



PARKS and RECREATION COMMISSION

Meeting Minutes of September 10, 2014

Central Hillside Center
12 E 4th St



1. CALL TO ORDER

Commissioner Hall called the meeting to order at 5:00 pm.

2. ROLL CALL

PRESENT: Commissioners Hall, Albright, Crosby, Schmidt, Wells, Braun, Viken, Dodge, Holak

NOT PRESENT: Commissioner(s) Schraepfer, Torch

3. APPROVAL OF MINUTES

Commissioner Crosby motioned for approval of the August 13, 2014 meeting minutes; second by Commissioner Welles. Commissioner Viken shared his concern that the language of the motions and resolutions is not included within the actual minutes and is separately recorded as an attachment.

Approval of the minutes was tabled until the next meeting.

4. PRESENTATIONS

A. Chambers Grove Park Improvements

Ms. Tari Rayala, City Architect, shared an informational update on redevelopment at Chambers Grove Park. In early 2012, the City became concerned about the failing seawall along the shore of the Park. After the June 2012 flood, FEMA denied assistance for repair because they stated the City was already making repairs. The recommendation from the DNR, which was accepted by the City, was to soften the edges of the shoreline wall. The City was later awarded a \$1 million dollar Legacy Grant for improvements to the Park in collaboration with the DNR. The City later received an additional grant from the Great Lakes Restoration Initiative. Ms. Rayala shared an attached summary of improvements that are being made. The entirety of the project has been funded. Shoreline improvements will begin in 2015 by the DNR. The Park will be closed after July 4th, 2015. It will not reopen until the end of 2016.

1. Commissioner Viken asked what elements were creating the long timeline.
 - a) Ms. Rayala replied that shore reshaping, including significant sloping, and weir additions are the major infrastructure problems and require more time to complete.
2. Commissioner Albright asked if there would be any parking maintained to access the newly opened COGGS trails.
 - a) Parks staff, Judy Gibbs, highlighted that Highway 210 will be closed for 2 more years and parking will be available along the highway.
3. Commissioner Schmidt asked if the softening of the shoreline would limit the ability to fish from the shoreline.
 - a) Ms. Rayala stated the channel in front of the Park was much deeper and less conducive to fishing before the flood. Added features will allow anglers to walk onto weirs or other structures to access river fishing.
4. Commissioner Viken inquired about the screened dumpster location. It was mapped as being prominently placed near the entrance.

- a) Ms. Rayala noted the final location of the screened dumpster, and the gazebo, have not been determined.
5. St. Louis County Commissioner Jewell noted work along the shore of the Park falls into a broader plan to delist the St. Louis River as a federal "Area of Concern".

B. Recreation Committee Grants

Commissioner Welles handed out the attached summary of proposed awards for the Recreation Grants. The City received seven total applications for funding up to \$2,000 each. The City had a total of \$16,000 available. It was noted that the money for this grant fund is derived from a portion of the pull-tab receipts of the City.

1. Commissioner Welles observed the COGGS application earmarked monies to pay staff. He stated, and Commissioner Holak affirmed, it is preferable not to give money for staffing. COGGS' application was approved with a caveat stating future awards will not be made for staff payment. The RFP needs to be updated to reflect the same for future application rounds.
2. Commissioner Viken asked if the Duluth Cross Country Ski Club Grant for bridge building was going towards staffing as well.
 - a) Staff member Gibbs noted the funds would be used for materials to build new bridges in low-lying areas and the bridges would be built by volunteers.
3. Commissioner Schmidt asked for clarification on the public notification process of grant availability.
 - a) Commissioners Hall and Welles noted the public is made aware through press releases, postings on the City website, and within the Parks Division's "Good News" newsletter.
4. Commissioner Welles made motion to accept the recommendations of the Recreation Programming Committee and award up to \$2,000 per application. Seconded by Commissioner Holak; passed unanimously.

