

**Item 2A - Minutes of the Minnetonka Park Board
November 7, 2007**

1. Roll Call

Chair Goodyear called the meeting to order at 7:28 p.m. Board members present included Jahn Anderson, Kyle Gallagher, Bruce Gefvert Tim Goodyear, Amber Greves, Tess Komarek, Denny Lambert and Linda Witte. Staff members in attendance included GERALYN BARONE, Jo Colleran, Dean Elstad, Dave Johnson, Janet Larson and Perry Vetter.

2. Approval of Minutes – October 3, 2007

Lambert moved and Anderson seconded a motion to approve the meeting Minutes of October 3, 2007 as submitted. All voted “Yes”. Motion carried.

3. Citizens Wishing to Discuss Items Not on the Agenda

None.

Goodyear used this opportunity to introduce and welcome Linda Witte, the new park board member who replaces Cathy Rude.

4. Business Items

A. Review of proposed tree preservation ordinance

Jo Colleran, Natural Resources Division Manager, provided a detailed presentation regarding the new tree ordinance proposal under consideration by city staff. Colleran explained that the new ordinance is proposed to address development pressure, the city council recently adopted development moratorium, and its connection to other ordinances and proposed ordinances related to shoreland, grading, steep slopes and impervious surfaces.

Colleran explained in general terms the conditions that apply to the existing tree ordinance. She noted that significant trees removed outside of the allowable areas must be replaced on a “one for one” replacement using 2.5 inch diameter deciduous trees and 6 foot tall coniferous trees.

Colleran continued her presentation by defining the proposed tree ordinance. She noted that the goal was “to preserve the existing woodland character of Minnetonka”, adding that the proposed ordinance recognizes environmentally and aesthetically valuable wooded areas, groupings of trees and individual trees.

Colleran explained that the designations within the ordinance included:
1) Woodland preservation areas; 2) High priority trees, and 3) Significant trees and, provided definitions of each designation and the conditions that apply to each. She explained aspects of the ordinance related to the preparation of the

**Item 2A - Minutes of the Minnetonka Park Board
November 7, 2007**

tree preservation plans for development projects, tree protection methods, and additional standards that apply.

Colleran closed by noting that next steps in the process of drafting a revised Tree Ordinance include public feedback opportunities; additional staff work needed to review feedback and redraft the ordinance, and public meetings and review by the City Council and Planning Commission.

Goodyear opened the floor to park board member questions and comments.

Witte asked how the proposed tree ordinance revisions compared to those in place in other communities. Colleran explained that most comparable cities to Minnetonka have tree ordinances in place with varying degrees in standards. She indicated that when it comes to preservation requirements, Minnetonka was on the top end of the requirement scale.

Anderson commented on the tree protection methods reviewed and asked if contractors were abiding with critical root zone fencing requirements. Colleran responded that most contractors adhere to requirements, however enforcement is the key and explained staff procedures in place to inspect and monitor work sites.

Witte asked what financial penalties were in place. Colleran responded that staff was still working on the penalty phase. Witte suggested that penalties beyond financial be considered to enhance enforcement. Colleran noted that with respect to the Glen Lake redevelopment project, the contractor was criminally charged along with a financial penalty.

Gefvert noted that staffing levels seem to be inadequate to meet enforcement needs and asked if developers could be assessed a fee that could go towards increased personnel. Colleran responded that such fees are already in place, along with park dedication fees collected on all projects.

Goodyear asked if the proposed ordinance applies to private homeowners. Colleran responded that it does if development is taking place.

Greves questioned what the community reaction has been to the ordinance changes to date, suggesting that the tree ordinance was likely to be better accepted than the shoreline ordinance proposed. Colleran agreed, noting that reaction from residents regarding the tree ordinance have been positive.

Goodyear asked what action staff was requesting on this item, noting that there is significant detail for members to absorb. Colleran indicated that she was seeking park board input regarding desired changes and hopefully, overall support of the plan.

