

Commission Letter #: 159-10
Commission Meeting of: 7/12/10

RE: **Special Event – Woodward Dream Cruise – Hi Tops 10-1/2 – August 21, 2010**

June 29, 2010

The Honorable Mayor
and
Members of City Commission

Hi Tops 10 ½ is requesting permission to host an outdoor café at their establishment located at 25422 Woodward, Royal Oak. This event is to occur in conjunction with the "Woodward Dream Cruise" on Saturday, August 21, 2010.

The staff has had discussions involving details of the event with Susan Hazamy of Hi Tops 10 ½.

Listed below are the specifics of a proposed agreement between the City and Hi Tops 10 ½.

I. Hours of Operation

On Saturday, August 21, 2010, Hi Tops 10 ½, plans to set up for this event at approximately 8am. The event itself would run from 11am to 9:00 p.m. on August 21, 2010. Alcoholic beverages may be served from 11am to 7pm only. Alcoholic beverages may be consumed until 8pm. At 8pm all alcoholic beverages are to be removed from the outdoor café. Clean-up will occur immediately after the event taking approximately 1 hour.

II. Description of Event

Hi Tops 10 ½ plans to set-up an outdoor café in conjunction with the "Woodward Dream Cruise". They propose to use the parking area immediately west or in front of the business establishment. Organizers would be selling/serving food (menu items cooked inside the establishment) and alcoholic and non-alcoholic beverages. This section would be roped off and supervised; tables with chairs and refuse barrels would be placed in this area. Per Ms. Hazamy, a 4 foot high "snow" fence will be used to surround/define and secure their outdoor facility.

Customers will be able to park in Hi Tops 10 ½ parking lot and instead of sitting inside the building, will be able to sit in the outdoor café and purchase food and/or drinks from the business establishment while enjoying the cruise.

III. Parking Control

Hi Tops 10 ½ has 35 parking slots available in their lot. This event will occupy only 3 of those slots. Customers attending this event may use the remaining parking.

IV. Insurance

A Certificate of Insurance for \$1 Million combined single limit coverage has been provided to the City of Royal Oak by Hi Tops 10 ½, with the City named as additional insured. The Certificate of Insurance also includes a \$500,000 liquor liability rider.

V. Liquor License

Hi Tops 10 ½ is awaiting approval of a requested one day Special Event Liquor License from the State of Michigan Liquor Control Commission. Upon receipt a copy will be provided to the Chief of Police.

VI. Impact on Adjacent Commercial/Residential Property

Hi Tops 10 ½ anticipates there will be very little impact on adjacent commercial and residential properties.

VII. Music

Organizers plan to provide amplified music for this event. Music will begin at 11:00 a.m. and end at 8:00 p.m.

Written assurance will be obtained that any sound system with amplification at this event will not be employed at such a level that adversely impacts in any way or adjacent business or residential areas. In addition, it is agreed that the sound volume will be reduced immediately upon police request.

VIII. Restroom Facilities

Hi Tops 10 ½ plans to have all restroom needs handled by their existing facilities.

IX. Food and Beverage

Food will be prepared and cooked in the kitchen facilities inside of Hi Tops 10 ½. Wait staff will attend to the tables and chairs in the outdoor café area, taking orders from customers and serving the food and beverages to them.

As stated previously, alcoholic beverages may be served from 11am to 7:00pm. Alcoholic beverages may be consumed until 8pm. At 8pm all alcoholic beverages are to be removed from the outdoor café. Organizer plans to have extra staff on duty and family members to assist in I.D. checking. All staff members/servers are TIPS certified. Hi Tops 10-1/2 will follow their current Plan of Operation in terms of alcohol control (checking i.d., refusing intoxicated customers, etc.).

X. Signs – Alcoholic Beverages

Any inflatable device used to advertise an alcoholic beverage will not be permitted for this event. For all other inflatable devices (non-alcoholic) as well as any signs, banners, etc., the applicant and/or organizers are required to obtain the necessary permits and/or approvals from Inspection Department, Code Enforcement, or any other appropriate department.

XI. Clean-Up Procedures

Hi Tops 10 ½ plans to have clean up performed immediately following the event on August 21, 2010, taking approximately 1 hour.

XII. **City Involvement**

It is not anticipated that the City of Royal Oak will need to provide anything for the event being hosted at Hi Tops 10 ½.

However, in the event of any unanticipated circumstance connected in any way to this special event, which necessitates alerting of and/or deployment of police officers, Hi Tops 10 ½, agrees to reimburse all related expenses incurred by the City of Royal Oak.

Police personnel will be monitoring traffic flow at this location as well as several others during the "Woodward Dream Cruise".

XIII. **Special Event Permit Fee**

The \$300.00 special event permit fee was paid at the City Clerk's Office on June 22, 2010.

XIV. **Fire Protection**

Event promoters will provide full access to this area for emergency vehicles, which will allow entry response for fire, medical emergency or police related needs.

XV. **Revocation**

Hi tops 10 ½ acknowledges that operations under this permit will cease immediately upon notification from the Chief of Police or his designee, that in the judgment of the Chief of Police or his designee, continued operation would pose a threat to the health, safety, or welfare of the general public.

The following resolution is recommended for approval:

Be It Resolved that the Mayor is hereby authorized to execute the attached agreement between the City of Royal Oak and Hi Tops 10 ½, for a one-day, outdoor dining café with alcohol service at their business located at 25422 Woodward, on Saturday, August 21, 2010.

Respectfully submitted,



Christopher M. Jahnke
Chief of Police

Approved,



Donald E. Johnson
City Manager

cc: Patrick Mulligan, Interim Fire Chief
Greg Rassel, Director of Recreation and Public Service
Tim Thwing, Director of Planning
Jason Craig, Building Official
Corrigan O'Donohue, Deputy Chief of Police

AGREEMENT

The agreement between Hi Tops 10 ½ and the City of Royal Oak, concerning a Special Event Permit for a one-day outdoor café with alcohol service on August 21, 2010, as enumerated in Commission Letter # 159-10 is hereby approved this date _____.

Hi Tops 10 ½

CITY OF ROYAL OAK

Susan Hazamy

James Ellison
Mayor

Melanie Halas
City Clerk