

## **MEMORANDUM**

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**DATE:** November 19, 2014

**TO:** Honorable Mayor and City Commission

**VIA:** Kenneth Fields, City Manager

**FROM:** Jennifer Nanek, Assistant to the City Manager

**RE:** Spook Hill Thunder Event Application

**SYNOPSIS:** This is a Special Event Permit Application from the Lake Wales Area Foundation for “Spook Hill Thunder.” This is a fundraising event where approximately 25,000 balls will be rolled down Spook Hill. The event will take place Saturday, October 24, 2015 from 10am-6pm.

### **RECOMMENDATION**

It is recommended that the City Commission take the following action:

- Approve the Special Event Permit application for the Spook Hill Thunder fundraising event to take place on Saturday, October 24, 2015 from 10am-6pm.
- Approve the request for the temporary closing on Saturday, October 24, 2015 of North Wales Drive (Spook Hill) from Burns Avenue to Dr. JA Wilshire Avenue from 10am-6pm.
- Authorize parking on grass around North Lake Wailes which is next to Spook Hill.
- Authorize a plastic safety fence along Spook Hill to keep balls on course.

### **BACKGROUND**

The Lake Wales Area Foundation is organizing the “Spook Hill Thunder” as a fundraising event for the Foundation. This event will take place the same weekend as Pioneer Days. Balls will be numbered and sold. They will be rolled down Spook Hill and the first to reach the target is winner. Spook Hill will be closed from 10am – 6pm with the main event taking place at 2pm.

This event is similar to rubber duck races held in communities with fast moving water.

The sponsor will provide restroom facilities on site and work with City Staff to improve appearance of Spook Hill. The sponsor will also have volunteers coordinate the parking as the terrain in that area has issues.

### **OTHER OPTIONS**

Do not approve the Special Event Permit.

**FISCAL IMPACT**

As this is a new event, it has not been budgeted. All costs will be the responsibility of the sponsor.

**ATTACHMENTS**

Special Event Permit Application and Notarized Agreement of Financial Responsibility

Maps

Description of event

# City of Lake Wales Application for Special Event Permit

**Sponsor** LAKE WALES AREA FOUNDATION  
**Name of Event** SPOOK HILL THUNDER  
**Description** ROLLING 25,000 BALLS DOWN THE HILL TO RAISE MONEY FOR CHARITIES  
**Location** SPOOK HILL, N. LAKE WALES DRIVE, N. LAKE WALES  
**Beginning Date** 10/24/2015 **Ending Date** 10/24/2015 **Hours of Operation** 10AM-6PM  
**Sponsor Contact** BILL REDMON, 863-632-1924  
**Mailing Address** 2803 CLUB CIRCLE  
**City** LAKE WALES **State** FL **ZIP** 33898  
**Sponsor Type** NON PROFIT **Contact Phone #** 863-632-1924  
(non-profit, professional, educational, religious, etc./commercial)

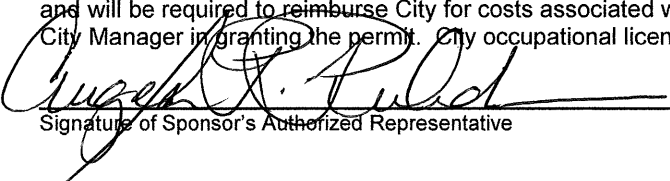
Indicate manner in which each will be handled; If City assistance is requested, please indicate. (If item not applicable, indicate n/a)

**Sanitary Facilities** PORTABLE TOILETS  
**Parking** VOLUNTEER TASK FORCE  
**Site Preparation** VOLUNTEER TASK FORCE  
**Site Clean-up** VOLUNTEER TASK FORCE

