City of Birmingham
A Walkable Community

MEMORANDUM

City Clerk's Office

DATE: **July 21, 2015**

TO: **Joseph A. Valentine, City Manager**

FROM: **Laura M. Pierce, City Clerk**

SUBJECT: **Special Event Request**
Winter Markt

Attached is a special event application submitted by the Principal Shopping District requesting permission to hold the Winter Markt, in Shain Park and surrounding streets from December 4 - 6, 2015. The application has been circulated to the affected departments and approvals and comments have been noted.

As in past years, German beer and wine will be available in a fenced area in Shain Park. Once again, the Children's Leukemia Foundation and Plum Market will provide the wine and must obtain a temporary liquor license obtained through the State of Michigan. In addition, this year the Community House will also sell beer and wine in a fenced area in Shain Park and must also obtain a temporary liquor license obtained through the State of Michigan.

The following events have either been approved by the Commission or are planned to be held August and have not yet submitted an application. These events do not pose a conflict with the location of the Santa House.

Event Name	Date	Location
Tree Lighting	Nov 25	Shain Park
Nativity Display	Nov 25 – Dec 31	Shain Park
Winter Markt	Dec 4 – 6	Shain Park
Menorah Display	Dec 6 - 14	Shain Park

SUGGESTED RESOLUTION:
To approve a request from the Principal Shopping District to hold the Winter Markt, in Shain Park and surrounding streets from December 4 - 6, 2015 and to allow the use of temporary liquor licenses in Shain Park for this event, contingent upon compliance with all permit and insurance requirements and payment of all fees, and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.

CITY OF BIRMINGHAM
APPLICATION FOR SPECIAL EVENT PERMIT
PARKS AND PUBLIC SPACES

I. EVENT DETAILS

- Incomplete applications will not be accepted.
- Changes in this information must be submitted to the City Clerk, in writing, at least three weeks prior to the event

FEES:	**FIRST TIME EVENT:**	**$200.00**
	ANNUAL APPLICATION FEE:	**$165.00**

(Please print clearly or type)

Date of Application July 17, 2015

Name of Event Birmingham 'Winter Markt'

Detailed Description of Event (attach additional sheet if necessary)
A charming German style holiday market for everyone.

Location Merrill Street, Bates Street, Martin Street and Shain Park

Date(s) of Event 12/4, 12/5 and 12/6 Hours of Event 3pm-9pm, 10am-9pm and 11am-4pm

Date(s) of Set-up 12/2, 12/3 and 12/4 Hours of Set-up 9am-8pm(inShain Park only-no street closures) 12pm-8pm and 8am-2pm

Date(s) of Tear-down 12/~~7~~6 Hours of Tear-down 4pm to 9pm

Organization Sponsoring Event Birmingham PSD

Organization Address 151 Martin Street, Birmingham

Organization Phone 248-530-1200

Contact Person Lori Rondello

Contact Phone 248-530-1254

Contact Email lrondello@bhamgov.org

II. EVENT INFORMATION

1. Organization Type Birmingham PSD
   (city, non-profit, community group, etc.)

2. Additional Sponsors or Participants (Provide name, address, contact person, status, etc. for all additional organizations sponsoring your event.) _____
   additional financial sponsors - TBD

3. Is the event a fundraiser? ☐ YES ☑ NO
   List beneficiary _____
   List expected income _____
   Attach information about the beneficiary.

4. First time event in Birmingham? ☐ YES ☑ NO
   If no, describe _____

5. Total number of people expected to attend per day 4,000

6. The event will be held on the following City property: (Please list)
   ■ Street(s) Merrill between Bates and Chester and Bates between Merrill and Martin
   ☐ Sidewalk(s) _____
   ■ Park(s) Shain Park

7. Will street closures be required? ☑ YES ☐ NO

8. What parking arrangements will be necessary to accommodate attendance? _____

9. Will staff be provided to assist with safety, security and maintenance? ☑ YES ☐ NO

Describe PSD staff will be on sight during event.

10. Will the event require safety personnel (police, fire, paramedics)? ☑ YES ☐ NO

Describe On call status.

11. Will alcoholic beverages be served? ☑ YES ☐ NO

If yes, additional approval by the City Commission is required, as well as the Michigan Liquor Control Commission.

12. Will music be provided? ☐ YES ☐ NO

☑ Live ☑ Amplification ☐ Recorded ☐ Loudspeakers

Time music will begin throughout the event.

Time music will end _____

Location of live band, DJ, loudspeakers, equipment must be shown on the layout map.

13. Will there be signage in the area of the event? ☑ YES ☐ NO

Number of signs/banners 2-4

Size of signs/banners Sandwich boards

Submit a photo/drawing of the sign(s). A sign permit is required.

14. Will food/beverages/merchandise be sold? ☑ YES ☐ NO

- Peddler/vendor permits must be submitted to the Clerk's Office, at least two weeks prior to the event.
- All food/beverage vendors must have Oakland County Health Department approval.
- Attach copy of Health Dept approval.
- There is a $50.00 application fee for all vendors and peddlers, in addition to the $10.00 daily fee, per location. A background check must be submitted for each employee participating at the event.

LIST OF VENDORS/PEDDLERS

(attach additional sheet if necessary)

VENDOR NAME	GOODS TO BE SOLD	WATER HOOK-UP REQUIRED?	ELECTRIC REQUIRED?
TBD			

III. EVENT LAYOUT

- Include a map showing the park set up, street closures, and location of each item listed in this section.
- Include a map and written description of run/walk route and the start/finish area

1. Will the event require the use of any of the following municipal equipment? *(show location of each on map)*

EQUIPMENT	QUANTITY	COST	NOTES
Picnic Tables		6 for $200.00	A request for more than six tables will be evaluated based on availability.
Trash Receptacles	20	$4.00 each	Trash box placement and removal of trash is the responsibility of the event. Additional cost could occur if DPS is to perform this work.
Dumpsters	PSD will provide	$200.00 per day	Includes emptying the dumpster one time per day. The City may determine the need for additional dumpsters based on event requirements.
Utilities (electric)	TBD # of vendors requiring utilities	Varies	Charges according to final requirements of event.
Water/Fire Hydrant		Contact the Fire Department.	Applicant must supply their own means of disposal for all sanitary waste water. Waste water is NOT allowed to be poured into the street or on the grass.
Audio System		$200.00 per day	Must meet with City representative.
Meter Bags / Traffic Cones / Barricades	# to be determined by the Police Department.		

2. Will the following be constructed or located in the area of the event? ☑ YES ☐ NO *(show location of each on map)* NOTE: Stakes are not allowed.

TYPE	QUANTITY	SIZE
Tents/Canopies/Awnings (A permit is required for tents over 120 sq ft)	Approximately 30	various sizes
Portable Toilets	4-6	
Rides		
Displays		
Vendors	TBD	TBD
Temporary Structure (must attach a photo)		
Other (describe)		

SIGNATURE OF APPLICANT REQUIRED

EVENT NAME Birmingham 'Winter Markt'

EVENT DATE December 4-6, 2015

The Birmingham City Commission shall have sole and complete discretion in deciding whether to issue a permit. Nothing contained in the City Code shall be construed to require the City Commission to issue a permit to an applicant and no applicant shall have any interest or right to receive a permit merely because the applicant has received a permit in the past.

As the authorized agent of the sponsoring organization, I hereby agree that this organization shall abide by all conditions and restrictions specific to this special event as determined by the City administration and will comply with all local, state and federal rules, regulations and laws.

Signature 7-17-15 Date

IV. SAMPLE LETTER TO NOTIFY ANY AFFECTED PROPERTY/BUSINESS OWNERS

- Organizer must notify all potentially affected residential property and business owners of the date and time this application will be considered by the City Commission. *(Sample letter attached to this application.)*

- Attach a copy of the proposed letter to this application. The letter will be reviewed and approved by the Clerk's Office. The letter must be distributed at least two weeks prior to the Commission meeting.

- A copy of the letter and the distribution list must be submitted to the Clerk's Office at least two weeks prior to the Commission meeting.

- If street closures are necessary, a map must be included with the letter to the affected property/business owners.

