Minnetonka Park Board Item 4A  
Meeting of September 2, 2015

<table>
<thead>
<tr>
<th>Subject:</th>
<th>Submittal of a petition requesting a new park in the Robinwood Neighborhood</th>
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</thead>
<tbody>
<tr>
<td>Park Board related goal:</td>
<td>To renew and maintain parks and trails</td>
</tr>
<tr>
<td>Park Board related objective:</td>
<td>Identify areas of the city that are deficient of adequate park or trail amenities.</td>
</tr>
<tr>
<td>Brief Description:</td>
<td>Robinwood neighborhood residents have submitted a petition requesting consideration of a new park in their neighborhood.</td>
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</tbody>
</table>

Background

In late July, staff was contacted by a resident residing in the Robinwood neighborhood with a request for the city to consider adding a park in the Robinwood neighborhood. Robinwood is located south of Minnetonka Boulevard and west of County Road 73, and is included in Neighborhood Park Service Area (NPSA) 13 on the attached NPSA map. The neighbors have since circulated the attached petition which to date has 31 signatures supporting the addition of a park with “play equipment, picnic tables, and/or open space”. Residents submitting the petition asked for the item to be added to the September 2, 2015 park board agenda.

Summary

Following the initial request, residents presented staff with three potential city-owned parcels they asked that staff consider. Upon review of the three locations, staff eliminated one site due to flood plain restrictions that left too small of an area to allow for park amenities; and a second site was eliminated due to easement encroachments and concerns over tree loss.

The remaining property, located in the cul de sac at the end of Royzelle Lane (see attached), is .86 acres in size with the northern portion being in the flood plain. The property is in close proximity to adjacent private property, and a tree loss assessment has not been completed. This property was conveyed to the city by a plat developer in 1959, with the restriction that it be used for public purposes exclusively. A park development would meet this restriction. If converted to park, the property would only allow for the placement of a park in the mini-park classification. Staff has researched the neighborhood area for additional potential options and did not find any.

Two parks are currently located in NPSA 13, including Guilliam Park to the east that is an athletic park that does not provide any play equipment, and Orchard Park about .75 miles to the southwest.
Item 4A – Submittal of a petition requesting a new park in the Robinwood neighborhood
September 2, 2015

Discussion Points

- Does the park board feel that the neighborhood in question is inadequately serviced with park amenities? If so;

- Does the park board feel that the area identified by residents is adequate for consideration of a new park?

Recommended Park Board Action: Receive the petition for consideration of a new park in the Robinwood neighborhood. If the park board is interested in pursuing the park request further, direct staff to schedule a neighborhood meeting to receive input form impacted residents,

Attachments

1. Petition
2. Neighborhood Park Service Area Map
3. Location map
Would you like a park in our neighborhood?

The names listed below represent residents in the Robinwood neighborhood, which is located South of Minnetonka Boulevard and West of Hopkins Crossroad. These residents are requesting a small, neighborhood park. Currently, the only park options available to this neighborhood require crossing busy roads such as Minnetonka Boulevard and Hopkins Crossroad (which does not have sidewalks). The park would provide the neighborhood a gathering spot. It could have playground equipment, picnic tables and/or open space. Thank you for your consideration.

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<tr>
<th>Name (Printed)</th>
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<tbody>
<tr>
<td>Heather Manke</td>
<td></td>
<td>952-388-4185</td>
</tr>
<tr>
<td>Scott Menk</td>
<td></td>
<td>651-210-3053</td>
</tr>
<tr>
<td>Rachel Le Grand</td>
<td></td>
<td>952-933-2357</td>
</tr>
<tr>
<td>Philippe Le Grand</td>
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<td>952-933-2357</td>
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<tr>
<td>Philippe Le Grand</td>
<td></td>
<td>952-933-2357</td>
</tr>
<tr>
<td>Dorcas O'Connor</td>
<td></td>
<td>952-933-2022</td>
</tr>
<tr>
<td>Nora Wojcieczynski</td>
<td></td>
<td>(507) 398-6987</td>
</tr>
<tr>
<td>Samuel Hearn</td>
<td></td>
<td>763-234-0486</td>
</tr>
<tr>
<td>Tabetha Trenner</td>
<td></td>
<td>763-234-1466</td>
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</tbody>
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Would you like a park in our neighborhood?

The names listed below represent residents in the Robinwood neighborhood, which is located South of Minnetonka Boulevard and West of Hopkins Crossroad. These residents are requesting a small, neighborhood park. Currently, the only park options available to this neighborhood require crossing busy roads such as Minnetonka Boulevard and Hopkins Crossroad (which does not have sidewalks). The park would provide the neighborhood a gathering spot. It could have playground equipment, picnic tables and/or open space. Thank you for your consideration.

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<tr>
<td>Matt Treanor</td>
<td></td>
<td>952-288-9036</td>
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<tr>
<td>Mike Noliner</td>
<td></td>
<td>612-812-7187</td>
</tr>
<tr>
<td>Josh Bakke</td>
<td></td>
<td>763-843-2163</td>
</tr>
<tr>
<td>Kim Ney</td>
<td></td>
<td>612-636-7072</td>
</tr>
<tr>
<td>Jon Ney</td>
<td></td>
<td>612-207-1035</td>
</tr>
<tr>
<td>Ashley Bakke</td>
<td></td>
<td>952-251-1312</td>
</tr>
<tr>
<td>Lindsey Tuna</td>
<td></td>
<td>952-334-4148</td>
</tr>
<tr>
<td>Daniel Osden</td>
<td></td>
<td>612-554-1854</td>
</tr>
<tr>
<td>Danielle Rappenglitz</td>
<td></td>
<td>612-300-8668</td>
</tr>
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<tr>
<td>Cassie Neilson</td>
<td></td>
<td>612-498-3710</td>
</tr>
<tr>
<td>Lauren Gilchrist</td>
<td></td>
<td>612-205-6367</td>
</tr>
<tr>
<td>Eric Kaphingst</td>
<td></td>
<td>612-247-6582</td>
</tr>
<tr>
<td>Matt Wojciechowski</td>
<td></td>
<td>763-226-3913</td>
</tr>
<tr>
<td>Mark Webster</td>
<td></td>
<td>512-527-4680</td>
</tr>
<tr>
<td>Katie Webster</td>
<td></td>
<td>512-527-4680</td>
</tr>
<tr>
<td>Todd Knutson</td>
<td></td>
<td>763-242-1745</td>
</tr>
<tr>
<td>Jill Knutson</td>
<td></td>
<td>612-298-9679</td>
</tr>
<tr>
<td>Gretchen c-d</td>
<td></td>
<td>952-931-9626</td>
</tr>
</tbody>
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Would you like a park in our neighborhood?