**Item 2A - Minutes of the Minnetonka Park Board
November 7, 2007**

The board decided to defer this item to the December meeting for further discussion, allowing park board members to assess the significant amount of detail involved. Goodyear requested that staff develop a list of key questions for the board to respond to at the December meeting.

Lambert was excused from the meeting at 8:05 p.m.

B. Consideration of Living Legacy Program

Colleran opened the discussion by providing some history related to the protection of open space in Minnetonka. She indicated that initially parcels two acres in size or larger were identified for this program but as a criterion was analyzed some smaller parcels were also included. Colleran added the criterion includes:

- 1) Connectivity to park land.
- 2) Does the land provide a view shed.
- 3) Was the parcel mapped on the natural resource inventory (Minnesota Land Cover Conservation System – MLCC).
- 4) Was it on the original open space priority listings.

Colleran noted that initially, 108 properties were identified as valuable to protect as open space, this number was then reduced to 25-30 priority properties.

Colleran provided a presentation detailing the specifics of the Living Legacy pilot program. She explained that the program encourages land owners of property two or more acres in size to place that land into conservation easement in order to protect it into the future. Colleran explained the benefits of the program to the land owner including benefits related to income, estate and property taxes.

Colleran described the process used for administering the Living Legacy Program. She explained that once a property owner expresses an interest, the city inspects the property to confirm the city's interest in establishing a conservation easement on the property. Once confirmed, the city and owner will establish an agreement outlining responsibilities and requirements.

Colleran explained that the city will not purchase the easement, but will pay for or provide a listing of approved appraisers, the survey work, title work, and attorney's fees estimated at \$10,000 per property. Colleran noted that the total budget available is \$150,000 for the program. Colleran closed by reviewing some of the high priority properties.

Goodyear asked if any property owners have signed on to date. Colleran responded that negotiations are in process with one landowner, but no agreements have been completed. Barone noted that the city regains an option to buy a 30 acre piece of property when it comes up for sale.

**Item 2A - Minutes of the Minnetonka Park Board
November 7, 2007**

Gefvert encouraged staff to not give up on properties where the owner has not expressed an interest. He noted that situations can change and staff should continue to explore all high priority properties.

Witte agreed, suggesting that properties should be prioritized based on land values. She encouraged staff to look at the priorities of the landowner, noting that needs of the owner may manifest an interest.

The board thanked Colleran for her update on the Living Legacy Program.

C. Update on Natural Resources Restoration Program

Janet Larson, Natural Resources Restoration Specialist provided a presentation detailing 2007 natural resources restoration efforts in place.

Larson noted that over 260 acres of city woods, prairies and wetlands have been in an active restoration program since 1998. In addition, Larson explained that other projects have been completed through the use of volunteers, and educational programs have been developed by staff for the benefit of residents.

Larson explained the types of work completed by contractors including buckthorn control, dormant prairie cutting, garlic mustard cutting, and control of weeds and loosestrife. She added that significant progress has been made by utilizing Public Works crews and the Institutional Community Work Crew (ICWC) for additional projects. She valued the services of using the ICWC crew at \$43,000, noting that five parks and two natural areas totaling 11 acres were added to the management program in 2006/2007 due to the efforts of the ICWC crew.

Anderson asked why garlic mustard was treated by mowing as opposed to the cut and spray process used for buckthorn. Colleran noted that it was deemed more cost effective to mow, noting that this must be completed prior to the plants going to seed.

Gallagher encouraged the expanded use of volunteers and noted that as a teacher, he feels that restoration projects would be an outstanding opportunity for students to experience. He suggested the use of students and youth requiring community service time.

Gefvert asked if there was any follow-up to efforts at Jidana Park. Larson responded that restoration efforts began at Jidana the prior week and will continue into the fall.

The board thanked Larson and her staff for the quality restoration efforts currently in place.