C. Morgan Park Mini-Master Plan

1. City Parks Division, Ms. Kathy Bergen, shared some improvements, such as the hockey rinks, have already been made. City staff members are working on the picnic shelter this summer.
2. Commissioner Albright shared the Community Club has unanimously endorsed the proposed plan.
3. Commissioner Hall asked about the timeline.
 - a) Ms. Bergen noted, other than the hockey rink, the picnic shelter is the only aspect which has funding.
4. Commissioner Dodge asked if the Legacy Fund could be used to fund the remaining improvements.
 - a) Ms. Bergen noted that Legacy Funds must only go to "regionally significant parks". Commissioner Albright made motion to accept the proposed Mini-Master Plan, second by Commissioner Schmidt; unanimously approved.

D. Jay St and 40th Ave E - Request to Change Land Use Designation

1. City Planner, Ms. Suzanne Kelley, shared the land was previously under the authority of the City's Public Utilities. Through the lot's use as a gas storage tank, the land became contaminated. In 1998, the land was reclassified through City Council Ordinance as Park Property. Ms. Kelley noted the 2010 Parks Master Plan suggested considering reclassifying the land so it is no longer Park land.

2. In July of this year, the City was awarded a DEED Grant to cover a portion of the cost of cleanup. The Grant stipulated 8-12 market rate homes had to be developed on the property. Ms. Kelley noted the parcel of land is near other parks but is not connected to any sort of trail system. The parcel is connected to City Utilities. Currently the park is being used informally by neighbors but is not being maintained by City staff.
3. A public meeting was held after the DEED Grant was received. Neighbors shared a desire for an aesthetically pleasing housing development. On September 09, 2014, the Planning Commission of the City of Duluth approved the reclassification.
4. Commissioner Dodge questioned if the entire lot would be developed by one company.
 - a) Ms. Kelley stated an RFP noting the preference is being issued for a single developer. Ms. Kelley noted three of the houses have to be priced under \$226,000.
5. Commissioner Dodge noted "under \$226,000" would likely mean \$225,000, which is a price that does not help make the neighborhood more accessible to a range of income levels.
 - a) Ms. Kelley reported for the project to be economically feasible for a developer the project must include homes at the specified price point.
6. Commissioner Holak asked the type of contamination.
 - a) Ms. Bergen shared the contamination to be lead paint as a result of a gas tank once located there.
7. Commissioner Holak shared the City has a shortage of sports fields for football, soccer and lacrosse, and to lose a level playing surface is a concern.
 - a) Ms. Kelley reported at previous public meetings concerning use of the land as a sports field all of the neighbors, except for one, were concerned about the development of a sports field on the basis of increased traffic and usage of the neighborhood.
8. Commissioner Welles noted similar opposition existed to the potential use of the land for a dog park when consideration was brought forward earlier this year.
9. Commissioner Schmidt asked if any public comments were made during the Planning Commission's recent meeting on the subject.
 - a) Ms. Kelley said no one spoke at the meeting but she did receive a single phone call in favor of the housing development.
10. Commissioner Braun asked if it weren't for the DEED Grant would we be trying to build housing.
 - a) Ms. Kelley noted the Mayor, on the basis of market analysis need for housing, has been pushing for housing development throughout the City.
 - b) Mr. Filby Williams, Director of the City's Public Administration Department, noted recreational development dollars are not available. We have two options; 1) clean up the lot and develop it as housing; or 2) leave it as a contaminated, undeveloped lot.
11. Commissioner Viken asked if all cleanup costs were covered by the DEED Grant.
 - a) Ms. Kelley stated she wasn't positive but believed the City had a match of some scope.
 - b) Ms. Bergen stated she believed the City had to make a 25% match.
12. Commissioner Welles asked if money from the sale of the Park property would go toward the Park budget.
 - a) According to Ms. Bergen, park property sold does not go into the Park Fund. However, the Commission can recommend any money raised go back into the Park Fund. Ms. Bergen noted money raised would likely go to paying back the cleanup costs.
13. Commissioner Hall suggested the process be improved so, in the future, the Parks Commission is informed and surveyed before application is made for a similar grant.
14. A motion of support was made by Commissioner Welles to reclassify the land from Recreational to Traditional Neighborhood. No second was made, at which point Commissioner Hall suggested Commissioners consider tabling the issue and sharing

questions and concerns with City staff so the issue can be brought back to the Commission at a future date.

