

City of Excelsior  
Park and Recreation Commission

Agenda

**Tuesday, February 11, 2025**

**106 Center Street (new temporary Council Chambers)**

**6:15 PM**

1. CALL TO ORDER/ROLL CALL
2. AGENDA APPROVAL
3. APPROVAL OF MINUTES
  - a) January 14, 2024 PNR Meeting Minutes
4. CITIZEN REPORTS or COMMENTS
5. NEW BUSINESS
  - a) Memorial Bench at The Port Ticket Booth
6. UNFINISHED BUSINESS
  - a) Commons Use Policy
  - b) Joint Meeting with Community for The Commons- Discussion Only
  - c) 2025 Projects- Discussion Only
7. MISCELLANEOUS / COMMISSIONER COMMENTS
  - a) Recent City Council Action
8. VERBAL REPORTS FOR DISCUSSION
  - a) Updates on Oak Savanna Project, Commons Ballfield and other Commons Projects
9. UPDATES/INFORMATION
  - a) Community Gardens and Garden Plot Committee
  - b) Adopt-a-Seat, Adopt-a-Garden, and Adopt-a-Tree Programs
  - c) Oak Hill Cemetery
  - d) Concerts in the Park/Bandshell Update/ Concession Stand PAC
  - e) Excelsior Park Maintenance Log
  - f) Discussion on Port Bell
  - g) Studer Park
  - h) Gazebo/Mitten Pond
10. MONTHLY FINANCIAL REPORTS
  - a) January 2025 Park Fund Report
11. ADJOURNMENT

**Notice: Some items on this agenda are important enough to City Councilmembers that a quorum of the Council may be present to receive information leading to their future deliberations and eventual decision.**

City of Excelsior  
Hennepin County, Minnesota  
Minutes  
Park and Recreation Commission  
Tuesday, January 14, 2024

1. CALL TO ORDER

Commissioners present: Chair Wolfe, Bolles, Vogel, Smith, Pike, Schmidt  
Commissioners absent: Sobiech

Also present: Public Works Director Amundsen, Chip Cheney

2. AGENDA APPROVAL

Commissioner Pike moved, Commissioner Vogel seconded to approve the agenda. Carries 6/0.

3. APPROVAL OF MINUTES

a) Commissioner Vogel moved, Commissioner Schmidt seconded, to approve the minutes from the December 10, 2024 PNR Commission Meeting. Carries 6/0.

4. CITIZEN REPORTS OR COMMENTS

None

5. NEW BUSINESS

a) Columbarium at Oak Hill Cemetery

Chip Cheney, formerly of Eickhof, was present at the meeting to discuss the potential of a columbarium at the Oak Hill Cemetery. Cheney presented a power point presentation that provided information and insight into columbariums. He stated that cremations have increased significantly in recent years and that now 60% of burials in Minnesota are now cremations. He defined what a columbarium is, which is a structure that holds the urns of cremated remains in "niches" and keeps them dry, are respectful to those that passed, and are low maintenance. He also discussed an ossuary, which is the center void of a columbarium that can hold individual "soft" urns where remains are placed collectively.

Following the presentation, the Commission discussed the potential location of a columbarium at Oak Hill Cemetery. Staff recommended it to be located on top of the hill where the Veteran's Memorial was previously located. Staff also stated that they would work with our consulting engineer, WSB, on other potential locations and where it would be feasible. Installing a columbarium on the top of the hill would require a crane and access. Chair Wolfe asked if they make money and whether or not this effort could generate revenue for the cemetery to conduct other maintenance activities. Cheney stated that he would provide an investment sheet to depict the cost of the improvements and from that it would help to determine what the "niches"

should be sold for to generate revenue. Cheney recommended that, at a minimum, there should be 50-100 niches in the columbarium at Oak Hill Cemetery. The Commission also discussed the potential for a presale of niches prior to construction if it were approved and the potential for a public/private partnership. Cheney will provide the contact information for the new representative from Eickhof to work directly with.

