**MINUTES**
**CITY OF ELKO NEW MARKET**
**PARKS COMMISSION MEETING**
**OCTOBER 9, 2024**
**6:00 PM**

## 1. CALL TO ORDER

Chair Sutton called the meeting of the Elko New Market Parks Commission to order at 6:02 p.m.

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| Commission members present: | Sutton, Vernon, Jones, Hokeness and West |
| Members absent and excused: | None |
| Staff Present: | Planner Jake Skluzacek, Maintenance Worker Derek Cavanaugh |

## 2. PLEDGE OF ALLEGIANCE

Chair Sutton led the Parks Commission in the Pledge of Allegiance.

## 3. APPROVAL OF AGENDA

Chair Sutton asked if there were any changes to the agenda. Planner, Jake Skluzacek, informed him that there were no changes to the agenda as presented. Staff have included an addition to the agenda to discuss the park dedication for the proposed Victory Fields development that was not included on the original agenda posted last week.

A motion was made by Hokeness and seconded by Jones to approve the agenda as presented.

Motion carried: (5-0).

## 4. PUBLIC COMMENT

There was no public comment.

## 5. APPROVAL OF MINUTES

Chair Sutton asked if there were any changes to the minutes. No changes were discussed.

A motion was made by Vernon and seconded by Jones to approve the minutes of the August 14, 2024; meeting as presented.

Motion carried: (5-0).

## 6. GENERAL BUSINESS

### A. Wagner Park Trail Extension Discussion

Planner Skluzacek introduced the item to the Parks Commission by presenting history on the topic. The Parks Commission was asked by a resident earlier in the year on March 12, 2024, to complete a trail connection from CSAH 2 to Wagner Park. The resident requested this due to safety concerns having people access Wagner Park from the north via Todd Street and as well increasing accessibility and visibility of park features. The Commission was in favor of the idea but did not have an identified funding source at the time of the request. The resident's specific request is included below:

"I request Staff and Parks Commission to research to determine if action should be taken for the construction of a trail connecting CSAH 2 and Wagner Park. Trail could run thru the Northwest section of the Park that isn't being used. This would create a safer alternative to get to the main area of the Park from CSAH 2. It would also give people a scenic view of the Park the isn't currently being used."

The potential trail extension was further discussed by Staff at an Engineering meeting on March 12, 2024. At the meeting, the City Engineer, Rich Revering, estimated the cost of the trail connection to be between $15,000-$18,000 for paving and materials if the Public Works Department were able to do the grading, base, drainage, and restoration work. This estimate was preliminary and would need to be adjusted to reflect accurate pricing for 2025 if the project cannot be completed yet this year. The identified source of funding for the proposed trail extension project is the City's Park Dedication Fund.

The item was identified by the Commission as a potential project at the June 12, 2024, meeting. At that meeting, Staff informed the Commission that the park dedication fees collected from the Niagara Bottling, LLC development had exceeded Staff's estimates. Staff informed the Commission that the City had received $185,000 in park dedication funds from the development. This is due to the land sale being more than Staff originally anticipated in the initial calculations on what the City would receive for park dedication. This would allow the City to potentially fund multiple projects that have been discussed previously but did not have the funding necessary to move forward. The Parks Commission agreed with the reasoning behind the resident's request and admitted that it may address a potential safety issue with people accessing the park via the streets to the north.

Although the proposed trail location is located entirely within City owned property, six single-family residential properties to the east would be most impacted by the creation of the trail. Some of these properties have gardens or other miscellaneous items located on City property. Staff believes the trail would cause minimal disruptions to these installations, but they remain unpermitted so long as they are located on City property. Additionally, seven more single-family residential properties to the west may experience some level of impact. Staff recommend that a community meeting be held if the Parks Commission decided to move forward with the Wagner Park trail extension project.

The Parks Commission was being asked to provide direction to Staff on how to proceed with the potential Wagner Park trail extension. If the Commission would like to proceed with the proposed trail extension, Staff would earmark funds in the City's Park Dedication Fund to complete the project. The work could possibly be bundled with existing work done in the City on an annual basis to further decrease potential costs; however, the project would be limited by the timing of the additional work. Due to the time of year and Staff's recommended community engagement component, this would likely be a 2025 project.

Commissioner Hokeness asked Staff whether the proposed trail would be 8 or 10 feet wide. Maintenance Worker Cavanaugh responded that most trails in the City are 10 feet so that they are wide enough to plow in the winter. The City would plow the proposed trail in winter as well.

Commissioner Hokeness stated his previous experiences in attempting to put in trails after homes have already been built and shared his difficulties related to those attempts. Hokeness mentioned that in his experience, it can be difficult to create trails near homes that have already been established.

Commissioner Sutton asked Staff if the location could be adjusted. Skluzacek replied that the proposed location marker was just a line on a map at this point for illustrative purposes and will most likely be adjusted if the project moves forward.

Commissioner West believed that the trail would help address safety concerns with people accessing the park via the current Todd Street entrance as there are no sidewalks or trails.

Commissioner Vernon wished to see what an open house on the subject would reveal about the neighborhood's opinions on a trail extension from CSAH 2 to Wagner Park.

There was additional discussion among the Commissioners about previous discussions related to the CSAH 2 pedestrian crossings. Maintenance Worker Cavanaugh reminded the Commission that the City does not have control for traffic control measures on the County Highway and ultimately any action would have to be taken by the County themselves.

A motion was made by Sutton and seconded by Jones to move forward with scheduling an open house on the topic with the surrounding neighborhood to gauge interest levels.

Motion carried: (5-0).

**B. Park Restroom Enclosures Discussion**

At the November 8th, 2023, Parks Commission meeting, Staff introduced a request to incorporate a surrounding or enclosure for the restrooms located at City Parks. It was decided at this meeting that each restroom enclosure would be handled on a case-by-case basis in relation to design options. All options would be made using UltraDeck maintenance free material. Staff anticipated completing one enclosure per year for existing restrooms, starting with the newest proposed restroom at Boulder Heights Park.

Staff have envisioned the restroom and enclosure to be near the walking trail and playground along Oxford Avenue. This would allow for the easiest access to the site for visitors and contractors who will be doing routine maintenance. While determining possible locations for the restroom, Staff had concerns that the enclosure, which would be considered a fence, may not meet some of the requirements listed in the section of the City's Zoning Ordinance related to fences. The proposed enclosure or fence would be categorized as any patio, trash container, or utility screen located at least five feet from a property line and with a length of less than thirty-two feet. This would exempt the enclosure from requiring a permit, although other requirements must still be met as follows:

- The enclosure shall not exceed eight feet in height, except by conditional use permit.
- No fences shall be located within the front yard of any low-density residential zoning district. Boulder Heights Park is located on a corner lot and therefore has two front yards.
- Fences for special purposes and fences differing in construction, height, or location, may be permitted in any district, only by issuance of a conditional use permit and upon evidence that the special purpose fence is necessary to protect, buffer, or improve the premises for which the fence is intended.

One of the possible solutions would be issuing a conditional use permit for the enclosure as a Special Purpose Fence. This would need to be done for each new enclosure that did not meet fence requirements. Instead, Staff recommend a Zoning Ordinance Amendment to create an exception for front yard fences for the purposes of screening portable restrooms. This would allow Staff to construct the enclosures in the future at locations that may not currently meet City fencing requirements.

The Parks Commission was being asked by Staff to provide feedback and guidance related to placement of a restroom enclosure in Boulder Heights Park.

The Commission agreed to move forward with recommending an amendment to the Zoning Ordinance relating to exceptions for front yard fences rather than handling each enclosure as a Special Purpose Fence and going through the conditional use permit process.

A motion was made by West and seconded by Jones to recommend an amendment to the Zoning Ordinance to the Planning Commission to allow for an exception for front yard fences for the purposes of screening portable restrooms.

Motion carried: (5-0).

