



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

From: Ted Shekell, Planning Director
Walter Denton, City Administrator

Date: April 7, 2008

Subject: Special Event Permit – O'Fallon Grand Prix Bicycle Race (MOTION)

List of committees that have reviewed: The Community Development Committee reviewed this application for a second time at its March 24, 2008 meeting. There were several issues that remained unanswered, so there was no formal recommendation from the Committee. The applicant requested that the City Council take action on the Special Event Permit at the April 7, 2008 Council meeting. The Committee agreed to take the applicant's request forward for full Council consideration, however, given the lack of adequate information from the applicant, the Special Event Permit will be on the Council agenda without the Committee's recommendation.

Background:

- Applicant: Steven Schmidt for Metro East Cycling
- Special Event Permit for a 22.5 mile bicycle road race
- Date: May 31st from 8:00am to 4:00pm
- Location: race starts and ends at Fulton Junior High School (see attached map for route)
- Expected number of participants: 200 to 400 racers (plus spectators)
- Applicant requests closure of Kyle Road from Simmons to Lincoln from 8:30am to 4:00pm to allow for a wide finish line across both lanes.
 - Road would be open only for bicycles and support vehicles for the race, emergency vehicles, and seven residents whose only access is from Kyle Road.
- Participants will park at Fulton Junior High School and Central Christian Church
- Portable toilet facilities will be provided at Fulton Junior High School.

Legal Considerations, if any: Staff and Committee members expressed their concern about the potential liability of the City if they approve this Special Event Permit. The legal soundness of the insurance coverage and participant release form needs to be reviewed to ensure that the City will not be held liable in the event of an incident.

Budget Impact: None

Staff Review: As of the date of this memo, we have incorporated all of the information provided by the applicant and our staff. Police Chief Betten submitted a memo to staff outlining his concerns about the event, which he relayed to the applicant, Steve Schmidt. Chief Betten's memo is included as an attachment. Below is a list of concerns expressed by city staff and the committee:

- The lack of experience by the applicant in running this type of event
- The safety of riders and other road users – route has low visibility
- The logistics of closing Kyle Road – sign plan was provided; notifying property owners?
- Alternative plan to closing Kyle Rd – applicant has submitted an intermittent road closure plan. Please see attached.
- Potential liability of the City if anything should happen – it may be construed that the City is sanctioning the event if we approve the Special Event Permit.
- The terms of the insurance coverage – City is not listed as an “also insured”; excludes some incidents (such as rider to rider incidents); City’s insurance provider needs to review the coverage and provide written statement regarding proposed coverage.
- The terms of the participant release forms – this has been reviewed by Dale Funk, the City’s attorney. His opinion is summarized in a letter included in this packet.
- Number of volunteers needed – estimate 100 volunteers; 64 have confirmed
- How would organizers communicate – via cell phones?
- Number of police officers needed and how to pay for them – Chief Betten believes 4 are needed; There will be one at each end of Kyle Road, one at the intersection of Weil and O’Fallon-Troy Roads and one floating between the intersection of Illini and Kyle and Lincoln Farms and Kyle. Two of the officers will be on-duty OPD and two will be contracted by Metro East Cycling specifically for the event. Chief Betten is their principal security volunteer and will be on site as well to help with policing if required.
- Proof of authorization from other governmental entities involved (road commissions, townships, county) – to date, St. Clair County has not authorized this event
- Lack of proof of authorization from Fulton Junior High School to use their property

In addition, it was brought up by an alderman at the last committee meeting that there was a fatal accident in Peoria last year during a similar bicycle race event. Staff tracked down some information on the accident, which is attached to this memo for your reference.

Staff Recommendation: Even if all of the issues above were addressed, staff still has concerns about the overall safety of this event, both for participants and other road users. This general concern, coupled with the absence of adequate answers to several outstanding issues at the time of this memo, leads staff to recommend denial of the application.