

REGULAR CITY COUNCIL WORK SESSION
September 3, 2019
Sixth Corner Meeting Room
4100 Lakeview Avenue North
Robbinsdale, Minnesota
Following the 7:00 p.m. regular City Council Meeting

AGENDA

1. CITY COUNCIL WORK SESSION CALLED TO ORDER BY MAYOR PRO TEM
2. ROLL CALL: Blonigan, Rogan, Selman, Backen, Mayor Murphy
3. UPDATE: Hollingsworth Park Phase II
4. DISCUSS: Ordinance update to Charitable Gambling Regulations
5. DISCUSS: Definition of Community Event related to city-funded police security
6. DISCUSS: Corridor Branding Workshop – Neka Creative
7. MONTHLY UPDATE: Problem Properties
8. REVIEW: Strategic Goals
9. OTHER BUSINESS
10. ADJOURNMENT

Agenda Item 3: Hollingsworth Park

City Manager Glick and Laurie Blais (who has been coordinating the park plan work) had a phone conversation on Wednesday. It was clarified that although a large plan had been presented in March, 2015 including the sale of name bricks that was approved by the City Council, that approval was subject to entering into a written agreement with more defined plans for consideration and City Council approval. There was a “full stop” on the project in May 2016 when concerns were raised from the Fire Department and the Hollingsworth family on the extent of the project as well as inclusion of memorials to other people in the park. The City Council approved the phase 1 sitting wall and fireman’s cross and an art tribute to the fallen firefighter which is on hold. At each presentation to the City Council, the City Council has noted the concern about the extent of the plans and the amount of hardscape. Meanwhile the foundation has continued forward assuming that the original plan was approved in its entirety.

Laurie noted that in follow up meetings with the Hollingsworth family they had been open to the idea of name bricks. Glick responded that the City Council will consider input from the community at large as well as the two families. The next step is to work on a modified plan, ideally finding a location for the bricks that were already sold, and bring the site plan to the regular work session on 10/1 for a concurrence of what will move forward. Meanwhile staff will also work on the written form of the agreement so that both can ideally be approved on 10/15.

Agenda Item 4: Charitable Gambling

Charitable Gambling- conformance with state law.

The city's current code language related to expenditures within the city boundary and definition of trade area is not enforceable. By state law, the trade area must include all contiguous cities, which includes Minneapolis. Options for amending the ordinance identified by the City Attorney's office include:

1. Require organizations to spend all, or a portion, of lawful purpose expenditures within the trade area (Crystal, Golden Valley, Brooklyn Center, Minneapolis);
2. Require organizations to contribute 10% to a city-administered fund, keeping in mind that the city can only use this money for certain things delineated in [M.S. 349.213, subd. 1\(f\)\(2\)](#)-below. The city also would have to meet certain reporting and acknowledgment requirements; or
3. A combination of (1) and (2) above.

Statutes for Reference

[349.213 sub 1\(f\)\(2\)](#) by an ordinance requirement that such organizations must contribute ten percent per year of their net profits derived from lawful gambling conducted at premises within the city's or county's jurisdiction to a fund administered and regulated by the responsible local unit of government without cost to such fund. The funds must be disbursed by the local unit of government for (i) charitable contributions as defined in section [349.12, subdivision 7a](#), or (ii) police, fire, and other emergency or public safety-related services, equipment, and training, excluding pension obligations. A contribution made by an organization is not considered an expenditure to the city or county nor a tax under section [297E.02](#), and is valid and lawful. A city or county receiving and making expenditures authorized under this clause must by March 15 of each year file a report with the board, on a form the board prescribes, that lists all such revenues collected, interest received on fund balances, and expenditures for the previous calendar year. A home rule or statutory city or county making charitable contributions authorized under this clause must acknowledge financial contributions of organizations conducting lawful gambling to the community and to the recipients of the funds. This may occur in communications about the funds as well as in the distribution of funds.

[349.12.sub7a](#) "Charitable contribution" means one or more of the lawful purposes expenditures under subdivision 25, paragraph (a), clauses (1) to (7), (10) to (15), and (19).

(a) "Lawful purpose" means one or more of the following:

- (1) any expenditure by or contribution to a 501(c)(3) or festival organization, as defined in subdivision 15c, provided that the organization and expenditure or contribution are in conformity with standards prescribed by the board under section [349.154](#), which standards must apply to both types of organizations in the same manner and to the same extent;
- (2) a contribution to or expenditure for goods and services for an individual or family suffering from poverty, homelessness, or disability, which is used to relieve the effects of that suffering;
- (3) a contribution to a program recognized by the Minnesota Department of Human Services for the education, prevention, or treatment of problem gambling;
- (4) a contribution to or expenditure on a public or private nonprofit educational institution registered with or accredited by this state or any other state;
- (5) a contribution to an individual, public or private nonprofit educational institution registered with or accredited by this state or any other state, or to a scholarship fund of a nonprofit organization whose primary mission is to award scholarships, for defraying the cost of education to individuals where the funds are awarded through an open and fair selection process;
- (6) activities by an organization or a government entity which recognize military service to the United States, the state of Minnesota, or a community, subject to rules of the board,

provided that the rules must not include mileage reimbursements in the computation of the per diem reimbursement limit and must impose no aggregate annual limit on the amount of reasonable and necessary expenditures made to support:

- (i) members of a military marching or color guard unit for activities conducted within the state;
 - (ii) members of an organization solely for services performed by the members at funeral services;
 - (iii) members of military marching, color guard, or honor guard units may be reimbursed for participating in color guard, honor guard, or marching unit events within the state or states contiguous to Minnesota at a per participant rate of up to \$50 per diem; or
 - (iv) active military personnel and their immediate family members in need of support services;
- (7) recreational, community, and athletic facilities and activities intended primarily for persons under age 21, provided that such facilities and activities do not discriminate on the basis of gender and the organization complies with section [349.154, subdivision 3a](#);
- (10) a contribution to the United States, this state or any of its political subdivisions, or any agency or instrumentality thereof other than a direct contribution to a law enforcement or prosecutorial agency;
- (11) a contribution to or expenditure by a nonprofit organization which is a church or body of communicants gathered in common membership for mutual support and edification in piety, worship, or religious observances;
- (12) an expenditure for citizen monitoring of surface water quality by individuals or nongovernmental organizations that is consistent with section [115.06, subdivision 4](#), and Minnesota Pollution Control Agency guidance on monitoring procedures, quality assurance protocols, and data management, provided that the resulting data is submitted to the Minnesota Pollution Control Agency for review and inclusion in the state water quality database;
- (13) a contribution to or expenditure on projects or activities approved by the commissioner of natural resources for:
- (i) wildlife management projects that benefit the public at large;
 - (ii) grant-in-aid trail maintenance and grooming established under sections [84.83](#) and [84.927](#), and other trails open to public use, including purchase or lease of equipment for this purpose; and
 - (iii) supplies and materials for safety training and educational programs coordinated by the Department of Natural Resources, including the Enforcement Division;
- (14) conducting nutritional programs, food shelves, and congregate dining programs primarily for persons who are age 62 or older or disabled;
- (15) a contribution to a community arts organization, or an expenditure to sponsor arts programs in the community, including but not limited to visual, literary, performing, or musical arts;
- (19) a contribution or expenditure to honor an individual's humanitarian service as demonstrated through philanthropy or volunteerism to the United States, this state, or local community;

Agenda Item 5: Definition of Community Event related to city-funded police security

A couple years ago, the City Council determined that the City should budget for half of the cost of required police security for outdoor community events. Events considered as community events in the past included:

- All events recognized by the Whiz Bang Days coordination committee
- The “street dance” after the Police/Fire open house (where a portion of certain sales are donated to the fire department relief association)
- Oktoberfest at Wicked Wort – which was originally requested by council members
- Sacred Heart Fun Fest

Generally, events which are ticketed (such as Travail’s park party) or Travail’s private events (including Geilfest and other fund raisers) have paid full cost.