6. UNFINISHED BUSINESS

a) Commons Use Policy

The PNR Commission discussed the Commons Use Policy which intends to implement certain criteria on how proposals for different uses in The Commons are evaluated. The Commissioners stated that uses should provide access to the lake for those that don't have it, research should be done on other cities with use policies, should not include advertisements, and that recreational uses and programming should be addressed. The Commission determined a work group should be formed to work on the policy outside of the normal meeting. Commissioner Vogel, Bolles and Pike agreed to work on a draft policy to be reviewed at an upcoming meeting.

b) 2025 Projects

Continued to future meeting.

c) Studer Park- Discussion Only

Continued to a future meeting.

7. MISCELLANEOUS/ COMMISSIONER COMMENTS

a) Recent City Council Action

No recent action discussed.

8. VERBAL REPORTS FOR DISCUSSION

a) Updates on Oak Savanna Project, Commons Ballfield and other Commons Project  
Staff provided an update on The Commons Ballfield Project.

9. UPDATES/INFORMATION:

- a) Community Garden Plots and Garden Plot Committee; no action taken.
- b) Adopt-a-Seat, Adopt-a-Garden, and Adopt-a-Tree Programs; no action taken.
- c) Oak Hill Cemetery; no action taken
- d) Concerts in the Park/Bandshell Update/Concession Stand; no action taken.
- e) Excelsior Park Maintenance Log; no action taken.

Minutes

Park and Recreation Commission

January 14, 2024

Page 3 of 3

- f) Discussion on Port Bell; no action taken.
- g) Studer Park; no action taken.
- h) Gazebo/Mitten Pond; no action taken.

10. MONTHLY FINANCIALS:

- a) November 2024 Park Fund Report; no action taken.

11. ADJOURNMENT

Motion by Vogel to adjourn, seconded by Pike. Carries 5/0 (Commissioner Smith had to leave early)

Respectfully submitted,

Tim J. Amundsen

# MEMORANDUM

**Re:** 5(a)- Memorial Bench at The Port Ticket Booth

**Date:** February 11, 2024

**To:** Parks and Recreation Commission

**From:** Tim Amundsen, Public Works Director

The Excelsior Men's Garden Club is proposing to add a memorial bench to The Port Ticket booth to honor a long time member of the club who was captain at The Port Gardens for many years. Currently, there is one newer memorial bench in honor of Steve Bauman. Staff placed a bench in the ticket booth originally prior to the Bauman bench being installed to see how it would fit. Once the Bauman memorial bench was installed, staff left the second bench in the ticket booth as people appreciated a place to sit out of the elements. Below are photos of how the benches are currently setup in the ticket booth:



The bench on the left in the photo would be replaced with a new memorial bench.

**Action:**

Approve the location of a new memorial bench to honor a long time member of the Excelsior Men's Garden Club. .



# MEMORANDUM

**Re:** 6(a)- Draft Commons Use Policy

**Date:** February 11, 2024

**To:** Parks and Recreation Commission

**From:** Tim Amundsen, Public Works Director

At the October 21<sup>st</sup> City Council work session, the Council discussed proposals for certain uses in The Commons to include a potential sauna and cold plunge pilot, concession operations at the new plaza, and existing uses such as the Wai Nani kayak and paddleboard rental. Following the work session, the City Council directed staff to have the Parks and Recreation (PNR) Commission begin work on a Commons use policy. The policy intends to implement certain criteria on how proposals for different uses in The Commons are evaluated. The intent of the use policy is to ensure that certain criteria are established to provide a benchmark for future proposals to meet prior to City review. The PNR Commission will help to establish the evaluation criteria and framework in which to review proposals and create a process and guidelines on what is allowed and not allowed in The Commons in terms of acceptable uses.

Following discussion at the two previous PNR Commission meetings, it was determined that a work group should be formed to work on The Commons Use Policy. Commissioner Vogel and Bolles met outside of the normal meeting to begin work on a draft policy. Attached to this memo is the proposed draft use policy that includes:

Part I: Commercial Use Guidance (Pages 1-3)

Part II: Park Donations and Naming (Pages 4-7)

Part III: Special Events (Pages 8-10)- Included to see if a special event ordinance specifically for The Commons is necessary.

Part IV: Potential Code Amendments (Page 11)

For the purposes of the February meeting, the Commission should focus their review on Part I and Part II of the proposed policy. The intent of including these different parts in one policy is for ease of use and having all pertinent policies in one place as opposed to being scattered within the ordinance or elsewhere.

**The Commission will need to read the proposed draft policy prior to the meeting. It is imperative to read and bring notes and comments for discussion. If everyone reads and brings notes/comments it will make the discussion much easier. Please read the draft policy!**

**Action:**

Review the draft Commons Use Policy and provide guidance and make recommendations to include in the final draft to be reviewed by City Council. .

The Excelsior Park and Recreation Commission (EPRC) is entrusted by the City of Excelsior and its residents with the responsibility of advising the City Council to manage The Commons for the enjoyment of all persons.

*The Commons* means the Commons Park and adjacent port area as well as the public right of way along Lake Street and East Lake Street adjacent to The Commons and the port area.

The Excelsior City Council and the EPRC recognize that inappropriate and overuse of The Commons resources is against the interest of the City of Excelsior and its residents because it leads to a depletion of those resources. The Commons provides a venue, that if left open to unrestricted use would jeopardize the sustainability of those public resources and unreasonably impact adjacent neighborhoods and community. The EPRC also recognizes that the community is best served when the Commons is actively used. Therefore, The Commons use, and the protection of park resources require policy guidelines that balance these interests.

Overall, this document aims to align within the existing EXCELSIOR CODE OF ORDINANCES Chapter 24 PARKS and RECREATION and ARTICLE XIV. - SPECIAL EVENTS [6]. The goal is to add supplemental guidance and emphasis specific to Commercial Use of The Commons as well as Guidance on Donations and Naming for the City Council to consider.

The EPRC is committed to accommodating and balancing the interests of all users with reasonable access and appropriate use of The Commons and its amenities, in order to sustain the quality, accessibility, and vitality of the Commons now and in the future.

**Part I: Commercial Use Guidance** (as far as I can tell this would be new content that is not specifically addressed in the existing Ordinances)

1. WHAT IS COMMERCIAL USE OF THE COMMONS? Commercial use is defined as any activity beyond a special event conducted for commercial gain where there is a fee or other monetary barrier to entry. “Commercial use” includes any commercial activities taking place on Commons property that is associated with any trade, occupation, profession, business, franchise, not-for-profit or school use. “Commercial use” does not include activities conducted on Excelsior’s behalf or in conjunction with the City of Excelsior.
2. WHY DO I NEED PERMISSION? Commercial use of the Commons is unlawful without first obtaining permission. Commercial use permission does not grant exclusive use of space. Permission is revocable at will. Participants must share the designated areas with other users and cannot block public access. Participants may need to share designated areas with other uses.
3. WHAT ACTIVITIES ARE AUTHORIZED UNDER COMMERCIAL USE? Authorized uses are focused on enjoyment of the park and lake without interfering with the use of the Commons as it is today. Authorized activities are:
  - a. Recreational in nature
  - b. All use is open to the public
  - c. Do not impede upon view corridors or aesthetics of the park

- d. Be low noise, have minimized light pollution and be low impact in nature
  - e. Will not restrict or impede access for the general public
  - f. Must not conflict with recreational programming offered by Excelsior
  - g. Will not pose a safety risk to persons or property, and
  - h. Will not create an undue burden on the Commons property including managing any waste generated by the activity
  - i. Given the four seasons in Minnesota, seasonality and winter use will be considered
  - j. **Would Yoga/Fitness other types of classes be included and/or called out in some way?**
4. CAN THE ACTIVITIES HAVE A PHYSICAL STRUCTURE? Any structure needs to be temporary and cannot impede upon view corridors or aesthetics of the park.
- a. Any temporary structure can remain only during the relevant season.
  - b. Cannot exceed 10x12 ft without special permission
  - c. Cannot go beyond the bounds of the 10x12 area for storage, equipment or any other reason
  - d. Any outdoor auxiliary power requires additional city permission
  - e. Must be kept organized, neat and tidy at all times
5. WHAT ACTIVITIES ARE NOT AUTHORIZED UNDER COMMERCIAL USE? Any activities that violate the provisions set forth in Question #3 are not authorized. Additionally, not authorized:
- a. Any request that would create a conflict of interest of programs provided by the city of Excelsior
  - b. Any permanent structures
  - c. Structures that are not removed for the seasons they are not used
  - d. Prohibiting general public visitors from any portion of a park amenities
  - e. Posting of physical advertisement
  - f. Selling merchandise or vending of any type on park property is not allowed
  - g. Commercial filming/photography of any kind is not allowed on park property without the proper permission from the City of Excelsior
  - h. Distributing fliers, leaflets or pamphlets to park visitors by placing them on vehicles parked within the Commons is banned.
  - i. **Are there types of classes excluded such as Dog Training?**
6. DOES PERMISSION GIVE ME EXCLUSIVE USE OF THE PARK PROPERTY? No, it does not. Permission does not grant exclusive use of space. Permission provides for the activity in the designated areas and is revocable at will. Participants must share the designated areas with other users and cannot block public access. Participants, if needed, may need to move or share space.
7. CAN I CONDUCT BUSINESS IN THE PARK WHEN THERE ARE SPECIAL EVENTS HAPPENING? No. There are specific dates when annual or community events take place in the parks. The event organizers hold the permit to the park site for the event dates and have

precedence. In some cases, you may be able to arrange to vend at an event by working directly with the organizer. Separate fees may apply.

8. **WHAT IS THE APPLICATION PROCESS?** Your request is reviewed by the Parks and Recreation Commission who makes a recommendation to the City Council. This process may take up to XX days. A new request is needed each calendar year in January.
9. **WHO DO I CONTACT FOR MORE INFORMATION ON COMMERCIAL USE OF EXCELSIOR COMMONS?** Please contact XXXX.
10. **WHAT ARE THE PERMITTING FEES AND INSURANCE REQUIREMENTS?** Details to be added. A Certificate of Insurance proving that the applicant has Comprehensive General Liability insurance to cover any liability claims, whether personal or damage, which may occur during use of the park property. The City of Excelsior must be named an additional insured on the policy, and the policy must meet the limits specified in the Hold Harmless Agreement of the Commercial Use of Park Property application. **BASIC PERMIT REQUIREMENTS: CGL LIMITS \$1,000,000 CSL PER OCCURRENCE, \$2,000,000 AGGREGATE.**

**PART II: Park Donations & Naming** (as far as I can tell this would be new content that is not specifically addressed in the existing Ordinances)

**INTRODUCTION**

An important element of the Excelsior Commons is to serve the community through safe and enjoyable park usage. Donations are important to help support this and are welcomed and encouraged. Occasionally, additional support opportunities may be offered in the form of naming requests.

**PURPOSE**

The intent of this policy is to establish procedures and guidance for considering park donations in a way that is flexible and responsive to the needs of the donors. It also highlights important elements for donors to consider before making offers of such support.

In terms of naming requests, these are often complex and sometimes emotionally evocative as naming can create strong identities. The naming of park recreation facilities also requires significant resources in terms of changing names on signs, maps, and literature. In addition, frequent name changing can be the source of confusion to the public. These types of requests require particularly careful consideration for which this policy is intended to provide guidance.

**DEFINITIONS**

**Donation:** Donation of funds, land, facilities, equipment, and/or physical objects. Signage, display boards or banners are excluded.

**Memorial Plaque:** A specific type of donation in the form of a plaque installed at ground level or attached to an approved object

**Park Amenity:** Park improvements that contribute to the traditional use of park land, including but not limited to benches, gardens, art installations, peace poles, play structures, picnic tables/shelters, sport facilities, small plaques, and the like

**POLICY**

The Recreation & Parks Commission will be responsible for advising City Council regarding this policy and to establish a review process for approving and installing donations or naming of park facilities. This policy does not cover signage, display boards or banners.

Donations will be considered from public and private sources for the purposes of enhancing the Commons and will become the property of the Excelsior.

Donations will be accepted for either, restricted or unrestricted use, per the wishes of the person, group, or business making the donation. Unrestricted donations will be dispersed to the area of greatest need at the sole discretion of the Excelsior City Council as advised by the Parks and Rec Commission.

Donations will be considered for areas in the Commons at the sole discretion of the Commission and the City. No area where human activity is discouraged or areas that protect habitat and sensitive lands will be considered.

All costs associated with a donation will be considered on a case-by-case basis.

New recreation facilities within parks may be dedicated or named to acknowledge exceptional civic service or in return for significant financial contributions that will further the capacity to address the needs of the Commons.

City of Excelsior reserves the right to deny any donation or naming request if it is not in the best interest of Excelsior or the Commons, or does not fit the make up or proposed concepts of the Commons.

## **PROCEDURES**

### **Approval Process**

All donations meeting approval criteria will be managed administratively by XX. For donations that require installation, appropriate approval of the donation must be obtained before installation may begin. Once installed, the donation becomes the property of the Excelsior.

All gifts of real property and/or naming requests will be submitted through Department Staff and forwarded to the Parks and Recreation Commission for review, and then to the Excelsior City Council for final approval.

If a proposal does not meet the approval criteria, the donor will receive written notification, within XX days of submittal.

### **DAMAGES & TERM OF DONATIONS**

The term of a donation will be for the life of the asset. The City will make every practical effort to repair damaged donations. However, the City is not responsible for replacing donations due to excessive damage, loss, or vandalism. The City will attempt to contact the donor to inform them of the loss. The donor may choose to replace the donation at their own expense.

### **NAMING**

For naming of major donations, a minimum donation amount will be determined on a case-by-case basis by the City Council, in consultation with the Parks and Recreation Commission and City Superintendent.

To be considered for naming, the following must be taken into account:

- Contribution for the costs associated with developing a park recreation facility, park area or installation.
- Provision of an endowment for the continued maintenance of a park recreation facility, park area or installation.

Renaming a Park area, garden, installation and/or Recreation Facility

Proposals to rename parks and/or recreation facilities, whether for a major donation or community request, are not encouraged.

Likewise, names that have become widely accepted by the community will not be abandoned unless there are compelling reasons and strong public sentiment from the broader community for doing so. Historical or commonly used place names will be preserved wherever possible.

## **CRITERIA**

**The following criteria must be met for any donation or naming request to be considered:**

- Does not discriminate against any person on the basis of race, color, creed, religion, gender, sexual orientation, age, marital status, ancestry, national origin, or physical or mental disability, in compliance with all federal, state, and local laws and statutes; and
- Does not have connotations that by contemporary community standards are derogatory or offensive.
- Does not promote environmental, work, or other practices that, if they took place in Excelsior, would violate U.S. or state law (i.e., dumping of hazardous waste, exploitation of child labor, etc.).
- Does not promote drugs, alcohol, tobacco, or marijuana.
- Does not constitute violations of law.
- Does not participate in unethical business practices as determined by a court of law.

**Proposed donations may be incorporated into the landscape of the Commons according to the following:**

### **General Criteria:**

- Donations must be compatible with and meet a specific Commons facility or amenity need, and when applicable, identified in an approved park master plan.
- Donations will be considered for areas in the Commons at the sole discretion of the Commission and the City. No area where human activity is discouraged or areas that protect habitat and sensitive lands will be considered.
- In areas not covered by **master plans**, compatibility with existing facilities and local conditions shall be considered if the donation meets a specific Commons need.
- Age and anticipated general condition of the donation.
- Anticipated maintenance requirements.

