Agenda Item VI. D
Revised to add letter from
First Baptist Church

City of Birmingham
A Walkable Community

MEMORANDUM

City Clerk's Office

DATE: **April 10, 2017**

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

FROM: **J. Cherilynn Brown, City Clerk**

SUBJECT: **Special Event Request**
High Octane

Attached is a special event application submitted by Darakjian Jewelers requesting permission to hold High Octane on Willits Street between N. Bates St. and N. Old Woodward Ave. on June 25, July 16, August 20, September 17, and October 8, 2017. The application specifically requests the closure of Willits Street between Bates and Old Woodward.

The application has been circulated to the affected departments. The Police Department, Fire Department and Engineering have recommended denial of the application, citing safety and traffic issues which would result from closing Willits Street. The applicant, Mr. Armen Darakjian, has been informed of the city administration's objections to his special event application as submitted. Mr. Darakjian asked that his application be presented to the City Commission for consideration nonetheless.

The following events have either been approved by the Commission or are planned to be held in July and have not yet submitted an application. These events do not pose a conflict with the proposed event.

Event Name	Date	Location
Art Birmingham	May 13	Shain Park
Parkinson Foundation 5K	May 20	Booth Park area
Farmers Market	Every Sunday May - October	Lot 6 (North Old Woodward)
Celebrate Birmingham Parade	May 21	S. Old Woodward, Frank, Brown, Martin, Pierce, Bates streets & Shain Park
Memorial Day Service	May 29	Shain Park
In the Park Concerts	Every Wednesday June - August	Shain Park
Village Fair	May 31- June 4	Shain Park
Breathe Deep Michigan 5K	June 3	Booth Park & surrounding neighborhood
Battle of the Bands	June 16	Shain Park
Havdalah in the Park	June 17, July 22	Shain Park

Movie Night	June 23, July 14, August 11	Booth Park
Park Art	June 22	Shain Park
Day on the Town	July 22	Maple, Pierce, Merrill, Henrietta and Martin streets
Bates St. Block Party	August 12	Shain Park
Street Art Fair	September 15-17	Downtown

SUGGESTED RESOLUTION:

To deny a request from Darakjian Jewelers to hold High Octane on Willits Street between N. Bates St. and N. Old Woodward Ave. on June 25, July 16, August 20, September 17, and October 8, 2017 based on objections to the closing of Willits Street from the Fire Department, Police Department, and Engineering.

or

To approve a request from Darakjian Jewelers to hold High Octane on Willits Street between N. Bates St. and N. Old Woodward Ave. on June 25, July 16, August 20, September 17, and October 8, 2017 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.

17-00010976

RECEIVED BY
MAR 23 2017
CITY CLERK'S OFFICE
CITY OF BIRMINGHAM

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 3/3/17

Name of Event High Octane

Detailed Description of Event (attach additional sheet if necessary)
A display of high end exotic cars by local residents. Showcasing some of the worlds most exclusive sportcars for the community to enjoy.

Location 101 Willits

Date(s) of Event ~~4/30, 5/21~~, 6/25, 7/16, 8/20, 9/17, 10/8 Hours of Event 10-12pm

Date(s) of Set-up Same as above Hours of Set-up 9am

Date(s) of Tear-down Same as above Hours of Tear-down 1pm

Organization Sponsoring Event Daralyan Jewelers

Organization Address 101 Willits

Organization Phone 248-356-7140

Contact Person Armen Daralyan

Contact Phone 248-765-6666

Contact Email armen@daralyan.com

II. EVENT INFORMATION

1. Organization Type Retail Jewelry store
(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.) _____

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 we've done it where the cars park parrelled now we want to close the street

5. Total number of people expected to attend per day approx 75 - 100

6. The event will be held on the following City property: (Please list)
☒ Street(s) willits
☐ Sidewalk(s) _____
☐ Park(s) _____

