

**EUDORA CITY COMMISSION  
MEETING AGENDA  
January 13, 2020  
Eudora City Office  
4 East 7<sup>th</sup> Street Eudora, Kansas  
7:00 P.M.**

**Mayor: Tim Reazin**

**Vice Mayor: Ruth Hughs**

**City Commissioners: Jolene Born, Troy Squire & Tim Bruce**

- I. CALL TO ORDER      Roll Call      Pledge of Allegiance**
- II. CHANGES OR ADDITIONS TO AGENDA – Approve agenda**
- III. OATH OF OFFICE – newly elected City Commissioner Roberta Lehmann**
- IV. ELECT MAYOR**
- V. ELECT VICE MAYOR**
- VI. CONSENT ITEMS:**
  - A. Consider minutes of December 9, 2019 Eudora City Commission meeting**
  - B. Consider warrants against the City of Eudora**
  - C. Consider December Police Department report**
  - D. Consider December Fire Department report**
  - E. Consider Kansas Rural Water Association Designation of Voting Delegate**
  - F. Consider Resolution 2020-01 GAAP waiver**

**PUBLIC COMMENTS: Please state name and address prior to addressing the Governing Body. Public comments are limited to 5 minutes per speaker.**

- VII. BUSINESS ITEMS:**
  - A. Recognize Eric Strimple for achieving Certified Municipal Clerk designation**
  - B. Consider request from Sonic Drive In to replace mechanical marquee sign**
  - C. Consider 2019 4<sup>th</sup> Quarter Planning and Codes Department report**
  - D. Consider swimming pool resurfacing and paint contract**
- VIII. Mayor & City Commission comments**
- IX. City Manager & staff comments**
- X. WORK SESSION:**
  - A. Facilities Naming & Donation Policies**
- XI. EXECUTIVE SESSION:**
  - A. Non-elected personnel**
- XII. Adjournment**

*As a courtesy, please silence all cell phones while the City Commission meeting is in session.*

## **OATH OF OFFICE**

**FOR THE CITY OF EUDORA, DOUGLAS COUNTY, KANSAS**

I, Roberta Lehmann, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Kansas, and faithfully discharge the duties of a Eudora City Commissioner so help me God.

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Employee Signature

SUBSCRIBED AND SWORN TO before me, this 13<sup>th</sup> day of January, 2020.

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Pam Schmeck  
Witness

Eudora City Commission Meeting  
City Hall – 4 E. 7<sup>th</sup> Street  
Eudora, Kansas  
December 9, 2019  
6:00 pm

Call to Order

Mayor Tim Reazin

Vice Mayor Ruth Hughs

Commissioner Jolene Born

Commissioner Troy Squire

Commissioner Tim Bruce

Quorum noted.

Pledge of Allegiance was recited.

Changes or additions to agenda

Mayor Reazin requested the addition of Item H – 840 Main Street after the Executive Session.

**Commissioner Born moved the City Commission approve the agenda with the addition of Item H – 840 Main Street after Executive Session**, motion seconded by Commissioner Squire, all ayes, motion carried, 5-0.

**Mayor Reazin moved the City Commission recess to the Nottingham Development work session**, motion seconded by Commissioner Squire, all ayes, motion carried, 5-0.

Work Session

A. Nottingham Redevelopment

City Manager Matite will use this work session to update the Commission with the progress on the Nottingham redevelopment. Since receiving the feedback at the last work session, staff and the redevelopment team have been working on the suggested changes. City Attorney David Waters attended the meeting along with Tom Kaleko from Baker Tilly.

Consensus of the Commission was to direct staff to perform due diligence to ensure there are no unnecessary costs later in the project.

At 6:55 pm, the Mayor brought the meeting to order.

**Mayor Reazin moved the Commission recess for a break for four minutes**, motion seconded by Commissioner Squire, all ayes, motion carried, 5-0.

Mayor Reazin brought the meeting to order at 7:00 pm.

Consent agenda items

- A. Consider minutes of November 25, 2019 Eudora City Commission meeting
- B. Consider warrants against the City of Eudora
- C. Consider November Police Department report
- D. Consider November Fire Department report

**Commissioner Hughs moved the City Commission approve the consent items**, motion seconded by Commissioner Squire, all ayes, motion carried, 5-0.

## Public comments

Public comments were invited and were heard by Sandra Deay regarding accepting leaves at the brush facility and the loss of the track at Nottingham. She would like to see an entrance sign in the area of the Nottingham site. Mayor Reazin responded the pilot program for the brush facility will continue and until staff reports back to the City Commission. At that time, the program will be reevaluated taking in consideration citizen needs and public works staffing. Mayor Reazin explained there is a plan for a track around the ball fields at Lucy Kaegi Park.

## Business Items

### A. Consider Master Development Agreement with CBC Real Estate Group, LLC

City Manager Matite introduced Mike Belew of CBC Real Estate Group, LLC. Mr. Belew addressed the Commission giving them a background of the company. Mayor Reazin thanked the development team for their hard work.

**Commissioner Born moved the City Commission approve the Master Development Agreement with CBC Real Estate Group and authorize Mayor Reazin to execute the agreement,** motion seconded by Commissioner Squire, all ayes, motion carried, 5-0.

#### i. Consider signing standard form of agreement for design work

**Commissioner Born moved the City Commission authorize Mayor Reazin to execute AIA form of Design Agreement for the CM Risk for the Nottingham project after final revisions have been made by staff and the development team,** motion seconded by Commissioner Squire, all ayes, motion carried, 5-0.

### B. Consider Professional Service Agreement with VIESTE, LLC

Although the city has retained VIESTE as an extension of staff, the document included in the packet is the detailed scope of work they will perform as part of the Nottingham project.

**Commissioner Squire moved the City Commission approve the Professional Service Agreement with VIESTE, LLC – Addendum 1 and authorize the City Manager, Barack Matite, to execute the agreement,** motion seconded by Mayor Reazin, all ayes, motion carried, 5-0.

### C. Introduce new city employees: Equipment Operator Shane Hill, Mechanic Derrick Shutts and Wastewater Class III Operator Harry Avery

Public Works Director Boyd introduced the three new employees to the Commission. They were welcomed by the Commission.

### D. Consider Resolution 2019-11 declaring the boundaries of the City of Eudora

Strimple informed the Commission although the city boundaries are the same as 2018, the city is still required to approve a resolution declaring boundaries.

**Mayor Reazin moved the City Commission approve Resolution 2019-11 declaring the 2019 boundaries of the City of Eudora,** motion seconded by Commissioner Bruce, all ayes, motion carried, 5-0.

### E. Consider Resolution 2019-12 updating Master Fee Schedule

After discussion, it was decided Swann's delivery truck and similar type of businesses did not need to have a license.

**Commissioner Hughs moved the City Commission adopt Resolution 2019-12 updating the fees reflected in the master fee schedule as presented,** motion seconded by Commissioner Bruce, all ayes, motion carried, 5-0.

### F. Consider 2020 Advanced Cereal Malt Beverage License renewals for Gene's Heartland Foods, Casey's General Store #1199, Kwik Shop and Jasmin Restaurant

**Mayor Reazin moved the City Commission approve the Cereal Malt Beverage License applications for Kwik Shop, Casey's General Store #1199, Gene's Heartland Food, and Jasmin Restaurant pending completion of city code requirements,** motion seconded by Commissioner Born, all ayes, motion carried, 5-0.

G. Consider canceling December 23, 2019 regularly scheduled City Commission meeting  
**Mayor Reazin moved the City Commission postpone the discussion of this item until after the Executive Session**, motion seconded by Commissioner Born, all ayes, motion carried, 5-0.

Mayor and City Commission Comments

**Mayor Reazin** commented he was providing city staff with an appreciation luncheon on the 19<sup>th</sup> and invited the other Commissioners to attend. The Mayor thanked Electric Superintendent Eldon Brown for his work before and during the lighting ceremony.

**Commissioner Bruce** – No comment.

**Commissioner Hughs** commented she liked driving down Main Street; the Christmas lights made Main Street look like a postcard.

**Commissioner Born** commented the Christmas lights looked nice; the tree at city hall looked classic.

**Commissioner Squire** – No comment.

City Manager and Staff Comments

**City Manager Barack Matite** reminded the Commission he would be out of the office on Wednesday, December 11<sup>th</sup> until January 3<sup>rd</sup> of 2020. Matite thanked Parks & Recreation Director Pennington for coordinating the lights on Main Street and thanked the Chamber for the lighting event held earlier.

**Assistant City Manager Leslie Herring** – No comment.

**Director of Public Works Branden Boyd** reported there were 23 people utilized the brush facility in the four hours it was open on Saturday. Citizens were abiding with the regulations. Water Well #10 is basically completed.

**Police Chief Wes Lovett** commented a new officer, Jacey Jacobs, graduated on Friday and started working today. She will attend a future meeting to be introduced to the Commission.

**Fire Chief Ken Keiter** commented there was a roll over accident on Highway 10. The driver wasn't wearing a seatbelt and was ejected. Chief used this time as a reminder for everyone to wear their seatbelts.

**Parks & Recreation Director Sally Pennington** commented the hayrides have had a great turnout. They will continue through next week on Tuesday and Thursday. The December Dash 5K is on Saturday at 10:30 am.

**City Clerk Pam Schmeck** did not attend meeting. Billing Specialist Eric Strimple attended in her place. Strimple reported that the Eudora Employee Relations Committee opted to hand out hams this year instead of a Christmas party for employees.

**Mayor Reazin moved the City Commission recess for Executive Session for 10 minutes to return at 7:55 pm for consultation with an attorney for the public body or agency with would be deemed privileged in the attorney-client relationship**, motion seconded by Commissioner Born, all ayes, motion carried, 5-0.

City Attorney David Waters and City Manager Matite attended the Executive Session. Commissioner Bruce abstained from attending the Executive Session due to a potential conflict of interest.

Mayor Reazin brought the meeting to order at 7:55 pm.

**Mayor Reazin moved the City Commission recess for Executive Session for 5 additional minutes to return at 8:00 pm for consultation with an attorney for the public body or agency with would be deemed privileged in the attorney-client relationship,** motion seconded by Commissioner Born, all ayes, motion carried, 4-0.

Mayor Reazin brought the meeting to order at 8:00 pm.

**Commissioner Hughs moved the City Commission recess for Executive Session for 3 additional minutes to return at 8:03 pm for consultation with an attorney for the public body or agency with would be deemed privileged in the attorney-client relationship,** motion seconded by Mayor Reazin, all ayes, motion carried, 4-0.

Mayor Reazin brought the meeting to order at 8:03 pm.

**Mayor Reazin moved the City Commission recess for Executive Session for 12 minutes to return at 8:15 pm for personnel matters of nonelected personnel,** motion seconded by Commissioner Squire, all ayes, motion carried, 5-0.

City Attorney David Waters as well as all the Commissioners and City Manager Matite attended the Executive Session.

Mayor Reazin brought the meeting to order at 8:15 pm.

G. Consider canceling December 23, 2019 regularly scheduled City Commission meeting  
**After executive session, Mayor Reazin moved the City Commission cancel the December 23, 2019 regularly scheduled City Commission meeting,** motion seconded by Commissioner Born, all ayes, motion carried, 5-0.

H. 840 Main Street  
No action taken.

Commissioner Hughs suggested setting a work session with just the Commissioners after Roberta Lehmann takes office in January for strategic planning. Late February or early March was discussed as a time frame. The date will be discussed at the next meeting.

**Mayor Reazin moved to adjourn,** motion seconded by Commissioner Bruce, all ayes, motion carried, 5-0.

Meeting adjourned at 8:17 pm.

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Tim Reazin, Mayor

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Pam Schmeck, City Clerk



## City of Eudora Police Department

Report Date Range: 12/01/2019 to 12/31/2019

### Dispatched Calls- Priority Level= 116

INCIDENT TYPE	# INCIDENTS	% of TOTAL
Medicals	29	25.00%
Adult/Child Welfare Checks	17	14.66%
Accidents	14	12.07%
Alarms	11	9.48%
Thefts	9	7.76%
Suspicious Activity	6	5.17%
Other	30	25.86%
<b>TOTAL</b>	<b>116</b>	<b>100.00%</b>

### Dispatched Calls- Non-Priority= 156

INCIDENT TYPE	# INCIDENTS	% of TOTAL
Request Speak to Officer	43	27.56%
Motorist Assist	20	12.82%
Investigate Vehicle	14	8.97%
Civil Standby	11	7.05%
Animal Calls	10	6.41%
Commercial Vehicle Inspection	8	5.13%
Other	50	32.05%
<b>TOTAL</b>	<b>156</b>	<b>100.00%</b>

## Self-Initiated Calls/Stops= 290

TYPE	#
Traffic Stops	186
Traffic Citations	26
Criminal Citations	22
Arrests	31
Warrants Served	18
Attempted Warrants	3
DUI's	4
<b>TOTAL</b>	<b>290</b>

also counts as a traffic stop

also counts as a traffic stop

includes warrants served

**\*Total officer interactions for the month of December= 562**

### Investigations:

Detective Flick currently has 13 active cases: 3 burglaries, 6 sex crimes, 1 abuse case, 1 rape, 2 auto thefts. 24 cases are pending with the DA's office & court system. Detective Flick has closed 0 cases this month.

### News & Events:

New patrol officer, Jacey Jacobs began her field training on December 9th. With help from the community, EPD was able to provide Christmas gifts for 4 families this year. Officer Galley & Officer Rubow completed training to become Field Training Officers at Johnson County Community College.

### Other:

# City of Eudora Fire Department

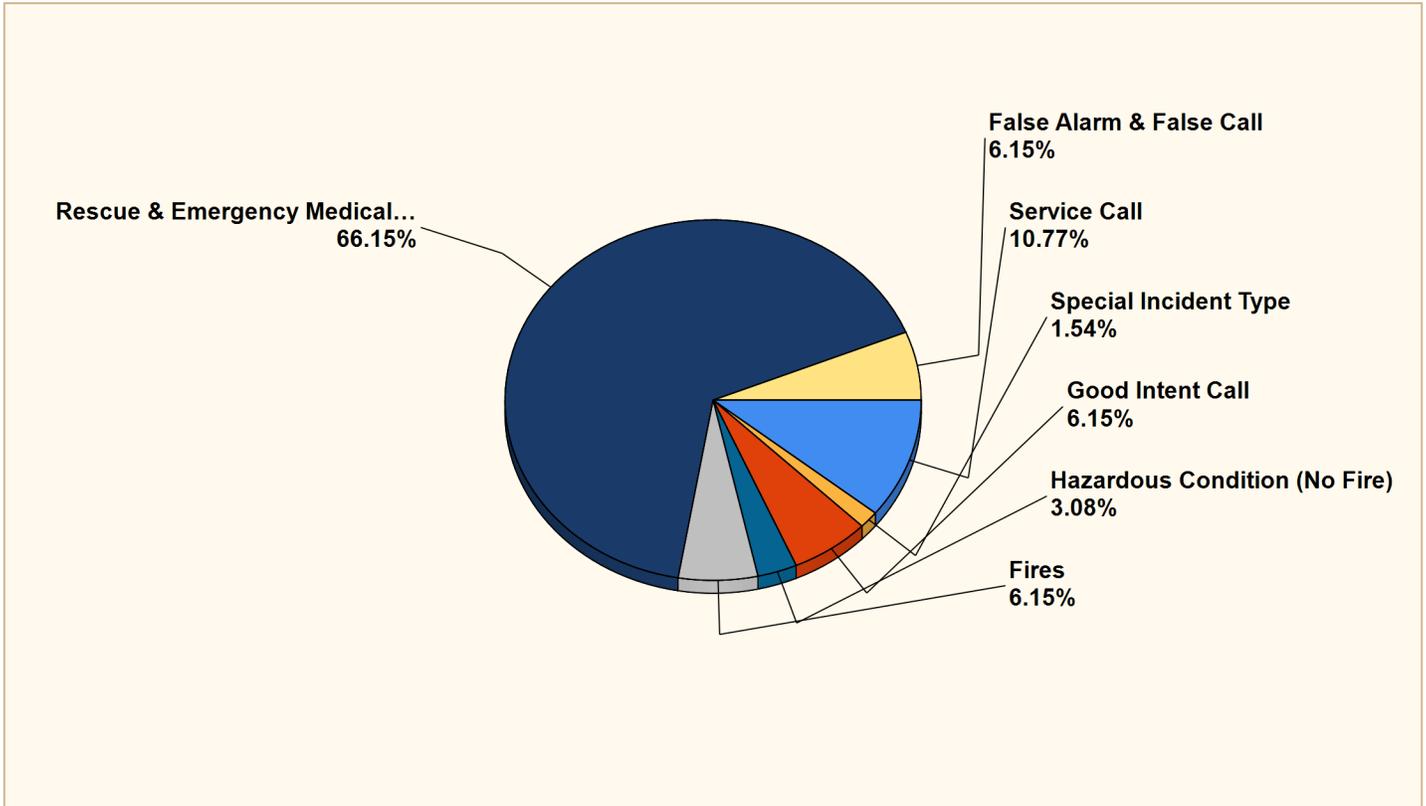
Eudora, KS

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## Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 12/01/2019 | End Date: 12/31/2019



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	4	6.15%
Rescue & Emergency Medical Service	43	66.15%
Hazardous Condition (No Fire)	2	3.08%
Service Call	7	10.77%
Good Intent Call	4	6.15%
False Alarm & False Call	4	6.15%
Special Incident Type	1	1.54%
<b>TOTAL</b>	<b>65</b>	<b>100.00%</b>

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero. Does not include Imported data.

### Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
111 - Building fire	2	3.08%
114 - Chimney or flue fire, confined to chimney or flue	1	1.54%
154 - Dumpster or other outside trash receptacle fire	1	1.54%
311 - Medical assist, assist EMS crew	1	1.54%
320 - Emergency medical service, other	1	1.54%
321 - EMS call, excluding vehicle accident with injury	39	60.00%
322 - Motor vehicle accident with injuries	1	1.54%
381 - Rescue or EMS standby	1	1.54%
412 - Gas leak (natural gas or LPG)	2	3.08%
551 - Assist police or other governmental agency	2	3.08%
553 - Public service	1	1.54%
554 - Assist invalid	3	4.62%
561 - Unauthorized burning	1	1.54%
611 - Dispatched & cancelled en route	2	3.08%
622 - No incident found on arrival at dispatch address	1	1.54%
671 - HazMat release investigation w/no HazMat	1	1.54%
700 - False alarm or false call, other	1	1.54%
733 - Smoke detector activation due to malfunction	1	1.54%
743 - Smoke detector activation, no fire - unintentional	2	3.08%
900 - Special type of incident, other	1	1.54%
<b>TOTAL INCIDENTS:</b>	<b>65</b>	<b>100.00%</b>

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero. Does not include Imported data.

# City of Eudora Fire Department

Eudora, KS

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## Incident Statistics

Start Date: 12/01/2019 | End Date: 12/31/2019

INCIDENT COUNT			
INCIDENT TYPE		# INCIDENTS	
EMS		43	
FIRE		22	
<b>TOTAL</b>		<b>65</b>	
TOTAL TRANSPORTS (N2 and N3)			
APPARATUS	# of APPARATUS TRANSPORTS	# of PATIENT TRANSPORTS	TOTAL # of PATIENT CONTACTS
1200	0	0	5
1201	0	0	1
B1271	0	0	6
E1232	0	0	7
M12	0	0	2
S1251	0	0	13
STN	0	0	1
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>35</b>
PRE-INCIDENT VALUE		LOSSES	
<b>\$0.00</b>		<b>\$0.00</b>	
CO CHECKS			
<b>TOTAL</b>			
MUTUAL AID			
Aid Type		Total	
Aid Given		2	
Aid Received		1	
OVERLAPPING CALLS			
# OVERLAPPING		% OVERLAPPING	
3		4.62	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)			
Station	EMS	FIRE	
City of Eudora Fire Department	0:04:16	0:08:20	
<b>AVERAGE FOR ALL CALLS</b>		<b>0:05:40</b>	
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)			
Station	EMS	FIRE	
City of Eudora Fire Department	0:01:39	0:05:42	
<b>AVERAGE FOR ALL CALLS</b>		<b>0:03:03</b>	

Only Reviewed Incidents included. CO Checks only includes Incident Types: 424, 736 and 734. # Apparatus Transports = # of incidents where apparatus transported. # Patient Transports = # of PCR with disposition "Treated, Transported by EMS". # Patient Contacts = # of PCR contacted by apparatus. This report now returns both NEMSIS 2 & 3 data as appropriate.

AGENCY	AVERAGE TIME ON SCENE (MM:SS)
City of Eudora Fire Department	21:38

Only Reviewed Incidents included. CO Checks only includes Incident Types: 424, 736 and 734. # Apparatus Transports = # of incidents where apparatus transported. # Patient Transports = # of PCR with disposition "Treated, Transported by EMS". # Patient Contacts = # of PCR contacted by apparatus. This report now returns both NEMSIS 2 & 3 data as appropriate.

# City of Eudora Fire Department

Eudora, KS

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## Occupancies Inspected for Date Range

Start Date: 12/01/2019 | End Date: 12/31/2019

OCCUPANCY	ID	ADDRESS	ZONE	LAST INSPECTION
ATA Storage	3	1002 OCL DR		12/19/2019
Casey's General Store	35	303 E 10th ST		12/19/2019
Church of Christ	61	1530 Winchester ST		12/04/2019
Gene's Heartland Foods	69	1402 Church ST #G		12/11/2019
Kwik Shop	102	1436 Church ST		12/19/2019
Mur's Tire and Auto	172	505 W 10th ST		12/12/2019
Riverbend Apartments		1516 Greenway DR	South of 10hwy	12/03/2019
Zeb's Coffee House	169	742 Main ST	North of 10hwy	12/16/2019

**# of Occupancies Inspected: 8**

**% Occupancies Inspected: 4.73**

Included occupancies are those that have a LOCKED inspection on record for the date range provided.



## Agenda Statement

**Date:** January 13, 2020  
**To:** Mayor, Vice Mayor and City Commissioners  
**From:** Pam Schmeck, City Clerk  
**Re:** Delegate to Kansas Rural Water Association

### Background

As a member of Kansas Rural Water Association, each member city can appoint a voting delegate and an alternate, if needed. Both the voting delegate and the alternate will serve a one-year term.

Staff recommends appointing Public Works Director Branden Boyd as the voting delegate. Staff does not recommend an alternate be named at this time. Appointed delegates will be able to vote on topics during the KRWA annual meeting to be held Thursday, March 26, at 8:00 am. The form included in the packet will be returned to KRWA after the appointment is approved.

**Budget Impact** – N/A

**City Manager Approval** – N/A

### Recommended Commission Action

*Suggested Motion:* I move to approve Branden Boyd as voting delegate to the Kansas Rural Water Association.

**Notice of 2020 Annual Meeting of Membership  
Kansas Rural Water Association  
Designation of Voting Delegate**

**Notice is hereby given** that the 53rd annual meeting of the membership of the Kansas Rural Water Association will be held on Thursday, **March 26, 2020** beginning at **8:00 a.m. in Conference Room 209A at Century II Convention Center, Wichita, KS.** Active members (public and private water systems, current on dues) may appoint a voting delegate to the meeting of membership. The dates of the annual conference are March 24 - 26. The program with conference registration forms will be in postal mail in early January and also posted online at [www.krwa.net](http://www.krwa.net) under the "training" or "conference" link. This notice is addressed to the person named as "key contact" by each member system. Additionally, a copy is also mailed to the Mayor or RWD Board Chairman of each active member of the Association.

**Please complete the form below and return it to KRWA to certify the appointment of your delegate and alternate. This form must be returned to KRWA by March 16 to ensure accurate recording of the voting delegates for the meeting of membership.**

**Agenda**

Reading and approval of minutes  
Report of officers  
Audit Report  
Report of Nominating Committee, election of directors  
Manager's report  
Unfinished business  
New business  
Adjournment

detach and return to KRWA, PO Box 226, Seneca, KS 66538 by March 16

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Please print or type --

Name of System: \_\_\_\_\_ County: \_\_\_\_\_

Name of Delegate: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Name of Alternate Delegate: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

**Attest by Signature:**

Chairman or Mayor: \_\_\_\_\_ Clerk, Secretary: \_\_\_\_\_



## Agenda Statement

**Date:** January 13, 2020  
**To:** Mayor, Vice-Mayor and City Commissioners  
**From:** Renee Davis, Budget Analyst/Treasurer  
**Re:** GAAP Waiver for FY 2019

### **Background**

State Statute K.S.A. 75-1120a(a) requires municipalities to use generally accepted accounting principles (GAAP) to prepare financial statements. Per K.S.A. 75-1120a(c)(1), the Governing Body may waive GAAP requirements by resolution and prepare financial statements and reports in compliance with the cash-basis and budget laws of the State of Kansas.

### **Staff Recommendation**

Staff recommends the Governing Body of Eudora allow staff to prepare financial statements and reports based on the cash receipts and disbursements as adjusted to show compliance with the cash-basis and budget laws of the State of Kansas by adopting Resolution 2020-01.

**Budget Impact** – None

**City Manager Approval** -

### **Recommended Commission Action**

*Suggested Motion:* I move the City Commission approve Resolution 2020-01 waiving GAAP requirements.

## RESOLUTION 2020-01

**WHEREAS** the City of Eudora, Kansas has determined that the financial statements and financial reports for the year ended 2020 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the Governing Body or the members of the general public of the City of Eudora, and;

**WHEREAS** there are no revenue bond ordinances or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) for the year ended 2020.

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the City of Eudora, Kansas in regular meeting duly assembled this 13<sup>th</sup> day of January, 2020 that the Governing Body requests the Director of Accounts and Reports to waive the requirements of K.S.A. 75-1120a(a) as they apply to the City of Eudora, Kansas for the year ended 2020.

**BE IT FURTHER RESOLVED** that the Governing Body shall cause the financial statements and financial reports of the City of Eudora, Kansas to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

**PASSED** by the Governing Body this 13<sup>th</sup> day of January, 2020; signed by Mayor of the City of Eudora, Kansas.

(SEAL)

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Pam Schmeck, City Clerk



## Agenda Statement

**Date:** January 13, 2020  
**To:** Mayor, Vice Mayor and City Commissioners  
**From:** Pam Schmeck, City Clerk  
**Re:** Recognize Eric Strimple for CMC designation

### Background

Eric Strimple has earned the designation of Certified Municipal Clerk (CMC) which is awarded by the International Institute of Municipal Clerks (IIMC). To earn the CMC designation, a clerk must attend extensive education programs and also it requires pertinent experience in a municipality. The program prepares the applicants to meet the challenges of the complex role within a city office.

Eric has been employed the city for over five years. During this time, Eric has strived to achieve his goals that he set for himself. Becoming certified as a municipal clerk is one such goal.

