



CITY COUNCIL ACTION REPORT

October 11, 2006

TO: Phillip L. Nelson, City Manager

FROM: William S. Nelson, Fire Chief *WRN*
David J. Roberts, Assistant Fire Chief *DR*

SUBJECT: Macy*s Fireworks Permit Application

Background:

- Macy*s at Oakland Mall along with Zambelli Fireworks, Inc., of New Castle, Pennsylvania, have submitted a permit application for a public fireworks display to celebrate the beginning of their holiday shopping season.
- Macy*s and Zambelli Fireworks, Inc., are requesting the Troy City Council grant a permit for a fifteen-minute public fireworks display to occur on Friday, November 10, 2006, at 7:00 PM in their west parking lot.
- Macy*s west parking lot will accommodate the necessary distances required for the display.

Financial Considerations:

- The Fire Department will arrange to have Fire Station #4 on standby at the event along with the necessary number of Fire Prevention Division staff members to help ensure fire safety.
- There is no cost for Station #4 and no cost for staff members, other than compensatory time.

Legal Considerations:

- Michigan's Fireworks Law requires that any person or group that would like to conduct a fireworks display must apply to the local unit of government for a permit. The law defines local unit of government as the council or commission of a city or village, or the township board of a township.
- City Council has previously granted permission for a fireworks display for last year's event at Oakland Mall, as well as for the annual Troy Daze festival at Boulan Park.

Policy Considerations:

- It is necessary for the fire department to have the appropriate equipment and adequate staffing on hand during such an event to help ensure fire safety for the viewing public and to immediately respond in the event of an emergency.

Options:

- Staff recommends that City Council issue a fireworks permit to Zambelli Fireworks, Inc., for a public fireworks display. Enclosed for Council's review is the permit application and permit to be signed and issued.

Where legal review is necessary:

Approved as to Form and Legality:

Lori Grigg Bluhm, City Attorney

**Holiday Event at Macy's Oakland
Friday, November 10, 7-9pm**

Event Overview:

For the second year, Macy's will host an event at our Oakland store to kickoff the holidays.

Event Elements:

- 7-7:15pm** Fireworks by Zambelli International (same as 2005) in Macy's parking lot. Note: Zambelli International is the company that provided the July 4th fireworks display on the Detroit riverfront every year.
- 7:15pm** Santa arrives by horse-drawn carriage following fireworks finale, circles parking lot and stops in front of Macy's door, waves to crowd, Merry Christmas to all, enters store, proceeds to Kids department for visits with Santa.
- 7:30pm** Holiday-themed refreshments served throughout store, holiday carolers, holiday cooking demos, Santabear costumed characters, balloon twisters, face painters, etc.

Advertising:

- Macy's events website
- In-store signage/flyers
- ROP, Detroit News/Free Press
- Press release, pre-publicity campaign

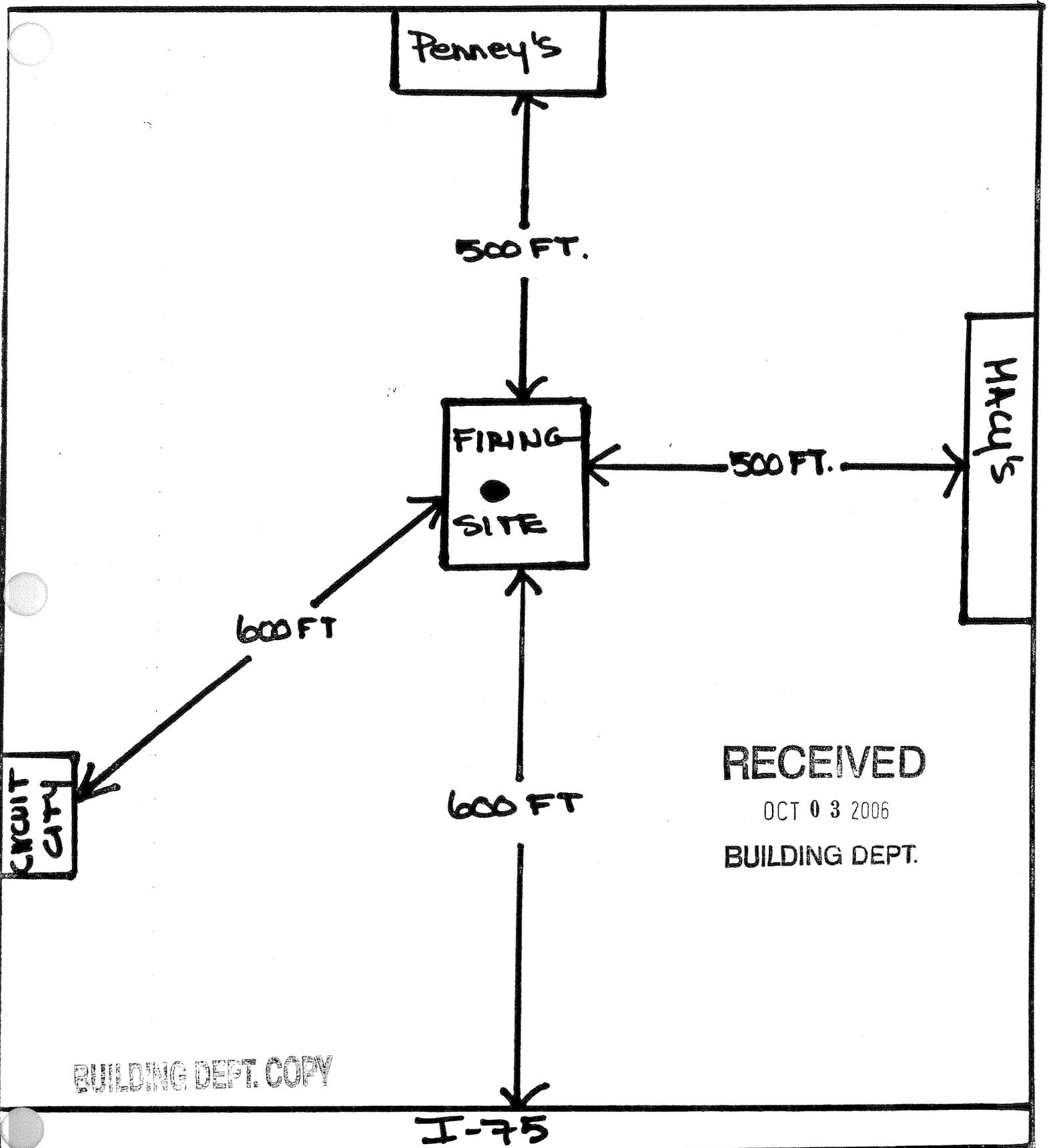
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ORLANDO FLORIDA -
MACY'S PARKING LOT G
FIREWORKS DISPLAY - FRIDAY, 11/10, 7-7:15 PM



* AREA WILL BE BARRICADED / NO ONE ALLOWED
INSIDE SHOOTING AREA OTHER THAN ZAMBELL
EMPLOYEES

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RETENTION BASIN

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RESIDUAL

OPENT CITY
2,544 SFL

CHICAGO 2000
(ANALYST 2000)

MAP STATION

140000000

77' Drive

Handwritten: X 1000
1000

JC PENNEY
(1 LEVEL)
304,000 S.F., 6.11

TBA

ENCLOSURE HALL
(2 LEVEL)
347,000 S.F., 6.84

10000
11000 S.F., 2.11

ENCLOSURE HALL
(1 LEVEL)
812,193 S.F., 6.84
2000 6180

MARSHALL
FIELD'S
(3 LEVEL)
371,617 S.F., 6.84

OAKLAND MALL

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ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/02/2006

PRODUCER
Aon Risk Services, Inc. of Pennsylvania
Dominion Tower, 10th Floor
625 Liberty Avenue
Pittsburgh PA 15222-3110 USA

PHONE: (866) 283-7122 FAX: (847) 953-5390

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 ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
Federated Department Stores, Inc.
Its Subsidiaries & Affiliates
7 West Seventh Street
Cincinnati OH 45202 USA

INSURERS AFFORDING COVERAGE		NAIC #
INSURER A:	Liberty Mutual Fire Ins Co	23035
INSURER B:	Liberty Insurance Corporation	42404
INSURER C:	Liberty Mutual Insurance Co.	23043
INSURER D:	National Union Fire Ins Co of Pittsburgh	19445
INSURER E:		

COVERAGES SIR May Apply

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY 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. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
C		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS MADE <input checked="" type="checkbox"/> OCCUR SIR \$1,000,000 Ea Occ GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	EB1681004060766	02/01/06	02/01/07	EACH OCCURRENCE	\$4,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	
						MED EXP (Any one person)	Excluded
						PERSONAL & ADV INJURY	\$4,000,000
						GENERAL AGGREGATE	\$10,000,000
						PRODUCTS - COMP/OP AGG	\$7,500,000
A	A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON OWNED AUTOS <input checked="" type="checkbox"/> \$500 Ded Collision <input checked="" type="checkbox"/> \$500 Ded Comprehensive	AS2681004060876 Executive Fleet AS2681004060776 Master Fleet	02/01/06	02/01/07	COMBINED SINGLE LIMIT (Ea accident)	\$5,000,000
						BODILY INJURY (Per person)	
						BODILY INJURY (Per accident)	
						PROPERTY DAMAGE (Per accident)	
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT	
						OTHER THAN AUTO ONLY: EA ACC	
						AGG	
D		EXCESS / UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$1,000,000	BE4485168	02/01/06	02/01/07	EACH OCCURRENCE	\$6,000,000
						AGGREGATE	\$10,000,000
B		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	WA768D004060846	02/01/06	02/01/07	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER	
						E.L. EACH ACCIDENT	\$1,000,000
						E.L. DISEASE-EA EMPLOYEE	\$1,000,000
						E.L. DISEASE-POLICY LIMIT	\$1,000,000
B	B	OTHER Excess WC	Ew768N004060866 Ew768N004060966	02/01/06	02/01/07	EL Each Accident	\$1,000,000
						EL Disease - Policy	\$1,000,000
						EL Disease - Ea Emp	\$1,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
 STATES: AL, AK, AZ, AR, CA, CO, CT, DE, DC, FL, GA, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, NC, NE, NH, NM, NJ, NV, NY, OH, OK, OR, PA, RI, SC, TN, UT, VA, WA, WI, WV. See attached list of Named Insureds. City of Troy is included as Additional Insured, as their interests may appear, under the Commercial General Liability

CERTIFICATE HOLDER

CANCELLATION

City of Troy
 Attn: Mark stimak
 500 West Big Beaver
 Troy MI 48084 USA

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SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT. BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Donald C. Bachu

Holder Identifier : 570019610042 Certificate No : 570019610042

INSURED

Federated Department Stores, Inc.
Its Subsidiaries & Affiliates
7 West Seventh Street
Cincinnati OH 45202 USA

Named Insured Schedule

22 East Realty Corporation
Advertex Communications, Inc.
Bloomingdale's Atlantic City, Inc.
Bloomingdale's By Mail Ltd.
Bloomingdale's, Inc.
Bloomingdale's, LLC
Bloomingdales.com, Inc.
Dayton's Iron Horse Liquors, Inc.
FACS Group, Inc.
FACS Insurance Agency, Inc.
FDS Bank
FDS Thrift Holding Co., Inc.
FE Florida, Inc.
Federated Brands, Inc.
Federated Corporate Services, Inc.
Federated Department Stores Foundation
Federated Dept. Stores Insurance Company, Inc.
Federated Dept. Stores Insurance Company, Ltd.
Federated Retail Holdings, Inc., f/k/a The May Department Stores Company
Federated Systems Group, Inc.
Federated Western Properties, Inc.
First Automated Systems & Technology, Inc.
FSG Leasing Corp.
iTrust Insurance Agency, Inc.
Jordan Marsh Insurance Agency, Inc.
Jordan Servicenter, Inc.
Leadville Insurance Company
Macy's Department Stores, Inc.
Macy's East, Inc.
Macy's East, LLC
Macy's Florida, Inc.
Macy's Florida, LLC
Macy's Home Store, LLC
Macy's Insurance, Inc.
Macy's Merchandising Group, LLC
Macy's Midwest, Inc.
Macy's Midwest, LLC
Macy's North, Inc.
Macy's North, LLC
Macy's Northwest, Inc.
Macy's Northwest, LLC
Macy's Puerto Rico, Inc.
Macy's South, Inc.
Macy's South, LLC
Macy's Texas, Inc.
Macy's TX I, LP
Macy's West, LLC
Macys.com, Inc.
Marshall Field's Chicago, Inc.
May Capital Holdings I, Inc.
May Department Stores International, Inc.
Mayfair Wine & Liquor Shop, Inc.
MOA Rest, Inc.
Prime II Receivable Corporation
Prime Receivables Corporation
R.H. Macy Holdings (HK), Ltd.
R.H. Macy Warehouse (HK), Ltd.
Rooftop, Inc.
Seven Hills Funding Corporation
Snowdin Insurance Company

