

COUNCIL ACTION FORM

SUBJECT: AMES JAYCEES' REQUEST TO OBTAIN BEER AND NATIVE WINE PERMIT TO BE DISPENSED AT BANDSHELL PARK

BACKGROUND:

At its March 27, 2014, meeting, the Parks and Recreation Commission unanimously approved the Ames Jaycees use of Bandshell Park and the Durham Bandshell for its "Ames on the Half Shell" activities. These events will occur on nine Friday evenings between May 30 and August 1 between the hours of 5:00 p.m. and 8:00 p.m. The Jaycees will pay the City approximately \$2,825 to rent the Bandshell for these nine events.

The Commission's action required the Jaycees to obtain a beer and native wine permit from the City Council, allowing beer, wine coolers, and native wine to be consumed in a public place, Bandshell Park. It should be noted that City ordinance (Section 17.17) 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, wine coolers, and Iowa native wine. Therefore, this request falls under the second exception and can be allowed if the City Council grants a beer permit.

The Jaycees sponsored similar events at this location during the summers of 2003, 2004, and 2007-2013. 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 (18%). 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 2011–2013. 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 Class B Beer & B Native Wine Permit with Outdoor Service for the Ames Jaycees at Bandshell Park for events to be held on nine Fridays between May 30 and August 1, 2014, for the hours of 5:00 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, the adjacent property owners, and the community at large. Though some residents may voice concerns similar to 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 beer and native wine permit for the Ames Jaycees for their events to be held at Bandshell Park during the Spring/Summer of 2014.

License Application ()

Applicant

Name of Applicant:	<u>Ames Junior Chamber</u>		
Name of Business (DBA):	<u>Ames on the Half Shell</u>		
Address of Premises:	<u>Band Shell Park, Corner of 6th and Duff</u>		
City: <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>	
Business Phone:	<u>(515) 344-3274</u>		
Mailing Address:	<u>PO Box 624</u>		
City: <u>Ames</u>	State: <u>IA</u>	Zip: <u>50014</u>	

Contact Person

Name:	<u>Becky Perkovich</u>		
Phone:	<u>(515) 344-3274</u>	Email Address:	<u>Becky.Perkovich@gmail.com</u>

Classification: Class B Beer (BB) (Includes Wine Coolers)

Term: 6 months

Effective Date: 05/14/2014

Expiration Date: 01/01/1900

Privileges:

Class B Beer (BB) (Includes Wine Coolers)

Class B Native Wine Permit

Outdoor Service

Status of Business

BusinessType:	<u>Limited Liability Company</u>		
Corporate ID Number:	<u>109337</u>	Federal Employer ID #	<u>426075796</u>

Ownership

Becky Perkovich

First Name: Becky

Last Name: Perkovich

City: Ames

State: Iowa

Zip: 50014

Position 2014 Project Chair

% of Ownership 0.00 %

U.S. Citizen

Breana Wetzler

First Name: Breana

Last Name: Wetzler

City: Ames

State: Iowa

Zip: 50010

Position 2014 Chapter President

% of Ownership 0.00 %

U.S. Citizen

Insurance Company Information

Insurance Company: West Bend Mutual Insurance Company

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date: