

1. Agenda And Packet

Documents:

[JULY 11, 2023 PNR AGENDA.PDF](#)  
[JULY 11, 2023 PNR AGENDA PACKET.PDF](#)

City of Excelsior  
Park and Recreation Commission

Agenda

Tuesday, July 11, 2023

Trinity Episcopal Church

322 Second Street

(Entrance is located on Second Street – Meeting Room is in Chamberlain Hall.)

6:15 PM

1. CALL TO ORDER/ROLL CALL
2. AGENDA APPROVAL
3. APPROVAL OF MINUTES
  - a) June 13, 2023 PNR Meeting Minutes
4. CITIZEN REPORTS or COMMENTS
  - a) None
5. NEW BUSINESS
  - a) None
6. UNFINISHED BUSINESS
  - a) Parks and Recreation Commission Strategy Session Discussion
  - b) Studer Park- Discussion Only
  - c) Commons Ballfield Scheduling- Discussion Only
7. VERBAL REPORTS FOR DISCUSSION
  - a) Partnership with Historical Society for Electrical Boxes and Ticket Booth Proposal
  - b) Eagle Scout Project
8. UPDATES/INFORMATION
  - a) Community Gardens and Garden Plot Committee
  - b) Adopt-a-Seat, Adopt-a-Garden, and Adopt-a-Tree Programs
  - c) Ice Rinks at The Commons Ballfield
  - d) Concerts in the Park/Bandshell Update/ Concession Stand PAC
  - e) Excelsior Park Maintenance Log
  - f) Discussion on Port Bell
  - g) Studer Park
  - h) Gazebo/Mitten Pond
9. MONTHLY FINANCIAL REPORTS
  - a) June 2023 Park Fund Report
10. MISCELLANEOUS / COMMISSIONER COMMENTS
  - a) Recent City Council Action
11. ADJOURNMENT

**Notice: Some items on this agenda are important enough to City Councilmembers that a quorum of the Council may be present to receive information leading to their future deliberations and eventual decision.**

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City of Excelsior  
Hennepin County, Minnesota  
Minutes  
Park and Recreation Commission  
Tuesday, June 13, 2023

1. CALL TO ORDER

Commissioners present: Chair Wolfe, Vogel, Pike, Smith and Schmidt  
Commissioners absent: Sobiech, Wiese

Also present: Public Works Superintendent Amundsen, Parks Manager Ward, Bob and Diane Bolles

2. AGENDA APPROVAL

Commissioner Smith moved, Commissioner Pike seconded, to approve the agenda. Carries 5/0.

3. APPROVAL OF MINUTES

a) Commissioner Vogel moved, Commissioner Smith seconded, to approve the minutes from the May 9, 2023 PNR Commission Meetings. Carries 5/0.

4. CITIZEN REPORTS OR COMMENTS

Bob Bolles, 229 George Street, addressed the Parks and Recreation Commission (PNR) and stated that the Heritage Preservation Commission has unanimously voted to temporarily store the bell at The Port. Bolles was concerned about its current location of storage at Public Works and that it might get sap on it from being under a tree. Superintendent Amundsen agreed to have it moved from under the tree and the PNR Commission asked about scheduling a meeting to discuss relocating it with the HPC.

5. NEW BUSINESS

a) The Commons Tennis Court Reconstruction

Staff brought forth a discussion regarding the replacement and reconstruction of the existing tennis courts located at The Commons. Staff presented the preliminary cost estimates received from contractors as well as the estimate provided by WSB. The engineer's estimate was approximately \$284,513 which included the replacement of the existing wall with a larger block retaining wall and shifting the basketball court to incorporate an ADA access pathway and mid-court gate. Staff also asked for direction on several items to include lighting, pickleball courts, the wall repair, grant opportunities, and the layout of the courts.

In regard to lighting, the PNR Commission determined in order to keep costs down and the fact that sunset is later in the summer, that the lighting should be removed. Removing the lighting was unanimously recommended. Parks Manager Ward spoke about grant opportunities and exploring them for the project. The PNR Commission unanimously recommended fixing the existing wall as opposed to replacing it with a

larger block retaining wall. In regard to restriping for pickleball, the Commission was supportive of adding striping for pickleball on both tennis courts. The Commission also asked staff to explore the layout of the court and whether it could incorporate two pickleball courts and one tennis court with netting to separate it. The Commission also wanted to reach out to local pickleball organizations to gauge their interest in the project and whether there would be any further recommendations to help better accommodate the sport due to its popularity. Commissioner Smith also recommended looking at increasing the size of the basketball court. Chair Wolfe also brought forward whether the surface of the court could be a sport court surface similar to Tonka Bay. Chair Wolfe asked staff to explore whether the sport court surface could be overlaid on the existing asphalt surface to reduce costs of a full reconstruction. The Commission also asked for clarification on the ADA access and why the entry gate would be recommended to be at mid-court and whether that was a requirement. The Commission also discussed reaching out to a company to see if a temporary, refrigerated ice rink could be trialed on the tennis courts since the cost is so high to incorporate the plumbing for refrigeration into the project. Chair Wolfe also recommended contacting a local pickleball organization to discuss their input into the project. Chair Wolfe agreed to reach out to an individual he has discussed pickleball with in the past.

6. UNFINISHED BUSINESS

a) Parks and Recreation Commission Strategy Session Discussion

Continued to the July meeting.

b) Studer Park- Discussion Only

Continued to a future meeting.

c) Commons Ballfield Scheduling

Continued to a future meeting..