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Certificate No :

570019610042

APPLICATION FOR FIREWORKS DISPLAY PERMIT Act 358, P.A. 1968

DATE OF APPLICATION

9-28-06

1. TYPE OF DISPLAY: Public Display Agricultural Pest Control

2. APPLICANT

NAME OF PERSON Macy's	ADDRESS 21500 North Western Hwy Southfield, MI 48075	AGE: Must be 21 or over
IF A CORPORATION: Name of President	ADDRESS	

3. PYROTECHNIC OPERATOR

NAME Robert Mays	ADDRESS 1709 W. Washington st. New Castle, PA 16101	AGE: Must be 21 or over 33
EXPERIENCE!		
NUMBER OF YEARS 12+	NUMBER OF DISPLAYS 200+	WHERE throughout the United States

NAMES OF ASSISTANTS:

NAME to be determined	ADDRESS	AGE
NAME	ADDRESS	AGE

4. NON-RESIDENT APPLICANT

NAME	ADDRESS	
Name of Michigan Attorney or Resident Agent	ADDRESS	TELEPHONE NUMBER

5. EXACT LOCATION OF PROPOSED DISPLAY

Parking lot of Oakland Mall, Troy, MI - Map attached

DATE 11/10/06 rain date: 11/11/06	TIME 7 pm
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6. NUMBER AND KINDS OF FIREWORKS TO BE DISPLAYED

3" Aerial Shells	1350
4" Aerial Shells	468
Barrage Cakes	18

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MANNER & PLACE OF STORAGE PRIOR TO DISPLAY

delivered on day of display on Zambelli Company Truck

(Subject to Approval of Local Fire Authorities)

7. FINANCIAL RESPONSIBILITY

A. AMOUNT OF BOND OR INSURANCE (to be set by municipality)	\$ 10,000,000
B. BONDING CORPORATION OF INSURANCE COMPANY: NAME Allied Specialty Insurnace	ADDRESS 10451 Gulf Boulevard Treasure Island, FL 33706

PERMIT

FOR FIREWORKS DISPLAY Act 358, P.A. 1968

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

TYPE OF DISPLAY: Public Display Agricultural Pest Control

ISSUED TO:

NAME

Zambelli Fireworks Mfg. Co., Inc.

ADDRESS

PO Box 1463 New Castle, PA 16103

AGE

REPRESENTING:

NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION

Macy's

ADDRESS

21500 North Western Hwy Southfield, MI 48075

NUMBER & TYPES OF FIREWORKS:

3" Aerial Shells 1350

4" Aerial Shells 468

Barrage Cakes 18

DISPLAY:

EXACT LOCATION

Parking lot of Oakland Mall, Troy, MI

CITY, VILLAGE, TOWNSHIP

DATE

11/10/06 Rain date: 11/11/06

TIME

7 pm

BOND OR INSURANCE FILED:

Yes

No

AMOUNT

\$10,000,000

ISSUED BY:

Issued by action of the _____
(council, commission, board)

of the _____ of _____
(city, village, township) (name of city, village, township)

on the _____ day of _____ 19

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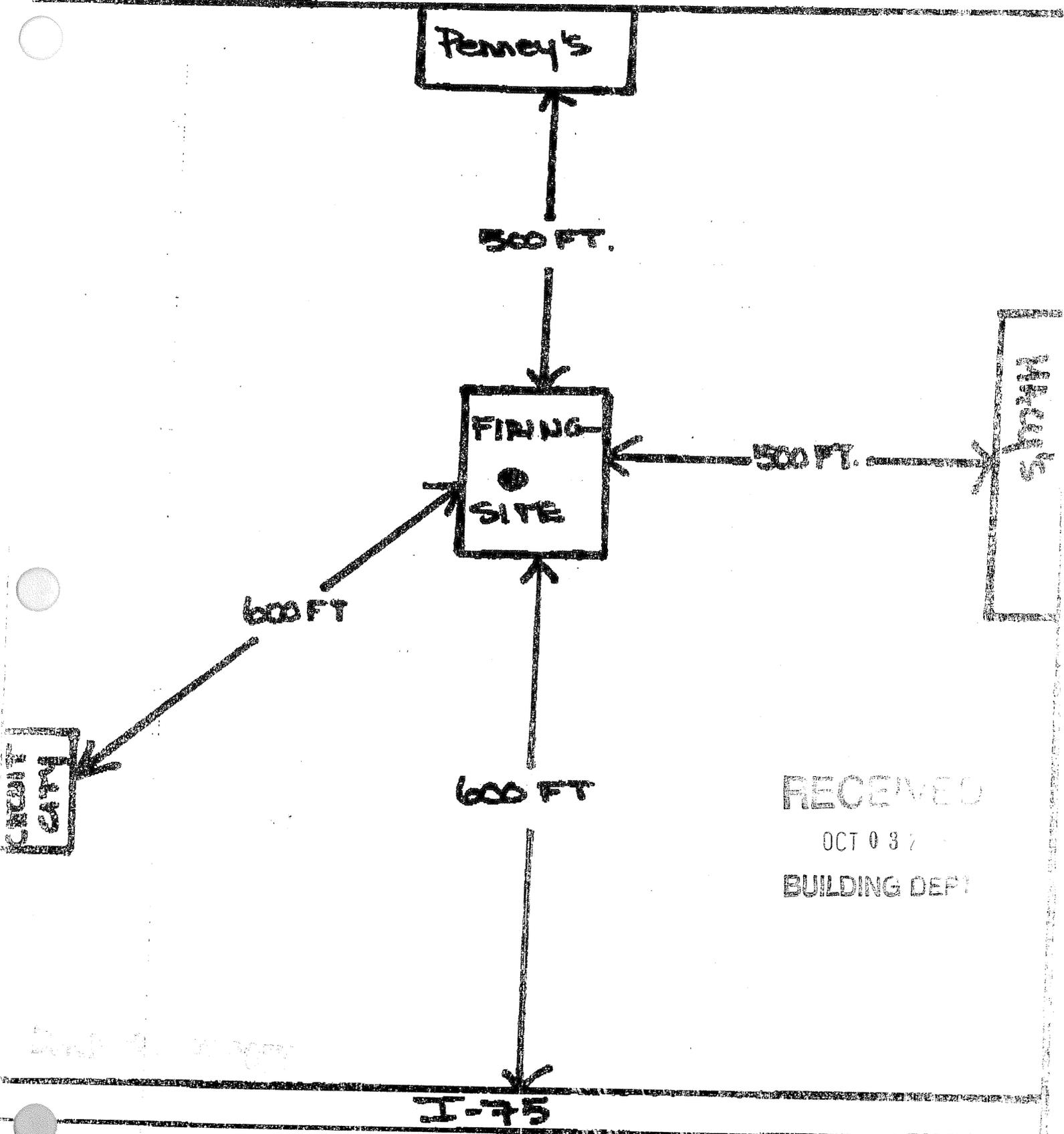
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(signature & position of council, commission or board representative)

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MACY'S PARKING LOT G FIREWORKS DISPLAY - FRIDAY, 11/03/06



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* AREA WILL BE BARRICADED / NO ONE ALLOWED
INSIDE SHOOTING AREA OTHER THAN ZAMBELLI

