

April 19, 2011

The Park and Tree Board, City of Kearney, Missouri, met in regular session at 6:30 P.M. April 19, 2011 at 100 East Washington with Kelly Peitzman presiding. Members present were Jeff Couchman, Ed Haney, Mike Miller and Connie Crawford. Julie Jones and Bruce Sprague were absent. Staff members present were Eric Marshall, Ryan Marcotte and Shirley Zimmerman.

APPROVAL OF MINUTES A motion was made by Mike Miller and seconded by Ed Haney to approve the minutes of the March 15, 2011 meeting as presented. The motion carried unanimously.

PUBLIC REQUESTS & PETITIONS

OPTIMIST CLUB BULL RIDE-JAY BETTIS Jay Bettis, 5950 Hill Top Road, Holt, Missouri, said the Optimist Club and the Explorer's Post would be hosting a Bull Ride for the fifth year August 12th and 13th. He said this year they would be holding a dance with a live band at the Pavilions on August 13th following the bull ride. He said all the hay used for seating etc. at the dance would be left for the Jesse James Festival and other activities at the site.

Mr. Bettis said since the Explorer Post is a part of the City he would like to ask that the Explorer Post share of the fees be waived.

Alderman Couchman asked if they would be having concession and alcohol for the dance. Eric Marshall said if they decide to have alcohol they will have to come back and get permission for that. Mr. Bettis said Tim Cole and Larry Pratt are working on those details and they will report back on what they decide to do in regard to alcohol.

Eric Marshall said the dance would be from 6:00 P.M. to midnight and they would have until 1:00 A.M. to vacate the property. He said the fees for the two day event would be \$450 for the arena and \$250 for the pavilion. He said the Optimist Club would pay \$350 and with the Park Board approval the other \$350 would be waived for the Explorer Post. He said they would be required to have security.

Kelly Peitzman asked if the date was free. Staff said the date was fine.

Ed Haney asked how we had handled fees in the past for the event. Staff said there has never been a dance before and we didn't have pavilion fees.

A motion was made by Mike Miller and seconded by Connie Crawford to allow the use of the park for the bull ride with the addition of a dance for the Optimist Club and the Explorer Post and waive the fees for the Explorer Post. The motion carried unanimously.

OLD BUSINESS

PAVILION UPDATE Staff reported that the pavilion was completed. The final walk through will be done this week. The lights on the East side where the Port-a-potties will be still need to be installed. The lights on the pavilion do a good job of lighting that area. The lights in the parking lot have also been installed. They are dusk to dawn lights. That will really help light the parking area for concerts.

Ed Haney asked if we would be renting the pavilions during concerts. Staff said not at this time. Ed Haney asked if we could afford to buy any picnic tables for the pavilion. Staff said not at this time but maybe we could get at least a couple later on.

DEPOSIT USES OF JESSE JAMES PARK Eric Marshall said he had contacted the City attorney about language in the contract with regard to a deposit for damages or having the party responsible for any damages caused by their event. He said there are times such as the Mud Run damage and another event was following soon that repairs have to be done immediately.

Brian Hall, City Attorney, said he was asked to draft language for when someone uses the park and damages occur. He said we need uniformity in how the repairs are completed. He said he worked on language for the agreement.

Mr. Hall said in general his language would require a City employee to inspect the property, do the repairs immediately and present a bill to the participant, which would reimburse the cost in fifteen days.

Eric Marshall said this would be in the contract for each event. He said the Amphitheater has a deposit and if damages exceed that amount they have to pay the excess amount. He said for the arena, etc. we don't require a deposit because a lot of these groups are civic groups in the community.

Connie Crawford asked if we would only charge them for materials. Mr. Hall said they would owe for cost of time and materials. Connie Crawford said in the minutes of the last meeting it says the City will provide labor. Eric Marshall said that isn't true. She said if a group such as Jesse James Festival could provide labor she thought we should allow them to do that.

