



*Our Mission is to Provide Quality Public  
Services in a Fiscally Responsible Manner  
While Preserving the City's Open Space  
Character*

## **NOTICE OF MEETING**

**City of Lake Elmo Park Commission  
3800 Laverne Avenue North  
March 20, 2017 6:30 PM**

### **AGENDA**

1. Call to Order
2. Approve Agenda
3. Approve Minutes
  - a) February 22, 2017
4. Lions Park
5. Savona Park
6. Park Development Policy Plan
7. Camera Protocol Procedure
8. Free Library Question
9. Ed Nielsen Birthday Resolution
10. April 2017 Meeting Agenda
11. Staff Reports & Commission Update
12. Adjourn

*\*\*\*Note: Every effort will be made to accommodate person or persons that need special considerations to attend this meeting due to a health condition or disability. Please contact the Lake Elmo City Clerk if you are in need of special accommodations.*

# **MINUTES**

## **City of Lake Elmo Parks Commission February 22, 2017**

**Members Present:** Chair Weis, Commissioners Frick, Nelson, Olinger, Pearce, Steele

**Members Absent:** Commissioners Ames, Nuenfeldt, Zeno

**Staff Present:** Administrator Handt, Public Works Director Weldon, Planning Director Wensman

**The meeting was called to order by Chair Weis at 6:33 PM.**

### **Approval of Agenda**

Motion by Weis, seconded by Nelson to approve the agenda with the addition of a Public Comment portion and an Advisory Panel and Selecting Members. Motion passed.

### **Approval of Minutes**

Motion by Frick, seconded by Nelson to approve the minutes. Motion passed.

### **Public Comment**

Hank Gray, secretary of Stillwater Area Scholastic Cycling Advocates, a nonprofit organization that supports the Mountain biking team. Requested to use Reid Park for Mountain biking. He stated that they had used it last year, but wanted to ask for continued use of the park. He stated that 70 kids were on the Mountain biking team last year and used three parks in the area. He added that they are currently building a trail at Valley View Park in Oak Park Heights for mountain biking.

Discussion of use of trails for biking and mountain biking at and near Reid Park and the impact of Mountain biking in general at the park. Chair Weis requested that staff report back to the Commission regarding if Mountain biking is allowed at Reid Park.

### **Savona Park**

Weldon reported that since the November meeting when the Savona Park options were originally presented, staff and Commissioner Pearce were able to discuss park options further and gain feedback from the residents of Savona. The proposed plan for the park is under \$150,000 and the timeline is to be completed by fall of 2017.

Weldon said that the zip line option has been moved to phase 2, saving roughly \$25,000. Staff is also recommending an asphalt basketball court to keep costs within budget. The sport court tiles come in over budget, but could be an option to add the sport court after the asphalt wears or part of phase 2.

Weldon also stated that there was no site grading done by the developer. Now the City will have to incur the cost of grading during the construction of the park and installation of the equipment. Weldon added that he met with an excavation company to discuss cost of grading, seeding, and tree removal.

The plan is to keep trees on the lower area of the park, allowing drainage into the treed area and to maintain a buffer to the homes to the east side of the park. The tree removal would occur in the Northwest portion of the park. This also allows the Northwestern part of the park to be more open and usable year round.

Discussion occurred around how the survey of neighbors was done, if the proposal would meet the neighborhood's needs, how many homes will be occupied when the park is completed, noise, parking, picnic tables, and impact on homes near the park. Additional discussion about the grading concerns, asking the developer for assistance in paying for the grading, wood or metal structures for playground equipment, including or eliminating the basketball court, wood or rubber mulch for under the playground equipment.

Commissioner Steele made a motion to eliminate the basketball court from the park, the motion did not receive a second and was removed. Chair Weis made a motion to eliminate the half-court basketball court and have rubber mulch for the playground area, to not exceed \$150,000. The motion was seconded by Steele. Motion failed, with a tie vote. Pearce, Frick, and Nelson voting in opposition. Commission Pearce made a motion to include the basketball court, the larger playground, and rubber mulch, not to exceed \$160,000. Frick seconded the motion. The motion failed. Commissioner Nelson made a motion to approve the plan as presented by staff (Webber 3a), motion was seconded by Frick. Motion failed, with a tie vote. Steele, Olinger, and Weis voting in opposition. The commission decided to wait for a final vote on the park design until they had more information on pricing for grading and the cost of mulch, and the estimate of the cost of maintaining the park for 20 years.

### **Sally Manzara Nature Center Updated Agreement**

Handt updated the Commission on the Nature Center Agreement. She explained that since the January meeting the language in the agreement has changed from the escrow amount being increased from \$200,000 to the cost equal to the bid on the project and language about the cameras has been removed. Concerns have also arisen about the language of the mission statement and concerns about the City taking over a building it never intended to construct. Mr. Manzara plans to address some of these concerns.

Constance Kirk discussed community interest in the Nature Center. Lake Elmo Elementary, Boutwell's Landing, local daycares in Washington County, Girl Scouts all are interested in using the center and interested in partnering with programming at the center. Stillwater High school wants the Nature Center to work with the Career Development Counselor.

Darlene a preschool teacher that focuses on Environmental Education.

Ian Dorney a University of MN student. He discussed types of internships that would be available at the Nature Center. Ways for citizens to be involved would be data collection and management. Educational options through informational programming and leadership opportunities for volunteers.

Manzara explained that trail walks would be part of the education and would likely be around 10 people at a time. A large portion of the education would be inside the building, including photos and discussion for those not able to walk the trails, such as senior citizens.

Discussion revolved around the number of cameras. Steele asked why is there concern from the Friends about asking for permission to place a camera. Manzara answered that he has been to the Parks Commission five times and he cannot imagine having to go through that length of review for each one day event. Steele proposed that a Protocol would be established by the Parks Commission and administered by staff.

Motion by Steele to recommend approval of the Nature Center document with the insertion of the MN Land Trust language and the new language from the Friends and a modification to include language regarding any cameras placed in the park for programming purposes by the Friends would be consistent with the Camera Protocol Procedure developed/established by the Parks Commission and seconded by Pearce. Motion passed.

### **Royal Golf Preliminary Plat**

Wensman reported that Royal Golf has made Preliminary Plat application. He mentioned the previous recommendation was for a trail connecting 20<sup>th</sup> St to 10<sup>th</sup> St and that a park would be desired and that one maintained by the HOA would be sufficient.

The developers are proposing no public park, but are proposing a private green space park within the development maintained by the HOA. They are also proposing trails through the entire development, the trail does become a sidewalk in front of homes and along the streets.

Wensman stated that the City is going to hire an assessor to determine the value of the land to determine the park land dedication. The amount that will be deducted will be the cost of the improvements for trails provided.

Wensman posed the questions: Are the trail out lots sufficient? Is the Commission still ok with a HOA park? Are the proposed trails a sufficient connection from 20<sup>th</sup> to 10<sup>th</sup>? What is best connectivity from trails, are sidewalks sufficient? What size sidewalk would be better, a 6 ft. or 8 ft. sidewalk?

Commissioner Steele expressed his concern with the developer proposing sidewalks since it is illegal to bike on them. He posed the question of instead of trails and sidewalks, what about widening the road and allowing for a bike lane. Weis stated that 8 ft. wide sidewalks in front yards is not a good idea and would prefer to see a bike line on the road for that distance. Commissioners also want to see a trail connection out to Lake Elmo Avenue. Wensman stated that the developer will



need to address the concerns. Commissioner Ames submitted an email to state he would like to provide access out to Manning and Oak-Land Junior High.

Wensman stated that we can only ask the developer to address the trails within the property that they own and we can make additional connections as other properties develop. He stated that the county plan will be difficult to implement, but this is an attempt to accomplish the goal within a development that is looking to develop.

Developer talked about the steep slopes and wetlands that prevent the trails from being constructed further along 20<sup>th</sup>. The trail does provide the desired connection from 20<sup>th</sup> to 10<sup>th</sup> that was previously requested. The plan provides a trail that works with the topography. He stated that 1/3 of the units in the development are age targeted, providing single level living, starting around \$500,000. The remaining properties would be families. Additionally the developer mentioned that the existing ballfields on site would remain available for use until they start developing that portion of the site. Once those will be removed the owner has made a commitment to make a donation to the City to construct new ballfields to replace the ones that will become houses. The developer also mentioned that there are picnic tables, playground equipment, garbage cans, and shelters available and has offered them to the City if they are interested.

#### **Park Development Policy Plan**

Staff presented the Park Policy Plan draft. Staff would like the Commission to provide feedback on the document and understands this will take several meetings to finalize.

Discussion about having more time for the Commission to review the document regarding the math surrounding the funds to establish the parks and some of the more specific details. The Commission suggested that a Guide Book naming may be better than a Policy. Concerns about developers being able to use the Plan against the City.

Wensman stated this document is to establish a Policy not an Ordinance, it would provide consistency without requiring it, the funds would still need to be available in order to establish a park, additionally the Policy may dictate a location that does not make sense, so there would be reasons to stray from the established policy.

No action needed on this item.

#### **Advisory Panel**

Handt stated that the City will be approving an agreement with SHC for the 2040 Comprehensive Plan update. Part of that is the use of an Advisory Panel.

The Advisory Panel would be 5-9 individuals made up of Planning, Parks, EDA, and Environmental, and Public Safety Committees and a few at-large residents and are looking for students to participate in this. They would start in April and finish in early November.

Staff is looking for a representative from the Parks Commission for the Panel. The representative would that would also serve as liaison to go between the

Advisory Panel and the Parks Commission to provide updates and attend a few community events such as Nature Day at Sunfish Lake Park.  
Commissioner Frick volunteered.

