



PARKS & RECREATION COMMISSION

Meeting Minutes August 14, 2024

Duluth City Hall, Council Chambers



I. Call Meeting to Order

President Demmer called the meeting to order at 5:00 p.m.

II. Roll Call

Present: Sarah Beehler, David Demmer, Kala Pedersen, Beth Olson, Josie Laporte, Terrance Lovajoy, Dave Cizmas, Brooke Marinan, Azrin Awal – City Council Liaison

Not Present: Hailey Sigafus, Ashley Grimm – St. Louis County Commissioner, Stephanie Williams – School Board Liaison

III. Approval of the May 8 Meeting Minutes

Commissioner Beehler motioned to approve the May 8 meeting minutes. Commissioner Pedersen second. Unanimously approved. Motion carries.

IV. Presentations

A. RAISE Grant (Informational) Cliff Knettel, Assistant Manager

Beehler questioned what the plan is for mitigating against damage and erosion, specifically in terms of materials. Knettel stated that shoreline restoration has been going on for years. Stated that resiliency is a factor in choosing materials for the amenities and infrastructure, incorporating materials that are sustainable. Stated that some amenities will be placed on concrete pads for permanency and maintenance.

Lovejoy questioned what the seawall is. Knettel stated that the seawall is on the lake side behind the DECC. Stated that this project is currently under construction.

Lovejoy questioned if there was a study done for adding rock walls further up the shore, away from the pier. Knettel stated that the goal is for visitors to be near the water on shore, less about being in the water. Stated that a coastal engineering firm studied wave actions, runup zones, and so on to determine best shoreline resiliency fixes.

Olson questioned if the capital slated for this project will cover the entire project. Knettel stated that a first step is putting the project out for bid. Stated that an inflation factor was added into the project budget. Stated that there is a fairly large contingency in the project budget as well. Stated that there are alternatives to assess when the time comes to stay within the budget if necessary.

Olson questioned what the funding looks like for maintenance in the future. Knettel stated that the goal is to ultimately reduce the maintenance burden. Stated that Park Maintenance has been very involved in the planning process. Stated that there will be more natural, re-wilded areas, which will reduce mowing along the Lakewalk.

Olson questioned if there has been consideration for lighting. Knettel stated that a lighting assessment was a part of this process. Stated that a goal is to consolidate types of lighting features for consistency along the Lakewalk, as well as adding some security cameras and safety features.

Olson questioned if there was any consideration of separating pedestrian and wheeled traffic. Knettel stated that along some stretches there are separate boardwalk and asphalt sections. Stated that this is not possible along the entire stretch due to space constraints, but there will be some added. Stated that



PARKS & RECREATION COMMISSION

Meeting Minutes August 14, 2024

Duluth City Hall, Council Chambers



speed limit signs were added last year, and scooter vendors limit speeds on their scooter fleet.

Olson questioned if there will be directional signage. Knettel stated that there will be, and there will be additional educational signage added as well.

Marinan questioned which of the three reroutes near 21st Ave E was accessible. Knettel stated that the goal for all three is accessibility. Stated that grades, turning radius, sightlines, widening, and refreshed surface are all factors in the improvements.

Awal questioned who maintains the vault toilet structure. Knettel stated that the service is contracted out to a vendor. Stated that there are other vault toilets planned in other park locations. Awal questioned if they would only be open in summer. Knettel stated that it depends on use patterns, but is currently planned to be seasonal.

Awal questioned if there was consideration for embedding solar into the walkways to collect energy. Knettel stated that solar has been considered for the envisioned e-bike station. Stated that solar is being considered in other parts of the park system.

Awal questioned how many e-bike charging stations are envisioned. Knettel stated that currently two are planned for this project, looking into additional ones for future projects. Stated that there will be bike racks, water, trash cans there as well.

Awal questioned if compost has been considered to be added to park garbage units. Director Filby Williams stated that there has been discussion on the Energy Plan Commission about how to begin to incorporate this in the park system. Stated that the budget is a factor as always.

Demmer questioned if there will be water added at Water Street. Knettel stated that this is a location being considered for water, also at Endion Station.

Demmer questioned if striping could be an option to separate pedestrian and wheeled traffic. Knettel stated that this has been an item of discussion. Stated that park rules/ethics signage is possibly going to be incorporated into the project as well.