Mike Miller asked if there would be a cap on cost. Mr. Hall said no but if an event costs more for damages than they make maybe we should evaluate that event.

Eric Marshall said we will take before and after pictures of events. We will also be in contact with a group on the amount of damage and possible costs.

Ed Williams, Lion's Club, asked if this means a group can't do minor repairs and only the City can do the labor. He said this could affect Scout projects, etc. Brian Hall said what we want to accomplish is to have uniformity in repairs. He said at the least the City should supervise repairs.

DEPOSIT USES OF JESSE JAMES PARK-CONT Kelly Peitzman said the Lion's Club already repairs the mud run area after their event so why couldn't they do other repairs.

Jeff Couchman asked if everyone that uses the park has to sign this agreement. Eric Marshall said this would be only for special events, such as the Mud Run, Bull Ride, etc. He said the main concern is to get the repairs done in a timely fashion for every event.

Kelly Peitzman said the Jesse James Festival has done their own repairs for years. He said the Optimist Club will just repair damage to a fence, post, etc. during their event if it gets damaged. He said the Lion's Club has always done their own seeding in the past. He said if they are qualified to seed the area of the mud run then they should be able to do the area damaged.

Ed Williams asked if the Lion's Club won't maintain the pit area anymore and will be charged for the City to maintain the pit. He said he is also concerned about the appeal process because it says it stops with Jim Eldridge. Staff said if anyone is unhappy with the process they will be able to go to the Board of Aldermen.

Jeff Couchman said where the problems come from is when events are close together such as the Mud Run and the High School Cross Country meet and there are damages. City Staff then catches static from the second event because the property isn't repaired.

Kelly Peitzman said he understands that but to say no one can make repairs is going too far.

Eric Marshall said we share facilities all the time with the School District. He said this Cross Country meet is very large and we can't afford to have the School District upset with us and not allow us to use their facilities.

Mike Miller asked if we could put a time frame in place for repairs. Brian Hall said we certainly can do that. He said he just needs direction on what the Board wants covered in the language.

Kelly Peitzman said lets say there needs to be a plan of action within 48 hours of an event.

Jeff Couchman said lets have the City attorney draft language that says civic groups have a chance to fix damages meeting the standards of the City. They have a time frame of three business days to do repairs with City approved materials such as type of seed, etc. If this isn't accomplished it will be done by City Staff. Mr. Hall said he would work on drafting new language and have it ready for the May meeting.

NEW BUSINESS

STAGE AT LIONS PARK Eric Marshall said the posts are supposed to be set for the stage at Lion's Park on April 29th. He said Porter Building Center got the bid for materials so we can have them delivered as needed.

DECEL LANE AT JESSE JAMES PARK ENTRANCE Eric Marshall said the bid opening will be this Thursday for the decal lane at Jesse James Park entrance. He said we will extend the days to complete the project because we won't allow them to work on week-ends due to activities in the park.

AMPHITHEATER ITEMS Ryan Marcotte said the Amphitheater schedule has been released on the website. He said we have had lots of hits on the site. We haven't started selling tickets yet because we are still working on improvements to that site.

He said the five big shows will be June 11th with Colt Ford, July 2 with Jerrod Niemann, July 16th with Skid Row, August 6th with Justin Moore and August 20th with Josh Thompson. We will also have three movie nights in the park.

Ryan Marcotte said sponsorships are larger this year which is a good sign. We will increase the price of tickets by \$10 this year at the gate to encourage more advance sales. We are working on a season ticket pass also.

Since we have a concert July 2nd, we won't be allowing campers to come into the park until after 10:00 A. M. on July 3rd so we have time to clean up the grounds.

ADJOURNMENT There being no further business on the agenda, a motion was made by Jeff Couchman and seconded by Ed Haney to adjourn. The motion carried unanimously.

Approved: _____ Attest: _____
Kelly Peitzman, Chairman Ed Haney, Secretary