D. Comprehensive Plan Discussion

**Item 2A - Minutes of the Minnetonka Park Board
November 7, 2007**

Barone provided background on the city of Minnetonka's process for developing a Comprehensive Guide Plan update to the Metropolitan Council by September, 2008. She explained that input for the plan update is being received through several venues including a steering committee that is providing ongoing direction and oversight throughout the process. Barone noted that an open house to receive resident input is scheduled for November 8 from 5:00 to 7:00 p.m.

As part of the input process, Barone requested park board input related to a series of four questions presented to the board relating to parks, open space, facilities and the promotion of health and fitness in our recreation programs.

The park board listed the following areas as important considerations for the Comprehensive Plan update.

- The continued addition of parks in areas of the city deemed to be underserved.
- Continued expansion of trails and neighborhood connections to meet community needs.
- The addition of new amenities and services in our park systems and facilities to meet the changing needs and interests of our community. The addition of shuffleboard at Wilson Park was cited as an example, along with plowing park trails in the winter and expansion of hockey leagues for adult women.
- Park improvements and recreation program changes designed to meet the needs of the baby-boomer generation.
- Park improvements that address climate change impacts (e.g., with warm weather lasting well into the fall, consider lighting outdoor tennis and basketball courts for early evening use).
- Continued expansion of athletic fields through partnerships to address expanding needs and programs.
- Improvements to the Williston Fitness Center to meet current demands and those expected in the future. A request was made to explore potential partnerships.
- Addition of events that contribute to a sense of community (e.g., festivals, cultural events).

Barone thanked the board for their input and noted that updates related to the Comprehensive Plan process will be provided at future park board meetings.

**Item 2A - Minutes of the Minnetonka Park Board
November 7, 2007**

5. Park Board Member Reports

None.

6. Information Items

Johnson provided an update of changes to the Shady Oak Beach season pass system recommended for the 2008 season. He explained that city managers for both Minnetonka and Hopkins had reviewed the recommendation and they support the proposed changes in fees, physical improvements to the beach entrance and staffing changes.

Johnson explained that changes to the fee structure involve the transition from single and family memberships sold in the past to only individual passes in 2008. He explained that individual passes will eliminate the subjectivity concerns a "Family" pass had generated in the past. He continued with a review of resident and non-resident rates for pre-season sales and season sales, noting that rates are reduced when four or more members in a household purchase a pass.

Johnson reported that, as planned, sales of season passes would be provided any time the beach is open, and also available through the Recreation Services office. Johnson explained seasonal staff will be hired for membership services responsibilities related to the sale of season passes and providing customer service.

Witte asked if Johnson expected any problems with the new system. Johnson responded that the revised fee schedule will be a change that will require adjustments for Shady Oak Beach users. He added that season pass ID cards will be issued and may cause minor delays on a customer's first visit to the beach (i.e., picture and card making).

Goodyear asked if the same card system used in past years will be used. Johnson indicated that the same system will be used with upgrades installed for card making, speed of check-in, and improved data lines. Johnson also explained physical changes to the gate area to provide for quicker entrance to the beach.

Goodyear noted that he was on the Shady Oak Beach sub-committee along with a member of the Hopkins Park Board. He indicated that he likes the new proposal and feels it is more equitable for all users of the facility. Goodyear added that additional revenues forecasted from the new fee structure will allow for funding reserves for future improvements.

Johnson closed by noting that several systems were reviewed leading up to the current recommendations, including punch-card on daily sales and eliminating the season pass concept. Johnson noted that the sale of season passes result in guaranteed revenue in the event that a season is slowed by poor weather

**Item 2A - Minutes of the Minnetonka Park Board
November 7, 2007**

conditions. The new system also offers an incentive to buy passes pre-season to avoid congestion at the beach.

7. Upcoming Park Board Agenda Items

A continued discussion of the proposed tree ordinance was added to the December, 2007 agenda.

The park board decided to change the date of the January, 2008, meeting from January 2 to January 9.

8. Adjournment

The meeting was adjourned at 9:37 p.m.