CERTIFICATE OF INSURANCE

Issue Date MM/DD/YY

September 28, 2006

PRODUCER:

Allied Specialty Insurance
10451 Gulf Blvd
Treasure Island, FL 33706
1-800-237-3355

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 ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

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INSURED:

ZABELLI FIREWORKS MFG.CO. INC.
ZABELLI FAMILY PARTNERSHIP
20 SOUTH MERCER
NEW CASTLE, PA 16103-1463

COMPANY A T.H.E. INSURANCE COMPANY
 LETTER
 COMPANY B Certificate# 10097
 LETTER
 COMPANY C Show# 061408-061409
 LETTER
 COMPANY D
 LETTER

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOT WITHSTANDING 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. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFF DATE	POLICY EXP DATE	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> OWNER'S & CONT PROT <input type="checkbox"/> _____	M6MF9016	2/1/06	2/1/07	GENERAL AGGREGATE \$3,000,000 PRODUCTS-COMP/OP AGG \$1,000,000 PERSONAL & ADV INJURY \$1,000,000 EACH OCCURANCE \$1,000,000 FIRE DAMAGE (any one fire) \$50,000 MED EXP (any one person) \$NA
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> _____	M6MF9016	2/1/06	2/1/07	COMBINED SINGLE LIMIT \$1,000,000 BODILY INJURY \$ (per person) BODILY INJURY \$ (per accident) PROPERTY DAMAGE \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> _____				AUTO ONLY -EA ACCIDENT \$ OTHER THAN AUTO ONLY: EACH ACCIDENT \$ AGGREGATE \$
A	EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input checked="" type="checkbox"/> OTHER THAN UMBRELLA FORM	M6XF9017	2/1/06	2/1/07	EACH OCCURENCE \$1,000,000 AGGREGATE \$1,000,000
A	WORKERS COMPENSATION AND EMPLOYEES' LIABILITY THE PROPRIETOR/ <input type="checkbox"/> INCL PARTNERS/EXECUTIVE OFFICERS ARE: <input type="checkbox"/> EXCL	WC058857	12/30/05	12/30/06	<input type="checkbox"/> STATUTORY LIMITS EACH ACCIDENT \$1,000,000 DISEASE-POLICY LIMIT \$1,000,000 DISEASE-EACH EMPLOYEE \$1,000,000
A	OTHER EXCESS LIABILITY HIRED PHYSICAL DAMAGE	M6XF9018 M6MF9016	2/1/06 2/1/06	2/1/07 2/1/07	EACH OCCURENCE \$8,000,000 AGGREGATE \$8,000,000 LIMIT \$100,000 \$2,500 Ded.

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS
 DISPLAY DATE: 11/10/06 or alternate date as per contract. LOCATION: Parking lot of Oakland Mall Troy, MI
 THE FOLLOWING ARE NAMED AS ADDITIONAL INSUREDS AS RESPECTS COMMERCIAL GENERAL LIABILITY INSURANCE PERTAINING TO THE OPERATIONS OF THE NAMED INSURED ONLY:
 Macy's; Oakland Mall; City of Troy, Michigan - As their interests may appear

CERTIFICATE HOLDER
 Macy's
 21500 North Western Hwy
 Southfield, Michigan

CANCELLATION
 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 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.

AUTH: *Robert W. A. L...*

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Oakland Mall

MERCHANTS ASSOCIATION

412 W. 14 Mile Road
Troy, MI 48083
248.585.4114 phone
248.585.2440 fax
www.oaklandmall.com

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September 28, 2006

City Council
Of The City Of Troy
500 W. Big Beaver
Troy, MI 48084

Ladies and Gentlemen of City Council,

This letter serves as a formal request for approval of the Macy's Fireworks event on Friday, November 10, 2006 at 7pm in the Oakland Mall parking lot. In allowing Oakland Mall to host the Macy's Fireworks, both the City of Troy and the shopping center benefit from the positive publicity created by an event of this degree.

We hope you share our enthusiasm and stand in approval.

Respectfully,

Oakland Mall LLC

Oakland Mall Merchants Association


Douglas Mossman
Partner


Shelley Darnetko
Marketing Director

