

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 West Larpenteur Avenue

MINUTES
September 21, 2016 at 7:00 P.M.

- A. CALL TO ORDER: 7:00 pm
- B. ROLL CALL: LINDSTROM_X_ HARRIS_X_ BROWN THUNDER_X_
FISCHER_X_ GUSTAFSON_X_

STAFF PRESENT: THONGVANH_X_

C. PRESENTATIONS:

D. APPROVAL OF MINUTES:

E. PUBLIC HEARINGS:

F. CONSENT AGENDA:

G. POLICY ITEMS:

1. Tri-City Work Group with the City of Lauderdale and City of Saint Anthony City Administrator Thongvanh presented that the purpose and charge is to foster effective, fair, and transparent police services for Falcon Heights, Lauderdale, and St. Anthony. The work group will consist of diverse residents from all cities. They will be engaged in the systematic review of the police department's policies on officer-worn body cameras. The work group will consist of two Falcon Heights residents and two City Council members. This work group should have minimal impact to the budget because it is a St. Anthony initiative. Staff recommends the approval of the resolution and to appoint Council Member Harris and Council Member Fischer to be the liaisons. It has been presented that the co-chair of the work group would be from Falcon Heights, and Mayor Lindstrom will be able to weigh in for that selection. The anticipated time frame would be 6-8 months. Once it's completed, the work group would make a presentation to each of the three cities. Due to the work group members being appointed by the Council, all meetings will be public meetings and follow open meeting laws. The Council Members will not be voting members of the group, only the residents.

Mr. Bicking- 4200 Cedar Ave. Minneapolis Resident:

He thanks the Council that they allow public forum and that they have meetings in the evening. He works with Communities United Against Police Brutality. They have worked with Minneapolis and on body camera policy and want to be able to be of assistance. There was a citizen group in Minneapolis that did excellent work, and that would be a great starting point. Your city can make a difference of whether or not body cameras are just a substitute for any real reforms or whether they are actually helpful to the people of Falcon Heights.

Michelle Gross- President of Communities United Against Police Brutality:

They have studied body cameras and policies around body cameras extensively. She would also urge Council to not only look at the League of Cities policies, but the policies of PERF (Police Executive Research Forum). The Police Conduct Oversight Commission in Minneapolis has a very definitive and thoroughly researched document. It would be very helpful to have more insight into research-based best practices and they will submit that material to the Council. This allows for an opportunity to create good policy, because body cameras never work without good policy. She is pleased to see this particular proposal and she hopes it will pass.

Tabian (Taso):

What are you going to do about all this killing? We need to see action and not just talking.

John Thompson:

He believes that the policy items for the work group and the task force are a step forward. It shows that you're at least acknowledging and considering what you should do to try to figure it out. That's something he didn't see when he first came to the Council meetings. He thinks that everybody here can help change Minnesota so we can be an example for the nation. The Council didn't create the problem, but they can solve it with the help of everyone's voices.

Joann Dell- 2025 Fairview Ave. Roseville Resident:

Why now with the work group and task force? She doesn't know who the Council has been meeting with, but what she has seen from the meetings she's attended, this was not discussed. What happens if there is discrepancy on policy between the three cities? Do all cities have to agree on the policies? Why does it just focus on body cameras? There is so much more to this than just body cameras. If the use of body cameras is based on the officer's discretion, we have a problem. The work group needs to expand beyond just two residents from Falcon Heights. You need more opinions than just from the two residents. The way it is structured matters.

City Administrator Thongvanh states that the task force concept was created from discussions with Administrators and Mayors from the other two cities. Mayor Lindstrom also brought up the idea of a Falcon Heights Task Force. When they discussed the idea of reviewing policies and procedures for the tri-city work group, St. Anthony had already narrowed down the focus to reviewing the use of body cameras. This task will be just one cog in the wheel and doesn't mean that this will be the absolute for the Tri-City. There will be other systems that are included in the decision making. There will be four members per community, and Falcon Heights decided on two Council Members and two residents but the other cities may not use that same make up.

Sue Gehrtz- 2285 Folwell Ave:

She thanks everyone for speaking and helping us all learn. This has been an incredible learning experience for her. She was on the Council when they contracted with the St. Anthony Police after doing a needs assessment in the community. There were concerns and dissatisfaction with the current model of policing and they wanted more visibility from their police. She thinks this task force gives us the opportunity to look at that model again and decide what's right for our community. She also thinks that having a task force is the way to keep the spotlight focused on this issue. She has a request that the Council ask Chief Mangseth to not have Officer Yanez patrol the City of Falcon Heights.

Rebecca Montgomery- 2222 Folwell Ave:

She believes in taking action to foster effective, fair police services. Reviewing the use of body cameras does not go far enough and is only one piece of a bigger issue. She hopes the Council will urge St. Anthony to do policing in a much broader way than just body cameras. They need to look at the integrated whole.

Satara Strong:

She would like clarification on what the task force is doing. Talking about body cameras is not enough, and why wouldn't we take advantage of the videos that are already out there and do something with that.

City Administrator Thongvanh:

There is a particular focus on this work group, because we as a city did not want to duplicate what the Falcon Heights task force is going to do. Once this work group is completed, there may be another item or topic that they will address.

Mayor Lindstrom:

In a few minutes we will talk about what the Falcon Heights Task Force will include, which is a broad range of police issues.

Satara Strong:

She states that there isn't work to be duplicated because nothing has been done. There are plenty of videos, so it is a waste of time to talk about body cameras.

Rebecca Montgomery- 2222 Folwell Ave:

Having a Tri-City Work Group that goes beyond the body cameras topic is not duplicative of a FH Task Force. St. Anthony needs to address issues in their police force and since we contract with them we have a say in it. We need to use the FH Task Force to decide what kind of policing we want and who we contract with.

Daveon Samsung:

How do you think a task force is going to heal the damage that has been done? This isn't going to help.

Speaker:

You are all unfazed by anything anyone is saying, and continue to nod your head. You can't say that these task forces matter when people are getting killed in the street and it's on camera. The Council policies say that you are supposed to address the concerns that people are bringing before you, but the Council has not done that. If you think people are going to sit and wait around for justice, that's not feasible.

Mayor Lindstrom:

He agrees that a task force in itself does nothing. Let's all collaborate and come up with some concrete actions that can improve our community, region, and state.

Speaker:

Our answers can be considered by the Council. Who is going to take action?

Melanie Leehy- 1865 Fairview Ave:

A lot of conversations have been going on since Philando was killed in order to come to agreement on actions to be taken. She has seen people in this city and in leadership working towards diversity in the city even before Philando was killed. We have to take action as quickly as we can without skipping the steps. Philando isn't here, but this is his legacy and she wants us to get this right. This needs to be looked at generationally so we are not here again in a month or years down the road. Her motto since the event has been "together we triumph", because if we fight against each other we won't get it done. In order to implement body cameras, it is required that there be a task force and public involvement in the policy making.

Bob Gehertz- 2285 Folwell Ave:

He is disappointed with the discussion because he came to hear about the FH Task Force and what we are going to do to discuss a police model. He thinks we should table the discussion and get on to the FH Task Force agenda item.

Mel Reeves- Minneapolis Resident:

When we talk about body cameras it's an issue after the event. How are we going to treat our citizens like human beings? You're hearing people's frustration because they would like to hear you say that you're looking for justice. Justice in this case would include firing the Officer. Every contract has a clause, and St. Anthony Police broke it. There's a problem with your budget is dependent on fines. You have the chance to do something different. Minneapolis said that they're going to consider the sanctity of life first. The task force should not be confined to three cities.

Mayor Lindstrom:

The revenue for fines is about 2-3%. He thinks that considering the sanctity of life first is a good step in the right direction for Minneapolis and one that we should consider as well.

Michelle Gross:

To clarify, her organization does not think body cameras are a good solution. They are an expensive and the state has made it that most of the footage is private. What does your contract say and allow you to opt out of? Do you want to have your money wasted on this technology that brings no answers and does very little for the community? This Tri-City Work Group has the potential to look at police policies across the board rather than just looking at body cameras.

John Thompson:

The police can turn off the camera. The cops continue to say they fear their life, and that's what gets them off free. You're wasting your time with body cameras. You need to hear experiences from members of the community with cops telling them they'll turn off the cameras. We're trying to find a solution for people that we pay on our taxes. We can't do anything but try to prevent it from happening again.

William Moore:

When does the contract end with St. Anthony Police? Everyone is searching for an answer for something, and you can't find an answer if you're not really sure what the question is. This event gives you a unique opportunity to do something. Terminating the contract is a clear statement. He is sad for what has been happening, and all police officers have to do is say they

were fearful for their life. It's not about the body camera, it's about how we treat people. Think about these things and what it means to make a clear statement.

Kristine Chitambra- 1941 Summer St:

At every meeting we've always heard, "terminate the contract". Is this even on the table? Will there be modifications? A Tri-City workgroup makes it seem as if we're staying with St. Anthony. If that's the case, how did you come to that decision?

Mayor Lindstrom:

We are in year two of a five year contract. There is a clause for the Council to opt out by July of each year to end it for the following year. Right now the current contract would go through the end of year 2019. The Council will have to continue the discussion on the contract in months ahead and whether or not to submit for a request for proposals. There would need to be a motion from at least one of the Council members and a vote from the majority to end the contract.

Tom Brace- 1433 Idaho Ave:

What was the process in determining who would be liaison on the Tri-City Work Group? He believes that this is just a stepping stone in the right direction. He would suggest the Mayor appoints himself and Council Brown Thunder to the work group.

Mayor Lindstrom:

Council Brown Thunder will be serving as an alternate to both of the task forces.

Dave Wark- 1588 Northrop St:

Can we get together and cooperate to come to a conclusion? It may involve firing a cop or raising the budget.

Council Member Fischer:

Nobody wants this to ever happen again. He's looking forward to the body camera group because he feels it's a small piece they can move forward on. He also feels the sense of urgency to get something practical done while tackling the bigger issues.

City Administrator Thongvanh:

To clarify, this is a task force to review body camera policy. In no way does it say that the City of Falcon Heights or St. Anthony will be going with body cameras. Just like anything else, there needs to be discussion amongst the residents and experts along with thoughtful research.

Council Member Harris Moved, Approved 5-0

2. Falcon Heights Inclusion and Policing Task Force

Mayor Lindstrom:

The Council's duty is to respond and to act without delay. He does feel a sense of urgency. He realizes that the task force is not concrete in and of itself and that this doesn't provide immediate change. This task force will help us articulate our values around policing in Falcon Heights. From this foundation, the Council will make concrete recommendations. The President's Task Force on 21st Century Policing, released in May, 2015, provides a guideline. This task force would meet at least monthly, maybe even every other week. The deadline to create a report is May, 2017 but it could be sooner. There will also be an interim report in

December on what recommendations they have already agreed upon that can be implemented. This will include nine residents of Falcon Heights or business representatives and two Council Liaisons. His hope is that there is representation from people of color, varying ages, long-time residents, immigrants, homeowners, and apartment owners alike.

Along with these task forces, his hope is that we begin to have much broader conversations about race and policing. There is a conversation being hosted by Falcon Heights United Church of Christ on Thursday, September 29 at 7:30pm on policing issues.

Council Member Gustafson:

There's a reason for the deliberativeness, because every decision has implications. Now is the time to work together towards learning, sharing facts and things that we can do concretely. We want to be fair regardless of gender, race, origin, nationality, and economic status. He is looking forward to serving on this task force.

City Administrator Thongvanh:

He has met with many individuals and groups. Not one person has the answer, and there has been thoughtfulness in the process to make sure that we can find out everything we can before making a decision. He invites people to come talk to him and stop by City Hall to have even further discussion.

Council Member Brown Thunder:

Systemic racism is something that has taken 100's of years to happen. He is now in a position to try to move this conversation further. He feels that we can put our best foot forward and approach it in a way that considers everyone's concerns. This is a process, and he wants to make sure it is well thought out and that it will do something. He thinks this task force is a step in that direction.

Council Member Harris:

This process has to be incremental in order for it to be effective. This is a good start for a foundation. This is a way to harness people's energies and talents. She is looking forward to having people become involved and share their input.

Joanne Dell- Roseville Resident:

She is requesting that there are changes made in the language of the proposal. For example, can "implicit bias" be changed to "implicit racial bias"? In regards to population, can students be included since they're highly affected.

Michelle Gross:

She agrees that the task force is a very good idea. She would urge the task force to not solely follow the President's 21st Century Policing Report. The President appointed Charles Ramsey, Washington D.C. Police Chief, as chair. He was considered to be fairly brutal. The task force never made it past two cities to get input. Most of the recommendations that came out of the report were money for body cameras and recommendations that don't get at the heart of the problem. The framing of the report is police and community relations, but the real framing should be police misconduct, the oppression that underpins it, and the lack of accountability that allows it to occur and continue. There needs to be a focus on making justice a priority then

gaining trust. We also need to talk about explicit bias, not just implicit bias. You have to start by analyzing the root of the problems.

