

CITY OF VERGAS
COUNTY OF OTTER TAIL
STATE OF MINNESOTA
RESOLUTION 2023-003

RESOLUTION ENTERING INTO A FACILITY USE AGREEMENT WITH THE
FRAZEE HIGH SCHOOL AND THE CITY OF VERGAS

WHEREAS, The City Council of the City of Vergas has discussed an agreement presented by the Vergas Park Advisor Board;

WHEREAS, The City Council of the City of Vergas designates the Vergas Baseball Field, 230 Frazee Avenue in said city, as a facility allowed to be used for baseball games and practices;

WHEREAS, The City Council of the City of Vergas agrees that the policy includes the following:

1. **Equipment:** The City shall mow and otherwise maintain the field. FHS will prep the field (grooming, chalking) for game use and provide its own equipment and materials. FHS shall not create a dangerous condition on the field for players, coaches or the public that may use the field.
2. **Indemnification:** FHS shall defend and indemnify the City with respect to all claims brought by third parties, FHS and FHS staff for damages resulting from the negligence or otherwise wrongful act or omission by FHS or FHS staff while using the field, including costs and reasonable attorneys' fees.
3. **Schedule:** FHS shall provide the City of Vergas City Office with its expected game and practice schedule. (Email schedule to jlammers@cityofvergas.com)
4. **Notification:** FHS shall notify the City of any field or structure defects. By calling 218-302-5996 or emailing: mdufrane@cityofvergas.com. The City will undertake any defects.
5. **Insurance:** FHS shall provide the City with proof of insurance for use of the City facility.
6. **Fee:** The City shall not charge a fee for FHS to use the facility.
7. **Trash:** All trash generated by FHS must be picked up and disposed of properly in the receptacles provided.
8. **Relationship:** By entering into this agreement, no employment relationship is created between the City and any FHS staff, nor are the parties entering into a partnership or joint venture. The City does not provide supervision of the FHS staff when field maintenance is being undertaken, or during games and practices.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Vergas is designating the City Clerk-Treasurer to sign the Facility Use Agreement provided by the Vergas Park Board Advisory Board.

Adopted this 13th day of February 2023 by the City Council of the City of Vergas.

Julie Bruhn, Mayor

ATTEST:

Julie Lammers, City Clerk/Treasurer