The names listed below represent residents in the Robinwood neighborhood, which is located South of Minnetonka Boulevard and West of Hopkins Crossroad. These residents are requesting a small, neighborhood park. Currently, the only park options available to this neighborhood require crossing busy roads such as Minnetonka Boulevard and Hopkins Crossroad (which does not have sidewalks). The park would provide the neighborhood a gathering spot. It could have playground equipment, picnic tables, and/or open space. Thank you for your consideration.

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<tr>
<td>Maggie</td>
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<td>612-992-2916</td>
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<tr>
<td>Peter Cleary</td>
<td></td>
<td>952-883-4673</td>
</tr>
<tr>
<td>Stephanie Wittleler</td>
<td></td>
<td>612-799-3212</td>
</tr>
<tr>
<td>Eric Wittleler</td>
<td></td>
<td>612-799-3212</td>
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East of 11435 Royzelle Circle

Proposed Neighborhood Park

This map is for illustrative purposes only.
Minnetonka Park Board Item 4B
Meeting of September 2, 2015

<table>
<thead>
<tr>
<th>Subject:</th>
<th>Review of the Burwell Use Policy</th>
</tr>
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<tbody>
<tr>
<td>Park Board related goal:</td>
<td>To provide quality athletic and recreational facilities and programs</td>
</tr>
<tr>
<td>Park Board related objective:</td>
<td>Annually review policies related to the operation and management of parks to determine if changes are required</td>
</tr>
<tr>
<td>Brief Description:</td>
<td>Review city council policy 11.6 – Use of the Burwell Property and discuss recommended changes to the policy</td>
</tr>
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</table>

**Background**

In 1981 Council Policy 11.6 – Use of the Burwell Property was adopted establishing the conditions for use and reservation guidelines for the Burwell property. The property is classified as parkland and has the designation as a National Historic Site. The home (restored to its 1894 condition), adjacent structures and related grounds are the primary focus of this policy. Since its establishment and last amendment in 2003, a number of significant improvements have occurred to the property and surrounding parkland.

Several willing open space acquisitions have occurred which have expanded the size of the park to its current 16 acres, more than half of which is passive. The area has been under natural resource stewardship for invasive species since 2005 and was a focus of the Upper Minnehaha Creek Corridor initiative that began in 2009.

The improvements, which have resulted in the park area now referred to as Minnetonka Mills Park, consisted of additional boardwalk paths, seating areas, garden areas, access points to the creek and a bridge crossing. These now provide for a stronger connection to Minnehaha Creek and the historic property. The improvements have been extremely well received, and both public visits to the park and guided tours have increased exponentially.

Along with the growth in public use, staff has received an increase in requests for private use of the site—primarily weddings and wedding receptions. Prior to the improvements fewer than three private use requests were received annually and were typically small-scale events requiring minimal city resources, often handled by volunteer tour guides. Most recent permit applications have primarily been to host weddings at the site for groups and include requests to install tents, amplify music, serve alcohol and provide logistical coordination with surrounding institutions to utilize cross parking agreements.
Because the policy did not anticipate such intensive use requests, staff asked the council to consider implementing a moratorium on private use of the site. On March 23, 2015 the city council approved a private use moratorium for all new private use requests until the end of 2015. This moratorium allowed staff to conduct an analysis of the type, size, and scope of private use of the site that would not conflict with its surroundings. That analysis has been completed and the logistical roles of providing for reservations, event coordination and site support have been determined. Proposed amendments to the policy are being presented for review by the park board. Other housekeeping updates are also being presented for consideration at this time. Proposed amendments to the policy will then be presented for council consideration. This moratorium does not impact current public or city-sponsored event use of the site.

When reviewing the revisions to the attached policy, please note that:
- Underlined text has been added to the document
- Strikethrough text has been deleted from the document
- Double strikethrough text has been moved within the document

**Discussion Points**

Staff will present the recommended changes to Council Policy 11.6 – Use of the Burwell Policy to the Park Board. Staff requests feedback and any other recommendations to the policy for use and reservations. Specifically, does the park board agree with the following changes?

- restricting the private use to a maximum group size of 50 or less?
- the operating times that private uses can reserve the park?
- limiting the days and frequency of when private uses are be reserved?
- allowing the serving of alcohol and catering when private uses have reserved the park?
- removing the fee schedule from Council Policy and adopting the rates as an administrative policy on the application form so it can be reviewed and adjusted annually?
- the other recommended changes to the policy?

**Recommended Park Board Action:** Review and discuss the proposed changes to the Burwell Policy and upon approval recommend to the city council.

**Attachments**

1. Council Policy Number 11.6 – Use of the Burwell Property
   a. Existing
   b. With proposed changes
   c. Proposed changes with no markup
2. March 23, 2015 City Council Meeting Minutes
Policy Number 11.6
Use of the Burwell Property

Purpose of Policy: This policy establishes conditions for use of and reservations for the Burwell property.

Introduction
This policy applies to the city-owned property known as the Burwell property, consisting of buildings and land generally located at 13209 McGinty Road.

Burwell Park
The property is designated as "City of Minnetonka Parkland" with the additional designation of "National Historic Site." Because of its unique historical nature, the property is not a typical city park and is not a traditional public forum. Public use of the property is limited to uses that do not detract from that historical nature.

Burwell Park Grounds
The Burwell Park grounds will be open and available to the general public for passive recreational activities such as small picnics and the enjoyment of Minnehaha Creek. The grounds are a designated public forum only for those limited purposes. Any other use of the site requires advance permission.

Burwell Structures
The Burwell buildings are non-public forums and may only be used with advance permission. This is necessary to protect the physical and historical integrity of these structures.

Decision-Making
The city recognizes the joint interests in the Burwell property of its city council, community heritage commission (CHC), park board, and the Minnetonka Historical Society (MHS). The city council has designated the CHC as the lead agency for making recommendations to the city council concerning use of this site. In making this designation, the city council likewise charges the CHC to ensure the involvement of MHS and the park board in decisions related to the site. All significant restoration plans and physical improvements must be approved in advance by the city council. Staff may proceed with emergency or routine maintenance without prior city council approval.

Site Use Policy
The city council places strong emphasis on protection of this site and the safety of visitors and staff. The CHC is responsible for preparing and recommending the site use policy for the Burwell site. A copy of this policy is attached as Appendix A. The council will receive an annual update on site usage.

Rules and Regulations
All other park rules and regulations of the city which are not inconsistent with the above will apply to Burwell Park.
Adopted by Resolution No. 81-6537
Council Meeting of April 20, 1981

Amended by Resolution No. 94-9770

Amended by Resolution No. 2002-060
Council Meeting of June 24, 2002

Amended by Resolution No. 2003-077
Council Meeting of August 25, 2003

Appendix A follows
APPENDIX A
Burwell Site Use Policy

Responsibility
The Minnetonka city clerk’s office is the primary agency responsible for the use of the Burwell site. They will maintain the site calendar and be responsible for administering this policy.

Public Use
The city of Minnetonka and the Minnetonka Historical Society (MHS) may use the Burwell site for public education, tours, and the staging of events. MHS must contact the city clerk’s office to reserve the dates for its intended use of the site to ensure there are no scheduling conflicts.

The site will be open for public tours from June 1 through September 30, with days and times set by the city clerk’s office each year.

Private Uses
Permits are available for private use of the Burwell site for events such as weddings and receptions. Permits grant the user non-exclusive use of the site. Permits are required for groups of 25 or more. Users must understand that the site is a public park with multiple access points, including Minnehaha Creek, so there may be other users of the park at any time.

- Written Applications for Permits – Applications for private uses must be made in writing, on forms provided by the city, and be received by the city at least three weeks in advance of the desired date of use. Residents may apply 18 months in advance of their event; non-residents within 12 months.

- Fees for Private Use of the Site
  - Non-refundable reservation fee $100
  - Damage deposit 200
  - User Fee:
    - Minnetonka Resident 200
    - Non-resident 275

  (For example, a Minnetonka resident would pay $300 and post a damage deposit.)

  In addition, permit holders must reimburse the city at the rate of $25/hour for a staff person to be present at the site when the interior of the cottage will be accessed. Permit holders must also hire off-duty Minnetonka police staff to direct traffic when off-site parking is used. The officers must be present one-half hour before and one-half hour after guests are scheduled to arrive. Additional fees will apply if liquor will be served (see below).

- Application Review Criteria – The city clerk’s office will use the following criteria to evaluate applications for private use:
- The permitted use may not interfere with the public tour program or conflict with any other scheduled use.

- No more than one event may be scheduled within any one calendar week in order to minimize negative impacts to the site.

- The intended use must not negatively impact the site.

- Because the site offers only minimal parking, the permit holder must have written permission for alternative parking.

- The site may not be used for fundraising or profit making enterprises by organizations other than the city and MHS.

If the proposed use is deemed appropriate by the city clerk, a permit will be issued. In any case, the applicant will be notified within 10 business days of receipt of the application's disposition.

- **Rules** – In addition to the standard rules for Minnetonka parks, the following rules and provisions apply to private use of the Burwell site:

  - Use of the site will not extend beyond 10 hours, and must occur between 10:00 a.m. and 8:00 p.m.

  - Use of tents, canopies, tables, and chairs is subject to prior review and approval by city staff. Staff will consider the following criteria in this review: size, means by which the items will be secured to the ground, and potential damage to the site. No overnight storage is available or allowed. All equipment, including tents or canopies, must be brought in and set up during the permit time period. The city will not be responsible for any damage to or loss of equipment brought to the site by others.

  - Private uses must be limited to 100 people or less.

  - Permit holders may only use the interior of the cottage for permitted uses. The house, workshop and woodshed are not available for private use. Parties wishing interior tours of the house as part of their event must make specific pre-arrangements. With prior approval from the city, the southeast porch may have limited use.

  - Users must not cut or trim plantings, nor may they use paint, tape, nails, staples or screws to affix items to the structure or trees.

  - Running water and a handicapped accessible restroom are available in the cottage.

  - Electric power is available on site. Applicants must provide a list of appliances and/or equipment for which power is needed. These items are subject to staff review and approval.
- Applicants must submit a site plan with their permit application describing where food and beverages will be served, as well as the placement of tables, chairs, and other equipment.

- Motor vehicles may not be operated in any area outside the driveway and parking lot surfaces.

- Arrangements for approval of PA systems must be made through the city’s recreation services department.

- Birdseed may be thrown at weddings, but no other substances may be thrown.

- There are no indoor alternatives at this site. Permit holders are responsible for their own alternate plans.

- If food will be served, the responsible party or the caterer must provide a current catering license to the city. If a non-licensed caterer will be used, a certificate of liability insurance as proof of liability coverage in the amount of $500,000 or more must be provided. This documentation must be received no later than 10 business days prior to the event.

- The use and/or serving of alcoholic beverages is allowed only under the approval of the city by special permit, with an additional fee of $100 and a proof of liability insurance acceptable to the city. Permits will be granted only for beer, or white or blush wine in non-glass containers. Permits will be issued only to groups of 25 or more people. Alcoholic beverages may be possessed and consumed only in areas designated on the site plan. The person responsible for the gathering must remain on the premises at all times that alcohol is being served, must have the special permit in possession, and must display it upon the request of authorized city personnel. Alcohol may not be sold on the site, and servers may not accept gratuities.

- Applicants for permits must provide a signed waiver of liability of the city for damage or injury, and an acceptance of responsibility for any damage to the property occurring as a result of the use of the site. The waiver must be on the city’s form and must be received by the city within ten business days of the intended use.

- The damage deposit will be refunded within 30 days of the event, provided the permit holder causes no damage to the site or structures, and leaves the site and structures in the same condition as when the permit holder arrived at the site (for example, the cottage and site must be clean and the garbage removed).

- **VARIANCES** – The city clerk has discretion to grant variances to this policy provided such variances are in keeping with the spirit of the policy and pose no threat to the historical integrity of the site.
Policy Number 11.6
Use of Minnetonka Mills Park and the Burwell Property

Purpose of Policy: This policy establishes conditions for use of and reservations for Minnetonka Mills Park and the Burwell property.

Introduction
This policy applies to the city-owned property known as Minnetonka Mills Park and the Burwell property, consisting of buildings and land generally located at 13209 McGinty Road.

Burwell-Minnetonka Mills Park and the Burwell House
The property is designated as "City of Minnetonka Parkland" with the additional designation of "National Historic Site." Because of its unique historical nature, the property is not a typical city park and is not a traditional public forum. Public use of the property is limited to uses that do not detract from that historical nature.

Burwell-Minnetonka Mills Park Grounds
The Burwell-Minnetonka Mills Park grounds will be open and available to the general public for passive recreational activities such as small picnics and the enjoyment of Minnehaha Creek. The grounds are a designated public forum only for those limited purposes. Any other use of the site requires advance permission.

Burwell Structures
The Burwell buildings are non-public forums and may only be used with advance permission. This is necessary to protect the physical and historical integrity of these structures.

Decision-Making
The city recognizes the joint interests in the Burwell property of its city council, community heritage commission (CHC), park board, and the Minnetonka Historical Society (MHS). The city council has designated the CHC-park board as the lead agency for making recommendations to the city council concerning use of this site. In making this designation, the city council likewise charges the CHC-park board and the park board in decisions related to the site. All significant restoration plans and physical improvements must be approved in advance by the city council. Staff may proceed with emergency or routine maintenance without prior city council approval.

Site Use Policy
The city council places strong emphasis on protection of this site and the safety of visitors and staff. The CHC-park board is responsible for preparing and recommending the site use policy for the Burwell site. A copy of this policy is attached as Appendix A. The council-park board will receive an annual update on site usage.

Rules and Regulations
All other park rules and regulations of the city which are not inconsistent with the above
will apply to Burwell-Minnetonka Mills Park and the Burwell site.

Adopted by Resolution No. 81-6537
Council Meeting of April 20, 1981

Amended by Resolution No. 94-9770

Amended by Resolution No. 2002-060
Council Meeting of June 24, 2002

Amended by Resolution No. 2003-077
Council Meeting of August 25, 2003

Amended by Resolution No. 2015-xxx
Council Meeting of Month 00, 2015

Appendix A follows
Minnetonka Mills Park and Burwell Site Use Policy

Responsibility
The Minnetonka city clerk’s office Recreation Services Department or its designee is the primary agency responsible for the use of Minnetonka Mills Park and the Burwell site. They will maintain the site calendar and be responsible for administering this policy.

Public Use
The city of Minnetonka and the Minnetonka Historical Society (MHS) may use the Burwell site for public education, tours, and the staging of events. MHS must contact the city clerk’s office to reserve the dates for its intended use of the site to ensure there are no scheduling conflicts. A permit is not required for filming/photography conducted solely for personal or family use or for news purposes.

The site will be open for public tours from June 1 through September 30, with days and times set by the city clerk’s office each year.

Private Uses
Permits are available for private use of Minnetonka Mills Park and the Burwell site for events such as weddings and receptions. Permits grant the user non-exclusive use of the site. Permits are required for groups of 25 or more. Users must understand that the site is a public park with multiple access points, including Minnehaha Creek, so there may be other users of the park at any time.

Written Applications for Permits – Applications for private uses must be made in writing, on forms provided by the city, through the Recreation Services Facility Division and be received by the city at least three weeks in advance of the desired date of use. Residents may apply 18 months in advance of their event; non-residents within 12 months.

• Fees for Private Use of the Site are listed on the permit application
  - Non-refundable reservation fee $100
  - Damage deposit 200
  - User Fee:
    - Minnetonka Resident 200
    - Non-resident 275

  (For example, a Minnetonka resident would pay $300 and post a damage deposit.)

In addition, permit holders must reimburse the city at the rate of $25/hour for a staff person to be present at the site when the interior of the cottage will be accessed. Permit holders must also hire off-duty Minnetonka police staff to direct traffic when off-site parking is used. The officers must be present one-half hour before and one-half hour after guests are scheduled to arrive. Additional fees will apply if liquor will be served (see below).
Application Review Criteria – The city clerk's office will use the following criteria to evaluate applications for private use:

The permitted use may not interfere with the public tour program or conflict with any other scheduled use. The intended use must not negatively impact the site.

- No more than one event may be scheduled within any one calendar week (Thursday, Friday, Saturday or Sunday) and only two events per month shall be authorized in order to minimize negative impacts to the site. Permits will not be granted for a Monday, Tuesday or Wednesday.

The intended use must not negatively impact the site.

- Because the site offers only minimal parking, the permit holder must have written permission for alternative parking. No overnight parking is allowed.

- The site may not be used for fundraising or profit making enterprises by organizations other than the city and MHS.

If the proposed use is deemed appropriate by the city clerk, a permit will be issued. In any case, the applicant will be notified within 10 business days of receipt of the application of the application's disposition.

Rules – In addition to the standard rules for Minnetonka parks, the following rules and provisions apply to private use of Minnetonka Mills Park and the Burwell site:

- Use of the site will not extend beyond 10 hours, and the event must occur between 10:00 a.m. and 8:00 p.m. Event set-up will not begin prior to 9:00 a.m. on the day of the event.

- A permit is required for all commercial film/video taping and still photography conducted at Minnetonka Mills Park and the Burwell Property. A permit is required for each day that a photography/film shoot occurs and the permit holder is required to have a copy of the permit on location during the shoot. Permit holders are responsible for cleaning up the site of the shoot and ensuring that the area is returned to its original condition.

- Use of tents, canopies, tables, and chairs is subject to prior review and approval by city staff. Staff will consider the following criteria in this review: size, means by which the items will be secured to the ground, and potential damage to the site. No overnight storage is available or allowed. All equipment, including tents or canopies, must be brought in and set up during the permit time period. No anchors shall be driven to secure tents, canopies, tables or chairs. The city will not be responsible for any damage to or loss of equipment brought to the site by others.

- Private uses must be limited to 400-50 people or less.
• Permit holders may only use the interior of the cottage for permitted uses. The house, workshop and woodshed are not available for private use. Parties wishing interior tours of the house as part of their event must make specific pre-arrangements. With prior approval from the city, the southeast porch may have limited use.

• Users must not cut or trim plantings, nor may they use paint, tape, nails, staples or screws to affix items to the structure or trees.

• Running water and a handicapped accessible restroom are available in the cottage.

• Electric power is available on site. Applicants must provide a list of appliances and/or equipment for which power is needed. These items are subject to staff review and approval.

• Applicants must submit a site plan with their permit application describing where food and beverages will be served, as well as the placement of tables, chairs, and other equipment.

• Motor vehicles, including delivery vehicles, may not be operated in any area outside the driveway and parking lot surfaces and shall conform to all traffic regulations on adjacent public streets.

• Arrangements for approval of PA systems must be made through the city's recreation services department on the submitted permit application.

• Birdseed may be thrown at weddings, but no other substances may be thrown.

• There are no indoor alternatives at this site. Permit holders are responsible for their own alternate plans.

• If food will be served, the responsible party or the caterer must provide a current catering license to the city. If a non-licensed caterer will be used, a certificate of liability insurance as proof of liability coverage in the amount of $1,500,000 or more must be provided. This documentation must be received no later than 10 business days prior to the event. Permit holder is responsible for disposal of all catering waste, materials and products.

• The use and/or serving of alcoholic beverages is allowed only under the approval of the city by special permit, with an additional fee of $100 and a proof of liability insurance acceptable to the city. Permits will be granted only for beer, white or blush wine in non-glass containers. Permits will be issued only to groups of 25 or more people. Alcoholic beverages may be possessed and consumed only in areas designated on the site plan. The person responsible for the gathering must remain on the premises at all times that alcohol is being served, must have the special permit in possession, and must display it upon the request of authorized
city personnel. Alcohol may not be sold on the site, and servers may not accept gratuities. **Permits holders serving alcohol must also hire an off-duty Minnetonka police officer.**

- Applicants for permits must provide a signed waiver of liability of the city for damage or injury, and an acceptance of responsibility for any damage to the property occurring as a result of the use of the site. The waiver must be on the city’s form and must be received by the city within ten business days of the intended use.

- The damage deposit will be refunded within 30 days of the event, provided the permit holder causes no damage to the site or structures, and leaves the site and structures in the same condition as when the permit holder arrived at the site (for example, the cottage and site must be clean and the garbage removed).

**Variances** – The city clerk has discretion to grant variances to this policy provided such variances are in keeping with the spirit of the policy and pose no threat to the historical integrity of the site.
Policy Number 11.6
Use of Minnetonka Mills Park and the Burwell Property

Purpose of Policy: This policy establishes conditions for use of and reservations for Minnetonka Mills Park and the Burwell property.

Introduction
This policy applies to the city-owned property known as Minnetonka Mills Park and the Burwell property, consisting of buildings and land generally located at 13209 McGinty Road.

Minnetonka Mills Park and the Burwell House
The property is designated as "City of Minnetonka Parkland" with the additional designation of "National Historic Site." Because of its unique historical nature, the property is not a typical city park and is not a traditional public forum. Public use of the property is limited to uses that do not detract from that historical nature.

Minnetonka Mills Park Grounds
The Minnetonka Mills Park grounds will be open and available to the general public for passive recreational activities such as small picnics and the enjoyment of Minnehaha Creek. The grounds are a designated public forum only for those limited purposes. Any other use of the site requires advance permission.

Burwell Structures
The Burwell buildings are non-public forums and may only be used with advance permission. This is necessary to protect the physical and historical integrity of these structures.

Decision-Making
The city recognizes the joint interests in the Burwell property of its city council, park board, and the Minnetonka Historical Society (MHS). The city council has designated the park board as the lead agency for making recommendations to the city council concerning use of this site. In making this designation, the city council likewise charges the park board to ensure the involvement of MHS in decisions related to the site. All significant restoration plans and physical improvements must be approved in advance by the city council. Staff may proceed with emergency or routine maintenance without prior city council approval.