**C. Victory Fields Park Land Dedication Discussion**

Planner Skluzacek introduced the application received for the property known as Victory Fields. The application from Tamarack Land and Victory Fields, LLC. was for a PUD, planned unit development, concept plan review for a single-family residential development on an approximately 50.44-acre property. The proposed development plan contained 148 single family lots.

Skluzacek showed a map indicating the surrounding neighborhood conditions adjacent to the proposed property and an overlay of the proposed development. Skluzacek explained to the Commission the City's park land dedication formula. The City can either receive 8% of the pre-developed land value for the property or 8% of the land to use for park facilities. This excludes areas proposed for road rights of way and any delineated wetlands.

The City's 2040 Comprehensive Plan does not identify any future park facilities on the property. There is a neighborhood park and community playfield identified adjacent to the property which would eventually serve the proposed property as surrounding land develops. Currently the site would be served by the playground located at Eagle View Elementary School which is not a City park. Part of the eastern portion of the property would also be served by Wagner Park. For these reasons, Staff is recommending cash-in-lieu of park land dedication for the proposed development.

Skluzacek concluded his presentation by highlighting the requirements related to sidewalks and trails. Additionally, Skluzacek included information related to transportation and the street proposed to serve the development, 255th Street East. Staff were asking for the Commission to provide a recommendation related to the proposed development's park dedication requirements.

Commissioner Hokeness stated that he had visited the proposed property and believed it would make a good location for a future park. Hokeness admitted that due to the nature of the development there will most likely be a playground, but it could remain open space as well. Hokeness warned the Commission that once you get rid of land, you can not get it back so easily.

Several Commissioners had wished for more detail related to the property's sale price to gain a better understanding of how much the cash contribution would equal. Staff had estimated the cash contribution to be approximately $150,000 based on recent land sale prices although Staff did not know how much this property would be selling for per acre. Commissioner Sutton asked if it was possible to request more details before providing a recommendation. Skluzacek informed the Commission that a recommendation was unfortunately necessary this meeting as the concept plan is being planned for discussion at the October 29 Planning Commission meeting.

There was general agreement for recommending park land dedication in lieu of cash for the proposed development; although, two Commissioners were in favor of Staff's recommendation for cash-in-lieu of park land for this property as recommended by Staff according to the City's 2040 Comprehensive Plan.

A motion was made by Hokeness and seconded by Sutton to recommend for park land dedication in lieu of cash for the proposed development.

Motion carried: (3-2). Jones and West opposed.

## 7. UPDATES & REPORTS

### A. September Parks Commission Update

Planner Skluzacek had his report attached to the packet. Skluzacek mentioned that the City is hosting the annual Halloween Party at Eagle View Elementary School on October 26 from 10 a.m. - 12 p.m. and Commissioner participation is encouraged. There was no other discussion on the Parks Commission Update which was included in the packet.

### B. September Parks Financial Report

Planner Skluzacek had his report attached to the packet. There was no discussion on the Parks Financial Report which was included in the packet.

## 8. PARKS COMMISSIONER'S QUESTIONS & COMMENTS

Commissioner Jones asked for an update on City Park Facility Reservations. Skluzacek informed him that the City Council had directed Staff and the Parks Commission to perform some type of cost/benefit analysis to see how much revenue could be raised from private ballfield reservations. Skluzacek added that it not a high priority project but will be coming back to the Parks Commission at a future meeting.

Commissioner Vernon had a question on the call back hours listed in the September Parks Financial Report. Maintenance Worker Cavanaugh informed the Commission on the purpose of call back hours and listed some examples of what would commonly require a Public Works employee to be called back to work.

## 9. NEXT MEETING

The next regular meeting of the Parks Commission is set for Wednesday, November 13, 2024, at 6:00 p.m. at City Hall in the Council Chambers.

## 10. ADJOURNMENT

It was moved by Hokeness and seconded by Jones to adjourn the meeting at 7:14 p.m.
Motion carried: (5-0).

Respectively submitted by:

Jake Skluzacek
Planner 1