Melanie Leehy- 1865 Fairview Ave:

She believes that the task force will be able to address policing for residents and for guests that pass through the city. She doesn't want a task force that focuses on surface issues, and that's why you see both policing and inclusion being addressed. We do have to address trust and fear. She is looking forward to those who do not work or live in Falcon Heights having lots of opportunities to be involved. She would like to see a City Council Member as a co-chair and not just a liaison. She also believes the task force would benefit from having young people included.

Rebecca Montgomery- 2222 Folwell Ave:

She is proposing to replace the wording of "Falcon Heights residents and business owners" to "Falcon Heights residents, business owners, property owners, and those otherwise associated with the city (i.e. visitors, students, and those employed by the city)".

Cordin Nielson- Black Lives Matter St. Paul:

He wants to clarify about the comments on action not being quick enough. He sees two dialogues, one addressing preventative efforts for the future and the comments on taking action now. The action we are looking for is justice for Philando. He encourages the Council to figure out a way to voice that justice. He is more than willing to help in any way that he can. We're not frustrated with the idea of the task force, we're frustrated because we keep hearing the same things.

Kay Andrews- 1471 California Ave:

She is in support of the task force, but she also has some major concerns. She believes it is going to take a long time to get much done, and she thinks that the level of frustration is going to grow. She is concerned on how we are going to recruit people for the task force, and how we are going to encourage people of color to participate. She supports what Sue Gehrtz said about taking action before the task force has to prepare a full report. She would encourage the Council to take a strong step and say to the St. Anthony Police Department that we have a right to feel comfortable with the police that serve our community. Our citizens do not feel comfortable with this officer. Many of the residents would support doing this now, not in six months. That would be one way of saying that the Council is taking this seriously. Some of it does take longer to educate, communicate, and build respect, but in the meantime, this is something the Council can do now.

Amanda Moore- North St. Paul:

If you start at a task force, it can just stop after the task force. You'll have to keep at it. Her people are scared every day, and this has to be taken seriously. At the end of the day we all want the same things, peace and happiness.

Beth Mercer-Taylor- 2231 Folwell Ave:

She supports Montgomery's amendment. One of the reasons why she supports it is that she, being white, will have a different perspective than people of color who are living in the Twin Cities Metro. They are a part of this broader community. She believes that perspective would better reflect a real, lived knowledge of what institutional racial bias is. She also encourages

people to watch the last St. Anthony Council Meeting. At one and a half minutes there's a proposal by Christine Lisda, a St. Anthony resident and attorney who has worked on institutional ethnography, and there was a lot of deep discussion about the importance of getting the work done.

Chuck Laszewski- 1713 St. Mary St:

He appreciates a couple of the changes that were made and said to the task force proposal. He also appreciates that May 1, 2017 final deadline, and the idea of the interim report. Are the Council Liaisons voting members in the task force?

Mayor Lindstrom response: no

Mr. Laszewski- 1713 St. Mary St: How long a will this be open for applications?

Mayor Lindstrom response: Two weeks and it will probably be online next week on Monday or Tuesday.

Mr. Laszewski- 1713 St. Mary St: He thinks those are good time frames and supports Montgomery's amendment. He agrees that the Council should ask to not have Officer Yanez patrol Falcon Heights. He also thinks that the Council should adjust the budget so that we will collect no more fines. The only stops that should be made are for speeding, DWIs, and running stop lights. Anything else is discretionary.

Sarah Chambers- 2170 Folwell Ave:

She also supports Montgomery's amendment. There is a lot of experience and knowledge that has been shared here. We're all part of a broader community, and there are many people that are interacting with our police on a regular basis. She also supports Sue Gerhrtz's recommendation to remove Officer Yanez from patrolling Falcon Heights. Lastly, she supports the recommendation made by Chuck Laszewski that we be budgeting in a way that will not have fines for technical violations that are not public safety issues.

Sue Gehrtz- 2285 Folwell Ave:

She believes the task force is a good idea, but she would hope that you can start by having discussion about the vision. What is it that you're trying to achieve? Her vision is that five years from now, people are no longer being told to not drive on Snelling and Larpentour.

City Administrator Sack Thongvanh:

There have been many discussions around the budget, as the preliminary budget will soon be adopted. None of the Council Members have ever discussed that the budget is dependent on the fines. We hear your concerns and we will take a look at them.

Kristine Chitambra- 1941 Summer St:

She supports Montgomery's amendment. She has never personally had a bad experiences with the police, as she imagines many of the Falcon Heights residents have had similar experiences. She's concerned that if we have a task force made up of just Falcon Heights residents, we will lose so much representation of the larger community. A bad group is almost worse than no group at all. How will the group be selected?

