



BOARD OF ALDERMEN
Work Session Agenda
CITY OF PARKVILLE, MISSOURI
Tuesday, October 3, 2023 6:15 PM
City Hall Board Room

1. GENERAL AGENDA

- A. Receive information regarding City of Parkville and private property owner responsibilities within public rights-of-way.

2. ADJOURN

CITY OF PARKVILLE

Policy Report

Date: September 26, 2023

Prepared By:

Stephen Lachky, Community Development Director

Reviewed By:

Alexa Barton, City Administrator

ISSUE:

Receive information regarding City of Parkville and private property owner responsibilities within public rights-of-way.

BACKGROUND:

On July 18, 2023 the Board of Aldermen adopted Ordinance No. 3194 amending the City's Property Maintenance Code to address the maintenance of grass, weeds and vegetative overgrowth within public rights-of-ways by adjoining property owners. The amendment was in response to questions and confusion by property owners, regarding who — the City of Parkville or private land owners — is responsible for maintenance within public rights-of-ways. Since this time, there have been additional inquiries from residents to staff with regard to grass/leaves/vegetation, trees, and retaining walls. As a result, staff feels a work session providing an overview of the City's regulations pertaining to responsibilities within public right-of-ways is beneficial.

RIGHTS-OF-WAY 101:

Per Chapter 515 – Right-Of-Way Management, right-of-way (ROW) is defined as:

Generally public property vested in the City in trust for the citizens, in fee or easement, to which the public has a right to access and use for the purpose intended by the dedication, including but not limited to, the area on, below or above a public sidewalk, roadway, highway, street or alleyway in which the City has an ownership interest or right of management, but not including:

- 1. The airwaves above a public right-of-way with regard to cellular or other non-wire telecommunications or broadcast service;*
- 2. Easements obtained by utilities or private easements in platted subdivisions or tracts;*
- 3. Railroad rights-of-way and ground utilized or acquired for railroad facilities unless the land or interest therein has been dedicated to public use; or*
- 4. Poles, pipes, cables, conduits, wires, optical cables, or other means of transmission, collection or exchange of communications, information, substances, data, or electronic or electrical current or impulses utilized by a utility owned or operated by a governmental entity pursuant to RSMo Ch. 91.*

In general terms, ROW commonly includes space for public roadways, curbs, and usually 11-16 ft. behind the curb or edge of pavement for public space between property lines; and this area typically includes a public sidewalk. Per Missouri law, ownership of the underlying fee (i.e., land) subject to a

city's right-of-way interest extends to the centerline of right-of-way $\frac{3}{4}$ the exception being if there's a deed or dedication providing that in the event of a vacation of right-of-way by the city, that the fee title reverts back to the grantor.

CITY MAINTENANCE RESPONSIBILITIES WITHIN ROW:

Per Missouri law and the Parkville Municipal Code, the City is responsible for the maintenance/repair and upkeep of streets, curbs, shared-use paths, stormwater drainage infrastructure (e.g., sewer manholes and lines), street lights and signage within ROW. While the City does not address the responsibility for the maintenance of sidewalks, it can assign such responsibility to property owners (which is a common practice for municipalities to do). Nevertheless, the City also has a nondelegable duty/obligation to ensure sidewalks are maintained in a safe manner.

PROPERTY OWNER MAINTENANCE RESPONSIBILITIES WITHIN ROW:*

Private property owners are responsible for maintenance within rights-of-way adjacent to their property, including:

- Maintenance & upkeep of green space between the roadway curb and sidewalk; including mowing of grass, weed control, and removal/pickup of leaves.
 1. Ex: Grass and weeds must be maintained to a maximum height of 12 in.
 2. Ex: Leaves must be removed/picked-up from these areas and NOT displaced into streets.
- Maintenance & upkeep of trees, plants and other vegetation around streets, sidewalks, utilities (e.g., street lights, fire hydrants, sewer manholes) and street signs.
 1. Ex: Tree limbs must be trimmed back from the edge of streets/alleys up to at least 14 ft. above ground.
 2. Ex: Tree limbs must be trimmed back from the edge of sidewalks up to at least 8 ft. above ground.
 3. Ex: Trees, shrubs, plants and other vegetation must be trimmed back to at least 5 ft. from fire hydrants
 4. Ex: Trees, shrubs, plants and other vegetation within 10 ft. from curbs must be maintained to a maximum height of 2 ft. so that they do not obstruct lines-of-sight from motor vehicles.
- Maintaining safe walking surfaces on sidewalks to be clear of snow, ice, dirt, other substances, or other obstacles that may obstruct or render a sidewalk dangerous.

*Failure to properly maintain or upkeep per the provisions of the Property Maintenance Code may result in a notice of violation with subsequent penalties.

STREET TREES 101:

Parkville Municipal Code, Chapter 150 Community Land and Recreation Board (CLARB) differentiates trees on City-owned land vs. trees within public rights-of-way by defining them:

- Park Trees – Trees, shrubs, bushes and all other woody vegetation in public parks having individual names and all areas owned by the City or to which the public has free access as a park.

- **Street Trees** – Trees, shrubs, bushes and all other woody vegetation on land lying between property lies on either side of all streets, avenues or ways within the City.

Property owners are responsible for the care of trees on their own property AND Chapter 150 encourages them to do so for street trees adjacent to their property in ROW. Additionally, it should be noted that the City (per Chapter 150) has the right to plant, prune, maintain and remove any trees within ROW; which is common for municipalities throughout the Kansas City region. Generally, any City work on trees within the ROW is done to address immediate life/safety hazards, and is done so at the owners' expense.

In 2014, the City received a Tree Resource Improvement and Maintenance (TRIM) grant from the Missouri Department of Conservation to prune and replace dead trees along the Main Street corridor (from 2nd St. to 7th St.). To staff's knowledge this is the only neighborhood in the community where such funding was used for the planting or maintenance of street trees.

Per staff's research, the only municipality in the Kansas City region that utilizes City funds to routinely plant and maintain street trees in ROW is Fairway, Kan. per a desire to, "preserve and improve the beauty of public grounds." This program is supported via the Fairway Tree Fund which is used for the City purchasing, planting and maintenance of trees (Note: property owners are allowed to perform normal tree maintenance on all street trees at their own expense provided 1) They've received permission from the Community Tree Manager [i.e., Public Works Director or their designee]; and 2) such maintenance is not potentially detrimental to the health of a tree.). It should also be noted that Fairway, Kan. has adopted a robust [Public Tree Protection Ordinance](#), and has a Tree Board to determine whether trees should be removed from public ROW or not. The City of Fairway, Kan. also imposes a fine of \$100 per caliper in. for any street tree that's illegally removed without approval of a ROW permit — the intention being said funding would go towards the cost of replacing the removed tree by planting a new one.

There are several options the City of Parkville can pursue with regard to ownership and maintenance of trees within the ROW, as detailed in the table below.

Option 1	>Option 2	Option 3
No Involvement	Minimal Oversight	Active Oversight
(Ex: Parkville, Mo.)	(Ex: Independence, Mo.)	(Ex: Fairway, Kan.)
The City currently does NOT assert ownership overplanted in ROW from adjacent property owners.	The City claims ownership of all street trees on a limited basis, solely to address serious maintenance issues when needed (i.e., not actively planting, pruning or maintaining).	The City claims ownership and assumes control of all street trees planted in ROW from adjacent property owners (includes planting, pruning and
Rather, the City encourages property	The City encourages property owners to provide maintenance on street trees adjacent to their	

owners to provide maintenance for street trees adjacent to their property in ROW, and enforces any issues via Property Maintenance Code violations.	property in ROW; but the City steps in and provides routine maintenance service to ensure street trees have property clearance and don't interfere with utilities, or when there's an immediate danger to pedestrians or the public at-large.	tree canopy maintenance). Active oversight is achieved through dedicated funding sources.
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Regardless of which direction the City pursues, the City should clarify the ownership of street trees, as well as the City's current maintenance responsibilities for street trees in ROW. As a result, the City's legal counsel recommends implementing text amendments similar to language included in the following municipal codes:

- **City of Maryland Heights, Mo.** – *Tree ownership: Ownership of a tree is determined by who the owner of the property is where the tree trunk touches the ground. Once a tree is installed on public owned property (no matter who installs the tree) the tree belongs to the city. For liability reasons, when a tree is located on the property line (public/private property line), the tree belongs to the public entity.*
- **City of Crestwood, Mo.** – *Maintenance responsibility. The owner of land shall be responsible for the maintenance of all landscape plantings located on his/her land and within the right-of-way to which the land abuts, except for trees planted by the city within a public right-of-way. Trees planted by the city and located within public rights of-way shall be maintained by the city. All required landscape plantings shall be maintained in a healthy and neat condition.*

Chapter 150 of the Parkville Municipal Code contains spacing / distance (ft.) requirements for planting street trees from curbs and sidewalks, street corners, fireplugs and utilities; and Chapter 150 also states that the CLARB shall maintain a desirable street tree species list, requiring that only such species be planted as street trees. To staff's knowledge, these spacing / distance (ft.) requirements have never been enforced; and a desirable street tree species list was never developed for CLARB (However, a Great Trees list was created in conjunction with the City's 2016 update to the development code, and currently resides in Appendix B of the Title IV: Development Code as an informational guide).

City staff plans on updating Chapter 150 and presenting amendments to CLARB for input. Staff's intention is to allow property owners to perform routine maintenance, pruning and upkeep of street trees; but to require submittal of an Application for Right-Of-Way Permit (see Attachment 3) for any planting or removal of street trees in order to identify potential issues beforehand. With regard to penalties for illegally removing a street tree without approval of a ROW permit, the City can impose a fine through its current ordinances for not first obtaining a ROW permit. Legal counsel only recommends imposing a dedicated street tree fine/penalty for illegally removing a tree if the City takes a more active role in street tree oversight.

COMMON QUESTIONS:

- **My neighbor's tree branches cross over my property line. Do I have the right to trim them?** Legally you're allowed to trim tree branches that hang over your property, but only up to the property line. You also need to be careful not to harm or damage the tree as you may be liable for its health.
- **Can property owners plant or remove trees in our public ROW?** Yes; however, as noted in earlier sections of this policy report, this has been allowed in the past without much oversight. In light of the City taking a more active role in sustainability $\frac{3}{4}$ approving Resolution No. 21-010 endorsing the *KC Regional Climate Action Plan*; and adopting stream buffer protection, steep slope preservation, and tree cover preservation ordinances $\frac{3}{4}$ staff plans to take a more active role in requiring property owners to submit an Application for Right-of-Way Permit for such work in order to identify potential issues beforehand.
- **If Main Street is important to the character, quaintness and charm of the Parkville community, should the City take more of an active role in the preservation of its street tree canopy?** In 2014, the City received a one-time TRIM grant from the Missouri Department of Conservation to prune and replace dead trees along the Main Street corridor (from 2nd St. to 7th St.). To staff's knowledge this is the only neighborhood in the community where such funding was used for the planting or maintenance of street trees.

The Board of Aldermen needs to decide whether or not to incorporate such a program into the City's operations, as there's currently no designated funding source for tree preservation. Conversely, residents along Main Street have the option to petition the creation a Community Improvement District (CID) along the Main Street corridor to provide such service via imposing a special assessment to their properties.

- **Are property owners required to remove leaves from the ROW, or just prevent leaves from blowing into the street and clogging our storm drains and sewers?** Per the Property Maintenance Code, all parts of one's property (including areas within public ROW adjoining their property) shall be maintained free from grass, weeds, leaves and other vegetation in excess of 12 inches. Thus, any leaf piles 12 inches or higher in the green space between the roadway curb and sidewalk need to be removed; as failure to do so may result in a Property Maintenance Code violation with subsequent penalties.

Per Missouri Department of Natural Resources (MoDNR) requirements, the City has to keep all of its storm drain sewers clear of obstructions (e.g., trash, sediment, vegetation). As a result, in autumn Public Works Department staff clears leaves obstructing our storm drains along Main Street (from 7th St. to 2nd St.). Over the years this service has become onerous and costly to the City as $\frac{3}{4}$ upon witnessing the City's removal of leaves $\frac{3}{4}$ residents along Main Street routinely blow leaves from their yards into the street, exacerbating the issue of vegetation obstructing the City's storm drains. Blowing leaves from a yard into the street is not permitted and subject to a Property Maintenance Code violation.

For reference, the City spends \$8,000-\$10,000 annually — including staff time, and expenditures related to trucks & equipment — to remove leaves from Main Street and transport them to the Rockridge Recycling Center in Riverside, Mo.

Staff researched costs for the City to provide curbside leaf removal service for residents via a third-party, and reached out to 10 contractors for estimates. The only contractor with capacity to provide such service ³/₄ By the Blade Lawn and Landscape ³/₄ could do so for a rate of \$60 per hour citywide. Another option would be for the City to rent equipment, a Sentinel Outdoor Sweeper, from Sunbelt Rentals for a total cost (including transportation & insurance) of \$15,911.37 a week. The City could also a Elgin Whirlwind 1 sweeper truck from Key Equipment at a cost of about \$300,000, or a Titan self-contained tow behind unit for a cost of around \$120,000 (see Attachment 4 for more detail).

- **Who's responsible for the maintenance of retaining walls within public ROW?** Unless there's any record of the City constructing said retaining wall, it's viewed as a private wall within public ROW. Per our records, the only retaining walls constructed by the City is the wall bisecting Main Street (between 8th St. and 12th St.) and the retaining wall along NW Brink-Myer Road.
- **My car was parked in ROW and a street tree fell onto and damaged it. Who's responsible for costs for removal of the tree and to pay for damages to fix my car?** There's no exact answer to this question, as it depends based on the situation and circumstances. Typically the owner of the car is responsible to pay for any expenses related to the damage of their car. This would be the same situation if the tree fell from private property and damaged the owner's car.
- A street tree was struck by lightning, has fallen into the street and is blocking lanes of the roadway. **Who is responsible for removing the tree?** Property owners are responsible for keeping their adjacent ROW free from obstructions; however, if determined to be an immediate life/safety hazard, the City will remove the obstruction from the right-of-way.

BUDGET IMPACT:

There is no budget impact with this item.

ALTERNATIVES:

1. Receive information regarding City and owner responsibilities within public ROW.
2. Provide staff feedback.
3. Direct staff to conduct additional research.
4. Postpone the item.

STAFF RECOMMENDATION:

Staff recommends the Board of Aldermen receive information regarding City of Parkville and private property owner responsibilities within public rights-of-way.

ATTACHMENTS:

1. ROW Responsibilities - BOA Work Session 10-03-23
2. Informational Flyer - ROW Maintenance
3. Informational Flyer - Leaves in ROW
4. Application for Right-of-Way Permit
5. Leaf Removal along Main Street

Responsibilities within public rights-of-way

Board of Aldermen Work Session

October 3, 2023



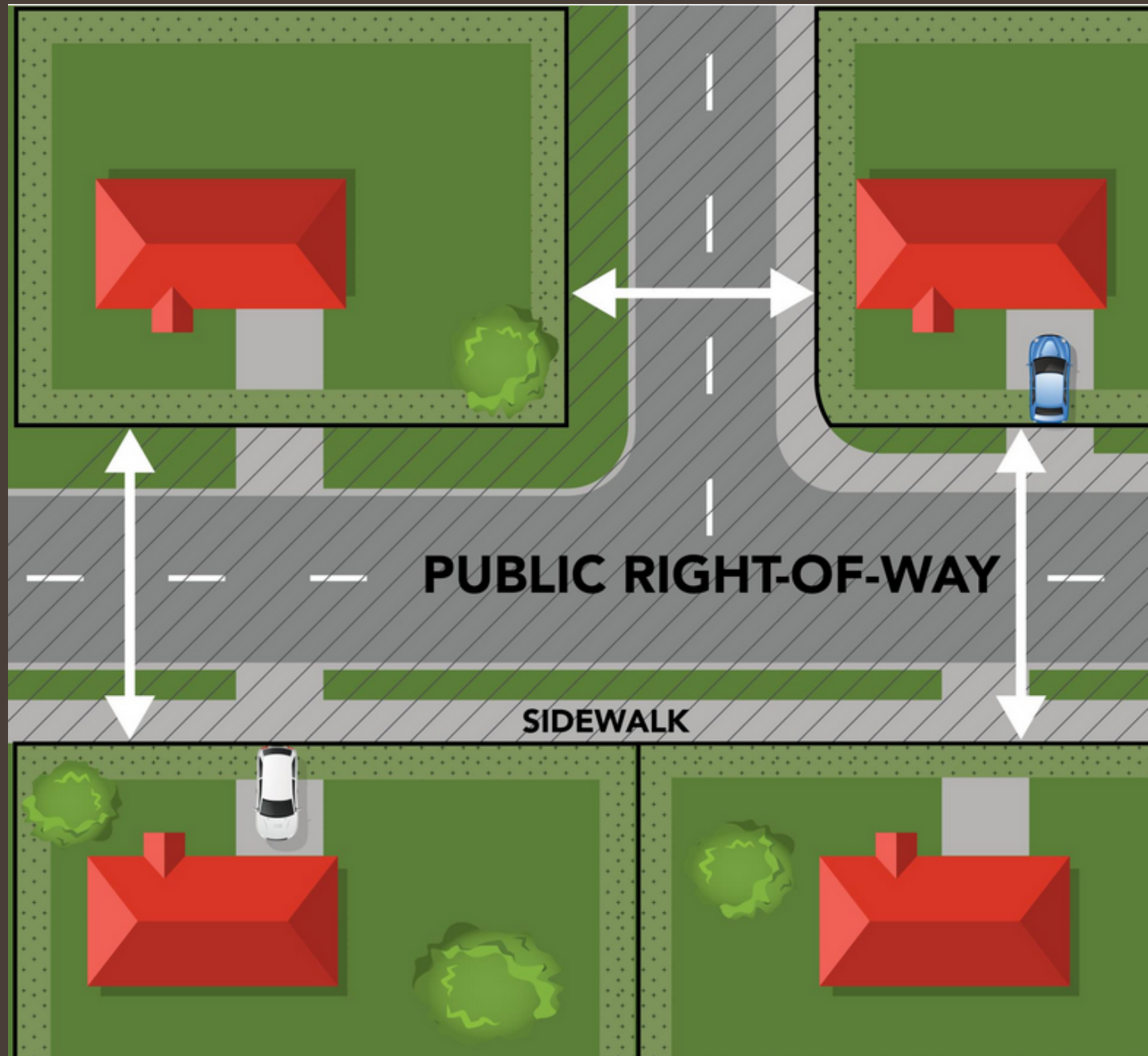
What is Right-Of-Way?

Right-of-way is defined as...

☞ *Generally public property vested in the City in trust for the citizens, in fee or easement, to which the public has a right to access and use for the purpose intended by the dedication, including but not limited to, the area on, below or above a public sidewalk, roadway, highway, street or alleyway in which the City has an ownership interest or right of management, but not including:*

- A. The airwaves above a public right-of-way with regard to cellular or other non-wire telecommunications or broadcast service;*
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- C. Railroad rights-of-way and ground utilized or acquired for railroad facilities unless the land or interest therein has been dedicated to public use; or*
- D. Poles, pipes, cables, conduits, wires, optical cables, or other means of transmission, collection or exchange of communications, information, substances, data, or electronic or electrical current or impulses utilized by a utility owned or operated by a governmental entity pursuant to RSMo Ch. 91.*

In more general terms...



What maintenance responsibilities does the City have in ROW?



Maintenance/
repair and
upkeep of:

- Streets
- Curbs
- Shared-use paths
- Storm drainage infrastructure
(e.g., sewer manholes and lines)
- Street lights
- Signage
- Sidewalks???

What maintenance responsibilities do property owners have in ROW?



Upkeep of green space:

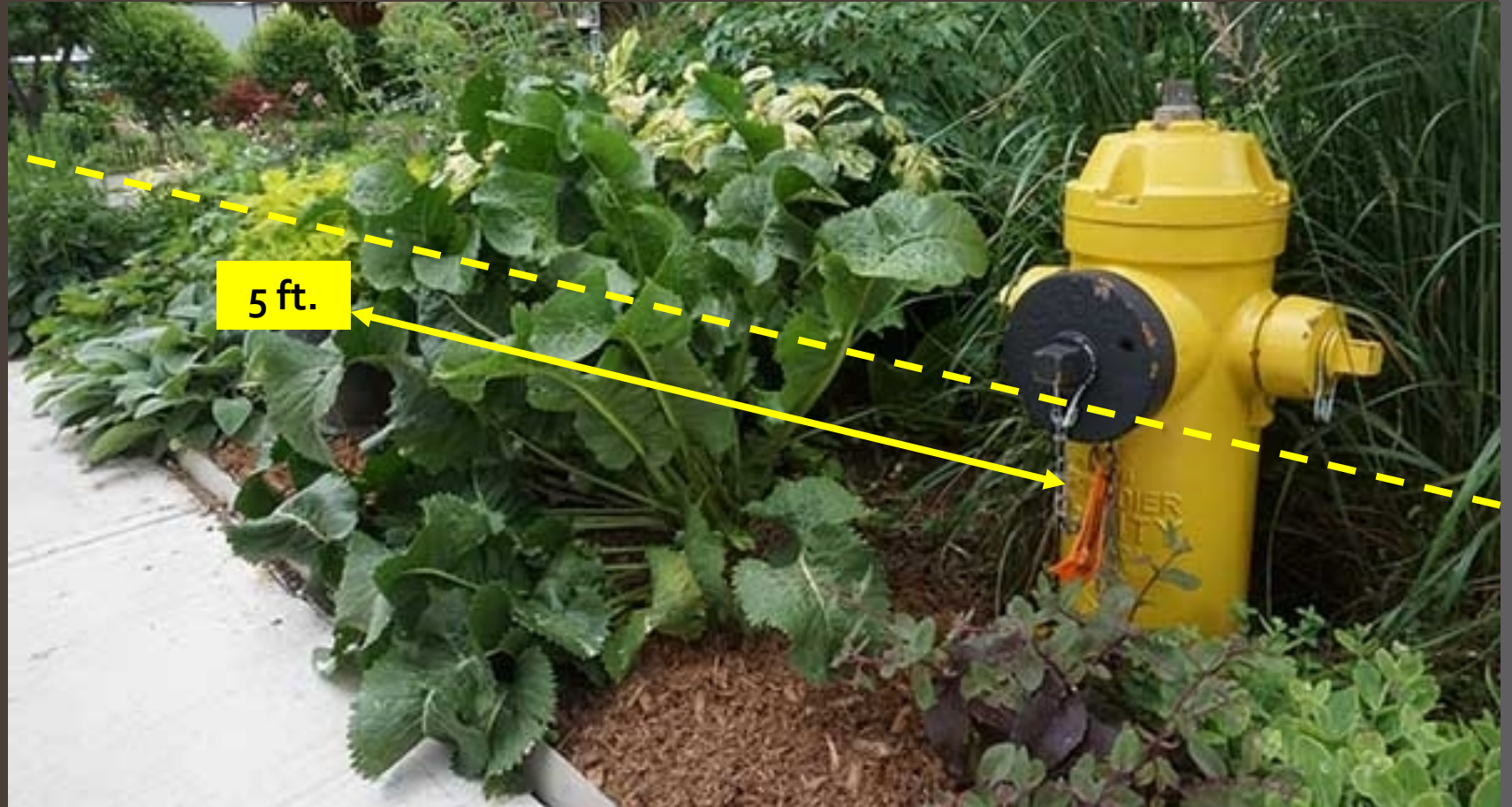
- mowing
- weed control
- leaf pickup



Maintenance of tree limbs



Maintenance of shrubs



Clearing of
snow, ice, dirt
or other
obstacles



What are street trees?



Trees on City land vs. within ROW

Park Trees



Street Trees



The Parkville Municipal Code encourages property owners to care for street trees adjacent to their property in ROW; and penalties could result via the adopted Property Maintenance Code.