### **Specific Criteria:**

- **Memorial Plaques-** Memorial plaques will be permitted only in conjunction with the donation of a new item such as a bench, tree, rock, etc.
- **Memorial Benches-** Commons has a standard style of XX and a maximum capacity of XX benches in the Commons
- **Cash Donations-** Unspecified cash donations may be used to build, repair, or upgrade existing or new Commons facilities or amenities at the City Council's discretion.
- **Structures, Site Furnishings, Plants or Trees-** There are general aesthetic standards for the Commons (see Master Plan?). Donations will maintain these aesthetic standards.

- **Artwork**- Donations of art, or cash to purchase or commission art, must be reviewed by the Recreation & Parks Commission with the location of installation approved by the City Council.
- **Gardens** -Donations to landscape or create a specific garden must meet the general aesthetic standards for the Commons. Donations will maintain these aesthetic standards.

## **MEMORIAL PLAQUE GUIDELINES**

- Memorial plaques and installation components need to be provided by the donor and shall be a bronze marker either installed at ground level or attached to an approved object.
- City staff reserve the right to perform or supervise the installation.
- The plaque size will be established by specified use, with a maximum number of text lines and restricted font.
- Memorial Plaque variation will be allowed only upon approval of the Recreation & Parks Commission.

### **Pre-approved Plaque Sizes:**

- 2.5" x 6.5" – No larger than 2.5 inches wide by 6.5 inches long with a limit of four lines of text. Drill holes must be located ¼ inch from each side edge. Typical application is directly affixed to a park bench.
- 10" x 10" – No larger than 10 inches wide by 10 inches long with a limit of 9 lines of text. Typical application is placement on a rock or concrete base.

### **Pre-approved Text:**

- The City must approve all text for Memorial Plaques.
- Suggested Text: In Honor of: In Memory of: In Celebration of: Dedicated to:

## **REMOVAL OF MEMORIAL PLAQUE OR REVOCATION OF NAMING OF A DONATION**

The City may remove a memorial plaque or revoke the naming of a donation if one or more, but not limited to, the following situations occurs:

- It is determined that association with the donor or named person or group will materially damage the reputation of the Town.
- If the individual or group listed on the memorial plaque or for whom a donation is named is convicted of a felony or otherwise engages in conduct that is harmful to the reputation of the Town.
- If the donor fails to maintain payment on a pledge upon which the naming was bestowed.
- Other circumstances/situations may be considered to protect the best interest of Excelsior.
- In the event such a decision to remove a memorial plaque or revoke a named donation is made, the City will inform the donor in writing.

The City of Excelsior holds all communications with donors and information concerning donors and prospective donors in strict confidence.

### Part III: Special Events

The content that follows is an extract of *ARTICLE XIV. - SPECIAL EVENTS*. This Article applies to the entire City of Excelsior. Are there elements that we need to call out or adjust specifically for special events located in THE COMMONS?

*While Excelsior welcomes its role as a regional destination, it owes its residents and businesses the space to live and work without excessive interruption by special events. It also has limited public safety staff and resources—which it must share with its neighboring communities—to dedicate to special events.*

*With respect to The Commons Park, the council finds that excessive use can have an adverse effect on the condition of the turf and impose additional maintenance expenses. It is the purpose of this article to balance the community's interest in serving as a regional destination with its limited capacity for supporting such events and its residents' and businesses' legitimate interest in limiting the number of days each year when special events occupy The Commons.*

#### **Special Events within The Commons:**

1. WHAT IS CONSIDERED A SPECIAL EVENT? *Special events in The Commons* is an event or happening organized by any person, firm, organization, or corporation which will generate or invite considerable public or private participation and/or spectators, for a particular and limited purpose and time. Events may include:
  - a. athletic events,
  - b. boat shows
  - c. bicycle rides
  - d. carnivals
  - e. concerts,
  - f. dances,
  - g. fairs,
  - h. farmer's markets,
  - i. festivals,
  - j. flea markets,
  - k. parades,
  - l. parties,
  - m. reunions,
  - n. runs and walks,
  - o. vehicle shows
2. ARE THERE LIMITATIONS ON SPECIAL EVENTS?
  - a. Events cannot be carried on between the hours of 10:00 p.m. and 7:00 a.m. Activities prior to 7:00 am that are necessary to prepare for the event will be subject to conditions of the specific permit.
  - b. A special event permit will include specific conditions. This can include any number of conditions deemed appropriate for the event. Examples include:

- i. The number of persons authorized to be in attendance,
  - ii. The time during which the special event is permitted (including time for set up before and clean up after the special event),
  - iii. Time limitations on the use of amplified sound,
  - iv. The physical boundaries of the permitted special event.
  - v. Patrons are not allowed on the location later than the time set in the permit.
- 3. ARE THERE SPECIAL EVENTS THAT DO NOT REQUIRE A PERMIT?
  - a. Special events attracting attendance of less than 50 people provided these events do NOT include:
    - i. ancillary equipment (such as air supported amusement structures, motorized vehicles, or other equipment that needs to be tethered to the ground or transported to and from the event site via a motorized vehicle,
    - ii. food trucks
    - iii. service of alcohol
    - iv. commercial enterprise
  - b. Community athletic events attracting less than 100 spectators that have made reservation arrangements with the city.
- 4. WHAT SPECIAL EVENTS ARE NOT ELEGIBLE TO TAKE PLACE IN THE COMMONS? **This is not specifically addressed in Article XIV.**
- 5. HOW ARE SPECIAL EVENTS CATEGORIZED TO MANAGE THE DEMAND? The city council has determined that there must be a limit on the number and frequency of events that impose burdens on the quality of life of the residents and city resources such as police and fire/medical services. Three levels of events have been identified to support this effort.
  - a. Level 1 events do not impose a substantial burden on quality of life or city resources and, accordingly, there is not a need to impose a limit on the number and frequency of such events. (50—199 people)
  - b. Level 2 events may impose substantial burdens of resident quality of life and city resources (200—1,999 people)
  - c. Level 3 events do impose substantial burdens on resident quality of life and city resources (2,000 or more people)
    - i. Levels 2 and 3 have reasonable limits on the number and frequency of these events
    - ii. Historically, the burdens imposed by such events have been most problematic during the summer months (May—October).
    - iii. Accordingly, the total number of special event permits issued during each of the summer months needs to be limited as follows. Limitations are based on the council's review of the historical experience of the community. They account for city-sponsored events subject to agreements between the city and the event organizer that are not otherwise covered by this Article XIV. The city council shall review these limits annually and adjust them as necessary to achieve the goals of this chapter.

| Month | Days without Level 2 or 3 Events |
|-------|----------------------------------|
| May   | 23 (max days w/ = 8)             |

|           |                      |
|-----------|----------------------|
| June      | 18 (max days w/=12)  |
| July      | 17 (max days w/=14)  |
| August    | 23 (max days w/ = 7) |
| September | 24 (max days w/ = 6) |

| Month     | Level 1 Events | Level 2 Events  | Level 3 Events |
|-----------|----------------|-----------------|----------------|
| January   | No limit       | No Limit*       | 0              |
| February  | No limit       | No Limit*       | 1              |
| March     | No limit       | No Limit*       | 0              |
| April     | No limit       | No Limit*       | 0              |
| May       | No limit       | 4 Events/5 Days | 0**            |
| June      | No limit       | 2 Events/3 Days | 0**            |
| July      | No limit       | 3 Events/6 Days | 0**            |
| August    | No limit       | 1 Event/1 Day   | 0**            |
| September | No limit       | 1 Event/1 Day   | 0**            |
| October   | No limit       | No Limit*       | 0**            |
| November  | No limit       | No Limit*       | 0              |
| December  | No limit       | No Limit*       | 0              |

6. WHAT IS THE LEAD TIME FOR THE APPLICATION SUBMISSION?

- a. No more than 365 days prior to the event.
- b. Applications for level one special events (50—199 people) - no less than ten days prior to the event unless such event requires staffing of public safety personnel, in which case the application needs to be submitted no less than 21 days prior to the event.
- c. Applications for level two special events (200—1,999 people) - no less than 30 days prior to the event.
- d. Application for level 3 special events (2,000 or more people) - no less than 60 days prior to the event.

