

COUNCIL ACTION FORM

SUBJECT: REQUESTS TO MODIFY LOCATIONS, APPLICANTS FOR FIREFLY COUNTRY NIGHTS (JULY 14 AND SEPTEMBER 8)

BACKGROUND:

At the March 7, 2017 meeting, the City Council approved requests from London Underground to host Firefly Country Nights on July 14th and September 8th on Main Street in Ames. Following the approval of these events, the Main Street Cultural District (MSCD), which had organized the Firefly Country Nights in prior years, received feedback from affected property owners regarding the events. While some feedback was positive, a significant amount of negative feedback was received. Therefore, MSCD has proposed the following key changes to these events:

- MSCD will assume responsibility for both Firefly Country Night events from London Underground
- The July 14th Country Night will be moved to Bandshell Park, and will therefore be under the rules adopted by the Parks and Recreation Commission. With the new location, MSCD is requesting the closure of East 5th Street between Duff Avenue and Carroll Avenue from 6:00 a.m. to 11:59 p.m. on July 14th. This will also close on-street parking spaces and requires a Temporary Obstruction Permit
- MSCD requests that it retain the ability to use the original Main Street location for the July 14th event, but only if turf conditions make it impossible to use Bandshell Park. In the event of rain the day of the concert, the contract with the Parks and Recreation Department specifies the concert will be moved to the City Auditorium. Staff therefore requests that the City Council modify its original permission to use Main Street on July 14th by indicating it is only to be used if weather makes the turf conditions unsuitable to host the concert at the Bandshell. MSCD has requested a waiver of the \$81 in parking fees and \$50 in blanket Vending License fee required for this location.

MSCD has indicated that beer sales for the Main Street backup location on July 14th will be facilitated by issuing an Outdoor Service Privilege on the London Underground's existing Class C Liquor License. An application for this license will be made at a later date. **Although this license would allow the service of beer, wine, and liquor, staff recommends that the permission to use the street for the event would be conditioned on allowing beer as the only alcoholic beverage in the event area.**

- The September 8th Country Night will now be held on Douglas Avenue between Main Street and 5th Street. This section of Douglas will be closed from 6:00 a.m. to 11:59 p.m. on Friday, September 8th. Additionally, 12 metered parking spaces will be closed during these hours (\$21.60 loss to the Parking Fund). A Temporary Obstruction Permit and blanket Vending License (\$50 fee) have been requested for the area. MSCD has requested a waiver of these costs.
- Because the September 8th Country Night will no longer be held on Main Street, City staff requests that the City Council rescind the authorization it granted under Resolutions 17-119 and 17-120, approving the use of Main Street, closure of parking spaces, a Temporary Obstruction Permit, and blanket Vending License.

When approved on March 7th, it was City staff's recommendation that since the MSCD was not directly organizing the event and it was being undertaken as a private business activity open to the public, the organizers should be required to reimburse the City for lost parking meter revenue and the Vending License. At the time, the staff report noted that these costs had been waived in the past when MSCD organized the event. MSCD has informed staff that although MSCD is taking over the organization of the event, the business owners who had originally intended to take on the responsibility for the event are being paid by MSCD as event planners. However, MSCD has indicated that there is a history of MSCD paying other individuals to act as event organizers.

MSCD staff has indicated that the businesses on Douglas have been consulted with regard to the proposed change in venue for the September 8th Country Night, and they are supportive. MSCD staff indicated that business owners on the 200 block of Main Street would be informed of the City Council discussion regarding this change in venue.

City staff has reviewed the security plan for the new September 8th Country Night location and finds the plan to be consistent in scope with the security plan for the original location.

MSCD has now applied for 5-day Class B Beer Permits with Outdoor Service Privilege for the July 14th Country Night at Bandshell Park and the September 8th Country Night on Douglas Avenue. These permits are now ready to be presented to the City Council for approval.

ALTERNATIVES:

1. Approve the following requests from the Main Street Cultural District and City staff:
 - a. From 6:00 a.m. to 11:59 p.m. on July 14th, authorize closure of East 5th Street between Duff Avenue and Carroll Avenue, closure of on-street parking spaces, and issuance of a Temporary Obstruction Permit

- b. Rescind the motions and resolutions adopted by the City Council on March 7th granting London Underground permission to use the 200 block of Main Street for the July 14th Country Night, and instead grant approval for the MSCD to use the 200 block of Main Street on July 14th as a backup location only. This includes closure of metered parking spaces, issuance of a blanket Vending License and issuance of a blanket Temporary Obstruction Permit, and this approval is conditioned upon allowing beer as the only alcoholic beverage allowed within the closed area
 - c. Approve the request from MSCD to waive parking fees (\$81) and blanket Vending License fee (\$50) for the July 14th Country Night rain location
 - d. Rescind the motions and resolutions adopted by the City Council on March 7th granting London Underground permission to use the 200 block of Main Street for the September 8th Country Night, and instead grant approval for the MSCD to use the 400 block of Douglas Avenue on September 8th from 6:00 a.m. to 11:59 p.m. This includes closure of metered parking spaces, issuance of a blanket Vending License and issuance of a blanket Temporary Obstruction Permit
 - e. Waive the requirement for reimbursement for lost parking revenue (\$21.60) and the cost of the blanket Vending License (\$50) for the September 8th Country Night
 - f. Approve a 5-day Class B Beer Permit with Outdoor Service Privilege for Bandshell Park on July 14-18
 - g. Approve a 5-day Class B Beer Permit with Outdoor Service Privilege for the 400 block of Douglas Avenue on September 8-12
2. Approve the requests as indicated above, but require reimbursement for lost parking revenue and the Vending License.
 3. Do not approve the requests.

MANAGER’S RECOMMENDED ACTION:

Following the original approval of the Firefly Country Night events earlier this spring, the MSCD has re-evaluated how these events are proposed to take place. The requested changes bring the “ownership” of the events back under the Main Street Cultural District and provide venues for the event that are smaller than the originally planned venue. These new venues will directly affect fewer downtown businesses than the original plan. City staff has reviewed the security plan for the revised September 8th event and it appears consistent with the security efforts proposed for the original Main Street location.

Therefore, it is therefore the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the requests as indicated above.



SUMMARY OF EVENT

DESCRIPTION

Event Name Firefly Country Nights

Description

Firefly Country Nights a music festival featuring live country music, in a street dance style format, in the 400 block of Douglas. This year the concert will be held from 5pm- 9pm on Friday, September 8. Canaan Smith will be the headline act. There will also be one or two opening acts. There will be four food vendors and beer sales. We will need to close the 400 block of Douglas Street at 7pm on Thursday evening to begin set up. Security will be provided by CSC. *See attached security plan.

Event Category

- Athletic/Recreation
- Concert/Performance
- Exhibits/Misc.
- Farmer/Outdoor Market
- Festival/Celebration
- Other (please explain)
- Parade/Procession/March

Anticipated Attendance

Total 1,500 Per Day _____

DATE/TIME

Setup	Date <u>9/7/17</u>	Time <u>7:00 pm</u>	Day of Week <u>Thursday</u>
Event Starts	Date <u>9/8/17</u>	Time <u>5:00 pm</u>	Day of Week <u>Friday</u>
Event Ends	Date <u>9/8/17</u>	Time <u>9:00 pm</u>	Day of Week <u>Friday</u>
Teardown Complete	Date <u>9/8/17</u>	Time <u>11:59 pm</u>	Day of Week <u>Friday</u>

Rain Date, if applicable _____

Rain Location, if applicable _____

LOCATION

Region

(Select one or more)

- Main Street Cultural District (Downtown)
- Campustown District
- Iowa State University Property
- City Parks
- Other (please explain)

Please note that events occurring in the Downtown, Campustown, in City parks, or on ISU property require prior approvals. A letter of support will be required from CAA if the event occurs in Campustown or from MSCD if the event occurs in Downtown. Please contact the appropriate office well in advance:

-
Downtown - Main Street Cultural District: (515) 233-3472
Campustown - Campustown Action Association: (515) 450-8771
Iowa State University - Events Authorization Committee: (515) 294-1437

events@amesdowntown.org
director@amescampustown.com
eventauthorization@iastate.edu

CONTACTS

Host Organization

Main Street Cultural District

Local Contact (Required)

Must be present during event

Name: Cindy Hicks

Address: 304 Main Street

Telephone: (515) 233-3472

Cell phone: (316) 871-0837

Must be available by cell phone during event

Email: director@amesdowntown.org

At least ten business days prior to the event, Organizer must submit Emergency Contact List, including names and numbers of all coordinators, volunteers, and location assigned to each.

Yes No

Is this an annual event? How many years have you been holding this event? 3

Is this event open to the public?

Is your event being held in conjunction with another event (e.g. *Farmers' Market, 4th of July*, etc.)?