7) VERBAL REPORTS FOR DISCUSSION

a) Electrical boxes: no action taken

b) Eagle scout projects: no action taken

8. UPDATES/INFORMATION:

a) Community Garden Plots and Garden Plot Committee; Commission discussed unkempt plots and staff asked that they be provided so that the individuals can be contacted to see if they're still utilizing the plots.

b) Adopt-a-Seat, Adopt-a-Garden, and Adopt-a-Tree Programs; Parks Manager Ward discussed the addition of benches at the Third Street fire lane and Arey Memorial and may bring forward proposals once received to add benches in these locations.

- c) Ice Rinks at The Commons Ballfield; no action taken.
- d) Concerts in the Park/Bandshell Update/Concession Stand; no action taken.
- e) Maintenance Log; no action taken.
- f) Discussion on Port Bell; no action taken.
- g) Studer Park; no action taken.
- h) Gazebo/Mitten Pond; no action taken.

9. MONTHLY FINANCIALS:

- a) May 2023 Park Fund Report

10. MISCELLANEOUS/ COMMISSIONER COMMENTS

- a) Recent Council Action: no action taken.

11. ADJOURNMENT

Motion by Smith to adjourn, seconded by Vogel. Carries 5/0.

Respectfully submitted,  
Tim J. Amundsen



# MEMORANDUM

6(a)- Parks and Recreation Commission

**Re:** Strategy Session Discussion

**Date:** July 11, 2023

Tim Amundsen

**To:** Parks and Recreation Commission

**From:** Public Works Superintendent

The City Council recently conducted a strategy session in mid-November to discuss The City Council's goals and objectives. One of the items discussed at the strategy session was the role of the Parks and Recreation (PNR) Commission. Items discussed by the Council included:

- Having the PNR Commission work on defining the goals and responsibilities of the Commission.
- Expanding the purview of the PNR Commission to incorporate and expand all greenspaces within the City including the cemetery, fire lanes, and other areas maintained as greenspace. This would include proactively looking at these spaces to recommend how to improve them. The title of the PNR Commission could be changed to the Parks, Cemetery and Greenspace Commission to reflect this.
- Develop landscaping standards to utilize throughout the greenspace areas which would include native plantings and other recommendations from the Commission.
- The PNR Commission could serve as our Tree City USA Board if we become a Tree City.
- Explore the Commission developing Community events within the park such as Movies in The Commons and other programming. The City Council appreciated the efforts of the PNR Commission in leading the addition of ice rinks in The Commons and would like to see similar efforts moving forward.

At the February PNR Commission meeting, the Commission discussed the approach to handle the items brought forth by the City Council at the strategy session. It was determined by the PNR Commission that the Commission should work on the Mission, Vision, and Goals of the Commission. Commissioner Vogel provided some great information regarding the mission and roles of other Minnesota Cities and provided a draft mission statement for review. The information regarding the Parks and Recreation Commission information for other cities is attached to this memo. From this information, Commissioner Vogel developed a draft mission statement for the Commission to review, discuss, and modify.

**Excelsior Draft Mission Statement:**

*The primary objective of the Parks and Recreation Commission is to monitor and reflect the attitudes and concerns of the citizens of Excelsior relative to the park system, recreation programs and all green spaces, including the historical cemetery, in the City of Excelsior, MN. The commission advises the City Council of citizen attitudes and policy matters relevant to the parks, recreation programs and all green spaces including the historical cemetery.*

Following brief discussion at the April meeting, it was determined that the roles and responsibilities are briefly outlined in the existing Excelsior City Code under Chapter 24, Parks and Recreation. The pertinent information

within the City Code is attached to this memo. Staff provided this information following the April meeting for review and consideration. The Commission can use the City Code as a guide and recommend pertinent additions or amendments to the language as currently written. Here are the most pertinent parts of the City Code to the overall Mission, Vision and Goals discussion:

***Sec. 24-51. Purpose of article.***

*The city operates and maintains public parks for the benefit and pleasure of its citizens, and the city has in the past expended monies for capital improvements and maintenance of these parks. It is the desire of the city to establish a park and recreation commission for the city as an advisory body to the city council to aid that council in the expenditures of monies so that the greatest benefit may be obtained from the use and maintenance of parks and recreational facilities.*

***Sec. 24-55. Powers and duties.***

*The commission is hereby designated to perform the following responsibilities:*

- (1) Consider, review, report, and advise on all park and recreational matters which the council may refer to the commission.*
- (2) Develop immediate and long range plans for the park and recreational needs of the residents of the city, and recommend to the council a feasible means of financing such requirements.*
- (3) Recommend to the council operating policies and procedures for use in existing parks, future parks, and public lands.*
- (4) The responsibility for enhancing parks through evaluation, planning, and initiating new programs and ideas.*
- (5) Coordinate city programs with areawide programs, including programs of the community education services.*

Staff was also asked to include the Parks and Recreation and Heritage Preservation Commission Review Criteria which is attached to this memo as well. Staff has attached the PNR Commission bylaws to this memo as well.

**Action:**

The Commission should review the attached information and continue to further develop and discuss the mission, vision and goals of the Commission and the other items presented by the City Council.



**Parks and Recreation Commission Mission and Roles of other Minnesota Cities (Provided by Commissioner Vogel):**

**City of Pipestone**

The Parks and Recreation Commission is composed of five (5) members appointed for one (1) year terms. The Commission has the following duties:

- Determine and recommend to the Council the general policies and procedures to be followed by the Recreation Department.
- These policies will apply to the parks, the Ewert Community Recreation Center, Family Aquatic Facility and all recreation programs run by the Department.
- Review and recommend to the Council a budget for the Parks and Recreation Department.
- Establish and maintain a five (5) year capital improvement program for the parks and recreation facilities

**City of Ramsey, MN**

*Parks & Recreation Commission Mission:*

The primary objective of the Park and Recreation Commission is to monitor and reflect the attitudes and concerns of the citizens of Ramsey relative to the park system and recreation programs and to advise the City Council of citizen attitudes and policy matters relevant to the park and recreation function in Ramsey.