Demmer questioned how this will integrate into current bike routes. Knettel stated that widening sidewalks and designating bike routes to connect to other bike routes has been considered.

V. Commissioner Committees

Administrative (E-Board) meeting date: Thursday, September 5 at noon, Parks Conference Room
David Demmer, Kala Pedersen, Josie LaPorte [Jessica Peterson, Bridget Erickson]

VI. Commissioner & Liaison Reports

VII. New Business

VIII. Old Business

A. Hartley Pond and Dam Feasibility Study (Action Requested) Kate Kubiak, Natural Resources Coordinator

Director Filby Williams provided a statement on the Tischer Creek Fish Kill. Stated that City staff would



PARKS & RECREATION COMMISSION

Meeting Minutes August 14, 2024

Duluth City Hall, Council Chambers



provide an update to the Parks Commission once the investigation is concluded and findings are available.

LaPorte questioned how the City will monitor and deal with any post-construction issues that arise from the flow restrictive culvert. Director Filby Williams stated that the requirements prior to approving construction will hopefully mitigate any issues post-construction. Stated there will be three layers of vetting before proceeding with construction. Stated that after construction Parks and Recreation, DNR, and Public Works will each have responsibilities for monitoring the project. Stated that there are many examples of this type of project that have been successful.

LaPorte questioned which areas of the park will be inaccessible during the project. Director Filby Williams stated that the entirety of the pond bed and downstream of the dam would be closed at some point during the project, though not always at the same time.

Lovejoy questioned if this proposal is the same option as was proposed in the previous presentation. Questioned what makes this the best alternative. Director Filby Williams stated that this option allows for a smaller but healthier, deeper pond that is more conducive to swimming, canoeing, fishing, and other pond uses.

Beehler questioned if this design and assessment process is typical, and what happens if this design does not work. Kubiak stated that the feasibility study was very involved, and there will not be another one in the future. Stated that the design process will consider all components to ensure it will work. Director Filby Williams stated that there is a high level of confidence in this alternative.

Pedersen questioned if this would come back to the Parks Commission during or after the design process. Kubiak stated that there will be periodic updates throughout the process. Director Filby Williams stated that an MOU would be issued outlining all the conditions and agreements between agencies. Stated that this will be presented to the Commission, including how this will change recreation amenities.

Commissioner Lovejoy motioned that the Parks and Recreation Commission recommends that the City authorize Minnesota DNR to proceed with design and further assessment of a flow restrictive culvert at Hartley Pond subject to the conditions and limitations outlined in the staff memo attached as Exhibit 1. Commissioner LaPorte second. Unanimously approved. Motion carries.

B. Superior Hiking Trail Master Plan (Action Requested) Lisa Luukkala, Executive Director

LaPorte questioned if Indigenous community leaders were consulted during the planning process. Luukkala stated that invitations were sent, however they were unable to attend steering group meetings. LaPorte questioned if further outreach is planned. Luukkala stated that it is one of the recommendations in the plan to continue the outreach to cultural leaders.

LaPorte questioned how the SHTA will ensure equitable access for trail use. Luukkala stated that tourism traffic is heavy along the northern sections of the trail, which goes through state parks along the north shore. Stated that equitable access is an issue with outdoor recreation broadly. Stated that there are a number of barriers to overcome. Stated that the SHTA has partnered with organizations to remove some of these barriers. Stated that this is an issue to continue to work on.

LaPorte questioned how demographic data will continue to be collected and monitored. Luukkala stated that one of the recommendations in the plan is to develop a data maintenance plan. Stated that they have a large volunteer base to help with collecting data.



PARKS & RECREATION COMMISSION

Meeting Minutes August 14, 2024

Duluth City Hall, Council Chambers



Olson questioned how the recommendations in the plan will be funded and what they will do if funding cannot be met. Luukkala stated that the SHTA does have a good base budget. Stated that they can leverage funding for grants. Stated that they will prioritize as much as they can.

Cizmas questioned with the proposed Northern Route, which overlaps with about 4 miles of the Duluth Traverse, if the DT mini master plan would be amended to include shared trail with the SHT. Knettel stated that the MMP is being considered for revision for a number of reasons, including a collaboration with SHTA. Stated that there are opportunities for this conversation to continue.