### **March Meeting**

Lions Park  
Savona Park  
Protocol Procedures for Cameras at Sunfish Lake Park  
Park Development Guidelines

### **Staff Reports and Commission Update**

1. Handt shared that there was a short report in the packet on a citizen request to put a Free Library at Pebble Park. Staff is going to establish donation forms similar to other and ask that the City not be required to do any maintenance or replacement.
2. Handt shared that she had meetings with the County regarding their plan for Parks. That they will be completing their trail plan in Cottage Grove then will be wanting to meet with the Parks Commission in May to discuss the County Trail Master Plan. The County has hired a new staff member that will be attending the meeting.
3. Weldon did not have any updates.

**Meeting adjourned at 9:50 p.m.**

**Respectfully Submitted,  
Tanya Nuss**



## **STAFF REPORT**

DATE: March 20, 2017  
ITEM #: 4

**TO:** Parks Commission  
**FROM:** Kristina Handt, City Administrator  
**AGENDA ITEM:** Lions Park Design

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### **BACKGROUND:**

**Summarized Public Comment about Priorities at Last Meeting.** The Parks Commission provided opportunity for the public to provide public comment regarding the priorities for Lions Park. The meeting minutes of this agenda item have been attached for reference. The public provided comments expressing desire for the following:

- Retro theme.
- Park and its historic character maintained.
- Moving the home plat to the 45<sup>th</sup> parallel and commemorate with a plaque.
- Fence.
- Re-grading of the field.
- Conservancy of the park.

**Commission Priorities List.** The Commission established the following priorities list:

1. Align home plate with the 45th parallel
2. Grade the site, specifically the ball field
3. Lights
4. Parking but consider the library parking
5. Practice areas (batting cage, warm up area, etc.)
6. Restrooms
7. Maintain and Enhance the vintage theme (example given Mieseville Mudhens field)

**Proposals.** Miller Architecture has proposed two schematic designs for the baseball field, which have been preliminarily shared with the Baseball Association, interested Community Members, Staff and Commissioners prior to the posting of this packet for extra time for review.

### **ISSUE FOR DISCUSSION:**

What design should be recommended to Council for future improvements?

### **PROPOSAL DETAILS/ANALYSIS:**

**Differences between Designs.** Included in your packet are the two schematic designs and narrative. The narrative outlines the differences between the two designs.

**Description of possible improvements** that were included in the RFP issued in May were:  
The City of Lake Elmo is in the process of renovating an existing little league baseball field complex consisting of a natural grass infield and outfield, a concession building, restrooms, dugouts, bleachers,

fully fenced perimeter, a scoreboard, and field lighting that meets the spirit of the city's dark sky night time lighting regulations. It is the goal of this project to design and bid a renovated version of the baseball complex on the existing site. Ideally this project will provide for a safe natural grass field of play and full fencing. It will also contain concession/public bathroom areas, storage, scoreboard, backstop, dugouts, and fan bleachers at a minimum. Other possible improvements may include a ticket booth, batting and practice areas, team meeting area, warning tracks, brick/veneer detailing for fences, announcers booth, parking and year round uses such as ice skating /hockey rink, prep kitchen and warming house.

**Feedback Received Prior to this Meeting on Designs.** The attached email is feedback received from Nadine and Ron Obermueller about the design. Mike Zeno also provided feedback about wanting additional volleyball court space.

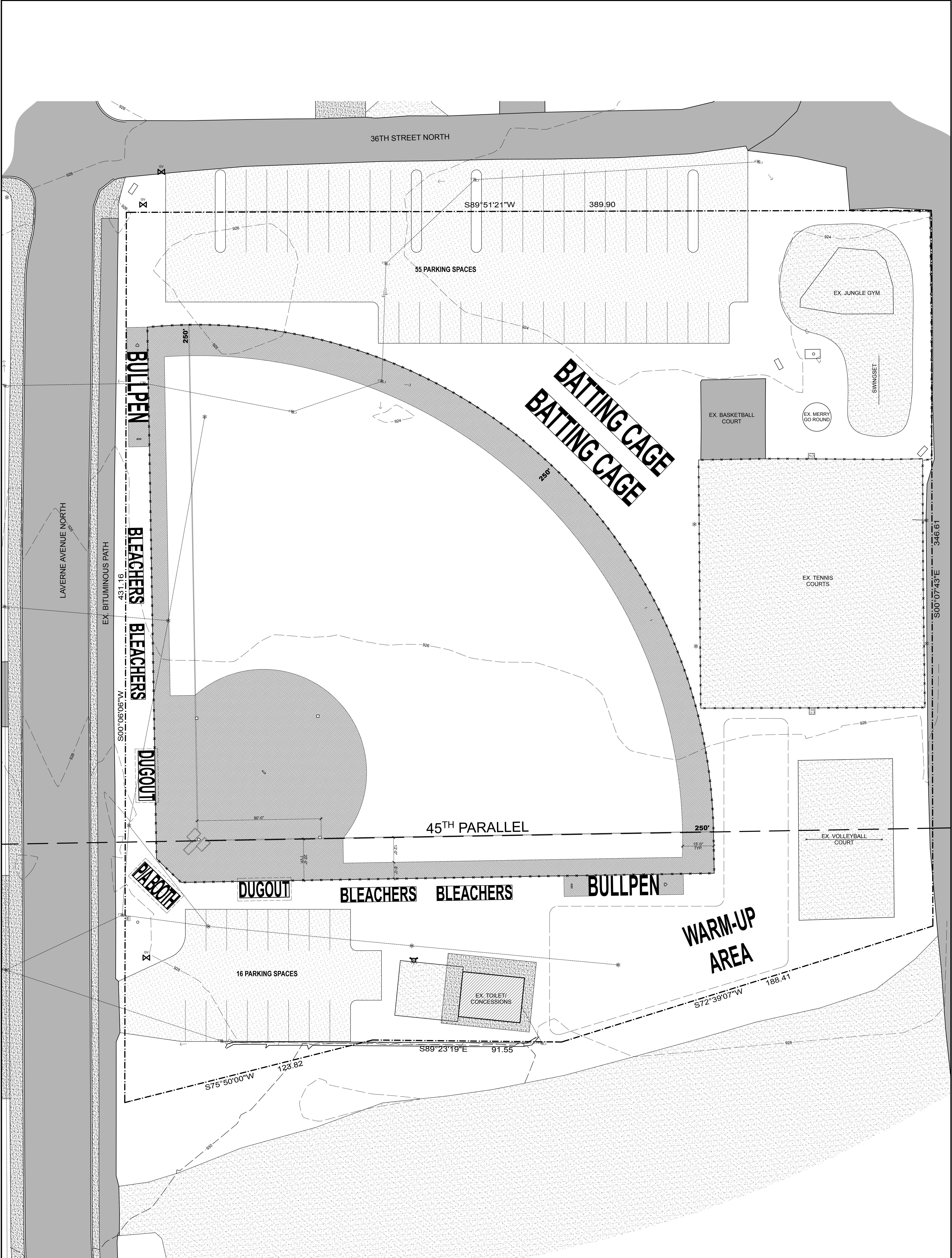
**FISCAL IMPACT:**

The 2016-2020 CIP included \$40,000 for grading the field at Lions Park. The 2017-2021 CIP includes \$150,000 for improvements to Lions Park. The total request therefore was \$190,000.

The Park Dedication Fund had a balance of \$975,532.05 at the end of 2016

Miller's not to exceed cost is \$27,500. In addition, the cost of the survey for the Lions Park was \$3,685 (including location of the 45<sup>th</sup> parallel. This would leave approximately \$158,815 available for improvements in the \$190,000 budget.





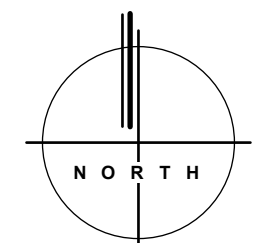
1

BASEBALL FIELD RECONFIGURATION  
1" = 20'

010'20'40'

