

1. Agenda And Packet

Documents:

[OCTOBER 10, 2023 PNR AGENDA.PDF](#)

[OCTOBER 10, 2023 PNR AGENDA PACKET.PDF](#)

City of Excelsior
Park and Recreation Commission

Agenda

Tuesday, October 10, 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) September 12, 2023 PNR Meeting Minutes
4. CITIZEN REPORTS or COMMENTS
 - a) None
5. NEW BUSINESS
 - a) Oak Hill Cemetery
6. UNFINISHED BUSINESS
 - a) Parks and Recreation Commission City Code and Charter Review
 - b) Studer Park- Discussion Only
 - c) Commons Ballfield Scheduling- Discussion Only
7. VERBAL REPORTS FOR DISCUSSION
 - a) Updates on Oak Savanna Project and other Commons Projects
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) August 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.

City of Excelsior
Park and Recreation Commission

Agenda

Tuesday, October 10, 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) September 12, 2023 PNR Meeting Minutes
4. CITIZEN REPORTS or COMMENTS
 - a) None
5. NEW BUSINESS
 - a) Oak Hill Cemetery
6. UNFINISHED BUSINESS
 - a) Parks and Recreation Commission City Code and Charter Review
 - b) Studer Park- Discussion Only
 - c) Commons Ballfield Scheduling- Discussion Only
7. VERBAL REPORTS FOR DISCUSSION
 - a) Updates on Oak Savanna Project and other Commons Projects
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) August 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.

City of Excelsior
Hennepin County, Minnesota
Park and Recreation Commission
Minutes
Tuesday, September 12, 2023

1. CALL TO ORDER/ROLL CALL

Present: Chair Wolfe, Commissioners Schmidt, Sobiech and Lyford-Pike.

Absent: Commissioners Wiese, Vogel, and Smith.

Also Present: Public Works Superintendent Amundsen, Parks Manager Ward

2. AGENDA APPROVAL

Commissioner Sobiech moved, Commissioner Pike seconded, to approve the agenda. Carries 4/0.

3. APPROVAL OF AUGUST 15, 2023 PNR MEETING MINUTES

Commissioner Sobiech moved, Commissioner Pike seconded, to approve the August 15, 2023 PNR meeting minutes. Carries 4/0.

4. THE COMMONS WALKTHROUGH

The Commission met at the plaza to conduct an onsite review of the park. The onsite review included observing the newly completed Plaza, Pavilion, the shoreline to include The Port, ballfield, great lawn, garden areas, beaches, tennis court, bathhouse, Oak Knoll Project area, and playground.

5. UPDATES

The Commissioners discussed scheduling a work session and implementing a working group to finish review of the city code and bylaws. Commissioners Lyford-Pike and Schmidt volunteered to be a part of the committee. Lyford-Pike made a motion to form the committee consisting of staff and Commissioners Lyford Pike and Schmidt, and Commissioner Sobiech seconded. Carries 4/0.

6. ADJOURNMENT

Commissioner Sobiech moved, Commissioner Pike seconded, to adjourn. Carries 4/0.



MEMORANDUM

Re: 5(a)- Oak Hill Cemetery

Date: October 10, 2023

Tim Amundsen, Public Works Superintendent

To: Parks and Recreation Commission

From: Andra Ward, Parks Manager

At the January 18, 2022 City Council Meeting, the Council appointed a committee to begin working on making improvements to the Oak Hill Cemetery. The Committee was tasked with developing tasks to rehabilitate the cemetery and obtaining quotations for necessary maintenance items to be completed. Issues identified included tree maintenance and removals, gravestone and monument restoration, retaining wall and pathway upgrades, restoration of the existing cemetery vault, and implementation of a cemetery management application utilizing GIS to track and manage the plots within the cemetery.

As identified in the Parks and Recreation section of the City Code, Oak Hill Cemetery is under the purview of the Parks and Recreation Commission. Since the City Council determined that the Cemetery working group would be a committee and not a commission, the responsibilities to continue working on the cemetery will be the responsibility of the Parks and Recreation Commission once the Cemetery Committee dissolves.

