



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

*Thomas F. Cooke - Director of Administrative Services*

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Date of submission:** May 22, 2013

2. **Date of Board Meeting:** May 29, 2013

3. **Individual or Entity making the submission:**

Gerard G. Toner, Director of Culture, Parks and Recreation

4. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**

*The Individual or Entity making the submission requests that the Board of Selectmen:*

Revise conditions in the contracts for the three concerts with Premiere Concerts (PKM) at the Performing Arts Center.

5. **Individual(s) responsible for submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting.):**

Gerard G. Toner, Director of Culture, Parks and Recreation  
860-408-4682  
gtoner@simsbury-ct.gov

6. **Summary of Submission** (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any additional information in an attached memorandum.):

After the public gathering permit for the proposed Flaming Lips concert was denied, PAC chairman Bob Hensley commenced negotiations with Keith Mahler of Premier Concerts ("Premier") to keep the three previously approved concerts at the Performing Arts Center. These negotiations resulted in revised terms for the remaining three concerts. The Performing Arts Center Board unanimously approved the following changes at their meeting on May 16, 2013. The revisions are as follows. While the proposed changes provide for a greater share of revenues for Premier, they will secure the Harry Connick, Jr., Emmylou Harris & Rodney Crowell, and Peter Frampton concerts and pose no additional financial risk to the Town:

- Increase the percentage of gross beer/wine sales from 33% to 50% to Premier. This change will not impact the Performing Arts Center's revenue.
- Premier to receive 30% of parking revenue (previously not included).
- Premier will receive 20% of sponsorship revenue after expenses, as determined by the Town.
- The Town will receive \$1 instead of \$2 per ticket sold for the first 5,000 tickets sold for the Harry Connick, Jr. concert. This change not apply to any of the other concerts.

7. **Description of documents included with submission** (All documents must be in final form and signed by the appropriate party.):

*The following documents are included with this submission and attached hereto:*

Performing Arts Center Board Minutes – 5/16/2013

1 **Simsbury Performing Arts Center Board**

2 **May 16, 2013**

3 **DRAFT Meeting Minutes**

4 **I CALL TO ORDER:**

5 Mr. Hensley called the meeting to order at 6:04pm. Present were PAC Board members Cathy  
6 Barnard; Tim Pusch; Ed Kubasek; Ferg Jansen; along with Nick Buccarella (PAC Site Manager), , and  
7 Tom Vincent (PAC Manager).

8 **II MINUTES**

9 Ms. Barnard made a motion to pass the minutes of the April 17, 2013 Meeting. Mr. Jansen  
10 seconded the motioned. It passed unanimously.

11 **III. TALCOTT MOUNTAIN MUSIC FESTIVAL UPDATE**

12 Mr. Vincent reported to the Board that the rental equipment needed for the concerts has been  
13 ordered and is on schedule. He also reported that the fencing around the facility needs to be put in place  
14 no later than June 10, 2013.

15 Both Mr. Vincent and Mr. Hensley reported that they have been in contact with the Hartford  
16 Symphony on a regular basis.

17 **IV. MANAGER'S REPORT**

18 **Finance**

19 Mr. Vincent reviewed the current financial report for the Talcott Mountain Music Festival and  
20 Septemberfest .

21 **Summer Concert Series / Programs**

22 Mr. Vincent reported to the Board that the July 15, 2013 performance of the Flaming Lips had  
23 been cancelled due to concerns raised during the Public Gathering Permit phase of the approval process  
24 by the Simsbury Police Department. Ticket sales and preparation for the other three concerts is  
25 proceeding. Mr. Vincent also thanked Mr. Hensley for his help in reorganizing the events.

26 Mr. Hensley commented that the promoter (Premier Concerts) had expressed concern over their  
27 financial losses due to the cancellation. In order to help offset this loss, Ms. Barnard made a motion for  
28 the following changes be made to the contract with Premier Concerts:

- 29 • Their percentage of the beer and wine sales for all three concerts will increase from 33%  
30 to 50% of 'gross' sales
- 31 • Premier Concerts will receive 30% of the parking revenue (this was not in the previous  
32 contract)
- 33 • Premier Concerts will receive 20% of the sponsorship revenue after all expenses have  
34 been paid (this was not in the previous contract)

35                   • Premier Concerts will pay \$1 instead of \$2 on the first 5000 tickets sold for the Harry  
36                   Connick, Jr concert.

37                   Mr. Pusch seconded the motion. It passed unanimously.

38                   Mr. Buccarella informed the Board of the many logistics surrounding having multiple events  
39                   during one week.

40                   **V. SEPTEMBERFEST**

41                   Mr. Vincent reported that he has almost finalized the entertainment and has already emailed all  
42                   the organizations that rented space during last year's event inviting them to participate again. He also

43                   **VI. CONCERT APPROVAL PROCESS**

44                   Mr. Hensley reviewed the current approval process and told the Board that parts of it will need to  
45                   be reexamined at the end of the season. He stressed the need for better communication with all of the  
46                   interested parties.

47                   **VII. HSO CONTRACT NEGOTIATIONS**

48                   Mr. Hensley reported that Tom Cooke has been in contact with the Hartford Symphony and is  
49                   recommending a one year extension of the current contract to give the 501c3 an opportunity to take over  
50                   not only the running of the SMPAC facility but the contract negotiations.

51                   **VIII. SMPAC WEBSITE – no report**

52                   **IX. SUB-COMMITTEE REPORTS**

53                   **Volunteers**

54                   Mr. Vincent reported that both the Bushnell and Premier Concerts have been assisting in  
55                   obtaining volunteers for the Summer Concert Series. Orientation for volunteers will be held at the  
56                   SMPAC Facility on May 29<sup>th</sup> and 30<sup>th</sup> at 6pm. All volunteers are required to attend one of the meetings.

57                   Mr. Jansen reported that the next TIPS Training will be on May 22<sup>nd</sup> at 5pm in the Chamber of  
58                   Commerce offices. People interested in attending should contact him.

59

60                   **X. NEW BUSINESS**

61                   Ms. Barnard made a motion to hold a Special Meeting on May 28, 2013 at 8 am with the location  
62                   to be determined. Mr. Pusch seconded the motion. It passed unanimously.

63                   Mr. Buccarella informed the Board of the need to have walkie-talkie radios for all the concerts  
64                   being put on by the Board. Mr. Hensley will look into this.

65                   **XI. ADJOURN**

66                   Mr. Kubasek made a motion to adjourn at 7:27pm. Mr. Pusch seconded. The motion passed  
67                   unanimously.

68 Respectfully submitted,  
69 Cathy Barnard  
70 Secretary, Simsbury Meadows Performing Arts Center Board