



OPEN COUNCIL WORK SESSION
MUNICIPAL CENTER COUNCIL CHAMBERS
1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118
MONDAY, OCTOBER 9, 2023
6:00PM

1. Welcome and Note Attendance

2. Agenda Item(s)

A. Athletic Facilities Rental Policy

Documents:

[OCWS ITEM - ATHLETIC FACILITIES RENTAL POLICY.PDF](#)
[POLICY - ATHLETIC FACILITIES RENTAL.PDF](#)

B. Future Meetings on Indigenous Peoples' Day

Documents:

[CITY COUNCIL ACTION ITEM - FUTURE MEETINGS ON INDIENOUS PEOPLES DAY.PDF](#)

3. Regular Meeting Consent Agenda Review

4. Adjourn

If you need an accommodation to participate in the meeting, please contact the ADA Coordinator at 651-552-4108 or email ADA@wspmn.gov at least 5 business days prior to the meeting.

Si usted desea que alguna parte del paquete de esta agenda sea traducida al Español, por favor solicítelo al social@wspmn.gov.

www.wspmn.gov EOE/AA

Subject: Athletic Facilities Rental Policy

Meeting Date: Monday, October 9, 2023	
Submitted/Presented by/Department:	
Action Type	
<input type="checkbox"/> Consent Item	<input checked="" type="checkbox"/> Discussion/Direction
<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Informational Only
<input type="checkbox"/> Action/Motion	<input type="checkbox"/> Report
<input type="checkbox"/> Resolution	<input type="checkbox"/> Other:
Action	
Provide direction on the draft policy.	
Background	
<p>Staff is proposing the adoption of an Athletic Facilities Rental Policy to streamline and clarify rental policies, procedures, rules, and regulations for city fields, courts, and other athletic facilities. The Parks and Recreation Advisory Committee reviewed multiple iterations of the policy, and recommended approval of the current draft at its September 2023 meeting.</p> <p>Purpose:</p> <ul style="list-style-type: none"> - Provide a clear policy for rental of all athletic facilities, including smaller facilities and courts. - Provide clarity on the rental permit process, decision-making, timelines, permit requirements and conditions, fees and refunds, and site preparation and maintenance. - Strike a balance between maintaining access to athletic facilities while ensuring proper care and maintenance. <p>Implementation Strategy</p> <p>A policy is only as strong as the implementation, communication, and supporting documents that advance its integration. With the adoption of this policy, staff proposes the following implementation strategies:</p> <ul style="list-style-type: none"> - Updates to city website and online reservation system - Creation of permit application - Development of collateral, including park rules and regulations handouts, facility fact sheets, and checkout lists - Distribution of information in city newsletter, social media, and to existing athletic associations and key stakeholders - Internal communications and process streamlining 	
Attachments	
Policy - Athletic Facility Rentals	
Previous Relevant Actions	

Subject: Athletic Facilities Rental Policy

PRAC - September 12, 2023	
Alternatives	
Financial	
Budgeted: <input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No Financial Impact
Fund:	
Department:	
Account:	
Amount:	

ATHLETIC FACILITY RENTAL POLICY

I. PURPOSE

This Athletic Facilities Rental Policy outlines the terms and conditions for the rental and exclusive use of athletic facilities owned and managed by the City of West St. Paul. The policy aims to ensure a fair, organized, and safe environment for all renters while maintaining the integrity of the facilities. Exclusive use of athletic facilities refers to a group, organization, or person renting an athletic facility for their own use, including potential exclusion of the general public.

II. ATHLETIC FACILITY PERMITS

Two types of reservation permits are available for exclusive use of community athletic facilities:

- A. **Seasonal Athletic Facility Permit** shall be required for all groups wanting exclusive use of any athletic facility for an extended period of time; or
- B. **Athletic Special Events Facility Permit** shall be required for all time-limited sports events including tournaments, clinics, camps, or any other activity other than regular season practice, games, and evaluations.

Unless otherwise required by ordinance, issuance of permits under this policy are issued by the City Manager or designee.

