



MEMORANDUM

To: City of Menasha Common Council
From: Donald Merkes, Mayor *DM*
Date: 17 July 2014
RE: 2014 Fireworks

BACKGROUND

Due to a significant southerly wind coming off Lake Winnebago at Jefferson Park the fireworks scheduled for Friday July 4th were unable to be shot in a manner that protected the safety of both spectators and the surrounding neighborhood. When winds were again strong on July 5th the show was permanently placed on hold (see attached memo from Neenah Menasha Fire Rescue)

ANALYSIS & FISCAL IMPACT

The City has a paid contract with Spielbauer Fireworks for the 2014 show. At this point the community has several options within the contract:

1. Choose a different date for the 2014 show.

The City would be responsible for a \$300 rescheduling fee

There would be costs for work done by city employees for traffic control, security, and cleanup.

There are numerous dates to be considered; however, choosing a date with another event already scheduled in Jefferson Park would provide additional synergies for both the attendees and event organizers. The two largest summer events are SeafoodFest on Sept 5 & 6 and JazzFest on August 30 & 31.

The organizers of **SeafoodFest** are interested in incorporating the fireworks show as part of the festivities that they currently provide on Saturday Sept 6th. SeafoodFest will have bands and food throughout the day complementing the City fireworks in the evening.

The organizers of **JazzFest** are interested in hosting the fireworks show following the Sunday night program on Aug 31st. JazzFest will have bands and food throughout the day, however, as their programming is complete by approximately 6:30PM the City would need to provide additional entertainment from that time until the fireworks if the City so desired. There is also a likelihood that additional toilet facilities would be required.

2. Cancel the show and allow the funding to revert to the general fund.
The city would be responsible for a 20% cancellation fee of \$3,800. The remainder of the \$19,000 could be added to the City's reserves or reallocated for a different purpose. (see attached contract)
3. Reserve the funding for future years and not shoot a 2014 fireworks show.
The city would be responsible for a 20% cancellation fee of \$3,800, and the remainder of the \$19,000 would be reserved for the 2015 fireworks show. (see attached contract)

With the difficulty that the City has experienced over the past 3+ years with high winds, shooting the show this year offers another opportunity to test the potential of shooting from the water. We have the opportunity to shoot a slightly smaller show from specially outfitted pontoons on either the August or September dates as a test for the 2015 show.

If successful, Spielbauer Fireworks could/would acquire pontoons to shoot our 2015 show. Currently there have not been pontoons available on the July 4th date. Shooting our show from on the water would eliminate the possibility of future cancellations, provide a safer environment for spectators, and open a larger area of the park for use during CommunityFest.

RECOMMENDATION

I recommend that the City coordinate its rescheduled fireworks show with the previously scheduled events at SeafoodFest which provides the most opportunities for attendees with the least additional costs to the City. I further recommend shooting the show from pontoons situated in the Fox River. The opportunity to shoot a prototype show on the water provides additional benefit for the community as it considers opportunities to increase safety of the event for future July 4th fireworks shows.



Neenah-Menasha Fire Rescue

Office of Assistant Chief/Fire Marshal Vernon Green

Fire Department Press Release

Date: July 5, 2014

FOR IMMEDIATE RELEASE

Contact: Vernon A. Green, Assistant Chief/Fire Marshal
Telephone: (920) 886-6201
vgreen@nmfire.org

What: City of Menasha Fireworks

When: Immediate

Due to a significant southerly wind coming off Lake Winnebago at Jefferson Park in the City of Menasha, the fireworks scheduled for Friday July 4th were postponed until Saturday July 5th. Unfortunately the weather conditions have not improved and the winds at the Jefferson Park shoot site are still substantial. The weather forecast indicates that the winds are expected to continue throughout the evening.

Assistant Chief/Fire Marshal Vernon Green (Neenah Menasha Fire Rescue) does not make the decision to postpone or cancel a large event like this lightly. It is solely done in the best interest of fire and life safety. Many considerations are taken into affect when deciding to cancel a fireworks show. The wind direction & speed, along with the proximity to spectators, homes and others structures, are a primary concern in determining whether to allow the show to go on. If the probability exists that burning embers, and/or large debris fallout, will land in and around spectators or carry over homes and other structures, the decision to cancel the show is made.

The geography and topography of the Winnebago lakeshore varies greatly within the short distance even from Neenah to Menasha, this has a significant influence on the winds impact on the ability to proceed with a fireworks show. The venue layout and setup are also taken into consideration when planning and determining the ability for a fireworks show to be held and to proceed based on weather conditions.

Information will be released in the near future regarding plans for a possible future fireworks show. City staff will be discussing potential options and information will be provided as soon as available.

We hope that everyone realizes that the decision to cancel is not an easy one and we fully understand it is not a popular one, but it is truly done in the best interest of everyone involved.

I hope that you all have a very safe and enjoyable holiday weekend.

VG

Vernon A. Green
Assistant Chief / Fire Marshal
Neenah Menasha Fire Rescue
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Neenah, WI 54956
920-886-6201 Office
920-209-9506 Cell
920-886-6208 Fax
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"The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy" MLK Jr. 1963

125 E. COLUMBIAN AVENUE, NEENAH, WI 54956

Phone: 920-886-6200 Fax: 920-886-6208 Website: www.nmfire.org



SPIELBAUER FIREWORKS CO., INC.

DISTRIBUTORS & EXHIBITORS

WISCONSIN'S OLDEST EXHIBITION FIREWORKS CO.

Office: 1976 Lane Road
Green Bay, WI 54311

Factory & Warehouses: Bellevue

Telephone 1-920-336-0446

Fax 1-920-336-1214

Menasha

(Village)

WI

(Location)

Contract entered onto this 9th day of **May** A.D., 2013 by and between Spielbauer Fireworks Co., Inc. party of the first part, and the **City of Menasha**.

Authorized Agent Mayor Don Merkes
(Official in Charge)

Party of the first part agrees to furnish party of the second part Fireworks per program submitted, said display to be given on the evening of **July 4th, 2013** weather permitting. It should be understood that should inclement weather prevent the giving of said display on date herein mentioned, the program would be given on the next clear night falling during the above week, for the additional sum of three hundred dollars, to cover auxiliary costs suffered by party of the first part. If said display is not rescheduled, a cancellation fee of 20% of the contract price shall be charged.

Party of the second part agrees to furnish party of the first part sufficient space for the proper giving of said display, also to furnish dry space to store and prepare said fireworks; furnish necessary police protection and necessary lumber that may be required for erecting the display, to help our expert display man that we send to superintend said displays.

The party of the first part agrees that proper protection for the benefit of spectators will be covered by bodily injury and property damage insurance at the time of display, automobiles excluded. It is further agreed and understood that the party of the second part is to pay the party of the first part the sum of **\$15,500.00** for the above display, same to be paid **balance due by July 4th, 2013**.

The parties hereto do mutually and severally guarantee the terms, conditions, and payments of this contract, their articles to be upon the parties themselves, their heirs, executors, administrators and assigns.

IN WITNESS WHEREOF we set our hands and seals in duplicate hereof this 9th day of **May**, A.D., 2013.

WITNESSES:

ACCEPTED BY

X

(Official in Charge)

Deborah A. Galeazzi

Pete W. Spiller
Spielbauer Fireworks Co., Inc. REP

REMARKS:

Fireworks as per itemized proposal number 13Me2083 dated 5/9/13. Note that this is a one-year contract for July 4th, 2013.