



CITY COUNCIL ACTION REPORT

September 30, 2008

TO: Phillip L. Nelson, City Manager

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

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 an approximate fifteen-minute public fireworks display to occur on Friday, November 7, 2008, 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, and previous years' events at Oakland Mall, as well as for the annual Troy Daze festival at Boulan Park.

Policy Considerations:

- The permitting process and subsequent fire department standby are consistent with City Council's goal of enhancing the safety of the community.

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.

Prepared by David Roberts, Assistant Fire Chief
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September 18, 2008

City Council of the City of Troy
500 W. Big Beaver
Troy, Michigan 48084

Ladies and Gentlemen of City Council;

This letter will serve as a formal request for the approval of the Macy*s Fireworks event on Friday, November 7, 2008 at 7:00pm in the Oakland Mall parking lot. In allowing Oakland Mall to be the location for 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 that you share our enthusiasm and stand in approval.

Respectfully,

Urban Retail Properties Co. of Michigan

A handwritten signature in black ink, appearing to read "T. Olson". The signature is fluid and cursive.

Timothy W. Olson
President, Management Division

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

Event Overview:

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

Event Elements:

7-7:15pm Fireworks by Zambelli International (same as 2005, 2006, 2007) in Macy's parking lot. Note: Zambelli International is the company that provides the July 4th fireworks display on the Detroit riverfront every year.

7:15pm Santa arrives by horse-drawn carriage following the fireworks finale, circles the parking lot and stops in front of Macy's doors, waves to the crowd, Merry Christmas to all, enters store, proceeds to Kid's department for visits with Santa.

7:30pm Holiday events are staged throughout the store, including holiday carolers, holiday cooking demonstration, costumed characters, balloon twisters, face painters, etc.

Advertising:

- macys.com/events website listing
- In-store signage & flyers
- Detroit News/Free Press
- Macy's PR dept. press release, pre-publicity campaign

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Permit for Fireworks Display
Michigan Department of Labor & Economic Growth
Bureau of Fire Services
P.O. Box 30700
Lansing, MI 48909
517-241-8847

Table with 2 columns: Authority/Compliance/Penalty and Departmental disclaimer text.

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.

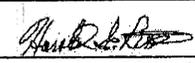
Main permit form containing fields for Public Display/Agricultural Pest Control, Issued To (Zambelli Fireworks Mfg. Co.), Address (Macy's), Number and Types of Fireworks (1200 Aerial shells, 402 Aerial shells, 15 Barrage Cakes), Exact Location of Display (Parking lot of Oakland Mall - Troy, MI), City (Troy, MI), Date (11-07-08), Time (7 pm), and Bond Amount (\$10,000,000).

Signature section: Issued by action of the [] council [] commission [] board of [] city [] village [] township of _____ on the _____ day of _____ 20_____. (Signature and Title of Council/Commission/Board Representative)

ACORD™ CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 9/25/2008
PRODUCER Phone: 440-248-4711 Fax: 440-248-5406 Britton-Gallagher and Associates, Inc. 6240 SOM Center Rd. Cleveland OH 44139		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		INSURERS AFFORDING COVERAGE
Zambelli Fireworks Mfg. Co., Inc. PO Box 1463 New Castle PA 16103-1463		INSURER A: Lexington Insurance Co
		INSURER B: Granite State Insurance Co. 23809
		INSURER C: Arch Specialty Ins Co
		INSURER D:
		INSURER E:

COVERAGES							
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	ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	X		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	1619391	2/1/2008	2/1/2009	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$50,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000
B	X		AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS GARAGE LIABILITY <input type="checkbox"/> ANY AUTO	CA93488080	2/1/2008	2/1/2009	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
C	X		EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$	UFP0024525	2/1/2008	2/1/2009	EACH OCCURRENCE \$9,000,000 AGGREGATE \$9,000,000 \$ \$ \$ WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
			WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				
			OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
 Display Date: November 7, 2008 Rain Date: n/a
 Location: Parking lot of Oakland Mall, Troy, MI
 Macy's Oakland Mall; City of Troy, Michigan are naemd as additional insureds in regards to the above display