Tree maintenance along Main St.



Fairway, Kan. Tree Program



Future plans



Application #: _____
Date Received: _____
Date Approved: _____
Permit #: _____

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Application for Right of Way Permit

Use of (storage of dumpsters, storage containers or similar) or work within (grading, cuts, tunnels, excavation or similar) the public right-of-way is regulated by Parkville Municipal Code. Accordingly, anyone proposing to use or work within the right-of-way shall submit the following application and obtain a right-of-way permit from the Parkville Public Works Department prior to commencement of that use or work.

1. Applicant / Contact Information

Applicant(s)

Name: _____
Company: _____
Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____
Emergency #: _____
E-mail: _____

Primary Contact(s), if not applicant

Name: _____
Company: _____
Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____
Emergency #: _____
E-mail: _____

Alternative Contact

Name: _____
Phone: _____

Alternative Contact

Name: _____
Phone: _____

I, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all information contained therein is true and correct. I do hereby agree to abide by and comply with all applicable Municipal Codes and conditions of approval. I understand that any violations shall constitute cause for issuance of fines and pursuit of civil remedies as may be applicable.

Applicant's Signature (Required) _____

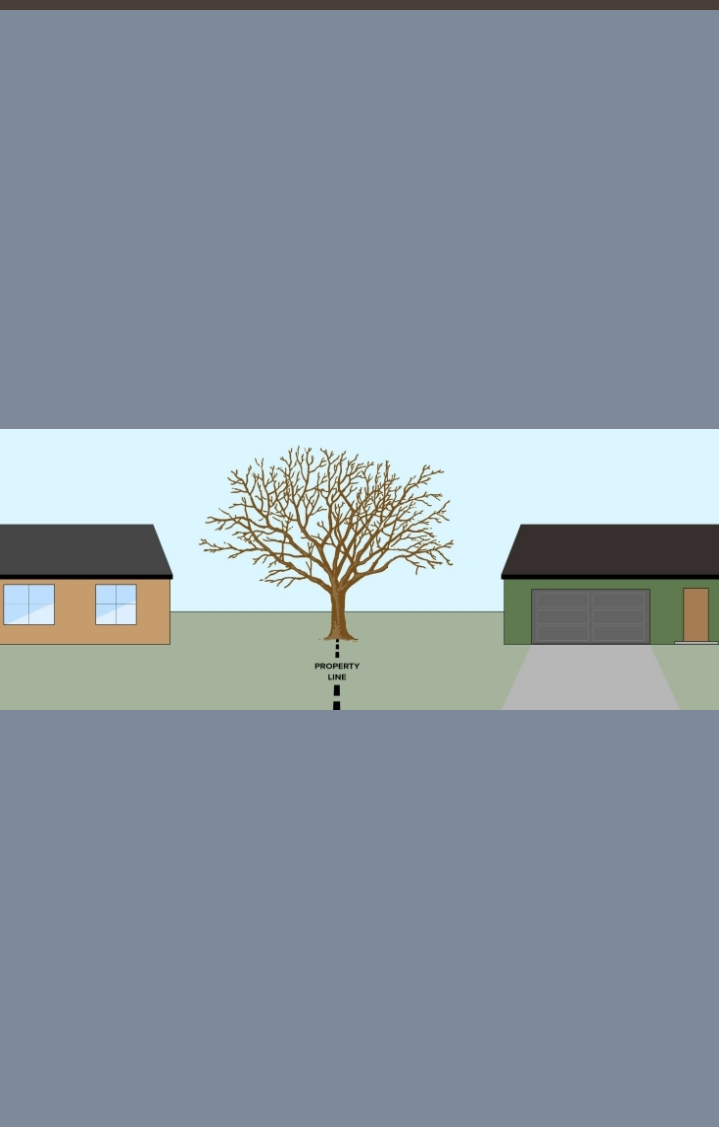
Date: _____

2. Work Description Information

Location (may be attached): _____

Description (may be attached): _____

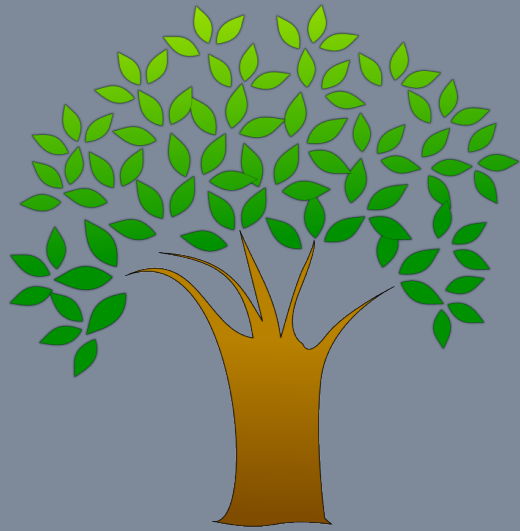
Common Questions



⌘ My neighbor's tree branches cross over my property line. Do I have the right to trim them?