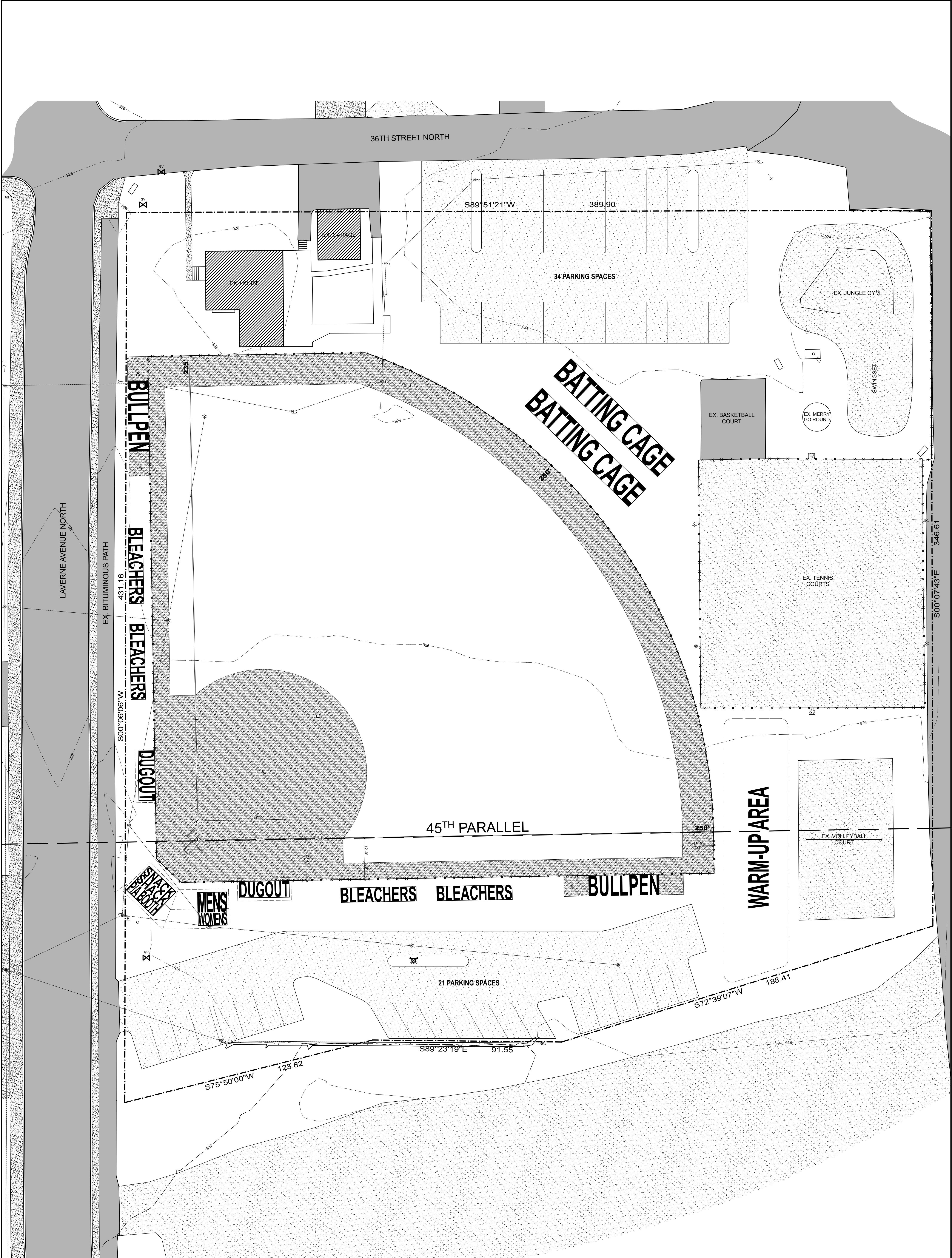
LIONS PARK BASEBALL FIELD  
FIELD RECONFIGURATION  
LAKE ELMO, MN

SHEET NO.  
P-101



320.251.4109 | 320.251.4693 fx  
3335 West St Germain Street  
PO Box 1228  
St Cloud, MN 56302





1 BASEBALL FIELD RECONFIGURATION  
1" = 20'

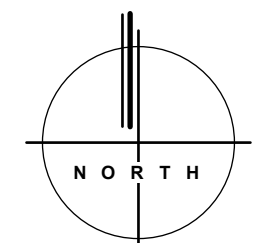
0 10' 20' 40'

# LIONS PARK BASEBALL FIELD

## FIELD RECONFIGURATION

LAKE ELMO, MN

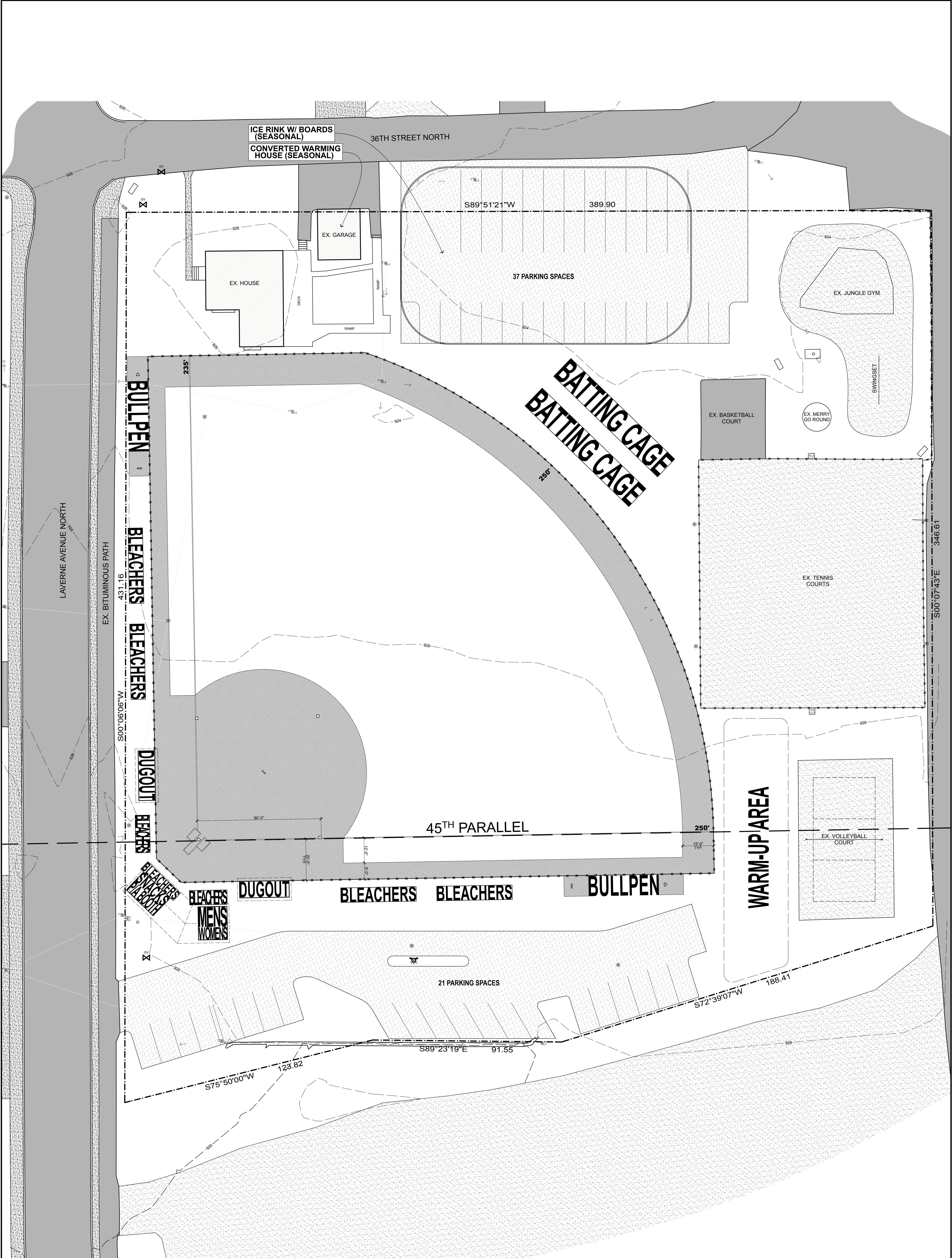
SHEET NO.  
**P-102**



**Miller**  
ARCHITECTURE, INC.

320.251.4109 | 320.251.4693 fx  
3335 West St Germain Street  
PO Box 1228  
St Cloud, MN 56302





1 BASEBALL FIELD RECONFIGURATION  
1" = 20'

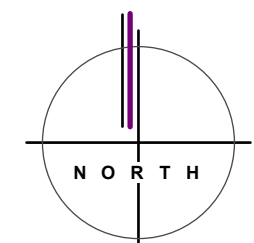
0 10' 20' 40'

# LIONS PARK BASEBALL FIELD

## FIELD RECONFIGURATION

LAKE ELMO, MN

SHEET NO.  
**P-103**



**Miller**  
ARCHITECTURE, INC.

320.251.4109 | 320.251.4693 fx  
3335 West St Germain Street  
PO Box 1228  
St Cloud, MN 56302



February 20, 2017

## Lake Elmo Lions Park Baseball Field – Schematic Design Narrative

The designs described here are labeled P-101 and P-102:

### Common Design Features:

- Field placement (1<sup>st</sup> baseline) along 45<sup>th</sup> Parallel
- Field Re-grading
- Improved lighting, reuse lights from Tartan Field
- Parking on site
- Batting cages and bullpens
- Vintage design theme
- New Dugouts, reuse existing bleachers (supplement as needed)
- Tennis, basketball, and volleyball courts and play areas to remain as-is
- Relocation of many overhead lines
- Warm-up area near volleyball courts (can be an alternative location for the batting cages)

### P-101 Design Features

- Existing Concession/toilets structure to remain. Update finishes, plumbing as needed.
- New P/A Booth directly behind home plate.
- House in left field to be removed.
- Outfield fences 250' @ 6' tall.
- Total parking stalls – 71. 16 in south lot, 55 in north lot.

### P-102 Design Features

- New Concessions (Snack Shack), P/A Booth, Men's & Women's restrooms within one structure, behind home plate. Open seating area between two building portions, under one roof.
- Remove existing concessions/toilet building to make room for additional parking.
- Total parking stalls – 55. 21 in south lot, 34 in north lot.
- House in left field to remain.
- Outfield fence in left field to be 235' down the line, with a 15' tall fence along straight section of fence. Remaining outfield fence is 250' @ 6' tall.



**From:** [Kristina Handt](#)  
**To:** [BradyH@millerab.com](mailto:BradyH@millerab.com)  
**Cc:** [Emily Becker](#); [Rob Weldon](#)  
**Subject:** FW: Lions Park Baseball Field  
**Date:** Wednesday, March 08, 2017 11:14:24 AM

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Brady,

Below are additional comments from residents you attended previous meetings about Lions Park.

Kristina Handt  
City Administrator, City of Lake Elmo  
[khandt@lakeelmo.org](mailto:khandt@lakeelmo.org)  
651.747.3905

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**From:** Obermueller [mailto:monnstergarage@comcast.net]  
**Sent:** Sunday, March 5, 2017 6:59 AM  
**To:** Kristina Handt <KHandt@lakeelmo.org>; 'Bkweeks' <bkweeks@aol.com>  
**Subject:** RE: Lions Park Baseball Field

Kristina,

Here are some comments from my husband Ron, he grew up in LE and using Lions Park.

