

Minutes of the

SPECIAL MEETING OF THE METROPOLITAN PARKS AND OPEN SPACE COMMISSION

Tuesday, February 9, 2016

Committee Members Present:

Rick Theisen, Bill Weber, Anthony Taylor, Todd Kemery, Sarah Hietpas, Robert Moeller, and Wendy Wulff, Council Liaison

Committee Members Absent: Dean Johnston, Rachel Gillespie and Michael Kopp

CALL TO ORDER

Anthony Taylor called the special meeting of the Council's Metropolitan Parks and Open Space Commission to order at 4:02 p.m. on Tuesday, February 9, 2015.

APPROVAL OF VICE CHAIR

Taylor, in the absence of Chair Johnston stated that at the December meeting (under Reports) Chair Johnston noted that a new Vice Chair would need to be sworn in at the January meeting. At that time he recommended Anthony Taylor. The January meeting was canceled. Therefore at this time, Taylor recommended an amendment of the agenda in order to be sworn in as Vice Chair if that was the pleasure of the Commission.

Kemery motioned and it was seconded by Theisen to approve Chair Johnston's recommendation that the Metropolitan Parks and Open Space Commission approve the appointment of Anthony Taylor as the Commission's Vice-Chair for 2016. **The motion carried.**

APPROVAL OF AGENDA AND MINUTES

Vice Chair Taylor asked for a motion to approve the amended Agenda of the February 9, 2016 Special Meeting of the Metropolitan Parks and Open Space Commission. Moeller motioned and it was seconded by Kemery. The amended **Agenda was approved.**

Vice Chair Taylor asked for a motion to approve the minutes of the December 1, 2015 meeting of the Metropolitan Parks and Open Space Commission. Moeller motioned and it was seconded by Weber to approve the minutes. **Minutes were approved.**

PUBLIC INVITATION

Catherine Zimmer requested that due to the absence of Commission Member Gillespie, Business Item #3 be removed from the agenda. She also felt that there needed to be more details provided with how trail plans are consistent with the 2040 Regional Parks Policy Plan. Vice Chair Taylor noted that the public invitation is for items not on the agenda and she will be given an opportunity to speak at the time this item is presented.

BUSINESS

Park Acquisition Opportunity Fund Grant Request for Lake Elmo Regional Park Reserve (Reardon) from Washington County – Victoria Dupre, Senior Parks Planner

Dupre gave a presentation on the request from Washington County for a Park Acquisition Opportunity Fund Grant for Lake Elmo Regional Park Reserve as described in the materials provided.

Weber asked about the implication of being 'out of funds'. Dupre explained how the policy plan allows us to use funds from FY17 when we do not have enough funds for reimbursement. She noted that the Parks and Trails Legacy Fund will be available after July 1, 2016.

Wulff noted that this was a policy decision made by MPOSC when we knew we were going to be running out of money.

Kemery clarified that if in 2017 we run out of money do we do the same thing with FY18? Dupre confirmed.

Kemery asked if the Council can ask the Legislature for more money. Dupre stated the Council requests an amount of money for each appropriation for the biennium and we either get that amount or a lesser amount. She stated typically with Legacy funds we receive the amount requested. She noted that 90% of that appropriation goes towards construction type projects by statute, and 10% is set aside for acquisitions. Council staff and the park districts continue to explore additional available funding sources. She noted that there is also Environmental and Natural Resource Trust Fund (ENRTF) dollars through the LCCMR.

Weber asked if the trend has been a decreasing availability of funds over the past 5-10 years. Mullin stated that the Legacy appropriations are determined each biennium and are split with the Metropolitan Regional area, DNR and Greater Minnesota. Weber reiterated his question if funding (the whole pot) had been declining. Mullin didn't feel that was accurate. He stated that with the creation of the Legacy Fund, and the Metro areas 40% share of the total amount, the availability of funds has increased. However, he stated that the demands for acquisitions have increased.

Wulff noted that having Legacy money for acquisition is relatively new. Prior to that all we had was ENRTF. For a while we had so much money it was going to expire. When the recession hit people were not selling their land because prices were too low. Once the economy turned around and land prices came back up so did the opportunity for acquisitions. She stated that the decreasing 'pot of money' has been for operations and maintenance.

Hietpas asked about the status of property to the north. John Elholm, Washington County Parks, stated they are still working on this – there is nothing new to report.

It was motioned by Hietpas, seconded by Weber to recommend that the Metropolitan Council:

1. Authorize a grant of up to \$159,818 to reimburse Washington County for acquisition of a one-acre property for Lake Elmo Park Reserve when funds are available in the Parks and Trails Legacy fund account of the Park Acquisition Opportunity Fund.
 - The Metropolitan Council's grant finances up to 75 percent of the total acquisition costs from the Park Acquisition Opportunity Fund (PAOF) using the Fiscal Year 2017 Parks and Trails Legacy Fund account (60 percent) and Metropolitan Council Bonds (40 percent).
 - Washington County will finance at least 25 percent of the total acquisition costs. If the total acquisition costs are higher than estimated, Washington County is responsible for the difference.
2. Authorize the Community Development Director to sign the grant agreement including the restrictive covenant.