15. Commissioner Welles offered a motion to table the issue for further consideration. Commissioner Braun seconded the motion, which was passed unanimously.
 - a) Commissioner Braun suggested that, if Commissioners' questions are addressed by City staff, a special meeting might be called.
16. Mr. Filby Williams spoke to the Commissioners restating the DEED grant has already been accepted, neighbors have spoken in favor of using the lot for housing development and against use as a sports field or a dog park, and money for cleaning up recreational spaces is very difficult to find or attain. He strongly urged the Commissioners to consider bringing the issue back up tonight or risk jeopardizing the ability of the City to use the DEED money.

E. Chester Park Cell Tower

1. Mr. Chuck Froseth, Land Use Supervisor for the City of Duluth, shared an overview of the issue. A cell tower previously existed on top of the old ski jump. The ski jump was demolished. A new location needs to be considered. The City already has a contract to have a cell tower within Chester Park and has a City ordinance which states the preference is to always place towers within Duluth on public lands. Two proposed locations have been brought forward for a monopole: one located at the site of the current pole and one adjacent to the ski hill. The cell tower has been in its current location since 2000. Mr. Froseth shared the Planning Commission sought input from the Parks Commission before making a recommendation.
2. Commissioner Viken asked the argument for moving the location from the current location to the proposed site adjacent to the ski trail.
 - a) Ms. Karla Culhane from the City's MIS Division stated the original proposal was for the current location. She stated the reasoning for considering moving the tower adjacent to the ski hill was in order to provide a structure to attach additional lighting for the ski hill.
3. Commissioner Viken asked if there was feedback from the Chester Bowl Improvement Club (CBIC) and/or the Cross Country Ski Team.
 - a) Ms. Bergen shared CBIC staff, City staff, and the consultant for the Mini-Master Plan walked the site and made the informal recommendation to keep the pole at its current site.
4. Commissioner Welles asked why the tower could not be attached to existing ski lift poles.
 - a) Ms. Bergen stated the support poles were not built to support a cell tower.
5. Commissioner Braun clarified and reiterated the City has a contract with Sprint ensuring that a cell phone tower be located in that area. The only decision before the Commission is whether to state a preference on where to place the tower.
6. City Councilor Joel Sipress spoke in favor of the current location, highlighting the need for a 20' x 20' security fence around the cell tower. He stated relocating would require digging up a utility line and the fence would infringe on the aesthetics of a more heavily used area.
7. City Councilor Sharla Gardner also spoke in favor of keeping the cell tower at the current location due to the danger of having a fence along the side of the ski run if moved. She also reiterated the Planning Commission wanted a recommendation from the Parks Commission before acting.
8. Community member Ann Holtz spoke and shared concern that the neighbors have not been informed or given the chance to provide feedback on the tower placement. She also stated the Parks Commission would be setting precedent by allowing the tower

because no existing park has a monopole. She also shared concerns about the health impacts of a cell tower.

a) Commissioner Albright asked if it is true that precedent of cell tower placement within a park would be set.

1) Mr. Froseth stated similar polls exist in parks and other public spaces and Sprint would have to seek approval for any changes to the existing tower or to add additional towers.

9. Community member, Mr. Steve Holtz, shared concerns the tower will be lower and therefore health impacts might be greater.

a) Ms. Karla Culhane noted, by ordinance, a cell tower cannot be taller than 75 feet due to concerns about negative impact on migratory birds.

10. Community member, Karl Hodil, shared frustrations the initial tower installation created significant environmental impact. He also stated the current tower lacks appropriate warnings for Park users.