Can property owners
plant or remove trees in
our public ROW?



If Main Street is important to the character, quaintness and charm of the Parkville community, should the City take more of an active role in the preservation of its street tree canopy?



Are property owners required to remove leaves from the ROW, or just prevent leaves from blowing into the street and clogging our storm drains and sewers?



Who's responsible for the maintenance of retaining walls within public ROW?



My car was parked in ROW and a street tree fell onto and damaged it. Who's responsible for costs for removal of the tree and to pay for damages to fix my car?



A street tree was struck by lightning, has fallen into the street and is blocking lanes of the roadway. Who is responsible for removing the tree?

Questions?

MAINTAINING PUBLIC RIGHT-OF-WAY

Did you know that both the City of Parkville and property owners have a shared responsibility in maintaining the public right of way?

WHAT IS A RIGHT-OF-WAY?

Right-of-way (ROW) means the surface of, and the space above and below, any public street, highway, bridge, land path, alley, sidewalk, public way or other public ROW including, but not limited to, public utility easements, for the purpose of constructing, operating and maintaining public facilities.

Public ROW extends to property lines typically 11-16 feet behind the curb or edge of the pavement. Obstructions of these passages limit accessibility and block the view of traffic signs, signals, vehicles and pedestrians.



RESPONSIBILITIES OF CITY AND PROPERTY OWNERS

CITY

- Construct and maintain public streets (including storm drains, streetlights and signs)
- Construct and repair curbs and sidewalks
- Maintain multi-use trails and pedestrian corridors within ROW
- Remove hazardous, dead or diseased trees
- Manage public uses and ensure they are not being interfered with

PROPERTY OWNERS

- Maintain private trees, vegetation and planting areas
- Pick up and dispose of leaves
- Keep clear of obstacles
- Maintain safe walking surface on sidewalks and remove ice, snow, dirt or other substances that obstruct/render sidewalk dangerous
- Maintain yards in ROW (e.g. mowing, weed control, leaf control, etc.)

GUIDELINES TO HELP KEEP RIGHT-OF-WAY CLEAR



SIDEWALKS

Limbs and vegetation must be trimmed back from the edge of and at least 8 feet above.



STREETS/ALLEYS

Limbs and vegetation must be trimmed back from the curb and at least 14 feet above.



GRASS & WEEDS

Must be maintained at maximum height of 12 inches of property and to edge of street/alley.



CORNERS

Vegetation within 10 feet from curb should be kept at height of two feet.



FIRE HYDRANT

Trees or plants must be removed from within five feet of fire hydrants.



GENERAL

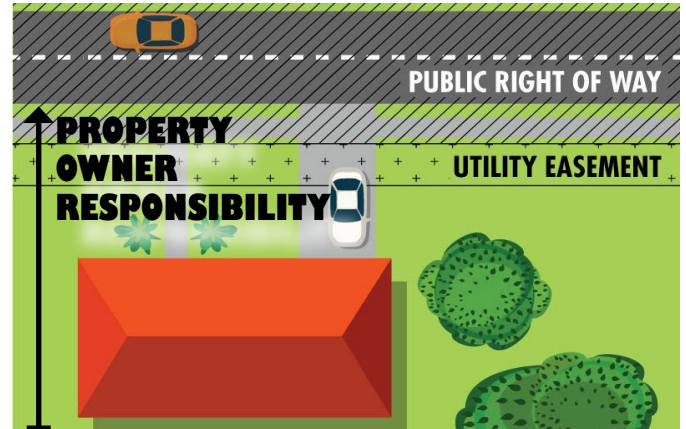
Vegetation blocking signal lights and traffic signs must be trimmed or removed.

LEAVES IN PUBLIC RIGHT-OF-WAY

Main Street is lined with mature trees that drop leaves in the fall in private yards and on public sidewalks and streets. Keeping right-of-way clear of leaves is the property owner's responsibility.

WHAT IS A RIGHT-OF-WAY?

Right-of-way (ROW) means the surface of, and the space above and below, any public street, highway, bridge, land path, alley, sidewalk, public way or other public ROW (e.g. public utility easements for public facilities). ROW extends to property lines typically 11-16 feet behind the curb or edge of the pavement. Obstructions of these passages limit accessibility and block the view of traffic signs, signals, vehicles and pedestrians.



STORMWATER POLLUTION

Stormwater is the leading cause of water pollution. Fall leaves and yard waste can cause pollution and flooding when dumped or stored near waterways and storm drains.

Stormwater, or rain water, flows into the roadside ditches and the storm drains. During a rainfall, water runs across rooftops, down streets and across parking lots and yards and then washes down storm drains, eventually reaching our local lakes, creeks and the Missouri River. Along the way, the storm water "runoff" picks up materials like fertilizer, pet waste, litter, automotive fluids and yard waste.

By keeping yard waste and leaves out of storm drains, you are doing your part to reduce flooding and pollution in our waterways.

WHAT CAN YOU DO TO HELP?

Help keep Parkville's waterways clean and healthy by following these simple steps:



Never dump anything down storm drains or drainage ditches.



Compost yard waste in an area away from storm drains.



Properly dispose of all waste.



Bag leaves in paper bags and dispose at bi-annual yard waste drop off in spring and fall.



Keep paved areas, sidewalks and storm drains clear.



Application #: _____
Date Received: _____
Date Approved: _____
Permit #: _____

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Application for Right of Way Permit

Use of (storage of dumpsters, storage containers or similar) or work within (grading, cuts, tunnels, excavation or similar) the public right-of-way is regulated by Parkville Municipal Code. Accordingly, anyone proposing to use or work within the right-of-way shall submit the following application and obtain a right-of-way permit from the Parkville Public Works Department prior to commencement of that use or work.

1. Applicant / Contact Information

Applicant(s)

Name: _____

Company: _____

Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

Emergency #: _____

E-mail: _____

Primary Contact(s), if not applicant

Name: _____

Company: _____

Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

Emergency #: _____

E-mail: _____

Alternative Contact

Name: _____

Phone: _____

Alternative Contact

Name: _____

Phone: _____

I, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all information contained therein is true and correct. I do hereby agree to abide by and comply with all applicable Municipal Codes and conditions of approval. I understand that any violations shall constitute cause for issuance of fines and pursuit of civil remedies as may be applicable.

Applicant's Signature (Required) _____ **Date:** _____

2. Work Description Information

Location (may be attached): _____

Description (may be attached): _____

Projected work date/time(s): _____

Protective measures: _____



Application #: _____
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3. Checklist of submittals required at time of application

- ☐ Completed application.
- ☐ Authorization signature of the applicant.
- ☐ Nonrefundable permit fee in the amount of \$10.00.
- ☐ **For ROW use only** – A map / diagram showing: the proposed location of the use and size of equipment; affected properties (by address or lot number); protective measures proposed.
- ☐ **For ROW construction only** – Plans and specifications showing all proposed work in the right-of-way including: a map / diagram showing the proposed locations, dimensions, depth and nature of any work; affected properties including address or lot number; method of notification; protective measures, including warning and safety devices; and method of filling and restoring the surface after work is completed.
- ☐ **For ROW construction only** - deposit or bond in the amount of \$500.00 for any cuts, tunnels or excavation in, through or under any street, sidewalk, alley or similar public place.
- ☐ **For ROW construction only** – a certificate of insurance naming the City as an additional insured with the following minimum coverage: comprehensive general liability/ personal injury coverage of \$100,000.00 each person and \$300,000.00 each occurrence; and property damage coverage of \$50,000.00 each accident and \$100,000.00 aggregate.

For City Use Only

Application accepted as complete by: _____ Date: _____

Required approvals, if applicable:

- ☐ **Public Works Director (all):** Action: _____ Date: _____
Conditions: _____

- ☐ **Police Department (closures/public safety):** Action: _____ Date: _____
Conditions: _____

- ☐ **Fire Department (closures/public safety):** Action: _____ Date: _____
Conditions: _____

- ☐ **Other (_____):** Action: _____ Date: _____
Conditions: _____

- ☐ **Other (_____):** Action: _____ Date: _____
Conditions: _____

- ☐ **Other (_____):** Action: _____ Date: _____
Conditions: _____

Options for Leaf removal along Main Street Parkville

By the Blade Lawn and Landscape:

The most preferable option for leaf removal along Main Street Parkville would seem to be a contract with By the Blade Lawn and Landscape. They were quick to provide a feasible solution of a discounted rate of \$60/hour for the City as well as any and all residents of Parkville. Paying By the Blade to clean up leaves along the Main Street curb would alleviate the city of the safety hazards in having employees take on the task, as well as the liability of damaging personal property during the task. This would also be the most cost effective option. Nine other contractors were contacted in regards to this option. While two were excited about the idea, they were unable to put together any information by the multiple deadlines that were given to them. The rest of the contractors said that they did not have the capacity to entertain this option or do not service this area.

By the Blade believes they could arrange a similar system for scheduling as in Fairway, Kansas, whose informational form is to the right. It is a great representation of how easily this program could be fit to the City of Parkville. The Fairway residents rake their leaves to the curb and pay \$76 or \$93 depending on the date they choose or \$153 for both dates available.

Our residents would definitely be getting a better deal by being able to use By the Blade Lawn and Landscape considering that each home would be much less than an hour's worth of work. This option not only lessens the liability assumed by the city, it lessens the employee hours used for this task and does not require additional facilities or



Note: If you live in the FIELDSTON or FAIRWAY Homes Associations, do not sign-up for this program as your HOA has arranged curbside leaf removal for you. If you have questions please contact your HOA or Benjamin Lawn & Landscape 913-788-6089.
Collection dates: Fairway HOA Sunday, Nov. 20 & Sunday, Dec. 11
Fieldston HOA Sunday, Nov. 20 & Sunday, Dec. 11

2022 CURBSIDE LEAF REMOVAL PROGRAM

The City of Fairway has arranged for Benjamin Lawn & Landscape to offer a group rate for residential curbside leaf removal for the fall of 2022. Recognizing that some residents may not be able to utilize the service for a variety of reasons, this is a **voluntary program**. For curbside leaf removal on these specified dates, the cost is \$76 for pick-up #1 only, \$93 for pick-up #2 only OR, \$153 for both.

Step 1: See the Collection Calendar for when Benjamin Lawn & Landscape will be in your Ward doing curbside leaf removal on dates noted below.

	Pick-up #1	Pick-up #2
Ward 1	Sunday, Nov. 20	Sunday, Dec. 11
Ward 2	Sunday, Nov. 20	Sunday, Dec. 11
Ward 3	Monday, Nov. 7	Monday, Dec. 5
Ward 4	Monday, Nov. 7	Monday, Dec. 5

Step 2: Review the guidelines. For a successful curbside leaf pick-up, please remember the following:

- Benjamin Lawn & Landscape trucks are equipped with a side mount vacuum designed to vacuum a long row of leaves. Rake leaves into a pile along the curb (edge of the lawn) that is as long and narrow as possible. The machines can reach 6 feet into the yard so leaves beyond 6 feet may not be removed.
- Leaves are to be raked up to the edge of the lawn as noted above. **DO NOT** rake leaves into the street or gutter and **DO NOT** block the sidewalk.
- Leaves only. Remove sticks, rocks, trash, and other debris.
- Do not block the leaf row with vehicles on collection day.

Step 3: SIGN-UP & PAY ONLINE at www.BenjaminLawn.com click on "Curbside Leaf Removal". If you prefer to pay by check, mail **completed form and payment to the address listed below**. Questions, contact Benjamin Lawn 913-788-6089

Step 4: Then, don't forget to rake your leaves to the edge of your lawn prior to your collection day(s)!

Please cut on line and return bottom portion with payment **OR** sign-up and pay online at www.BenjaminLawn.com

Name: _____
Address: _____
E-mail: _____
Phone Number: () - _____

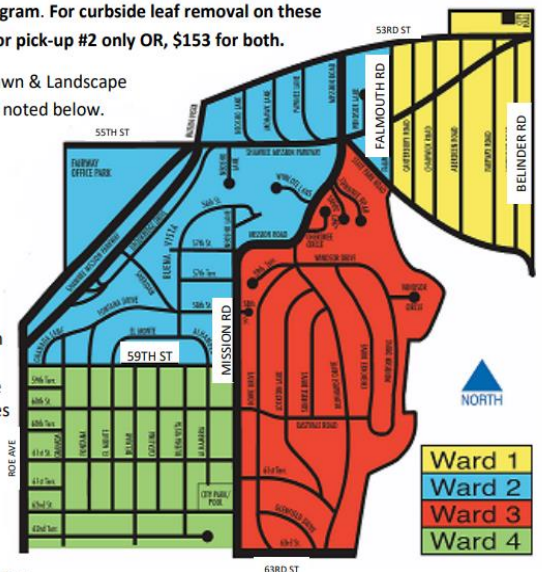
Please make checks payable to: Benjamin Lawn & Landscape
PO Box 8063
Prairie Village, KS 66208

Place an "X" next to the dates you wish to participate:

	Pick-up #1	Pick-up #2
Ward 1	____ Sunday, Nov. 20	____ Sunday, Dec. 11
Ward 2	____ Sunday, Nov. 20	____ Sunday, Dec. 11
Ward 3	____ Monday, Nov. 7	____ Monday, Dec. 5
Ward 4	____ Monday, Nov. 7	____ Monday, Dec. 5

\$76 for pick-up #1 only, \$93 for pick-up #2 only, OR \$153 for both.

Payment must be received at least 2 days prior to your given pick-up date(s). Your payment reserves your place on the collection list.



removal of the materials. For these reasons, using By the Blade Lawn and Landscape contractually to remove the leaves from Main Street curbs solves each of the issues that this task brought.

Sunbelt Rentals:

The second option is to rent equipment yearly that would minimize the risks the city had been taking previously to do this task. Sunbelt Rentals was able to provide three options of which the Sentinel Outdoor Sweeper was most suitable to the needs. While being a sweeper truck to clean the streets it also has a hose attached to the rear of the truck that would vacuum the leaves into the truck. This does still require a worker to manipulate the hose and another to drive the truck simultaneously. While it is not the largest truck available, the crowded conditions and grade of Main Street would make it impossible to allow for anything larger, without assuming disastrous risks. Being that all of Parkville's residents would need access to this service, the streets department feel it is necessary to rent the equipment for the entire four weeks available. As well, during the necessary time frame of doing this work, weather will likely consume a portion of the rental timeframe. The rental of this equipment means that the city is not responsible for the maintenance and storage of the equipment, reducing overall costs greatly. All transportation, and insurance is included in the cost of \$15,911.37 for 40 hour work weeks. If more than 40 hours are worked in the week the cost of the rental goes up in increments. As well as the cost of the rental, we must add the cost of the employees' time to accomplish the task where at the very least two must operate the functions of the vehicle. Finally it would be necessary to dispose of the debris collected by the rented vehicle. There are two separate options for this as well. One is to pay Rockridge Riverside Recycle Center to accept the material, or it could be taken to a Parkville property and spread. If spread, it would require further equipment and an operator. Renting the Sentinel Outdoor Sweeper from Sunbelt Rentals would be able to accomplish the task of cleaning the leaves from Main Street, however the cost and liability are greater with this option.

Key Equipment:

The third and final option advised, would be to purchase from Key Equipment either a Titan self-contained tow behind unit or the Elgin Whirlwind 1 sweeper truck. If purchasing the Titan self-contained tow behind unit the cost will be over \$120k. The city does not currently own a truck that would have the ability to tow this equipment and would therefore have to purchase that as well. The Elgin Whirlwind 1 can be purchased for somewhere over \$300k. This option would not require the purchase of a new truck, however, it is also a sweeper truck, accomplishing another task that the city already assumes. The container on this option is smaller than the container on the Titan self-contained

tow behind which would mean more runs to unload the material, making the task take longer to complete. If residents become aware that the city owns this equipment, they will likely expect the service to be provided to the city as a whole, instead of just Main Street. It was remarked by Duane Marusarz, of North Kansas City's leaf program, that it is unfeasible for Parkville to take on this task, given the leaves and streets of places like the Bluffs and downtown side streets. While both of these options are in operation in North Kansas City, he stated that they would not be able to be maneuvered in the streets of Parkville without risk of damage to personal property, employees, and/or equipment. The employee hours needed to operate the equipment would be tremendously greater if expected to cover more area. As well, both equipment options would need to be stored in a facility with a concrete pad to avoid corrosion and sustain its functions. The facilities that the streets department currently operates out of does not have the capacity for equipment along these lines, therefore, a new facility would have to be built. Also, the routine maintenance of these vehicles is extensive in order to keep the vacuums operating effectively, therefore the streets department would likely need to hire an on-call mechanic. Still, the city would need to decide if they intended to dispose of the materials with Rockridge Riverside Recycle Center or maintain their own mulching fields. The logistics in running either the Titan self-contained tow behind unit or the Elgin Whirlwind 1 make the option of purchasing equipment the least feasible and desirable of the three options presented.