**\*\* THERE IS NOTHING NOTED ABOUT FOOD TRUCKS AND THEIR LOCATION OR LIMIT OR PORTABLE RESTROOMS, DO WE NEED THIS?**

## **PART IV: EXCELSIOR CODE OF ORDINANCES Chapter 24 PARKS and RECREATION**

Do we want to add anything to this Ordinance such as:

### **Photography and videography**

What if I want to film a short movie or a commercial?

Any photography or videography in City parks, when used for commercial use, requires a permit. "Commercial filming" is defined as the film, electronic, magnetic, digital, or other recording of a moving image by a person, business, or other entity for a market audience with the intent of generating income. If you plan to use your film to develop business for your company or organization then you must obtain a permit.

Student films, videos of your family in a park, taking senior photos, wedding pictures or other personal uses do not require a permit.

### **Drone usage**

A City permit is not required for drone usage in City parks. We ask that you follow all FAA guidelines and regulations when using your drone.

### **Metal Detecting**

Regarding regulations around using a metal detector in parks, walking in a park with a hand-held instrument that detects metals is allowable. Using motorized equipment or disturbing the ground to look for or retrieve something is not permitted

[https://library.municode.com/mn/excelsior/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH24PARE](https://library.municode.com/mn/excelsior/codes/code_of_ordinances?nodeId=PTIICOOR_CH24PARE)

**City of Excelsior  
Park Capital Improvement Fund  
As of 01/31/2025**

|                                                                   | <u>2025 Budget</u> | <u>JANUARY Actual</u> | <u>2025 YTD<br/>Actual</u> |
|-------------------------------------------------------------------|--------------------|-----------------------|----------------------------|
| <b>PARK IMPROVEMENT FUND</b>                                      |                    |                       |                            |
| <b>Park Improvements</b>                                          |                    |                       |                            |
| <b>Revenue</b>                                                    |                    |                       |                            |
| Interest Earnings                                                 | 10,000             |                       | -                          |
| County Grants                                                     |                    |                       |                            |
| Contributions and Donations                                       | 40,000             |                       |                            |
| Charitable Gambling - Designated Donations                        | 15,000             | 3,700                 | 3,700                      |
| Park Dedication Fees                                              | 10,000             |                       |                            |
| Miscellaneous (Winter Storage)                                    | 21,755             | -                     |                            |
| Transfers From Other Funds                                        | -                  | -                     | -                          |
|                                                                   | <u>96,755</u>      | <u>3,700</u>          | <u>3,700</u>               |
| <b>Expenditures</b>                                               |                    |                       |                            |
| Professional Services                                             | 10,000             |                       |                            |
| Engineering Fees                                                  | 1,500              |                       |                            |
| Other Equipment                                                   | 50,000             | 12,791                | 12,791                     |
| Charitable Gambling Expenditures - C4C                            |                    |                       |                            |
| Improvements Other Than Bldgs                                     | 248,000            |                       |                            |
| Improvements - Playground Equip                                   |                    |                       |                            |
| Improvements - Charitable Gambling                                |                    |                       |                            |
| Transfers To Other Funds                                          |                    |                       |                            |
|                                                                   | <u>309,500</u>     | <u>12,791</u>         | <u>12,791</u>              |
| Net Change in Fund Balances                                       | <u>(212,745)</u>   | <u>(9,091)</u>        | <u>(9,091)</u>             |
| <b>Cash Balances</b>                                              |                    |                       |                            |
| Cash Balance -01/31/2025                                          |                    |                       | 788,010                    |
| Designated for Playground Equipment                               |                    |                       | 3,926                      |
| Committed for Commons Master Plan - Charitable Gambling Projects* |                    |                       | 138,752                    |
| Committed for Commons Master Plan                                 |                    |                       | -                          |
| <b>Balance Available for Park Projects</b>                        |                    |                       | <u><b>645,332</b></u>      |
| Fund Balance                                                      |                    |                       | <u>788,010</u>             |