CERTIFICATE HOLDER	CANCELLATION
08 Macy's 21500 North Western Highway Southfield MI 48075	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 

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IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

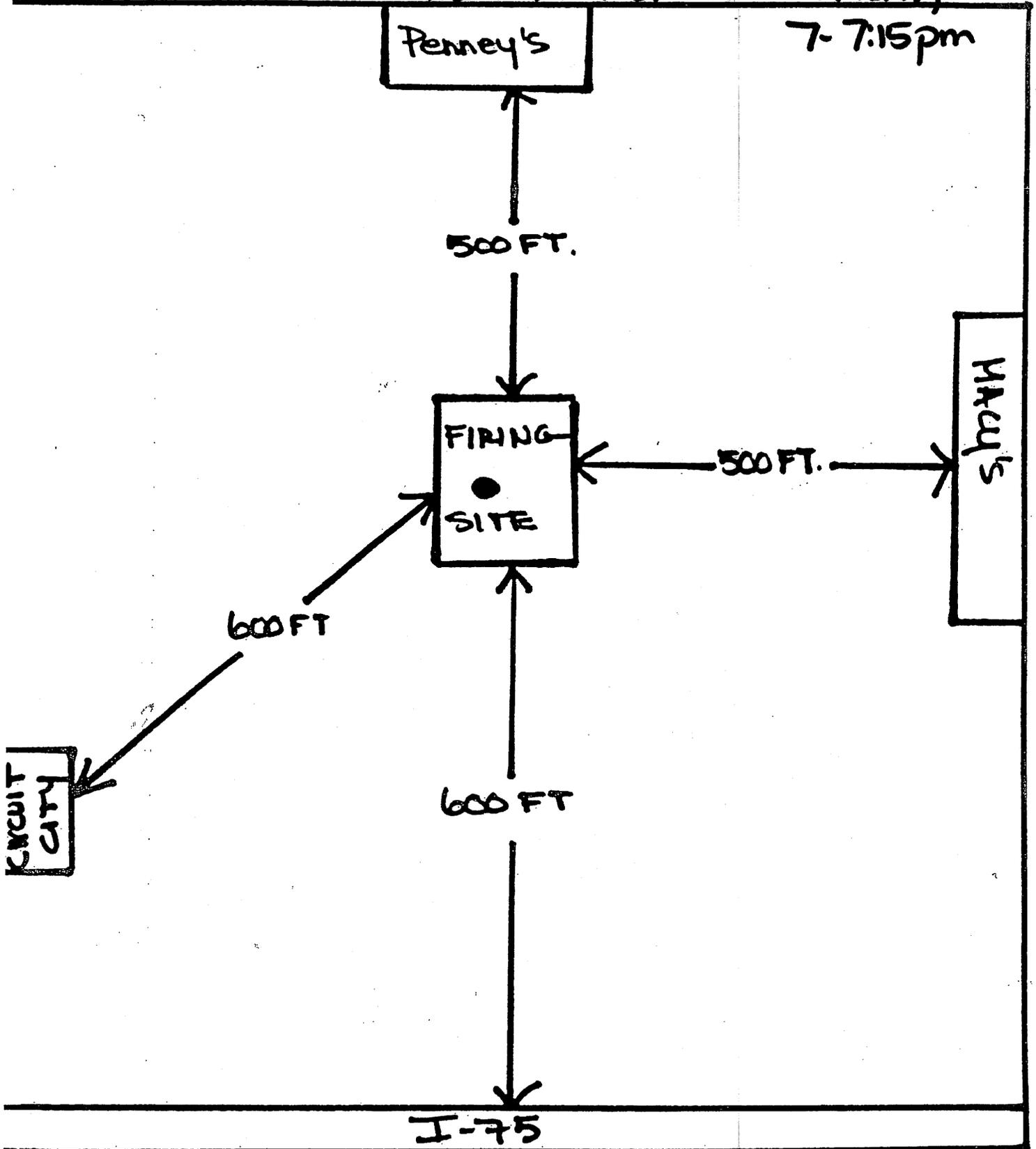
The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

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Macy's OAKLAND MALL PARKING LOT G - FRIDAY, 11/7

7-7:15pm



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