Laura Pierce <lpierce@bhamgov.org>

Re: Winter Markt

1 message

John Heiney <jheiney@bhamgov.org> Tue, Jul 21, 2015 at 12:40 PM
To: Laura Pierce <lpierce@bhamgov.org>

Yes- Plum Market will be working with Children's Leukemia Foundation again this year in the same location.

Thank you!

On Tue, Jul 21, 2015 at 11:09 AM, Laura Pierce <lpierce@bhamgov.org> wrote:

Hi John,

I see that Lori is out today. Could you confirm whether the Children's Leukemia Foundation and Plum Market will provide the wine again for the Winter Markt.

Thanks,
Laura

City of Birmingham
Laura M. Pierce, MMC, CMMC | City Clerk | City Clerk's Office |
P.O. Box 3001, 151 Martin | Birmingham, Michigan 48012 |
Phone 248.530.1802 or 248.530.1880 | Fax 248.530.1080 | www.bhamgov.org

------- Forwarded message -------
From: **Laura Pierce** <lpierce@bhamgov.org>
Date: Tue, Jul 21, 2015 at 11:02 AM
Subject: Winter Markt
To: Lori Rondello <LRondello@bhamgov.org>

Lori,

I am writing the memo to the Commission for the Winter Markt. Could you confirm whether the Children's Leukemia Foundation and Plum Market will provide the wine again?

Thanks,
Laura

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Laura M. Pierce, MMC, CMMC | City Clerk | City Clerk's Office |
P.O. Box 3001, 151 Martin | Birmingham, Michigan 48012 |
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Laura Pierce <lpierce@bhamgov.org>

The Community House will sell beer and wine at Winter Markt this year

1 message

John Heiney <jheiney@bhamgov.org> Tue, Jul 21, 2015 at 12:38 PM
To: Laura Pierce <lpierce@bhamgov.org>
Cc: Lori Rondello <LRondello@bhamgov.org>, Melinda Comerford <Mcomerford@bhamgov.org>

Laura-

As we discussed on the phone, The Community House has expressed interest in selling beer and wine at Winter Markt this year in a retail tent with an enclosed patio, inside the event area. We have made them aware of the need for a license from the State, and of the restrictions on keeping alcohol contained to their tent area. The new CEO William Seklar has worked at Winter Markt before so we are confident in has ability to follow guidelines.

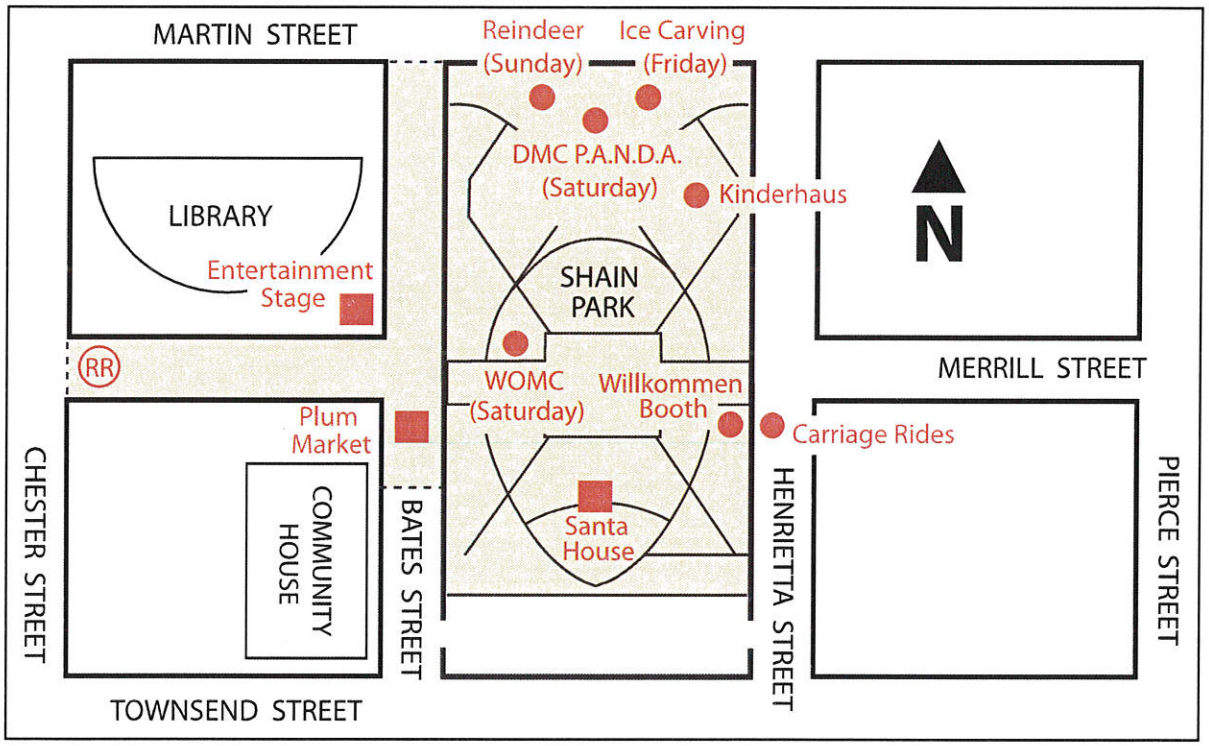
If you have any questions, please feel free to call Lori or me.