If yes, please list



May 11, 2017

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

Dear Mayor Ann Campbell and City Council,

We are writing this letter to request the City Council rescind the event permit obtained by Bill Malone, Café Diem, and Jess Clyde, London Underground, for Firefly Country Nights scheduled to be held on September 8, 2017, **pending approval of the new permit**, which relocates the event to the 400 block of Douglas Ave. All businesses in the new effected area have been notified in person about the relocation, and are in support. The Main Street Cultural District will now be responsible for all permits, licenses, and insurance for the event, while Bill Malone and Jess Clyde will be retained as event managers. This event will be held as a fundraiser for the Main Street Cultural District. This will alleviate the need to close the 200 block of Main Street for that day, and ease the burden on businesses in the area.

Sincerely,

A handwritten signature in blue ink that reads "Cindy Hicks".

Cindy Hicks
Executive Director MSCD

A handwritten signature in blue ink that reads "Bill Malone".

Bill Malone
Event Manager

A handwritten signature in blue ink that reads "Jess Clyde".

Jess Clyde
Event Manager



May 5, 2017

Honorable Mayor Campbell and City Council
Ames City Hall
515 Clark Avenue
Ames, IA 50010

RE: Firefly Country Nights

Dear Honorable Mayor Campbell and City Council,

In response to business owner concerns from the 200 block of Main Street, the Main Street Cultural District is requesting a change of venue for Firefly Country Night, 5-9pm on Friday, September 8, 2017. The new venue will be the 400 block of Douglas. Since the crowd for this event will deliberately be kept smaller, we feel the small area will work well for the purpose. Information about the event can be found on the new Special Event Application we submitted with this letter.

- Businesses in the affected block have been contacted in person and agree with holding the event in this location, on this day.
- With the change of venue, the MSCD will also be obtaining all permits and licenses for the event.
- We have slightly modified the security plan to fit the new venue.

We would also request a waiver of fees for the Blanket Vendor Permit, noise ordinance permit fees, and parking meters.

Thank you for your consideration of this request and continued support of the Main Street Cultural District. We look forward to seeing you on September 8, in downtown Ames.

Sincerely,

Cindy Hicks
Executive Director
Main Street Cultural District

Applicant License Application ()

Name of Applicant: <u>Ames Chamber of Commerce</u>		
Name of Business (DBA): <u>Main Street Cultural District</u>		
Address of Premises: <u>Ames Bandshell Park</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business	<u>(515) 233-3472</u>	
Mailing	<u>304 Main Street</u>	
City <u>Ames</u>	State <u>IA</u>	Zip: <u>50010</u>

Contact Person

Name <u>Cindy Hicks</u>	
Phone: <u>(515) 233-3472</u>	Email <u>director@amesdowntown.org</u>

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

Term: 5 days

Effective Date: 07/14/2017

Expiration Date: 01/01/1900

Privileges:

Class B Beer (BB) (Includes Wine Coolers)

Outdoor Service

Status of Business

BusinessType: <u>Municipality</u>	
Corporate ID Number:	Federal Employer ID <u>42-0623975</u>

Ownership

Cynthia Hicks

First Name: Cynthia **Last Name:** Hicks

City: Ames **State:** Iowa **Zip:** 50010

Position: Executive Director

% of Ownership: 0.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company:	
Policy Effective Date:	Policy Expiration
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date:

Applicant License Application ()

Name of Applicant: <u>Ames Chamber of Commerce</u>		
Name of Business (DBA): <u>Main Street Cultural District</u>		
Address of Premises: <u>400 Block of Douglas</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business	<u>(515) 233-3472</u>	
Mailing	<u>304 Main Street</u>	
City <u>Ames</u>	State <u>IA</u>	Zip: <u>50010</u>

Contact Person

Name <u>Cindy Hicks</u>	
Phone: <u>(515) 233-3472</u>	Email <u>director@amesdowntown.org</u>

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

Term: 5 days

Effective Date: 09/08/2017

Expiration Date: 01/01/1900

Privileges:

Class B Beer (BB) (Includes Wine Coolers)

Outdoor Service

Status of Business

BusinessType: <u>Municipality</u>	
Corporate ID Number:	Federal Employer ID <u>42-0623975</u>

Ownership

Cindy Hicks

First Name: Cindy

Last Name: Hicks

City: Ames

State: Iowa

Zip: 50010

Position: Executive Director

% of Ownership: 0.00%

U.S. Citizen: Yes

Insurance Company Information

Insurance Company: <u>Illinois Union Insurance Company</u>	
Policy Effective Date:	Policy Expiration
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date: