



City of North Muskegon
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TO: City Council
FROM: Sam Janson, City Manager
DATE: July 26, 2016
SUBJECT: Donation Policy

Purpose

The donation policy establishes guidelines, standards and procedures for the installation and care of donated improvements, either as a result of a cash or physical property donation. These donations may include, but are not limited to, park benches, bicycle racks, picnic tables, public art, monuments, drinking fountains and flags. This policy does not apply to buildings or land. The City desires to encourage donations while at the same time manage the aesthetic impact and mitigate any on-going maintenance costs.

The guidelines established by this policy apply to all donations made after the effective date of this policy. Donations made prior to the adoption of this policy shall be subject to applicable sections of this policy. This policy is also designed to provide guidelines for individuals or groups should they desire to decorate, landscape or adorn a donation, such as a tree, bench, or picnic table on city owned property.

Standards established by this policy will apply to purchased equipment, installation techniques, donation acknowledgements, decoration and long term care of all donations made after the adoption of this policy.

Guidelines for Existing Donations

Appearance and Aesthetics: Decoration, ornamentation, and adornment of donated elements can interfere with routine maintenance and the appearance of the donated item if not cared for on a regular basis or installed properly. Nothing shall be hung or tied to trees. Because landscaping installed in and around picnic tables and benches can be trampled, landscaping shall not be done around site furniture.

Decorations which may be allowed on a temporary basis for a limited time should not interfere with the use of nearby public space, nor represent a hazard to motorists, bicyclist or pedestrians. The donor shall remove any temporary decorations within a reasonable amount of time as they can weather and become unattractive and detract from the image of the community.

Materials: If landscaping around trees is desired, donors are encouraged to utilize natural materials in the construction of a six (6') foot border around the tree i.e. (one row of rocks no

larger than eight inches in diameter). Prior approval of the landscaped area must be obtained from the Department of Public Works.

Maintenance: Donated landscaping is the responsibility of the donor. All landscaped sites will be maintained weed and debris free. All dead flowers and shrubs will be removed and disposed of by the donor. Donors must request direct supervision by City Grounds staff during pesticide, fertilizer or herbicidal application to manage the proper type and amount of pesticides, fertilizers, or herbicides. If a donor determines that he or she can no longer maintain the donor site, the donor is requested to contact the City in order that City staff may restore the site to its original condition.

Longevity: Without exception, the City reserves the right to restore, relocate, remove or relinquish gifts that are no longer suited for their original purpose. Donations do not confer special privilege or rights; they are graciously and unconditionally accepted without obligation.

Standards for New Donations

Appearance and Aesthetics: The City and the community have an interest in ensuring the best appearance and aesthetic quality of their public facilities. Donated elements and/or their associated acknowledgments 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 facility or its intended use.

Maintenance: Donated elements and/or their associated 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 contact 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. Acceptance of donations confers no obligation on the City, and the decision to restore, relocate or remove donations at any time will be at the sole discretion of the City.

Repair: The community has an interest in ensuring that all 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 elements must be of high quality to ensure a long life, be resistant to the elements, wear and tear, and to acts of vandalism.

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. 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 on-going maintenance costs do not negatively impact the resources available for maintenance of other City facilities. Consequently the City will assess, at the time of purchase, a charge sufficient to cover anticipated on-going maintenance of donated elements during their expected life expectancy.

Procedure for Making a Donation

The City Manager and/or City Council will approve or deny all donation requests. The Department of Public Works will manage all donations located on City property.

Application: Potential donors or a donor's representative will complete the appropriate application form. Applications are available online or at City Hall

Prior to preparing an application, the donor may contact the City Manager to discuss a proposed donation. An informal screening may assist the potential donor in determining if a gift will meet the criteria contained in this policy.

Criteria for Acceptance

Plan: The donation must 1) meet a need of the intended facility, 2) not interfere with the intended current or future use of the facility and 3) not require the relocation of other equipment or infrastructure to accommodate the donation. Some facilities may be fully developed and the opportunity for donations would not be available.

Donation Acknowledgements/Memorial Plaques: Donation acknowledgments and memorial plaques will be made of bronze and purchased through the City. Donation plaques will be approved by the City Manager and/or City Council and manufactured by a vendor, of the City's choosing, to ensure highest quality, life and durability. In cases where bronze plaques are not feasible, City staff may suggest alternative types. These types will be in character with the intent of this section and acknowledgments shall be tasteful and subtle.

Benches, bicycle racks, picnic tables and drinking fountains: Benches, bicycle racks, picnic tables, drinking fountains, and playground components may be sited in locations approved by the City in accordance with an available site plan. Items donated must be of a product approved by the City Manager, and these items become City property at time of purchase.

Trees: Landscaping and plant selection for facilities is vital for the City of North Muskegon. Accordingly, the size and species of tree or trees donated shall be limited to those determined by the City. Trees will only be accepted for areas that have active irrigation systems in place.

Monuments: Upright monuments must be approved by the City Council prior to their installation in any City facility or on any City property.

Other donations: This policy is not inclusive and there may be types of donations that do not fit neatly into any category presented herein. The City may accept those donations subject to a review by the Department of Public Works, City Manager and/or City Council. The Department of Public Works may, at their discretion, bring any donation proposal to the appropriate board or committee for review and approval.

Buildings, structures and public art: Donated buildings, structures (including playgrounds) and public art are subject to full review and approval of City Council and are not considered as part of this policy.

Installation

Conditions: Installation of donated elements, including the donor acknowledgement/memorial plaques, will be completed by a licensed contractor or City staff. The installation will be scheduled at a time and date as determined by the Department of Public Works so as not to unnecessarily interfere with routine maintenance activities.

Removal and/or Relocation: This section applies to both existing and new donations. The City reserves the right to remove and/or relocate donated elements and their associated donation acknowledgments/memorial plaques. The City will make reasonable efforts to determine the origin of the donation and will attempt to contact donors prior to restoring, removing or relocated donated elements.

Maintenance and Repair: The long term care and maintenance of donated elements is important to both the donor and the City.

Care

Perpetual Care Trust Fund: The goal of the of this trust fund with the City ensures that the City is able to care for the donation for the estimated life of the donation, or until such time the City determines that the memorial donation must be restored, removed or relocated.

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, installation, and the estimated cost of maintenance sufficient based upon the expected life cycle for a donated item.

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.