



Rochester Hills Minutes City Council Special Meeting

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*Melinda Hill, Bryan K. Barnett, John L. Dalton, Jim Duistermars,
Barbara L. Holder, Linda Raschke, Gerald Robbins*

Wednesday, July 13, 2005

7:00 PM

1000 Rochester Hills Drive

DRAFT

In accordance with the provisions of Act 267 of the Public Acts of 1976, as amended, the Open Meetings Act, notice was given that a Special Rochester Hills City Council Meeting would be held on Wednesday, July 13, 2005, at 7:00 p.m. for the purpose of considering Approval of a Fireworks Display Permit for Meadowbrook Music Festival for Friday, July 15, 2005.

CALL TO ORDER

President Hill called the Special Rochester Hills City Council Meeting to order at 7:00 p.m. Michigan Time.

ROLL CALL

Present: Melinda Hill, Bryan Barnett, John Dalton, Jim Duistermars, Barbara Holder, Linda Raschke and Gerald Robbins

Others Present:

Jane Leslie, City Clerk

PUBLIC COMMENT

None.

NEW BUSINESS

2005-0485

Approval of Fireworks Display Permit for Meadowbrook Music Festival for Friday, July 15, 2005; Palace Sports & Entertainment, Inc., Applicant

Attachments: Agenda Summary.pdf; 071305 Memo Gary, Todd.pdf; Application.pdf; 0485 Resolution.pdf

President Hill indicated that all of the required materials and necessary paperwork were submitted and the request for a fireworks permit had been approved by the Fire Department.

Mr. Tom Nisun, representing Palace Sports & Entertainment, 4 Championship Drive, Auburn Hills, thanked Council for convening a Special meeting to address this matter. He indicated that he was not aware of "where the ball got dropped" with regard to the delay in submitting the necessary paperwork within a timely manner, thus necessitating a Special meeting to address the issue; however, he requested that Council waive the fee for calling the Special meeting.

A motion was made by Robbins, seconded by Duistermars, that this matter be Adopted by Resolution.

Whereas, the Rochester Hills City Council hereby approves the application filed by Palace Sports & Entertainment, Inc., for a fireworks display on the grounds adjacent to the Meadowbrook Music Festival for Friday, July 15, 2005.

Now, Therefore, Be It Resolved that the Rochester Hills City Council hereby authorizes the issuance of a permit subject to the following conditions:

Conditions:

1. Fredrick Hopper shall be the pyrotechnician and shall be in attendance at all performance dates. In the event a replacement is used, the Rochester Hills Fire Department shall approve the replacement in advance, with sufficient time for background investigation.
2. The display shall be in conformance with NFPA 1123-2000, with site inspection by the Rochester Hills Fire Department prior to the display.
3. No smoking shall be allowed within fifty (50) feet of any area where fireworks or other pyrotechnic materials are present.
4. No person shall be allowed in the discharge area while under the influence of alcohol, narcotics or drugs that could adversely affect judgment, movement or stability.
5. Subject to onsite inspection the night of the display.
6. Maximum size shell allowed for this discharge site is six (6) inches.

The motion carried by the following vote:

Aye: Hill, Barnett, Dalton, Duistermars, Holder, Raschke and Robbins

Enactment No: RES0226-2005

2005-0489

Waive Special Meeting Fee for City Council to Consider a Fireworks Display Permit for Meadowbrook Music Festival for Friday, July 15, 2005; Palace Sports & Entertainment, Inc., Applicant

Attachments: Letter Palace.pdf

It was noted by various Council members that there was a great deal of staff time expended to accommodate this Special meeting and City taxpayers should not be responsible for paying for an avoidable expense.

***President Hill** stressed that the purpose of the Special Meeting Fee is not only to reimburse the City for the expense, but also to discourage the need for such meetings, as the process could be abused.*

***Mr. Dalton** noted that "mistakes happen" and suggested that the fee be reduced from \$1,000 to \$500. He indicated that Palace Sports & Entertainment had taken over this enterprise to assist the Detroit Symphony Orchestra during difficult economic times and reducing the fee would be a "show of support" on the part of the City.*

A motion was made by Dalton, seconded by Duistermars, that this matter be Adopted by Resolution.

Whereas, the Rochester Hills City Council hereby approves the application filed by the Palace Sports & Entertainment, Inc., for a fireworks display on the grounds adjacent to the Meadowbrook Music Festival for Friday, July 15, 2005; and

Whereas, there is credible reason to believe that a miscommunication resulted in the delay of application for said permit resulting in the need for a Special City Council meeting to consider the matter.

Now, Therefore, Be It Resolved that the Rochester Hills City Council hereby reduces the \$1,000 Special Meeting fee to \$500 to be paid by Palace Sports & Entertainment, Inc.

The motion carried by the following vote:

Aye: Dalton, Duistermars, Holder and Robbins

Nay: Hill, Barnett and Raschke

Enactment No: RES0227-2005

ANY OTHER BUSINESS

None.

ADJOURNMENT

There being no further business before Council, President Hill adjourned the meeting at 7:12 p.m.

MELINDA HILL, *President*
Rochester Hills City Council

JANE LESLIE, *Clerk*
City of Rochester Hills

MARGARET A. MANZ
Administrative Secretary
City Clerk's Office

Approved as presented at the (insert date, or dates) Regular City Council Meeting.