



STAFF REPORT

DATE: April 4, 2017
CONSENT
ITEM #: 9

TO: City Council
FROM: Emily Becker, City Planner
AGENDA ITEM: Pebble Park Free Library

BACKGROUND:

A resident proposed constructing and erecting a free library in Pebble Park.

ISSUE BEFORE COMMISSION:

The Council is being asked to review the proposed location and approve that the resident erect the free library within Pebble Park.

PROPOSAL DETAILS/ANALYSIS:

- Attached to this staff report is a location map showing where the resident is proposing to place the Free Library.
- The resident will construct the free library and put it up. The resident will be asked to sign a form that says the City will not be responsible for maintenance and will not be liable for damage.
- The proposed location map shows Pebble Parks phasing plan that the Parks Commission viewed back in 2014, showing that it does not interfere with any current or proposed amenities.
- The resident attended the March 20, 2017 Parks Commission meeting and explained that she and other neighbors will take care of maintenance and repair of the free library, should it deteriorate or be vandalized. The location has been chosen so as to discourage vandalism as much as possible.
- The Parks Commission saw no issues with the proposal or proposed location. They even recommended that this be an amenity the City look to have in more parks within the City.

FISCAL IMPACT:

The resident has been asked to sign a form that frees the City from liability for damage and maintenance responsibility. The resident has not yet returned this form to the City and will need to do so before erecting the Free Library. This form is attached for reference.

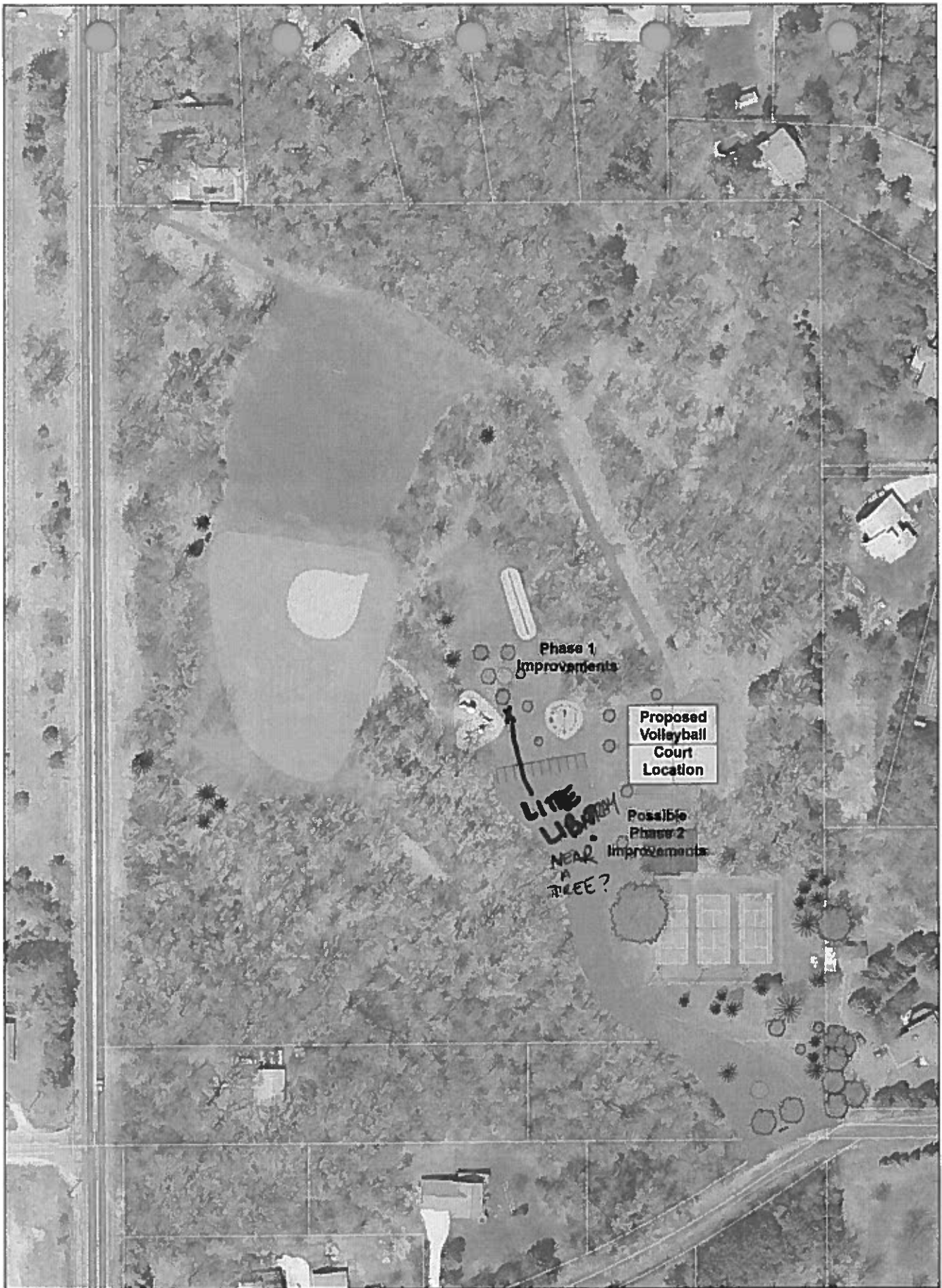
RECOMMENDATION:

Staff and the Parks Commission recommend that Council approve as part of tonight's consent agenda a resident erecting a Free Library within Pebble Park, subject to the resident signing the attached donation form. If removed from the Consent Agenda, the Council may approve with the following motion:

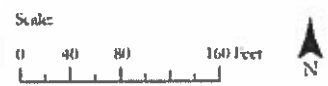
“Motion to approve a resident erecting a Free Library within Pebble Park subject to the resident submitting to the City a signed donation form freeing the City of liability and maintenance responsibility.”

ATTACHMENTS:

- Proposed location map (Pebble Park).
- Unsigned donation form



Pebble Park
Draft Plan 7/31/14



CHECKLIST FOR ACCEPTING DONATIONS

Policy: For gifts of any size the appropriate committee is to evaluate whether it is in the City's best interest to accept the bequest.

In order to assist the committee in evaluating the impact of accepting the gift, the following checklist has been prepared.

- (1) Is the gift of lasting value to the community?
- (2) Does it create potential liability issues for the City? That is, will people walk on it, sit on it, or under it? Will construction be inspected, is construction up to current standards (ADA accessible, for example?) Are the materials used acceptable for public construction?
- (3) Will some member of the public find the item offensive; can it be construed as having a religious content, or offending members of a protected class?
- (4) What will the potential annual maintenance cost of the gifted object be? Do the costs outweigh the value of the gift?
- (5) Does the gift carry implied duties that the City must perform? What is the cost of performance of such duties? Does the cost exceed the value of the gift?
- (6) If costs, direct or indirect exceed the value of the gift; acceptance of the gift may still be warranted if a public purpose is being served and all understand the costs as well as the value of the gift.
- (7) Also, does the acceptance of the gift imply that the City will replace the gift when worn out, destroyed by vandals, etc? If the gift is found to be no longer of use in the future, may the City at that time, sell, dismantle or convert to another use?
- (8) All agreements, prohibitions, etc, with respect to the gift should be noted in the minutes or Memorandum of Agreement for future reference.
- (9) All items donated to the Library for book sales, bake sales, rummage sales and memorial bricks will be exempt from this policy and procedure.

DONATION FORM FOR PUBLIC IMPROVEMENT PROJECTS, MEMORIALS,
TRIBUTES, WORKS OF ART
(Including funding proposals for the above purposes)

DONOR INFORMATION

Name: _____
Address: _____
Phone: _____
Email: _____

Hereby makes a proposal to fund and/or construct a Public Improvement Project, memorial, tribute, or work of art consisting of _____

The intended purpose of this donation is _____

Proposed location _____

Donation subject to the following restriction (if any): _____

Condition, Conservation and Maintenance Requirements:

What type of materials will be used in the proposed Project? _____

What is the intended life span of the Project? _____

What short and long-term maintenance may be required and what is the anticipated cost of such maintenance? _____

The Village of Luck will make reasonable efforts to accommodate the intended purpose of the donation but reserves the right to utilize, relocate and/or dispose of any item through donated funds as the Village of Luck may deem fit.

This agreement shall not take effect until the Village Board for the Village of Luck has specifically accepted this donation.

Donor

Date

Donor

Date

Recommended:

Department Head

Date

Accepted:

Village Administrator

Date