

**BRAINERD PARKS AND RECREATION DEPARTMENT**

Regular Park Board Meeting

Monday, March 30, 2009 at 3:30 p.m.

Brainerd City Hall Conference Room

**I. Call to Order**

**II. Approval of Consent Calendar**

(All matters listed in this form are considered routine by the board and will be enacted by one motion.)

**A.** Approval of the minutes of the regular meeting held February 25, 2009, as distributed

**B.** Approval of the disbursements for the month of March 2009

**III. Old Business**

**A.** Tree Preservation Ordinance

**IV. New Business**

**A.** Mills Field Restrooms Request

**B.** NEBRA Flowerbed

**V. Director's Report**

**VI. Public Forum**

**VII. Additions to Agenda**

**BRAINERD PARKS AND RECREATION DEPARTMENT**  
**Regular Park Board Meeting**  
**March 30, 2009 at 3:30 p.m.**  
**City Hall Conference Room**

Pursuant to due call and notice thereof, the regular meeting of the  
Parks and Recreation Board was called to order at 3:30 p.m.

Present were Chairman Marty Johnson, Greg Roberts, Howard "Jiggs" Blanck, Brian Phelps, Barbara Egan, City Council Liaison Anne Nelson Fisher, Recreation Coordinator/City Forester Bonnie Muzik and Park Director Wayne Mooney. Also noted present were City Planner Mark Ostgarden, Planning Commission Chairman Bob Sherman, Joel Sutherland of Brainerd Lakes Area Lunkers and Mayor James Wallin.

**MOVED AND SECONDED BY BLANCK AND ROBERTS,  
DULY CARRIED TO APPROVE CONSENT CALENDAR AS PRESENTED**

- A. Approval of the minutes of the regular meeting held February 25, 2009**
- B. Approval of the disbursements for the month of March 2009**

**OLD BUSINESS**

**A. Tree Preservation Ordinance**

Planning Commission Chairman Bob Sherman shared background information on the proposed Tree Preservation Ordinance. He distributed excerpts from Brainerd's 2004 Comprehensive Plan that the Commission used as a guide for the ordinance. Commission members also reviewed tree preservation ordinances from other Minnesota cities, and used language from Alexandria's tree ordinance. He stated that Brainerd's proposed ordinance is more lenient than Alexandria's by excluding existing one and two-family homes. The Planning Commission is in the process of reviewing, updating and refining all of Brainerd's zoning ordinances, many of which have not been reviewed for 50 years. He referred to Section 515 of the proposed ordinance, noting that it is in the best interest of the City to promote orderly development while protecting and preserving the City's natural resources and environment. Mr. Sherman reported that a number of citizens attended public hearings and expressed support for a tree preservation ordinance. He also referred to a list of Minnesota cities that currently have tree ordinances.

Current city code has no restrictions on clear-cutting land for development. Mr. Sherman named Northtown, Dumbeck and the Bang Printing properties, as well as the City of Baxter as examples of clear-cutting for development. Park Board members pointed out that the Northtown property had no trees to begin with.

Mr. Sherman continued, saying that the ordinance would allow larger developments that clear a lot of trees ways to mitigate the required number of trees by planting like trees elsewhere, or paying fees into a tree fund for the Park Board to use however it wants. City Planner Mark Ostgarden said he thinks too much emphasis has been placed on what trees the ordinance should or should not recommend, and that the tree list shouldn't hold up approval of the ordinance. He also stated that he does not believe that city staff will be overburdened in any way by the ordinance, and that it will not need to be administered on a daily, weekly or even monthly basis, but only when development is happening. Mr. Sherman said this tree ordinance is for the future, and is meant to be a long-term ordinance. He expressed hope that the Park Board would join the Planning Commission in supporting the ordinance.

Mr. Phelps asked how it differs from the green space ordinance. Mr. Ostgarden responded with an example of a current office development on Laurel Street. The tree ordinance would not come into play because there were no trees there to begin with, but the green space ordinance would apply. Mr. Phelps wanted clarification that the ordinance would apply had there been trees on the property.

City Forester Bonnie Muzik asked what the ordinance defined as a "significant tree". Mr. Ostgarden said the size of the tree determines its status.

Board Chairman Marty Johnson said we don't want to discourage new businesses from building in Brainerd by having more restrictions and costs associated with development. It will make people develop elsewhere. He went on to say there is no data to support the need for this ordinance, and he feels it is just another way to gain money from developers. There is no inventory of how many trees there were ten years ago versus now. He questioned if there even is a problem. Mr. Ostgarden responded that we haven't lost trees, but are we willing to risk the integrity of our natural resources by leaving the issue up to developers.

Mr. Phelps again expressed concern about the cost of staff time to enforce the ordinance. Ms. Muzik is already responsible for tagging and overseeing removal of 100-150 diseased or hazardous trees annually. Mr. Ostgarden said he would count the trees if necessary. He also said the new zoning ordinance is chockfull of changes, and it will mean a learning curve for citizens.

Mr. Phelps asked how this would affect the development of Trailside Park, where the Park Board wants to put in softball and soccer fields. Mr. Ostgarden said if more than 20% of trees are taken down, the Park Board would need to mitigate the replacement of trees. He went on to say the Council would have to weigh one board against the other, as there is a difference in philosophy between the two boards.

Mr. Blanck expressed his concerns about crippling businesses that want to come in with another fee. He feels that until you have more land to develop in Brainerd, it's an unnecessary item. He doesn't think we have a problem.

Mr. Jim Chamberlin of the Crow Wing Soil and Water Conservation District shared that while he didn't have local data, we been losing urban forest in the last 30 years on a national scale.

Park Board Chairman Marty Johnson said he was against putting an ordinance in place with no data to support it. Mr. Phelps asked about Baxter; Mr. Sherman responded Baxter doesn't have a tree preservation ordinance.

Mr. Blanck asked what other issues besides tree preservation were important issues in the Comprehensive Plan. Mr. Sherman responded that a couple of years ago the Commission met with the Park Board, and the two groups agreed on a Master Trail Plan for the city. Mr. Ostgarden mentioned the downtown restoration that is ongoing. Mr. Blanck remembered trees that were planted downtown that didn't last and had to be taken out. Ms. Fisher contributed that she had read that a property with mature, healthy trees has a 15% higher property value. She has also talked to a lot of Brainerd residents that are all very concerned that we do something to protect trees.

Mr. Johnson stated that he thinks most people like trees, and one of the first things a new homeowner typically does is plant trees. He just doesn't feel that it is necessary to have an ordinance that tells people how many and what kind of trees to plant. Ms. Muzik commented that others prefer shrubs, flower or vegetable gardens, or rain gardens.

Mr. Ostgarden added that trees are a community-wide asset, and the Planning Department feels so strongly about this, that it will find other ways to enforce the ordinance if need be.

Mr. Johnson said this ordinance will still cost the city to enforce, and now is not a good time when we are in a budget crunch and already cutting maintenance services in the Parks Department for 2009. Mr. Sherman said the Commission is aware of development issues, which is why, after meeting with the City Council, they took existing residential out of the ordinance. Mr. Phelps then asked why just go after developers? Ms. Egan asked why either/or, just apply it to new, undeveloped property. Ms. Fisher mentioned there would be another public hearing next month, before moving on to Council.

Chairman Johnson asked if the Park Board wanted to change its recommendation to the Planning Commission. Board members were unanimous in responding "no".

## **NEW BUSINESS**

### **A. Mills Field Restrooms Request**

Mr. Joel Sutherland with the Brainerd Lakes Area Lunkers was on the agenda to ask the Park Board's help with the restroom issue at Mills Field. He realizes that funding is always the problem. Director Mooney suggested starting a fund like we did for the batting cages, and when we have enough donations either buy or build new restrooms.

Chairman Johnson mentioned a recent anonymous donation directed for Mills Field, of which approximately \$4,000 could be used as matching funds for a restroom project. Mr. Blanck asked if we could use campground fees or dedication funds. Mr. Sutherland said somewhere along the line, something more permanent is needed, especially for the ladies, but for this year he was looking at renting portable restrooms at \$2,000 per unit per month. He said the long-term would depend on how many they can draw to the games. Mr. Johnson responded that the department doesn't get much rent for Mills Field, and what we do get goes to the field, so spending \$20,000-\$30,000 is hard to justify. He added that the Board wants the team to succeed. Mr. Sutherland is positive there is more the team can do at the facility, such as a Twins alumni event. Mr. Blanck asked if there might be a lease to buy option available for the restroom trailers. Mr. Mooney reported that a trailer with three private stalls would cost roughly \$20,000.00. Ms. Fisher asked if the trailers are handicap accessible. Mr. Mooney said they could be. Mr. Johnson suggested taking some of the donated money and look at a lease to buy. He would hate to throw \$8,000 away on rentals, and need them again next year. He suggested that Mr. Sutherland and Mr. Mooney come back next month with more information. Mr. Blanck said we could call a special meeting if necessary. Mayor James Wallin said that he has talked to a lot of people who don't go to games because their wives/daughters don't like the restroom facilities at Mills Field. The Park Board agreed to match up to \$4,000 for a restroom solution at Mills Field, using the anonymous donation money.

### **B. NEBRA Flowerbed**

The Northeast Brainerd Resident's Association had several representatives in attendance. NEBRA is proposing a Lum Park flowerbed project. The group provided a sketch of the project, and a photo of an example of the type of flowerbed they want to put in. NEBRA will provide all materials and labor, and will maintain the gardens on a set schedule from spring until freeze-up in the fall. The only maintenance that would be required of Park Department staff would be mowing around the gardens. Mr. Blanck moved to accept NEBRA's flowerbed project. Mr. Phelps seconded. Board approval was unanimous.

### **DIRECTOR'S REPORT**

Director Mooney reported that he is waiting on the DNR grant for the Trailside Park entrances.

### **PUBLIC FORUM**

Mr. Blanck asked what is the status of the vacant lots in Northeast Brainerd, and if the younger youth could use it. Ms. Muzik and Mr. Mooney said it would need fencing. Mr. Blanck asked if we could get bids on fencing. Mr. Mooney estimated fencing would cost roughly \$10,000.00, and he will get quotes for the next meeting.

### **ADDITIONS TO AGENDA**

### **NEXT MEETING**

Monday, April 27, 2009 at 3:30 p.m. in the conference room at City Hall.

### **ADJOURNMENT**

A motion to adjourn was made at 4:55 p.m. by Mr. Phelps. Mr. Roberts seconded.

Respectfully submitted,

Jim Finch, Administrative Specialist