Vice Chair Taylor called for a vote. **The motion carried** unanimously.

Bunker - Chain of Lakes Regional Trail Master Plan, Anoka County – Michael Peterka, Parks Planner

Peterka gave a presentation on the Master Plan for Bunker-Chain of Lakes Regional Trail submitted by Anoka County and outlined in the materials provided.

Weber commented that he likes the signage and noted that it would be nice if there was a logo denoting that this is a regional trail.

Taylor asked if there are standards in place for signs. Peterka stated this is currently being worked on.

Moeller asked about wayfinding and if there is a format or template that the Council needs to approve. Peterka stated that the 2040 Regional Parks Policy Plan states there needs to be a wayfinding signage plan and we can provide assistance to what that should look like.

Moeller felt that clear guidelines for wayfinding would be good. Mullin responded that this is in the Regional Parks and Natural Resource Department's 2016 work plan.

Weber stated he feels that 10 feet is somewhat narrow and feels a regional trail should be 12 feet.

Taylor asked about trail segments done by local communities. Peterka noted that most are 10 feet.

Mullin noted that 10 feet is the standard.

Wulff pointed out in many cases local trails have been there for a long time before becoming designated as regional trails. She noted in many cases city's require a 10 foot width.

Kemery asked if the trail crossing at 35W would be over or under the highway. Peterka stated that the plan does not specify at this time. He stated it may be part of the bridge or a separate pedestrian bridge.

It was motioned by Theisen, seconded by Weber to recommend that the Metropolitan Council:

1. Approve the Bunker - Chain of Lakes Regional Trail Master Plan.
2. Require that prior to initiating development, Anoka County must send preliminary plans to Scott Dentz, Interceptor Engineer Manager at Metropolitan Council Environmental Services, so he may assess the potential impacts to the regional interceptor system.

Vice Chair Taylor called for a vote. **The motion carried** unanimously.

Reimbursement Consideration for 11 Regional Park and Trail Projects, Dakota County – Michael Peterka, Parks Planner

Peterka gave a presentation on the request from Dakota County for reimbursement consideration for 11 Regional Park and Trail projects.

Kemery asked do any trails connect to old Highway 77 Bridge being constructed. Steve Sullivan, Dakota County Parks stated that this trail is not a part of this request.

Wulff asked if trails listed could be identified on the map provided in the PowerPoint. Sullivan complied with this request and elaborated on each project listed.

Wulff pointed out that this request is to get projects listed for future reimbursements.

Weber asked about the swing bridge that used to connect Inver Grove Heights (IGH) and St. Paul Park. Sullivan stated that IGH owns the pier portion of that bridge (noting that the bridge is now gone) and built a trailhead there. He stated that there is a community park nearby. Sullivan stated that the pier extends all the way to the channel.

Catherine Zimmer shared the definition of a Scientific Natural Area (SNA) and stated she is concerned that they are to protect and preserve areas in their natural state and noted that this is in state statute.

She feels these are very key parcels for bio-diverse habitat and not designed for paved trails. Wulff clarified that the agency would be connecting to a trail that is already there. Sullivan further clarified that it was built with a joint powers agreement.

Taylor noted that these projects have been approved already and suggested that perhaps these concerns should have been brought to the County's Board.

Zimmer stated that her point on SNA was a clarification – she just wanted to bring the point up of what they're intended to be.

Zimmer spoke to her concern that Committee Member Gillespie is not in attendance. She noted that the packet did not provide maps and she felt that there wasn't enough information to make a decision on whether the request is consistent with the 2040 Regional Parks Policy Plan. She discussed where she felt there were inconsistencies and other issues she had with the request. She talked about the Spring Lake Park road reconstruction and trail built through a rare prairie area. Zimmer went on to talk about the use of Legacy dollars and how Legacy dollars are being used to leverage Federal Transportation dollars.

Sullivan discussed balancing use and protection of natural resource areas. He noted that Legacy funds were used when there was a period where grants were made available for projects along the river.

Mullin stated it was his understanding that the ability to use Legacy funds to leverage Federal funds is not only allowable but that it's encouraged because it would further the amount of public benefit.

Holly Jenkins discussed the use of Legacy funds being used to leverage federal dollars and the conflict they see. Citizens did not intend for Legacy funds to be used to match Federal transportation alternative grants. When you get Federal transportation grants, you have a much more extensive construction project than just a simple recreational trail. This is why we see things like what happened in Spring Lake Park, which everyone admits was a big mistake.

