

ITEM # 25
DATE: 04-24-12

COUNCIL ACTION FORM

SUBJECT: JAYCEES' REQUEST TO OBTAIN LIQUOR LICENSE FOR EVENTS AT BANDSHELL PARK DURING SPRING/SUMMER 2012

BACKGROUND:

At their March 29, 2012 Parks and Recreation Commission meeting, Commissioners unanimously approved the Ames Jaycees utilization of Bandshell Park and the Durham Bandshell for its "Ames on the Half Shell" activities. These events will occur on eight Friday evenings between June 1 and July 20 from the hours of 5:00 PM and 8:00 PM. The Jaycees will pay the City approximately \$2,500 for renting the Bandshell for these nine events.

The Commission's action required the Jaycees to obtain a liquor license from the City Council, allowing beer and wine coolers to be consumed in a public place, Bandshell Park. It should be noted that Section 17.7 of the Ames Municipal Code prohibits consumption of alcoholic beverages in public places. This restriction includes parks since they are considered public places. The ordinance has two exceptions, as follows:

1. The ordinance allows for consumption of beer or wine from single serving bottles or cans in Moore Memorial, North and South River Valley, Inis Grove, and Emma McCarthy Lee Parks. Under this exception, keg beer may also be permitted in these parks if the Parks and Recreation Commission grants approval.
2. The limitations on alcoholic beverages reflected in the ordinance do not apply in any public place if a valid liquor license is obtained.

In this situation, the Jaycees desire to locate their event at Bandshell Park and dispense bottled beer and wine coolers. Therefore, this request falls under the second exception and can be allowed if the City Council grants a liquor license.

The Jaycees sponsored similar events at this location during the summers of 2003, 2004, 2007, 2008, 2009, 2010, and 2011. Following the 2007 season, staff completed a survey of the surrounding neighborhood to gain feedback concerning the Jaycees event. Of the 87 letters mailed out, 16 were returned. Of those returned, only three objected, expressing concern with illegal parking, alcohol being allowed at the park, and the noise level of the overall event.

Each year, Parks and Recreation administrative staff attends the event. Staff has consistently been impressed with the level of organization that the Jaycees provide and

that the event draws people of all ages. The Police Department did not receive any phone calls or complaints concerning the event in 2007, 2008, 2009. There was one noise complaint in 2010, but the Jaycees responded immediately to the request to turn down the volume. There were no complaints in 2011. The Police Department continues to report that the event is well managed and that the size of the crowd and related parking issues are comparable to Thursday evening Municipal Band concerts.

ALTERNATIVES:

1. Approve a liquor license for the Ames Jaycees at Bandshell Park for events to be held on eight Fridays between June 1 and July 20, 2012, from the hours of 5:00 PM to 8:00 PM.
2. Deny the request.

MANAGER'S RECOMMENDED ACTION:

Upon receiving requests to utilize City facilities, staff strives to take into account the pros and cons that the activity will have on the group making the request, on adjacent property owners, and on the community at large. Though some residents may voice similar concerns of those expressed in 2007, upon reviewing the overall positive comments from the neighborhood, along with the Parks and Recreation administrative staff and the Ames Police Department's feedback, the City Manager concurs with the Commission's evaluation of the appropriateness of this event occurring at Bandshell Park.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving a liquor license for the Ames Jaycees for their events at Bandshell Park during the spring/summer of 2012.