Eric is honored to have Lana McPherson, DeSoto city clerk and president of the IIMC, present him with a plaque and his CMC lapel pin celebrating his certification.

**Budget Impact** – N/A

**City Manager Approval** – N/A

### Recommended Commission Action

*Suggested Motion:* No motion necessary.

## **Agenda Statement**

**Date:** January 13, 2020  
**To:** Mayor, Vice Mayor and City Commissioners  
**From:** Curt Baumann, Codes Administrator  
**Re:** Animated Sign Permit Application: Sonic Drive-in (1420 Church St.)  
Applicant: Custom Neon & Vinyl Graphics Inc, on behalf of Sonic Drive-In

### **Background:**

On December 3, 2019, Custom Neon & Vinyl Graphics filed a formal request to appear before the City Commission. This request is in support of Custom Neon's November 25, 2019 sign permit application requesting city approval to install a double-sided, full-color optic display message boards on Sonic Drive-In's existing elevated sign. City staff has worked with Sonic's sign contractor, Custom Neon, to prepare this matter for City Commission review and action.

City sign regulation – Section 16-1213 General Requirements to all Signs, Item (3)(d) – requires that the Governing Body review and make determination on applications for animated signs. The applicable section of the City's Code is provided below.

- (d) Animated Signs: Electronic animated signs may be permitted as a component of a sign in conjunction with a primary use on the property where the sign is placed. Electronic message panels and animation shall be permitted only where they convey changing information directly related to the use of the principal structure on the premises. The applicant may propose, and the City may condition its approval to require operational limitations, such as hours of operation, mode of operation, brightness or frequency of display change, and other matters related to the health, safety and welfare of the public. No electronic message panel shall be permitted unless the Governing Body determines that the following conditions will be met:
- (I) The message area of the panel must be oriented toward a local thoroughfare street or highway and shall not be readily visible from any existing residence within a 300-foot radius of the sign.
  - (II) The mode of operation for the panel display shall be limited to the fade in/fade out mode where a message appears on the sign, is dissolved or turned off, and another message takes its place, not to exceed a change of message or animated image more than six per minute. The display area of the panel shall not be operated to attract the attention of viewers through flashing displays.
  - (III) The proposed message panel will not degrade traffic safety given its size, height, color, brightness, mode of operation and its relationship to surrounding traffic patterns, speeds and roadway geometrics.

- (IV) The proposed message panel shall be designed as an integral part of a larger sign package for the principal land use of the parcel.
- (V) No portion of the animation or electronic message panel shall exceed the height limit for the sign in the subject district, or 20 feet in height above the average elevation of the surrounding grade, whichever is less.
- (VI) Animated signs permitted by the provisions of this section shall comply with all other sign requirements.

**Staff Comments and Recommendations:**

The proposed electronic message board will replace a portion of the existing signage on an existing elevated sign. The sign face area of the proposed signage (electronic message board – approximately 31 square feet per face) is slightly larger than the existing signage (marquee cabinet and drive-thru – approximately 30 square feet per face) to be replaced. The closest sign faces north and south. The closest residential structure with a direct view to a proposed sign face is approximately 500 feet to the north. A map illustrating a 300’ radius around the sign is provided below (per 16-1213(3)(d)(I)).



Operationally, the applicant has indicated that the proposed electronic message board is to show static images that will change every 10 seconds (6 per minute), but the applicant has not provided specific information regarding brightness of the sign to determine if the sign would degrade traffic safety. Staff recommends, as a conditional of approval, information from the applicant sufficient to ensure sign brightness will not negatively impact traffic safety.

Additionally, although it appears that the top of the proposed electronic message board would be approximately 14 feet above the ground, the overall height of the sign is depicted at two different heights in the two pictures provided in the application, which is provided in your meeting packet (30 feet and 23 feet of total height respectively). Accurate heights should be verified and provided by the applicant at the City Commission meeting.

Staff recommends the City Commission determine if all the conditions of Section 16-1213(3)(d) I thru VI are met. To aid in that effort, staff offers the following table to evaluate the required conditions.

Animated Sign Conditions for Review and Assessment, per 16-1213(3)(d)		
Condition 16-1213(3)(d)(I)	Not visible from any existing residence within 300' of the sign.	Condition met, per map provided above.
Condition 16-1213(3)(d)(II)	Sign operated by fade-in/fade-out mode with message rotation not more than six per minute (1 every 10 seconds).	Condition met, per application.
Condition 16-1213(3)(d)(III)	Avoids negative impact to traffic safety.	Staff is uncertain whether the condition will be met. Applicant states, "Shouldn't be an issue. We don't believe it will interfere with traffic safety."
Condition 16-1213(3)(d)(IV)	Animation component integrated into a larger sign.	Condition met, per images provided in application packet.
Condition 16-1213(3)(d)(V)	Animation component shouldn't exceed sign height limit.	Final height detail outstanding from application.
Condition 16-1213(3)(d)(VI)	Animation component should comply with all other sign requirements.	Depending on actual dimensions of the existing sign, this sign as-is is likely a legal non-conforming sign. All other sign requirements, but for brightness, are met.

**Budget Impact – N/A**

**City Manager Approval – N/A**

**Recommended Commission Action:**

*Suggested motion:* I move the City Commission approve issuing a permit for the proposed Sonic Drive-In optic display boards to be placed on the existing elevated sign and operated in a manner that meets all the parameters and conditions of Section 16-1213(3)(d), with the following conditions:

- a. the overall sign height does not increase; and
- b. prior to permit issuance, the applicant provides information to the City Codes Office sufficient to ensure sign brightness will not negatively impact traffic safety.



Request to be placed on the Eudora City Commission Agenda

Date: DECEMBER 3<sup>rd</sup> 2019

Name: TIM ROBITAILLE

Or

Company: CUSTOM NEON AND VINYL GRAPHICS, INC.

Mailing Address: 530 NW BROAD STREET • TOPEKA, KS 66608

Phone Number: 785 233-3218

Briefly summarize reason for request:

THE EXISTING SONIC DRIVE IN WOULD LIKE OUR SIGN COMPANY TO REPLACE THE OLD MECHANICAL MARQUEE WITH A NEW ELECTRONIC DISPLAY AND MESSAGE SIGN.

THE NEW SIGN WILL ALLOW COLOR ADVERTISING OF PRODUCTS, PICTURES AND COPY.

Meeting Date Requested: 12 - 23 - 2019



SIGN PERMIT APPLICATION  
PLANNING AND ZONING DEPARTMENT  
PH. (785) 542-3124 FAX (785) 542-1237

\*\*\*To be completed by the applicant.

NAME OF APPLICANT: Tim Robitaille APPLICANT PHONE #: 785-233-3218

APPLICANT EMAIL: Sales@customneon.biz

PROJECT ADDRESS: (Location of sign) 1420 Church Street, Eudora, KS 66025

NAME OF BUSINESS: Sonic Drive-In # 3766

PROPERTY OWNER INFORMATION:

NAME: D.L. Rogers Corp PHONE: 817-527-7820

ADDRESS: 1225 S Main St #300 Cozette, TX 76051

Signature of Property Owner: \_\_\_\_\_

SIGN CONTRACTOR INFORMATION:

NAME: Custom Neon Vinyl Graphics PHONE: 785-233-3218

ADDRESS: 530 NW Broad St Topeka, KS 66608

TYPE OF SIGN(S): (Check all that apply)

Wall Sign \_\_\_\_\_ Ground Sign  Roof Sign \_\_\_\_\_ Temporary Sign \_\_\_\_\_

MEASUREMENTS OF SIGN(S):

	<u>Sign Height</u>	<u>Sign Width</u>	<u>Wall Height</u>	<u>Wall Width</u>
Sign #1	<u>47.25"</u>	<u>94.50"</u>	_____	_____
Sign #2	_____	_____	_____	_____

Is the sign illuminated? Yes  No \_\_\_\_\_  
(If yes, an Electrical Permit is required.)

Valuation of sign(s) \$26,000.00

What material(s) is the sign made of? (i.e.: vinyl, wood, metal) \_\_\_\_\_  
Aluminum & steel angle iron

Signature of Applicant Tim Robitaille Date 11-25-19

\*\*\*Attach drawings and/or plans which illustrate all signs, and the location on the building/property.

- Electric Signs
- Neon Signs
- Plastic Signs
- Service & Repairs

# Custom Neon & VINYL GRAPHICS INC.

- Vinyl Graphics
- Digital Printing
- Vehicle Graphics
- Maintenance Contracts

City of Eudora  
Governing Body  
12 East 7<sup>th</sup> St.  
Eudora Ks. 66025

11 / 25 / 2019

## Request approval to install Sonic Electronic Message Boards

Custom Neon & Vinyl Graphics would like approval to install double full color Optic Display message boards on the pole sign out front of the Sonic Drive-In business. Custom Neon have been contracted to file an application for a permit, and resolve any questions or concerns with the city of Eudora. From our understanding, another sign company was hired for this project, and did not follow through to see what it would take to accomplish this request from Optic Display Inc. and Sonic.

What will be involved is the removal of the manual 3' x 8' marquee cabinets, and 2- 12"x 72" Drive Thru cabinets. They will be replaced with 2- 47.25"x 94.50" full color electronic message center. DL Rogers Corp. who is the owners of this Sonic and many others in Middle America, is now branding this look for all their stores, to be able to control all ads displayed from one location, would like to have this store be the same.

As to concerns in Sec.12 (d) - (I),(II), (III), (IV),(V),and(VI) of the sign code, I asked Optec Display Inc. to review and respond to each line, that the EMC will met the requirements of the Governing Body. They sent a letter back by e-mail, and looks to me that it will not be a problem to meet the requirements to satisfy the Governing Body.

As I has briefly mentioned, this project was started by another sign company about 1 year ago. For some reason, they did not follow through for the customer. Optic Display asked Custom Neon if we would take over this project, and resolve all issues to try to get an EMC for this Sonic store. I made contact with Curt Baumann about our situation, was very helpful in steering me in the right direction, and what was needed to see if I can get this project resolved.

Hopefully, there is enough information for consideration, and look forward for a positive answer. If there are any questions, please contact us.



Tim Robitaille



Worldwide Headquarters  
1700 S. De Soto Place  
Ontario, CA 91761 USA  
Phone: 800.876.1688  
Fax: 626.369.7858  
[www.optec.com](http://www.optec.com)

November 21, 2019

City of Eudora

RE: City of Eudora, Kansas – Zoning Regulations – Sign Limitations

Project: Sonic Drive-In # 3766  
Site Address: 1420 Church Street, Eduora, KS 66025

To Whom It May Concern:

In reference to sign limitations for project/site referenced above, following are our responses:

- (I) The sign installer indicating that there shouldn't be any issue with this.
- (II) Shouldn't be an issue. Sign will display static image with 10secs time hold.
- (III) Shouldn't be an issue. We don't believe it will interfere with traffic safety.
- (IV) Shouldn't be an issue. This will be a part of the freestanding structure that is currently there.
- (V) Shouldn't be an issue. Not making it bigger. Keeping it roughly about the same size as the manual reader board and/or drive thru that's currently there.
- (VI) Shouldn't be an issue. We're setting it as non-animated, static with 10secs time hold.

Please contact us if you have any questions or should need additional information.

Regards.

A handwritten signature in black ink that reads "Jane Hwee".

Jane Hwee  
Customer Support Department  
Optec Displays Inc.  
626.369.7188 Ext. 301

# Untitled Map

Write a description for your map.

## Legend

-  Auburn Pharmacy
-  Kwik Shop
-  SUBWAY® Restaurants



Google Earth

© 2018 Google

© 2019 Google

7.59 ft

# Untitled Map

Write a description for your map.