Cizmas requested that a solid maintenance plan be in place between organizations involved before any work proceeds.

Demmer questioned if there is an ordinance stating that bikes are not allowed on the SHT. Luukkala stated that this is true. Stated that the SHT alignment often overlaps with other trails. Stated that portions that are SHT solely, these are foot traffic only. Demmer questioned if this would create room for interpretation that the DT section is no longer open to bikes. Luukkala stated that the ordinance does not conflict with the master plan. Stated that the SHTA would not solely be maintaining that section, so shared use would continue. Knettel stated that staff would follow up with more information on the ordinance referenced.

Olson questioned if the motion could include all items coming back to Parks Commission before proceeding. Knettel stated that the City will be revisiting maintenance agreements in the future, and that is an item that could return to the Commission. Stated that the plan is not a direct outline of what will happen, but rather a guiding document. Stated that there are other items in the plan that would deserve more input from the Commission, so those would come back as well for more input and approval.

Pedersen questioned if it is already a part of PRC process that major decisions would be brought back to the Commission. Knettel stated that this is the case.

President Demmer opened the floor for public comment.

Ansel Schimpff (public) spoke on the Superior Hiking Trail Master Plan on behalf of COGGS.

Luukkala stated that a recommendation in the master plan is to work with the City of Duluth and coordinate with land managers and user groups. Stated that the process is included within the plan document.

Lovejoy questioned if moving forward with the endorsement would restrict Parks Commission from making any adjustments later. Luukkala stated that the city is the landowner and holds all the cards in decision making.

Laporte questioned if the motion could move ahead with Councilor Awal's request for information sharing with the Indigenous Commission. Knettel stated that one of the recommendations in the plan is to continue a discussion with Indigenous leaders. Stated that Awal's suggestion to have a conversation with the Indigenous Commission is within the recommendations in the master plan.

Commissioner Cizmas motioned that the Superior Hiking Trail Master Plan, as presented to the Parks and Recreation Commission, provides long-range planning for the future of the trail and is a requirement for application to the Greater Minnesota Parks and Trails Commission for designation of the Superior Hiking Trail as a regional trail. The Superior Hiking Trail Master Plan was recently adopted by the Superior Hiking Trail



PARKS & RECREATION COMMISSION

Meeting Minutes August 14, 2024

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Association's Board of Directors. As appropriate within the City of Duluth park system, I move that the Parks and Recreation Commission endorses the SHT Master Plan and supports the submission of an application to the Greater Minnesota Regional Parks and Trails Commission for consideration of the SHT as a regionally-significant trail, with the condition that all MOUs are in place and all conditions with the City of Duluth are met prior to substantial changes. Demmer second.

Luukkala requested clarification within the proposed amendment to specify MOUs with the City of Duluth, not with all land managers along the entire route.

Pedersen questioned if this is doubling up on what our bylaws state and current process. Knettel stated that the phrasing of the amendment may be confusing when sent to City Council.

Olson questioned if the PRC would add clarifying language to a motion in a different plan approval process. Stated that she is comfortable with the original motion and trusting the process that is already in place.

LaPorte questioned if there would be a legal review. Knettel stated that yes, there would be a thorough legal review, as well as a review of City ordinances and policies.

LaPorte questioned if there would be more opportunities for public comment in the future. Knettel stated that major changes warrant public engagement processes.

Cizmas motioned that the Superior Hiking Trail Master Plan, as presented to the Parks and Recreation Commission, provides long-range planning for the future of the trail and is a requirement for application to the Greater Minnesota Parks and Trails Commission for designation of the Superior Hiking Trail as a regional trail. The Superior Hiking Trail Master Plan was recently adopted by the Superior Hiking Trail Association's Board of Directors. As appropriate within the City of Duluth park system, I move that the Parks and Recreation Commission endorses the SHT Master Plan and supports the submission of an application to the Greater Minnesota Regional Parks and Trails Commission for consideration of the SHT as a regionally-significant trail. Demmer second. Unanimously approved. Motion carries.

IX. Division Report

Knettel highlighted the Athletic Venues Reinvestment Initiative item in the division report.

X. Public Comment

XI. Adjournment

Meeting adjourned at 7:21 pm.

