

MINNEAPOLIS PARK AND RECREATION BOARD
MINUTES

Regular Meeting of the Minneapolis Park and Recreation Board

November 16, 2005

5:00 p.m. – 2117 West River Road

President Olson called the meeting to order at 5:03 p.m.

ROLL CALL

Present: Commissioners Rochelle Berry Graves (arrived at 5:08 p.m.) Walt Dziejcz, John Erwin, Bob Fine, Marie Hauser, Carol Kummer (arrived at 5:12 p.m.), Vivian Mason and President Jon Olson (arrived at 5:05 p.m.).

Absent: Commissioner Annie Young.

PUBLIC HEARING

Vice President Erwin opened the Public Hearing for 2004 and 2005 Diseased Tree Removals Assessments. He announced that four people had signed in.

Julie Wiseman, MPRB Account Manager, stated that the purpose of the public hearing is to hear from property owners who have concerns about the removal of diseased elm trees, including the assessment, the manner in which the tree(s) were removed, or to comment about any damages which were incurred when the tree(s) were removed during the second part of 2004 and the first part of 2005 and are now being assessed against the property owners for the 2006 property tax assessments. The actual costs paid to the contractor, an administrative charge and removal interest is the amount assessed against each of the property owners. The assessments are spread over a five-year period at an interest rate of 5%.

Ms. Wiseman stated that two of the property owners that signed in did not want to speak but she had information one of the property owners wanted her to supply to the Board and a letter submitted by the other property owner that Ms. Wiseman distributed to the Board.

The letter, submitted by Davena McKnight, 809 Thomas Avenue North, objecting to the proposed assessment of 43,940.50 for the removal of a tree on her property is made part of the Board's permanent record.

Speaking on behalf of Brian Elling, 5045 Sheridan Avenue North, Ms. Wiseman stated that Mr. Elling purchased his property through a bank repossession. The tree was marked prior to Mr. Elling's purchase of the property and tagged with an original deadline tag of July 2004. Mr.

Elling did not purchase the property until October of 2004 and feels that the tree should have been removed prior to his ownership of the property and the assessment should not be against him.

Shirley Simmons, 5620 Irving Avenue South, presented her appeal to the presiding officer. Ms. Simmons went on to report that her previous neighbor expressed sole ownership of the tree for 20 years and in fact reimbursed her for damage to her fence caused by the tree. Ms. Simmons informed the Board that the house was sold in 2003. She asked for consideration on the assessment because she felt she had never benefited from the tree or claimed ownership.

President Olson spoke on behalf of Marla Mason, 1101 Humboldt Avenue North, who purchased property from the MCDA with a history of Dutch elm disease. Trees were removed shortly before she closed on the property and the MCDA failed to disclose some of the problems associated with the property, including the diseased trees. Ms. Mason has asked for consideration to allow her to resolve her issues with the MCDA.

Julie Wiseman read Davena McKnight's letter, which was handed out to the Board earlier, into the record.

President Olson asked if there was anyone else who wished to discuss an assessment. Being no additional speakers, President Olson closed the public hearing.

Vice President Erwin moved, seconded by Commissioner Mason –

THAT THE BOARD APPROVE THE ASSESSMENT ROLLS WITH THE EXCEPTION OF THE SPEAKERS WHO CAME FORWARD TONIGHT, DELAYING ACTION ON THOSE FOUR ASSESSMENTS UNTIL MORE INFORMATION IS RECEIVED.

Action Taken: Approved on a voice vote.

At the request of Commissioner Dziejcz, Julie Wiseman explained the hardship deferral. She informed the Board that they have received applications for the deferral that would be coming before the Board in December for approval.

APPROVAL OF AGENDA

Commissioner Fine moved, seconded by Commissioner Kummer –

THAT THE AGENDA, AS AMENDED, BE APPROVED.

Action Taken: Approved on a voice vote.

APPROVAL OF MINUTES

Commissioner Fine moved, seconded by Commissioner Hauser –

THAT THE MINUTES OF THE NOVEMBER 2, 2005 REGULAR MEETING BE APPROVED.

Action Taken: Approved on a voice vote.

REPORTES OF OFFICERS

General Manager Siggelkow updated the Board on the expansion of the U. S. Pond Hockey Championships being held at Lake Calhoun, January 20-22, 2006.

General Manager Schmidt reported on the 2005 youth football program.

Superintendent Gurban discussed highlights of the Superintendent's Monthly Activity Report for September 2005.

Chief Johnson presented the Park Police monthly report.