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

8. What parking arrangements will be necessary to accommodate attendance? None they will park around the city

9. Will staff be provided to assist with safety, security and maintenance? [X] YES [ ] NO

Describe we usually have 2 of our staff in attendance

10. Will the event require safety personnel (police, fire, paramedics)? [ ] YES [X] NO

Describe It only involves people parking their cars

11. Will alcoholic beverages be served? [ ] YES [X] 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 [X] NO

[ ] Live [ ] Amplification [ ] Recorded [ ] Loudspeakers

Time music will begin _____

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 [X] NO

Number of signs/banners _____

Size of signs/banners _____

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

14. Will food/beverages/merchandise be sold? [ ] YES [X] 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?

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		$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		$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)	____ # 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)		
Portable Toilets		
Rides		
Displays		
Vendors		
Temporary Structure (must attach a photo)		
Other (describe)		

SIGNATURE OF APPLICANT REQUIRED

EVENT NAME High Octane

EVENT DATE ~~4/30~~, ~~5/21~~, 6/25, 7/16, 8/20, 9/17, 10/8

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 3/3/17 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.

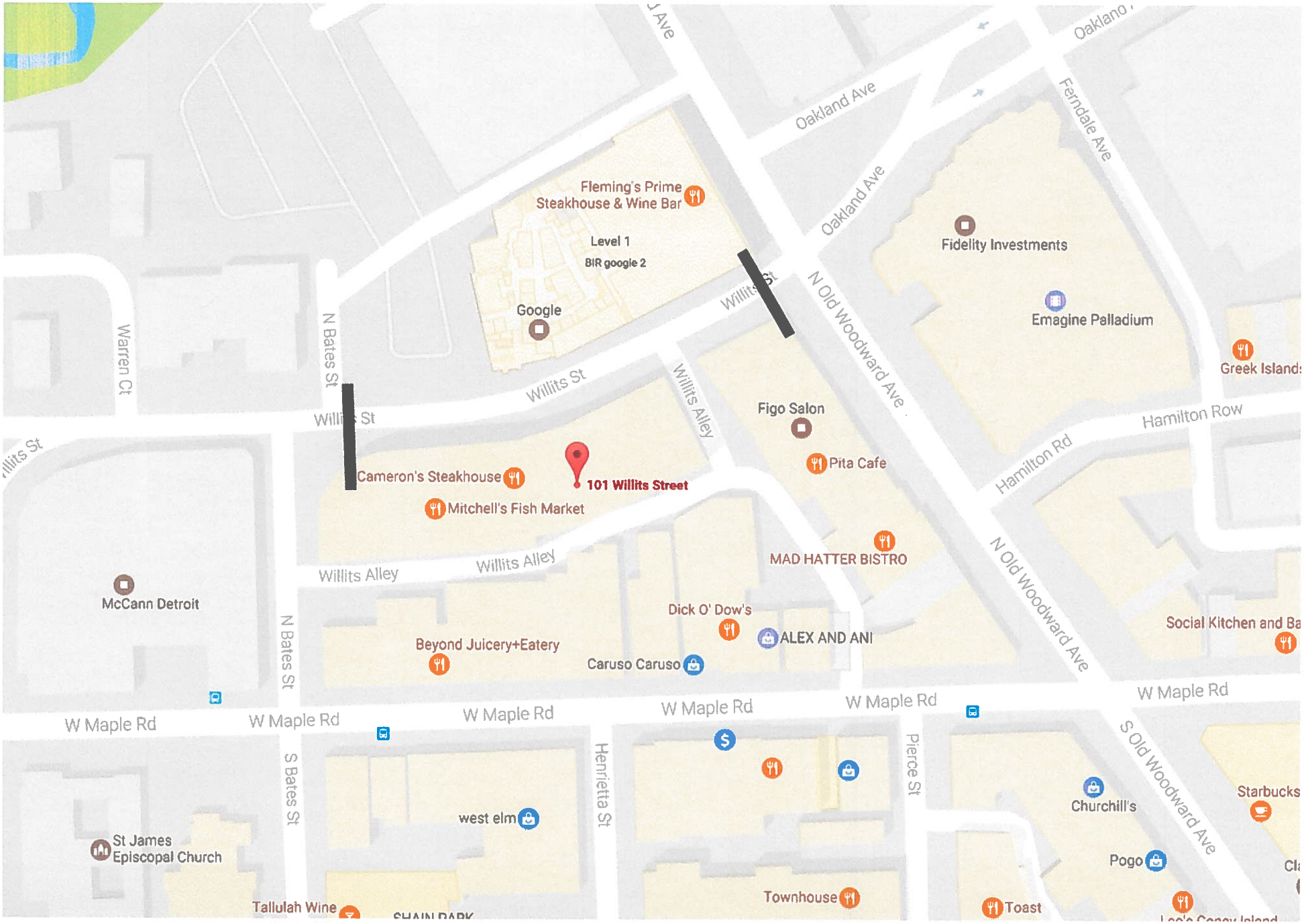
- If street closures are necessary, a map must be included with the letter to the affected property/business owners.

Birmingham Map

Legend
- City Boundary
- Lakes and Rivers
- Streams
- Parcels

N

DISCLAIMER:
The information provided on this site is for convenience only and is compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. Much of the data was not compiled or created by the City of Birmingham. In the preparation of this report, extensive efforts have been made to offer the most current, correct, and clearly expressed information possible. However, inadvertent errors, inaccuracies, and omissions can occur. Official versions should be used as a primary information source for verification of the information provided on these pages. Users are advised that their use of any of this information is at their own risk.
The City of Birmingham, its consultants and data providers, do not assume, and hereby disclaim, legal responsibility for the information contained herein which is provided "as is" with no warranties of any kind whether such errors, inaccuracies or omissions result from negligence, accident or any other cause.


Fleming's Prime Steakhouse & Wine Bar
Level 1
BIR google 2
Google
Oakland Ave
Oakland Ave
Oakland Ave
Ferndale Ave
Fidelity Investments
Emagine Palladium
Greek Islands
Warren Ct
N Bates St
Willits St
Willits St
Willits St
Willits Alley
N Old Woodward Ave
Figo Salon
Pita Cafe
Hamilton Row
Hamilton Rd
Cameron's Steakhouse
101 Willits Street
Mitchell's Fish Market
MAD HATTER BISTRO
Willits Alley
Willits Alley
McCann Detroit
Dick O' Dow's
ALEX AND ANI
Beyond Juicery+Eatery
Caruso Caruso
Social Kitchen and Ba
N Bates St
W Maple Rd
W Maple Rd
W Maple Rd
W Maple Rd
W Maple Rd
W Maple Rd
S Bates St
Henrietta St
Pierce St
S Old Woodward Ave
Churchill's
Starbucks
west elm
St James Episcopal Church
Pogo
Townhouse
Toast
Tallulah Wine

HOLD-HARMLESS AGREEMENT

"To the fullest extent permitted by law, the Darakjian Jewelers HIGH OCTANE and any entity or person for whom the Darakjian Jewelers HIGH OCTANE 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 and 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 officials, employees, volunteers or others working on behalf of the City of Birmingham

Applicants Signature

3/22/17
Date

Client#: 28809 DARAJEW

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 3/16/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. 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).

PRODUCER
Meadowbrook, Inc.
Southfield Commercial Agency
26255 American Drive
Southfield, MI 48034-6112

CONTACT NAME: Melissa Kreiser
PHONE (A/C, No, Ext): 248-204-8032 FAX (A/C, No): 248-648-7818
E-MAIL ADDRESS: mkreiser@meadowbrook.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Citizens Insurance Co.	31534
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Darakjian Jewelers Inc.
217 Pierce St #209
Birmingham, MI 48009