**City of Brooklyn Park:**

*Roles and duties:*

The Recreation and Parks Advisory Commission helps determine and plan the future of the park system and recreational opportunities. The commission is great for those who want to ensure there are fun places to go and things to do in Brooklyn Park:

- Give input on parks issues, everything from replacement of playground equipment to noise ordinances Give input on recreational activities to ensure they are affordable and equitable for all
- Assist in the future planning of the park system
- Serve as ambassadors for the parks and recreation department

## **City of Duluth**

### *VISION STATEMENT:*

To preserve a naturally beautiful city, our vision is to provide innovative and quality Parks and Recreation programs and facilities that will sustain a dynamic quality of life for everyone.

### *MISSION STATEMENT:*

Our mission is to act in an advisory capacity to the Mayor, City Council, Parks and Recreation Division and other agencies and organizations in matters related to Duluth City Park & Recreation programs and facilities.

## **City of Crystal**

This 10-member commission promotes the systematic and comprehensive development of park facilities and recreational activities necessary for the physical, mental, emotional and moral health and well-being of the residents of the City of Crystal.

## **City of Eden Prairie**

The Parks, Recreation and Natural Resources Commission advises the City Council on matters of development and use of parks and recreation facilities, leisure services, recreation programming, preservation of natural resources and promotion of environmental awareness.

## **City of Bloomington:**

Mission statement and duties

Section 2.98.11 of the Bloomington City Code charges PARC with the following duties:

- To review and evaluate park and recreation programs and how these programs can and do fulfill the existing and future needs of the City.
- To review and evaluate parks, recreation and arts financing methods as they relate to needs
- To review, study, and evaluate the use, operation, and need for revenue facilities in the City such as the golf courses, swimming pools, and Bloomington Community Ice Garden.
- To study, review, and evaluate existing and future programs and facilities in the area of cultural activities as an important additional source of recreation for the people; and to study how these programs and facilities meet the cultural needs of the community.

## **City of Bemidji**

### *Parks & Recreation Commission*

The Parks & Trails Commission shall be composed of seven members who shall serve staggered three-year terms. Furthermore, each commission member must reside within the corporate limits of the City of Bemidji and hold no official position with the city.

#### *Powers and duties:*

(a) The parks and trails commission shall advise the council and city manager in all matters relating to parks and trails, including but not limited to the following:

- (1) Plan and develop programs and activities within or beyond the corporate city limits on property under the custody and management of the city or on other public property under the custody of another public corporation, body or board with the consent of such corporation, body or board or on private property with the consent of its owners.
- (2) Develop schedules of hours and fees, if any, for the use of recreational trail and park facilities within the city.
- (3) Study possible government and private foundation grants available for acquisition and development of park and trail facilities.
- (4) Develop plans for improvement and betterment of existing facilities.
- (5) Develop plans for acquisition of additional facilities.
- (6) Coordinate recreational trail and park activities with other community organizations and groups.
- (7) Promote public interest and understanding of the city's parks and trails activities.
- (8) Meet as necessary to perform its functions and keep a public record of its resolutions, findings and determinations.

(b) The commission shall have no authority to dictate or direct that the city manager or any of his subordinates employ or remove any city employee. The commission shall have no authority to set salaries or expend city funds.

## Chapter 24 PARKS AND RECREATION<sup>1</sup>

### ARTICLE I. IN GENERAL

#### Sec. 24-1. Applicability of chapter provisions.

This chapter shall apply to all public grounds owned by or under the control of this city, including the fire lanes designated in this section, but shall not apply to all other streets and the municipal parking lots. Such lands are listed, but not exclusively, as follows:

- (1) The Commons as shown on the original plat of the city and Cooley's Resurvey.
- (2) Excelsior Parkland.
- (3) The Captain Johnson Memorial at the intersection of Lake Street, Mill Street, and Water Street.
- (4) The Dr. Hugh C. Arey Memorial at the intersection of Water Street and County Road 19 (Oak Street).
- (5) College Lake.
- (6) City Hall.
- (7) Sewer, water, and street department property.
- (8) Cemetery.
- (9) South Lake Minnetonka Police Department Building.
- (10) St. Albans Bay bordering on Minnetonka Boulevard.
- (11) End of Water Street at Lake Minnetonka and public dock.
- (12) Historic fire lanes as follows:
  - a. End of Lafayette Avenue at Lake Minnetonka;
  - b. End of George Street at Lake Minnetonka;
  - c. End of Third Street at Lake Minnetonka;
  - d. End of Bell Street at Lake Minnetonka;
  - e. End of Linwood at Lake Minnetonka;
  - f. End of First Street at Lake Minnetonka;
  - g. End of Hidden Lane at Lake Minnetonka;
  - h. End of Hidden Lane (by boat marina);

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<sup>1</sup>Cross reference(s)—Environment, ch. 16; streets, sidewalks, and other public places, ch. 28; stopping and parking on park or public lands, § 32-44; vegetation, ch. 36.

State law reference(s)—Authority to establish and maintain parks, Minn. Stats. § 412.221; authority to regulate the setting out of park trees, Minn. Stats. § 412.221.

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- i. End of Elm Place at Galpin Lake;
  - j. Linden Street.

(Code 1982, § 230:00)

### **Sec. 24-2. Historic fire lanes.**

- (a) *Intent.* The intent of this chapter is to protect and maintain the public areas/fire lanes which provide access to area lakes for the benefit of all citizens of the city.
- (b) *Alterations, uses, and categories of the public right-of-way.*
  - (1) No person or group may alter the terrain of any historic fire lane except for the following reasons:
    - a. To maintain the existing ground cover (cutting the grass, weeding, etc.)
    - b. To add new plantings to prevent erosion, after receiving an approved city permit.
    - c. To enhance the public use, after receiving an approved city permit.
  - (2) Storage of private property on any fire lane will be prohibited.
  - (3) Because of their distinct character and suitability the historic fire lanes allow for pedestrian access to the lake, city boat slides, and launching of hand-carried water vessels.
  - (4) No person shall operate a snowmobile/ATV on any historic fire lane, except as expressly allowed by section 32-207(b).
  - (5) The hours of operation of the historic fire lanes shall be consistent with the hours of operation for The Commons.

(Code 1982, § 230:03; Ord. No. 341, § 2, 12-17-2001)

Cross reference(s)—Fire prevention and protection, ch. 18.

### **Sec. 24-3. Defacing public property.**

No person shall cut, break, scratch, mark, or in any way injure or deface any building, fence, pump, lamp, flagpole, construction improvement, facility, or any other feature or property upon or within any public grounds.

(Code 1982, § 230:05)

Cross reference(s)—Offenses against the public property, § 22-31 et seq.

### **Sec. 24-4. Picking flowers; injuring shrubs, trees, and plants.**

No person not an employee of this city shall pick or cut any wild or cultivated flower, or cut, break, or in any way injure or deface any tree, shrub, or plant within the limits of public grounds; nor carry within or out of any public grounds any wild flower, tree, shrub, plant, or any newly plucked branch or its portion, or any soil or material of any kind.

(Code 1982, § 230:10)

Cross reference(s)—Vegetation, ch. 36.

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**Sec. 24-5. Keep off the grass.**

No person shall go on foot or otherwise upon the grass or turf of any public grounds where any prohibitory sign is posted.

(Code 1982, § 230:15)

**Sec. 24-6. Littering.**

No person shall throw, deposit, place, or leave in any public grounds, or waters therein, any paper, rubbish, waste, cans, bottles, or refuse of any kind, whether or not the same is offensive to the senses or is injurious to health, except in the receptacles therein provided for waste.

(Code 1982, § 230:20)

Cross reference(s)—Solid waste, § 16-141 et seq.

**Sec. 24-7. Obstructing free use.**

No person shall place or suffer to remain in any park or parkway any goods, wares, merchandise, or other articles, in the nature of any obstruction to the free use and enjoyment of such park, except by permit of the council.

(Code 1982, § 230:25)

**Sec. 24-8. Bill posting.**

No person except a municipal employee shall post, paste, fasten, paint, or affix any placard, bill, notice, or sign upon any structure, tree, stone, fence, thing, or enclosure along or within any park.

(Code 1982, § 230:30)

**Sec. 24-9. Toilets.**

No person shall enter a toilet room set apart for the opposite sex.

(Code 1982, § 230:45)

**Sec. 24-10. Disturbing the peace.**

No threatening or disorderly language, conduct, or behavior, nor any act tending to a breach of the public peace, shall be allowed in or upon any park, beach, playground, park waters, or other public grounds; nor shall any person play at games of chance or be drunk.

(Code 1982, § 230:50)

Cross reference(s)—Disturbance of the peace and loitering, § 22-32.

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**Sec. 24-11. Reserved.**

Ord. No. 571 , § 1, adopted Nov. 20, 2017, repealed former § 24-11 in its entirety which pertained to park and city property usage permits and derived from the Code 1982, § 230:55.

**Sec. 24-12. Fires.**

No person shall start any fire in any public ground except that small fires for culinary purposes may be made in designated areas or portable containers by picnic parties. Every person who starts any such fire and every person starting or using such fire shall completely extinguish the fire before leaving and shall dispose of any residue or refuse therefrom in an appropriate container, and only after ashes or coals from such fires are sufficiently extinguished to prevent damage to receptacles wherein deposited.

(Code 1982, § 230:60)

Cross reference(s)—Fire prevention and protection, ch. 18.

**Sec. 24-13. Firearms and fireworks.**

No person shall fire or discharge any cannon, fowling piece, pistol, revolver, or firearm of any description, or fire, explode, or set off any squib, cracker, or other thing containing powder or other combustible or explosive material within the limits of any public ground except under the direction or by permission of the council or its proper officers.

(Code 1982, § 230:65)

Cross reference(s)—Firearms, § 22-34; fireworks, § 22-38.

**Sec. 24-14. Riding or driving.**

- (a) No person shall drive or operate a motor vehicle or bicycle upon any sidewalk lying within or adjacent to parks, playgrounds, beaches, or other public grounds in the city, except city employees in the performance of their duties.
- (b) No person shall drive or operate a motor vehicle or bicycle within a park, playground, beach, or other public ground in a manner which interferes, disrupts, threatens, or endangers pedestrian traffic.
- (c) No person except municipal employees or persons authorized by the city council shall ride or propel any automobile, truck, dune buggy, all-terrain vehicle, snowmobile, motorized bicycle, moped, motorcycle, minibike, go-cart, or similar powered vehicle on any public ground unless they are on a public street or roadway or, in the case of snowmobiles traveling upon a posted, public lake access route.

(Code 1982, § 230:70)

Cross reference(s)—Traffic and vehicles, ch. 32.

**Sec. 24-15. Riding or driving animals.**

No person shall ride or drive any animal on public ground unless authorized to do so by the council.

(Code 1982, § 230:75)

Cross reference(s)—Animals, ch. 6.

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**Sec. 24-16. Hours.**

No person shall be, or remain in, or leave, park or remain in any vehicle in any public grounds between the hours of 11:00 p.m. and 6:00 a.m., but this section shall not apply to those who, without delay, are traveling upon the established walks, paths, parkways, and drives of the parks and parkways, nor shall this section apply as otherwise provided for in this article.