CONSENT BUSINESS

Commissioner Erwin moved, seconded by Commissioner Hauser –

- 2.1 THAT THE BOARD APPROVE A SALARY ADJUSTMENT TO GOLF COURSE FOREMAN, RESULTING FROM A CLASSIFICATION STUDY OF THE POSITIONS.
- 2.2 THAT THE BOARD APPROVES FINAL PAYMENT TO RECREATIONAL SURFACERS, INC. – OP NO. 6467. CONTRACT NO. 22191 FOR THE REHABILITATION OF MPRB TENNIS COURTS AND HARD SURFACES IN THE AMOUNT OF \$3270.40, FUNDED BY THE REHABILITATION FUNDS.
- 2.3 THAT THE BOARD APPROVES FINAL PAYMENT TO COOL AIR MECHANICAL, INC., O.P. NO. 6449, IN THE AMOUNT OF \$2,310.00 TO FURNISH AND DELIVER ALL LABOR, MATERIALS, EQUIPMENT AND INCIDENTALS NECESSARY TO COMPLETE RETROFITTING OF HVAC SYSTEM – OPERATIONS CENTER – ADMINSTRATIVE OFFICES, ALL IN ACCORDANCE WITH SPECIFICATIONS.
- 2.4 THAT THE BOARD APPROVE FINAL PAYMENT TO ARRIGONI BROTHERS COMPANY, CONTRACT NO. 18245, FOR SITE AND PLAYGROUND IMPROVEMENTS AT LYNDALDE FARMSTEAD PARK, IN THE AMOUNT OF \$497.31.
- 2.5 THAT THE BOARD APPROVE AN INCREASE IN O.P. NO. 6412 AWARDED TO VARIOUS VENDORS FOR THE PURCHASE OF

FERTILIZER IN THE AMOUNT OF \$40,000.00 FOR A NEW TOTAL ESTIMATED EXPENDITURE OF \$155,000.00.

- 2.6 THAT THE BOARD AUTHORIZE ACCEPTANCE OF THE STATE OF MINNESOTA CONTACT NO. 435254 WITH ELK RIVER FORD IN THE AMOUNT OF \$84,560.00 FOR FURNISHING AND DELIVERING FOUR (4) POLICE VEHICLES, ALL IN ACCORDANCE WITH SPECIFICATIONS, AS FOLLOWS:

4 EACH CROWN VICTORIA POLICE VEHICLES	21,057.00	\$84,228.00
1 EACH MANUAL		340.00

Action Taken: Approved on a Voice Vote

REPORTS OF STANDING COMMITTEES

PLANNING COMMITTEE: Commissioners B. Fine, Chair; J. Erwin, W. Dzedzic, M. Hauser, and A. Young

Commissioner Fine moved, seconded by Commissioner Hauser –

- 4.1 THAT THE BOARD APPROVE PLANS FOR THE PORTLAND AVENUE BRIDGE OVER MINNEHAHA CREEK, AND AUTHORIZE STAFF TO ISSUE CONSTRUCTION PERMITS BASED ON MPRB POLICIES FOR CONSTRUCTION IMPACTS.

Action Taken: Approved on a Voice Vote

UNFINISHED BUSINESS

Commissioner Fine moved, seconded by Commissioner Dzedzic -

- 8.1 THAT THE BOARD ADOPT RESOLUTION NO. 2005-115, CAPTIONED AS FOLLOWS:

RESOLUTION NO. 2005-115

ENTERING INTO AGENCY AGREEMENT NO. 88504
WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION
FOR THE GRAND ROUNDS PROMOTIONAL EFFORTS

Action Taken: Approved on a Roll Call Vote (AYES: Berry Graves, Dzedzic, Erwin, Fine, Hauser, Kummer, Mason and Olson. ABSENT: Young.)

Commissioner Fine moved, seconded by Commissioner Erwin -

- 8.2 THAT THE BOARD ADOPT RESOLUTION NO. 2005-116, CAPTIONED AS FOLLOWS:

RESOLUTION NO. 2005-116

ASSESSING CERTAIN PROPERTIES FOR TO DEFRAY
THE COST OF REMOVING DISEASE ELM TREES
FROM SAID PROPERTY DURING 2004 - 2005

Action Taken: Approved on a Roll Call Vote (AYES: Berry Graves, Dziedzic, Erwin, Fine, Hauser, Kummer, Mason and Olson. ABSENT: Young.)

OPEN TIME

The time being 5:58 p.m., President Olson convened "Open Time" and asked if Mr. Reul, who had signed up to speak, was in the audience.

Mr. Reul was not in attendance and President Olson moved to item 8.3 under "Unfinished Business", stating that if Mr. Reul showed up, he would be allowed to address the Board.

UNFINISHED BUSINESS (Continued)

Commissioner Kummer moved, seconded by Commissioner Erwin –

- 8.3 THAT THE BOARD DIRECT IT ATTORNEY TO FILE WITH DISTRICT COURT ON THE SALE OF THE FUJI YA PROPERTY.