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT 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. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			O7B2897685	04/02/2016	04/02/2017	EACH OCCURRENCE	$1,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$300,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person)	$5,000
							PERSONAL & ADV INJURY	$1,000,000
							GENERAL AGGREGATE	$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	$2,000,000
	POLICY PRO-JECT LOC							$
A	AUTOMOBILE LIABILITY			O7B2897685	04/02/2016	04/02/2017	COMBINED SINGLE LIMIT (Ea accident)	$1,000,000
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
A	X UMBRELLA LIAB X OCCUR			O7B2897685	04/02/2016	04/02/2017	EACH OCCURRENCE	$3,000,000
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$3,000,000
	DED X RETENTION $0							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			W2B2868580	04/02/2016	04/02/2017	X WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N: N	N / A					E.L. EACH ACCIDENT	$500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$500,000
							E.L. DISEASE - POLICY LIMIT	$500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

RE: Sunday Car events 4/30, 5/21, 6/25, 7/16, 8/20, 9/17, 10/8

The City of Birmingham, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof are additional insureds. This coverage is primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.

CERTIFICATE HOLDER

The City of Birmingham
151 Martin St
PO Box 3001
Birmingham, MI 48012

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Kenn R. Allen

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DEPARTMENT APPROVALS

EVENT NAME HIGH OCTANE

LICENSE NUMBER #17-00010976

COMMISSION HEARING DATE APRIL 13, 2017

NOTE TO STAFF: Please submit approval by **MARCH 28, 2017**

DATE OF EVENT: 6/25, 7/16, 8/20, 9/17, 10/8/17

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)
PLANNING 101-000.000-634.0005 248.530.1855	SC	No Comments	None	$0	$0
BUILDING 101-000.000.634.0005 248.530.1850	SW	Building department not involved with event.	None	$0	
FIRE 101-000.000-634.0004 248.530.1900	JMC	**Denied**. The complete closing of Willits will severely limit Fire Department access to the Willits building and other businesses on that corridor.			
POLICE 101-000.000.634.0003 248.530.1870	SG	DENIED. CLOSING OF A DOWTOWN ROAD, ADJACENT TO A CHURCH, ON MULTIPLE SUNDAYS FROM 9AM TO 1PM IS NOT PRATICAL.			
PUBLIC SERVICES 101-000.000-634.0002 248.530.1642	CL	The department will deliver and pick up barricades prior to the event.		$1,000	
ENGINEERING 101-000.000.634.0002 248.530.1839	A.F.	This is in direct conflict with the Old Woodward Reconstruction Project. Willits Street is part of the detour route during the project.			

INSURANCE 248.530.1807	CA	On file in Clerk's office	None	$0	$0
CLERK **101-000.000-614.0000** 248.530.1803		Notification letters mailed by applicant on 3/23/17. 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 6/9/17.	Applications for vendors license must be submitted no later than N/A.	$200 (pd)	
				TOTAL DEPOSIT REQUIRED	**ACTUAL COST**

FOR CLERK'S OFFICE USE

Deposit paid _____

Actual Cost _____

Due/Refund_____

First Baptist Church

300 Willits at Bates Streets, Birmingham, Michigan 48009-3300
Telephone: (248) 644-0550 FAX: (248) 644-0559

March 2, 2017

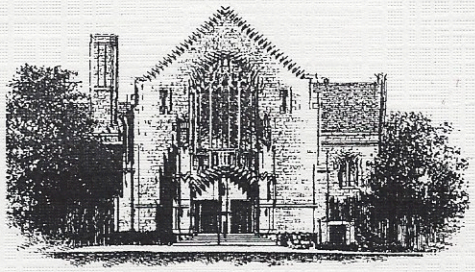
Dear Mr. Darakjian,

Thank you for your inquiry regarding the potential closure of Willits St. from Bates St. to North Old Woodward one Sunday per month from April through October 2017 in order to host an Antique Car Show. The intersection of Bates and Willits will not be blocked, and Bates St. will remain open to traffic. First Baptist Church approves this plan.

Please note that the approval is only for the calendar year 2017. It is our understanding that this issue will be revisited from year-to-year, and that we will be given the opportunity to review the situation prior to the beginning of each season.

Please feel free to contact us if you have any further questions.

Sincerely,

Michael McCandlish
Moderator, First Baptist Church of Birmingham

Website: firstbaptistbirmingham.org
E-Mail: firstbaptistbirm@sbcglobal.net
American Baptist Churches / USA