XII. Next Meeting

The next meeting will be Wednesday, September 11 at 5:00 p.m., Council Chambers.

EXHIBIT I
CITY OF DULUTH TECHNICAL MEMORANDUM

To: Jim Filby-Williams
From: Kate Kubiak, Natural Resources Coordinator; Tom Johnson, Sr. Engineer-Stormwater; Amanda Mangan, Asst. City Attorney; Jim Filby Williams, Property, Parks, and Libraries Director
Re: *Conditional authorization for design and assessment of flow restrictive culvert at Hartley Pond*

City of Duluth staff support a conditional City commitment to work in partnership with the Minnesota DNR to design and further assess a flow restrictive culvert for potential installation at the Hartley Park dam and pond. For background, see attached description of the flow restrictive culvert and summary of public input.

Background:

Hartley Pond is becoming shallower, hotter, and more anoxic as it fills with silt and organic material. This process has reduced the recreational, educational, and aesthetic value of the pond and caused significant environmental harm to the cold-water trout stream below the dam. The shallowing of the pond, and its negative consequences, are expected to accelerate and mount. The City cannot afford the estimated \$1.92 million cost to restore the historic depth of the pond via dredging. As an alternative, the City asked Minnesota DNR to engage an independent engineering firm to study options for grant-funded reinvestment in Hartley dam and pond that would, at no cost to the City, partially restore the recreational, educational, and aesthetic value of the pond, cease the environmental harm from the pond to the trout stream below, and do so without increasing downstream flood hazards.

A feasibility study was completed for the Hartley dam and pond in March 2024. The study was overseen by DNR, in consultation with the City, undertaken by GEI Consultants, and paid for by the US Environmental Protection Agency.

After a public process which included the Natural Resources Commission, the Parks and Recreation Commission, City Council, and four public meetings, the alternative selected was a flow restrictive culvert (see attached exhibit).

The proposed partnership outlined in this memo is for a design process only; once the design is complete, and it appears that permits can be attained, the City and MN DNR will consider the next step - construction of the selected alternative. The parties agree that the City has no obligation to proceed with construction following design.

This document recommends that the City impose a number of specific conditions and limitations on City support to proceed with complete design and assessment of the flow restrictive culvert and that the parties memorialize these conditions in a project agreement.

Key City Conditions

The City will not permit any change to Hartley pond and dam that might increase downstream flood risks.

- Study to date demonstrates that a flow restrictive culvert need not increase downstream flood risk and that it may be possible for the culvert to be designed so as to decrease downstream flood risk. As such, the City will require that the project be designed so as to decrease downstream flood risk to the maximum extent possible and strictly avoid any increase to downstream flood risk.
- Continued City support for design of the flow restrictive culvert is conditional upon continued City confidence that the flow restrictive culvert will not increase downstream flood risk.
- The design process shall include additional independent evaluation by City-approved experts of project plans, analyses, models, and designs all of which shall bear out that the project will not increase downstream flood risks. The selected third-party reviewer will evaluate outputs at the 30, 60 and 90 percent design levels to ensure that the best possible data is informing the design.

The design must support, the scope of the project must include, and non-City project funding must provide for preservation or enhancement of existing opportunities for recreational enjoyment in the park generally consistent with the Hartley Park Mini-Master Plan.

The design must provide for efficient culvert maintenance. by minimizing the susceptibility of the culvert to obstruction and providing for efficient removal of obstructions. See “Other Design Requirements” below.

City funds will not be used to accomplish the basic goals of the project, either in design or construction.

The design must serve to repair and restore ecological processes generally consistent with the Hartley Park Mini-Master Plan, the Hartley Natural Area Management Plan, and the primary purpose of Hartley Park as a nature center.

Participation in, and funding of, the project by non-city entities must not obligate the City to continue through to construction following partial completion or total completion of a design. DNR will make project funders aware of the limits of, and conditions on, the City’s commitment to the project.

Responsibilities:

DNR will:

- Secure all funding for the project.
- Engage an additional third-party engineer to conduct an additional Quality Assurance/Quality Control review of the flood hazard modeling.
- Provide data to third party for the QA/QC modeling review.
- Assist in setting up design checks with the City at the 30% /60%/90% stages of the design.
- Manage funding including all required reporting.
- Provide regular updates to City staff, Commissions or Council on the project as needed or requested.
- Develop and distribute the RFP for the design engineer, using MN DNR processes. RFP shall include City criteria for design including but not limited to:
 - The design shall not increase flood risk.
 - The design shall not compromise the integrity of the existing dam.

- The design shall produce a structure that can withstand anticipated water volumes and velocities over time. See “Other Design Requirements” below.
- The design shall provide for efficient culvert maintenance. See “Other Design Requirements” below.
- To the extent possible, the design shall be undertaken so as to decrease flood risk.
- The design shall support, and the scope of the project shall include, preservation or enhancement of existing opportunities for recreational enjoyment in the park generally consistent with the Hartley Park Mini-Master Plan.
- The design shall serve to repair and restore ecological processes generally consistent with the Hartley Park Mini-Master Plan, the Hartley Natural Area Management Plan, and the primary purpose of Hartley Park as a nature center.
- Manage the selected design engineer including payments and contracts. City shall be allowed to participate in the selection of the design engineer.
- Pursue all permitting for the proposed alternative including SHPO, THPO, MNDNR Public Waters, MPCA, and USACE 404/401 certification and other permitting as needed. It is important to determine if permits can be acquired for construction of the selected alternative, and determination of this should occur during the design phase of the project.
- Support project-related public education and engagement in a variety of ways including, but not limited to, attending public meetings, developing and presenting project information, and responding to public inquiries.
- Furnish all prepared design documents and design data and present and review such documents and data to the City.

Enter into a project agreement with the City of Duluth memorializing the requirements and conditions outlined here. City will:

- Contribute to the selection and approval of the independent third parties engaged to undertake project design and conduct associated QA/QC.
- Provide staff to support the MN DNR in the completion of the project including personnel representing the following departments: Property, Parks, and Libraries, the City Attorney’s Office, Planning and Economic Development, and Public Works. Support from City staff may be limited due to other duties and project and staffing levels.
- Coordinate necessary updates through City Commissions and City departments as needed.
- Manage the public engagement tasks during the design process.
- Enter into a project agreement with DNR memorializing the requirements and conditions outlined here.

Other Design Requirements:

- Flow restrictive culvert inlet access: All culverts are susceptible to debris and obstruction caused by natural stream conditions, though typical road culverts have access for equipment and crews to remove debris from the road that is directly above the culvert. The project shall provide access for a City owned standard length boom hydraulic excavator to reach debris that has obstructed the culvert inlet. The access shall include a safe working area/pad above the water surface (water elevation may be at current weir elevation post rain event and inlet obstruction)

and provide an access path to this area/pad. Coordination with the City regarding this shall occur throughout the design process.

- The characteristics of the culvert to provide the flow restriction to match the existing hydraulics of the dam weir, shall be constructed to be durable and withstand the flows (quantity and velocity) that will be conveyed through the proposed culvert. The feasibility study indicated the interior of the culvert would provide a “roughness” through the use of rock features to create a natural channel with pools and riffles to reduce the discharge rates/flows. This is a key element of the project and will require City engineering review and approval throughout the design process to ensure longevity of these elements.
- The area upgradient of the current dam embankment (currently the pond) will be used for periodic inundation resulting from the flow restrictive culvert. The design (grading, restoration, planting,..) of this area will require coordination with the City throughout the design process. The final design of this area will have an impact on the available flood storage / inundation and the potential to generate a substantial amount of debris that may increase the frequency of obstructions to the flow restrictive culvert inlet. As this area grows with vegetation over time, this may change both flood storage capacity and debris generation.
- The design process must also take into consideration the phasing of the project to not increase flood risks during construction. Constructability and proposed phasing will require review and approval by the City.

Current Timeline:

- **May 1** Presentation of study results and recommendations to Natural Resource Commission
- **May 8** Presentation of study results to Parks and Recreation Commission
- **May 23** Public meeting – study presentation and public input
- **August 7** Natural Resource Commissions votes on guidance to City Council and administration
- **August 14** Parks and Recreation Commission votes on guidance to City Council and administration
- **August/September date tbd** Potential City Council vote on City/DNR project agreement
- **Spring 2025** DNR secures project funding
- **2025-2026** DNR undertakes and completes further study and project design