlined, the investigation contained a triage meeting, fact finding, and evaluation of outcomes. The fact-finding process involved four separate interviews, including two independent eyewitness interviews who contemporaneously observed the incident. Based on the information compiled through the investigation, the complaint was determined to be substantiated.

The substantiated accounts indicate that you engaged in confrontational and verbally hostile interactions with a Commission Member, at a public, non-city of Brooklyn Center event, attended by residents, delegates, elected officials, campaign staff, and community members. The witness statements consistently describe you approaching the individual in an aggressive manner, using derogatory and profane language, escalating a verbal confrontation in a public space, and reinitiating the interaction after the initial exchange had concluded. This is a violation pursuant to Sections C(2)(c) and F(4) of the Code of Respect.

Consistent with Code of Respect Section G(1)(a) and the corresponding Violation Grid, you were offered the opportunity to participate in restorative measures, including a private discussion and informal mediation intended to address the concerns constructively and preserve productive working relationships. You declined to participate in the restorative process. As outlined in the Code of Respect,

when restorative measures are declined or not completed successfully, the matter proceeds through the established accountability framework.

Your conduct on April 12, 2026, raised serious concerns under the Brooklyn Center City Council Code of Respect and Ethics. Specifically:

- **Section C ("Council Conduct with the Public")** requires councilmembers to treat members of the public with professionalism, courtesy, and respect in all settings, including unofficial community events.
- **Section F ("Council Conduct with Boards and Commissions")** establishes expectations for respectful and constructive relationships with appointed officials and discourages conduct that undermines collaboration or public confidence.
- The **Code of Respect Violation Grid** identifies the use of profane language toward elected officials, staff, constituents, or appointed officials as a **Tier 3 violation**, subject to censure and other accountability measures.
- The Code further requires that elected officials avoid conduct that is intimidating, hostile, demeaning, or disruptive to the integrity of public service and civic participation.

Although you voted against adoption of the Brooklyn Center City Council Code of Respect and Ethics, the Code of Respect was duly adopted by majority action of the City Council and is binding upon all members of the Council. As with all ordinances, policies, and official actions adopted by the Council, each Council Member is required to comply with and uphold those actions regardless of individual vote.

Based on the substantiated findings of the City's review, the conduct described has met the criteria for a Tier 3 violation under the Code of Respect and Ethics. However, because this was your first substantiated violation since adoption of the Code of Respect, On July 27, 2026, I recommended that the City Council address this matter as a Tier 2 violation. This recommendation reflects the City's commitment to progressive accountability and restorative practice while recognizing the seriousness of the conduct. Future violations of a similar nature may be addressed at the Tier 3 level without reduction.

Members of the City Council are expected to conduct themselves with professionalism, restraint, and civility at all times when interacting with residents, commissioners, staff, fellow elected officials, and members of the public. Conduct that is abusive, retaliatory, intimidating, or otherwise inconsistent with the standards established by the Code undermines public confidence in the City Council and the City of Brooklyn Center.

Accordingly, you are hereby directed to:

- Refrain from hostile or confrontational interactions with commissioners, residents, staff, elected officials, or members of the public.
- Avoid language or conduct that could reasonably be interpreted as harassment, intimidation, retaliation, or abuse.

- Maintain professional boundaries during public meetings, political functions, and community events where you are identifiable as a representative of the City.
- Comply fully with the Brooklyn Center City Council Code of Respect and Ethics in all future conduct.

Although you have declined the opportunity for restorative measures during this review, the City remains willing to participate in mediation or other appropriate restorative processes should you choose to engage in them in the future.

This letter serves as formal documentation of the City's substantiated investigation, the corrective framework applied under the Code of Respect, and the expectations for your future conduct as an elected official serving the City of Brooklyn Center.

Sincerely,

April Graves
Mayor
City of Brooklyn Center

Also signed:

City Council Member

City Council Member

City Council Member

Council Regular Meeting

DATE: 8/10/2026
TO: City Council
FROM:
THROUGH:
BY: Shannon Pettit, City Clerk
SUBJECT: Resolution Honoring LaToya Turk as a 2025 Top Influencer in Local Government

Requested Council Action:

- Motion to approve the Resolution Honoring LaToya Turk as a 2025 Top Influencer in Local Government

Background:

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

ATTACHMENTS:

1. Resolution Honoring LaToya Turk as a 2025 Top Influencer in Local Governmnet

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2026-

RESOLUTION HONORING LATOYA TURK AS A 2025 TOP
INFLUENCER IN LOCAL GOVERNMENT

WHEREAS, the City of Brooklyn Center is committed to recognizing individuals whose exceptional leadership and public service strengthen our community and advance excellence in local government; and

WHEREAS, LaToya Turk, Director of the Office of Community Prevention, Health, and Safety for the City of Brooklyn Center, has demonstrated visionary leadership and an unwavering commitment to improving the health, safety, and well-being of all residents; and

WHEREAS, in recognition of her exceptional leadership, innovation, and impact in local government, LaToya Turk has been named a 2025 Top Influencer in Local Government awarded by ELGL, an honor that reflects both her professional excellence and the City of Brooklyn Center's continued commitment to forward-thinking public service;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the Mayor Pro Tem and City Council hereby congratulate LaToya Turk on being recognized as a 2025 Top Influencer in Local Government and express their deepest appreciation for her outstanding leadership, dedication, and service to the residents of Brooklyn Center.

August 10, 2026
Date

Mayor Pro Tem

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: 8/10/2026
TO: City Council
FROM:
THROUGH:
BY: Shannon Pettit, City Clerk
SUBJECT: Robbinsdale Area Schools Bond Referendum for November Ballot

Requested Council Action:

- Motion to accept the presentation

Background:

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

ATTACHMENTS:

None