

LEGISLATIVE HISTORY

Introduced by: City Manager

Date: 2/8/2022

Public Hearing: 2/22/2022

Action: Adopted

Vote: Unanimous

Yes:

No:

Mayor Carrington

Melin

Combs

Valerius

Best

Daniels

Anzilotti

CITY OF PALMER, ALASKA**Ordinance No. 22-001****An Ordinance of the Palmer City Council Enacting Palmer Municipal Code Chapter 12.30 City of Palmer Parks, Recreational Facilities and Outdoor Facilities Donation/Memorial Policy**

WHEREAS, the city has public land that citizens enjoy throughout the year; and

WHEREAS, many citizens and visitors desire to assist and enhance these public lands through donating items; and

WHEREAS, many citizens contribute significantly to the quality of life in Palmer and should be memorialized on public property; and

WHEREAS, the Parks and Recreation Advisory Board (Board) developed and recommends an update to standard operating procedure for accepting and maintaining donations and for accepting memorials for public use at Parks, Recreational, and Outdoor facilities.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. The City of Palmer Parks, Recreational Facilities and Outdoor Facilities Donation/Memorial Policy is hereby enacted to read as follows:

12.30.010 Purpose and intent.

The purpose of this policy is to establish guidelines, standards, and procedures for the acceptance, installation, and care of donated park improvements, including memorial plaques, either as a result of a cash or physical property donation. These donations may include, but are not limited to, park benches, picnic tables, bicycle racks, trees, monuments, memorials, banners, interpretive signs, public art, and other types of park and trails accessories. This policy does not apply to buildings or land. The city desires to encourage donations while at the same time manage aesthetic impacts and mitigate on-going maintenance cost. Guidelines established by this policy will apply to all donations made after the effective date of this policy.

Donations will be incorporated into upcoming or ongoing park improvement projects. The development of public facilities is expected to be the result of careful planning and quality construction. In addition, public facilities are expected to be maintained to a standard acceptable to the community.

Standards established by this policy will apply to donated equipment, installation techniques, memorial plaques, donation plaques, decoration and long-term care of all donations made after the adoption of this policy. Materials and design of such donations shall be reviewed by the Board;

A. Donations approved by the Board as City Of Palmer (COP) standards item may be accepted by the Parks and Facility Manager.

B. The Board shall forward their recommendation as to the acceptance of the proposed donation to the city Council for final action on any non-standard park and facility donation.

12.30.020 Standards for Donations.

A. Acquisition or Purpose: The city and the community have an interest in ensuring that park and trail elements donated and installed be of high quality related to style, appearance, durability and ease of maintenance. The Board will be responsible for review and approval of material and design of all park elements. The Board may periodically approve COP standard items for park, trail, recreational facilities and outdoor facilities.

B. Appearance and Aesthetics: The city and the community have an interest in ensuring the best appearance and aesthetic quality of their public facilities. Park elements or Memorial Plaques and/or their associated donation acknowledgments should reflect the character of the park or facility. Prior to installation, the Board must determine that all park elements will be installed in such a manner that will not substantially change the character of a facility or its intended use.

C. Cost: The city has an interest in ensuring that the donor covers the full cost of the donation, installation, and maintenance for the expected life cycle of donated park elements. A separate fee schedule is maintained in which the city will detail costs for donations, installation, and maintenance. The city also has an interest in ensuring that ongoing maintenance costs do not negatively impact the resources available for maintenance of other City Park facilities.

D. Maintenance: Donated Park elements and/or their associated donation plaques or memorial plaques, become city property. Accordingly, the city has the duty to maintain the donation only for the expected life cycle of the donation. (See Section 1.1 for more information on life cycle.) If current information is on file, the donor will be informed and given the opportunity to take further action at the expiration of the original life cycle.

E. Repair: The community has an interest in ensuring that all park elements remain in good repair. In addition, the public has an interest in ensuring that the short and long-term repair costs are reasonable. Repair parts and materials must be readily available. Donated Park elements must be of high quality to ensure a long life, be resistant to the elements, wear and tear, and to acts of vandalism.

12.30.030 Procedure for Making A Donation.

The City's Community Development office will manage all donations located on City Park, Recreational Facilities, and Outdoor facilities, with the assistance of the Parks Maintenance Crew.

A. Application: Applications are sent to the Community Development office to determine whether a donation may be accepted based upon criteria contained in this policy. Applications are available through the mail or in person at the Community Development office.

12.30.040 Criterial for Acceptance.

A. Park Plan: To accept donation of a park element for a specific park facility, a park plan must exist showing the available locations for park elements. If no plan exists or a plan exists but does not identify a particular park element proposed for donation then a donation may be accepted if the donation:

- 1) meets a true need of the facility;
- 2) not interfere with the intended current or future use or function of the facility;

3) not require the relocation of other equipment or infrastructure to accommodate the donation. In the opinion of the city, a facility may be determined to be fully developed and the opportunity for donations would not be available.

B. Donation Plaques: Donation plaques, as approved by the Board, are to be directly affixed to the donation and/or, are to be made of bronze and purchased through the city. Donation plaques will be a maximum 5" x 7" or 2" x 18" inches in size (depending on the donated item), utilize either "Palatine" or "Cheltenham Light" lettering and numbers, have a leatherette or travertine background texture, be of dark brown oxide stain and be manufactured by a city approved vendor to ensure highest quality, life and durability. In cases where bronze plaques are not feasible, the Board may approve alternative types.

In park bench applications, the donation plaque will be affixed to the front of the seat back of the bench. In picnic table applications, the donation a plaque will be affixed to the table top. In tree installation applications, the donation plaque will be installed on a post or on a stone next to the base of the tree.

C. Notification: It shall be the responsibility of the donor to provide the Community Development office with a current address for purposes of notification regarding their donation.

D. Memorial Plaques: Memorial plaques, as approved by the Parks and Recreation Advisory Board and confirmed by city council are reserved for individuals who, over the course of time, have made a significant contribution to the welfare of a park, recreational facility or outdoor facility. Applications for memorials are submitted by individuals or organizations and are acted upon at the next duly noticed public meeting for the Parks and Recreation Advisory Board. A resolution by the Parks and Recreation Advisory Board is then forwarded to City Council for final resolution. A person memorialized must have been deceased for a minimum of one year, or an event must have occurred a minimum of one year prior, for an application to be submitted. Donated memorial plaques are reserved for individuals/events who have had an instrumental role in the promotion, establishment, maintenance, administration, or leadership of a park, recreational facility or outdoor facility. This may include an organization, member of an organization or an individual who has donated indirectly to the development of a park, recreational facility, or outdoor facility. To accept a memorial plaque for a specific park, recreational facility, or outdoor facility it must meet the Standards for Donations in Section 12.30.020 of the Parks, Recreational and Outdoor Facilities Donation/Memorial Policy. Memorial Plaques as approved by the board shall meet the Criteria for Acceptance set forth in Section 12.30.040 B of the Parks, Recreational Facilities and Outdoor Facilities Donation/Memorial Policy. The memorial plaque must be an element of an adopted memorial area within the park, recreational facility or outdoor facility. If the Memorial is not an element of a memorial area it must:

- 1) meet a true need of the facility;
- 2) not interfere with the intended current or future use or functionality of the facility;
- 3) not require the relocation of other equipment or infrastructure to accommodate the donation;
- 4) have timeless qualities and makes a statement of significance to future generations;
- 5) represent a person or event deemed significant to Palmer's history.

12.30.050 Park Benches, Picnic Tables, & Bicycle Racks.

Park benches, picnic tables, bicycle racks, and playground components may be placed in locations approved by the Board in accordance with an available site plan approved by City Council. Items donated must be of a product approved by the Board, and these items become city property at time of donation.

12.30.060 Trees.

Landscaping and plant selection for park facilities is critical due to the wind conditions, soils, and winter weather in Palmer. Accordingly, location, size and species of tree or trees proposed for donation shall be limited to those reviewed and recommended by the Board. The Board shall forward their recommendation as to the acceptance of the proposed tree(s) to City Council for final action.

Trees will only be accepted for areas with suitable soils for the species and areas that have access to public water supply in place.

A. Minimum Tree Size:

Coniferous trees shall have a minimum height of six feet (6'); and

Deciduous trees shall have a minimum caliper (diameter or thickness) of two inches (2").

B. Prohibited Plant Species:

Acer platanoides	Norway Maple
Aegopodium podagraria	Bishop's Weed
Berberis sp.	Barberry
Caragana arborescens	Siberian Pea Shrub
Eleagnus sp	Russian Olive
Euonymus alatus	Burning Bush
Fallopia japonica	Japanese Knotweed
Ligustrum sp	Privet
Lonicera japonica	Japanese Honeysuckle
Polygonum sp	Knotweed
Populus alba	White Poplar
Prunus padus	European Bird Cherry
Rosa multiflora	Multiflora Rose
Sorbaria sorbifolia	False Spirea
Sorbus aucuparia	European Mountain Ash
Viburnum opulus	European Cranberry Bush

12.30.070 Monuments.

Upright monuments or monuments resembling those typically found in cemeteries may not be installed at any City Park facility. Exceptions to this policy are monuments installed by the city commemorating the history and/or dedication of a park facility.

12.30.080 Interpretive & Other Donated Park Signs.

Interpretive and other donated park signs may be accepted when recommended by the Board. The Board shall forward their recommendation as to the acceptance of the proposed sign to City Council for final action. Signs shall be consistent with any adopted city way finding standards may be installed at sites that are appropriate for describing the history, geology, environment, and flora and fauna of a particular area. Interpretive signs shall be of a size that is in keeping with the character of the site. Interpretive signs shall be of a design that meets requirements for access to the disabled. Interpretive signs shall be designed in such a manner that is consistent with other interpretive signs on the site. Interpretive signs shall be constructed of materials that are of high quality, vandal resistant, and able to withstand harsh environmental conditions.

12.30.090 Other Donations.

There may be donations possible, other than those expressly listed or contained within this policy. The Board may, at their discretion, review any donation proposal and forward a recommendation. The city may accept those donations subject to approval by the City Council.

12.30.100 Conditions

A. Installation: Installation of donated park equipment will be scheduled at a time and date as determined by parks maintenance crew so as not to unnecessarily interfere with routine park maintenance activities. Placement of the equipment may not pose a safety risk to users of the public space or impede mowing, drainage or public access.

B. Removal and/or Relocation: This section applies to both existing and new donations. The city reserves the right to remove and/or relocate donated park equipment and their associated donation acknowledgments/plaques, when they interfere with site safety, maintenance, or construction activities. In accordance with previously stated procedures in this policy, the city will send a registered letter to each identifiable donor notifying the donor of any action related to the disposition or relocation of the donation. In certain situations, such as safety or emergency situations, the notification may be made after the action taken.

In the event a donation must be permanently removed; the city will, in best effort, seek an alternative location consistent with this policy.

12.30.110 Maintenance and Repair.

The long-term care and maintenance of donated park elements is important to both the donor and the city.

A. Life Cycle Care Fund: The city may require the establishment of the Life Cycle Care Fund to ensure that the city will care for the donation/memorial for the estimated life of the donation/memorial, or until such time the city determines the donation must be removed and/or relocated for unforeseen circumstances. The establishment of a Life Cycle Care Fund applies to all donated park elements installed after the adoption of this policy.

The fund is established with the intent of providing a regular revenue source dedicated and sufficient to reasonably maintain future donations for the duration of their expected life cycle. The cost of a donation will include the cost of purchase and installation, and the funds estimated to be sufficient, based upon the expected life cycle, for maintenance of the donated item. The expected life cycle, routine maintenance and element costs are identified in a separate schedule. This schedule is maintained administratively and may be modified from time to time to ensure that sufficient resources are available to maintain donations.

Accordingly, the city will determine the level of maintenance required for the donated property based upon available budget funding and the type of care needed to reasonably maintain the donation.

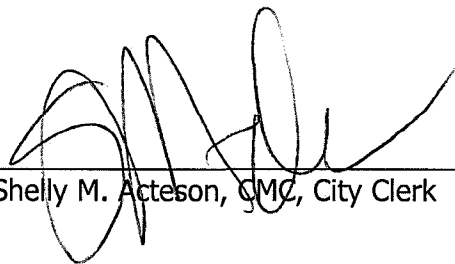
At the end of the life-cycle term, the donor may choose to extend the life-cycle term by paying for the current value of a new donation if deemed necessary by the Board and its associated maintenance cost. The city reserves the right to seek a new donor for the donation at the end of the established life cycle should the original donor choose not to renew the donation, or if the city has not been able to contact the original donor.

Section 4. Effective Date. Ordinance No. 22-001 shall take effect upon adoption by the City of Palmer City Council.

Passed and approved this 22nd day of February, 2022.



Steve Carrington, Mayor



Shelly M. Acteson, CMC, City Clerk