



Wayzata City Council Workshop Meeting Agenda
Wayzata City Hall Community Room, 600 Rice Street
TUESDAY, JANUARY 9, 2024

WORKSHOP TOPICS FOR DISCUSSION:

1. Discussion of American Legion Post 118 Request for Amendment to City Code Related to Pull Tab Operation (5:00-5:45 p.m.)
2. Discussion of Panoway Lakewalk and Dock Operating Policies (5:45-6:30 p.m.)



City Council Workshop City Council Agenda Report

MEETING DATE: January 9, 2024	WORKSHOP AGENDA ITEM: 1
TITLE: Discussion of American Legion Post 118 Request for Amendment to City Code Related to Pull Tab Operation (5:00-5:45 p.m.)	
PREPARED BY: Kathy Leervig, City Clerk	
REVIEWED BY: Jeffrey Dahl, City Manager	

DISCUSSION OBJECTIVE:

To Discuss the Request from the American Legion Post 118 to Amend the City Code Related to Pull Tabs.

2024-2026 STRATEGIC PLAN PRIORITIES RELEVANCE:

Diversify Revenue

The potential for additional funding to City departments, such as the Fire Department, could offset expenses like equipment in the Equipment Capital Improvement Fund.

Sustain Community Character & Safety

Allowing other community-based organizations to utilize charitable gambling would increase their effectiveness and contribution within the community.

BACKGROUND:

The American Legion Post 118 has approached the City about expanding the option to allow Pull Tabs to be sold at the Legion. Currently, the City Code states that only one license and one location are allowed in the City. The Wayzata Lions Club hold the only license and operate at the Wayzata Bar and Grill. Attached is a narrative of the Legion's request.

Based on a previous agreement between the Fire Relief Association and the Lions, the Lions contribute 50% of their net proceeds from the sale of Pull Tabs to the City to help fund Fire Department expenditures on behalf of the Relief Association. The rest of their proceeds go towards other eligible causes within the community. The Lions have contributed \$90,400 in 2023, which is consistent with their recent annual donations.

The City has the authority to expand charitable gambling licenses to additional organizations and at other locations and could charge an administrative fee of up to 10% of annual net proceeds.

The Legion has provided a proposal requesting the City Council explore the idea of amending the City Code to allow another facility to sell Pull Tabs. They note their willingness to donate 15-25% of net profits from Pull Tabs to the City, in a similar arrangement as the Lions, albeit in a smaller percentage. Please note that the City has no legal ability to ensure the City receives any percentage of pull tabs revenue aside from an administrative fee of up to 10% that the City currently does not charge.

Questions for the Council discussion:

- Should the City Code be amended to allow more than one license and one location and could there be a precedent concern to expand charitable gambling or is this a unique request?
- Should the Council consider a 10% administrative fee for non-profits who operate pull-tabs?
- What would the business impacts be to both the Wayzata Bar and Grill and the Legion if the ordinance was changed to expand charitable gambling?

ATTACHMENTS:

1. American Legion Post 118 Request

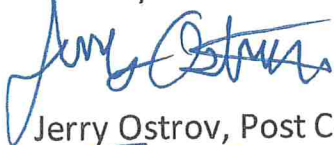
2. City Code Section 716
3. Agreement with Lions for Fire Relief Association

We, Ernest Aselton American Legion Post 118 of Wayzata, are requesting an ordinance update to permit pull tab sales at our current location. We are a non-profit Military Veterans organization and currently have a Minnesota gambling license.

In exchange we will donate directly back to the City of Wayzata a percentage of our net profits from pull tabs, to be used at the city's discretion. Our intent is to donate 15-25 percent of pull tabs net profits directly to the City of Wayzata to use as they see fit. Using state information on other local pull tab operations, we are projecting \$25,000-\$30,000 as the amount available to donate to the city in the first full year of operations. We also project from this information an 8-10 percent increase annually. In addition, we will continue to support other worthy causes in Wayzata as we have in the past.

Please look over the six-page packet on who The Wayzata American Legion is, our purpose and past contributions.

Thank you.



