

SUMMARY REPORT TO MANAGER
for City Council Meeting of June 13, 2005

**SUBJECT: GOLD WING ROAD RIDERS ASSOCIATION FIREWORKS DISPLAY
REQUEST**

RESOLUTION SUMMARY: This resolution approves the application of the Gold Wing Road Riders Association to conduct a fireworks display, authorizes the permit to be issued and authorizes the Administrative Staff to approve future requests if conducted in substantially the same manner.

ITEMS ATTACHED:

1. Letter of transmittal
2. Letter of request
3. Application for permit
4. Fireworks permit
5. Resolution

COUNCIL ACTION:

1. 3/5 vote required to approve resolution

Jack Duso
Assistant City Manager
June 6, 2005



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.midland-mi.org

June 6, 2005

Honorable Mayor and City Council Members
City of Midland
Michigan

Dear Councilmen:

Attached for your consideration is a request from the Gold Wing Road Riders Association to conduct a fireworks display on Saturday, August 6, 2005, with a rain date of August 7, at dusk at the Midland County Fairgrounds. The fireworks will take place during their annual District Rally/Convention being held at the Midland County Fairgrounds from August 4 – 7. The Administrative Staff has reviewed the request and recommends approval subject to meeting the following requirements:

- The fireworks display company must provide a certificate of liability insurance at least five (5) days before the event, naming the City of Midland as certificate holder and additional insured. Minimum coverage must be \$1,000,000 per occurrence, \$5,000,000 aggregate.
- NFPA 1123 requirements must be met.
- A site inspection must be conducted by the Fire Department prior to the shoot.
- Monitors are required for crowd control.
- Spectators shall not be allowed in the fallout area.
- 48 hours prior to the event Steve Bile must be contacted at 835-2952 so that a NOTAM can be issued.

The resolution also grants approval to the Administrative Staff to approve future requests if conducted in substantially the same manner.

Please contact me if you have any questions.

Sincerely,



Jack Dusso
Assistant City Manager

JED:kr

Attachments

May 23, 2005

Mr. Jack Duso
Assistant City Manager
City of Midland
City Hall, 333 West Ellsworth Street
Midland, MI 48640-5132

RECEIVED

MAY 25 2005

City of Midland
City Manager's Office

Dear Jack;

Enclosed is the completed Applications for Fireworks Display Permit for the 2005 Gold Wing Road Riders Association convention fireworks display, to be held on August 6th, 2005.

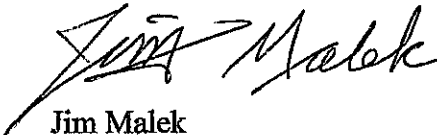
The display is to be held on the Midland County Fairgrounds, and;

- a. All NFPA 1123 requirements will be met.
- b. The list of devices is enclosed – maximum shell size is 3-inch.
- c. A map of the site with the display position indicated.
- d. Wolverine Fireworks Display, Inc. is the approved supplier.
- e. Charles Holm will supervise the display - his completed application is enclosed. He has previously supervised displays at this location for the “Winter Lights” celebration. I will also be assisting.
- f. A copy of Wolverine’s insurance certificate is enclosed.

I am acting as the local contact for this event.

Please don't hesitate to contact me if you need additional information.

Sincerely,



Jim Malek
3701 Westbrier Terrace
Midland, MI 48642-6662
631-0651



**Midland Gold Wing Rally
August 6, 2005
Proposal Includes Insurance and Labor**

Open

1	200 Shot	Christmas In July A/E
50	2"	Assorted Chains

Main

144	2.5"	Assorted Flower Basket Shells
72	3"	Assorted Lidu Cakes W/Tails

Finale

50	2"	Finales
30	2.5"	Assorted Finales
50	3"	Red White Blue Finales
50	3"	Willow Finales

Certificate of Insurance

503756

Issue Date: 05/04/2005

PRODUCER
 Combined Specialties International, Inc.
 8362 Tamarack Village
 Suite 119
 Woodbury Minnesota 55125

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER, THIS CERTIFICATE DOES NOT AMEND, EXTEND OR LATER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

INSURER A: Underwriters, Lloyds of London

INSURER B:

INSURER C:

INSURER D:

COPY

INSURED
 Wolverine Fireworks Display, Inc.
 205 W. Seidlers Road
 Kawkawlin Michigan 48631

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE NAMED INSURED ABOVE FOR THE PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES INCLUDING, BUT NOT LIMITED TO THOSE FOLLOWING: LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. ADDITIONAL CONDITIONS AND EXCLUSIONS: 1) THE INSURANCE EVIDENCED BY THIS CERTIFICATE IS LIABILITY INSURANCE ONLY, IT IS NOT A BOND OR ANY FORM OF SURETY AGAINST WHICH SOMEONE OTHER AN "INSURED" MAY ASSERT A CLAIM OR BRING ANY ACTION. SUBJECT TO POLICY TERMS, CONDITIONS, DEFINITIONS AND EXCLUSIONS THE INSURANCE ONLY INDEMNIFIES AN INSURED AGAINST CERTAIN LEGAL LIABILITY. 2) THE INSURANCE DOES NOT COVER CLAIMS FOR BODILY INJURY OR PROPERTY DAMAGE OF THE NAMED INSURED'S SHOOTER(S) ASSISTANT(S) OR ANY OTHER PERSON(S) INCLUDING ANY VOLUNTEER(S) PARTICIPATING IN ANY WAY IN ANY DISPLAY OR SPECIAL EFFECT PERFORMED OR EXECUTED BY THE NAMED INSURED. 3) COVERAGE DOES NOT APPLY TO CLAIMS FOR BODILY INJURY OR PROPERTY DAMAGE ARISING OUT OF THE INSURED'S FAILURE TO FOLLOW NFPA OR OTHER APPLICABLE REQUIREMENTS, LAWS OR RECOMMENDATIONS, INCLUDING THOSE RELATING TO POST DISPLAY OR SPECIAL EFFECT SEARCHES OR CLEAN UP.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	GENERAL LIABILITY CLAIMS MADE	1104968285/005	February 01, 2005	February 01, 2006	EACH ACCIDENT	\$5,000,000
					MEDICAL EXP (any one person)	\$5,000
					FIRE LEGAL LIABILITY	\$50,000
					GENERAL AGGREGATE	\$5,000,000
					PRODUCTS-COMP/OPS AGG	\$5,000,000
	AUTOMOBILE LIABILITY ANY AUTO ANY OWNED AUTO SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Each accident)	\$
					BODILY INJURY (Per person)	\$
					BODILY INJURY (Per accident)	\$
					PROPERTY DAMAGE (Per person)	\$
	EXCESS LIABILITY FOLLOWING FORM				EACH ACCIDENT	\$
					AGGREGATE	\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATU- OTHER TORY LIMITS	\$
					E.L. EACH ACCIDENT	\$
					E.L. DISEASE-EA EMPLOYER	\$
					E.L. DISEASE-POLICY LIMIT	\$
	OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

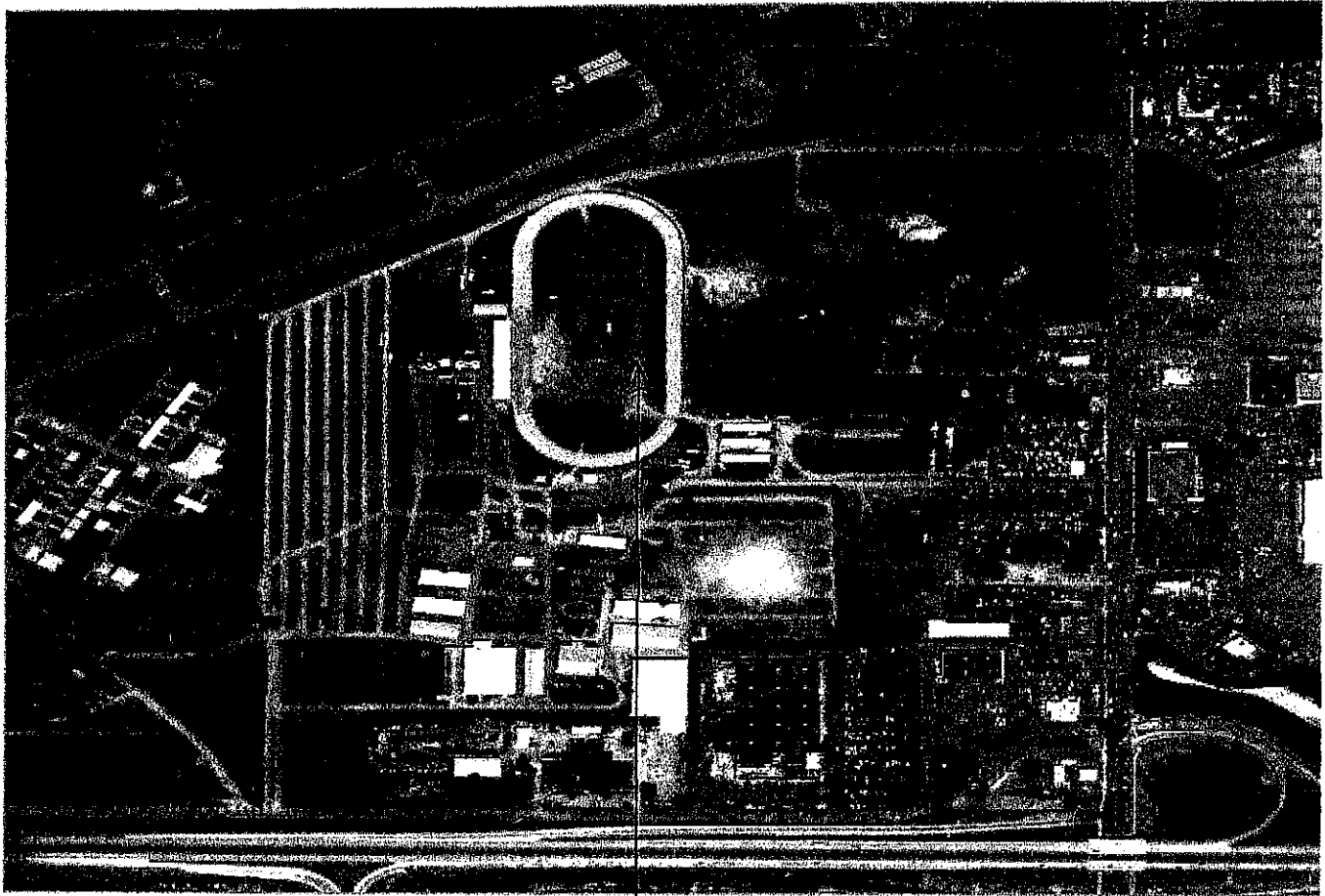
Midland County Fairboard; City of Midland and Gold Wing Road Riders Association of Michigan are Additional Insured as respects the August 6, 2005 (Rain Date: August 7, 2005) Fireworks Display at Midland County Fairgrounds

CERTIFICATE HOLDER
 Midland County Fairboard
 6905 Eastman Road
 Midland, MI 48640

CANCELLATION
 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES

AUTHORIZED REPRESENTATIVE





Midland, MI

*Location of fireworks display
at Midland County Fairgrounds*

PERMIT FOR FIREWORKS DISPLAY

This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only.

PUBLIC DISPLAY

AGRICULTURAL PEST CONTROL

Issued to Charles Holm	Age (18 or over) 45
Address 1796 Wheeler Rd., Bay City, MI 48706	
Name of Organization, Group, Firm or Corporation Gold Wing Road Riders Association	
Address 3950 Samuel Rochester Hills, MI 48309	
Number and Types of Fireworks See attached list	
Exact Location of Display midland County Fairgrounds	
City, Village, Township midland	Date Aug 6, 2005 Aug 7, 2005 (rain date)
Bond or Insurance Filed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Time Dusk Amount 5,000,000.00

Issued by action of the council commission board of the
 city village township of _____
(Name of City, Village, Township)
 on the _____ day of _____ 20____

(Signature and Title of Council/Commission/Board Representative)

AUTHORITY:	1968 PA 358
COMPLIANCE:	Required
PENALTY:	Misdemeanor



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BY COUNCILMAN

RESOLVED, that the request of the Gold Wing Road Riders Association to conduct a fireworks display on Saturday, August 6, 2005, with a rain date of August 7, at dusk at the Midland County Fairgrounds, is hereby approved subject to meeting the following requirements:

- The fireworks display company must provide a certificate of liability insurance at least five (5) days before the event, naming the City of Midland as certificate holder and additional insured. Minimum coverage must be \$1,000,000 per occurrence, \$5,000,000 aggregate.
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- Monitors are required for crowd control.
- Spectators shall not be allowed in the fallout area.
- 48 hours prior to the event Steve Bile must be contacted at 835-2952 so that a NOTAM can be issued.

;and

RESOLVED FURTHER, that future requests may be approved by the Administrative Staff if conducted in substantially the same manner.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, June 13, 2005.

Selina Tisdale, City Clerk

t:goldwingsfireworks