(Code 1982, § 230:80)

**Sec. 24-17. Drinking in parks.**

No person shall possess or consume intoxicating liquor or 3.2 percent malt beverages in The Commons or parks of the city; provided, however, that the possession or consumption of such beverages shall be permitted when dispensed by an organization or association of persons who have first obtained a written permit therefor, authorized by the city manager, upon such terms and conditions as the city council may impose.

(Code 1982, § 230:83)

Cross reference(s)—Alcoholic beverages, ch. 4.

**Sec. 24-18. Drinking in public places.**

No person shall consume intoxicating liquor or 3.2 percent malt beverages on the public walkways, public streets, or public parking lots within the city without a permit issued by the city council.

(Code 1982, § 230:84)

Cross reference(s)—Alcoholic beverages, ch. 4; streets, sidewalks, and other public places, ch. 28.

**Sec. 24-19. Swimming beaches.**

All persons shall observe the rules and regulations posted by sign on the beach. The rules and regulations shall be established by the city and may be amended by the city from time to time, as the city shall reasonably determine to be necessary for the safety and welfare of the public.

(Code 1982, § 230:85)

**Sec. 24-20. Skating regulations.**

No person shall skate in such a manner as to interfere with the general use of the rink or use sleds, toboggans, hockey sticks, and pucks on skating rinks. Hockey is allowed on rinks designed for that purpose.

(Code 1982, § 230:90)

**Sec. 24-21. Enforcement.**

Any person who shall violate the rules or regulations of this chapter, or who refuses to subject himself thereto, may be excluded from the use of such facility. Any person who refuses to obey any such order of, exclusion, or who persistently interferes with the orderly conduct of games or play or with the participants therein, shall be guilty of the penal offense of disorderly conduct.



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(Code 1982, § 230:95)

**Sec. 24-22. Hunting animals, etc.**

No person shall rob, injure, or destroy any bird's nest within the limits of any park or parkway, nor aim or discharge any air gun, sling-shot, or other weapon, or throw any stone or other missile, at any bird or bird's nest or wild creature within any park, nor in any manner, tease, capture, or kill any bird or wild creature therein.

(Code 1982, § 230:35)

**Sec. 24-23. Trapping animals, etc.**

No person shall at any time set, lay, prepare, or have in possession any trap, snare, artificial light, net, bird line, ferret, or any contrivance whatever, for the purpose of catching, taking, or killing any bird or wild creature in any park.

(Code 1982, § 230:40)

**Secs. 24-24—24-50. Reserved.**

***ARTICLE II. PARK AND RECREATION ADVISORY COMMISSION<sup>2</sup>***

**Sec. 24-51. Purpose of article.**

The city operates and maintains public parks for the benefit and pleasure of its citizens, and the city has in the past expended monies for capital improvements and maintenance of these parks. It is the desire of the city to establish a park and recreation commission for the city as an advisory body to the city council to aid that council in the expenditures of monies so that the greatest benefit may be obtained from the use and maintenance of parks and recreational facilities.

(Code 1982, § 232:00)

**Sec. 24-52. Creation.**

A park and recreation advisory commission is hereby created which will serve as an advisory body to the city council.

(Code 1982, § 232:05)

**Sec. 24-53. Membership.**

Membership in the park and recreation advisory commission shall consist of seven residents of the city appointed by the city council. All members shall serve without compensation. Each member, other than members appointed to fill a vacancy, shall be appointed no earlier than 45 days before their term commences and shall

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<sup>2</sup>Cross reference(s)—Boards, commissions, and committees, § 2-111 et seq.; parks and recreation advisory commission bylaws, app. C.

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serve a term of three years, commencing on March 1 of the year in which the member is appointed. Members shall continue to hold office until the term of the member's successor commences. All unexpired terms shall be filled for the balance of the unexpired term only. The city council shall designate one of its members as its liaison to meet with the park and recreation advisory commission. The park and recreation advisory commission shall designate one of its members as a liaison to attend city council meetings and one of its members as a liaison to meet with the planning commission. The chair and vice-chair shall be elected by the park and recreation advisory commission. The park and recreation advisory commission shall also appoint a secretary who may or may not be a member of the commission.

(Code 1982, § 232:10)

### **Sec. 24-54. Meetings.**

The park and recreation advisory commission shall meet at least once monthly, and all meetings shall be open to the public. The commission shall adopt rules and regulations governing the conduct of its meetings. A quorum, the majority of the commission's membership, shall be required to conduct official business. Failure of any member to attend two successive meetings shall be the basis for the commission to recommend to, and grounds for, the council to remove that member from the commission.

(Code 1982, § 232:15)

### **Sec. 24-55. Powers and duties.**

The commission is hereby designated to perform the following responsibilities:

- (1) Consider, review, report, and advise on all park and recreational matters which the council may refer to the commission.
- (2) Develop immediate and long range plans for the park and recreational needs of the residents of the city, and recommend to the council a feasible means of financing such requirements.
- (3) Recommend to the council operating policies and procedures for use in existing parks, future parks, and public lands.
- (4) The responsibility for enhancing parks through evaluation, planning, and initiating new programs and ideas.
- (5) Coordinate city programs with areawide programs, including programs of the community education services.

