



## Meeting Minutes: Dakota County Planning Commission Advisory Committee Meeting Minutes

Date: 10/27/2022

Minutes prepared by: Liz Hansen

Location: Western Service Center, Conference Room L139

### Attendance

#### Members Present

- Greg Oxley
- Amy Hunting
- Jill Smith
- Barry Graham
- Anna Boroff
- Lori Hansen
- Tony Nelson
- James Guttman
- Jerry Rich
- John Ross
- Don Post

#### Staff Present

- Kurt Chatfield
- Liz Hansen
- Niki Geisler
- Jeff Bransford

#### Others Present

- None

### Meeting Called to Order

- Time: 7:02 p.m.
- By: Chair Oxley

### Audience items not on the agenda

- Comments/Notes: No one was present in the audience.

### Approval of Agenda

- Motion by: Commissioner Smith
- Second: Commissioner Hunting

- Vote: Unanimously approved.

## Approval of Minutes (from September 22, 2022)

- Motion by: Commissioner Graham
- Second: Commissioner Hansen
- Vote: unanimously approved.

## Item #1 Park Ordinance 107 Update – Review final draft

### (Niki Geisler and Jeff Bransford - Parks Department)

Jeff Bransford, Parks Administrative Manager, and Niki Geisler, Parks Director, presented the proposed Park Ordinance 107 draft and highlighted some issues.

Comments/Notes:

Questions and comments by Commissioners, along with responses from staff (*italics*):

Commissioners asked about how the public and park visitors will know about the park ordinance and park rules and regulations. *Staff responded that the ordinance will be available on the County web page but that a companion document will be developed that will be more user-friendly to understand and that park rules and regulations will be posted within the park and along greenways.*

Several specific questions/comments were raised regarding the current park ordinance 107.

- A commissioner expressed more clarity around the term “Authorized Adult.” Who else could be considered an authorized adult? *Staff agreed with the comment and acknowledged that a more precise definition might be needed to expand the term beyond that of a legal guardian.*
- Page 12 regarding scuba diving. A commissioner expressed concern that the public needs to be a certified scuba diver. *Staff responded that the ordinance currently prohibits scuba diving without a permit. The language within the permit could be revised to require certification.*
- Section H, #3 on page 13. A concern was raised about pedestrians and bicyclists sharing the same path and making sure that the bicyclists are going at a safe speed. *Staff agreed that a safe speed limit should be established.*

Several specific questions/comments were raised regarding the newer park ordinance 107 version.

- Chapter four, regarding pets in the park and mobility, is too narrowly written. Handicapped accessibility/accessibility needs to be included.
- As noted in Chapter five, disturbance of wildlife, “or hunting,” was added. It was suggested that staff revise the language to make it more clear that controlled hunts are an exception to the ordinance.
- In chapter 6, the word nuisance needs to be better defined. Who will determine or decide what is considered a nuisance? It should not be the responsibility of other park visitors to report or complain that the music is too loud or that activities are disturbing others. Parks staff and Dakota County law

enforcement should be able to determine what activities constitute a nuisance without relying on a complaint. *Staff agreed with the comment and recognized that nuisances need to be better defined.*

- Authorized natural resource activities performed by volunteers need to be exempted from the ordinance.
- Consider an exemption that allows for the feeding of wild animals if natural resource staff determine that there is a natural benefit.

There was a discussion about foraging and a concern that if foraging were completely unregulated commercial businesses may harvest large amounts of plants such as watercress and damage the natural environment. *Staff responded that the rules would need to be written to allow certain types of personal foraging without a permit, but beyond that, a permit would be required.*

Planning Commissioners discussed the proposed 20 mph speed limit on shared-use trails. Did the other park ordinances that staff reviewed comparable to other counties in the area? Did they use 20 mph bicycle speed limits? *Staff responded that other agencies use speed limits, but it depends on the agency, their desire, and their trails. The 20 mph designation came from Dakota County's Sheriff's Office. Staff agreed to review the speed limit language and decide whether the system speed limit is too high and whether slower speed limits could be placed on high-use or problem segments.*

There was a general discussion about what rules should be black and white in the Park Ordinance and what rules should be at the discretion of the Parks Director and more flexibly interpreted. It was suggested that major rule changes should be reviewed by the County Board, Planning Commission, County Board, or similar oversight committees.