- Both plans work.
- The first Plan P101 is the best option utilizing existing concessions with a less intrusive structure near the back stop.
- P101 can leave the art center or not. It just changes parking spaces and a shorter left field fence line at 235' vs a desired 250' = 15'.
  - The short left field 235' section will have a 15' tall fence vs 6'.
  - As we previously discussed the shape and distance of the outfield lines can be subjective to the space one has to work with. Many professional fields vary in size and shape.
- Miller can combine the P101 plan and the P102 plan.
  - Use all the P101 except for leave the Art center main building adjust the left field fence line as noted in P102.
  - Remove the Art Center Garage structure to gain that area for additional parking.
  - Remove one end of the curb island and add 4 to 6 spots, it's an open straight drive off of 36<sup>th</sup> St. N
- The Art Center should be inspected to determine if:
  - Does it meet public occupancy code?
  - Has the building been structurally compromised due to wall removals?
  - If it is safe to occupy?

- o If it is compromised, what will it take to resolve deficiencies, is it possible to resolve?
- o If it is structurally sound can it be moved to new location in town?

Ronald Obermueller

**From Nadine:** I like the 45<sup>th</sup> parallel location precisely over home plate. Most likely the only one in the US like that. I agree with Ron's observation of adding more parking, tweaking curbing and removing the Art Center garage for more parking.

Adding the concession stand and announcer booth behind home plate removes valuable viewing real-estate for the attendees. One idea is to add a few rows of seating in front of P102 announcer booth. I've seen this online, example City of Jordan's "Mini Met". Just one or two rows could serve that viewing desire. If there's room, I know it's super tight. Something to keep in mind. Not to obstruct awesome sight lines for viewers.

A few years ago the Parks Commission invested handsomely with many thousands of dollars to the Oakland Junior High's tennis courts. Either adding or improving upon the courts at the school. If the tennis courts at Lions someday need improvement. I think I'd also like to see an informational campaign to the community letting them know the Oakland tennis courts are there for usage.

It would be great to have Lions Park put into a land trust much like Sunfish.

Have a great week,  
Nadine

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**From:** Kristina Handt [<mailto:KHandt@lakeelmo.org>]  
**Sent:** Wednesday, February 22, 2017 9:54 AM  
**To:** Bkweeks ([bkweeks@aol.com](mailto:bkweeks@aol.com)); 'monnstergarage@comcast.net'  
**Subject:** FW: Lions Park Baseball Field

Good Morning,

I wanted to share with you the latest draft plans from the architect for the Lions Park design since you've previously expressed interest in the project.

The Parks Commission will be discussing this at their March 20<sup>th</sup> meeting. Please look over the options and feel free to share your thoughts.

Thanks,  
Kristina

Kristina Handt

# **MINUTES**

## **City of Lake Elmo Parks Commission January 18, 2017**

**Members Present:** Chair Weis, Commissioners Frick, Nelson, Olinger, Pearce

**Members Absent:** Commissioners Ames, Nuenfeldt, Steele, Zeno

**Staff Present:** Administrator Handt, City Clerk Johnson, Public Works Director Weldon, City Planner Becker

**The meeting was called to order by Chair Weis at 6:30 PM.**

### **Approval of Agenda**

There was discussion to pull the Nature Center from the agenda, but decided to keep it on as a narrative. Motion by Weis, seconded by Nelson to approve the agenda. Motion passed.

### **Swearing in of New Commissioners**

City Clerk Johnson administered the Oath of Office to new Commissioners Jean Olinger and Tucker Pearce.

### **Election of Officers**

Commissioner Weis was appointed Chair, Commissioner Frick was appointed Vice-Chair, and Commissioner Nelson was appointed Secretary.

### **Approval of Minutes**

Motion by Frick, seconded by Nelson to approve the minutes with the minor change from Blackform to Blackford. Motion passed.

### **Lions Park**

Handt suggested that the meeting should be opened up for public comment regarding the priorities for Lions Park. Handt stated that emails regarding having a retro and vintage theme had been received.

Barry Weeks explained that Lions Park is the oldest park in Lake Elmo and well used year round with skating and baseball and use of the playground equipment. He would like to see it maintain that historic character and have that feel maintained in any improvements. He further stated that the park lies on the 45<sup>th</sup> parallel, which is fairly unique. He would like to see home plate located exactly at the 45<sup>th</sup> parallel since it is already close and there could be a plaque at park with information. Weeks would like to see improvements like regarding of the field, dugouts, a fence, and a historic theme.

Dave Moore said he went out and examined the baseball field. He stated that on average the field will need approximately 1 foot of fill across the whole field, ranging from 6

inches and 1 ½ feet in different areas. Moore said that in the future if there are any Engineering projects with excess material that is dugout could be delivered to a specific park and reduce the cost of both haul the soil away and purchasing new soil, but it would require coordination and having a designated location for unloading the material. Moore also stated that Lions Park is the Emergency 100 year flood over flow area that has a swale built into the park that would have to be maintained.

Nadine Overmueller asked that the Parks Commission keep Lions Park and consider it for a conservancy. She discussed her concern about losing the park since it is valuable real estate given its location in the village.

Todd Bruchu spoke as a resident and as a representative of Lake Elmo Baseball. The biggest need is parking and more space. There is a need for more ball fields. And the ones that exist need more space for warming up before games and restrooms. He is happy to meet with the consultant to discuss ideas.

Dave Faint suggested that the south side of the park is somewhat vacant and since parking is a concern at Lions Park that turning the volley ball court 90 degrees would allow some parking on the site. He also offered the idea of using the volleyball court for skating instead of damaging the newly constructed baseball field.

Brady Hilcocks, Miller Architects, asked for a priorities list. He wants to know what Lake Elmo would like to see and what is the importance level of each item. Grading, dugouts, press box, batting cages, etc. He asked how the Commission felt about moving playground equipment and basketball court either within the site or off the site. His plan is to return to the Commission in March with a more finalized plan.

Commissioner Weis suggested a subcommittee that includes residents and Commission members. And then give the feedback to the architect. After some discussion this idea was dropped. The following is the priority list established during the meeting:

1. Align home plate with the 45<sup>th</sup> parallel
2. Grade the site, specifically the ball field
3. Lights
4. Parking but consider the library parking
5. Practice areas (batting cage, warm up area, etc.)
6. Restrooms
7. Maintain and Enhance the vintage theme (example given Mieseville Mudhens field)

Weldon asked the commission to consider if they want the park to remain a four season park or for it to become a one season or just a baseball park. He suggested that they consider installing items similar to what they maintain at other parks.

### **Nature Center Updated Agreement**

Handt updated the Commission on the Nature Center Agreement. She explained that since the discussion has been brought to the Commission in December, continued discussion needs to happen in a public format. She stated that the biggest



## PARKS COMMISSION COMMUNICATION

DATE: March 20, 2017

**REGULAR**

ITEM #: 5

**MOTION**

**AGENDA ITEM:** Savona Park  
**SUBMITTED BY:** Emily Becker, City Planner  
**REVIEWED BY:** Kristina Handt, City Administrator  
Rob Weldon, Public Works Director

### **BACKGROUND:**

At its November meeting, the Parks Commission reviewed bids from three companies that gave pricing on equipment within Savona Park that the residents had expressed interest in.

At its February meeting, the Commission reviewed the proposals but wanted to see additional research from Staff on rubber vs. wood mulch before it made a recommendation. That report is attached. The following is the same report provided to the Parks Commission at its February meeting.

#### **Results:**

- The Parks Commission had recommended a maximum amount of \$150,000 be spent on first phase park amenities.
- Residents of Savona were directed to provide feedback on different design options.

### **ISSUE BEFORE COMMISSION:**

The Parks Commission is respectfully requested to review the recommended design of Savona residents and make a recommendation on:

- a) What amenities should be included (for first phase); and
- b) Confirm the maximum amount to be spent on the park.

### **PROPOSAL DETAILS/ANALYSIS:**

#### **Savona Residents' Preferences.**

*Recommended Option.* Staff recently met with Tucker Pearce, Savona resident. He communicated that combining Weber Option #1 and #2 was preferred.

*Options to Reduce Price.* He communicated that some of the amenities of the playground equipment could be eliminated (i.e. the ladybug, perhaps the shade covers, etc.). Additionally, the larger kid's playground could be replaced with the smaller one to reduce cost.

*Equipment.* The playground equipment was the essential aspect of the park. They would like to see two separate sets (one for younger kids and one for older kids), as well as the swings.

*Additional Amenities.* The other proposed amenities ranked as follows:

- 1) Half-court basketball court (21 out of 41 returned surveys indicated this was preferred over a zipline)
  - a. 26 out of 41 prefer a fixed hoop to adjustable hoop.
- 2) Zipline (could be included in the 2<sup>nd</sup> phase)
- 3) Bocceball (only if it can be purchased for under \$10,000)
- 4) Exercise equipment (2<sup>nd</sup> phase)

*Trees.* 28 out of 41 returned surveys indicated that they would like to see as many trees kept as possible while still allowing as much space as possible for amenities.

*Open Area.* The first survey distributed indicated 28 out of the 32 results received indicated a desire for an open play area to toss a Frisbee or play fetch.

**Staff Input.** Staff have the following comments:

- *Grading and Tree Removal.* Grading and tree removal is not included in the cost estimates provided. This could cost upwards of \$20,000-\$40,000.
- *Signs.* The signs installed in parks throughout the city have shown some decay.
  - Perhaps a boulder, with the name of the park and city logo etched in, could be considered instead of a sign similar to those of other city parks.
- *Location of Park.* The Commission should keep in mind the location of the park (in some Savona residents' back yards). Amenities should be planned accordingly.
- *Size of Park.* The park is 2 acres, but not all of that is included in the "main part." Also, the trees (some of which are significant oak trees) take up a significant portion of the park.

**FISCAL IMPACT:**

\$150,000 used of park dedication funds, or a different amount the Parks Commission may choose to recommend.