(Code 1982, § 232:20)

**Commission Review Table for The Commons and Port**

Reference to PVN Report or City Ordinance	Structures	HPC	PRC	Staff
<ul style="list-style-type: none"> <li>• P. 37 – Lists the Secretary of the Interior’s Standards for Rehabilitation, which state that new construction and additions should not destroy historic significance or affect integrity of the property.</li> <li>• P. 19-25 – The docks and gates, Port of Excelsior Entry Plaza, concession cart, garbage enclosure, bandshell, concession stand building, and bathhouse are not character defining features, while the Blue Line Ticket Booth is considered a contributing structure.</li> </ul>	<ul style="list-style-type: none"> <li>• Demolition or construction of a new building or auxiliary structure.</li> <li>• Any addition, painting of a non-historic color, architectural details or other related exterior alterations, installation or removal of awnings, shutter, canopies or similar appurtenances; application or use of exterior materials of a different kind, type or texture than those already in use which would substantially cover one or more sides of the structure; exterior signs; change or alteration of a structure’s architectural style; alteration of roof line; relocation of; or total or partial demolition to an existing building or structure.</li> </ul>	X	X	
<ul style="list-style-type: none"> <li>• P. 20 – The Blue Line Ticket Booth was deemed a contributing structure; a move would not further damage its historic integrity.</li> </ul>	Changes (including alteration or relocation) to the Blue Line Ticket Booth.	X	X	
<ul style="list-style-type: none"> <li>• P. 21-23 – The concession cart, concession stand building, bathhouse, bandshell, and garbage enclosure are not character defining features.</li> </ul>	Minor changes to the concession cart, concession stand building, bathhouse, bandshell, charter boat structure, or garbage enclosure including but not limited to painting (so long as it is an approved historic color and except for murals); changes in roofing material; replacement in kind (or substantially in-kind) of windows using the same or similar sash.		X	
<ul style="list-style-type: none"> <li>• P. 16 &amp; 18 – The specific arrangement of and materials used to construct the docks are not character defining features.</li> </ul>	In-kind repairs and/or replacement of docks and canoe racks, including reasonable substitution of similar items whose scale and location have not changed substantially		X	X

<ul style="list-style-type: none"> <li>• P. 19 – The existing docks and their gates are not character defining features.</li> <li>• There is no reference to canoe racks within the PVN Report.</li> </ul>	and will not impact character-defining aspects of the site (identified in the PVN Report).			
<ul style="list-style-type: none"> <li>• P. 24 – The playground equipment does not meet the 50-year rule and is not a character defining feature.</li> </ul>	In-kind repairs and/or replacement of playground items, including reasonable substitution of similar items whose scale and location have not changed substantially and will not impact character-defining aspects of the site (identified in the PVN Report).		X	X
<ul style="list-style-type: none"> <li>• P. 24-25 – The general location of the baseball field and the baseball seating installed by the WPA are character defining features.</li> </ul>	Changes to the permanent WPA-era seating for the baseball field or location of the baseball field.	X	X	
<ul style="list-style-type: none"> <li>• P. 25 – The tennis and basketball courts are not character defining features.</li> </ul>	Changes to the tennis and basketball courts.		X	
<ul style="list-style-type: none"> <li>• P. 19 – The entry plaza in general is not a character defining feature.</li> <li>• While the entry plaza in general is not a character defining feature, the Port of Excelsior is characterized as a contributing property to the locally-designated Excelsior Downtown Historic District.</li> </ul>	Changes to Port of Excelsior Entry Archway.	X	X	
<ul style="list-style-type: none"> <li>• P. 33 – The marker is not a character defining feature of the Port of Excelsior; however, the HPC had requested that it be noted that while the marker does not meet the criteria to be a Character Defining Feature of the Port, it does contain important and relevant historical information and should be retained in the Port area.</li> <li>• There is no reference to the memorial bricks in the PVN Report.</li> </ul>	Alteration or relocation of the geological marker at the Port area, and removal or relocation of memorial bricks.	X	X	
<ul style="list-style-type: none"> <li>• Section 20-10 (c) of the City Code</li> </ul>	Minor exterior repairs to non-character defining structures.			X
<ul style="list-style-type: none"> <li>• Section 20-10 (c) of the City Code</li> </ul>	Re-painting of buildings using the pre-approved historic colors.			X
<ul style="list-style-type: none"> <li>• Section 20-10 (c) of the City Code</li> </ul>	Work affecting only the interior of a structure (plumbing, insulation, flooring, etc.).			X

Reference to PVN Report or City Ordinance	Landscaping & Topography	HPC	PRC	Staff
<ul style="list-style-type: none"> <li>• P. 3 – Character defining features include topography including change in grade along Lake Street, the knolls and lawn area.</li> <li>• P. 8 &amp; 9 – The change in grade along Lake Street, the knolls, and the lawn are character defining features.</li> </ul>	<ul style="list-style-type: none"> <li>• Significant topographical changes to character-defining areas (including changes in grade along Lake Street, knolls, and the lawn area).</li> <li>• Removal, replacement, or installation of retaining walls.</li> </ul>	X	X	
<ul style="list-style-type: none"> <li>• P. 3 &amp; 10 – Tree cover and quality of tree cover on the knolls are character defining features.</li> </ul>	Removal of mature trees (unless dead or dying, or undesirable invasive species--e.g., buckthorn).	X	X	
<ul style="list-style-type: none"> <li>• P. 10 &amp; 12 – The manicured nature of the lawn and the presence of a lawn at the ‘wedge’ of Commons land west of Lake Street are character defining features.</li> </ul>	Significant vegetative changes to the manicured lawn or the lawn west of Lake Street (not including the hedge).	X	X	
<ul style="list-style-type: none"> <li>• P. 12 – The hedge is not a character defining feature.</li> </ul>	Removal of hedge at the ‘wedge’ of Commons land west of Lake Street.		X	
<ul style="list-style-type: none"> <li>• There is no reference to landscape gardens within the PVN Report.</li> </ul>	Addition of landscape gardens.		X	X
<ul style="list-style-type: none"> <li>• P. 11 – The restored shoreline planting does not meet the 50-year rule and is not a character defining feature.</li> </ul>	Shoreline restoration to stabilize the shoreline from erosion.		X	X
<ul style="list-style-type: none"> <li>• P. 3 &amp; 18 – The shoreline and overall alignment are character defining features.</li> </ul>	Significant changes in the overall alignment of the shoreline.	X	X	
Reference to PVN Report or City Ordinance	Circulation	HPC	PRC	Staff
<ul style="list-style-type: none"> <li>• P. 13 – The location of the path is a character defining feature.</li> </ul>	Moving the location of the path parallel to Lake Street.	X	X	
<ul style="list-style-type: none"> <li>• P. 14 &amp; 15 – The paths through the northwest portion of the park and the diagonal path at the corner of Water Street and Lake Street are not character defining features.</li> </ul>	Moving the location of paths throughout the northwest portion of The Commons and the diagonal path at the corner of Water Street and Lake Street.		X	
<ul style="list-style-type: none"> <li>• P. 13 – The specific materials used to construct a path are not character defining features.</li> </ul>	Changes to path materials.		X	