Thank you!

–
John Heiney
Executive Director
Birmingham Principal Shopping District
248-530-1200
jheiney@bhamgov.org
www.enjoybirmingham.com

BIRMINGHAM WINTER MARKT
A Charming German Holiday Market for Everyone

2015 EVENT MAP



RR = Rest Rooms **Plum Market with Children's Leukemia Foundation = German Food & Drinks**

4TH ANNUAL

BIRMINGHAM WINTER MARKT

A Charming German Holiday Market for Everyone

EXAMPLE OF 2' X 3' SANDWICH BOARD IN SHAIN PK. FROM 2013

Friday, December 6, 3 – 9 p.m.
Saturday, December 7, 10 a.m. – 9 p.m.
Sunday, December 8, 11 a.m. – 4 p.m.
SHAIN PARK

An Invitation to Enjoy:

Traditional Holiday Art, Decorations and Crafts • Holiday Greens
Gifts and Home Accessories • Traditional German Food and Drink
Live Entertainment by Local Musicians and School Groups
Hot Drinks • Ice Sculptures • Santa House • Kids Activity Area
Horse Drawn Carriage Rides • Live Reindeer and more!

Hosted by the Birmingham Winter Markt Committee
in cooperation with the Birmingham Principal Shopping District.
Visit **www.birminghamwintermarkt.org** for details.

Presenting Sponsor

Mercedes-Benz
of Bloomfield Hills

plum market

Birmingham Country Club

Mercedes-Benz Financial Services

Mercedes-Benz

Always First 2 Hours Free Parking In the Decks
Pay by mobile app at ALL downtown parking meters. Register at www.parkmobile.com

WinterMarkt 2013 Banner
9.5' w x 5' h

EXAMPLE OF
BANNER FROM 2013
(ON PIERCE PARK DECK)

NOTIFICATION

July 17, 2015

TO: Property/Business Owner

The Birmingham City Code requires that we receive approval from the Birmingham City Commission to hold the following special event. The code further requires that we notify any property owners or business owners that may be affected by the special event of the date and time that the city commission will consider our request so that an opportunity exists for comments prior to this approval.

NAME OF EVENT:	Birmingham 'Winter Markt' (more information at www.birminghamwintermarkt.org)
LOCATION:	Shain Park; Merrill Street between Henrietta and Chester; Bates Street between Martin and Merrill
DATES/TIMES:	Friday, December 4, 2015 from 3 p.m. to 9 p.m. Saturday, December 5, 2015 from 10 a.m. to 9 p.m. Sunday, December 6, 2015 from 11 a.m. to 4 p.m.

DATE/TIME OF CITY COMMISSION MEETING: Monday, July 27, 2015 at 7:30 p.m.

The city commission meets in room 205 of the Municipal Building at 151 Martin. A complete copy of the application to hold this special event is available for your review at the city clerk's office (248/530-1880). To receive updates on special events held in the city log on to www.bhamgov.org/enotify.

