

EDGERTON CITY COUNCIL-WORK SESSION AGENDA
CITY HALL, 404 EAST NELSON STREET
March 21, 2013
7:00 PM

1. Call to Order
2. Roll Call ____ Roberts ____ Longanecker ____ Powers ____ Cross ____ Wiseman ____ Brown
3. Discussion regarding Administrative Regulations for Rental of Edgerton Community Building
4. Presentation on Kansas Open Meetings Act (KOMA)
5. Adjourn Motion: _____ Second: _____ Vote: _____



March 19, 2013

To: Mayor and City Council

From: Beth Linn, City Administrator
Anna-Marie Keena, Administrative Services Director

Re: Discussion regarding Administrative Regulations for Rental of Edgerton
Community Building

Staff and the City Attorney have reviewed the current administrative regulations with regard to the public rental of the Edgerton Community Building at 404 E Nelson. Upon review, there are four items staff would recommend that council consider for addition or clarification in the regulations. A copy of the current regulations and application has been included for your reference.

Items to Consider

1. **Available Hours for Rental** - Current administrative regulations do not set specific hours that the hall is available for use. Staff would recommend establishing specific hours available for rental to allow public safety to be notified when the building would be occupied. An example of specific hours has been listed below.
 - Monday through Thursday: 5 PM to 10 PM
 - Friday: 5 PM to 12 AM
 - Saturday: 10:00 AM to 12 AM
 - Sunday: 10:00 AM to 10 PM
2. **Security Deposit and Inspection** – The current administrative regulations state that a renter may request a pre-event inspection with City staff to record the condition of the building prior to use. In addition, the renter may request a post-event inspection to determine any damages. Neither inspection is required. Currently the city does not perform any inspections prior or following a hall rental. Generally, security deposits have been returned.

The approved 2013 Budget considers financial investment in the upkeep and maintenance of the Community Building for items such as paint and replacement of chairs and tables. Without a pre- or post-event inspection it is a challenge to determine if a renter damaged the hall particularly when several rentals occur immediately following each other.

Staff would encourage discussion by city council members regarding the requirement of a pre-event and post-event inspection. Many surrounding communities that also rent their facilities require a renter to do a pre-event walkthrough the building with a city representative to inspect the facility for any preexisting damage, see any available furniture, understand any rules about alcohol, etc. In addition, at the close of the event many communities require a renter to return a post-event checklist indicating the space has been returned to its preexisting condition. This checklist is verified by a city representative.

Edgerton is faced with a unique challenge to staff the inspection process. In many other communities those inspections are performed by custodial staff that works every day or by local law enforcement. Edgerton does not have daily custodial staff and contracts for law enforcement services. If pre- and post-inspections would be recommended, city staff would develop a staffing plan to present to City Council for their consideration.

3. **Serving of Alcohol** – City staff has confirmed with the City Attorney that the current regulations with regard to serving of alcohol within the hall are in compliance with state statute. However, staff would recommend the council consider adding a section to the current application for a renter to indicate the intent to serve alcohol. Current regulations require the City to notify the Sheriff's Office if cereal malt beverages or alcoholic liquor will be consumed during an event. However, this information is not obtained from the renter on the current application.
4. **City Observed Holidays** – The City of Edgerton does not distinguish the ability to rent City Hall on a city observed holiday (such as Fourth of July) from any other day. The challenge for this practice exists when there is a problem with the building during the rental, such as a problem with the HVAC system. In that instance, the City would need to have a city employee available to respond to the situation. That employee would be compensated based on the Personnel Regulations with regard to working on a city observed holiday.

Staff would recommend the City Council consider a higher security deposit to rent the Hall on a city observed holiday. This security deposit could be used if an employee was required to report to work for damage caused by a renter.

