



CITY COUNCIL ACTION REPORT

April 9, 2010

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Susan A. Leirstein, Purchasing Director
Timothy L. Richnak, Public Works Director
Cindy Stewart, Community Affairs Director
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Rescind Bid Award: Troy Daze Festival – Fireworks

Background

- On April 5, 2010, Troy City Council determined it to be in the best interest of the Troy City residents to cancel the Troy Daze Festival indefinitely. (Resolution #2010-04-078 Item H-8).
- Although coordinated by volunteers, the festival required considerable City resources. Due to a declining revenue stream resulting in a reduction of City staff and resources, the Troy Daze Festival placed an undue hardship both financially and on staffing levels in an already strained City government.

Financial Considerations

- Funds are no longer available from the general fund to subsidize festival expenses.
- The City incurs no cost for cancellation of the festival with proper notification.

Legal Considerations

- Written notification will be provided to Mad Bomber Fireworks Productions informing them of the decision to cancel the festival.

Recommendation

- City management recommends that resolution #2008-05-154-F4a approved May 12, 2008, to provide three-year requirements of fireworks display for the Troy Daze Festival for years 2008, 2009 and 2010 with Mad Bomber Fireworks Productions be rescinded for 2010.

H-8 Cancellation of Troy Daze Festival

Resolution #2010-04-078

Moved by Kerwin

Seconded by Beltramini

WHEREAS, The Troy Daze Festival has been a community fair for the past 41 years, through participation of in-kind services and financial subsidy of the City of Troy;

WHEREAS, Although coordinated by volunteers, the festival requires considerable resources by the following City departments: Community Affairs, Department of Public Works, Parks and Recreation, Risk Management, Purchasing, Finance, Treasurer, Fire, and Police;

WHEREAS, Revenues generated from the Troy Daze Festivals have regularly experienced shortfalls and does not cover festival expenses which have been supplemented by the City of Troy;

WHEREAS, The 2010 proposed Festival is anticipated to run as in years past with a significant cash shortage to supplement festival expenses including City staffing and expenses;

WHEREAS, The City of Troy is experiencing a declining revenue stream resulting in a reduction of City staff and resources; and

WHEREAS, All remaining City staff resources are being dedicated to core services and public safety;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **RECOGNIZES** the declined economic condition resulting in unforeseen reduction of City staff and resources; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **RECOGNIZES** the Troy Daze Festival places an undue hardship both financial and staffing on an already strained City Government; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **DEEMS** it to be in the best interest of the Troy city residents to **CANCEL** the Troy Daze Festival indefinitely; and

BE IT FINALLY RESOLVED, That Troy City Council will **REVISIT** the possibility of reinstating the Troy Daze Festival in the future.

Yes: McGinnis, Slater, Schilling, Beltramini, Fleming, Kerwin

No: Howrylak

MOTION CARRIED

The meeting **RECESSED** at 9:11 PM.

The meeting **RECONVENED** at 9:22 PM.

- a) Celebrating Athens High School Advanced Placement School of the Year for the State of Michigan
- b) Police Memorial Day – May 15, 2008
- c) Honoring William Beaumont Hospital Dedicated Volunteers

F-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 8: Best Value Award – Troy Daze Fireworks**

Resolution #2008-05-154-F-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide three-year requirements of fireworks display for the Magic of Fall / Troy Daze Festival for years 2008, 2009 and 2010 to the highest rated bidder, Mad Bomber Fireworks Productions of Kingsbury, IN, as a result of a best value process at a total cost of \$15,000.00, or \$5,000.00 per year; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon company's submission of properly executed proposal and contract documents, including insurance certificates and all other specified requirements.

F-6 Approval of Purchase Agreement and Acceptance of Permanent Drainage Easement, John R Road Improvements, Long Lake Road to Square Lake Road Project No. 02.203.5 – Parcel #13 – Sidwell #88-20-11-226-005 – Antoinette L. Brubaker

Resolution #2008-05-154-F-6

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Antoinette L. Brubaker, owner of property having Sidwell #88-20-11-226-005, and the City of Troy, for the acquisition of right-of-way for John R Road Improvements, Long Lake Road to Square Lake Road in the amount of \$49,799.00, plus closing costs; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete this purchase according to the agreement and reimburse the property owner \$1,000.00 for costs associated with the review of the offer; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Drainage Easement in the amount of \$100.00 from Antoinette L. Brubaker, owner of property having Sidwell #88-20-11-226-005; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed and the Permanent Drainage Easement with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-7 Contract OEM Replacement Parts for Golf and Turf Maintenance Equipment