Site Use Policy
The city council places strong emphasis on protection of this site and the safety of visitors and staff. The park board is responsible for preparing and recommending the site use policy for the Burwell site. A copy of this policy is attached as Appendix A. The park board will receive an annual update on site usage.

Rules and Regulations
All other park rules and regulations of the city which are not inconsistent with the above will apply to Minnetonka Mills Park and the Burwell site.
Adopted by Resolution No. 81-6537
Council Meeting of April 20, 1981

Amended by Resolution No. 94-9770

Amended by Resolution No. 2002-060
Council Meeting of June 24, 2002

Amended by Resolution No. 2003-077
Council Meeting of August 25, 2003

Amended by Resolution No. 2015-xxx
Council Meeting of Month 00, 2015

Appendix A follows
APPENDIX A
Minnetonka Mills Park and Burwell Site Use Policy

Responsibility
The Minnetonka Recreation Services Department or its designee is the primary agency responsible for the use of Minnetonka Mills Park and the Burwell site. They will maintain the site calendar and be responsible for administering this policy.

Public Use
The city and the Minnetonka Historical Society (MHS) may use the Burwell site for public education, tours, and the staging of events. MHS must contact the city to reserve the dates for its intended use of the site to ensure there are no scheduling conflicts. A permit is not required for filming/photography conducted solely for personal or family use or for news purposes.

The site will be open for public tours from June 1 through September 30, with days and times set by the city each year.

Private Uses
Permits are available for private use of Minnetonka Mills Park and the Burwell site for events such as weddings and receptions. Permits grant the user non-exclusive use of the site. Permits are required for groups of 10 or more. Users must understand that the site is a public park with multiple access points, including Minnehaha Creek, so there may be other users of the park at any time.

Written Applications for Permits – Applications for private uses must be made through the Recreation Services Facility Division and be received by the city at least three weeks in advance of the desired date of use. Residents may apply 18 months in advance of their event; non-residents within 12 months.

Fees for private use of the site are listed on the permit application. In addition, permit holders must reimburse the city for a staff person to be present at the site when the interior of the cottage will be accessed. Permit holders must also hire off-duty Minnetonka police staff to direct traffic when off-site parking is used. The officers must be present one-half hour before and one-half hour after guests are scheduled to arrive.

Application Review Criteria – The city will use the following criteria to evaluate applications for private use:

- The permitted use may not interfere with the public tour program or conflict with any other scheduled use. The intended use must not negatively impact the site. No more than one event may be scheduled within any one calendar week (Thursday, Friday, Saturday or Sunday) and only two events per month shall be authorized in order to minimize negative impacts to the site. Permits will not be granted for a Monday, Tuesday or Wednesday.

- Because the site offers only minimal parking, the permit holder must have written permission for alternative parking. No overnight parking is allowed.
• The site may not be used for fundraising or profit making enterprises by organizations other than the city and MHS.

If the proposed use is deemed appropriate by the city, a permit will be issued. In any case, the applicant will be notified within 10 business days of receipt of the application of the application's disposition.

Rules – In addition to the standard rules for Minnetonka parks, the following rules and provisions apply to private use of Minnetonka Mills Park and the Burwell site:

• Use of the site will not extend beyond 10 hours, and the event must occur between 10:00 a.m. and 8:00 p.m. Event set-up will not begin prior to 9:00 a.m. on the day of the event.

• A permit is required for all commercial film/video taping and still photography conducted at Minnetonka Mills Park and the Burwell Property. A permit is required for each day that a photography/film shoot occurs and the permit holder is required to have a copy of the permit on location during the shoot. Permit holders are responsible for cleaning up the site of the shoot and ensuring that the area is returned to its original condition.

• Use of tents, canopies, tables, and chairs is subject to prior review and approval by city staff. Staff will consider the following criteria in this review: size, means by which the items will be secured to the ground, and potential damage to the site. No overnight storage is available or allowed. All equipment, including tents or canopies, must be brought in and set up during the permit time period. No anchors shall be driven to secure tents, canopies, tables or chairs. The city will not be responsible for any damage to or loss of equipment brought to the site by others.

• Private uses must be limited to 50 people or less.

• Permit holders may only use the interior of the cottage for permitted uses. The house, workshop and woodshed are not available for private use. Parties wishing interior tours of the house as part of their event must make specific pre-arrangements. With prior approval from the city, the southeast porch may have limited use.

• Users must not cut or trim plantings, nor may they use paint, tape, nails, staples or screws to affix items to the structure or trees.

• Running water and a handicapped accessible restroom are available in the cottage. Electric power is available on site. Applicants must provide a list of appliances and/or equipment for which power is needed. These items are subject to staff review and approval.

• Applicants must submit a site plan with their permit application describing where food and beverages will be served, as well as the placement of tables, chairs,
and other equipment.

- Motor vehicles, including delivery vehicles, may not be operated in any area outside the driveway and parking lot surfaces and shall conform to all traffic regulations on adjacent public streets.

- Arrangements for approval of PA systems must be made on the submitted permit application.

- Birdseed may be thrown at weddings, but no other substances may be thrown.

- There are no indoor alternatives at this site. Permit holders are responsible for their own alternate plans.

- If food will be served, the responsible party or the caterer must provide a current catering license to the city. If a non-licensed caterer will be used, a certificate of liability insurance as proof of liability coverage in the amount of $1,500,000 or more must be provided. This documentation must be received no later than 10 business days prior to the event. Permit holder is responsible for disposal of all catering waste, materials and products.

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- The damage deposit will be refunded within 30 days of the event, provided the permit holder causes no damage to the site or structures, and leaves the site and structures in the same condition as when the permit holder arrived at the site (for example, the cottage and site must be clean and the garbage removed).

Variance – The city has discretion to grant variances to this policy provided such variances are in keeping with the spirit of the policy and pose no threat to the historical integrity of the site.
No one appeared.

9. Bids and Purchases:

A. Items related to the property at 2510 Oakland Road

Assistant City Manager Perry Vetter gave the staff report.

Wiersum asked for additional information about how residents would access the property once it was developed. Vetter said there would be a planning process to determine what amenities would be on the property. The agreement was very restrictive. Any structure would be built in the footprint of the house. There was an allowance for benches, interpretive signs, etc. but basically it would be a nature preserve with minimal walking paths. ADA accessibility would be allowed.

Acomb said the $2.6 million purchase price was a lot of money but it was half of what the property was valued at. She said she hoped the city could do something to honor and recognize Ann Cullen Smith’s generosity and gift to residents.

Allendorf moved, Acomb seconded a motion to:

1) Amend the 2015-2019 Capital Improvement Program
2) Adopted resolution 2015-018 reimbursing certain expenditures from the proceeds of the bonds to be issued by the city

All voted “yes.” Motion carried.

10. Consent Agenda - Items Requiring a Majority Vote:

A. Order for tobacco license violation for Lucky’s Station LLC

Allendorf moved, Wiersum seconded a motion to approve issuing the Finding of Fact, Conclusion, and Order for Lucky's Station LLC

All voted “yes.” Motion carried.

B. Resolution amending Council Policy 2.5 regarding tax exempt financing

Allendorf moved, Wiersum seconded a motion to adopt the resolution amending Council Policy 2.5. All voted “yes.” Motion carried.

C. Items related to Council Policy 11.6 – Use of the Burwell Property
Allendorf asked that the item be pulled from the consent agenda. He noted the recommendation was for a 12 month moratorium on the use of the Burwell property. The reason was there had been some requests to hold some large events like weddings on the property and there were not procedures and policies in place to accommodate those requests. He said he couldn't recall many times when the council approved a 12 month moratorium for something. The few granted dealt with difficult development related issues. He felt in this case staff could develop appropriate rules and procedures without having to take away an important asset for residents for an entire year. He asked if a six month moratorium would allow staff and the park board to come up with a process and procedures to handle the larger requests. Vetter said he believed six months would allow enough time to develop a process and procedures. The initial concern was it would be sometime in late summer before the item could be added onto the next available park board agenda. Allendorf said the Burwell House was such an asset that he would hate to see it unavailable for general use for 12 months.

Wiersum said he did not disagree with Allendorf’s concern but given the timing of the park board meetings perhaps a compromise of a nine month moratorium might make sense.

Allendorf said he thought six months would be enough time to allow the park board to look at the item in time for the joint meeting with the council in November.

Barone said staff had not received many, if any, requests for winter use. The goal would be to have a policy in place to allow use in the summer of 2016.

Bergstedt said if the vast majority of requests were for spring and summer the compromise suggestion seemed to make sense.

Allendorf moved, Wiersum seconded a motion to approve a moratorium until the end of 2015 on the private use of the Burwell site, City Council Policy 11.6, until amendments to the policy can be presented for consideration. All voted “yes.” Motion carried.

D. Labor agreement between the city of Minnetonka and the International Union of Operating Engineers Local 49 – Public Service Workers

Allendorf moved, Wiersum seconded a motion to approve the 2015-2017 labor agreement between the city of Minnetonka and the International
Background

The Recreation Services 2015 summer brochure was published in late February and registration began on March 2. The traditional summer programs that Hopkins and Minnetonka residents have come to expect were offered in addition to some new programs intended to attract participants of all ages.

Summary

Summer program registrants were introduced to RecTrac, our new registration software package purchased to manage financial reports, registrations, memberships, and rentals for all divisions of Recreation Services. RecTrac went live on May 4, 2015. Despite some challenges, staff made the registration process as easy as possible for those wanting to register for summer programs. The overall participation numbers during the summer of 2015 were down from the previous year, but were still very strong. The number of participants/teams that registered totaled 6,132. The following are a few highlights from the summer programs offered:

Jidana Day Camp
Always one of the most popular summer offerings, Jidana Day Camp filled to capacity again this year. This camp gives boys and girls in grades 2 - 6 a true outdoor experience through activities such as archery, canoeing, hiking, and cooking over the campfire. A visit from a naturalist was added to the daily camp agenda this year. Campers ended the day with a trip to Shady Oak Beach for swimming and beach activities. Three 1 - week sessions are offered and 216 youth enrolled. The summer playground staff led the camp, along with the Junior Leader teen volunteers.

Horseback Riding Day Camp
Horseback Riding Camp was offered for the first time this summer in collaboration with the Hopkins School District. Participants were transported by van to the camp located at the Boulder Pointe Equestrian and Event Center in Anoka. Campers learned how to groom, tack-up, lead, ride and feed horses, as well as, completed horse-related crafts. Two additional dates were added due to the popularity of the camp. A total of 46 youth ages 6 - 12 participated in one of the four days of camp offered.
**Teen Programs**
In conjunction with the cities of St. Louis Park and Plymouth, we offer a variety of teen trips and activities each season. New program offered this summer included Geocaching at French Park, Introduction to Scuba Diving at the St. Louis Park Aquatic Center, and Escape Minneapolis in Golden Valley. There was enough interest in each activity between the three cities that all activities took place. Feedback from participants was very positive and all activities will be offered again in the future. Canoeing on the Creek, a popular program offering from previous years, returned this summer as well. While the low Minnehaha Creek water level has caused the trip to be canceled in recent years, the water level was sufficient enough for the trip to take place this June.

