

**COUNCIL ACTION FORM**

**SUBJECT: MAIN STREET CULTURAL DISTRICT REQUESTS FOR SNOW MAGIC**

**BACKGROUND:**

Main Street Cultural District (MSCD) plans to host its Snow Magic Celebration in the downtown from November 14 through January 3. The event will kick off on November 14 with the tree lighting ceremony, open houses, and horse and carriage rides. To facilitate this event, MSCD has made the following requests:

- Use of electricity for holiday lighting along Main Street and waiver of electricity costs for the season (approximately \$50 loss to the Electric Fund)
- Use of Tom Evans Plaza from 4:00 p.m. to 7:00 p.m. on November 14<sup>th</sup> for the tree lighting ceremony
- Closure of four parking spaces on Main Street and one parking space on Douglas Avenue from 4:00 p.m. to 7:00 p.m. on November 14<sup>th</sup> to facilitate the pick up and drop off of passengers on free horse drawn carriage rides through the downtown (\$2 loss to the Parking Fund)
- A blanket Temporary Obstruction Permit for the Central Business District from November 14<sup>th</sup> to January 3<sup>rd</sup> to allow stores to display merchandise and open house signage
- A blanket Vending Permit for the entire Central Business District for November 14, November 29, December 6, and December 13 to allow businesses to sell wares on the sidewalk, and waiver of the Vending Permit fee (\$50 loss to City Clerk's Office).

In addition to these requests, MSCD has requested a Temporary Obstruction Permit to place a 4-foot by 6-foot sign on City property (Power Plant) east of the intersection of Main Street and Duff Avenue to advertise shopping downtown this holiday season. (See Attachment) This request has not been made in previous years for the Snow Magic event. City Code allows for temporary signs of this size to be placed up to 90 days in one location.

The City Council should note that signs placed on City property typically advertise an event that has a specific date and time. The City cannot regulate the content of a particular sign placed on City property. It can, however, limit the use of signs on City property to only those that advertise a specific event. **If the City Council approves the use of City property for a sign generally encouraging "shopping downtown", the City would be obligated to approve requests in the future from any business or organization that wishes to use City property to advertise shopping at its stores.**

MSCD has also requested suspension of parking regulations and enforcement to allow free parking in the entire Central Business District on all Saturdays from November 15<sup>th</sup> through January 3<sup>rd</sup> (597 metered spaces for nine hours on eight Saturdays at \$0.20/hour yields a maximum loss of \$8,600 from to the Parking Fund). Similar requests have been made in prior years, but for fewer days of free parking.

**This is a larger parking fee waiver than in past years. If the City Council is uncomfortable waiving this amount of parking revenue, MSCD has indicated that waiving parking on the four Saturdays with events (November 29, December 6, 13, and 20) would be appreciated (approximately \$4,300 loss to the Parking Fund).**

The City Council should note that the Parking Fund is currently breaking even. Although this and other parking meter fee waivers in the course of a year total only 2-3% of the current fund balance, the fund balance is anticipated to continue to decline over time. **If the City Council plans to make substantial waivers of parking meter fees in the future, staff recommends that parking meter rates be evaluated to ensure the fund maintains a healthy balance.**

#### **ALTERNATIVES:**

1. Approve the MSCD requests for a blanket Temporary Obstruction Permit in the Central Business District from November 14 to January 3; a blanket Vending Permit and waiver of fee for the Central Business District for November 14, November 29, December 6, and December 13; a waiver of fees for the use of electricity for holiday activities/lighting from November 14 through January 3; the closure of five parking spaces and waiver of fees on November 14 from 4:00 to 7:00 p.m. for horse-drawn carriage rides; suspension of parking regulations, enforcement, and waiver of fees **to allow free parking in the Central Business District on four Saturdays (November 29, December 6, December 13, and December 20), and do not approve a Temporary Obstruction Permit to place a sign on City property.**
2. Approve the requests recommended in Alternative No. 1, and also approve one or both of these other two MSCD requests:
  - a. Suspend parking regulations and enforcement, and waive fees **to allow free parking in the Central Business District every Saturday from November 15 through January 3**
  - b. Approve a **Temporary Obstruction Permit to place a sign on City property**
3. Deny the MSCD Snow Magic requests.