Members of the Cemetery Committee have been invited to the meeting to discuss the progress to date and how to proceed with the improvements within the cemetery. Attached to this memo is a spreadsheet outlining the progress and recent cost estimates.

Action:

Discuss the Oak Hill Cemetery with the Cemetery Committee and discuss how to proceed with maintenance and improvements.

Cemetery Budget Needs

| Land | Vendor | Contact | Date | Bid amount | Invoiced? | Comments |
|--------------------------------------------------------------|----------------------------|----------------|-------------|-------------------|--------------------------|-----------------------------------------------------------------------------------------------------------------|
| Tree Removal - Removal of Dead Trees | | Tim Amundsen | | \$35,000 | \$12,600 from CIP so far | In - Progress- Phase 1 2023 - Phase 2 2024 |
| Grave Locator | WSB | Bryan Pittman | | \$16,000 | Yes - Paid out of CIP | In - Progress 2023 |
| Site Plan - Walking Path, Retaining Wall, Stairs, Rock Walls | WSB | Bryan Pittman | | \$2,746 | Yes - Paid out of CIP | Completed 2023 |
| Landscaping/Grass | | | | | | Plants that can hold the ground |
| Walking Path on Hill | | | | | | |
| Cemetery Pins | WSB | Bryan Pittman | | \$6,900 | Park Fund | Numbered pins in the ground to locate graves/updating cemetery management application to match location of pins |
| Gravestones / Monuments | Vendor | | Date | Bid amount | | Comments |
| Gravestone Restoration | Gravestone Restoration LLC | Dave Hendricks | | \$118,500 | | |
| Vault Restoration | English Stone | Joel | 8/11/2022 | \$8,500 | | |
| | Golden Stones Masonry | Samuel Tuhey | 9/12/2022 | \$4,200 | | |
| Retaining/Boulder Wall | Northland Excavating | Dick Keranen | 9/24/2022 | \$72,000 | | |
| Concrete/Stone Wall Retaining Wall | | | | \$1,000 | | |
| Veteran Monuments | | | | | | |
| Signage | Vendor | | Date | Bid amount | | Comments |
| | | | 8/12/2022 | \$1,000 | | |
| National Register | Vendor | | Date | Bid amount | | Comments |
| National Register Evaluation--Local, SHPO | | | | \$5,000 | | |
| Natl. Register Nomination | Preservation Expert | | | \$30,000 | | ~\$40,000 for Downtown District, multiple buildings included Single cemetery site likely to cost less |
| Other | Vendor | | Date | | | Comments |
| Surveillance | | | | | | |
| | | | | Bid amount | | |
| Total | | | | \$300,846 | | |



MEMORANDUM

6(a)- Parks and Recreation Commission City

Re: Code and Charter Review

Date: October 10, 2023

Tim Amundsen, Public Works Superintendent

To: Parks and Recreation Commission

From: Andra Ward, Parks Manager

At the May 9, 2023 Parks and Recreation (PNR) Commission meeting, the Commission began review of Chapter 24- Parks and Recreation of the Excelsior City Code. At the September 12, 2023 PNR Commission meeting, the Commission recommended that Commissioner Lyford-Pike and Commissioner Schmidt participate in a work session with staff to work on finalizing the recommended changes to the City Code and bylaws. Staff met with Commissioner Lyford-Pike as Commissioner Schmidt was unable to attend the meeting. Staff and Commissioner Lyford-Pike were able to complete the review of the bylaws and have proposed the following material changes for PNR Commission review and approval:

Chapter 24:

- Section 24-1: Change Excelsior Parkland to Studer Park, amend language for the location of the Captain Johnson Memorial, and include The Port, dock piers, and Water Street Trailhead.
- Section 24-22: Add language to exempt the City from the hunting animals ordinance.
- Section 24-23: Add language to exempt the City from the trapping animals ordinance.
- Section 24-24: Add this section to the City Code to address Marijuana smoking to be in line with recent City Council direction.