## Legend

-  Auburn Pharmacy
-  Kwik Shop
-  SUBWAY® Restaurants



Google Earth

© 2018 Google

© 2019 Google

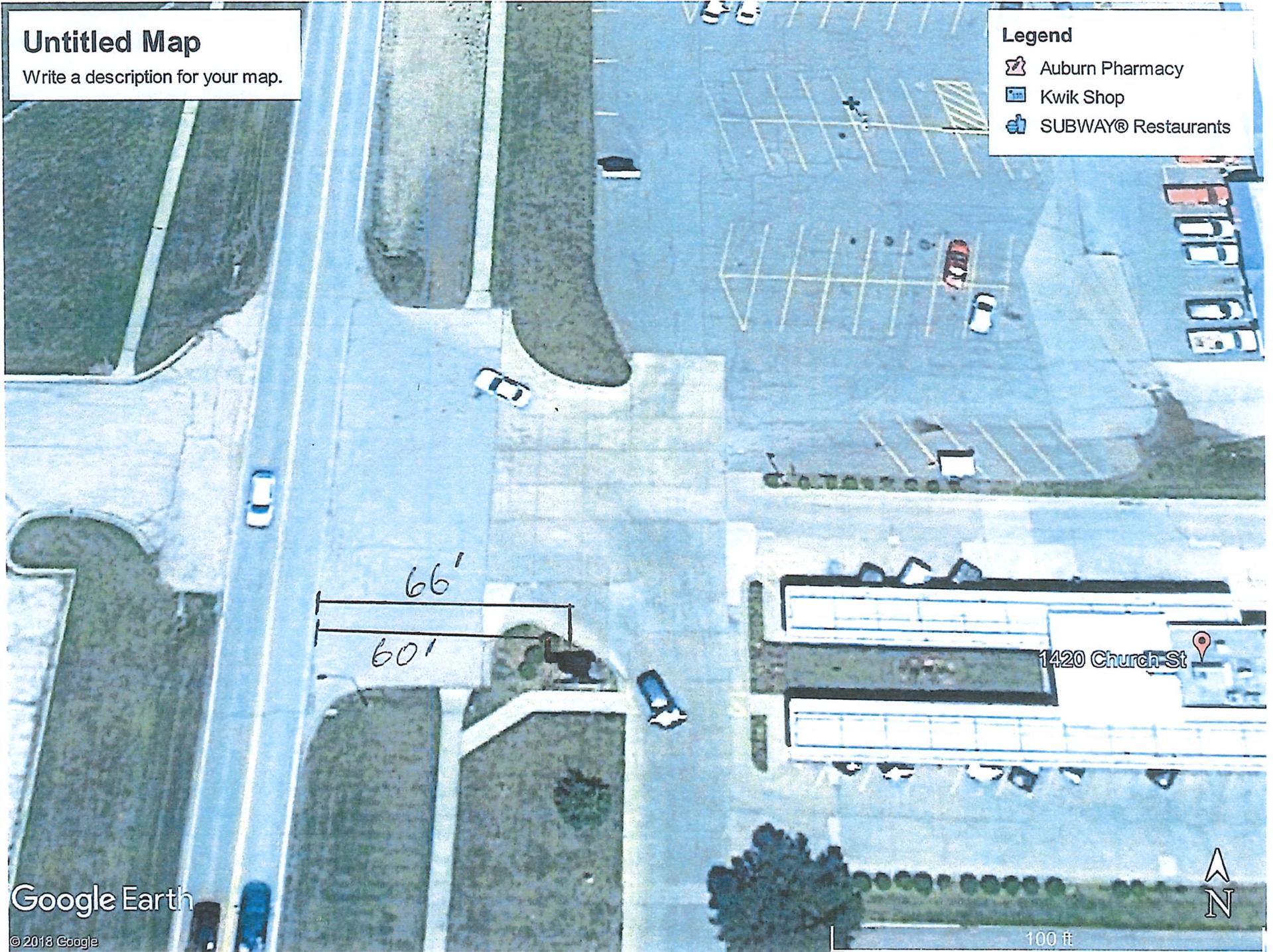
7.74 ft

# Untitled Map

Write a description for your map.

## Legend

-  Auburn Pharmacy
-  Kwik Shop
-  SUBWAY® Restaurants





## Agenda Statement

**Date:** January 13, 2020  
**To:** Mayor, Vice Mayor and City Commissioners  
**From:** Curt Baumann, Codes Administrator  
Gordon Snyder, Codes Enforcement Officer  
**Re:** 4th Quarter 2019 Codes Report

### Background

The fourth quarter of codes administration and enforcement was filled with fall and wintertime code violations and resolutions, continuing to focus codes enforcement on junked vehicle violations, nuisance and accumulations against prohibitions, parking on grass, issuance of numerous building permits, and the performance of building inspections.

### Codes Enforcement

#### *Primary Focus*

The primary focus of the Codes Enforcement Officer position is the identification and resolution of code violations. This past quarter (October – December), the following violations were formally addressed:

General Welfare	4
Prohibitions Against Accumulations	5
Junked Motor Vehicles	22
Street/Sidewalk Debris	1
Off-Street Parking	20
Camper/RV Parking	2
Numbering of Buildings	2
Special Conditions	1
Weeds	1
Sight Line Triangle	1
Raking or Sweeping Leaves	1
Other Public Improvements	1
Uninhabitable Structures	9
Sign Regulations	43
Non-permitted Contractors	16
<b>Total Enforcement Matters (City-wide) 4<sup>th</sup> Quarter</b>	<b>129</b>

Health and Welfare	170
Utilities	42
Junked Motor Vehicles	36
Parking Off Street	111
Street/Sidewalk Debris	6
Camper/RV Parking	17
Building & Construction	36
Grass/Weeds	80
Site Triangle	9
Swimming Pools	13
Animal Control & Regulation	3
Snow/Ice on Sidewalks	7
Solicitors, Canvasser, Peddlers Lic.	1
Raking or Sweeping Leaves	4
Special Conditions	1
Other Public Improvements	1
Non-Permitted Contractors	55
Sign Regulations	181
Uninhabitable Structures	31

**Total Enforcement Matters (City-wide) Year End 804**

*Special Focus Area(s)*

This past quarter, the Codes Enforcement Office focused on the number of junked vehicles being parked on private property, vehicles parked off approved surfaces and bulk trash being placed at street curb weeks in advance.

*1<sup>st</sup> Quarter Priorities*

The first quarter of the year will be spent focusing on the upkeep of yards to make sure they are compliant and continue working with residents to make sure all vehicles on private property have current registration.

Also of focus this quarter will be:

- Working on cleaning up and revising areas in the City Code and Zoning Regulations books

**Codes Administration**

*Primary Focus:*

The primary focus of the Codes Administrator is to enforce the building codes and zoning regulations as relate to construction and buildings and structures within the city limits. This past quarter (October – December), permits were issued for the following:

Mechanical (Furnace/AC replacement)	4
Plumbing (Water Heater replacement, irrigation gas line repair/pressure test, Sewer repair)	11
Electrical (Service Repair/upgrade, Temporary power)	2
Re-Roof	11
Sign, Tent, Temporary/Seasonal	10
Fence, Pergola, Deck, Structural Covering, Driveway, Pool	16
New Single-Family Home	2
Residential – Remodel/Addition	8
Commercial – New or Remodel/Addition	0
Accessory Building	2
Right- of Way	2
<b>2019 TOTAL BUILDING PERMITS – 4th Quarter</b>	<b>68</b>
<b>2019 TOTAL NEW HOUSING STARTS – 4th Quarter</b>	<b>2</b>
<b><u>(Median value: \$343,843.00)</u></b>	
<b>TOTAL CONTRACTOR’S LICENSE – 4th Quarter</b>	<b>58</b>

<b><u>2019 Year End Totals</u></b>	
<b>Building Permits</b>	<b>321</b>
<b>Housing Starts</b>	<b>13</b>
<b>Contractor’s License</b>	<b>172</b>

*Building:*

This past quarter we experienced a slowdown in the housing market. Permit applications for new housing starts have dropped, and several speculative homes are still on the market. This is normal for this time of year for the construction industry. The storage unit project on East 15<sup>th</sup> St received a Temporary Certificate of Occupancy due to the lack of not having grass/sod and the Pinecrest Apartments upgrade has completed most of the units on Walnut St and has started the units on Pine St.

Homestead of Eudora (aka Eudora Assisted Living) is on-track to apply for occupancy in Spring 2020.

*1<sup>st</sup> Quarter Priorities:*

- Notifying/Implementing the newly adopted 2018 ICC Building Codes
- Cleaning up discrepancies in the City Code
- Nottingham Development

**Budget impact – N/A**

**City Manager Approval – N/A**

**Recommended Commission Action**

*Suggested motion:* No motion necessary.

## Agenda Statement

**To:** Mayor and City Commissioners  
**From:** Sally Pennington, Director of Parks & Recreation  
**Date:** January 13, 2020  
**Re:** Parks & Recreation Department: 2020 Swimming Pool Resurfacing/Paint

### Background

The swimming pool was last professionally painted in 2016 and is showing how badly it needs re-done as soon as possible. A well-done, correct pool painting job should last at least 5 years if not 6 or 7.

The Parks & Recreation Department has received (4) proposals for the swimming pool resurfacing/paint. Staff will review the details and results with the City Commission, briefly show similarities/differences, and be able to answer any questions after review. All businesses came to Eudora to inspect, measure, and get back to me with what they believed our pool needed cosmetically to sustain the usage and preserve this resurfacing life span.

### Staff Comments and Recommendation

After review of all proposals, staff recommends accepting the bid from Torrey Bros Construction, INC. for multiple reasons. This vendor is the only quote to include: a complete brush blast to the *entire* pool to remove all previous coatings 100% to ensure proper profile and anchor pattern for the application of new coatings, a Tnemec Paint Company representative to inspect and approve the blasting operation before applying the new paint coatings, and a 3 year warranty that the new pool coatings will not flake or peel.

The table on the following page shows a comparison of the proposals received to resurface and repaint the pool.

During research of the previous pool paintings staff found that J.F McGivern Inc had been awarded the resurfacing bid in 2012, 2016, and put in an updated proposal in April 2019 to show estimations if awarded again in 2020.

**Budget Impact** – Pursuant to the November 12, 2019 City Commission work session in which 2020 Parks & Recreation Department projects were discussed, staff recommends using proceeds from the ¾ cent sales tax to cover the cost of the contract.

**City Manager Approval** – Received.

**Recommended Commission Action**

*Suggested motion:* I move the City Commission award Torrey Bros., Inc. the 2020 swimming pool resurfacing contract in an amount not to exceed \$53,940.

<b>Proposal Comparison</b>						
<u>Name of Business &amp; Location</u>	<u>Brush Blast</u>	<u>Tnemac series 161 (2 coats)</u>	<u>Debris Disposal</u>	<u>Repaint markings</u>	<u>Price</u>	<u>Warranty?</u>
<b>Titan Aquatics (Harrisonville, MO)</b>	No- power wash (turbo tip) entire shell, acid wash, patch damaged areas	<b>X</b>	N/A	<b>X</b>	\$40,200	1 year, standard
<b>Torrey Bros Construction (Wamego, KS)</b>	Yes + heavy duty degreaser scrubbed, sanded rough spots. Acid washed. All top 2 coats of 2016 paint removed prior to paint.	<b>X</b>	All managed by vendor	<b>X</b>	\$53,940	3 year, no cracks, flakes, peels etc.
<b>Utility Maintenance Contractors, LLC (Wichita, KS)</b>	Partial blast on not well adhered paint areas. (if full blast is required added expense) pressure wash brush blasted areas prior to coating.	<b>X</b>	City provides/ removes dumpster at own expense	<b>X</b>	\$59,874	1 year, standard
<b>J.F McGivern INC (Topeka, KS)</b>	Yes-Specific concrete surfaces shall be blasted. Acid washed then rinsed.	<b>X</b>	Managed by vendor	<b>X</b>	\$38,950	N/A
<b>2016 McGivern bid</b>	No, high pressure washed on Specific concrete surfaces. Acid washed then rinsed.	<b>X</b>	Managed by vendor	<b>X</b>	\$18,885 (stated in quote, existing coating does NOT need sandblasted or removed at this time)	N/A

# **Titan Aquatics**

22003 E. 298th St.

Phone (816) 654-3305

Harrisonville, MO 64701

---

City of Eudora, KS

Date: November 1, 2019

1630 Elm St

Eudora, KS 66025

Attn: Sally,

**RE: Pool Resurfacing (Paint)**

---

Per your request, please find the following contract for the above-mentioned work. This proposal is based on our conversation & field evaluation of your pool.

**Titan Aquatics (TA)** will require a down payment of 50% to order material and schedule work, with 25% payment midway and final payment due upon completion of work. (TA) has a 1-year warranty on all work performed by our workers. All material covered by manufacturer's warranty.

## **Work performed by TA:**

### **Project #1: Paint Pool with Olympic (Recommended)**

- TA to power wash entire shell with turbo tip (to remove any loose paint), grind in areas where needed, acid etch pool shell, TSP wash and rinse (to clean pool). Remove any hollow spots in shell, and patch pool shell on damaged areas. After a final rinse inspect entire shell before beginning paint application.
- TA to put primer on shell of pool, as needed.
- TA to prepare and mix paint per manufacturer's recommendation. Pool to be painted with Olympic Zeron white, the Zeron coating is a 4-year coating that only requires a single coat.
- TA to redo black striping and depth markers.

**Cost \$35,288.00**

## **Project #2: Pool Paint with Tnemec**

- **TA to prep pool surface in the same manner as in Project #1.**
- **TA to prepare and mix paint per manufacturer's recommendation. Pool to be painted with Tnemec series 161 epoxy coating tank white, series 161 is also a 4-year coating, but requires two coats.**
- **TA to redo black striping and depth markers.**

**Cost \$40,200.00**

- **In pool caulking looked good by our estimation**

### **Work performed by others:**

Provide site access and any regulatory permits, code inspections, or testing of materials. Owner responsible for any chemical used to balance pool water.

If during the preparation and/or installation, (TA) discovers any problems in existing structure, we will notify and discuss our concerns with Owner and proceed as directed, subject to additional cost.

### **Special Conditions:**

Owner responsible to supply water, and electricity to perform our work. The contract will remain in effect for a period of 30 days following the work performed. Invoice to be paid before starting, and at completion of work. (TA) will be supplying our standard insurance. If work being performed causes irritation or interruption due to noise, fumes, dust, or disruption (TA) will not be held responsible.

(TA) reserves the right to modify the proposal and the values should it be needed to correct unforeseen issues, which may arise.

This proposal is based on being able to access the entire work area at one time. Access to work area and traffic control including fall safety are to be supplied by others.

**Please include the following in acceptance of this proposal:**

**P.O. No.** \_\_\_\_\_ **Tax Exempt Letter (if appropriate)**

**Accepted by:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**City of Eudora**

**Titan Aquatics**

**Derrick Jeppesen (Titan Aquatics Owner)**

## **Torrey Bros. Construction, INC.**

406 Lincoln ST  
Wamego, KS 66547

December 9, 2019

City of Eudora  
1630 Elm Street PO Box  
Eudora, KS 66025

Attention: Sally Pennington,

We are pleased to quote surface preparation and painting of the City of Eudora Swimming Pool.

### **Surface Preparation**

All surfaces shall be scrubbed with SC-200 heavy duty degreaser, then washed to remove laitance, mold, fungi, organic pathogens and other airborne contaminants. This method is performed so the blasting doesn't drive the oils, fungi and other pathogens or contaminants into the walls that could cause paint failure.

Specified surfaces of the Pool will be brush blasted to remove all loose and deteriorating coatings. (The failed paint application, {Top 2 coats that was applied three years ago} will be removed 100%) Following the blasting operation, the coatings that remain on the floors and walls, and are in sound condition, shall remain. They will not be removed due to possible damage to concrete that could occur by over-blasting. After blasting operation is completed, any flared edges of paint will be sanded smooth before new coatings are applied. This method will provide the proper profile and anchor pattern for the application of new coatings.

After Blasting operation is complete, Taylor Burke, A representative with Tnemec Paint Company will inspect the blast. Paint will not be applied until this Representative approves the Blasting operation.

All debris paint chips, dirt, sand media, etc. from blasting operation shall be cleaned up and disposed of by this contractor. The contractor, prior to sandblasting, shall perform all necessary covering and protecting of adjacent and non-scheduled surfaces. After preparation is completed, all blasted surfaces shall be acid-washed and scrubbed once again. Torrey Bros. Inc. follows all OSHA safety regulations in scaffolding and public protection. Upon completion, all surrounding surfaces of the building and premises shall be cleaned and left in an orderly fashion.

Paint Specs as Follows

1st Coat: Tnemec's High build epoxy (series 161)

2nd Coat: Tnemec's High build epoxy (series 161)

For the above described work, we quote the price of **\$53,940**

**\*This price includes a three year warranty that the pool coating will not flake or peel.** (This price does not include sales tax). Price includes all labor, materials, insurance and equipment to complete the project in a first class, professional-like manner.

\*Color scheme shall be matched and remain the same or as specified.

Questions regarding this proposal should be directed to Russell Torrey at mobile phone number (785)458-9500

Respectfully submitted,

Russell Torrey  
Torrey Bros. Construction Inc.



Date: December 12, 2019

To: Eudora Parks & Recreation  
1630 Elm Street  
P.O. Box 182  
Eudora, KS 66025

Attn: Sally Pennington

Ref: **Eudora Swimming Pool - Blast & Coating**

Utility Maintenance Contractors, LLC (UMC) places our employee's safety as our top priority on every job, every day. Through safe work practices we continue to ensure our employee's safety and the safety of those around them. We emphasize that production is a result of working safe. UMC will provide employees with all required safety equipment and ensure that it is inspected and maintained.

UMC will conduct daily safety meetings including Job Hazard Analysis. We will also meet all OSHA standards for safety including but not limited to; PPE, fall protection, confined space, first aid/CPR training, scaffolding, material handling, ventilation and air monitoring.

1. Utility Maintenance Contractors, LLC (UMC) proposes to provide the labor, supervision, equipment and material to perform the following tasks:

**BASE BID – Pool Abrasive Blasting & Coating**

- a. UMC will brush blast the interior pool surfaces, to remove paint that is not well adhered and provide a sound substrate with the proper surface profile. UMC does not anticipate the need for a full blast removal of the existing pool coating. If a full blast removal is required or desired by the Owner, UMC can perform this work at an additional cost per square foot.
- b. UMC will clean up and dispose of blast media after blasting, OWNER to provide on-site dumpster.
- c. UMC will pressure wash the brush-blasted substrate to ensure a clean surface prior to coating.
- d. UMC will use Tnemec Series 215 Surfacing Epoxy or Tnemec Series 218 Epoxy Modified Cementitious Repair Mortar to repair minor surface voids, holes, and cracks as needed prior to coating. UMC has allowed for a small amount of repair to the concrete surfaces. If more surfacing repair is needed than what is currently apparent, UMC will stop work and consult with Owner regarding any additional costs that may apply before proceeding.
- e. UMC will apply (2) two coats of Tnemec Series 161 TnemeFascure at a rate of 200-250 sq. ft. per gallon each to the pool surfaces.

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**SOLUTIONS**

- f. UMC anticipates this work taking approximately 2-3 weeks to complete. After the project is complete, a minimum of five (5) days cure time is recommended prior to refilling the pools.

Item	Description	Qty	U.O.M.	Extended Price
<b>Base Bid</b>	<b>Pool Blasting &amp; Coating</b>	<b>1</b>	<b>Lump Sum</b>	<b>\$ 59,874.00</b>

**Option 1: Interior Pool Expansion Joint Caulking (≈ 480 LF)**

- a. UMC has included an **optional** price for removing & replacing the expansion joint caulking in the interior of the swimming pool.
- b. UMC will use a 2-part polysulfide caulking designed to resist chlorine concentrations up to 50 PPM
- c. Pricing for this item is subsidiary to the base bid being awarded.

Item	Description	Qty	U.O.M.	Extended Price
<b>Option 1</b>	<b>Interior Pool Expansion Joint Caulking</b>	<b>1</b>	<b>Lump Sum</b>	<b>\$ 5,126.00</b>

2. UMC’s proposal includes:

- a. OWNER to provide uninterrupted access to the work area for the duration of the project
- b. OWNER to provide access and staging area for UMC trailers and equipment
- c. OWNER to provide all water for cleaning
- d. OWNER to provide 110v electric service for project
- e. OWNER to ensure that pools are drained and/or generally clean upon arrival of our crew
- f. Sales tax will be included on the final invoice unless a project tax-exempt certificate can be provided by Owner

3. UMC’s proposal excludes:

- a. Replacement of any expansion joint caulking on the interior or exterior of the pool
- b. Lead remediation; UMC assumes that there is no lead present in the existing coatings
- c. Bonding (bid, performance, payment, assurance, statutory)
- d. Special insurance, permits and fees
- e. Remediation, hauling or disposal of any hazardous materials discovered during UMC work
- f. Davis Bacon/prevailing wage rates
- g. Providing as-built drawings once work is complete
- h. Night, weekend or overtime hours
- i. Delays caused by Owner or others may result in standby rates being charged

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- j. Inspector fees required for Owner, municipality, city, state, federal or other body
- k. Customer scope of work changes
- l. Liability for work performed by others
- m. Changes due to actual conditions discovered at the job site

4. UMC Labor and Workmanship Warranty:

In lieu of all other warranties, expressed or implied UMC guarantees all products of its manufacture to be free from defects in material and workmanship. UMC's liability under this warranty shall be limited to repair or replacement of any product of its manufacture which may prove defective, notice and claim of which shall be received within one (1) year from delivery, and shall not render it liable for any other or consequential damages to the purchaser or to any other persons. The warranty is subject to normal wear, and does not apply to material or equipment that is used improperly. Coating systems are not warranted relating to wear life, delamination due to moisture/vapor transmission or moisture under the substrate, or cracking due to substrate movement.

5. UMC will honor this price for 30 days and our payment requirements are as follows:

- a. Once UMC has submitted billing, payment is required within 30 calendar days of invoicing.
- b. No retainage to be withheld from payments.

**We appreciate the opportunity to quote this work.**



**Kyle Long**  
**Project Manager**

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**ACCEPTANCE OF UTILITY MAINTENANCE CONTRACTOR'S PROPOSAL**

*PLEASE INITIAL NEXT TO THE ACCEPTED PROPOSAL ITEMS, SIGN, DATE & RETURN UPON ACCEPTANCE OF THIS PROPOSAL:*

Item	Description	Qty	U.O.M.	Extended Price	Owner's Initial of Acceptance
<b>Base Bid</b>	<b>Pool Abrasive Blasting &amp; Coating</b>	<b>1</b>	<b>Lump Sum</b>	<b>\$ 59,874.00</b>	
<b>Option 1</b>	<b>Interior Pool Expansion Joint Caulking</b>	<b>1</b>	<b>Lump Sum</b>	<b>\$ 5,126.00</b>	

**OWNER'S REPRESENTATIVE: (*print*)** \_\_\_\_\_

**OWNER'S REPRESENTATIVE: (*signature*)** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**SAFE**

**QUALITY**

**SOLUTIONS**

# J.F. McGIVERN INC.

April 10th, 2019

Attn. Mr. Jimmy Kegin, CPRP  
Eudora Community Center  
1630 Elm Street  
Eudora, Kansas 66025

**Re: Budgetary Estimate Year 2020--Preparation and Epoxy Painting of Eudora Community Center Swimming Pool**

Dear Mr. Jimmy,

Per your request, we are pleased to quote surface preparation and painting of the previously field painted concrete surfaces of the Eudora Community Center Swimming Pool located at 1630 Elm Street, Eudora, Kansas. Work scope and specification is as follows and is intended to be in accordance with our recent job site review.

Scope of work shall include the preparation and painting of all previously field painted concrete surfaces of the pool (walls, floor, "T" targets, lap lines, perimeter accent, and depth markers). *Note: This Budgetary Estimate is for the work to be completed in the spring or fall of 2020.*

## **SURFACE PREPARATION**

All necessary covering, protecting, and masking of non-scheduled and adjacent surfaces shall be performed by this contractor prior to preparation and painting. Specified concrete surfaces shall be brush sandblasted to remove all loose and non-adhering existing paint film and to provide a profile or anchor pattern for the application of the new coating system. After sand blasting is completed, all debris and sand shall be cleaned up and disposed of offsite by this contractor. *Note: All sandblasting shall be performed "open air" with no allowance made for any containment or enclosure of the work area.* Pool surfaces shall then be high pressure power washed to remove all dirt, chalk, surface and atmospheric contaminants. A mild bio-degradable environmentally safe cleaning agent shall be injected at the spray tip or scrubbed on to the surface to aid in the removal of all foreign matter. Pool surfaces and perimeter shall then be rinsed clean and allowed to dry prior to coating application.

## **COATING APPLICATION**

*Prime Coat*—Tnemec's Series 161 Fascure polyamide epoxy applied at approximately 200 sq. ft. / per gallon. Specified two component epoxy protects against abrasion, immersion, and mild chemical contact.

3333 S.E. 21st St. Topeka, Kansas 66607-2520 Telephone (785) 354-1787 FAX (785) 354-1812

Finish Coat—Tnemec's Series 161 Fascure polyamide epoxy (same as prime coat) applied at 200 sq. ft. / per gallon.

Note: Zero depth areas and other owner designated surfaces shall receive a non-skid additive if required for slip resistance.

### **CAULKING—IMMERSION SURFACES**

Expansion joints on the interior of the pool (immersion) shall be cleaned of all dirt, debris, etc., primed, backer rod installed if required, and caulked with a 100% solids immersion grade sealant to a proper depth and width—color white. Note: All caulking shall be performed after painting is completed.

### **GENERAL NOTES**

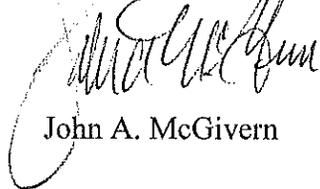
1. Color layout for both pools shall stay the same as currently exists with all wall and floor surfaces painted Tnemec Color 11WH White and all lap lanes, "T" targets, ledge lines, step lines, etc. painted Tnemec Color 35GR Black. Upper perimeter border shall be painted Tnemec Color 25 BL Fountain Bleu.
2. Depth markers shall re-stenciled at current locations—color, font and size to match existing.
3. Water supply for high pressure water blasting shall be supplied by the owner.
4. Spray features located in the zero entry area of the pool are not included in this proposal per your request.
5. Prime coat and finish coat shall be brushed and rolled in lieu of spray painting to ensure proper penetration and coverage and to eliminate any possibility of overspray to adjacent surfaces.
6. After pool is 100% painted, finish coat must be allowed to cure a minimum of 4-5 days at 65F degrees or 3 days at 75F degrees prior to being put back into immersion service.
7. We have not included any repairs to any damaged concrete surfaces--extent of repairs if any will not be known until inspection of the pool in 2020 and after sandblasting is completed
8. If awarded the project, we request at least two weeks notice prior to beginning work to schedule labor, acquire materials, mobilize, etc.

For the above described work, we quote a budgetary price of **\$38,950.00 plus sales tax if applicable**. Price includes all labor, material, insurance and equipment to complete the work in a first class workman like manner.

Questions regarding this proposal please direct to John A. McGivern at office phone number (785)-354-1787 extension 209 or mobile phone number (785)-221-8988.

Respectfully submitted,

J.F. McGivern Inc.

A handwritten signature in black ink, appearing to read "John A. McGivern", is written over the printed name. The signature is fluid and cursive, with a large initial "J" and "M".

John A. McGivern

# J.F. McGIVERN INC.

November 24, 2015

Attn. Mr. Gary Scott  
Eudora Community Center  
1630 Elm Street  
Eudora, Kansas 66025

## **Re: Preparation and Epoxy Painting of Eudora Community Center Swimming Pool**

Dear Mr. Scott,

Per your request, we are pleased to quote surface preparation and painting of the previously field painted concrete surfaces of the Eudora Community Center Swimming Pool located at 1630 Elm Street, Eudora, Kansas. Work scope and specification is as follows and is intended to be in accordance with our job site review on Monday, November 16th, 2015.

Scope of work shall include the preparation and painting of all previously field painted concrete surfaces of the pool (walls, floor, "T" targets, lap lines, perimeter accent, and depth markers).

### **SURFACE PREPARATION**

All necessary covering, protecting, and masking of non-scheduled and adjacent surfaces shall be performed by this contractor prior to preparation and painting. Specified concrete surfaces shall then be high pressure power washed to remove all dirt, chalk, surface and atmospheric contaminants. A mild bio-degradable environmentally safe cleaning agent shall be injected at the spray tip or scrubbed on to the surface to aid in the removal of all foreign matter. Pool surfaces and perimeter shall then be rinsed clean and allowed to dry prior to coating application. **Note: Certain wall surfaces (primarily wall areas facing west and north in the main large lap section of the pool) and certain gutter areas shall be power tool prepared and patched with a 100% immersion grade epoxy patching compound if required.**

### **COATING APPLICATION**

**Prime Coat**—Tnemec's Series 161 Fascure polyamide epoxy applied at approximately 200 sq. ft. / per gallon. Specified two component epoxy protects against abrasion, immersion, and mild chemical contact.

3333 S.E. 21st St. Topeka, Kansas 66607-2520 Telephone (785) 354-1787 FAX (785) 354-1812

Finish Coat—Tnemec's Series 161 Fascure polyamide epoxy (same as prime coat) applied at 200 sq. ft. / per gallon.

Note: Zero depth areas and other owner designated surfaces shall receive a non-skid additive if required for slip resistance.

### **CAULKING—IMMERSION SURFACES**

Expansion joints on the interior of the pool (immersion) shall be cleaned of all dirt, debris, etc., primed, backer rod installed if required, and caulked with a 100% solids immersion grade sealant to a proper depth and width—color white. Note: All caulking shall be performed after painting is completed.

### **GENERAL NOTES**

1. Color layout for both pools shall stay the same as currently exists with all wall and floor surfaces painted Tnemec Color 11WH White and all lap lanes, "T" targets, ledge lines, step lines, etc. painted Tnemec Color 35GR Black. Upper perimeter border shall be painted Tnemec Color 25 BL Fountain Bleu.
2. Depth markers shall re-stenciled at current locations—color, font and size to match existing.
3. I have enclosed a product data sheet and an MSDS sheet on the above specified coating for your review.
4. Water supply for high pressure water blasting shall be supplied by the owner.
5. Spray features located in the zero entry area of the pool are not included in this proposal per your request.
6. Prime coat and finish coat shall be brushed and rolled in lieu of spray painting to ensure proper penetration and coverage and to eliminate any possibility of overspray to adjacent surfaces.
7. After pool is 100% painted, finish coat ***must*** be allowed to cure a minimum of 4-5 days at 65F degrees or 3 days at 75F degrees prior to being put back into immersion service—please see enclosed data sheet.
8. If awarded the project, we request at least two weeks notice prior to beginning work to schedule labor, acquire materials, mobilize, etc.

For the above described work, we quote the sum of **\$18,885.00 plus sales tax if applicable**. Price includes all labor, material, insurance and equipment to complete the work in a first class workman like manner.

**ALTERNATE CAULKING PRICE (FOUNDATION AND DECKING)**

This Alternate price shall consist of the removal of existing building foundation caulking and/or pool deck caulking (non-immersion), joint cleaning, priming, backer rod installation if required, and re-caulking to a proper depth and width using a polyurethane sealant—color selected by owner.

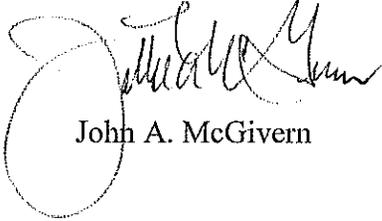
**For this Alternate price, we quote the sum of \$7.00/lineal foot based on a 150 lineal foot minimum.**

Note: As discussed at the site, in our opinion the existing coating does not need to be sandblasted or removed at this time for proper surface preparation of the existing coating system. The above specified preparation and coating system is intended to provide the owner with a minimum of 4-5 years coating life expectancy after which brush sandblasting may need required at that next re-coating cycle.

Questions regarding this proposal please direct to John A. McGivern at office phone number (785)-354-1787 extension 209 or mobile phone number (785)-221-8988.

Respectfully submitted,

J.F. McGivern Inc.

A handwritten signature in black ink, appearing to read "John A. McGivern", is written over a large, faint circular stamp or watermark.

John A. McGivern

## REFERENCES

**1. Project—De Soto Aquatic Center, 32907 W. 84<sup>th</sup> Street, De Soto, Kansas**

Owner; City of De Soto, Kansas  
Contractor: J.F. McGivern Inc.  
Architect; none; re-paint  
Coating Manufacturer; Tnemec, Inc.  
Date of Completion; April, 2010

**2. Project---Eudora Community Center Swimming Pool, E East 7<sup>th</sup> Street, Eudora, Ks**

Owner: City of Eudora, Kansas  
Contractor: J.F. McGivern Inc.  
Architect: none—repaint  
Coating Manufacturer: Tnemec, Inc.  
Date of Completion: April, 2012

**3. Project---Paola Aquatic Center, 10 Wallace Drive, Paola, Kansas**

Owner; City of Paola, Kansas  
Contractor: J.F. McGivern Inc.  
Architect; none; repaint  
Coating Manufacturer: Tnemec, Inc.  
Date of Completion; May, 2004

**4. Project---Lawrence Indoor Aquatic Center, Lawrence, Kansas**

Owner: City of Lawrence, Kansas  
Contractor; J.F. McGivern Inc.  
Architect; none; repaint  
Coating Manufacturer; Tnemec, Inc.  
Date of Completion: August, 2006

**5. Project—Lawrence Outdoor Aquatic Center, Lawrence, Kansas**

Owner: City of Lawrence, Kansas  
Contractor; J.F. McGivern Inc.  
Architect; none; repaint  
Coating Manufacturer; Tnemec, Inc.  
Date of Completion: September, 2011

## **Memorandum**

**To:** City Commission  
**From:** Jeff Rhodes, Management Fellow  
Sally Pennington, Parks & Recreation Director  
**Date:** January 13, 2020  
**Re:** Consideration of Public Facility and Asset Adoption & Donation Policy

### **Background**

At the request of the City Commission and as a result of inquiries from Eudora residents, the City Manager's office has been researching and outlining opportunities and recommendations for the city to enact and manage, through the Parks and Recreation Department, a donation and adoption policy in the city. This policy would enable citizens, residents, and local stakeholders to donate resources for specific equipment, structures, trees, or shrubs planned or existing in our parks.

### **Recommendation**

Staff recommends a limited and simple donation policy. At the discretion of the City Commission, the City can establish a donation policy that will enable city staff to manage a facility and asset donation, adoption, sponsorship, and naming program. Once we have an idea of the interest and demand of the program, we could weigh other options keeping a keen eye on community engagement, staff time, and overall community impact.

### **Guiding Questions**

At the heart of this policy and any subsequent program that may result, is the desire to enable our community to recognize, honor, or memorialize someone in a meaningful, public way. The challenge with any program of this type is that folks may want to put something in a public space that is specific to their interests and not aligned with our community plans and standards. A donation policy lays the groundwork for such a program and allows the Commission and City Staff to retain some control over what locations and assets are available to citizens and, therefore, what gets put in our public spaces. The questions we'd like you to consider are:

1. Each time new or additional programs are considered for implementation, City staff resources are impacted; mainly, attention is redirected from existing programs or is spread thinner amongst existing responsibilities. Given this reality, is a program desired to accept and manage facility and asset donation, adoption, sponsorship, and naming?

2. If the City Commission does desire the creation of a program to accept and manage facility and asset donation, adoption, sponsorship, and naming, who should manage the applications, review, and approval of these assets (e.g. The City Commission, City staff, the Parks & Recreation Foundation or another community group)?
3. Residents and organizations have interest in donating any number of items to place on public property; however, these requests and items aren't typically planned in City master planning documents nor department maintenance schedules. Given this reality, would it be acceptable to limit the types of assets accepted?
4. Requests to donate assets or name facilities typically are made in a way that honors a certain person in a place that is meaningful to that person; however, these requests and items aren't typically planned in City master planning documents nor department maintenance schedules. Given this reality, would it be acceptable to limit the places where assets will be installed?
5. Historically, requests to donate assets to be placed on public property, are made by residents and organizations at inconsistent intervals (i.e. some months staff may receive no requests, two requests, or many requests), which can make it difficult for staff to respond in a timely, organized way about what is acceptable and when and how the asset will be accepted. Given this reality, would it be acceptable to create certain limited, regular time periods when applications are accepted or when assets are installed?

Attached to this memorandum are documents, examples, and resources that staff have used to develop this policy recommendation and program outline. We will use these documents to guide our discussion during this work session. These documents include:

1. Example Programs: Tree and Bench
  - a. Scottsdale, AZ
  - b. Lenexa, KS – Tree & Bench; New & Existing
2. Example Programs: Memorial Bricks – Marine Corps
3. Example Policy Language
  - a. Parkville, MO
  - b. Lake Forest, IL
4. Example Menu and Fee Schedule – Parkville, MO
5. Existing Bench Dedications in Eudora
6. Lenexa Donation Brochure

Following the work session, staff will take the feedback and recommendations from the Commission, answer any outstanding questions, and develop a policy proposal that will be considered by the Commission at a future City Commission meeting.

The goal of the work session is to provide enough information and answer the above questions before the City Commission considers taking formal action.

The project team will be at the meeting to discuss and answer any questions you might have.

## Benches – Scottsdale, AZ



Your donation of a park bench helps to beautify the park, and provide a useful amenity that thousands of park users can enjoy and appreciate. The gift of a park bench is a unique way to remember a loved one or honor an individual. You will work with city staff to identify a park location for your bench – based on design specifications and plans in the Parks & Recreation Master Plan.

You have the option to purchase a bench to be placed at a new site or purchase a bench to replace an existing bench that may be reaching the end of its usefulness. Bench design and location may vary based on the needs of any given park. Some parks may not be available at all times.

Cost: \$1,900 Includes:

- Concrete Base (if needed)
- Bench
- 6" x 8" bronze plaque
- Site preparation
- Maintenance
- Installation

Delivery and installation takes a minimum of 10-12 weeks.

## Trees & Benches – Lenexa, KS



### **Donate or Adopt a Bench**

Your gift helps the city endow the care of park benches and their surrounding landscapes for all residents to enjoy.

#### **NEW BENCH:**

Want to place a bench in a special spot in a park or along a trail? With your gift of \$1,300,\* the Parks and Recreation Department will install a new bench on a concrete pad at an approved site. Also included is a solid bronze plaque with your custom inscription and continued maintenance of the bench for 20 years.

#### **EXISTING BENCH:**

Have a favorite bench in one of Lenexa's parks? Adopt it at a reduced rate of \$975.\* This includes a solid bronze plaque with your custom inscription, as well as continued maintenance of the bench for 20 years.



## Donate or Adopt a Tree

Make a living gift by helping the city provide trees and ensure healthy parks for years to come.

### NEW TREE:

Trees offer many environmental benefits beyond beauty and shade. With your gift of \$470,\* the city will plant a two-inch (diameter) caliper tree in an approved location. Also included is a solid bronze plaque with your custom inscription and continued maintenance of the tree (e.g., fertilizer, mulch, trimming) for 20 years.

### EXISTING TREE:

Existing trees in city parks or trails may be adopted at a reduced rate of \$350.\* This includes a solid bronze custom plaque with your custom inscription and continued maintenance of the tree for 20 years.

Trees are typically planted in the spring and fall, depending on weather.

Approved types that are hardy and native to this area include: bald cypress, red sunset maple, sawtooth oak, Shademaster locust, sugar maple, swamp white oak and Triumph elm. Other tree types may be considered.

## Commemorative Bricks – Marine Corps Example



Eudora citizens have an opportunity to support our community and leave your mark in history for generations to come by purchasing an engraved brick to be placed on a walkway in our parks – or other locations TBD.

Bricks are offered in two sizes:

- 4 x 8 inch. Cost including engraving is \$150.
- 8 x 8 inch. Cost including engraving is \$250.

Your brick may be engraved with your name of choice - for example, your own name, the name of a beloved ancestor, a family member, or with the name of someone special you wish to recognize.

- A 4 x 8 inch brick can accommodate up to three lines of engraving, with up to 18 characters per line, including spaces.
- An 8 x 8 brick can accommodate up to six lines of engraving, with up to 18 characters per line, including spaces.

Should you wish to purchase a brick in honor of someone, the City will notify the individual or a family member of your gift

## **Example Policy Outline / Language – Parkville, MO**

### **INTRODUCTION**

The City recognizes and values the direct support of the community. City parks are privileged to receive support from citizens who donate regularly to help ensure the park system continues to thrive and provide improved quality of life for residents and visitors alike.

The purpose of this policy is to establish standards and procedures for the acceptance, installation and maintenance of donated park improvements made from cash or property donation. Options for donations include, but are not limited to, park benches, trees, picnic tables, public art and other appropriate parkland amenities and accessories.

Guidelines established by this policy shall apply to all donations to the Parks & Recreation and Public Works. Standards established by this policy will apply to purchased equipment, installation, donation acknowledgments and long-term care of all donations.

### **ACCEPTANCE CRITERIA**

Donations must be consistent with the mission, policies and goals of the Parks Master Plan and not be limited by any special restrictions, impose budgetary obligations or increased maintenance responsibilities. City staff will determine whether donations meet these standards and fall within the scope of the Parks & Recreation Master Plan. Staff reserves the right to decline donations deemed unsuitable.

Donation applications are accepted year-round. Once donations are approved, the donor will receive a letter of appreciation, a certificate and an invitation to the annual recognition observance. All donation funding must be in place before the donated item can be secured, installed or planted. Tree planting will be done in spring and fall. City staff will only accept donations with the understanding that staff is in no way obligated to replace any item or park improvement in the event of theft, vandalism, damage or destruction by flood or any natural event.

### **ACQUISITION OR PURCHASE**

The City and community have an interest in ensuring that park elements purchased and installed be of good quality related to style, appearance, durability and ease of maintenance. City staff will be responsible for the purchase and installation of all park elements.

### **APPEARANCE AND AESTHETICS**

The City and community have an interest in ensuring the best appearance and aesthetic quality of their public facilities. Park elements and/or their associated donations should reflect the character of the park or facility.

### **ACKNOWLEDGMENT, DONOR RECOGNITION, AND NAMING RIGHTS**

An annual recognition ceremony will be held during each year to recognize donors from the previous year. For donations acknowledged with a plaque, the plaque will be placed on or near the donated item when possible. The duration of the naming rights will be evaluated on a case by case basis. In some scenarios, a term expiration may be established. For example, scoreboard naming rights may expire at the end of the working life of the scoreboard.

When naming a new park or recreational facility, the proposed name shall:

1. Engender a strong positive image
2. Be appropriate having regard to the park or recreational facility location
3. Have historical, cultural, or social significance
4. Commemorate places, people or events that are of continued importance to the City region, state or nation, or
5. Have symbolic value that transcends ordinary meaning or use as well as enhances character.

### **INSTALLATION AND MAINTENANCE**

Installation and maintenance is included with donation amounts. Donated items will be installed between the months of April and October. All items and its donor acknowledgement become City property. Accordingly, the City is responsible for maintenance for the expected life cycle of the donation. After the duration period, the City may choose to replace or remove the donated item.

### **DONATION REQUESTS**

The donation process may be completed by mail, in person at City Hall or on the City's website. Requests shall be submitted using the Parks Memorial and Donation application. All applications shall be reviewed in accordance with the procedures and guidelines addressed in this policy. Checks shall be made payable to the City. Unless specified, donations will be placed in the general Parks Donation Fund and used to best meet the current needs of the department

### **METHODS OF RECOGNITION**

- Letter of Recognition – A letter of thanks and recognition will be sent to all donors. The letter will acknowledge the donor, the amount of the donation, special circumstances that may apply and the date of acceptance. This letter will serve as evidence of the donation for the purpose of the donor's tax records; it will not attempt to value non-monetary donations.
- Commemorative Plaques – A commemorative plaque will be installed on memorial benches.
- Annual Recognition Observance – Details TBD.

### **PROHIBITED**

1. Establishment of individual memorials/decorations.
2. Accessories like wreaths, shrubs, memorial flowers.
3. Donation of any kind made with political intent or favoritism.

## Example Policy Language – Lake Forest, IL

### **Purpose:**

The purpose of this policy is to establish guidelines, standards and procedures for the installation and care of donated elements in City owned properties managed by the Parks and Recreation Department. The City desires to encourage donations while at the same time manage aesthetic impacts and mitigate on-going maintenance costs. This policy is designed to enable residents and facility users to support Lake Forest through a tax-deductible contribution. Contributions will be acknowledged by a plaque and letter of completion. The plaque is symbolic of the donation and does not entitle the donor to ownership of the particular donated element. Only tree and bench donations are covered by this policy. Guidelines established by this policy will apply to all donations made after the effective date of this policy.

### **Standards for New Donations**

**Tree donation - \$1,000**

**Bench donation - \$2,000**

**Definitions of New Donations:** New donations are those made after the adoption of this policy.

**Acquisition or Purchase:** The City and the community have an interest in ensuring that elements purchased and installed be of high quality related to style, appearance, durability and ease of maintenance. The City staff will be responsible for the purchase and installation of all elements.

**Appearance and Aesthetics:** The City and the community have an interest in ensuring the best appearance and aesthetic quality of their public facilities. The elements and/or their associated donation acknowledgements should reflect the character of the park or facility. All elements will be installed in such a manner that will not substantially change the character of a property or its intended use.

**Maintenance:** Donated elements and/or their associated donation acknowledgement, become City property. Accordingly, the City has the duty to maintain the donation only for the expected life cycle of the donation. If current information is on file, the City will attempt to inform the donor and give them the opportunity to donate for the replacement of the element at the expiration of the original life cycle. It is the responsibility of the donor to provide the City of Lake Forest with a current address for purposes of notification regarding their donation.

**Cost:** The City has an interest in ensuring that the donor covers the full-cost for the purchase, installation, and maintenance during the expected life cycle of donated park elements. The City also has an interest in ensuring that on-going maintenance costs do not negatively impact the resources available for maintenance of other City parks or facilities. The cost includes tree/bench, installation, plaque, routine maintenance, letter of completion, and a photo. The cost also includes a five-year replacement guarantee for trees. If a tree should die within five years of its original planting a replacement tree will be planted during the next available planting season. Please note that after a bench is installed, the City cannot be responsible for replacement should the bench or plaque become damaged or destroyed. If a

bench has to be removed or a plaque replaced, the donor will be informed. If the donor chooses to replace the bench, a replacement bench can be provided at the donation level that is stated in the most current memorial policy.

### **Procedure for Making a Donation**

Donations will be accepted from public and private sources for the purposes of enhancing all City facilities and pathways, and will become the property of the City. The City's Parks section of the Parks & Recreation Department shall be responsible for administrating the Memorial Tree and Bench Program, including the review process for approving and installing donations.

**Application:** If you are interested in making a donation, please contact the Parks section at PHONE NUMBER to determine whether a donation may be accepted based upon criteria contained in this policy. If a donation can be accepted, the donor will complete an application form. Applications are available through the mail, in-person at the Recreation Center or City Hall or on the City's website. Completed applications and payment should be mailed to the City of Eudora, Memorial Program – ADDRESS for review and processing.

**Criteria for Acceptance Site Plan:** To accept donation for a bench or tree, for a specific property, a site plan must exist showing the available locations for elements. If no plan exists, then a donation may be made to another property. If a plan exists, but does not identify a particular element proposed for donation, the City may accept the donation under certain conditions. Under this circumstance the donation must:

- Meet a true need of the property
- Not interfere with the intended current or future use of the property
- Not require the relocation of other equipment or infrastructure to accommodate the donation.

At the discretion of the City, a property may be determined to be fully developed and the opportunity for donations would not be available.

**Donation Plaques:** For benches, donation plaques as approved by the City are to be directly affixed on the seatback, be 2 x 4 inches in size, and are to be made of bronze and purchased through the City using an approved vendor to ensure the highest quality, life and durability. Tree donation plaques will be a maximum 6 x 9 inches in size and mounted on the ground at the base of the tree donation. The City must approve all text for donation plaques.

**Tree Selection:** A request for certain tree species may be made by the donor from a list of trees provided; however, staff will have the final approval. The size and species will be selected based on appropriateness for site and only trees native to Kansas and climate appropriate will be planted.

**Installation:** Installation of donated elements, including the donation plaques, will be completed by City personnel. There will be a one-time autumn planting for all trees. All tree plantings will take place between September and October of each year. Benches may be installed at any time, weather

permitting. The installation will be scheduled at a time and date as determined by the City staff so as not to unnecessarily interfere with routine maintenance activities.

**Removal and/or Relocation:** The City reserves the right to remove and/or relocate donated elements and their associated donation plaques, when they interfere with site safety, maintenance or construction activities. In accordance with previously stated procedures in this policy, if the current information is on file, the City will attempt to inform the donor of any action related to the disposition of the donation. In certain situations, such as safety or emergency situations, the notification may be made after the action is taken. In the event a donation must be permanently removed, the City will seek an alternative location consistent with this policy. If no such agreed upon location can be found, the memorial element and plaque will be returned to the donor.

**Maintenance and Damages:** When an element is donated, City staff makes a commitment to reasonably maintain that donation for its useful life. The City will make every effort to repair damaged memorial donations. However, the City is not responsible for replacing items, including plaques, due to excessive damage or loss or elements at the end of their life span.

#### **Other Donations**

There may be other donations possible, other than those expressly listed or contained within this policy. The City may accept those donations subject to a review by City staff and/or appropriate board(s).

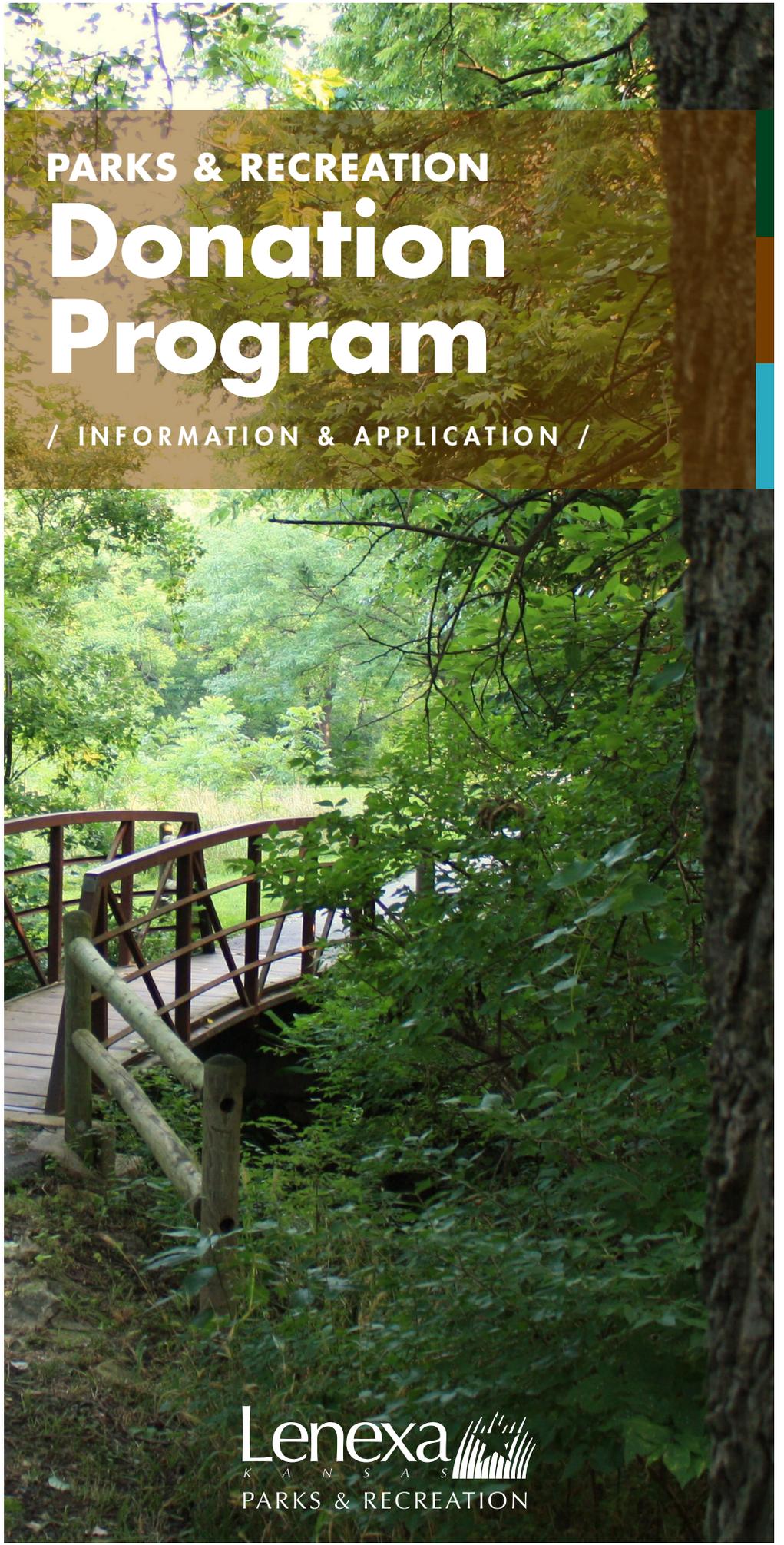
## Example Menu and Fee Schedule – Parkville, MO

### MEMORIAL AND DONATION SCHEDULE

Donation	Recognition/ Acknowledgement
<p><b>Dog Park</b> – These donation options range from \$500 to \$2,000</p> <ul style="list-style-type: none"> <li>• Ramps</li> <li>• Tunnels</li> <li>• Teeter-Totters</li> <li>• Hoops</li> <li>• Fire Hydrants</li> <li>• Drinking Fountains</li> <li>• Dog Waste Stations</li> <li>• Memorial Bench</li> </ul>	<ul style="list-style-type: none"> <li>• Letter of recognition and thanks</li> <li>• Commemorative bronze plaque installed on memorial bench</li> <li>• Recognition at Annual Donor Observance</li> </ul>
<p><b>Trees</b></p> <ul style="list-style-type: none"> <li>• Memorial Tree - High-quality 30 gallon tree (8-12 ft. tall, 2-2.5" caliper) planted and maintained (mulched, watered, and pruned) for its life span - \$470</li> <li>• Adopt Existing Tree - \$350</li> </ul>	<ul style="list-style-type: none"> <li>• Letter of recognition and thanks</li> <li>• Certificate, location map, and photo of your tree</li> <li>• Recognition at Annual Donor Observance</li> </ul>
<p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>• Native Wildflower/Grasses Planting - \$500-\$1,500</li> <li>• Bike Racks - \$500</li> <li>• ADA Recycled Square Picnic Table - \$3,000</li> <li>• 32 Gallon Trash Receptacle - \$800</li> <li>• Artwork*</li> </ul>	<ul style="list-style-type: none"> <li>• Letter of recognition and thanks</li> <li>• Recognition at Annual Donor Observance</li> </ul>
<p><b>Park Projects -</b></p> <ul style="list-style-type: none"> <li>• Build Soccer Field in Platte Landing Park - \$100,000</li> <li>• Basketball/Tennis Court Refurbishment - \$50,000/court</li> <li>• Picnic Shelter - \$65,000-\$100,000</li> <li>• Baseball Field improvements</li> </ul>	<ul style="list-style-type: none"> <li>• Letter of recognition and thanks</li> <li>• Naming rights</li> <li>• Recognition at Annual Donor Observance</li> </ul>

\*Donations of art must be pre-approved by CLARB, with the location approved by the Parks Division of the Public Works Department.

	DEDICATION
<b>LUCY KAEGI</b>	
BENCHES	
6-foot green (playground)	
6-foot green (playground)	
6-foot green (playground)	
6-foot green (concessions)	Gary Malburg
<b>PASCHAL FISH</b>	
BENCHES	
4-foot green (playground)	
<b>BLUE JACKET</b>	
BENCHES	
4-foot tan (1st hole)	Thomas John Giffin
4-foot tan (7th hole)	Richard Folks Sr, Richard Folks Jr & Kenneth Folks
4-foot red (playground)	
4-foot red (playground)	
TREES	
1st Tee Tree	Daniel J McAlister Jr
<b>CPA</b>	
BENCHES	
4-foot tan (garden)	Scot James Hamlin
4-foot tan (garden)	
6-foot green (trail)	Dennis Burchett
<b>PILLA</b>	
BENCHES	
4-foot green (playground)	
<b>ABRAHAM STILL</b>	
TREES	
Tree	Oliver "Ollie" Ortiz
<b>ASHER COHN</b>	
BENCHES	
4-foot tan (playground)	Katie Buchanan Gant
<b>ACORN</b>	



PARKS & RECREATION  
**Donation  
Program**

/ INFORMATION & APPLICATION /

You can help sustain Lenexa's parks and recreational amenities for the future.

Add to the beauty of your favorite city park — and honor someone or something special — by making a gift to the Lenexa Parks and Recreation Department's Donation Program.

The City of Lenexa Parks and Recreation Department's Donation Program allows groups and individuals to donate items to:

- Commemorate special events or milestones.
- Honor individuals or agencies.
- Memorialize loved ones.

**Options for donation or adoption include — but are not limited to — benches, trees, flower beds, shelters, historical items, or other items to be placed on city property and maintained by the city.** Parks and Recreation staff will work with donors to ensure the donated item is appropriate and beneficial to all park users and residents.

This document provides the application form and basic information to get started. Persons or organizations wishing to donate property should refer to the Parks and Recreation Advisory Board Donation Policy (**see Appendix A**), which will govern all donated items, and use this form to submit their request to the Parks and Recreation Department. **\*\*Note: All art donations are subject to review and acceptance by the Lenexa Arts Council and Endowment Board.\*\***

All tree and bench donations will be maintained and/or replaced by the city for a period of 20 years. After 20 years, the donation can be renewed by the donor at the going rate. If not renewed, the city cannot guarantee that the items will be replaced or repaired beyond 20 years. All donations are tax deductible, as allowed by law. All donations toward the purchase of a memorial item include funding to cover ongoing maintenance and replacement costs throughout the

donation period. Lenexa Parks and Recreation also will purchase applicable equipment and arrange delivery and installation of the donation items using this funding.

## Applications

Donation requests shall be submitted using the Application for Donation (**see Appendix B**). All applications shall be reviewed in accordance with the following procedures and guidelines:

Donations with an estimated value of more than \$10,000 require the approval of the Endowment Board (comprised of the mayor and council members). Donations with an estimated value of \$10,000 or less require the approval of the Parks and Recreation Advisory Board ("Park Board"), through a recommendation from the Parks and Recreation director.

## Memorial Trees

Memorial trees allow for a special tree planting in honor of an individual or group. Trees purchased through the program are planted in selected city parks or recreation areas and accompanied by a plaque.

Cost of the program for a **new tree is \$470\***, which includes planting a two-inch caliper tree, installing a 5" x 8" bronze commemorative plaque with a customized message, and continued maintenance of the tree (e.g., fertilizer, mulch, trimming) for a period of 20 years.

The following tree types are recommended for memorial plantings, as they are proven to survive well in the area: bald cypress, red sunset maple, sawtooth oak, Shademaster locust, sugar maple, swamp white oak and Triumph elm. Other tree types may also be considered.

Lenexa Parks and Recreation will accept requests for tree placement within a city park, city trail or on select city properties. The location must be approved by the Lenexa Parks and Recreation director, as well as the Park Board. Each site and tree must be carefully considered for its long-term success and to ensure that it won't impact park patrons. Trees are typically planted in the spring and fall.

\* Pricing subject to change

## Memorial Benches

Groups and individuals can purchase a park bench to be placed in an appropriate park or trail location. The benches are made of environmentally friendly recycled plastic lumber and are designed to tolerate the varying weather conditions. Once a bench and site are selected and approved, the Parks and Recreation Department will order and install the bench on a concrete pad.

The program cost to install a **new bench is \$1,300,\*** which includes a 5" x 8" bronze commemorative plaque with a customized message. Parks and Recreation will maintain the bench for a period of 20 years.

## Adoption of an Existing Bench or Tree

Existing city trees and benches are available for adoption. The cost is 25 percent less than installing a new tree or bench. Donors can adopt a tree for a gift of **\$350\*** and a bench for a gift of **\$975.\*** Each includes the installation of a 5" x 8" bronze commemorative plaque with a customized message. Maintenance will be provided for the tree or bench for 20 years from the date of adoption.

## Wording on Plaque

A memorial plaque may be added to the tree or bench location, subject to approval by the Park Board. All plaques are made of bronze or another approved material and are typically 5" x 8" in size.

Wording on the plaque should be as brief as possible and is usually limited to phrases such as: *In Loving Memory of*, *Dedicated to*, or *In Honor of*.

## Other Types of Donations or Adoptions

Other items that may be considered for donation include statues, artwork, flower beds, shelters, historical items, recycling stations, playground items, dog waste stations or drinking fountains. Adoption of any of the above items at city parks or trails (except works of art) may also be available. Any item that would be appropriate for a city park or trail may be considered. Items must be approved

by the Lenexa Parks and Recreation director, Park Board and/or Endowment Board in accordance with the Donation Policy.

## Timeline

All items considered for donation or adoption will be added to the Park Board agenda after review by Parks and Recreation staff. The Park Board meets the second Wednesday of each month. This board has the option to approve the donated item, location and plaque. Once approved and donated money is received, the plaque will be ordered. The plaque usually takes four to eight weeks to manufacture and be delivered. Once the plaque is received, the tree or bench will be ordered. Planting and installation generally take place during the spring or fall, depending on weather conditions.

***Thank you for considering  
a gift to support Lenexa's parks!***

\* Pricing subject to change

/ APPENDIX A /

# Lenexa Parks and Recreation Advisory Board Donation Policy



# Lenexa Parks and Recreation Advisory Board Donation Policy

## A. Purpose

The purpose of this policy is to provide guidelines and procedures for accepting and acknowledging donations of cash, as well as personal property and fixtures, such as trees, benches, flower beds, shelters, statues, art, and historical items, which are to be placed on city property and maintained by the city.

## B. Scope

This policy shall apply to donations of cash, personal property and fixtures having an estimated fair market value of \$10,000 or less, including the cost of installation and accompanying plaque (if applicable), approved by the Parks and Recreation Advisory Board (“Board”). Donations of cash, personal property and fixtures valued at more than \$10,000, and donations of real property, shall be accepted by the Lenexa Endowment Board pursuant to Section 1-5-D-1 of the City Code.

## C. Related Policies and Documents

1. City of Lenexa’s Policy on Naming Public Property
2. Parks, Recreation and Open Space Comprehensive Plan
3. City of Lenexa’s Vision 2030 Document

## D. Guidelines and Procedures

4. A person or organization wishing to donate cash or property to the city (“Donor”) pursuant to its Donation Program shall submit a proposal in writing to the director of Parks and Recreation (“Director”) on a form prepared by the Director. All proposed donations of art, such as paintings, photographs, crafts and statues, shall be referred to the Endowment Board for review and disposition in accordance with Section 1-5-C-3 of the City Code.
5. Upon receiving a written proposal, the Director shall determine whether the proposed item is appropriate for placement, installation or construction on city property. In making this determination, the Director shall consider:
  - a. The type and value of the item(s);
  - b. The needs of the city;
  - c. The proposed location;
  - d. The cost of installation and maintenance; and
  - e. Any other relevant factors.
6. The Director shall forward his recommendation to the Parks and Recreation Advisory Board for consideration at its next regularly scheduled meeting. The Board may accept, reject or modify the Director’s decision. Either the Director or the Donor may appeal the Board’s decision by submitting a written appeal to the mayor within five business days of the Board’s decision. The appeal shall be deemed submitted upon being postmarked, if mailed, or

upon being presented to the city clerk, if hand-delivered. Email submissions shall not be accepted. The mayor may affirm the Board's decision without a hearing, in which case the mayor's decision shall be final; or the mayor may set the appeal for review and consideration by the Endowment Board. The mayor shall communicate his decision to the Donor in writing as soon as practicable.

7. If a plaque is approved by the Board, the plaque shall be made of bronze and should typically be five inches by eight inches in size. Wording on the plaque shall be as brief as possible and is generally limited to memorial or dedicatory phraseology such as:

*In Loving Memory of* \_\_\_\_\_

OR

*Dedicated to* \_\_\_\_\_

OR

*In Honor of* \_\_\_\_\_

8. No donation shall be accepted if acceptance will imperil the tax-exempt status of any city property.
9. Any property, including plaques, donated and accepted pursuant to this policy may later be relocated or altered if the Board determines it is in the city's best interests to do so. In this event, the city will attempt to notify the Donor at his or her last known address.
10. The city may accept applications to adopt existing city-owned property or fixtures at rates less than the cost of acquiring and installing new property or fixtures as established by the city.
11. All tree and bench donations will be maintained and/or replaced by the city for a period of 20 years. Following 20 years, the donation may be renewed by the donor at the then current rate.

## **E. Pool Fund Account**

All donations made pursuant to this policy shall include a fee approximately equal to 25 percent of the value of the donated item, which will be used to cover ongoing maintenance and replacement costs. These funds will be added to a pool fund account which may be used to cover materials and installation costs, as well as future replacement and maintenance needs, of all donated items. The city also may purchase equipment necessary for the delivery, installation, or maintenance of the donated items using this fund.

/ APPENDIX B /

# Donation Program Application



# DONATION PROGRAM APPLICATION

I wish to make the following donation to support Lenexa Parks and Recreation. I understand that final decisions on the acceptance and placement of all donations will be made according to the Park Board Donation Policy.

<input type="checkbox"/> <b>Tree</b>	<input type="radio"/> Donate new ( <b>\$470* gift</b> )	<input type="radio"/> Adopt existing ( <b>\$350* gift</b> )	<i>* Pricing subject to change</i>
--------------------------------------	---------------------------------------------------------	-------------------------------------------------------------	------------------------------------

**Select tree preference:**

- |                                        |                                          |                                              |
|----------------------------------------|------------------------------------------|----------------------------------------------|
| <input type="radio"/> Bald cypress     | <input type="radio"/> Shademaster locust | <input type="radio"/> Triumph elm            |
| <input type="radio"/> Red sunset maple | <input type="radio"/> Sugar maple        | <input type="radio"/> Other (please specify) |
| <input type="radio"/> Sawtooth oak     | <input type="radio"/> Swamp white oak    | _____                                        |

Approximate desired location (e.g., name of park, trail, street):

\_\_\_\_\_

Map of location is attached:  Yes

<input type="checkbox"/> <b>Bench</b>	<input type="radio"/> Donate new ( <b>\$1,300* gift</b> )	<input type="radio"/> Adopt existing ( <b>\$975* gift</b> )	<i>* Pricing subject to change</i>
---------------------------------------	-----------------------------------------------------------	-------------------------------------------------------------	------------------------------------

Approximate desired location (e.g., name of park, trail, street):

\_\_\_\_\_

Map of location is attached:  Yes

*NOTE: City staff will contact you to discuss the following proposed donation or adoption options in greater detail.*

- |                                                                          |                                                                          |
|--------------------------------------------------------------------------|--------------------------------------------------------------------------|
| <input type="checkbox"/> <b>Artwork</b> (donation only)                  | <input type="checkbox"/> <b>Playground item</b> (donation or adoption)   |
| <input type="checkbox"/> <b>Dog waste station</b> (donation or adoption) | <input type="checkbox"/> <b>Recycling station</b> (donation or adoption) |
| <input type="checkbox"/> <b>Drinking fountain</b> (donation or adoption) | <input type="checkbox"/> <b>Shelter</b> (donation or adoption)           |
| <input type="checkbox"/> <b>Flower bed</b> (donation or adoption)        | <input type="checkbox"/> <b>Statue</b> (donation or adoption)            |
| <input type="checkbox"/> <b>Historical item</b> (donation or adoption)   | <input type="checkbox"/> <b>Other</b> _____                              |

**WORDING FOR PLAQUE** (Examples of phrases to use: In honor of, In loving memory of, Dedicated to.)

Row 1:

\_\_\_\_\_

Row 2:

\_\_\_\_\_

Row 3:

\_\_\_\_\_

**DONOR CONTACT INFORMATION**

Name:

\_\_\_\_\_

Address:

\_\_\_\_\_

City:

State:

ZIP:

Phone:

Email:

**Submit application and map (if required) to:**

Mail: City of Lenexa Parks and Recreation, 13420 Oak St., Lenexa, KS 66215

Email: askparksandrec@lenexa.com

**More information:**

Phone: 913.477.7100