Jeff Arundel, Lucky Club, distributed a packet of information and renderings of a preliminary representation of the continuing design process for the Fuji Ya site and discussed design evolution. A copy of the information packet is made part of the Board's permanent record.

Mr. Arundel introduced Michael Moriarity of Heritage Development who has joined Lucky Club as a development partner.

Mr. Arundel and Mr. Moriarity, along with Park Board Counsel Brian Rice, responded to questions from the Board.

Vice President Erwin moved to add a friendly amendment –

CONTINGENCY, THAT IF THE PROJECT, AS IT IS PRESENTED TO THE BOARD CONCEPTUALLY, IS NOT APPROVED THAT THE PROPERTY WILL BE CONVEYED BACK TO THE PARK BOARD AND THE PARK BOARD BE COMPENSATED FOR THE VALUE OF A RAMP OR THE LUCKY GROUP AND THE HERITAGE DEVELOPMENT GROUP WILL BUILD A RAMP.

Following discussion, Commissioner Dzedzic moved, seconded by Commissioner Fine –

TO LAY ITEM 8.3 ON THE TABLE.

Action Taken: Motion to Lay on the Table Approved on a Roll Call Vote (AYES: Dzedzic, Erwin, Fine, Hauser, Kummer. NAYS: Berry Graves, Mason and Olson. ABSENT: Young.)

At the request of President Olson, Commissioner Kummer moved, seconded by Commissioner Berry Graves –

THAT THE BOARD DIRECT STAFF TO FIND A RESOLUTION TO THIS ISSUE BY THE NEXT REGULAR BOARD MEETING.

A discussion with Counsel Rice and the developers took place regarding the direction to staff.

Action Taken: Approved on a Voice Vote.

NEW BUSINESS

Commissioner Dzedzic raised the issue that sponsoring organizations are no longer able to put their names on uniforms. He used the Northeast Boosters at Bottineau Park as an example. He asked staff for an explanation as to why this was taking place.

General Manager Schmidt responded that Dr. Merrifield made a presentation to the Board about two years ago concerning sponsorships. During that presentation there was talk about discrepancies within the system and that the name of the park did not appear on some uniforms. At that time it was suggested that staff seek sponsorship for the uniforms, to standardize uniforms in the system, to assure that the park names and the Park and Recreation Board logo were on the uniforms and to assure that the sponsors name be on the uniform in an appropriate space. General Manager Schmidt informed the Board that staff has been consistently moving through this over the past two years.

Commissioner Dzedzic asked if staff or the Board made a policy not to put association names on the park uniform.

General Manager Schmidt stated that to his knowledge the Board did not vote on the issue, that the presentation was a study report item. He understood that this issue was within the area of responsibility of staff. He also stated that there was a space on the uniforms for sponsoring organizations to put their logo on the uniform.

Commissioner Dzedzic moved, seconded by Commissioner Hauser –

THAT THE BOARD PUT TOGETHER A COMMITTEE TO STUDY THIS ISSUE AND REPORT BACK TO THE BOARD.

Following further discussion regarding previous Board action, Commissioner Dziejczak withdrew his motion and asked that staff provide him with that information.

PETITIONS AND COMMUNICATIONS

- 1.1 Letter dated October 19, 2005 to Superintendent Gurban from Harry Davis, Sr. and Sankara Frazier, Circle of discipline, Inc., inviting him to the "Knockout Kings" an amateur boxing event at the Central Gym on Saturday, November 12.

PLACED ON FILE

- 1.2 Email dated November 8, 2005 to Superintendent Gurban from Mike Kolar, thanking several Park and Recreation employees who helped him after he sprained an ankle running on Kenwood parkway.

PLACED ON FILE

- 1.3 Letter dated October 17, 2005 to Superintendent Gurban from Murt Seltz, Shoreview, Minnesota, expressing how much his family enjoys Minnehaha Park.

PLACED ON FILE

- 1.4 Article that appeared in the Star Tribune on October 28, 2005 regarding Paul McCartney's bike ride along Lake of the Isles that Superintendent Gurban forwarded to the Governor and Met Council to illustrate lake of the Isles as a tourist attraction.

PLACED ON FILE

Commissioners reported on communications received and activities that have taken place since the November 2, 2005 Regular Meeting. Copies of communications submitted are made part of the Board's permanent record.

ADJOURNMENT

The time being 7:05 p.m. Commissioner Berry Graves moved, seconded by Commissioner Fine

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THAT THE MEETING BE ADJOURNED.

Action Taken: Approved on a Voice Vote.

Regular Meeting adjourned at 7:05 p.m.