- Will vehicular traffic control be required?  No  Yes (Requires coordination with city Police and Public Works departments)
- Will pedestrian control be required?  No  Yes (Requires coordination with city Police and Public Works departments)
- Will city street(s) be closed?  No  Yes (Requires Commission approval)
- Will state road(s) be closed?  No  Yes (Requires permit from Dept. of Transportation))
- Will add'l trash receptacles be required?  No  Yes (Requires coordination with Florida Refuse)
- Will tent(s) be erected?  No  Yes (Requires building permit and inspection)
- Will temporary structure(s) be erected?  No  Yes (Requires building permit and inspection)
- Will electrical service be installed?  No  Yes (Requires electrical permit and inspection)
- Will live animal(s) be included in event?  No  Yes (Requires coordination with city Code Enforcement Officer)
- Will amusement ride(s) be operated?  No  Yes (Requires permit from Department of Agriculture and Consumer Services)
- Will food vendor(s) be utilized?  No  Yes (Requires health permit & county occupational license)
- Will craft or other vendor(s) be utilized?  No  Yes (Requires county occupational license)

- Attachments. (items marked "x" are required with all applications; indicate additional attachments)
- Diagram site location & Layout, traffic patterns, electrical, etc.
  - Agreement to Assume Financial Responsibility for Injury or Damage
  - Legal Description & notarized letter of consent (required for event on private property)
  - Dept of Transportation Road Closing Permit (required for state road closing)

Sponsor has received a copy of Ordinance 93-02 and understands that Sponsor will be required to show proof of Liability Insurance and will be required to reimburse City for costs associated with Special Event unless such requirements are specifically waived by the City Manager in granting the permit. City occupational license fees are required for some events as specified in Ordinance 93-02.

  
 Signature of Sponsor's Authorized Representative

Date 11/2/14



CITY OF LAKE WALES  
FACILITY USE APPLICATION, CONTRACT AND PERMIT FOR  
AGREEMENT TO ASSUME FINANCIAL RESPONSIBILITY FOR INJURY OR DAMAGE

Applicant: The Lake Wales Area Foundation Event: Spook Hill Thunder Location: Spook Hill, Lake Wales

The Sponsor (hereinafter referred to as "the permittee"), shall indemnify, defend, and hold harmless the City of Lake Wales (hereinafter referred to as "the City"), and all of its officers, agents, and employees from any claim, loss, damage, cost, change, or expense arising out of any acts, actions, neglect, or omission by the Permittee, its agent, employees, or subcontractors during the performance of the permitted event, whether direct or indirect, and whether to any person or property to which the City or said parties may be subject, except that neither the Permittee nor any of its agents, employees, or subcontractors will be liable under the agreement for damages arising out of the injury or damage to persons directly caused or resulting from the SOLELY negligence of the City or any of its officers, agents, or employees.

Permittee's obligation to indemnify, defend and pay for the defense or at the City's option, to participate and associate with the City in the defense and trial of any damage claim or suit and any related settlement negotiations, shall be initiated by the City's notice of claim for indemnification to Permittee. Permittee's inability to evaluate liability or its evaluation of liability shall not excuse Permittee's duty to defend and indemnify within seven days after such notice by the City is provided by registered mail. Only an adjudication or judgement after highest appeal is exhausted specifically finding the City SOLELY negligent shall excuse performance of this provision by Permittee. Permittee shall pay all costs and fees related to this obligation and its enforcement by the City. City's failure to notify Permittee of a claim shall not release the Permittee of the above duty to defend.

It is understood and agreed that the rights and privileges herein set out are granted only to the extent of the City's right, title and interest in land to be entered upon and used by the Permittee, and the Permittee will, at all times, assume all risk of and indemnify, defend, and save harmless the City from and against any and all loss, damage, cost, and expense arising in any manner on account of the exercise or attempted excise by said Permittee of the aforesaid rights and privileges.

During the event, the Permittee shall observe all safety regulations of the City, and the Permittee shall take measures to ensure the safety of the public.

In case of non-compliance with the City's requirements in effect as the approved sate of the permit resulting from this agreement, said permit is void.

Angela R. Pulido  
Signature of Sponsor or Authorized Representative of Sponsor

11/4/14  
Date

ANGELA R. PULIDO  
Printed Name

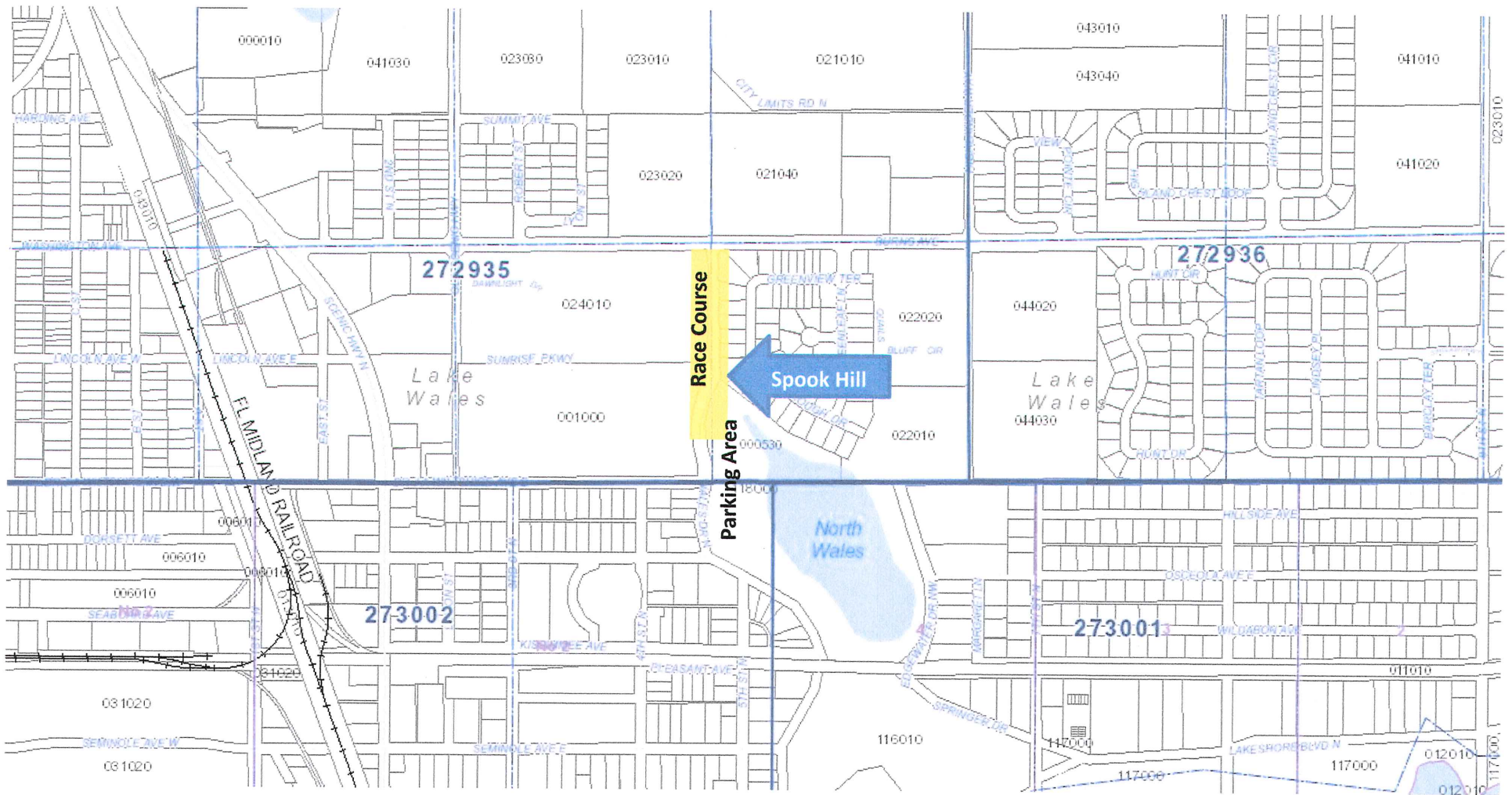
State of Florida  
County of Polk

The forgoing instrument was acknowledged before me this 4th day of Nov, 2014 by



M. T. Boyer  
Signature of Notary Public-State of Florida  
Maria T. Boyer  
Name of Notary Typed, Printed, or Stamped

Personally Known  (NOTARY SEAL) OR Produced Identification \_\_\_\_\_  
Type of Identification Produced: \_\_\_\_\_



**Spook Hill Thunder – *Bringing Spook Hill to life to benefit Polk County charities***

**October 24, 2014**

**Sponsored by the Lake Wales Area Foundation, a community foundation**

**Angela Pulido – Foundation President**

**Michelle Hurst – Foundation Treasurer**

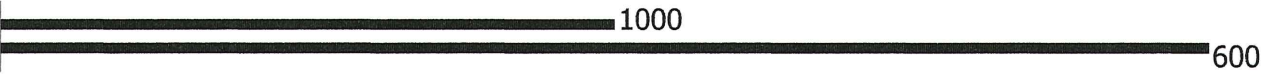
**Bill Redmon – Event Coordinator**





Google earth

feet  
meters





## Spook Hill Thunder

**Purpose.** An event organized and sponsored by the *Lake Wales Area Foundation* to raise money for many charities throughout Polk County.

**How.** 30,000 small balls will be rolled down the hill above Spook Hill on N. Lake Wales Drive. The balls will travel through a series of obstacles with one ball becoming the winner by being the first to reach the target area. Each ball will represent a donation to a nonprofit cause.

**Spook Hill Thunder.** Imagine up to 30,000 balls crashing down the hill above Spook Hill. Imagine the noise of the crowd cheering their ball as it races toward the finish. The ghost of Spook Hill is breaking from his chains of slumber and reestablishing himself as the preeminent spirit of the ridge.

**Why Spook Hill.** Spook Hill has a rare and rich past as a tourist novelty. People of many generations know of Spook Hill, even though they may have never been there. In recent decades the mystic and mystery of Spook Hill has diminished. The models for the Spook Hill Thunder are some very successful rubber duck races held in areas where they have fast moving water. While we do not have moving water, we do have Spook Hill.

While this is a county-wide fun and fund raising event, only Lake Wales has Spook Hill. Since up to 30,000 chances to win the grand prize will be sold, this event will be promoted in media outlets throughout Florida and the southeaster USA. This should be a good economic stimulus to our community and bring much positive attention to our city. It is hoped we will be viewed as a community which is innovative and caring.

**Pioneer Days.** Spook Hill is a part of the Lake Wales heritage. This event will be promoted in conjunction with all the area festivities happening in our community in the days before and after the event. It is assumed great synergy will be created and Spook Hill Thunder will bring new visitors to the Pioneer Days Celebration.

**Date and time line.** The event will take place at 2 p.m. on October 24, 2015. We would like to put the fence along the curb of the ball rolling route the day before the event. We would need to start placing the obstacles on the street 4 hours before the event so everything can be in place by 2 p.m. As soon as the event is over we will immediately begin gathering the balls and removing the obstacles placed on the street.

### The Issues.

1. Need to close N. Lake Wales Drive from the Burns Avenue to the curves at the bottom of the hill.
2. We need to erect plastic safety fence along the course to keep the balls from leaving the course.
3. We would like to place signs within the course route to recognize sponsors.
4. Only routine mowing and landscaping is needed.
5. We would like to have the street swept the week of the event.
6. We would like permission to park cars on the grass surrounding North Lake Wales. We recognize the terrain has some topographical issues that will need to be addressed by designating parking and travel areas. Our volunteers will set up any needed directional devices.
7. We will need a designated area in which to place the portable toilets.
8. The hopper for releasing the balls (maybe a dump truck) will be placed on N. Lake Wales Drive and will not block Burns Avenue.
9. We do not see the need to block Dr. J A Wiltshire Avenue E.
10. We think the bulk of the spectators will be in the vicinity of the finish line which will be in the general area of the present Spook Hill sign.

*The Lake Wales Area Foundation is a community foundation established to encourage educational, cultural, charitable, economic and other quality of life benefits for the greater Lake Wales area. The Spook Hill Thunder is a way it can assist the many worthy nonprofit causes working in our area.*