

SUMMARY REPORT TO MANAGER
for City Council Meeting of July 14, 2008

SUBJECT: REQUEST TO USE LAWN AREA OUTSIDE OF FARMERS MARKET

RESOLUTION SUMMARY: This resolution approves the request from the Humane Society of Midland County to use the lawn area outside of the Farmers Market area during the hours of the Farmers Market and Tunes by the Tridge for the remainder of the 2008 season to inform the public about themselves and their goals and to distribute fliers, 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. Resolution

COUNCIL ACTION:

1. 3/5 vote required to approve resolution

Jack Duso
Assistant City Manager



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

July 8, 2008

Honorable Mayor and City Council
City of Midland
Michigan

Dear Councilmen:

Attached please find a request from Christina Erskine, Secretary of the Humane Society of Midland County, seeking permission to use the lawn area across the street, just outside of the Farmers Market entryway, during the hours of the Farmers Market and Tunes by the Tridge for the remainder of the 2008 season, to inform the public about themselves and their goals and to distribute fliers.

Staff has reviewed the request and recommends approval subject to the following conditions:

- Pedestrian or vehicular vision must not be obstructed.
- Distribution of fliers cannot occur in the street.
- Under Section 16.17 of the city's Code of Ordinances, it is unlawful to post handbills on or to any public or private structure, tree or pole in the city. It is also unlawful to place handbills in or upon any vehicle.

Attached for your consideration is a resolution which will grant approval of the request. The resolution also grants authority to the Administrative Staff to approve future requests if conducted in substantially the same manner.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Jaek Duso
Assistant City Manager

JED:ker



HUMANE SOCIETY OF MIDLAND COUNTY

P.O. Box 1034

Midland, MI 48641-1034

RECEIVED

JUN 01 2008

June 30, 2008

City of Midland
City Manager's Office

Jack Duso
Assistant City Manager
333 W. Ellsworth
Midland, MI 48640

RE: Letter of Request

Dear Mr. Duso:

The Humane Society of Midland County is re-establishing itself within the Midland Community. We hope to implement innovative education programs and also to jumpstart our companion animal foster program. However, in order to accomplish these goals, we must have dedicated new members who may have the time and desire to participate.

The Farmers Market and Tunes by the Tridge are such integral parts of the city's summer activities, drawing hundreds of its citizens. This would offer us a great opportunity to inform the public of our goals. We are requesting permission to distribute our flyers during these events (please see attachment) and perhaps set up a small table if allowed. We understand that this must be done on the Ashman Street corner leading to the Farmers Market. Any members participating in the flyer distribution will conduct themselves in a respectful and considerate manner.

Should you have any questions or concerns, please feel free to contact me at my home at 832-0826.


Thank you very much for your consideration.

Sincerely,

Christina M. Erskine
HSOMC Secretary

Enc.

CME/LETTER



**We are reaching for the stars -
please join us in making a difference! If you are
interested in volunteering, please contact us at:**



info@hsomc.org

P.O. Box 1034 / 48641-1034 Midland, MI

or visit us at www.hsomc.org



**HUMANE SOCIETY
OF
MIDLAND COUNTY**





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

BY COUNCILMAN

RESOLVED, that the request from the Humane Society of Midland County to use the lawn area outside of the Farmers Market area during the hours of the Farmers Market and Tunes by the Tridge for the remainder of the 2008 season to inform the public about themselves and their goals and to distribute fliers, is hereby approved subject to the following conditions:

- Pedestrian or vehicular vision must not be obstructed.
- Distribution of fliers cannot occur in the street.
- Under Section 16.17 of the city's Code of Ordinances, it is unlawful to post handbills on or to any public or private structure, tree or pole in the city. It is also unlawful to place handbills in or upon any vehicle.

;and

RESOLVED FURTHER, that the Administrative Staff is hereby authorized to approve future requests 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, July 14, 2008.

Selina Tisdale, City Clerk