**RECOMMENDATION:**

Staff recommends that the Commission re-review the proposals, taking in to consideration the additional cost of grading, and make a recommendation based on:

- Design of equipment.
- Cost.
- Usability of equipment within the neighborhood.

**ATTACHMENTS:**

- Savona survey results
- Proposed design and pricing



## MILLER EXCAVATING, INC.

3741 Stagecoach Trail North

Stillwater, MN 55082

Estimator: Steve St. Claire

Phone / Fax: 651-439-1637 / 651-351-7210

Email: office@millerexc.com

Quote To:

City of Lake Elmo  
3800 Laverne Ave N  
Lake Elmo, MN 55042

Attn:

Rob Weldon

Phone:

651-747-3900

Email:

rweldon@lakeelmo.org

Job Name:

Savona Park

Job Address:

James Ave N

Job Location:

Lake Elmo, MN

Date:

March 6, 2017

Estimate #:

17135

ITEM	DESCRIPTION				AMOUNT
100	MOBILIZATION				
110	SILT FENCE				
120	ROCK CONSTRUCTION ENTRANCE				
130	STRIP TOPSOIL & STOCKPILE ONSITE				
140	SITE GRADING				
150	HAUL IN FILL TO BUILD EQUIPMENT PAD AREA				
160	4" DRAIN TILE W/ 3.4" ROCK BEDDING				
170	REGRADE TOPSOIL FROM ONSITE STOCKPILE				
	<b>SUBTOTAL EROSION &amp; EARTHWORK</b>				<b>\$17,675.75</b>
200	CLEAR & GRUB TREES				
	<b>SUBTOTAL CLEAR &amp; GRUB</b>				<b>\$7,500.00</b>
<b>GRAND TOTAL</b>					<b>\$25,175.75</b>

NOTES:

Quote valid for 30 days.

Retainage as withheld by Owner. Not to exceed 5%.

Sales taxes included (if applicable)

Bond included (if required)

Payment due within 30 days of initial invoice. Past due accounts will accrue 1.5% per month service charge.

Standard insurance included.

Gopher State One Call locates included 4 business days prior to start of work.

Miller Exc. is not responsible for weather, utility conflicts, other contractors, strikes, lockouts, material shortages, acts of god, or other circumstances beyond our control that may delay the completion of the work.

All items listed above are tied, unless arrangements are made PRIOR to bid opening.

The information in this proposal is considered confidential between the two parties listed.

All excess materials from the project are the property of Miller Exc.

Water, sanitary sewer and storm utilities to be stubbed within 5' of the building.

All work to be completed during normal business hours. (Monday thru Friday 700 am to 500 pm)

THIS PROPOSAL HAS BEEN PREPARED ACCORDING TO THE FOLLOWING DOCUMENTS:

PLANS:NONE

SPECS:NONE

GEOTECHNICAL:NONE

ADDENDA:NONE

THE FOLLOWING ITEMS ARE EXCLUDED FROM OUR PROPOSAL:

Surveying, staking, blue tops, or project layout

Waiver of Subrogation

Private utility locating

Winter conditions (frost ripping, frost blankets, road restrictions, ground thawing, etc.)

Vapor barrier, foundation insulation, or waterproofing

Contaminated material testing, excavation, abatement, remediation.

Traffic control for non-Miller Exc work.

Sweeping required for non-Miller Exc work.

Final tolerance of aggregate base prior to concrete and/or asphalt

Sod, seed, hydroseeding, straw mulch, or erosion blanket

Hand raking, rock removal, final tolerance prior to seeding and/or sod

Soil correction

Dewatering of site

Rock excavation

Retaining wall excavation or backfill

Fence removal or reinstallation

ROW degradation fees.

Concrete equipment or cleanout pads

Landscaping or irrigation installation and/or repair

Tree trimming, removal, grubbing

Temporary access road grading, gravel, or removal

Soil testing. Gradations for imported materials available upon request.

Electrical or irrigation conduit installation

Well or septic abandonment

Concrete or bituminous paving

#### PROPOSAL ACCEPTANCE

We hereby accept the proposal for the work as outlined above and agree to the terms and conditions as listed. Any alteration or deviation from the work as specified above will become extra work over the estimate and will be paid as a change order to the original contract. Miller Excavating, Inc. is authorized to proceed with the work. Payment will be made according to the terms outlined above.

Signed: \_\_\_\_\_

Print: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_





## STAFF REPORT

DATE: 3/20/17

**REGULAR**

ITEM #: 5

**TO:** Parks Commission

**FROM:** Rob Weldon, Public Works Director

**AGENDA ITEM:** Rubber vs. Wood Playground Mulch

**REVIEWED BY:** Emily Becker, City Planner  
Kristina Handt, City Administrator

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**BACKGROUND:** Over the past several months, there has been lengthy discussion and various opinions regarding types of playground surfacing to be installed at Savona Park and all future parks, as well as reconditioning of existing playground surfaces. The discussion has focused mainly on two types of materials, rubber mulch and wood fiber.

**ISSUE BEFORE COMMISSION:** What type of material should be chosen as the standard surfacing material for all new and existing city playgrounds?

**PROPOSAL DETAILS/ANALYSIS:** Both rubber and wood mulch have positive and negative qualities that set them apart from each other while serving as an approved playground surfacing material.

As we have discussed, wood mulch breaks down and needs to be replaced or top dressed after approximately 5 years of being installed. Wood mulch also allows the growth of weeds if not turned over every year. On the other hand rubber tire mulch does not promote the growth of weeds and does not decompose as does wood mulch.

In regards to rubber mulch, there have been numerous complaints and investigations across the country into adverse health effects that may be associated to this product. Most recently, the City of Minneapolis is considering the removal of rubber mulch from all city parks, (see attachment).

**FISCAL IMPACT:** Rubber mulch is 3x the cost of wood mulch.

Even if wood mulch needs to be completely replaced in a playground it could be done 3x, (every 5yrs.) before matching the cost of rubber mulch.

To partially replace, or top dress a playground area with wood mulch would cost \$1,000 per occurrence.

**RECOMMENDATION:** To choose wood mulch as the material installed in city playground areas. This recommendation is being made based on price and potential health concerns associated with rubber mulch.

**ATTACHMENTS:** - Webber Rec. Quote  
- Star Tribune Article



# Webber Recreational Design, Inc.

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1442 Brooke Court · Hastings, MN 55033-3266  
(651) 438-3630 · Fax: (651) 438-3939  
(800) 677-5153  
www.webberrec.com

February 23, 2017

City of Lake Elmo  
ATTN: Rob Weldon  
3800 Laverne Avenue N.  
Lake Elmo, MN 55042

Dear Rob,

Below is the pricing for the engineered wood fiber and Crumb Rubber surfacing options,  
Dyna Cushion Mat and Goalsetter Goal for Savona Park

200 cu. Yards of engineered wood fiber- Delivered	\$ 23.65/yard	\$ 4,730.00
28 Tons of Colored Crumb Rubber- Delivered		\$ 14,400.00

7- 4'x6'x2" Dyna Cushion Mats Delivered Only	\$ 195.00/each	\$ 1,365.00
Delivery to Lake Elmo, MN		<u>390.00</u>
Total Delivered Dyna Cushion Mats		\$ 1,755.00

MVP Goalsetter Basketball Goals (1)		\$ 1,950.00
Delivery to Lake Elmo, MN		<u>210.00</u>
Total Delivered MVP Goalsetter (1)		\$ 2,160.00

*Does not include basketball court surface.*

If you have any questions, please feel free to give me a call.

Sincerely,

Jay Webber- President  
WEBBER RECREATIONAL DESIGN, Inc.

Minneapolis

Minneapolis considers blocking use of tire rubber on playgrounds, athletic fields



Minnesota Vikings Pierce Burton, left, and Antonio Richardson, center, joined other players, coaches, and school staff to help build a playground at Lucy Craft Laney School in 2014 in Minneapolis, work that included tire mulch.

— Elizabeth Flores, Star Tribune

By [Faiza Mahamud](#) and [Adam Belz](#), Star Tribune staff  
March 10, 2017 - 9:57 AM

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- [50](#)

The ground-up tire rubber filling playgrounds in Minnesota and across the country is facing fresh scrutiny in Minneapolis amid growing concerns the bouncy surface contains toxic chemicals.

On Friday, the Minneapolis City Council will debate whether the city should use whatever leverage it can to discourage the use of tire mulch on playgrounds and athletic fields. Those decisions are largely left to school and park officials, but some City Council members are so concerned about the potential dangers to Minneapolis residents that they want to ensure city money isn’t spent on the material.

“I’m convinced the stuff is potentially dangerous enough that we should use alternatives,” said Council Member Cam Gordon, who has spearheaded the [effort to curb their use](#).

The debate echoes one being held in communities around the country, as school and park officials search for the most safe and durable surfaces for athletic fields and playgrounds. While studies into the health effects of recycled tires have not been conclusive — major studies led by health officials in California and the U.S. Environmental Protection Agency are still underway — the concern is the presence of toxic chemicals.

In Edina, parents raised concerns about the material in 2016 when the school district proposed replacing four grass athletic fields with synthetic turf with crumb rubber infill. But school officials opted to proceed with the projects, saying the material is strong and safe.

The Park Board doesn’t use tire mulch on playgrounds in Minneapolis, but has crumb rubber infill in eight synthetic athletic fields, making them far more durable than natural fields and providing a consistent playing surface for sports like soccer.

The city does not control any playgrounds or playing fields that use waste tires for cushion, but the city is a significant contributor to parks funding.

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Last year, the City Council agreed to a 20-year Neighborhood Park Plan that would provide \$11 million annually for park maintenance and rehabilitation. That money, and how it is used, could be affected by the council’s vote, though neither Gordon nor Park Board officials are certain.

Park officials say a city prohibition on the material would disrupt plans to expand the Currie Park field in Cedar Riverside and put a dome over it, since the field uses crumb rubber for cushion. The soccer field at Stewart Park in the Phillips neighborhood was the first to be installed with crumb rubber six years ago.