For Rental of the Edgerton Community Building • Adopted by Resolution No. 07-22-10A

1. The City requires a rental fee of \$150 for residents and \$200 for non-residents for the reservation of the Community Building. Such fee includes a refundable \$50 deposit that will be refunded upon inspection of the building by City staff following the reservation date.
2. Deposits must be paid at the time of your reservation with the remaining balance paid prior to close of business on the day of your event. The deposit shall hold your reservation until your event date or upon receipt by the City of cancellation.
3. The responsible person must make arrangement to receive a key from City Hall during business hours and sign a receipt for the key. A key will not be provided until the full fee has been paid and this form is signed.
4. The responsible person may request a pre-event inspection with City staff to record the condition of the building prior to taking possession of the facility. The responsible person may also accompany City staff during post-event inspection to determine damages, if any and their necessary repairs.
5. If the City requires repair or other non-routine maintenance due to your event, the responsible person agrees to forfeit deposit in full.
6. Facilities shall be left clean and setup according to the City's instructions.
7. The City will provide cleaning supplies and will show the responsible person where supplies are located. Cleaning supplies will be returned to storage following their use.
8. The following items will be inspected by City staff:
 - Floors must be swept of debris and any spills, mud or dirt mopped up
 - Carpeted areas must be vacuumed;
 - Walls must be clear of any markings or scratches
 - Tables and chairs must be wiped clean
 - Chairs, if used, must be returned to the storage rack or in the position they were found
 - Any lost articles must be turned in at the City office
 - Trash must be placed in trash receptacles behind building following use
 - Lights shall be turned off following use; and
 - Doors shall be locked
9. Damage of facilities and any problems with plumbing, electricity, etc. shall be reported to the City and a plan for repair of damage, if applicable, must be provided at the time key is returned by the responsible person.

For Rental of the Edgerton Community Building • Adopted by Resolution No. 07-22-10A

10. The City shall not be responsible for any accidents or damage on the property. Damage will be the total responsibility of the reserving person(s).
11. Furniture shall not be removed from the premise without prior written authorization of the City Administrator.
12. Smoking shall not be allowed in the Community Building at any time. All smoking shall be restricted to at least ten feet from the building.
13. Subject to the following provisions, any person of lawful age may consume cereal malt beverage or alcoholic liquor within the confines of the Community Building, provided said person is not intoxicated at the time of such consumption.
14. No Person shall consume cereal malt beverages or alcoholic liquor on the premises unless all of the following conditions have been satisfied:
 - Such consumption takes place on the first floor and at least ten feet from any exterior door and not in any room or area used by the City as an office or storage room
 - Such consumption occurs at an event sponsored by the City or at an event for which the sponsor(s) has obtained a permit for the use of the building from the City
 - Such consumption occurs between the hours of:
 - 6 p.m. – 10 p.m. Monday through Thursday
 - 6 p.m. – 12 a.m. Friday
 - 12 p.m. – 12 a.m. Saturday
 - 12 p.m. – 10 p.m. Sunday
 - No Fees or other charges are required for the admission of any person into such event or in the dispensing of cereal malt beverage or alcoholic liquor
15. The City shall notify the Johnson County Sheriff's Department that cereal malt beverages or alcoholic liquor are being consumed on the premises during the event. Johnson County Sheriff's Department shall have the discretion to require surrender of the building if cereal malt beverages or alcoholic liquor provisions are not being complied with or if other illegal activities are being conducted at any time during the event.

For Rental of the Edgerton Community Building • Adopted by Resolution No. 07-22-10A

16. Non-compliance with any or all of the above requirements will result in forfeiture of the total deposit or possibly more stringent action by the City. The City may also ban violators of these regulations from renting the Community Building for a period of one year from the date of the violation. Second violations may require the City to permanently ban a violator from rental privileges.

17. Questions concerning these requirements should be made to the City Hall at (913).893.6231

I have read and understand the requirements above. Strict compliance to these rules will be adhered to during the event. I am aware that I will be held responsible for compliance to these rules.

Applicant Signature

Date

Address: _____

INTERNAL USE ONLY

Received _____ Deposit Paid Y N Date Paid _____

Reservation Date _____ Approved By _____