<ul style="list-style-type: none"> <li>• P. 13 – The existence of vertical connections at the Lake Street slope is a character defining feature, but the two extant sets of stairs are not.</li> </ul>	Changes to vertical connections at Lake Street slope.	X	X	
<ul style="list-style-type: none"> <li>• P. 16 – Circulation at the Water Street Terminus, including Lake and Port access and the existence of public docks is a character defining feature.</li> </ul>	Changes to Water Street Terminus (excluding docks and their configuration).	X	X	
<b>Reference to PVN Report or City Ordinance</b>	<b>Accessories</b>	<b>HPC</b>	<b>PRC</b>	<b>Staff</b>
<ul style="list-style-type: none"> <li>• P. 27 – Signage is not a character defining feature.</li> <li>• Section 20-10 (d) of the City Code indicates that signs are subject to administrative approval.</li> <li>• Section 20-10 (b) of the City Code indicates that City activities shall not require a site alteration permit provided that the commission shall review and make recommendations to the city council concerning city activity that could change the nature or appearance of a landmark or site.</li> </ul>	Permanent signs identifying the park and park areas and structures.	X	X	
<ul style="list-style-type: none"> <li>• P. 27 – Signage is not a character defining feature.</li> <li>• Section 20-10 (d) of the City Code indicates that signs are subject to administrative approval.</li> </ul>	City regulatory and instructional signage or temporary signs.			X
<ul style="list-style-type: none"> <li>• P. 26-31 – Benches, grills, light fixtures, picnic tables, signage, garbage and recycling receptables, fencing, water fountains, and electrical equipment are not character defining features.</li> </ul>	Pre-approval of the design, materials, and manner of installation of parkscape items, including benches, planters, trash receptacles, light fixtures, park furniture and memorial plaques.	X	X	
<ul style="list-style-type: none"> <li>• P. 26-31 – Benches, grills, light fixtures, picnic tables, signage, garbage and recycling receptables, fencing, water fountains, and electrical equipment are not character defining features.</li> </ul>	Installation of parkscape items, including benches, planters, trash receptacles, light fixtures, park furniture and memorial plaques.		X	X
P. 32 - "Sails" and "Debbie's bench" are not a character defining features.	Proposed installation of new artwork, including murals.	X	X	
<ul style="list-style-type: none"> <li>• P. 32 - "Sails" and "Debbie's bench" are not a character defining features.</li> </ul>	Repair, relocation or alteration of existing artwork (mosaic bench and 'sails' sculpture).			X

Reference to PVN Report or City Ordinance	Overarching	HPC	PRC	Staff
<ul style="list-style-type: none"> <li>• P. 7 – The overall landmass as well as the overall spatial organization of The Commons and the Port are character defining features.</li> <li>• P. 17 – A bathing beach located at the northwest portion of The Commons and the area currently known as the Children’s Beach are character defining features.</li> <li>• Commons Guidelines C.1 from the City of Excelsior Preservation Design Manual states that uninterrupted scenic views to Lake Minnetonka from the downtown should be preserved.</li> </ul>	<ul style="list-style-type: none"> <li>• Changes to Commons and Port property boundaries.</li> <li>• Changes to use pattern of active and passive spaces (including the location of the beaches).</li> <li>• Changes to scenic views from downtown to Lake.</li> </ul>	X	X	
<ul style="list-style-type: none"> <li>• Not addressed in the PVN Report.</li> </ul>	Ordinary maintenance (lawn mowing, shrub trimming, re-painting with existing colors, etc.).			X

*Footnotes:*

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**Editor's note**— *Printed in this appendix C are the bylaws of the city council, as adopted by the park and recreation advisory commission on February 9, 1999. Amendments are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines, citations to state statutes, and expression of numbers in text have been used to conform to the Code of Ordinances. Additions made for clarity are indicated by brackets.*

**Cross reference**— *Boards, commissions and committees, § 2-111 et seq.; parks and recreation advisory commission, § 24-51 et seq.*

## I. ANNUAL MEETINGS.

The annual meeting of the Park & Recreation Advisory Commission shall be the first regular meeting in the month of March each year. Such meeting shall be devoted to the election of officers for the ensuing year and such other business as shall be scheduled by the Commission as per Section VI. A list of major topics to be discussed through the year will also be formulated.

## II. REGULAR MEETINGS.

Regular meetings of the Park & Recreation Advisory Commission shall be held in the City Hall at 7:00 p.m. on the Tuesday immediately following the second Monday of each month. If at any time such day is a legal holiday then the meeting shall be rescheduled for the following day at the same time and the same location. At such meetings, the Commission shall consider all matters properly brought before it. A regular meeting may be canceled or rescheduled by the Commission at a prior meeting.

## III. SPECIAL MEETINGS.

Special meetings of the Park & Recreation Advisory Commission shall be called by the Chairperson or Vice-Chairperson who shall designate the time and place of the meeting as well as the agenda. Written notice thereof shall be given to all members not less than 24 hours in advance of the special meeting.

