



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 06754

File Number: 06754

File Type: Resolution

Status: Passed

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

Requester:

Cost:

Introduced: 06/13/2007

File Name: Mayor's Biz - Authorizing the Mayor and City Clerk to execute a Use Agreement between the City and Mid-West Management, Inc. (Mid-West) for the July 4th Celebration at Elver Park.

Final Action: 06/19/2007

Title: Authorizing the Mayor and City Clerk to execute a Use Agreement between the City and Mid-West Management, Inc. (Mid-West) for the July 4th Celebration at Elver Park; amending the 2007 City of Madison Parks Department Budget; and authorizing the Mayor and City Clerk to enter into an Agreement between the City and Bartolotta Fireworks Company, Inc. for the fireworks display at Elver Park.

Notes: Get Mayoral approval on 6/19 after the resolution is adopted.

Code Sections:

Agenda Date: 06/19/2007

Indexes:

Agenda Number: 5.

Sponsors: David J. Cieslewicz, Jed Sanborn and Thuy Pham-Remmele

Enactment Date: 06/19/2007

Attachments:

Enactment Number: RES-07-00628

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	06/13/2007	Fiscal Note Required / Approval	Comptroller's Office/Approval Group	06/12/2007	06/13/2007	
1	Comptroller's Office/Approval Group <i>Notes: Brasser</i>	06/13/2007	Fiscal Note Pending	Attorney's Office		06/13/2007	
1	Attorney's Office	06/13/2007	Fiscal Note Required / Approval	Comptroller's Office/Approval Group		06/13/2007	
1	Comptroller's Office/Approval Group <i>Notes: Fruit</i>	06/13/2007	Approved Fiscal Note By The Comptroller's Office	Attorney's Office		06/13/2007	
1	Attorney's Office	06/13/2007	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS				

Text of Legislative File 06754

..Fiscal Note

This resolution makes arrangements for the 2007 Elver Park Independence Day celebration. Under terms of an agreement, Mid-West will reimburse the City for the full cost of fire, parks, and traffic services. In addition, the City expects to incur \$50,000 to \$60,000 for various police costs, for which partial reimbursement of \$35,000 will be paid by Mid-West. Remaining police costs of \$15,000 to \$25,000 will be absorbed by the City. The resolution also amends the Parks Division Operating Budget by the provision of \$20,000 to pay for the fireworks display. This fireworks cost is to be fully reimbursed by Mid-West. No additional appropriation is required, nor is any impact upon cost controls anticipated.

..Title

Authorizing the Mayor and City Clerk to execute a Use Agreement between the City and Mid-West Management, Inc. (Mid-West) for the July 4th Celebration at Elver Park; amending the 2007 City of Madison Parks Department Budget; and authorizing the Mayor and City Clerk to enter into an Agreement between the City and Bartolotta Fireworks Company, Inc. for the fireworks display at Elver Park.

..Body

WHEREAS, since 1985, the City and sponsoring organizations have worked together to provide Madison area visitors and residents with an Independence Day celebration at Elver Park (the "Event"); and

WHEREAS, the prior sponsor of this Event has unexpectedly been forced to withdraw its support of this Event, and

WHEREAS, Mid-West Management, Inc., d/b/a Mid-West Family Broadcasting, has graciously stepped forward and offered to sponsor the Event for the year 2007; and

WHEREAS, attendance at the Event has increased and requires substantial City resources to ensure a safe and orderly celebration; and

WHEREAS, the Park Commission has determined that events in City Parks be self-supporting, and the City will require that Mid-West reimburse the City for the full costs of fire, parks and traffic services, City parks permits, fire permit fees, the full cost of the fireworks display, and for up to \$35,000 of the cost of police services, and

WHEREAS, because of the costs to Mid-West for insurance for the fireworks display, Mid-West has requested that the City contract directly with the fireworks provider and that Mid-West reimburse the City for the costs of the fireworks display in the amount of \$20,000; and

WHEREAS, Bartolotta Fireworks Company, Inc. (Bartolotta) is willing to provide the fireworks display for the Event on July 4, 2007, at Elver Park; and

WHEREAS, under such an arrangement the City's insurance will insure against liability for the fireworks display; and

WHEREAS, the parties desire to enter into written Agreements setting forth their respective responsibilities to provide a safe and orderly Independence Day Celebration at Elver Park.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute a one (1) year Use Agreement between the City and Mid-West Management, Inc. for Independence day events, subject to the following terms and conditions:

1. Mid-West shall pay all required permit fees.
2. Mid-West shall reimburse the City, within thirty (30) days of receiving an invoice therefore, for the full costs of permit fees, fire, parks and traffic services, for costs related to police services up to \$ 35,000, and \$20,000 for the cost of the fireworks display.
3. Mid-West shall provide evidence of liability coverage for the Event with policy limits and coverage as determined by the City's Risk Manager.
4. The City shall manage and arrange all aspects of the Event relating to police and fire protection, enforcement of standards for fireworks display, EMS coverage, traffic control and enforcing park rules.
5. The City shall arrange for the fireworks display and shall contract with the fireworks vendor.
6. Mid-West shall manage the fireworks display with the City.
7. Mid-West shall manage small concessionaires.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute an Agreement between the City and Bartolotta Fireworks Company, Inc. for the fireworks display for the Event, subject to the following terms and conditions:

1. Bartolotta shall provide qualified pyrotechnicians who will deliver set-up, execute and take down the

fireworks display. Bartolotta shall conduct an after display search of the grounds in an effort to locate and dispose of unexploded fireworks.

2. Bartolotta shall provide evidence of liability coverage, including workers compensation insurance for its employees, with policy amounts and coverage as determined by the City's Risk Manager.

3. The cost of the display to be provided by Bartolotta shall be \$20,000, except that if the Event is cancelled, the cost to the City shall be \$6,000 for labor and restocking charges.

4. The City and Bartolotta agree that the City shall manage and arrange all aspects of the Event relating to police and fire protection, enforcement of standards for fireworks display, EMS coverage, traffic control and enforcing park rules.

AND BE IT FURTHER RESOLVED THAT that the 2007 Parks Division Operating Budget is amended to include expenditures of \$20,000 for fireworks, and \$20,000 in offsetting contribution revenues.