Other permits that may apply to city park facilities, that are not covered in this policy, but are available for exclusive rental use include:

Special Use Permit is an event involving 300 people or more including: any concert, parade, fair, show, festival, carnival, rally, party, filming of a movie, video or television show, motorcade, run, street dance, bike-a-thon, race, walk, athletic event, combative sport contest, or other attended outdoor entertainment or celebration that is to be held in whole or in part upon publicly owned property or public right-of-way, or, if held wholly upon private property, will nevertheless affect or impact the ordinary and normal use by the general public of public property or public rights-of-way within the vicinity of the event. Regulations and exemptions related to Special Event Permits are outlined in Chapter § 32.35 of the City Code and are coordinated through the City Clerk's office. Certain exemptions are listed in § 32.37 of the City Code, including city-sponsored events and non-city sponsored events on city or county park or recreation property within the city, as long as required rental permits are obtained and rental requirements met.

Park Community Facility Permit is required for exclusive use of picnic shelters, pavilions, the Harmon Park Neighborhood Center, and Thompson Activity Center.

III. AVAILABLE FACILITIES

The following athletic facilities are available for exclusive use:

- A. **Outdoor athletic facilities:** recreational, league, or tournament use including baseball/softball fields, football/soccer fields, hockey rinks, basketball courts, disc golf, volleyball courts, horseshoe, and tennis/pickleball courts.
- B. **Indoor athletic facilities:** recreational, league, or tournament use at the ice arena.

The pool and WSPRAC (dome) are managed by third party organizations.

IV. RESERVATION PROCESS, DEADLINES, AND PRIORITIZATION

Reservation Process

- A. Applicant submits an Athletic Facility Rental Application through the city's website, email, phone, or in-person at City Hall. Applicants are required to complete all sections of the application. Incomplete applications will not be considered. If assistance is needed in completing the application, applicants may contact the Assistant Director of Parks and Recreation.
- B. Priority deadline period: The priority application will open 60 days before the deadline. Applicants are welcome to submit applications anytime during this window, however the City will not begin review and prioritization of applications until the business day following the priority application deadline. Applicants will be notified of their status within the review period outlined below.
- C. Outside of priority deadline period: After the priority deadline, permit applications are reviewed on a first come, first served and availability basis. Permit applications will generally not be accepted more than 5 business days prior to the first day of play or start of event. The City may issue permits outside of this period in certain circumstances and when the applicant is able to provide all required documentation and payment at time of application.
- D. Preliminary permit issued: Upon acceptance, the City will issue a preliminary permit outlining requirements, fees, rental agreement, and necessary submittals. Applicant has until 30 days prior to the first day of play or start of event to submit all documentation and payment.
 - a. In the instance of permit applications submitted less than 30 days before the start of play or event, applicants should strive to submit all documentation and payment with their application. Staff can help determine all fees prior to application. Insurance must be in place and submitted to the City by the start of play (See Section V(D)). City staff may grant applicants in good standing a 30-day window to submit final payment if circumstances warrant.
- E. Final permit issued: Upon receipt of all required items, the City will issue a final permit. Exclusive use of facilities is not granted until a final permit has been issued.

Priority Deadlines

The priority permit application process will open 60 days prior to the deadline. Priority deadline permits will be issued three times throughout the year based on the following timelines.

Season	Type	Permit Months	Prioritized Sports	Priority Application Process Opens	Priority Application Deadline	Application Review Period
Winter	Seasonal and Athletic Special Events	December - February	Hockey	September 1	November 1	10 business days
Spring / Summer	Athletic Special Events	March - July	Baseball, Softball, T-Ball, Soccer	October 1	December 1	15 business days
	Seasonal	March - July	Baseball, Softball, T-Ball, Soccer	December 1	February 1	10 business days
Fall	Seasonal and Athletic Special Events	August - November	Soccer, Football	April 1	June 1	10 business days

Prioritization

Due to the limited number of facilities and the volume of requests, the City of West St. Paul has defined, classified, and established a reservation priority system to ensure athletic facilities are available to best meet community needs. If multiple requests for a facility are made at the priority deadline, reservations will be made in the order of prioritization listed below.

- A. **Priority Level 1 - West St. Paul City Government or Co-Sponsored Programs, Events, and Activities:** Any activity related to the operations of the City of West St. Paul's government, including but not limited to City Council, board and commission meetings, City departments, City programs and events. A co-sponsored event is when the Parks and Recreation Director or City Manager has committed to two or more of the following functions: coordinating and organizing the event, planning and budgeting for the event, providing staff for the event, and/or evaluation and measuring impact on participating individuals. There are no use fees charged for City reservations.

- B. **Priority Level 2 – Cooperative Agreement Organization or Recognized West St. Paul Athletic Organization:** Facility user groups who have entered into a long-term cooperative agreement with the City or athletic groups recognized as serving a majority West St. Paul residents.
- C. **Priority Level 3 – Other Government Entities:** Other tax-supported public agencies such as federal, state, county, regional, or school district.
- D. **Priority Level 4 – West St. Paul-based Non-Profit, Civic, Athletic, and Non-Secular Groups:** Organizations that have a significant share of their members living or working in West St. Paul and/or guaranteed percentage of the population they serve is from West St. Paul. This includes but is not limited to support groups, scout troops, athletic associations, private schools, and resident groups. Background information such as proof of registered members, mailing address, non-profit status documents, coach certification, and background check screening compliance may be requested to certify the organization's status.
- E. **Priority Level 5 – West St. Paul residents:** Use of athletic facilities for personal use such as fundraisers, family reunions, birthday parties, banquets, etc.
- F. **Priority Level 6 – West St. Paul-based Business and Commercial Organizations:** Businesses and commercial organizations who have a West St. Paul headquarters or location.
- G. **Priority Level 7 – Non-Resident Users:** Non-resident individuals, groups, organizations, and businesses.

In the event of competing requests from recognized associations within a category, the City will determine allocation of athletic facilities based on the following factors:

- The percentage of verifiable West St. Paul residents served by the permit request, verified by home address through roster or participant list
- Previous experience and standing with the City of West St. Paul
- Length of rental period (seasonal/long-term rentals preferred over short-term rentals)
- Availability of resources to assist the City with maintenance and other expenses
- A sport in its traditional season will be given priority consideration for facility use over an out-of-season sport
- Date and time of permit request

Recognized West St. Paul Athletic Organizations

To best serve its taxpayers, maximize the use of athletic facilities for their intended sports, and prioritize use of athletic facilities, the City has a process for formally recognizing athletic associations. To be recognized, an organization must submit documentation that shows:

- It is a non-profit organization serving West St. Paul
- It has a governing board of directors and at least 75% of the governing board are West St. Paul residents
- A minimum of 75% of the organization's players or members are West St. Paul residents or a student at a school located within West St. Paul city limits

- If there is more than one organization applying for recognized status for similar programs, and both meet the above requirements, the following criteria will be used to determine which organization will receive prioritized status:
 - Number of West St. Paul residents and/or students served
 - Based on documentation of good standing the number of years as previous permit holder
 - The quality of the organization and the benefits to the community

V. GENERAL PERMIT REQUIREMENTS AND CONDITIONS

A. Permits, Reservations, and Denials

1. All reservations require the issuance of a permit and signed rental agreement.
2. Permit applicants must be 18 years of age or older.
3. The use of an athletic facility begins and ends at the times stated on the permit, including set-up and clean-up.
4. Under its discretion, the City may deny a permit application after determining a proposed activity or use may interfere with or detract from the enjoyment, safety, and use of the park and surrounding neighborhoods; that the proposed activity may entice violence, crime, or disorderly conduct; that proposed activities may have an impact on facilities beyond normal wear and tear; or that the applicant is not in good standing with the City based upon previous experience. A permit may also be denied due to limited availability and in accordance with the priority group classification. If the applicant's permit is denied based on one of these criteria set forth herein, the applicant may appeal to the City Manager within 5 business days.
5. Users of athletic facilities must not discriminate against any participant based on race, color, creed, religion, national origin, sex, sexual orientation, marital status, or handicap.
6. Costs incurred in acquiring necessary permits, certifications, plans, insurance, and all other documentation, as required by the City, Dakota County, and the State of Minnesota, are at the sole expense and risk of the permit holder.

B. Exclusive Use of Facilities

1. When permits are issued, a specific athletic facility is reserved for the user, to the exclusion of others. Recognizing this exclusivity, groups should only reserve the athletic facilities, dates, and times intended for use.
2. Unless expressly provided for in the permit, the Athletic Facility Permit does not grant the permit holder the right to restrict access and use of any member of the general public to park property beyond the rented facility.
3. Users may not re-assign or sublease their scheduled dates, time, or athletic facilities under any circumstance.

C. Facility Use and Operations

1. Facility must be used for its intended sport unless otherwise authorized by the City. The City will attempt to accommodate emerging sports, games, and gatherings, when feasible.
2. Any special requests or arrangements must be made as part of the permit application process. This includes special site preparation requests.
3. A permit holder is bound by all park rules and regulations and all applicable ordinances as if they were fully inserted in the permit. The City may impose any reasonable conditions on a permit that, in its discretion, will protect the public health, safety, and welfare and facility conditions. Violations of park rules and regulations may result in permit holder or permit holder's invitees, guests or participants being asked to leave, and possibly trespassed off the property.
4. All activities shall be monitored by competent, adult supervision.
5. Amplified sound must be kept at a reasonable level. Absolutely no amplified sound (including sound checks) before 8:00 am, or after 10:00 pm. All requests for amplified sound must be approved by the City.
6. No organization or person shall sell or offer any product, food, or service for sale without the prior written approval of the City. Such requests, including use concessions, must be made at the time of application. Groups wanting to use concession stands, offer food or beverages for sale, or host food trucks on-site will be considered on a case-by-case basis and may require an additional fee. Groups must obtain all appropriate permits and/or licenses from the county or state and have said permits and/or licenses on-site during all events. The sale of beer or other alcoholic beverages is only allowed with a separate City permit.
7. Reasonable decoration of facilities is allowed, however all decorations, tape, string, and adhesives must be removed by the end of the event. Nailing or stapling any banner, flyer, or other object to any tree, shrub, existing park signs, or building is prohibited. The use of glitter or confetti is prohibited. If intended to display a sign, a City temporary sign permit may be required.
8. No glassware, glass bottles, or any other type of glass product is allowed at any of the facilities.
9. Use of tents or canopies will require prior approval and can be placed only in areas pre-designated prior to reservation. Because of the location of underground utilities and irrigation, the use of spikes or stakes is not allowed without approval. The use of weighted buckets or bags is encouraged.
10. Motorized vehicles are not allowed in parks other than parking lots.
11. Pets other than service animals are not allowed on athletic fields, courts, or other facilities without prior written approval.
12. An electronic or paper copy of the Athletic Facility Permit must be present on-site for inspection.
13. The City requires the following statement be placed on all publicity for non-city sponsored events at athletic facilities:

“Please be advised that the City of West St. Paul does not sponsor, endorse, or have a relationship with the organizations which hold events, meetings, and gatherings at City facilities unless specifically stated otherwise.”

14. All communication regarding Athletic Facility Permits must be made through one spokesperson for the group. The City’s main point of contact for Athletic Facility Permits will be the Assistant Director of Parks and Recreation.

D. Liability and Insurance

1. The permit holder is liable for any loss, damage, or injury sustained by any athletic facility visitor when due to the willful acts or negligence of the permit holder.
2. The permit holder understands that they, and their members, guests and agents assume the risk associated with using an athletic facility or engaging in athletic activities.
3. The permit holder agrees to indemnify and hold harmless the City from any and all claims, actions, damages, losses, and expenses, including reasonable attorney fees arising out of the use of the athletic facility by the permit holder and its members, guests, and agents.
4. Athletic Facility Permit holders must provide insurance coverage throughout the period of use, naming the City of West St. Paul as “additional insured.” Permit holders will be required to provide proof of general liability insurance coverage at a minimum amount of \$1,000,000 for property damage and bodily injury. An Athletic Facility Permit will not be issued if the Certificate of Insurance has not been received.

- E. The City Manager or Parks and Recreation Director is authorized to make amendments and changes to this policy for the efficient and timely coordination and allocation of City athletic fields and facilities. Amendments or changes which are deemed to be substantial will be approved by the City Council.

VI. FEES AND PAYMENT

A. Fees

1. Fees, including facility rental, lights, concession, application fees, and damage deposit are determined and set by the City Council on an annual basis. The fees are published on the City’s website and available by request.
2. The City may charge additional fees for athletic special events in order to recover public costs to operate, maintain, repair, secure, and administer the use of City facilities.
3. The City reserves the right to waive fees under special circumstances that advance a unique contribution to the community.
4. All fees are subject to local and state taxes. A completed ST-3 form is required to receive tax exempt status.
5. Proof of residency by valid driver’s license or other government-issued identification with current name and address or approved photo

identification, like a student identification, military identification, or U.S. passport, and an approved document with current address such as utility bill, banking or credit card statement, mortgage, residential lease, or student fee statement is required to receive resident rates.

6. Major changes to any permit after submittal and any cancellations will incur an administrative fee.

VII. FACILITY CLOSURE, PERMIT CANCELLATION, AND REFUNDS

- A. The City has the authority to revoke a permit upon finding a violation of any rule, ordinance, or permit condition, or upon good cause. Permits cancelled due to non-adherence with facility policy, City Ordinances, or use rules and regulations will not be refunded. Revocation of a permit for non-adherence with the athletic facility policy by the City can be appealed to the City Manager in 5 business days of the revocation.
- B. The City reserves the right to close a facility, halt reservations, and/or cancel permits as needed based upon but not limited to construction projects, site conditions, weather, health, and safety.
- C. The City's inclement weather policy includes operating procedure responses for threatening storms, heavy rain, extreme heat and cold, wind, snow, ice, and air quality. Permits cancelled by the City due to weather may be rescheduled as availability allows or refunded in full. Refunds will not be granted for weather unless the event was cancelled by the City or if cancellations are made out of concern for the protection of the quality of facilities.
- D. Permits cancelled by the user may be eligible for a refund, excluding application fee, under the following timelines:
 1. More than 30 days in advance will receive a 100% refund
 2. 15-30 days in advance will receive a 50% refund
 3. Less than 14 days in advance will NOT receive a refund
- E. Any organization that has been allocated space and subsequently determines that it cannot use it according to the permit issued shall notify the City so that the facility may be reallocated or otherwise used by another group or the general public. Repeated failure to notify the City of cancellation or "over-booking" may result in the organization being placed in poor standing with the City.

VIII. FACILITY PREPARATION AND MAINTENANCE

- A. General Facility Maintenance
 1. The City does not provide amenities such as portable toilets, sound systems, stages, tables, chairs, tents, canopies, fencing, barricades, storage, or other equipment. If such amenities are requested, the City may be able to provide such offerings, if available and on a case-by-case basis, for a fee.
 2. By the expiration of the permit, or for seasonal rentals by the end of the use for that day, a permit holder must remove from the facility all trash, boxes, papers, cans, garbage/refuse, equipment, and all installations. Users must restore the premises to its condition prior to the permit

holder's use of the facility. A failure to restore the facility to its original state will result in a loss of damage deposit. The City may also charge overtime usage fees and/or place the permit holder in poor standing with the City.

B. Site Preparation

1. Baseball/Softball Fields

- i. Infield dragging is done during the week (Monday – Friday) according to the schedule as defined by the City. Fields are not dragged or striped on the weekend (Saturday and Sunday) or on holidays, unless the user has paid a field preparation fee. If fields are too wet, fields will not be dragged with motorized equipment, however, the City will still chalk and hand rake to reduce low spots in the infield, if possible.
- ii. Lining and striping of fields shall be done during the week (Monday – Friday) according to the schedule as defined by the City. Fields are not lined or striped on the weekend (Saturday and Sunday) or on holidays, unless the user has paid a field preparation fee. A single field will not be lined with more than one field overlay per season, unless the City can accommodate it. Foul lines will be painted in the outfield on all fields during the season, but infield chalking will only be done at Harmon Park and the Sports Complex. Groups wanting to chalk fields themselves shall have received email approval from the Assistant Parks and Recreation Director, prior to chalking.
- iii. Athletic Special Events: Maintenance staff will prepare the field once daily before the first scheduled game(s) of the day. Users may not modify or alter the field in any way and the City will not provide equipment for groups to manage fields on their own.

2. Outdoor Rinks

- i. Flooding of outdoor rinks will occur on an as needed basis, based on weather and rink conditions.

IX. ATHLETIC SPECIAL EVENTS

Athletic Special Events are activities on City property that include, but are not limited to, tournaments, clinics, camps, any other activity other than regular season practices, games and evaluations.

- A. Given the additional impact of tournaments and events on athletic facilities, the City reserves the right to place additional fees, damage deposit, requirements, and conditions on permit holders. This includes but is not limited to additional requirements for site preparation, restrooms, safety, traffic management, trash handling, sound, and hours of operation.
- B. Users must provide the estimated schedule, number of teams, and player participants at the time of application.

- C. Users will supply the Parks and Recreation Department with a finalized schedule of games, number of teams, and expected player participants 15 business days in advance.
- D. Due to space limitations and traffic control, the City reserves the right to place conditions on expected attendance or require the use of off-duty police officers to coordinate traffic control.

X. CLOSE OUT PROCEDURES AND DAMAGE DEPOSIT

A. Close Out Procedures

- 1. Permit-holders will be provided a check-out list outlining actions that must be taken to return the facility to good standing.
- 2. At the end of the permit, City staff will inspect the site. Following inspection close out, the permit holder will be placed in good or poor standing with the City. Placement in poor standing is based on performance history including compliance with established rules and policies, facility conditions after use, and unruly behavior of participants and guests.

B. Damage Deposit

- 1. Damage deposits are required for use of facilities, which may be returned to the permit holder if the facility is determined to be in the condition prior to use by the permit holder.
- 2. In the event of excessive property damage, the permit holder will be billed for any loss and/or damages caused to City facilities by user, and the City may impose additional fines, civil liability, or criminal prosecution, and will place the permit holder in poor standing.
- 3. The Permit holder agrees and acknowledges that the City may use the damage deposit without prior approval of the permit holder for any damage, loss, or expense incurred by the City due to the permit holder's use.
- 4. Deductions may be made for damage, excessive cleaning, or time used beyond the contracted period.

Subject: Future Meetings on Indigenous Peoples' Day

Meeting Date: October 9, 2023	
Submitted/Presented by/Department: City Manager	
Action Type	
<input type="checkbox"/> Consent Item	<input checked="" type="checkbox"/> Discussion/Direction
<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Informational Only
<input type="checkbox"/> Action/Motion	<input type="checkbox"/> Report
<input type="checkbox"/> Resolution	<input type="checkbox"/> Other:
Action	
NA	
Background	
<p>The WSP City Council typically meets on the second and fourth Monday of each month, with the exception of December, when we only meet on the second Monday.</p> <p>Indigenous Peoples' Day falls on the second Monday of October. The state has designated the second Monday of October as a state holiday. On most state holidays, public businesses may not be transacted (meaning no council meeting may be held) - however, there is a specific carve out in the statute that allows for cities to opt in or opt out for the second Monday of October.</p> <p>The second Monday in October is not a holiday for staff, and the city manager is not recommending that to change. However, the Council may wish to give direction that future regularly scheduled meetings on the second Monday in October be cancelled or rescheduled to an alternate time. For example, the Council may choose to designate that the second Tuesday in October be set as the standard meeting time.</p> <p>The City Manager is seeking direction from the Council as to upcoming years' meeting planning. From a staff perspective, the shift from the second Monday to the second Tuesday is not problematic.</p>	
Attachments	
Previous Relevant Actions	
Alternatives	

Subject: Future Meetings on Indigenous Peoples' Day

Financial	
Budgeted: <input type="checkbox"/> Yes	<input type="checkbox"/> No Financial Impact
Fund:	
Department:	
Account:	
Amount:	