Planning Commissioners discussed the need for noise regulation in parks. Are there noise limits in statute or enforced by other agencies? Commissioners emphasized the need for noise enforcement, especially amplified noise at group gatherings and from loud car audio systems. *Staff agreed with the comment and will investigate whether noise thresholds can be quantified.*

Planning Commissioners discussed the need for enforcement. A number of comments were made that enforcement levels need to be high enough for the ordinance to be effective. *Staff provided an overview of how Parks Lakes and Trails enforce the current ordinance. All nuisance and ordinance calls are currently addressed through the 911 dispatch system.*

Planning Commissioners encouraged staff to explore other ways to communicate and enforce the rules and regulations in the Parks Ordinance. It was suggested that providing a general number on signs throughout the park to either the Parks Visitor Center or Parks Maintenance may be an acceptable method to report minor or non-time sensitive violations of the Parks Ordinance. It was also suggested that the County explore whether minor violations of the Parks Ordinance could be addressed administratively (e.g. small fine) as opposed to resulting in a misdemeanor. *Staff responded that they are working with the County Attorney's Office on this issue and that new state legislation may be required.*

Was there a discussion on how Dakota County Staff would enforce the park ordinance? *Staff responded that they worked closely with the Sheriff's office and jointly requested an additional person at Lebanon Hills. This person is primarily patrolling in vehicles and responding to calls.*

## Planning Manager Update and County Board Actions at Physical Development Committee

Kurt Chatfield, Planning Manager, provided the Planning Commission with an update on the following County Board Actions:

- County Board approved the ACRE Plan
- The Physical Development Committee provided direction on Greenway Acceleration projects/funding levels
- A summary of bison emergency procedures was provided, as requested at the last Planning Commission meeting – a written report from Tom Lewanski

Comments/Notes:

Kurt informed the Planning Commission that the bison herd had arrived at Spring Lake Park.

Commissioners discussed the arrival of the bison and asked a few questions about bison management and safety procedures.

Kurt mentioned that staff continues to work on the Miesville Ravine Master Plan and is in the process of talking to Xcel energy about the power line that runs over Trout Brook at the main trailhead. Planning Commissioners encouraged staff to discuss whether there are opportunities to move or minimize the presence of the powerline.

## Upcoming Public Meetings – Community Outreach

Meeting	Details
Miesville Ravine Park Reserve Master Plan Update On-line Survey and story map	<a href="https://www.co.dakota.mn.us/parks/About/ParkMasterPlans/Pages/miesville-ravine-park-master-plan.aspx">https://www.co.dakota.mn.us/parks/About/ParkMasterPlans/Pages/miesville-ravine-park-master-plan.aspx</a> Available through November 6.
Dakota County Crisis and Recover Center (proposed on the Dakota County Northern Service Center grounds)  Open House, and meetings with City officials	Open House: November 10, 1pm and 6pm at the Northern Service Center, room 520.  West St. Paul Planning Commission: November 15  West St. Paul City Council: November 29

## **Topics for next meeting (Thursday, November 17, 2022)**

- None at this time.

## **Planning Commissioner Announcements/Updates:**

A planning commissioner suggested that people that violate the no-trespassing rule, such as at Spring Lake Park Reserve near the bison heard, be denied access to the park for a period of time. This enforcement suggestion comes from the Minnesota Zoo Board and what they do with people that trespass at the Zoo.

## **Adjourn**

- Motion by: Commissioner Hunting
- Second: Commissioner Nelson
- Vote: unanimously approved.
- Time: 8:26 p.m.

**Next Regular Meeting: Thursday, November 17, 2022, at 7:00 p.m., Dakota County Western Service Center, Apple Valley**