**MANAGER’S RECOMMENDED ACTION:**

Snow Magic provides an opportunity to draw residents and visitors to the downtown and supports local businesses during the holiday shopping season. However, the waiver of parking fees in the Central Business District for a full eight days will have a significant consequence on the City’s Parking Fund. That fund covers the expenses of maintaining City parking areas and of enforcing parking regulations to ensure turnover in the area.

Additionally, the placing of an advertising sign on City property that generally encourages shopping downtown opens the possibility of the City being required to allow similar advertising signs on City property downtown or elsewhere in the future.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the requests the requests as stated by the applicant, but limiting free parking in the entire Central Business District to four Saturdays during the holiday season, and denying the request for a Temporary Obstruction Permit for a sign on City property.



November 4, 2014

Mayor and City Council  
City of Ames  
515 Clark Ave  
Ames, IA 50010

Dear Honorable Mayor Campbell and City Council Representatives,

On behalf of the Main Street Cultural District Board of Directors and its members, I'd like to request your support of our annual Snow Magic Celebration. Our goal is to create a magical shopping experience this holiday season and encourage visitors and citizens alike to shop in downtown Ames. To support this goal, the MSCD would like to host a number of activities:

- November 14, 4-7pm – Kickoff, tree lighting, open houses and free horse and carriage rides
- November 29 – Small Business Saturday open houses and Santa Sighting
- November 29-December 13 – Snowflake Scavenger Hunt in multiple businesses
- December 6 – Legend of Snow Magic open houses and Santa Sighting
- December 13 – Caroling Day open houses and Santa Sighting

At this time, MSCD requests the Council consider the following specific requests:

1. Use of Tom Evans Plaza on November 14 from 4-7pm for the Snow Magic tree lighting ceremony. MSCD also requests the use of electricity in and near Tom Evans Plaza and further requests the waiver of electricity costs for power to light holiday decorations during the duration of the holiday season.
2. Permission to place a temporary 4 foot by 6 foot sign at the intersection of Main Street and Duff, by the lighted tree, for the duration of Snow Magic.
3. Use of and waiver of fees for four parking spaces on the south side of Main Street just west of Burnett Avenue and the use of one parking space on the west side of Douglas Avenue between Main and 5th as pickup and drop off locations for the free horse and carriage rides. MSCD requests the spaces for Friday, November 14 from 4-7pm.
4. Suspension of parking regulations, enforcement, and a waiver of fees for the Central Business District (CBD) for Saturdays from November 15-January 3. Convenient and free parking will be a great benefit for our customers and remove a perceived barrier to visiting downtown.
5. A Temporary Obstruction Permit for the entire CBD November 14-January 3 to allow stores to display merchandise and open house signage. At least four feet of open sidewalk space will be available at every location to keep sidewalks open to pedestrian traffic.
6. A Blanket Vending Permit for the entire CBD for November 14, November 29, December 6 and December 13 for businesses to sell on the sidewalk if they so choose. MSCD further requests the permit fee be waived as the businesses selling products will be members of the MSCD. We intend for regular street vendors who have permits through the City to continue their operations as usual in the CBD during this time.

Thank you for your consideration of these requests and we sincerely appreciate your continued support of the Main Street Cultural District. We look forward to seeing you throughout the holiday season for Snow Magic in downtown Ames!

Sincerely,

Andrea Hammes Dodge, Board Member  
Main Street Cultural District

*P.S. Visit [www.amesdowntown.org](http://www.amesdowntown.org) for more Snow Magic highlights!*



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