



# Rochester Hills

## Minutes - Draft

### City Council Special Meeting

1000 Rochester Hills Dr.  
Rochester Hills, MI 48309  
(248) 656-4600  
Home Page:  
[www.rochesterhills.org](http://www.rochesterhills.org)

*J. Martin Brennan, Greg Hooper, Nathan Klomp, Vern Pixley, James Rosen,  
Michael Webber and Ravi Yalamanchi*

*Vision Statement: The Community of Choice for Families and Business*

*Mission Statement: "Our mission is to sustain the City of Rochester Hills as the premier  
community of choice to live, work and raise a family by enhancing our vibrant residential  
character complemented by an attractive business community."*

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Monday, July 25, 2011

6:00 PM

1000 Rochester Hills Drive

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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 commence at 6:00 p.m. on Monday, July 25, 2011, to consider for approval a permit for fireworks to be held at Great Oaks Country Club, 777 Great Oaks Boulevard, Rochester Hills, Michigan on Friday, August 5, 2011.

## CALL TO ORDER

*President Hooper called the Special Rochester Hills City Council Meeting to order at 6:00 p.m. Michigan Time.*

## ROLL CALL

**Present** 7 - J. Martin Brennan, Greg Hooper, Nathan Klomp, Vern Pixley, James Rosen, Michael Webber and Ravi Yalamanchi

## Others Present:

*Bryan Barnett, Mayor  
Ron Crowell, Fire Chief/Emergency Management Director  
Richard Hart, Fire Inspector  
Jane Leslie, City Clerk  
Laisa Magucha, Rochester Hills Government Youth Council Representative  
Leanne Scott, City Council Coordinator  
John Staran, City Attorney*

## APPROVAL OF AGENDA

**A motion was made by Pixley, seconded by Klomp, that the Agenda be Approved as Presented. The motion carried by the following vote:**

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

## PUBLIC COMMENT

None.

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**Laisa Magucha**, Rochester Hills Government Youth Council Representative, reported that the RHGYC's June 5k Run/Walk raised \$8,500 for the Rochester Area Neighborhood House. She mentioned that the group is completing its promotional video which should be ready for the August 8th Council meeting, and Rachel Schlagel, RHGYC Chairperson and Aly DiFilippo, Vice-Chair, will present a biannual report to Council at that meeting.

## NEW BUSINESS

2011-0323 Request for Approval of fireworks display permit application; Wolverine Fireworks Display, Inc., applicant

**Attachments:** [Agenda Summary.pdf](#)  
[Fire Department Memo.pdf](#)  
[Fireworks Application.pdf](#)  
[Fireworks License.pdf](#)  
[Resolution.pdf](#)

**Mr. Pixley** stated that as he is a member of Great Oaks Country Club, he would recuse himself from voting on this request.

**Ron Crowell**, Fire Chief/Emergency Management Director, stated that the permit request is in conjunction with a golf invitational set for Friday, August 5th at Great Oaks Country Club. He explained that the four-inch shells proposed are one-half the diameter of those used at the Festival of the Hills. He noted that Todd Gary, Captain/Fire Marshall and Richard Hart, Fire Inspector, reviewed the site and determined that the applicant has met all permit requirements.

A map was displayed showing the site location and distance to structures.

**Fire Inspector Hart** explained that the shooting location is the golf course's driving range, which will be closed at 4:00 p.m. that day. He noted that the distances to structures more than meet the requirements.

**Chief Crowell** noted that Fire Department personnel will be staged at an emergency access gate on Livernois.

### **Public Comment:**

**Kay Galetto**, 996 Golf View Court, expressed concern that the dry weather will increase the risk of fire, stating that the vegetation on the hill behind the Knolls South Condominiums has not been cut all year.

**Lela Grant**, 958 Golf View Court, questioned how high the shells will travel, why the residents were not given more notice and whether this will be an annual event. She expressed concern that sparks could fall on nearby rooftops.

**Dennis Kunding**, in attendance to represent Wolverine Fireworks Display, Inc., responded that the four-inch shells will climb to approximately 400 feet, and the low shells will reach approximately 125 feet.

**President Hooper** stated that Council became aware of the request on Wednesday, July 20th. He commented that notice of the Special Meeting was mailed to all affected residents. He stated that he is unaware if this will be an annual event. He questioned whether additional precautions will be in place because of the dry ground, and what might cause the event to be cancelled.

**Chief Crowell** responded that fire apparatus will be placed in a predetermined location. He stated that the placement of any additional units will be determined by wind direction. Department personnel will be on site and will have extinguishers and grass brooms on hand. He mentioned that Oakland Township has additional equipment available. He stated that in the event of high winds, the fireworks company would cancel the event.

**Mr. Kunding** commented that both his company and the authority having jurisdiction have the ability to cancel if deemed advisable.

**President Hooper** requested the City Attorney address any legal concerns.

**John Staran**, City Attorney, responded that the Fire Department's first responsibility is to ensure public health and safety and take adequate precautions to prevent any danger.

**Mr. Brennan** questioned how fireworks companies are licensed, what similar events they have held, who will be in attendance from the company, if the viewing area will have barriers, and if the grassy areas should be watered prior to the event.

**Mr. Kunding** responded that the company is licensed through the Federal Government, and noted that the State of Michigan does not require any licensing. He mentioned that the company performs between 175 to 200 firework shows annually, including shows at four or five golf courses. He stated four individuals from Wolverine will be in attendance at the Great Oaks show.

**Chief Crowell** stated that spectators will be at the clubhouse and on a fairway, and Great Oaks and the pyrotechnics company will secure the fallout zone. He mentioned that woods are adjacent to the Festival of the Hills site and there has never been an incident. He commented that if dry conditions continue, the Fire Department will stage extra manpower nearby with grass brooms and extinguishers. He noted that the vegetation could be sprayed with water.

**Mr. Yalamanchi** questioned what equipment Oakland Township could provide and suggested Council set a policy or Ordinance requiring a minimum application period of three to four weeks for a fireworks permit.

**Chief Crowell** responded that Oakland Township has a gator tractor available; however, its use is not considered necessary for such a small area and additional Fire Department personnel could be utilized instead.

**Mr. Staran** stated that Council could set a policy requiring a minimum application period, noting that there is no time restriction in the Fire Code.

**Mr. Webber** suggested that the Fire Department's conditions for approval be added to a resolution. He questioned how long the show will last.

**Mr. Kunding** responded that it will be approximately a 15 to 17 minute display.

**Mr. Rosen** questioned the spreading area of a shell that rises to 400 feet.

**Mr. Kunding** responded that a four-inch shell spreads to approximately a 300-foot radius, depending on the wind. The smaller shells will not spread to that distance. He noted that humidity will keep the shells from rising as high.

**Chief Crowell** noted that the large shells will be a distance of 370 feet from the adjacent structures.

**Fire Inspector Hart** stated that National Fire Protection Association (NFPA) regulations require a 70-foot fallout distance per each inch of shell diameter. He noted that the distance from firing area to the condominiums is more than the regulations require. He commented that Wolverine's references were contacted and all responded favorably.

**President Hooper** suggested specifying that the nearby vegetation must be pre-wet.

**Mr. Klomp** questioned whether the location can be moved if an odd weather pattern occurs and inquired if the area is currently experiencing a drought.

**Mr. Kunding** responded that company personnel verify weather conditions prior to the event and a forecast of high winds would cause the event to be cancelled.

**Fire Inspector Hart** commented that while dry, this is not considered a drought season. He stated that the fallout area is watered daily.

**Mr. Klomp** questioned whether the company must apply again for any future events.

**Mr. Staran** replied that they would.

In response to resident concerns regarding insurance, **President Hooper** noted that the applicant must provide proof that an insurance policy has been secured.

**Mr. Kunding** noted that a five million dollar liability policy has been secured.

**Mr. Yalamanchi** questioned whether the display area could be moved to the east.

**Chief Crowell** responded that the driving range location is preferred, as spectators will be on the fairway.

**Fire Inspector Hart** noted that spectator areas and homes are outside of the fallout area.

A motion was made by Webber, seconded by Yalamanchi, that this matter be Adopted by Resolution. The motion carried by the following vote:

**Aye** 6 - Brennan, Hooper, Klomp, Rosen, Webber and Yalamanchi

**Abstain** 1 - Pixley

Enactment No: RES0138-2011

**Whereas**, Wolverine Fireworks Display, Inc. of Kawkawlin, Michigan, is providing the fireworks display for 777 Great Oaks Boulevard, Rochester Hills, Michigan; and

**Whereas**, Wolverine Fireworks Display, Inc. has provided the necessary insurance with the City of Rochester Hills; and

**Whereas**, the Rochester Hills Fire Department has no objection to the issuance of a fireworks permit providing their safety procedures are followed.

**Resolved**, that the Rochester Hills City Council does hereby approve a permit for Wolverine Fireworks Display, Inc. to provide a fireworks display for 777 Great Oaks Boulevard on Friday, August 5, 2011, subject to the following conditions:

- 1) The display shall be in conformance with the 2000 Edition of NFPA 1123, and the 2006 International Fire Code;
- 2) During the firing of the display, all personnel in the discharge site shall wear head protection, eye protection, hearing protection, and foot protection and shall wear cotton, wool, or similarly flame-resistant, long-sleeved, long-legged clothing;
- 3) No smoking shall be allowed within 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; and
- 6) Subject to pre-wetting the existing vegetation in the surrounding fall zone.

## ADJOURNMENT

*There being no further business before Council, President Hooper adjourned the meeting at 6:40 p.m.*

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*GREG HOOPER, President  
Rochester Hills City Council*

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*JANE LESLIE, Clerk  
City of Rochester Hills*

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*MARY JO WHITBEY  
Administrative Secretary  
City Clerk's Office*

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