“We are the recreation experts, the city is not,” said Park Board Commissioner Scott Vreeland. “The discussion of the city micromanaging our fields concerns me.”

It’s not clear to the Park Board or the City Council whether action by the city would prevent the Park Board from using crumb rubber on athletic fields. Lawyers for the Park Board said the body has broad discretion on how to use the money from the 20-year Neighborhood Park Plan.

“There was some question that the Park Board funding flows through the city, so this is what caused the big kerfuffle,” Gordon said.

Park Board Superintendent Jayne Miller said the main priority is safe fields, and crumb rubber from tires appears to be the safest for now because the [proposed alternatives](#) “need to be examined by science and research.”

Using natural turf is a lot of work, Miller said, requiring long growing periods, fertilizers and irrigation, and maintenance, especially for heavily used fields.

The Park Board said it wants the City Council to delay action for 30 days to give its lawyers time to investigate whether the city has authority to enact the crumb rubber ban.

And if the city doesn’t allow a delay, the Park Board requests a moratorium on city-financed projects using crumb rubber, but no prohibition on projects funded through the 20-year Neighborhood Park Plan.

The City Council is expected to vote on the matter Friday morning.

Faiza Mahamud • 612-673-4203

Adam Belz • 612-673-4405

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[Comments 50](#)

Next in Local

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## Most Read



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[Report: Poland confirms Mpls. man was Nazi commander](#)



## **STAFF REPORT**

DATE: March 20, 2017  
ITEM #: 6

**TO:** Parks Commission  
**FROM:** Emily Becker, City Planner  
**AGENDA ITEM:** Neighborhood Park Development Policy

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### **BACKGROUND:**

The Parks Commission recommended a Parks Development Policy Plan be an item on its 2017 Plan of Work. The Commission preliminarily reviewed a draft of the Parks Development Policy at its February 22, 2017 meeting and provided minimal feedback. The Commission had the following comments in response to the draft provided:

- The Policy should be designated as a Guide, so as to not indicate that the standards set forth should be strictly adhered to.
- There was concern that unique situations may arise that make following the guidelines difficult.
- There was also concern that the guidelines may be used against the best interest of the city if these unique situations arise in which the guidelines do not apply.
- There was suggestion that the other items in the policy that set forth standards for park equipment and amenities (quality of materials, surfacing, design, accessibility, signage, toilets, lighting, grouping of recreation equipment, landscaping, etc.) be a separate set of guidelines.

### **ISSUE BEFORE COMMISSION:**

The Commission should review the proposed Parks Development Policy and provide feedback. Staff will revise the policy based on feedback and bring back to the Commission at a later date for recommendation. Alternatively, if the Commission feels that no changes are necessary, the Commission may wish to make recommendation on Guidelines presented.

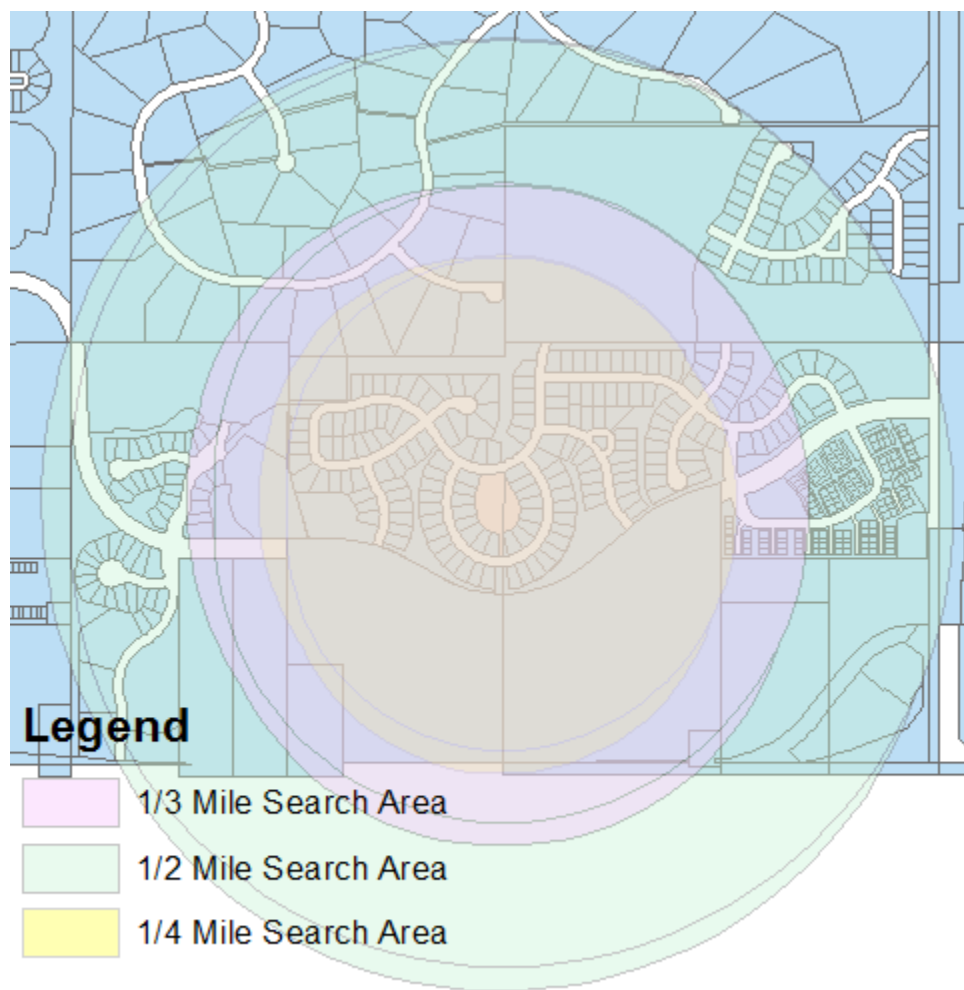
### **PROPOSAL DETAILS/ANALYSIS:**

**Name.** The name has been changed to Neighborhood Park Development Guidelines. Many of the items in the Policy do not apply to other parks in the City (regional or city parks). As mentioned above, the Commission wished to change the name to Guidelines rather than Policy.

**Amount of Money Allocated.** The Parks Commission has previously discussed allocating \$500.00 per new home within a subdivision to the construction of a neighborhood park.

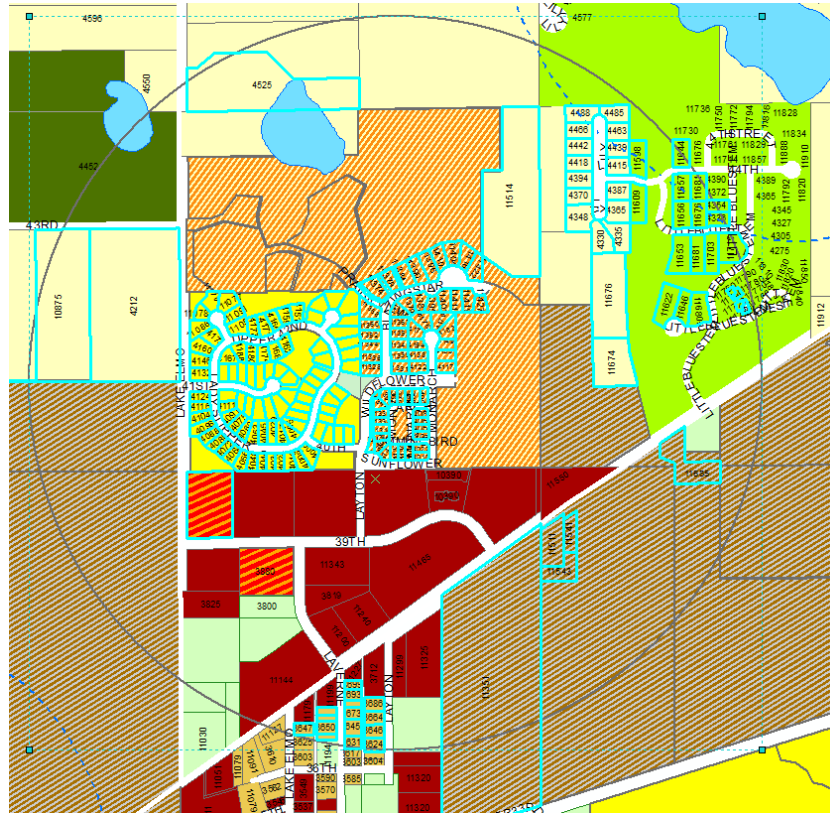
- *Challenge.*
  - This can be a difficult policy to apply to all neighborhood parks, as there are neighborhood parks that serve multiple subdivisions, so it is difficult to determine which lots to count.
  - Additionally, the parkland is City land, and the consideration of how much to spend should be considered in a service area rather than just within a subdivision.
- *Proposed Policy.* The proposed policy indicates that \$500 per lot within the neighborhood park search area of ½ mile. The Comprehensive Plan Parks Plan indicates that the neighborhood park search area should be ¼ - ½ mile.


- Example: Savona Park.
  - The illustration below shows the Neighborhood Park search area for Savona Park. There are approximately 183 existing lots within the 1/4 mile search area, 224 existing lots within the 1/3 mile search area, and 539 existing lots within the 1/2 mile search area.
    - Using \$500 per home for Savona Park:
      - Within the 1/4 mile search area: \$91,500.
      - Within the 1/3 mile search area: \$112,000.
      - Within the 1/2 mile search area: \$269,500.
- *Total Cost.* The policy indicates that \$500 per lot within the 1/2 mile search area be allocated towards the total cost of all phases of construction of the park, not just phases.
  - This does not include routine maintenance, equipment updates, or refurbishing of parks.
  - The cost of phasing can be determined incrementally.
- *Overlapping Search Areas.* If there are cases in which there are overlapping search areas, the lots shall not be double counted.



**Phasing.** The Parks Commission has previously discussed phasing, and that the first phase of a park should be considered when one-third of the homes planned for a subdivision have been built. However, many subdivisions such as the Savona Neighborhood have a higher number of units, and the need for a park came sooner. It is recommended that the policy set forth criteria for a needs assessment for phasing of a park that takes the following in to consideration:

- At least 100 homes with Certificate of Occupancy issued within a ½ mile search area.
  - This number was derived taking in to consideration the minimum amount of money a park may cost (\$50,000 figuring \$35,000 for basic playground equipment + \$15,000 for miscellaneous amenities). Then, this number was divided by the allowance of \$500/home for a park.
  - \*\*There was concern raised during the last meeting about there being situations where this is not feasible (the Village was referenced). However, shows the neighborhood park search area of ½ mile from the park of Village Preserve. There are currently over 600 single family residential lots within this neighborhood park search area. While homes have not necessarily been built on all of these parcels shown, the 100 home goal is certainly achievable.\*\*



 = single family residential lots (As indicated above, there are approximately 600 single family residential lots within the neighborhood park search area of Village Park Preserve)

- Community interest in a park.
  - Have residents near this park petitioned for this park to be constructed?
- Proximity to other parks within the City.
  - Are there other parks within walking distance that residents could use until this park is constructed?

**Additional Policy.** As mentioned above, the previously proposed policy included guidelines for park equipment and amenities. It was mentioned at the last Parks Commission meeting that this be a separate policy. This policy has been separated and includes the following:

- *Quality of Materials.* All playground equipment placed in a public park shall meet American Standards for Testing and Materials F1487 Public Use Playground Equipment standards.



- *Surfacing.* The Commission has had mixed opinions about rubber mulch, so this is something that should be discussed. All playground surfacing shall meet American Society for Testing and Materials (ASTM) standards.
- *Design.* All equipment and/or any structures placed in a public park shall be approved by the Parks Commission and City Council.
- *Accessibility.* All parks shall be designed with appropriate American with Disabilities Act Standards (ADA) and be inclusive where possible.
- *Signage.* Park signage should be that of high-quality, long-lasting, durable material.
- *Toilets.* Toilets are provided on the conditions that funds and staff are available for their installation, upkeep, and long term maintenance requirements. Use frequency of the park, available funds, and lack of alternative and/or available options for toilets will determine order of installation.
- *Lighting.* Lighting is provided subject to available resources and funding and aims to assist in providing a safe and secure environment for citizens. Priority is given to parks that are used heavily for recreation that may, without lighting, cause harm to users.
- *Grouping of Recreation Equipment.* In order to provide more efficient maintenance, recreation equipment shall be grouped where appropriate.
- *Planting.* Planting shall be in accordance with available budget and environmental guidelines. Landscaping should be that of low water usage, maintenance, in accordance with the City's Bee Safe Policies and Procedures, and not interfere with utilities.

### **FISCAL IMPACT:**

These Guidelines will set forth standards for the amount of money allocated towards neighborhood parks within the City.

### **OPTIONS:**

The Commission may:

- Recommend edits to the guidelines presented, and Staff will make those edits to be presented at the next Parks Commission meeting.
- Recommend the guidelines as presented with minor changes.
- Recommend the guidelines as presented.

### **RECOMMENDATION:**

The Commission should review the attached Park Development Policy and provide feedback.

- Are the fiscal policies acceptable? If not, what changes are needed?
- Should the Commission adopt a separate set of guidelines for park equipment and amenities? If so, what changes are needed to this separate policy?

### **ATTACHMENTS:**

- Neighborhood Park Development Guidelines
- Park Equipment and Amenities Guidelines





## City of Lake Elmo Neighborhood Park Development Guidelines

- I. *Purpose.* The purpose of this document is to set forth guidelines for the following when planning a Neighborhood Park:
  - a. When a Neighborhood Park should be constructed.
  - b. The amount of funds to allocate toward a Neighborhood Park.
  - c. What is constructed in a Neighborhood Park.Neighborhood Park planning is entirely within the discretion of the City and nothing in these guidelines is intended to abrogate that discretion.
- II. *Definitions.* For the purpose of these Guidelines, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
  - a. *Neighborhood Park.* An undeveloped city-owned piece of land that has been acquired as parkland to be the recreational and social focus of a neighborhood.
  - b. *Planning.* Researching pricing, obtaining quotes, and incorporating a project in to the City's Capital Improvement Project Plan.
  - c. *Home.* A dwelling unit that has been issued a Certificate of Occupancy by the City's Building Department.
  - d. *Construct.* Make the park usable for recreation.
- III. *Planning.* Neighborhood Park planning shall not commence until two or more of the following has been determined:
  - a. At least 100 homes are within a half (½) mile search area of the Neighborhood Park.
  - b. Surrounding residents of the Neighborhood Park have petitioned the City to construct a park.
  - c. There are no other parks or recreational amenities within ½ of the Neighborhood Park.
- IV. *Quality of Materials.* All playground equipment shall meet American Standards for Testing and Materials F1487 Public Use Playground Equipment standards.
- V. *Design.* All equipment and/or any structures shall be approved by the Parks Commission and City Council.
- VI. *Design.* All equipment and/or any structures shall be approved by the Parks Commission and City Council.
- VII. *Surfacing.* All playground surfacing shall meet American Society for Testing and Materials (ASTM) standards.
- VIII. *Accessibility.* All parks shall be designed with appropriate American with Disabilities Act Standards (ADA) and be inclusive where possible.
- IX. *Signage.* Park signage should be that of high-quality, long-lasting, durable material.
- X. *Toilets.* Toilets are provided on the conditions that funds and staff are available for their installation, upkeep, and long term maintenance requirements. Use frequency of the park, available funds, and lack of alternative and/or available options for toilets will determine installation.
- XI. *Lighting.* Lighting is provided subject to available resources and funding and aims to assist in providing a safe and secure environment for citizens. Priority is given to parks that are used heavily for recreation that may, without lighting, cause harm to users.
- XII. *Grouping of Recreation Equipment.* Equipment shall be grouped where appropriate.
- XIII. *Planting.* Planting shall be in accordance with available budget and environmental guidelines. Landscaping should be that of low water usage, maintenance, in accordance with the City's Bee Safe Policies and Procedures, and not interfere with utilities.



## Park Equipment and Amenities Guidelines

- I. *Quality of Materials.* All playground equipment shall meet American Standards for Testing and Materials F1487 Public Use Playground Equipment standards.
- II. *Design.* All equipment and/or any structures shall be approved by the Parks Commission and City Council.
- III. *Surfacing.* All playground surfacing shall meet American Society for Testing and Materials (ASTM) standards.
- IV. *Accessibility.* All parks shall be designed with appropriate American with Disabilities Act Standards (ADA) and be inclusive where possible.
- V. *Signage.* Park signage should be that of high-quality, long-lasting, durable material.
- VI. *Toilets.* Toilets are provided on the conditions that funds and staff are available for their installation, upkeep, and long term maintenance requirements. Use frequency of the park, available funds, and lack of alternative and/or available options for toilets will determine installation.
- VII. *Lighting.* Lighting is provided subject to available resources and funding and aims to assist in providing a safe and secure environment for citizens. Priority is given to parks that are used heavily for recreation that may, without lighting, cause harm to users.
- VIII. *Grouping of Recreation Equipment.* Equipment shall be grouped where appropriate.
- IX. *Planting.* Planting shall be in accordance with available budget and environmental guidelines. Landscaping should be that of low water usage, maintenance, in accordance with the City's Bee Safe Policies and Procedures, and not interfere with utilities.



## **STAFF REPORT**

DATE: March 20, 2017  
ITEM #: 7

**TO:** Parks Commission  
**FROM:** Emily Becker, City Planner  
**AGENDA ITEM:** Camera Protocol Procedure

---

### **BACKGROUND:**

At its last meeting in February, the Parks Commission recommended approval of the Sally Manzara Interpretive Nature Center Development, Lease, License, and Operating Agreement (Agreement). This agreement outlined language that allowed Friends of Lake Elmo's Sunfish Lake Park (Friends) to place cameras in the park for programming purposes consistent with the Camera Protocol Procedure adopted by the City. Because the City does not currently have such a procedure, Staff has drafted one for review.

### **ISSUE BEFORE COMMISSION:**

The Commission should review the draft Camera Protocol Procedure and provide feedback. Staff will revise the policy based on feedback and bring back to the Commission at a later date for recommendation. Alternatively, if the Commission feels that no changes are necessary, the Commission may wish to make recommendation on the procedure as presented, with or without minor edits.

### **PROPOSAL DETAILS/ANALYSIS:**

**Name.** The procedure has been named Camera Protocol Procedure in order to maintain consistency with the Agreement. It does not specify Sunfish Lake Park specifically so that if there was a unique situation in which another person or entity would request to place cameras within a different city park, this procedure could be followed in order for them to obtain permission.

**Applicability.** The proposed procedure indicates that it shall apply to any person or entity proposing to place cameras within a city park, and that the procedure shall not apply to the City or to people simply out in the park taking pictures.

**Signage.** The procedure indicates that signs that let visitors know that cameras are present in the park must be provided and erected by the person or entity wishing to place cameras in the park.

**Camera Placement.** The procedure requires that cameras be directed towards nature and not visitors to avoid capturing "indecent" or "private" activity.

**Required Submittals.** The procedure requires the following so that the Staff can thoroughly evaluate the proposal:

- Narrative detailing reason for request, number of cameras, amount of time cameras will be there, and what the data the cameras record will be used for.
- Site plan showing location of cameras.
- Sign plan showing where the signs will be placed and what they'll say.

