

March 15, 2011

The Park and Tree Board, City of Kearney, Missouri, met in regular session at 6:30 P.M. March 15, 2011 at 100 East Washington with Kelly Peitzman presiding. Members present were Jeff Couchman, Ed Haney, Mike Miller and Bruce Sprague. Julie Jones arrived late and Connie Crawford was absent. Staff members present were Eric Marshall and Shirley Zimmerman.

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

OLD BUSINESS

PAVILION UPDATE Eric Marshall reported that they are working on the ceiling of the pavilion now. As soon as it is done they will blow insulation and then the electrician will install the lights in the ceiling.

Kelly Peitzman asked when the fence would be installed for the Amphitheater. Staff said the product is in and Kenny Barham, who got the bid, intends to start soon. Platte Clay Electric came out and located the lines. The only area of concern is around the area of the gate.

DEPOSIT FOR USE OF JESSE JAMES PARK Eric Marshall said that due to damages caused by the Mud Run following the Jesse James Festival, costing \$3,600, we need to have a property damage deposit. He said his Park Maintenance budget was cut \$10,000 this year and he doesn't have funds for this type of repairs. He said the main problem last year was that the Cross Country trail was damaged and they had a meet on the following Saturday.

Julie Jones arrived.

Eric Marshall said the City would only ask a group or organization to pay for the materials and the City would provide the labor. Mr. Marshall showed the board pictures of the damages.

Ed Haney asked where this damage occurred. Mr. Marshall said it was in various areas of the park but mainly in the parking area and area of the Mud Run.

Jeff Couchman asked if these two events always fall a week apart. Staff said usually because the cross country is the first Saturday in October. This is an annual School function and never varies.

Ed Haney asked if this damage would have happened no matter what or because it was a Mud Run event. Staff said some of it was because it was a Mud Run but most of the damage occurred due to the weather conditions.

DEPOSIT FOR USE OF JESSE JAMES PARK-CONT Ed Williams, 20810 NE 159th Street, Kearney, Missouri, representative of Lion's Club, said the damage done by the Lake was done by the Jesse James Festival. He said the carnival had remained in the Park and Kevin Hollon had to pull their trailers out of the area on Friday before the event. He said he had talked to Gary Lawson and he had told him not to do anything until everyone was done using the area.

Mr. Williams said the \$3,600 damages included the damage done by the Festival. He said to help protect the grass area, after the mud run, he had the participants drive up the gravel road and load their trucks on the asphalt area.

Mr. Williams said he had talked to Gary Lawson and he had Gary Shanks coming out to do the work. Then when Gary Shanks was ready to work he was told by the City not to do it because the City was doing it.

Eric Marshall said he has checked around and other parks do charge a deposit for damages or at least make the participant pay for the damages.

Mike Miller asked if everyone using the park would have to do this. Eric Marshall said we at least need to have it in the contract that they have to pay for damages at the end of the event.

Kelly Peitzman said he has seen the grass areas torn up by the Jesse James Festival in the past. Eric Marshall said they usually do something for the Park to compensate for the cost of damages.

Ed Williams said the Lion's Club is putting up three lights in the Mud Run area this year so they have done something for the Park also.

Jeff Couchman said we need to determine a time frame that is agreed upon by the City and participant to do the repairs.

Eric Marshall said he would be meeting with the Mayor and City Attorney on Friday and he would talk to them about allowing others to fix property. He said they would also discuss wording in the contract.

Kelly Peitzman said he didn't think it was fair to Ed Williams and the Lion's Club to not allow them to fix the damages.

Ed Williams said he had met with Eric Marshall on Sunday about the damages. He said on Monday he was told by Gary Lawson that the City was not going to fix the damages. He said on Tuesday he had everything lined up with Gary Shanks and then was told to leave. Eric Marshall said Jim Eldridge told him the City had to get this done for the cross country meet for the School District.

DEPOSIT FOR USE OF JESSE JAMES PARK-CONT Bruce Sprague said this would be difficult to ask everyone using the park to pay a deposit. Eric Marshall said this would apply to fund raising events.

Ed Haney asked if there was an insurance policy that could be purchased to cover this type of damage. Staff said they would ask our insurance agent but it would have to be something done for each specific event.

Ed Williams asked who would decide there was damages and to what extent. Eric Marshall said he, Ryan Marcotte and Jim Eldridge would do that. If the participant didn't agree then it would go to the Board of Aldermen.

Mrs. Williams said the Lion's Club puts all their money back into the community. She said some consideration should be given to time frame between events and things that occur.

It was decided to table this matter until next month, so Staff could talk to the City Attorney and get questions answered.

NEW BUSINESS

VENDORS DURING EVENTS Eric Marshall said Q104 will be covering part of our concerts. They are working on a National business, Tony Lama, to become associated with the country shows.

Eric Marshall said we would only allow vendors who are relevant to the show and not take away from the concert vendors. He said we would get a percentage of sales. He said he needs to talk to the City Attorney about how to set it up.

Kelly Peitzman said he has always felt like we should allow vendors who help create interest but he agrees they shouldn't be in competition with the regular vendors.

A motion was made by Bruce Sprague and seconded by Julie Jones to allow vendors at the concerts as long as they enhance and not distract from the show and don't interfere with the season sponsors. The motion carried unanimously.

SHELTERS/BENCHES – MACK PORTER PARK Eric Marshall said Wade Maupin is working with a Boy Scout Troup that is looking for a Scout Troup project since they only have one Eagle Scout this year. They would like to build a shelter at Mack Porter Park.

Eric Marshall said \$600 has been donated in memory of Bev Poynter so we will purchase a bench in her honor for the trail. The Boy Scouts will provide the labor to pour a pad and install the bench.

AMPHITHEATER CONCERT UPDATE Eric Marshall said we will have five national acts and a total of nine shows. He said we will open with the Blues Fest on May 28th. The five national acts are Colt Ford, Jerrod Neiman, Skid Row, Justin Moore and Josh Thompson. The tickets will vary from \$5 to \$20. We will charge \$10 more at the gate and hope this will encourage advance ticket sales. We are looking at having a season ticket and a special price for large groups.

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

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