11. Commissioner Welles asked about the potential for a location outside of Chester Bowl on the other side of Kenwood.

12. A representative from Sprint stated no alternate locations have been reviewed and reiterated a contract has been signed with the City to have the tower within Chester Park.

13. Commissioner Schmidt asked about the length of the lease.

a) Ms. Karla Culhane noted it is a 10 year lease, signed approximately two months ago.

14. Commissioner Holak made a motion of support. Commissioner Braun seconded. The motion was approved unanimously.

F. Jay St and 40th Ave E - Request to Change Land Use Designation *(revisited)*

1. Commissioner Holak made a motion to bring the Jay Street Park back on the agenda. It was seconded by Commissioner Welles and approved unanimously.

2. Commissioner Welles made a motion of support for the redesignation, seconded by Commissioner Holak.

3. Commissioner Albright stated a concern that once rezoned the parkland would be lost forever. He also shared frustration that the Parks Commission's hand was being forced by approaching this issue after a grant had already been submitted and acquired. He urged City staff to inform and ask feedback of Parks Commissioners in the future on issues involving reclassification of park land.

4. Commissioner Dodge commended the City for pushing to include environmentally sustainable housing. She then reiterated her preference for seeing low income housing developed, although she recognized that it is an issue not within the purview of the Parks Commission.

5. Commissioner Braun asked if City staff were aware of how many of the Hawk Ridge Estates were sold.

a) Mr. Filby Williams replied the City is working to develop housing across the income scale. He noted the last lots at Hawk Ridge Estates went for sale this summer and they are being bought up quickly.

6. Commissioner Braun reiterated his support for the actual proposal before us while maintaining his frustration with the process. He also noted he didn't hear a compelling case there are no other viable uses of the property.

7. Commissioners Hall, Welles, Crosby, Holak, and Albright voted in favor of the resolution. Commissioners Dodge and Braun voted against; motion passed 5-2.

5. COMMISSION COMMITTEES

A. Parks and Facilities – meeting date: TBA

Chair - Joel Braun – Jon Welles, Ed Hall, Michael Schraepfer, [Dale Sellner]
No update.

B. Administrative (E-Board) – meeting date: TBA

Chair – Ed Hall – Eric Viken, Tom Albright, [Kathy Bergen]
No update.

C. Trails and Bikeways – meeting date: TBA

Chair – Tom Albright - Eric Viken, Andy Holak, [Judy Gibbs], [Art Johnston]
No update.

D. Recreation Programming (youth and adult) – meeting date: TBA

Chair - Jon Welles – Andy Holak, Erik Torch [Pamela Page]
No update.

6. COMMISSIONER & LIAISON REPORTS

[None given.]

7. NEW BUSINESS

A. Scenic Hwy 61- grant received by City Engineering

B. Central Hillside Park Improvements

1. A community meeting was held on August 28th. Four proposals were brought forward for consideration at the community meeting. A final proposal that brings together the four plans and includes community input will be brought forward in the hopes initial work can begin in 2014. The majority of work will be completed in 2015.

8. OLD BUSINESS

A. Update: Revisions to Lower Chester Mini-Master Plan

1. A company has been hired to do soil boring to test soil integrity and composition.

B. Update: RFP for Golf Courses – due to Purchasing on August 22

1. Mr. Filby Williams emphasized that there is no preferred plan at this point. Two RFPs have been brought forward - one for management of the golf course for continued use, the second for redevelopment on some scale for housing development. The City will convene an RFP review committee.

C. Wade Stadium renovations began August 25

1. Artificial turf is on schedule to be laid by November 1 so it will be ready to use in April of 2015.

D. Wade/Wheeler Mini-Master Plan RFP

1. The RFP will be issued by the end of the week or shortly after.

E. Update on Parks Commission motion (8/13/2014) regarding "Arson, vandalism, and trashing of our park system"

1. Paula Reed shared staff met internally and will be meeting with WLSSD to develop proposals for steps that can be taken to allow citizens to address problems of trashing of parks.

9. PUBLIC COMMENTS

A. Community members spoke and shared concerns about limits being placed on horseback riders with Magney Snively. They shared concerns the trails were closed however, according to the opinion of the speaker, ordinance 35-6 stipulates only the City Council can close trails. She stated the City Council is unaware of how the trails were closed.

1. City staff noted the Trails and Bikeways Master Plan, passed in 2009, suggested closing the horse trails and that was the justification for the trail closure. Parks staff pointed out there is a horseback riding group working to identify and build trails within the City.

10. DIVISION MANAGER'S REPORT

A. Observation Dog Park – revisions [District 3 – John Schmidt]

1. A slightly amended version of the dog park was brought forward which expanded the size of the large dog area and moved the small dog area adjacent to the east side rather than the southern slope side. Ms. Bergen shared a public meeting on the dog park had the majority of attendees speaking in favor with only a small group of about three residents being opposed to a dog park.
2. Commissioner Crosby requested pathways to the dog park be improved to ensure users with mobility devices, such as wheelchairs, are able to access the dog park.
3. Commissioner Albright reiterated the Parks Commission previously passed a resolution supporting development of the Observation Hill Dog Park and encouraging City staff to complete the process with dog park volunteers.

11. ADJOURNMENT

Commissioner Albright made motion to adjourn, second by Commissioner Welles; unanimously approved. Meeting adjourned at 8:45 pm.

12. NEXT MEETING

The next meeting will be held 5 pm, Wednesday, October 8, at Central Hillside Center.

MOTIONS

1. A motion of support was made by Commissioner Welles to reclassify the land from Recreational to Traditional Neighborhood. No second was made, at which point Commissioner Hall suggested that Commissioners consider tabling the issue and sharing questions and concerns with City staff so the issue can be brought back to the Commission at a future date. **Commissioner Welles**

offered a motion to table the issue for further consideration. Commissioner Braun seconded the motion, which was passed unanimously. (See Motions #4 and #5)

2. Commissioner Welles made a motion to accept the Recreation Programming Committee's recommendations regarding Recreation (Pull-Tab) Grant awards. Each group may receive up to \$2,000 per application. Seconded by Commissioner Holak; passed unanimously.
3. The Parks Commission supports the realignment of the dog park by moving the position of the small dog area and expansion of the large dog area. The commission encourages city staff to continue working with dog park users to complete the plan. Motion made by Albright, seconded by Schmidt; passed unanimously.
3. Request, from the Planning Commission, to support keeping the Chester Park monopole cell tower in its current location. Commissioner Holak made a motion to keep the existing cell phone tower in its existing location in Chester Park with the acknowledgement that the site around the cell tower be re-vegetated and improved. Seconded by Commissioner Braun; unanimously approved.
4. Commissioner Holak made a motion to bring the Jay Street Park back on the agenda. It was seconded by Commissioner Welles and approved unanimously. (See Motions #1 and #5)
5. Request to Change the Future Land Use Designation from Recreational to Traditional Neighborhood at Jay St and 40th Ave E. Commissioner Welles made motion to support changing the future land use designation for the current park property located at Jay Street and 40th Avenue East from "recreational" to "traditional neighborhood". Further, the Commission recommends that a significant portion of revenues from any future sale of the property be designated as park funds, second by Commissioner Holak. Commissioners Hall, Welles, Crosby, Holak, and Albright voted in favor of the motion. Commissioners Dodge and Braun voted against; motion passed 5-2. (See Motions #1 and #4)
6. After reviewing the proposed Mini-Master Plan, and with the knowledge that the Morgan Park Community Club has unanimously endorsed the proposed Plan, the Parks Commission approves the Morgan Park Mini Master Plan. Motion made by Commissioner Albright, seconded by Commissioner Schmidt; passed unanimously.