**Music in the Park**
The Tuesday evening Music in the Park program saw its greatest attendance numbers this summer. Ten concerts were scheduled from mid-June through mid-August. The final concert of the season was rained out and was not rescheduled. Attendance for the season totaled 2,613, an increase of over 400 from last year (2,196). The record attendance for the season was 410 people for the Tim Patrick and his Blue Eyes Band on August 11.

**Senior Yoga**
Yoga has become an increasingly popular class for Minnetonka Senior Services. A total of 418 senior adults participated in one of the yoga classes offered during the summer months. Both day and evening classes were offered, along with different levels of ability including Intermediate Yoga and Chair Supported Yoga. Classes are held at the Minnetonka Community Center.

**Recommended Park Board Action:** None. Informational only.

**Attachment**

1. 2015 Summer Recreation Program Registration Summary
## 2015 Summer Recreation Program Registration Summary

<table>
<thead>
<tr>
<th>Program</th>
<th>2014 Participation #s</th>
<th>2015 Participation #s</th>
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</thead>
<tbody>
<tr>
<td><strong>Youth</strong></td>
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<tr>
<td>Aquatics</td>
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<td>Babysitter Training</td>
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<td>Baking Extravaganza</td>
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<td>Baseball Camps</td>
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<tr>
<td>Basketball Camp</td>
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<td>Cheerleading Camp</td>
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<td>Football Camp</td>
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<td>9</td>
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<tr>
<td>Golf Lessons</td>
<td>7</td>
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<td>Hop-Kids – Art, Dance, Music, Science</td>
<td>230</td>
<td>156</td>
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<td>Hop-Kids – Sports</td>
<td>287</td>
<td>360</td>
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<td>Horseback Riding Camp</td>
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<td>Jidana Day Camp</td>
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<td>Kid’s Corner</td>
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<td>Knee Highs Soccer</td>
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<td>Martial Arts</td>
<td>113</td>
<td>106</td>
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<tr>
<td>Playgrounds (ages 6-12)</td>
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<td>Skyhawks Camps</td>
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<td>Soccer Camp</td>
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<td>Soccer League</td>
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<td>Summer Adventure (ages 4-5)</td>
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<td>Tennis in the Parks</td>
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<td>Tiny Tots (age 3)</td>
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<td>Volleyball</td>
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<td><strong>Teen</strong></td>
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<td>Escape Minneapolis</td>
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<td>Geocaching</td>
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<td>Paintball</td>
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<td>Rec-Tivity</td>
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<td>Scuba Diving</td>
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<tr>
<td><strong>Adult</strong></td>
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<td>5-Player Basketball League</td>
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<tr>
<td>Golf Lessons</td>
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<td>Intro to Stand Up Paddleboarding</td>
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<td>Kickball Leagues</td>
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<td>Martial Arts</td>
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<td>Running Club</td>
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<td>Soccer League</td>
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<td>Softball Leagues</td>
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<tr>
<td>Touch Football League</td>
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<td>6 teams</td>
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<td><strong>Senior</strong></td>
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<td>Bike Club</td>
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<td>Classes</td>
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<td>Events</td>
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<td>Softball League</td>
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<td>Trips</td>
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<td><strong>TOTAL</strong></td>
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Meadow Ridge Neighborhood Park Request Status Report

At the park board meeting in March, a neighborhood meeting was held to receive comments regarding a petition to construct a new park in the Meadow Ridge neighborhood. The board did not support a park in this location at that time and directed staff to explore alternate locations within NPSA 14.

Since the southern half of NPSA 14 is served by Reich Park, staff looked at all parcels north of Ridgewood Road. The city owns six parcels in the Leeman’s/Hunters Hill/Meadow Ridge neighborhoods, three parcels in the Powderhorn/Arrowhead/Lindsey neighborhoods, and two parcels in the Therese/Leroy/Lowell neighborhood. Of the eleven total city owned parcels, one of those parcels was the one previously considered for placement of a park. The other ten parcels are utilized for storm sewer drainage, are in floodplain, and have no upland area. Therefore, the lot at the end of the Meadow Ridge cul-de-sac is the only city owned property in these neighborhoods that would be able to accommodate a park.

Hopkins Royal Triathlon

The 2nd annual Hopkins Royal Triathlon is scheduled at Shady Oak Beach Saturday, September 5 beginning at 8 a.m. According to the event’s organizer, the event is full with 400+ participants registered. Last year’s event generated a donation of $3,500 to the Richard Wilson Recreation Scholarship Fund.
## Upcoming 6-Month Meeting Schedule

<table>
<thead>
<tr>
<th>Day</th>
<th>Date</th>
<th>Meeting Type</th>
<th>Agenda Business Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wed</td>
<td>10/7/15</td>
<td>Regular</td>
<td>• Shady Oak Beach operations review (including closing policy)</td>
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<td></td>
<td></td>
<td>• Community meeting on outdoor ice rinks</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Update on pet waste reduction program</td>
</tr>
<tr>
<td>Wed</td>
<td>11/4/15</td>
<td>Regular</td>
<td>• Volunteer recognition event</td>
</tr>
<tr>
<td>Wed</td>
<td>12/2/15</td>
<td>Joint meeting with City Council</td>
<td>• Glen Lake Activity Center Feasibility Study</td>
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<tr>
<td>Wed</td>
<td>1/6/16</td>
<td>Regular</td>
<td>• Park Board Strategic Plan</td>
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<tr>
<td>Wed</td>
<td>2/3/16</td>
<td>Regular</td>
<td>• Park Board action steps</td>
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<td>• 2017 – 2021 CIP</td>
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<tr>
<td>Wed</td>
<td>3/2/16</td>
<td>Regular</td>
<td>•</td>
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### Other meetings and activities to note:

<table>
<thead>
<tr>
<th>Day</th>
<th>Date</th>
<th>Description</th>
<th>Special Notes</th>
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### Items to be scheduled: