

# Parks Commission

## Regular Meeting Minutes

Tuesday, December 8, 2015  
6:00 p.m., Council Chambers



### 1. Call to Order by Reinert at 6:00 p.m.

### 2. Roll Call

Present: Fitzgibbon, McAlear, Moore, Toneman, Reinert  
Absent: Cobbs, White

### 3. Approval of Agenda

Motion by McAlear, second by Moore to approve the December 8, 2015 regular meeting agenda as presented.

All in favor. Motion carried.

### 4. Approval of Minutes for the Record – November 10, 2015

Motion by Fitzgibbon, second by McAlear to approve the November 10, 2015 regular meeting minutes as written.

All in favor. Motion carried.

### 5. Public Comments and Inquiries Concerning Items not on the Agenda

None at this time.

## REPORTS

### 6. Project Updates.

Halberstadt updated the board regarding the following projects:

The city got notification yesterday on four grant awards. We will be getting \$37,500 from the Michigan Natural Resources Trust Fund for new skid piers at Black River Park; the North Beach Redevelopment grant request was approved for \$300,000; the proposed BMX Pump Track project was awarded \$42,800; and another \$37,500 grant was approved for restrooms at Black River Park.

In response to a question by Reinert regarding time frame, Halberstadt explained that he is not sure of time frame of construction, adding that these projects are in a tentative phase until the governor makes the formal announcement.

Fitzgibbon spoke about previous discussion regarding Kids' Corner noting that a decision has not been formally made whether to renovate the existing play structure or replace it. Fitzgibbon expressed that she feels very strongly about this. Fitzgibbon spoke about the Leather's Park pictures that she shared, noted that it is a viable option to do replacement of wood with composite and stressed that the city does not need another red, blue and yellow play structure. Fitzgibbon suggested moms of baby boomers could come together again and organize to do something. Halberstadt noted some play elements might need to be replaced to meet modern safety standards and agreed it would be a shame to tear the Kid's Corner play structure down and replace with something generic when the city has something that was custom designed for the community.

In response to a question by Moore about the Water Street project, Halberstadt explained that some of the land is formally part of Riverfront Park. Halberstadt can put an update on the agenda for next month.

McAlear commented positively on the handicapped boat launch, both location and the quality of the construction.

## NEW BUSINESS

### **7. Commission will be requested to continue review of the City Gift Policy.**

Reinert stated at the last meeting it was suggested that the commission review and send any concerns or comments before this meeting, noting the proposed draft is in the packet.

Halberstadt noted that he did not get any feedback and reminded that this is a somewhat difficult topic as people may want to donate things and sometimes they will want something back; sometimes they want to give for some other reason so the city has to be a little careful not to accept something that is so complex that it cannot be maintained properly. Fitzgibbon noted the city has rejected things in the past and Reinert felt the language in the draft gives the city some flexibility.

Fitzgibbon expressed concern about the life cycle care fund and the need to establish a perpetual care fund. Halberstadt said the intention is that the donor will be charged for installation of the donation by staff an additional fee that covers the maintenance of the item. Fitzgibbon pointed out that some things cost more than others to maintain. Halberstadt explained that once this is adopted we can go back and decide on other items besides the standard bench and put together a list of the items and the costs. In response to Moore's concern about rising costs, Halberstadt said such a list would have to be adjusted over time to reflect rising costs.

Reinert asked about language regarding a sizable donation, if the splash pad were donated, for example, would the city do the maintenance? Halberstadt pointed out section 6A. Other donations, which states donations that do not fit any of the categories in the gift policy may

be subject to review by City staff, the appropriate board(s) and/or Commission(s) and City Council. Approval of a special donation agreement may be required. Halberstadt referenced a recent license agreement with HASH for brick pavers.

Toneman asked about Section 4C. Maintenance, noting each item will need a life-cycle established so a potential donor will know how long they will be required to maintain the proposed donation.

Reinert said there are some details in another section of the proposed gift policy and McAlear added that, based on his experience in the insurance industry, a normal life cycle is seven (7) to ten (10) years; if it fell within your guidelines, that's the normal depreciable time. Fitzgibbon noted the section which gives the city the right to remove something after ten (10) years.

Reinert questioned whether it is clear what the rights are of the person sponsoring it to put other items on the bench and noted that recently she saw that someone had fastened a floral memorial arrangement onto a bench. "Are we clear in the policy that once the donation is made it becomes city property?" Reinert said maybe language should be included that would prohibit such and Fitzgibbon concurred that language needs to be added stating that there be no personal attachments to donated items.

Moore commented on 3C. Longevity, noting that gives the city an opening to do whatever they need to do once an item is "no longer suitable for the purpose." Halberstadt said it is very difficult, especially for people who donated prior to the original gift policy in 2004, to deal with those issues. Reinert said in the introduction in the second paragraph, it should be clearly stated that the donation given in memory or in honor of someone is not a memorial marker but add "it is considered to be part of the parks system." Reinert gave an example of a situation that could occur: a bench may be placed where the splash pad is going to go and the city should be able to make the decision to remove and relocate the bench.

Reinert thinks we are really close on this draft and asked Halberstadt to take the items we have mentioned and make the additions or clarifications so the policy is very clear.

After a question Halberstadt said he can speak with the city manager regarding the need for having the city attorney review the gift policy.

McAlear asked if items that were brought up before as issues should be addressed tonight. Halberstadt suggested going through the list.

Discussion ensued regarding whether there are any plans to put in sidewalk along Monroe Boulevard on the bluff side and whether the city is placing benches right where there might be a sidewalk placed at some future date. There was also discussion about whether or not to add something that would limit the number of benches allowed to be placed along the Monroe Street bluff in the future. Fitzgibbon said that should be included; that there are a certain number of benches allowed. Moore asked whether there has been any more discussion about purchasing the four lots there, which might include room for more benches. Halberstadt said if we purchased the property we may be able to add benches, if permitted by the purchase agreements and deed restrictions. Moore strongly suggested that we not have any more benches placed along Monroe unless or until the city has more area.

Discussion then turned to placing a limit on the number of benches that could be donated for a particular individual. Halberstadt reminded of the situation where two different people wanted to donate a bench for one individual, and agreed that we need to add that the limit is one item per individual being memorialized or honored.

Moore wondered if there is a time frame to give the city money if a donated item needs to be replaced. Halberstadt said if someone donates a bench and ten years has gone by, there will have to be some staff judgement regarding whether or not to remove or replace it. If an item is beyond the projected life span, there needs to be evaluation of the item to determine whether the item is still usable or is deteriorating beyond being maintained. Moore posed the question of what to do if an item has a ten year projected life cycle and is unusable and deteriorated in five years. Halberstadt explained that on the benches we are collecting enough money to stain the benches every couple of years, but not enough for major maintenance.

Discussion ensued regarding how something damaged by vandalism would be repaired or replaced. Halberstadt said in that case it could be covered by city insurance. After comparison with other city's donation charges, there was discussion encouraging boosting the cost of the bench, since the city is currently charging a very small amount.

McAlear likes the wording on the Ann Arbor donation application, which states if the gift or memorial placed under this application is damaged intentionally or unintentionally, or needs to be removed for any other reason after the ten (10) year period of the date of installation, that the donor agrees that the City may remove the donated item at its discretion." Fitzgibbon agreed that something like that is needed. Halberstadt said in stating "life cycle" there is not a statement citing ten years in the policy. Fitzgibbon stressed the importance of it being clear that it is the Park Commission or City that determines the life cycle.

Toneman explained what he brought up before about the life cycle, that as items are chosen for donation there will be a life cycle pre-determined. Moore agreed with need for a projected life cycle.

In discussion of what types of gifts the city wants to accept, Reinert reminded that it had previously been talked about with staff of the need to look at proposed plans and recognize what the needs are. Halberstadt suggests assembling a list with common site furnishings such as picnic tables, benches and trash cans. Larger donations could be determined by specific projects going on in the city. Reinert asked about doing donations toward the replacement of materials at Kids Corner. McAlear said the old policy has a list under item #6. Reinert said that is in the draft so it is addressed.

Under Funding it was noted that there had already been discussion about that and Halberstadt agreed that he can update that reflecting the boards' recommendation for bumping up the cost of donations.

Reinert asked for comments on how to encourage donations elsewhere in the city than Monroe Boulevard. Toneman said let people know what needs there are. Reinert suggested putting in the newsletter that goes out with the utility bills. McAlear noted you need to sell the idea. Moore said if benches are more expensive, perhaps other items will be donated.

Toneman mentioned the upcoming Black River Park upgrades; Fitzgibbon noted the tables and benches in Dyckman Park and Reinert suggested having plaques for donations of picnic tables in all the parks.

During discussion about gifts donated prior to adoption of gift policy, Halberstadt explained that is why the language is included about the city reserving the right to move or remove an item. Fitzgibbons noted that the maintenance of some donated items has been difficult. Reinert said once a donation is made, the city now owns it and should have the right to maintain, move or remove. Reinert said we need to keep the meaning of "donation" in mind, and write our policy with that in mind.

Toneman said maybe there should be a section regarding what to do about items donated before the first gift policy. Halberstadt noted again, the city reserves the right and noted that unless something is a serious safety hazard, the city staff does not want to remove anything if it is still in good repair.

Reinert said we need to stand by the policy. Toneman pointed out that if the donor is demanding things it was not a donation. Reinert observed that there is a fine line but we need to make that line clear; once it is donated the memorial item is the property of the city. Toneman said we need a general statement like that to give the city a little more freedom to plan.

Reinert asked if we should tweak this one more time before we submit it for approval. Halberstadt will go through the minutes, tweak the gift plan and send out an updated draft by email. Toneman agreed that it could be emailed to the commissioners, that there is no need to have another meeting to do that. Reinert requested that Halberstadt highlight the changes so the updates could easily be found.

Moore and Fitzgibbon would like to add to Section 6F. Buildings, Structures, and Public Art "playground items or playground equipment."

**8. Commission will be requested to establish a schedule of Regular Meeting Dates for the 2016 Calendar Year.**

Reinert asked if everyone agrees that the second Tuesday of the month at 6:00 p.m. works for everyone.

Halberstadt suggested that consideration be given to not scheduling a meeting in December, noting that the Board of Public Utilities does not schedule a regular meeting in December. The BPU normally meets on the last Monday of the month so they do not meet in December unless they need a special meeting. Reinert said because the Parks Commission has meetings canceled throughout the year, and with snowbirds, maybe meeting in December is the last time all would be together. Toneman said if there isn't anything talk about the meeting can be canceled.

Motion by Moore to continue the same schedule as usual. Second by McAlear.

All in favor. Motion carried.

## 9. City Engineer Comments

Farewell to Council Representative Fitzgibbon

Halberstadt thanked Fitzgibbon for the years of service to City Council and Parks Commission. There was discussion of term limits and who would be appointed for 2016 as Council Rep to the Parks Commission. Moore noted that it makes a difference to have some history here, that it takes a few months to get up to speed.

Reinert expressed that she is really sorry she has only had a short time since to serve with Fitzgibbon, thanked her and said Fitzgibbon would be really missed.

## 10. Commissioner Comments

Fitzgibbon: I appreciate all of you. I am still very interested in Kid's Corner. I think we will have to have another community build; I think people would be interested and I might be involved.

McAlear: With the property values in that area there should not be a problem raising funds for Kid's Corner.

Moore: Asked Fitzgibbon whether she has any words for those of us left here.

Fitzgibbon: There is a certain amount of power in a commission; you examine an issue and bring it to council. Yes, council can change it, but know your power and decide what you want for the parks. Know that City Council does have the final say, but they are very much looking for your input.

Reinert: Town looks absolutely beautiful.

## 11. Adjourn

Motion by Toneman, second by McAlear to adjourn at 7:01 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary