

## Discussions continue over 2013 music fest



**By Brock Weir**

Talks between the Town, and two separate proponents of a music festival, are expected to continue this month aimed at making a 2013 music festival a reality in Aurora.

Council authorised staff to begin discussions with Farley Flex of REAL Corp and Tim Newnham of Habachat about their proposals and even the possibility of working together. The decision came less than a month after Council's previous direction to wash their hands of being able to get something together for this year and setting their sights on something for 2014. Given their previous direction to seek an RFP for next year while not spending their energy looking for someone to fill the gap this year, they needed to formally change course.

While Al Downey, Aurora's Director of Parks and Recreation said that the two men were not asking for anything by way of a waiver of fees or services in kind, there could be a problem of the two parks they are eyeing for the festival already have permits for the weekend in question. These would need to be withdrawn.

Councillor Wendy Gaertner, however, said she did not think that was fair to the people who hold the permits. She joined Councillors Chris Ballard and John Gallo in voting down the motion to authorise staff to enter into discussions for a 2013 festival.

Councillor Gallo argued the motion on the floor was contradictory to Council's previous motion not to do anything with 2013, but the majority of Council and the Town Clerk, John Leach, disagreed.

?The intent of the motion was Council was given direction that Council not proceed with a Town festival,? said Mr. Leach. ?I think at the time the issue was a festival the Town would be involved with in some way. The question on the floor is a music festival that is not Town sponsored. It is being requested by a private concern that wants to come forward and get a permit to have a festival in the Park and I don't see that as being the same thing that Council previously directed.?

Regardless of the discussions that take place, there is friction between what Mr. Flex has proposed to bring forward and George Roche, the founder of Lucid Productions. Both men came forward to the Town in January under the Lucid umbrella to make their pitch to become involved with the Town.

Ultimately, however, the team crumbled with many leaving the Lucid fold to join Mr. Flex in this new venture. Mr. Roche has threatened legal action against Mr. Flex if he proceeds with the plan.

?It's completely foolish,? said Mr. Roche. ?Why would Aurora put themselves in jeopardy with this type of behaviour? They know that Farley and I were business partners. He already abandoned [these plans] with Lucid. Properly understood, and if Council gets it, in a corporate business setting and a contractual business setting, you have a fiduciary responsibility to your obligations in business.

?If Council decides to move forward, I would expect it is going to be pretty legally messy, not by our solicitation. We came into Council with a great recipe and a great plan that inspired people. We came in as a group under my leadership, our board of directors made an agreement to move forward. They sat in those pews willfully and we didn't hold a gun to their heads and tell them to sit there. Farley wanted to be the partners, and they saw the new mix of business I brought to the field and it was unheard of.?

Mr. Flex, however, counters that Mr. Roche ?doesn't have a leg to stand on.?

?I see this as more of a scare tactic than anything else,? said Mr. Flex. ?It is not going to be hard to rattle the Council to avoid that ominous word ?lawsuit' because people try to avoid them at all costs. It is tedious. I know for a fact he doesn't have a leg to stand on because we had no contractual obligation.?

Elements of a festival, he said, such as music, food, and entertainment have been happening for centuries, he added.

?I didn't realise there was a patent on that stuff. It is a scare tactic, an intimidator of sorts, and it is unfortunate because all of the citizens [want a festival].

?There was nothing to rip off from George. That is the unfortunate thing. I think it is a scare tactic. If he wants to block us as a group, as long as he doesn't want to block the Town from having a festival, that is the main thing.?