EVENT ORGANIZER:	Birmingham Principal Shopping District
ADDRESS:	151 Martin Street
PHONE:	248/530-1200

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EVENT ORGANIZER:	Birmingham Principal Shopping District
ADDRESS:	151 Martin Street
PHONE:	248/530-1200

Birmingham Principal Shopping District 151 Martin Street, Birmingham, Michigan 48009

HOLD-HARMLESS AGREEMENT

"To the fullest extent permitted by law, the Birmingham Principal Shopping District and any entity or person for whom the Birmingham Principal Shopping District is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City of Birmingham, its elected and appointed officials, employees and volunteers and others working on behalf of the City of Birmingham against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City of Birmingham, its elected and appointed officials, employees, volunteers or others working on behalf of the City of Birmingham, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this activity/event. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of the City of Birmingham, its elected or appointed officials, employees, volunteers or others working on behalf of the City of Birmingham."

Applicant's signature _____ Date 7-17-15

ph 248-530-1200 • fax 248-530-1246 • info@enjoybirmingham.com • www.enjoybirmingham.com

DEPARTMENT APPROVALS

EVENT NAME **Birmingham Winter Markt**

LICENSE NUMBER **#15-00010442**

COMMISSION HEARING DATE **7/27/15**

NOTE TO STAFF: Please submit approval by **7/20/15**

DATE OF EVENT: **12/4-12/6/15**

DEPARTMENT	APPROVED	COMMENTS	PERMITS REQUIRED (Must be obtained directly from individual departments)	ESTIMATED COSTS (Must be paid two weeks prior to the event. License will not be issued if unpaid.)	ACTUAL COSTS (Event will be invoiced by the Clerk's office after the event)
BUILDING **101-000.000.634.0005** 248.530.1850	Pending approval				
FIRE **101-000.000-634.0004** 248.530.1900	FM Bigger	1. No Smoking in any tents or canopy. Signs to be posted. 2. All tents and Canopies must be flame resistant with certificate on site. 3. No open flame or devices emitting flame, fire or heat in any tents. Cooking devices shall not be permitted within 20 feet of the tents. 4. Tents and Canopies must be properly anchored for the weather conditions, no stakes allowed. 5. Clear Fire Department access of 12 foot aisles must be maintained, no tents, canopies or other obstructions in the middle of the road unless approved by the Fire Marshal.		$70	

		6. Pre-event site inspection required. 7. All food vendors are required to have an approved 5lbs. multi-purpose (ABC) fire extinguisher on site and accessible. 8. Cords, hoses, etc. shall be matted to prevent trip hazards. 9. Exits must be clearly marked in tents/structures with an occupant load over 50 people. 10. Paramedics will respond from the fire station as needed. Dial 911 for fire/rescue/medical emergencies. 11. A permit is required for Fire hydrant usage. 12. Do Not obstruct fire hydrants or fire sprinkler connections on buildings. 13. Provide protective barriers between hot surfaces and the public.			
POLICE **101-000.000.634.0003** 248.530.1870	SG	Temporary liquor license required from LCC with City Commission and Chief of Police approval. Placement of signs indicating alcoholic beverages must remain within closed area where beverages are being served. Must have personnel to monitor entrance/exit areas to ensure no alcoholic beverages are removed from the closed area. Barricades/Road closures. On duty personnel to given extra patrol.		$100	

PUBLIC SERVICES **101-000.000-634.0002** 248.530.1642	Carrie Laird	COSTS INCLUDE: BARRICADE PLACEMENT AND REMOVAL, SIGN/BANNER PLACEMENT AND REMOVAL, SET UP AND CLEAN UP COSTS.		$6,000	
ENGINEERING **101-000.000.634.0002** 248.530.1839	A.F.	Maintain 5' clear pedestrian pathways on sidewalks. No damage to pavements allowed for tents, shelters, barricades, etc...	None	$0	$0
INSURANCE 248.530.1807	CA	City event		$0	$0
CLERK **101-000.000-614.0000** 248.530.1803	LP	Notification letters mailed by applicant on 7/17/15 . Notification addresses on file in the Clerk's Office. Evidence of required insurance must be on file with the Clerk's Office no later than N/A.	Applications for vendors license must be submitted no later than 11/20/15.	$165	
				TOTAL DEPOSIT REQUIRED **$6,335.00**	**ACTUAL COST**