**Reviewing Body.** Due to the general infrequency of Parks Commission meetings, and because it has been indicated by the Friends that they may want to change placement of cameras throughout the park generally quickly in order to capture timely events occurring in the park (i.e. they find an eagle is nesting, or new birds are being found in new locations), the application for camera placement is reviewed by Staff for consistency with the Parks Commission-reviewed and approved Procedure.

**Review Period.** The proposed procedure requires that the applicant submit the request to place cameras ten days in advance of when placement or change in placement will occur in order to give Staff enough time to review.

**City Free of Responsibility for Loss, Theft or Damage.** The proposed procedure indicates that by submitting the request to place cameras within a park, it is agreed that the City shall be free of any liability for loss, theft, or damage.

**Changes to Camera Placement Plan.** If the applicant wants to change where cameras are placed from the approved plan, City approval will be needed, following the same procedure outlined in the proposed document.

**Violation.** Because the cameras will be located on private land, the proposed procedure indicates that the City may remove the cameras if they are placed inconsistently with the approved plan.

**RECOMMENDATION:**

The Commission should review the attached Camera Protocol Procedure and provide feedback. If no major changes are needed, the Commission may recommend approval of the Procedure.

**ATTACHMENTS:**

- Camera Protocol Procedure



## Camera Protocol Procedure

- I. *Purpose.* The purpose of this document is to set forth a procedure for the placement of cameras within City parks.
- II. *Applicability.* This procedure shall apply to any person or entity wishing to place a camera or cameras within a City park for any amount of time. This Procedure shall not apply to activities initiated by the City which require placement of a camera or cameras within a park. This Procedure shall not apply to park visitors having a camera on their person and are photographing the park for personal use.
- III. *Definitions.* For the purpose of this Procedure, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
  - a. *Park.* Public land and open spaces owned by and located within the City of Lake Elmo dedicated or reserved for recreation purposes.
  - b. *Applicant.* Any person or entity wishing to place a camera or cameras within a City park which require permission.
  - c. *Camera.* Any device that captures an image, recording, or audio that can be played back live or at a later date or time.
- IV. *Permission Required.* Any person or entity requesting to place a camera or cameras within a park must first obtain permission from the City.
- V. *Signage Required.* Signage notifying park visitors that cameras are placed throughout the park must be placed in conspicuous locations throughout the park when cameras are present. Such signs shall remain erected as long as cameras remain placed within the park, even when cameras are not in operation. The applicant shall be responsible for providing such signs and erecting them in approved locations.
- VI. *Camera Placement.* Cameras shall be placed so as to capture images of nature rather than activity of people on the trail. The privacy and safety of park visitors shall be considered when evaluating the placement of cameras.
- VII. *Required Submittals.* The following must be submitted in order for the City to consider a request by a person or entity requesting to place a camera or cameras within a park:
  - a. A narrative providing a detailed reason for the request; number of cameras to be used; amount of time during which cameras will be placed in the park and active; and an explanation of what the images, recording, or audio will be used for.
  - b. Site plan showing proposed location(s) of camera(s) within the park.
  - c. Proposed sign plan indicating location, design and content of sign(s).
- VIII. *Review by Staff.* The applicant shall submit the above to City Staff for review. The submittal shall be reviewed for consistency with this Procedure and approved or denied based on this consistency. The request shall be submitted ten days prior to the time when the applicant wishes to place cameras within a park.
- IX. *City Free of Responsibility for Loss, Theft, or Damage.* By requesting and obtaining approval for camera placement within a park, the applicant is agreeing that the city is free of any liability for loss, theft, or damage.
- X. *Changes to Camera Placement.* All changes to camera placement that deviate from the information provided to the City in the request for camera placement must be approved by following the process outlined herein.
- XI. *Violation.* If the City finds that the applicant has not maintained consistency with the approved submittal, the City may remove the camera(s) not consistent with the submitted plan.



## **STAFF REPORT**

DATE: February 22, 2017  
ITEM #: 9

**TO:** Parks Commission  
**FROM:** Emily Becker, City Planner  
**AGENDA ITEM:** Pebble Park Free Library

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### **BACKGROUND:**

A resident proposed constructing and erecting a free library in Pebble Park. The Commission reviewed this request at its February 22, 2017 meeting but requested more information and did not provide feedback.

### **ISSUE BEFORE COMMISSION:**

The Commission is being asked to review the proposed location and provide any thoughts they may have.

### **PROPOSAL DETAILS/ANALYSIS:**

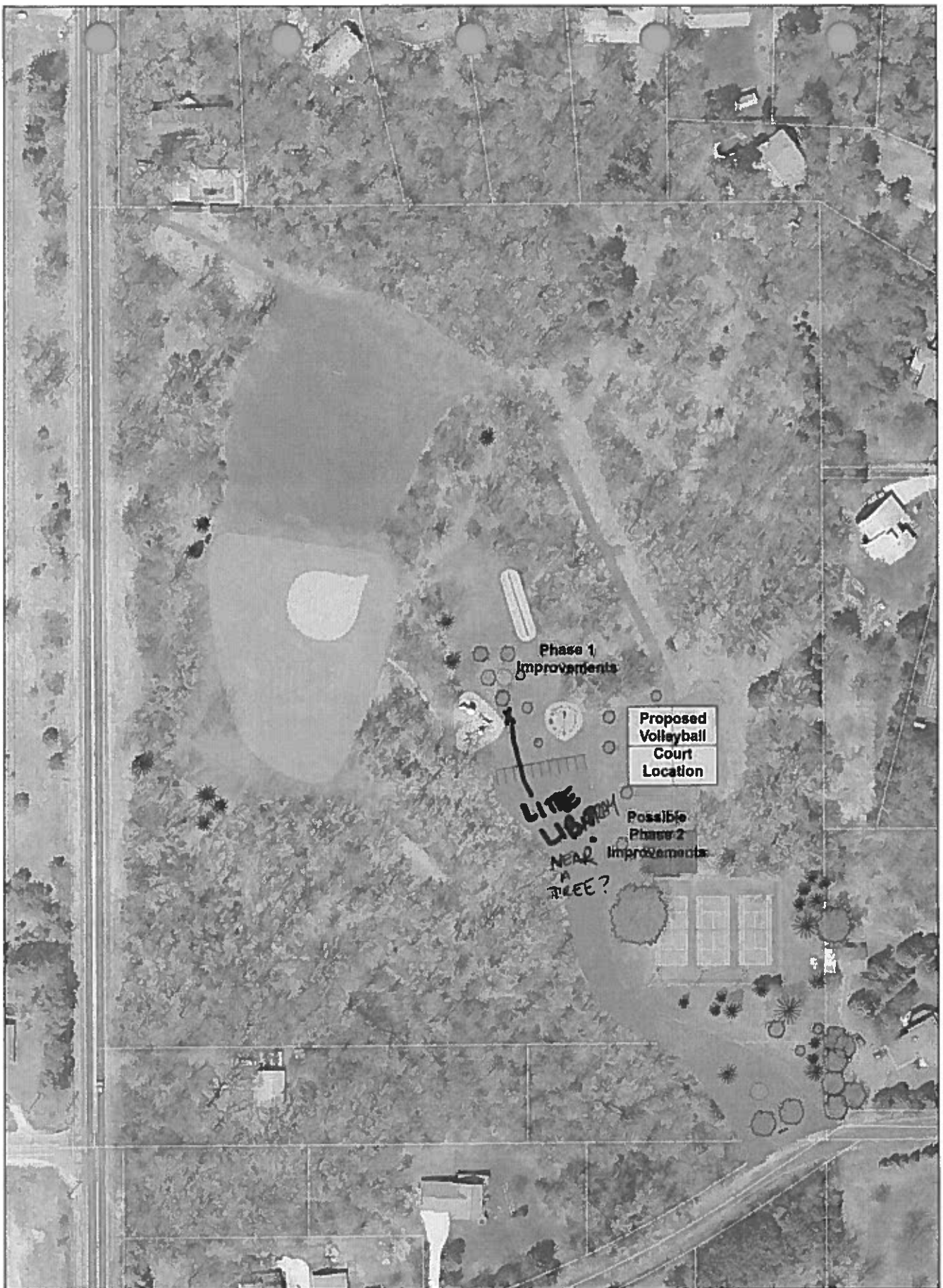
- Attached to this staff report is a location map showing where the resident is proposing to place the free library.
- The resident will construct the free library and put it up. The resident will be asked to sign a form that says the City will not be responsible for maintenance and will not be liable for damage.
- The proposed location map shows the site plan that the Parks Commission viewed back in 2014, showing that it does not interfere with proposed amenities.

### **FISCAL IMPACT:**

The **resident has signed** a form that frees the City from liability for damage and maintenance responsibility.

### **ATTACHMENTS:**

- Proposed location map (Pebble Park).



Pebble Park  
Draft Plan 7/31/14







**CITY OF LAKE ELMO PARKS COMMISSION**

**RESOLUTION 2017-001PR: HONORING ED NIELSEN FOR HIS 80<sup>TH</sup>  
BIRTHDAY**

WHEREAS: Ed Nielsen served on the Lake Elmo Parks Commission; and

WHEREAS: Ed Nielsen served on a Committee which assisted in acquiring land for Sunfish Lake Park; and

WHEREAS: Ed Nielsen owned a home and lived near Sunfish Lake Park for a significant amount of time; and

WHEREAS: March 15<sup>th</sup> is Ed Nielsen's 80<sup>th</sup> birthday.

NOW, THEREFORE BE IT RESOLVED, in recognition of his service to the Lake Elmo Parks Commission and specifically his efforts to help acquire land for Sunfish Lake Park, we offer **Ed Nielsen** a happy 80<sup>th</sup> birthday.

Signed this 20<sup>th</sup> day of March, 2017.

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Shane Weis  
Chair