Jerry Ostrov, Post Commander and CEO Of Wayzata American Legion



Paul Carlson, Chairman of Wayzata American Legion Board of Trustees



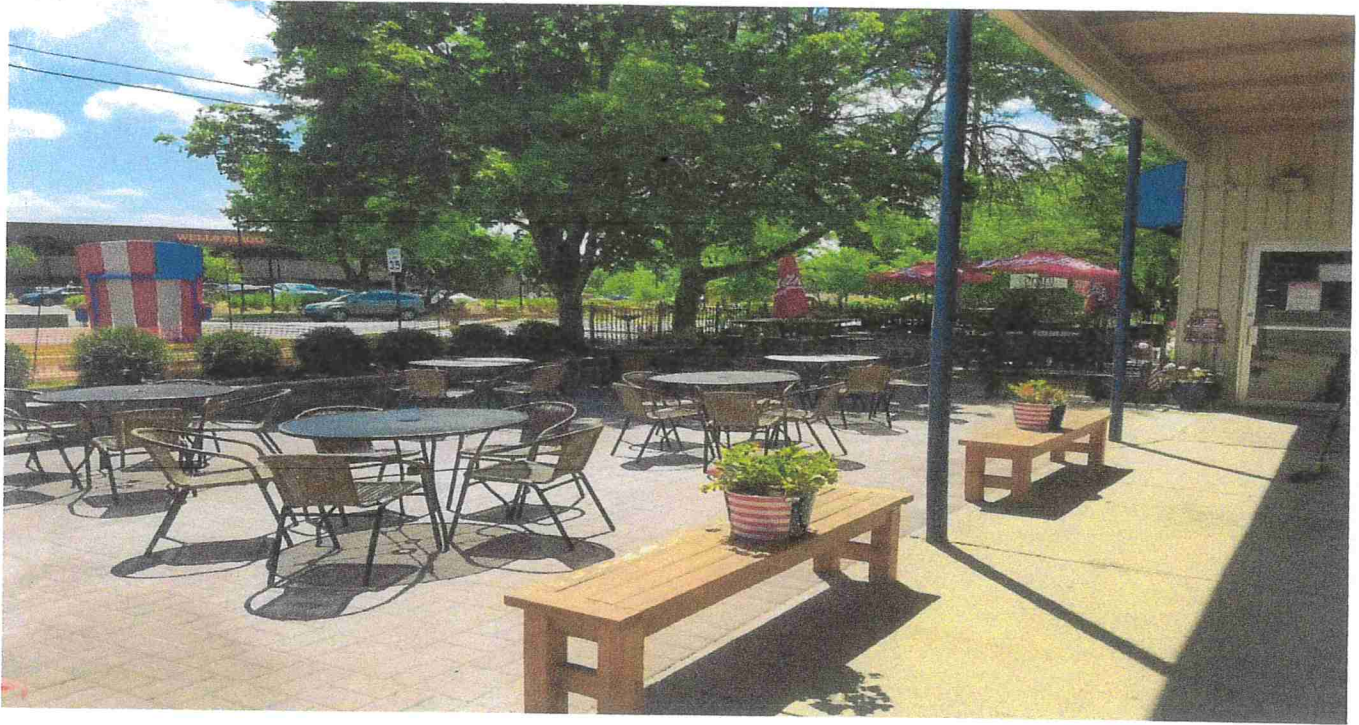
Kim Mitchell, Wayzata American Legion Gambling Manager



Kirk Zahrbock, Wayzata American Legion Board of Trustees



Tony Chermak, Wayzata American Legion Board of Trustees



Wayzata American Legion Post 118



On behalf of the Wayzata American Legion Post 118, we are requesting an ordinance change to permit pull tabs at our location.

A little about ourselves

The Wayzata American Legion Post 118 is named Ernest Aselton, after a local Marine who was killed in World War 1. It was founded September 3, 1919, and incorporated as a non-profit on October 3, 1939. Our membership is comprised of Legion Post, Legion Auxiliary (Women), Sons of the American Legion and the Legion Riders.

We associate ourselves together for the following purpose:

- To uphold and defend the Constitution of the U.S.A.
- To promote Americanism and to safeguard and communicate the principles of justice, freedom, and democracy.
- To preserve the memories of the Great Wars.
- To install a sense of individual and group obligation to community, state and nation.
- To promote peace and goodwill.
- To safeguard and transmit to posterity the principles of justice, freedom, and democracy.
- To declare our comradeship by our devotion to mutual helpfulness.

Post 118's contributions and benefits to the Wayzata community:

- Served generations of Wayzata's and surrounding communities' military families.
- Provide a safe environment for our military heroes to go for fellowship and information on veteran's benefits.
- Contributes to the tax base in Wayzata through property and sales tax.
- Maintains a beautiful and inviting presentation on Wayzata Boulevard.
- Provide Honor Guard for military funerals and leads annual J.J. Hill Parade
- Conducts annual Memorial Day services at 4 different locations in Wayzata. (Heritage Park, and three cemeteries)

- Supports Boys and Girls State program, which helps our youth understand how democracy works.
- Supports American Legion Baseball, which teaches the importance of competition, teamwork and sportsmanship.
- Provide a venue for a variety of community events in Wayzata such as Bingo, Meat Raffle and groups like Fly Fishing, Pool and Dart Leagues and more.
- Hosted Bill Mathew's Benefit and other military "Celebration of Life" events due to the size of our facility.

Purpose of seeking pull tabs

As the years pass by, we unfortunately are losing more and more of our aging veterans. As a result, the Auxiliary and (Sons of American Legion) SAL are becoming more involved with continuing the Legion's future. We currently have legal gambling (Minnesota Gambling License #01006) in the form of bingo, spin of the day and meat raffles. Our current program is very active in giving back to the Wayzata community. Please see attached contribution and state ranking sheets, which we are very proud to rank **6th out of 2988 licenses on percentage given back**. Unfortunately, as times have changed, Veteran's organizations have not been able to keep their doors open without the help of other gambling revenue. Traditionally across the state American Legion Posts offer pull tabs to their patrons. Wayzata American Legion, however, is one of the only Legions unable to offer pull tabs. We have many requests from our patrons who wonder why we don't have pull tabs, which we are licensed to have from the State of Minnesota. For Post 118, the proceeds from pull tabs would be used for giving back to our Veterans and the Wayzata community. The Wayzata Crime Prevention Coalition, and Wayzata Fire Relief Association are just a couple examples of Wayzata community organizations that we wholeheartedly support. It is hard to imagine an organization more deserving of your support than The American Legion – as it is our military who fought for and continue to defend the rights to have such freedoms.

Concern of competition of current location

Currently, surrounding communities have multiple locations to play pull tabs. Many of the same people who play tabs at The Wayzata Bar and Grill also play tabs at these various locations not in Wayzata. A second location would keep more discretionary dollars here in the city of Wayzata from people looking for this kind of entertainment elsewhere.

We are asking you to update the current ordinance to permit pull tabs at the Wayzata Legion location, which is a Veteran Service non-profit organization.

Thank you for your time, consideration and support. We look forward to another hundred years of partnering with the city of Wayzata and the Wayzata community.

2022 DONATIONS FROM GAMBLING

MILITARY CHARITY RECIPIENTS

	AMOUNT	CHECK #
FUND 53 - HOSPITALIZED VETS	\$ 1,000	3347
FUND 65 - PHEASANT DINNER	\$ 500	3348
FUND 76 - AL MEMORIAL FUND	\$ 1,000	3349
FUND 78 - DISASTER RELIEF	\$ 2,000	3350
FUND 84 - LEGACY SCHOLARSHIP	\$ 1,000	3224
FUND 85 - VETERANS ASSISTANCE	\$ 2,000	3351
23RD VETERAN	\$ 1,000	3352
AMERICAN LEGION FAMILY HOSPITAL ASSOC.	\$ 1,000	3353
ARMED FORCES SERVICE CENTER	\$ 1,500	3354
DISABLED VETERANS REST CAMP	\$ 1,000	3355
EAGLES HEALING NEST	\$ 3,500	3356
FORT SNELLING MEMORIAL CHAPEL FOUNDATION	\$ 1,000	3357
LEGIONVILLE CAMP - SCHOOL PATROL	\$ 500	3358
MACV - VETERANS HOMELESSNESS	\$ 2,000	3376
TEE IT UP FOR THE TROOPS	\$ 4,000	3373
TOYS FOR TOTS - MARINES	\$ 1,500	3359
VETERANS ON THE LAKE RESORT (ELY)	\$ 1,000	3360
WHW NORTHLAND CHAPTER	\$ 1,500	3361

TOTAL \$ 27,000

COMMUNITY GIFTS & CHARITY

	AMOUNT	CHECK #
CHILDREN'S HOME SOC. & FAMILY SERVICES	\$ 500	3362
COURAGE KENNY FOUNDATION	\$ 500	3363
D.A.R.E. MINNESOTA	\$ 1,000	3364
GILLETE CHILDREN'S FOUNDATION	\$ 500	3365
HOPE KIDS	\$ 5,000	3366
MAKE A WISH FOUNDATION OF MN	\$ 1,000	3367
PLYMOUTH/WAYZATA YOUTH BASEBALL	\$ 5,000	3368
SALVATION ARMY	\$ 500	3369
SHARING & CARING HANDS	\$ 1,000	3370
TREEHOUSE	\$ 2,000	3371
WAYZATA CRIME COALITION	\$ 4,000	3372
WAYZATA SENIOR PARTY - CLASS OF 2022	\$ 500	3317

TOTAL \$ 21,500

Top Ten Organizations by Gross Receipts (Total Sales)

Organization (# of sites as of June 30, 2022)	Total Sales	Prizes	Net Receipts
Merrick Inc (22)	\$50,000,948	\$42,147,939	\$7,853,010
White Bear Lake Area Hockey Assoc (7)	\$46,703,544	\$39,976,811	\$6,726,733
Northwest Area Jaycees (16)	\$40,957,882	\$35,656,955	\$5,300,927
Centennial Youth Hockey Assoc (8)	\$39,674,943	\$35,006,821	\$4,668,122
Confidence Learning Center (34)	\$37,788,469	\$31,844,926	\$5,943,543
St. Cloud Youth Hockey Association (6)	\$36,403,144	\$31,541,526	\$4,861,619
Amvets Post 1 Mendota (15)	\$35,562,450	\$31,012,044	\$4,550,406
Community Charities of Minnesota (29)	\$31,075,723	\$26,584,716	\$4,491,007
Eagan Hockey Assoc (5)	\$30,964,051	\$27,243,525	\$3,720,526
Irving Community Association (26)	\$29,857,820	\$25,654,176	\$4,203,644

Top Ten Organizations by Net Profit¹ Less Taxes and Fees²

Organization	Amount	Organization ³	% of Net Receipts
White Bear Lake Area Hockey Assoc	\$1,345,640	Woodland Amateur Hockey Association	88.0%
Blaine Youth Hockey Assoc	\$1,238,121	Knights of Columbus Council 1575 Fairmont	82.0%
Confidence Learning Center	\$1,043,765	Eagles Aerie 3394 Fairmont	81.3%
Burnsville Savage Lions Club	\$987,162	A.B.A.T.E. of Minnesota	80.9%
Centennial Youth Hockey Assoc	\$960,071	New Market-Elko-Webster Lions Club	80.6%
Rogers Youth Hockey Association	\$918,280	American Legion Post 118 Wayzata	78.5%
Eagan Hockey Assoc	\$904,065	Heritage Community Center	77.9%
Merrick Inc	\$895,281	American Legion Post 391 Storden	69.1%
Andover Huskies Youth Hockey Assoc	\$836,082	American Legion Post 464 Brewster	68.3%
Blaine Festival	\$835,546	American Legion Post 317 Emmons	68.2%

¹ Total sales less prizes paid less allowable expenses.

² State, local, and federal taxes on gambling receipts plus state licensing and regulatory fees.

³ Organizations reporting FY22 gross receipts of \$50,000 or more.



Proposed Pull tab expansion

Main Contact Q&A

Kirk Zahrbock – SAL Treasure/ Board of Trustees

kzahrbock@msn.com

612-270-0749

Kim Mitchell – Legion Gambling Manager/ Board of Trustees

kimmitchell@usinternet.com

612-386-6762

Tony Chermak - SAL Commander/ Board of Trustees

tchermak@usinternet.com

612-636-1199

CHAPTER 716 GAMBLING

716.01 Purpose.

The purpose of this Chapter is to regulate and control the conduct of lawful gambling within the City.

(Ord. 436 [3-5-1985]; Ord. 579 [12-5-1995])

716.02 Definitions.

The words and terms used in this Chapter shall have the meanings given them by Minn. Stats. § 349.12 (1984).

- A. **"Eligible Organization"** shall mean any fraternal, religious, veterans or other non-profit organization which has been in existence for at least three years and which has at least 15 active members.

(Ord. 436 [3-5-1985])

716.03 Prohibition.

No lawful gambling shall be conducted within the City unless specifically authorized by this Chapter.

(Ord. 436 [3-5-1985])

716.04 Permitted Gambling.

The following forms of lawful gambling are hereby permitted in accordance with Minn. Stats. Ch. 349, and Minnesota Rules, as such statutes and rules may be amended from time to time:

- A. Bingo may be conducted by an organization if it has obtained a license to conduct bingo from the Minnesota Charitable Gambling Control Board and conducts such bingo in compliance with Minn. Stats. § 349.214, Subd. 1 (1984).
- B. Bingo may be conducted by an eligible organization without a license if such conduct is exempt from licensing in accordance with Minn. Stats. § 349.214, Subd. 1 (1984).
- C. Raffles may be conducted by an eligible organization in accordance with rules of the Minnesota Charitable Gambling Control Board, provided that no such organization shall conduct more than four raffles per year.

(Ord. 443 [9-3-1985])

- D. 1. The sale of pull tabs may be conducted by an organization if it has obtained a license to conduct the sale of pull tabs from the Minnesota Charitable Gambling Control Board and conducts such sale in compliance with Minn. Stats. Ch. 349 and Minn. R. 1987, Section 7860.0010 to 7860.0310 and any subsequent amendments thereto.

2. Only one organization may conduct the sale of pull tabs and only at one location as approved by the City Council.

3. An organization licensed by the Minnesota Charitable Gambling Control Board to conduct the sale of pull tabs shall file with the City Manager a duplicate copy of monthly reports required by Minnesota Rules, 1987, 7860.0120.

(Ord. 507 [6-7-1988])

- E. An organization may apply for an Exempt permit to conduct a one-day pull tab occasion not more than once per calendar year subject to approval by the City Council and in compliance with Minn. Stats. Ch. 349 and Minnesota Rules. The organization shall file with the City Manager a duplicate copy of reports required by Minnesota Rules. [This Section 716.04.E. expires on 1-10-1996.]

(Ord. 579 [12-5-1995])

- F. Paddlewheel activity may be conducted by an eligible organization using a portable-type paddlewheel, without a table, awarding merchandise for prizes in accordance with Minn. Stats. Ch. 349 and Minnesota Rules.

(Ord. 586 [11-13-1996])

(7-21-81 Code; Ord. 436 [3-5-1985]; Ord. 443 [9-3-1985]; Ord. 507 [6-7-1988]; Ord. 579 [12-5-1995]; Ord. 586 [11-13-1996])

AGREEMENT

THIS AGREEMENT made and entered into this 24th day of May, 1988, by and between the WAYZATA LIONS and the WAYZATA FIRE RELIEF ASSOCIATION;

WITNESSETH THAT:

WHEREAS, the WAYZATA LIONS have applied for a license from the State of Minnesota to conduct charitable gambling activities pursuant to Chapter 349 of Minnesota Statutes (1986); and

WHEREAS, the City of Wayzata will allow the WAYZATA LIONS to sell pull tabs at the Port O' Call in the City of Wayzata, provided that the net profits from such sale are divided equally between the WAYZATA LIONS and the WAYZATA FIRE RELIEF ASSOCIATION; and

WHEREAS, the WAYZATA LIONS and the WAYZATA FIRE RELIEF ASSOCIATION desire to enter into this Agreement to provide for the equal division of the net profits from such charitable gambling activities between them.

NOW, THEREFORE, in consideration of the premises, the parties do hereby agree as follows:

1. This Agreement governs only the sale of pull tabs by the WAYZATA LIONS at the Port O' Call, 810 Superior Boulevard, Wayzata, Minnesota (the "Gambling Activity").

2. The WAYZATA LIONS will have exclusive control over and responsibility for the Gambling Activity and will comply with all state and local laws and regulations with respect thereto.

3. The net profits from the Gambling Activity will be divided equally between the WAYZATA LIONS and the WAYZATA FIRE RELIEF ASSOCIATION. "Net profits" shall mean gross proceeds from the conduct of the Gambling Activity, less all costs and expenses incurred with respect to the Gambling Activity, including, but not limited to, license fees, equipment costs, expenses incurred in the preparation of records and reports, cost of supplies, rent, compensation and taxes.

4. The WAYZATA FIRE RELIEF ASSOCIATION will use the net profits received by it for "lawful purposes" as defined in Section 349.12(11) of Minnesota Statutes (1986).

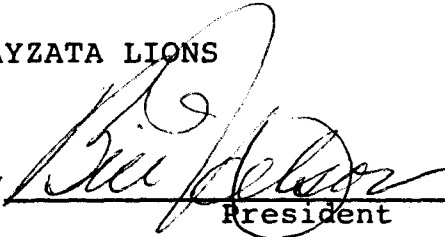
5. The parties will establish a Gambling Committee to oversee the Gambling Activity. The Gambling Committee will consist of the gambling manager (as defined in Section 349.12(14) of Minnesota Statutes (1986)), two persons appointed by the President of the WAYZATA LIONS and two persons appointed by the President of the WAYZATA FIRE RELIEF ASSOCIATION.

6. The WAYZATA LIONS is under no obligation to conduct the Gambling Activity for any specified period of time. This Agreement is intended solely to provide for the division of net profits received by the WAYZATA LIONS during the period of time it does conduct the Gambling Activity.

IN WITNESS WHEREOF, the parties have signed this agreement as of the date written in the introductory paragraph.

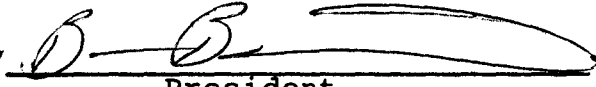
WAYZATA LIONS

By


President

WAYZATA FIRE RELIEF ASSOCIATION

By


President



City Council Workshop City Council Agenda Report

MEETING DATE: January 9, 2024	WORKSHOP AGENDA ITEM: 2
TITLE: Discussion of Panoway Lakewalk and Dock Operating Policies (5:45-6:30 p.m.)	
PREPARED BY: Nick Kieser, Parks Planner	
REVIEWED BY: Jeffrey Dahl, City Manager, Emily Goellner, Community Development Director, Mike Kelly, City Engineer/Director of Public Works	

DISCUSSION OBJECTIVE:

To review the Panoway policy items listed and recommend direction for each policy item prior to the opening of the lakewalk in the Spring.

2024-2026 STRATEGIC PLAN PRIORITIES RELEVANCE:

Diversify Revenue

Policies related to paid boat parking would further the strategic plan initiative to Implement a Paid Docking System in 2024 which would add a new source of revenue.

Sustain Community Character and Safety

Creating and implementing the policies listed will help with the management and operations of Panoway Phase 2.

BACKGROUND:

With the future opening of the new lakewalk and docks in summer 2024, the Panoway District Committee (PDC) and Dock Design Working Group (DDWG) have discussed policy questions that will help to manage the new areas. Both groups have discussed the policy items at multiple meetings with Councilmember MacDonald as a member of the PDC and Councilmember Parkhill as a member of the DDWG. Staff posed a series of policy questions to the PDC and DDWG. Their recommendations and staff's discussion notes for policy questions are attached.

The two policy items that held the most discussion with the PDC and DDWG were:

- 1) the introduction of a parking pay system for boats at the new docks
- 2) the possibility of allowing boat rentals options to take up slips at the new docks

Information on these two policy items along with the remaining policy questions is provided in the attached documents.

ATTACHMENTS:

1. Panoway Policies Information
2. Boat Parking Option Summary

Boat Parking Pay System

After numerous discussions with the DDWG and input from the PDC, staff recommends implementing a parking pay system for the new docks for the following reasons:

- Meets the Council's strategic goal of diversifying revenue
- Revenue can contribute to the cost of dockmasters
- The City of Excelsior requires a modest (\$3/hour) payment for boat parking and reports no major issues with enforcement
- The opening of new docks creates a clear transition from free to paid parking

Staff has talked with three companies that provide a boat parking payment system. The initial information from those companies is listed in the attached document. If Council wants to implement a pay system, staff would like to know what features or factors are most important to Council when selecting a vendor. Staff can work with the vendors based on that feedback to bring forward a proposal and service agreement to Council for review in spring 2024.

Hourly Boat Rental

On other parts of Lake Minnetonka, visitors and residents are able to book the private use of a boat by the hour. Staff recommends waiting until 2025 to consider incorporating an hourly private boat rental option on the new docks. This will allow time to review how the dock systems operates in 2024, including the volume of boat activity, the maneuverability of boats in the area, and the new presence of the lakewalk in proximity to the docks. Staff has talked with two boat rental companies, Duffy Boats and Tonka Boat Rentals, which are operating on Lake Minnetonka in other areas. These companies would like to incorporate their rental opportunities in Wayzata's new dock system. The companies operate differently, so it is difficult to determine how well these options could work on the new dock system without at least a year of review. It should be noted that the Parks and Trails Board has discussed the opportunities with Duffy Boats specifically and recommend incorporating the boat rental option to bring more revenue to the City and provide another option for Wayzata residents and visitors to access Lake Minnetonka without owning their own boat.

Discussion Objective

The goal of the workshop discussion is to confirm the Council's consensus with the PDC and DDWG recommendations. Staff anticipates that most of the discussion will be focused on the dock pay system and direction on how to select the right pay system vendor.

Next Steps

If consensus is reached from the Council on the recommendations from the DDWG, PDC and staff, staff will:

- Draft any necessary ordinance changes.
- Present ordinance amendments to Council for review and approval this winter.
- Design, order, and install signage that communicates operating policies prior to the opening day of the lakewalk and docks.

- Further vet boat parking pay system vendors, draft a proposal and service agreement for review by Council for review this winter so that the system can be launched and fully operational for opening day of the lakewalk and docks.
- If ordinances are adopted and service agreements executed, staff will create and execute a communication plan in order to educate the public, staff, and project partners.

Policy Topic	Policy Question	Recommendation/Discussion
Docks		
Boat Parking Pay System	Should users be required to pay to park at the docks? If so, what type of pay system should be implemented at the docks and what should the cost be?	<u>PDC/DDWG:</u> DDWG recommended implementing a pay system for the newly constructed docks at the same rate charged by the City of Excelsior. After considering the option of a seasonal permit, they recommended a pay-by-hour system like Excelsior. Some of the pros noted are additional revenue, offset maintenance/dock attendant costs, provides usage data, and the potential option to see if slips are open before coming. The PDC had concerns about requiring a fee for parking. They noted enforcement concerns, the general change from free parking to paid parking, and additional signage and education of the change. If a payment system is explored, members expressed interest in both an annual permitting process along with a pay-by-hour system. Staff has received additional information from potential parking system vendors which is attached for review.
Hourly Boat Rental Options	Should there be boat slips dedicated to hourly boat rental opportunities? For example, Excelsior allows four Duffy Boats on their docks which brings in ~\$24,000 annually in revenue. Additional information can be provided if Council is interested in this idea.	<u>Parks and Trails Board:</u> The P&T Board has discussed this option with Duffy Boats and recommends allowing this type of service on the new docks to create more opportunities for everyone to experience Lake Minnetonka. Staff has also had a phone call with Tonka Boat Rentals which provides rental boats on Lake Minnetonka. The general thought would be to place any boat rental options near the Depot Docks since those are most likely to be the least used. Some of the main concerns brought up were safety concerns and the loss of boat slips that can be utilized by the public.

Policy Topic	Policy Question	Recommendation/Discussion
Time Limits for Mooring	Should there be a time limit for boats moored at the docks?	<u>PDC/DDWG</u> : 3-hour parking limits would make sense to follow the on-street parking limits on Lake Street. Enforcement will be the key issue with this requirement.
Dock/Mooring Hours	What hours should the dock be open to boats and people walking?	<u>PDC/DDWG</u> : Consistent with existing park hours – 5:00am – 10:00pm. There was additional discussion on allowing dock parking open later than 10:00pm to follow restaurant closing times.
Lakewalk & Docks		
Swimming	Should swimming be allowed off the lakewalk and/or docks?	<u>PDC/DDWG</u> : No swimming allowed off lakewalk and/or docks.
Fishing	Should fishing be allowed off the lakewalk and/or docks?	<u>PDC/DDWG</u> : Allow fishing on docks from 5:00 am – 10:00 am, but do not allow fishing on lakewalk.
Smoking	Should smoking be allowed on the lakewalk and/or docks?	<u>PDC/DDWG</u> : Do not allow smoking anywhere in Panoway.
Wheeled Devices	Should strollers, bikes, skateboards, roller skates, etc. be allowed on the lakewalk and/or docks?	<u>PDC/DDWG</u> : No recreational wheels on the lakewalk and docks, but wheelchairs and strollers can be allowed.
Pets	Should pets be allowed on the lakewalk and/or docks?	<u>PDC/DDWG</u> : Allow pets on lakewalk and docks. There should be dog waste stations at the entrances of the lakewalk/docks.
Alcohol	Should alcohol consumption be allowed on the lakewalk and/or docks?	<u>PDC/DDWG</u> : Alcohol should not be allowed.
Garbage Cans	Should there be more garbage cans or larger garbage cans off the docks for boat traffic? If so, where should they be located?	<u>PDC/DDWG</u> : Place garbage/recycling cans at the ends of the lakewalk, but not in the middle. Evaluate how full the garbage cans get to determine if changes are necessary.
Signage	What type of signage should be placed around the lakewalk and docks? What type of information should be on the signs?	<u>PDC/DDWG</u> : Create tasteful and nondisruptive signage to explain the rules/policies of Panoway. Place them near the entrance of the lakewalk and docks.

Policy Topic	Policy Question	Recommendation/Discussion
Lakewalk		
Operating Hours for Lakewalk	What hours should the lakewalk be open?	<u>PDC/DDWG</u> : The lakewalk should be open as consistent with the other parks – 5:00 am – 10:00 pm.
Seasons Lakewalk is Open	Should the lakewalk be closed in the winter months?	<u>PDC/DDWG</u> : The groups recommended that the lakewalk can be open during the winter months, but there will not be any snow removal. People can walk on a packed snow trail or use snowshoes if there is fresh snow. The Operations and Maintenance Report included the removal of snow so staff would need to determine how to remove the snow if that is desired. Also, salt cannot be used on the lakewalk so the type of best snow removal equipment will need to be determined.
Panoway Plaza		
Rental Policy	How should the events and programs be regulated and approved for the Panoway space?	<u>PDC</u> : The current event permitting process seems to be working fine. Smaller events like birthdays can use the space, but cannot reserve any of the Panoway space. If there are significant impacts to noise, parking, etc. then a Special Event Permit can be applied for. Mainly, Panoway is a public park so the PDC wants to keep the area as open to the public as possible.

Boat Parking Company Comparison

Company	Cost
Premium Parking (used by City of Excelsior)	• <u>Software Fee</u> - \$200/month + 20% revenue collected • <u>Transaction Fee</u> - \$.40/transaction • <u>Permit Management Fee</u> - \$2.00/annual permit • <u>Citation Collections Fee</u> - \$3.00/citation
FlowBird	• \$.35 convenience fee paid on each transaction • No other costs noted
Park Mobile	• \$.35 convenience fee paid on each transaction • No other costs noted

Additional Features:

- Users can pay via app, text-to-pay, QR code, permitting process, or machine.
- Have ability to reduce cost for Wayzata residents based on license plate. Residents will need to register their boat to access this feature.
- Businesses can give out a specific code to their customers for a reduced parking rate.
- Ability to have annual, monthly, or weekly passes.
- Companies can also help with parking citations, but this will require additional infrastructure and additional costs.
- FlowBird and Park Mobile will provide signage for free. Premium Parking will provide signage at an additional cost.
- Have ability to change the rates based on events/days of the week. Can also charge different rates for different parking areas.
- All the options create a dashboard to review the parking data.
- The apps provided would allow for users to determine if parking is available, but this relies on users paying for parking to be accurate.

Parking Rates:

For comparison, Excelsior has 20 paid parking slips which they charge a rate of \$3.00/hour that generates ~\$17,000 annually. The new Wayzata docks will have a total of 47 parking locations and 4 boat loading zones. Using the Excelsior docks as a baseline, the 47 boat slips would be estimated to make \$39,500. Many factors would impact this estimate like the dock sizes, lake location, separated dock areas, etc. Excelsior also makes revenue from charter boats, boat rental companies, and winter boat storage.

Recommendation - Dock Design Working Group

The DDWG recommended to start charging for parking on the first day the docks are open at \$3/hour, similar to the Excelsior rates. Recommend selecting a vendor that can provide a text-to-pay, app, or QR

code as payment system. The DDWG wanted to add small signs with payment information instead of payment machines near the docks. This type of system will allow staff and Council to monitor activity to make any necessary changes.

The Dock Design Working Group (DDWG) compared the benefits and risks of implementing a pay system that utilizes:

1. Parking meters at each boat slip
2. Pay station at the entrance/exit to the docks
3. Seasonal paid permit
4. Parking app on personal devices (phone, tablet)

After several discussions, the DDWG recommended using a parking app that can be downloaded on personal devices similar to City of Excelsior.

	Meters/Pay Station	Seasonal Paid Permit	Parking App on Personal Devices
Upfront Cost	More expense for meters or pay station capital cost and installation	Less expensive to implement online permitting platform	No upfront costs to implement the App. Companies noted that they would pay for any signage needed
Maintenance	Some maintenance of devices	Minimal maintenance once installed	Minimal maintenance once implemented
City Involvement	Up front purchase of devices & maintenance dispatch	Yearly permit disbursement requires administrative staff time	Minimal City involvement
Enforcement	May not require as much enforcement	Difficult enforcement	Moderate enforcement measures. Vendors can also help with enforcement with added fees and infrastructure
Precedent On Lake Minnetonka	Metered parking currently done in City of Excelsior	Would be one of few or only community dock requiring seasonal permit to use transient docks	Similar app/text-by-pay system for the Excelsior docks
Usage Data	City can track dock traffic	City can only monitor number or permits not day to day usage	City can track dock traffic

Recommendation – Panoway District Committee

The PDC had varying opinions on implementing a pay system. The group noted that if a pay system was implemented then an annual permit might work better than an hourly pay system. This type of system would take additional education and administrative time, but the PDC thought this would end up working better. The main concern that the PDC discussed was the enforcement issues that could come up with a payment system since the revenue received could be offset by enforcement costs and time.