Jenkins discussed the zoo trail. She stated that during Dakota County's public process there was a lot of opposition. Sullivan acknowledged that there was opposition and the County Board considered this. He felt that this is why we have boards – to make the decisions.

Jenkins discussed redundant trails and encouraged dismissing this North Creek trail. She discussed operations and maintenance and asked who's maintaining all these trails – where is that funding going to come from.

Taylor stated that this is reminiscent of the opposition of the trail at Lebanon Hills and noted our role is not to approve projects that have already been approved in a Master Plan.

Wulff stated that we don't have a policy regarding having a regional trail near a city/county trail. Jenkins stated that maybe there should be a policy so we don't end up funding a lot of redundant trails.

Sullivan stated that this is consistent with the Master Plan and stated this is a destination trail that will serve more people – anytime you transition back to a road, you may have parallel trails.

Kemery stated that you're providing multipurpose trail for one mile that is more than just for transportation purposes and clarified his assessment of trail. Sullivan affirmed and stated that the greenway guidelines within Dakota County suggest that no more than 20% of the trail follow roads. He also discussed woodlands with natural resource interpretation opportunities. He stated that there will be impacts and noted that they will be mitigated with a restoration plan.

Moeller stated he appreciates the passion of Jenkins and Zimmer. He sees our role as MPOSC member is to look at whether these projects meet our criteria for funding. He feels it is more the role at the local level to look at how plans are laid out, etc. He doesn't want to table the matter just because Gillespie is not here.

Hietpas stated she appreciates the input and encouraged attendance at the local level during the planning process. She noted this proposal is for reimbursement consideration, not to provide funding at this time.

Theisen discussed the Commission's role and feels these projects are consistent and it was time to move on.

Zimmer asked if she could finish her comments and stated she does understand the charge of this group. She is concerned that staff may have not completely reviewed the criteria of the entire 2040 Regional Parks Policy Plan. She discussed the Parks and Trails Legacy Plan and the four strategic directions that give a balanced approach. She feels the money being spent from Legacy dollars is not balanced. She stated this is not what public voted for.

Weber feels these comments are premature. If these projects make it back before this Commission for funding, that would be the time to discuss details.

It was motioned by Theisen, seconded by Weber to recommend that the Metropolitan Council:

1. Consider reimbursing Dakota County up to \$2,450,211 from its share of future Regional Parks Capital Improvement Programs (CIP) for the 11 projects described in *Attachment 1*.
2. Acknowledge that the Council does not, under any circumstances, represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.

Hietpas feels it is not premature and appreciates the comments at any stage.

Weber asked if approving these recommendations is equal to amending a Master Plan. Taylor stated no this is for consideration of future reimbursement.

Sullivan stated we all have a heart for parks or we wouldn't be here. He feels that the Master Plan is the most important component for all stakeholders involved. We are held to our consistency to our Master Plans. That is where the power is. He feels due diligence should be done at the Master Planning level. They are a critical element – are projects aligned with the Master Plan.

Jenkins noted that the Master Plan for Spring Lake Park Reserve put the trail around the bluff not through it. So, she asked, where is the accountability?

Wulff clarified that we are not dealing with Legacy funds today. Mullin stated that this business item is for future reimbursement consideration using state bonds through the CIP.

Hietpas asked for more information about balance for spending. Mullin stated this is a topic that could be discussed at the Master Planning level but also a topic MPOSC could discuss further at a future meeting.

Kemery pointed out that phone numbers are provided on all staff reports and suggested that if questions arise to call staff.

Vice Chair Taylor called for a vote. **The motion carried** unanimously.

REPORTS

Chair: None.

Commissioners: Weber discussed the Master Plan for the park that included the dry bluff prairie brought up in the meeting and he recalls calling to discuss the potential impacts. He wanted to note that it was done using the best alternative.

Moeller stated that we should take a closer look at our approval of Master Plans and questions that we may have. He referenced the Master Plan approved today for instance and the question raised regarding how we get across 35W. He asked how we delve deeper into specifics. Sullivan said you really can't at the Master Plan level as you have a vision but not the engineering that goes along with it.

Moeller asked that staff could possibly provide us with more details on sensitive conditions.

Mullin assured that review of this business item did go through a careful process between staff and the County but he would consider the comments made today.

Wulff stated it is important to remember Master Plans are long term plans and sometimes revised numerous times so it is not feasible to get too detailed.

Taylor discussed the public process done around Master Planning. There are always going to be community members that are not happy. He feels that it could be helpful to know what process staff uses to make decisions.

Staff: None.

ADJOURNMENT

6:15 p.m.

Respectfully submitted,

Sandi Dingle
Recording Secretary