Park and Recreation Advisory Commission Bylaws:

- In regular meeting change meeting time from 7PM to 6:15PM.
- Under special meetings, add electronic communications for contact purposes which already includes telephone.

Staff and Commissioner Lyford-Pike also identified some other items for discussion:

- According to the bylaws, a chair and vice chair must be elected at the March meeting annually.
- When presenting to the City Council there should be one member in attendance at the meeting, at a minimum.
- The website should include the terms and years left of each Commissioner.
- The major topics to be discussed for the year should occur at the March meeting and once those priorities are established a joint-work session should be scheduled with the City Council to present priorities, review, and gain feedback.

The Commission should review and discuss the updates to the City Code and Commission Bylaws.

Action:

Review, discuss and approve the changes to the City Code and Commission Bylaws for review by the City Council.

Chapter 24 PARKS AND RECREATION¹

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~~. Studer Park and Studer Pond.
- (3) The Captain Johnson Memorial at the intersection of Lake Street, Mill Street, and Water Street ~~Second Street, Excelsior Boulevard and Morse Avenue~~.
- (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;

¹Cross 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.

-
- h. End of Hidden Lane (by boat marina);
 - i. End of Elm Place at Galpin Lake;
 - j. Linden Street.

(13) Piers 1, 2, 3, 4 and 5 and the Public Docks.

(14) The Port- Lot 204.

(15) Water Street Trailhead

(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.

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.

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.

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.

(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. **The city is exempt from this section of the code as required.**

(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. **The city is exempt from this section of the code as required.**

(Code 1982, § 230:40)

Sec. 24-24. Marijuana Smoking- (reference existing City Code implemented by the City Council)

Secs. 24-24—24-50. Reserved.

ARTICLE II. PARK AND RECREATION ADVISORY COMMISSION²

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~~ **The city has established** 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.

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

(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 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)

APPENDIX C PARK AND RECREATION ADVISORY COMMISSION BYLAWS¹

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~~ 6:15 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 or electronic communication. 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.

¹Editor's note(s)—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(s)—Boards, commissions and committees, § 2-111 et seq.; parks and recreation advisory commission, § 24-51 et seq.

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 08/31/2023**

| | 2023 Budget | August 2023 Actual | 2023 YTD Actual | |
|--------------------------------------------|-------------|-----------------------|--------------------|---------------------------------|
| PARK IMPROVEMENT FUND | | | | |
| Park Improvements | | | | |
| Revenue | | | | |
| Interest Earnings | 15,000 | - | 40,557 | C4C Furniture |
| Contributions and Donations | 18,144 | - | | |
| Charitable Gambling - Designated Donations | | 2,225 | 10,476 | |
| Park Dedication Fees | | 10,920 | 10,920 | |
| Miscellaneous Revenues | | | 12,096 | Paradise Charter Winter Storage |
| Transfers From Other Funds | | - | - | |
| | 33,144 | 13,145 | 74,049 | |
| Expenditures | | | | |
| Professional Services | - | | 5,819 | |
| Professional Services-Other | | | | |
| Engineering Fees | - | 255 | 255 | |
| Charitable Gambling Expenditures - C4C | - | - | | |
| Improvements Other Than Bldgs | 25,000 | 4,196 | 51,763 | C4C Furniture |
| Improvements - Playground Equip | - | - | - | |
| Improvements - Charitable Gambling | - | - | - | |
| Transfers To Other Funds | - | - | - | |
| | 25,000 | 4,451 | 57,837 | |
| Net Change in Fund Balances | 8,144 | 7,337 | 18,438 | |
| Cash Balances | | | | |
| Cash Balances | | | | |
| Cash Balance -07/31/2023 | | | 791,585 | |
| Fund Balances | | | | |
| Committed for Playground Equipment | | | 3,926 | |
| Committed for Commons Master Plan | | | 138,752 | |
| Balance Available for Park Projects | | | 648,907 | |
| Total Fund Balance Account | | | 791,585 | |