Sometime the Council may require a quick recommendation from the Commission. At such time "Action by Consent" may be initiated by the Chairperson. The Chairperson may contact all Commissioners by telephone. Only if there is unanimous consent to the recommendation it may be given to Council. Said issue must be placed on the next regular agenda of the Commission for the formal action to be recorded.

## IV. QUORUM.

In order for any meeting to be called to order, a quorum of four members must be present. During the course of a meeting at least four members must be present to take action on any matter brought before the Commission.

## V. VOTING.



At all meetings of the Park & Recreation Advisory Commission, each member attending will have one vote for each issue brought to a motion. Voting shall be by voice. In the event that any member shall have a personal interest of any kind in a matter then before the Commission, s/he shall disclose those interests and the secretary shall record those interests before the vote. The affirmative vote of a majority of members in attendance shall be necessary for the adoption of any motion. The results of any vote shall be recorded listing those voting aye, those voting nay, and those abstaining.

#### VI. PROCEEDINGS.

- A. At any regular meeting of the Park & Recreation Advisory Commission, the following shall be the normal order of business:
1. Call to Order/Roll Call
  2. Minutes of the preceding meeting(s).
  3. Citizen Reports or Comments
  4. Unfinished Business
  5. New Business
  6. Communications and Reports
  7. Miscellaneous/Commissioner's Comments
  8. Adjournment

#### VII. COMMITTEES.

Committees of the Commission may be established from time to time by the Commission to study subjects or issues of importance which have been suggested by the Council, Commission, or general public. All Committee recommendations must be discussed by the full Commission before an Park & Recreation Advisory Commission position is reached and a recommendation is given the Council.

#### VIII. DEADLINE FOR AGENDA.

The deadline for placing items on the agenda shall be 12:00 Noon, Tuesday, one week prior to the meeting.

#### IX. RULES OF PROCEDURE.

All meetings of the Park & Recreation Advisory Commission shall be conducted in accordance with the latest edition of "Roberts Rules of Order".

#### X. MEMBERS RESPONSIBILITIES.

Members are expected to be interested in Park & Recreation matters as they relate to the general welfare and development of the community. It is realized that at times absence from meetings is unavoidable. Any member unable to attend a meeting shall notify the Chairperson or City Manager of his/her intended absence. Failure of any member to attend two successive meetings without prior discussion and agreement by a majority of the Commission, may be subject to review by the Commission and could be grounds for a recommendation to the Council to remove that member from the Commission.

#### XI. OFFICERS.

The Officers of the Park & Recreation Advisory Commission shall consist of a Chairperson, Vice-Chairperson, and Secretary elected by the Commission at the annual meeting for a term of one year.

#### XII. DUTIES OF OFFICERS.

The duties and powers of the Officers of the Park & Recreation Advisory Commission shall be as follows:

##### A. Chairperson:

1. To preside at all meetings.
2. To call special meetings of the Commission in accordance with these Bylaws.
3. To sign documents of the Commission.
4. To see that all actions of the Commission are properly taken.

##### B. Vice-Chairperson:

1. During the absence, disability or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson.
2. To call special meetings of the Park & Recreation Advisory Commission in accordance with these Bylaws.

##### C. Secretary:

1. To sign official documents of the Commission.
2. To record and prepare the minutes of all meetings of the Commission.

##### D. Secretarial Duties Delegated to City Staff:

1. To keep minutes of all meetings of the Commission in an appropriate Minute Book.
2. To prepare the agenda for all meetings of the Commission.
3. To be custodian of Commission records.
4. To inform the Commission of correspondence relating to business of the Commission and to attend to such correspondence.
5. To handle funds allocated to the Commission in accordance with its directives, the law, and City regulations.

### XIII. VACANCIES.

Should any vacancy occur among the members of this Park & Recreation Advisory Commission by reason of death, resignation, disability, or otherwise, immediate notice thereof shall be given to the Mayor. Resignations should be made in writing to the Mayor stating the effective date of the resignation. The Mayor shall then see that a new appointment is made.

### XIV. AMENDMENTS.

These Bylaws may be amended at any meeting of the Park & Recreation Advisory Commission provided that notice of said proposed amendment is given to each member in writing at least four days prior to said meeting.

**City of Excelsior  
Park Capital Improvement Fund  
As of 06/30/2023**

	2023 Budget	JUNE 2023 Actual	2023 YTD Actual	
<b>PARK IMPROVEMENT FUND</b>				
<b>Park Improvements</b>				
<b>Revenue</b>				
Interest Earnings	15,000	-	40,557	C4C Furniture
Contributions and Donations	18,144	-		
Charitable Gambling - Designated Donations		2,512	7,855	
Miscellaneous Revenues			12,096	Paradise Charter Winter Storage
Transfers From Other Funds		-	-	
	<u>33,144</u>	<u>2,512</u>	<u>60,508</u>	
<b>Expenditures</b>				
Professional Services	-		5,819	
Professional Services-Other				
Engineering Fees	-			
Charitable Gambling Expenditures - C4C	-	-		
Improvements Other Than Bldgs	25,000	2,880	43,437	C4C Furniture
Improvements - Playground Equip	-	-	-	
Improvements - Charitable Gambling	-	-	-	
Transfers To Other Funds	-	-	-	
	<u>25,000</u>	<u>2,880</u>	<u>49,256</u>	
Net Change in Fund Balances	<u>8,144</u>	<u>(368)</u>	<u>11,251</u>	
<b>Cash Balances</b>				
Cash Balance -06/30/2023			785,628	
<b>Fund Balances</b>				
Designated for Playground Equipment			3,926	
Committed for Commons Master Plan - Charitable Gambling Projects*			146,607	
<b>Balance Available for Park Projects</b>			<b>635,095</b>	
Undesignated Fund Balance			785,628	