City Administrator Sack Thongvanh:

He is working on an application process for both groups. It will be open to apply for two weeks. He will compile the applications and send them to each Council Member. The Council Members will rank their selections. Then, he will look at the top nine candidates with a few alternates. From there the Council will start doing short interviews with those individuals. The final decisions will be made based on those interviews.

Kristine Chitambra- 1941 Summer St:

John Thompson suggested that the public vote on the applicants for the task force, and many people were in support of this idea.

Council Member Harris:

After much discussion about the interview format, one of the main discussions was what information the application should require.

City Administrator Sack Thongvanh:

He would recommend to the applicants that they would provide all the information that they believe would be important to the City Council for review. A lot of the questions he formulated for the application will be more open ended.

Dave Wark- 1588 Northrop St:

Interviewing is very important, and you usually get the answer you want within 90 seconds.

Tom Brace- 1433 Idaho Ave:

When looking at the budget, can you look at the idea of what it would cost to have our own police force? How many people would that take and what are the opportunities for mutual aid? Maybe then a police force that has a salary from the city would be more attentive to the community's needs.

Paula Mielke- 1868 Arona St:

She supports Montgomery's amendment. Youth have also expressed interest in participating, and to compensate their time maybe they could offer a stipend. Also, can Sack reach out to the Maplewood Police Chief to review their application, they are just wrapping up their process.

City Administrator Sack Thongvanh:

He spoke with the Maplewood Police Chief about the application process and is using the application as a template. Once the task force members are appointed, they will also all have Falcon Heights emails. Maplewood commended the city for having nine people on the task force since it difficult to coordinate larger groups. Having a smaller group, allows for quicker action. If there is something that needs to be done right away, those recommendation can be made before six months as well.

Jan Nye- Minneapolis Resident:

She commends the City Council on their democratic process.

Mayor Lindstrom:

He does hope youth are involved. There is a component that allows for non-residents if they have a connection through a business.

City Administrator Sack Thongvanh:

To clarify, the involvement in the task force is not restricted to just residents and business owners as they can still be involved and subcommittees have the potential to form.

Council Member Harris:

She believes it is important that we have diverse viewpoints taken into account by this task force, and she believes that they will be. She has expressed her concern for the legalities of data practice and open meeting laws. One of the reasons that they narrowed it down to Falcon Heights residents is that the city will have liability if members of the task force don't abide by those laws. She believes that the task force will need to hear from different people groups in order successfully do the job that is in front of them.

City Administrator Sack Thongvanh:

There will be a fillable pdf that can be submitted online, as well as a printable application.

Council Member Gustafson Moved, Approved 5-0

H. INFORMATION/ANNOUNCEMENTS:

Council Member Fischer:

The Community Engagement Commission met on Monday, and they are looking forward to the Human Rights Day event in December. They also had a great presentation on women's rights, and with the packed agendas that is something that will be discussed more for the 2017 goals.

Council Member Harris:

She attended an informal meeting with Mayor Lindstrom at a house on California Ave. last week. The conversation on this same topic was very interesting and a good way to get together to have conversations in person.

Council Member Brown Thunder:

Northeast Youth and Family Services is having one of their fundraisers, "Taste of Northeast", on Thursday, October 6 from 5:30-8:30pm.

Council Member Gustafson:

The Parks and Recreation Commission met last Monday to review summer programming. On Thursday, October 13 there will be a Fall Fete at Community Park from 5-7pm. This will be a make-up event in place of the Ice Cream Social.

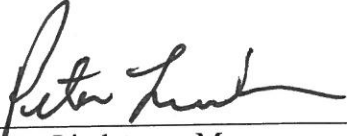
City Administrator Sack Thongvanh:

The Fall Fete will be a little different with hot cider, pumpkin painting, a campfire, and maybe even a balloon artist. Lastly, they are working on preparing the budget, and the preliminary levy will be set on September 28.

Mayor Lindstrom:

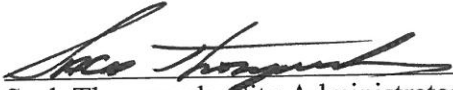
No updates

- I. COMMUNITY FORUM:
- J. ADJOURNMENT: 9:51 pm



Peter Lindstrom, Mayor

Dated this 21st day of September, 2016



Sack Thongvanh, City Administrator

