

Memo

Police Department



TO: Ann Campbell, Mayor and Ames City Council Members

FROM: Geoff Huff, Lieutenant Ames Police Department

DATE: October 16, 2007

SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda
October 23, 2007

The Council agenda for October 23, 2007, includes beer permits and liquor license renewals for:

- Class C Beer & Class B Wine - Aldi # 48, 1301 Buckeye Avenue
- Class C Beer & Class B Wine - Wheatsfield Grocery, 413 Douglas Avenue
- Class C Liquor - Legends American Grill, 119 Stanton Avenue, Ste. 701
- Class C Liquor & Outdoor Service Privilege - Element/Chaser's, 2401 Chamberlain Street
- Class C Liquor & Outdoor Service Privilege -The Meeting House, 823 Wheeler Street, Ste. 4
- Class C Liquor & Outdoor Service Privilege - Thumbs, 2816 West Street
- Class E Liquor, Class C Beer & Class B Wine - The Keg Shop, 218 Welch Avenue, Ste. 3
- Class E Liquor, Class C Beer & Class B Wine - Target T-1170, 320 S. Duff Avenue
- Class C Beer & B Wine – Southgate Expresse, 110 Airport Rd.

A review of the Ames Police Department's records found no violations for Aldi #48, Target, Southgate Expresse or Wheatsfield Grocery.

Legends American Grill had one citation for possession of alcohol underage who had a fake ID, and 2 were cited for on premises underage, both had someone else's ID.

The Meeting House and Thumbs both had one citation for an employee selling tobacco to a person under 18 during a compliance check.

The Keg Shop had two individuals in possession of alcohol under age. The Keg Shop is not a bar and these citations may have nothing to do directly with the establishment.

The same review found 44 citations written at Chasers/Element during the renewal period. (See LLC form for a list of violations) Of the 44 citations, 33 were for being on premises under age. Of the 33, the police department was able to verify the person had a fake ID in their possession (64%). In evaluating the number of citations, one must consider that the bar has a high occupancy and was normally at or near capacity for each night of operation. (The fire code occupancy limit for Chasers/Element is 473). **Chasers and Element** generally are two of the busier bars in the Campus

town area. For this reason, it is also one of the bars that receives substantial attention from the Police Department. The number of violations seems, in large part, to be driven by the high occupancy for each night of operation and a substantial enforcement presence.

A second area of potential concern is the outdoor service area. The Police Department is concerned about the new outdoor service area and the initial complaint(s) about the noise from the live bands. The bar received one citation recently for noise ordinance violation as a result of a complaint. Although this is not yet an ongoing problem, the outdoor environment seems to increase the likelihood of noise concerns from neighbors. We request that the management carefully monitor the neighborhood concerns and manage the outdoor area in a manner that will be agreeable with the neighboring property owners and residents.

While we would like to see a decline in the number of citations for underage persons in Element/Chasers and a plan to address the noise concerns, the Police Department recommends the City Council renew the Class C liquor license.

**Ames Police Department
Liquor License Renewal Criteria Form**

Business name: Club Element/Chasers

Address: 2401 Chamberlain

Review Period: October 2006 – October 2007

2/3 : Number of quarterly alcohol meetings attended during twelve-month renewal period.

44 Charges to 38 defendants: Number of citations issued during twelve-month renewal period.

 : Number of nuisance calls in and around the business during twelve-month renewal period.

0 : Number of fire code violations during twelve-month renewal period.

39 : Number of fake or altered IDs turned in during twelve-month renewal period.

70% : Percentage of employees who have attended police ID training during twelve-month renewal period. (23 of 33 employees)

List of any additional precautions employed by the business to assist in preventing underage on premise or consumption:

Electronic ID handheld Additional Training _____
 ALS (Alternative Light Sources Alarms

Other: _____

Incentives for confiscated DLs Yes No

Level of cooperation extended to police by bar employees:

High Medium Low

High Level of Cooperation – Responds to requests for improvements made by the Police Department or Inspections as soon as possible. Calls for assistance where appropriate before the situation gets “out of hand”. High attendance at ID training. Fake Ids turned over to Police Department.

Low Level of Cooperation – Does not respond to reasonable requests made by the Police Department or Inspections. Lets problems get out of hand before calling for help. Low or no attendance at ID training. No effort to seize fake Ids.

Average Occupancy:

High Medium Low

High: At or near capacity each night of operation

Medium: At capacity on some nights and fewer patrons on other nights

Low: Rarely at capacity

Occupancy

High

Medium

Low

High – 200-300 Fire Code Occupancy **Total Occupancy is 473**

Medium – 100 – 200 Fire Code Occupancy

Low – Under 100 Fire Code Occupancy

Fire Inspection Comments: None

Health and Sanitation Comments: None

Building Inspection Comments: None

Additional Comments: _____

Chasers 2401 Chamberlain

Case Number	Date	Day of week	# of Defendants	# of charges	charges	Fake ID
06-24403	11/16/2006	Thursday	3	3	On Premises	YES all three
06-26840	12/22/2006	Friday	1	1	On Premises	YES
07-03624	02/20/2007	Tuesday	1	1	On Premises	Yes
07-06941	04/06/2007	Friday	1	2	On Premises/Disorderly Conduct	Unknown
07-07247	04/11/2007	Wednesday	1	2	On Premises/Possession Fake ID	Yes
07-07247	04/11/2007	Wednesday	1	1	On Premises	Unknown
07-08969	04/29/2007	Sunday	2	2	On Premises	1 Yes/1 Unknown
07-09351	05/04/2007	Friday	1	1	On Premises	Unknown
07-09775	05/09/2007	Wednesday	2	2	On Premises	Unknown
07-18713	09/01/2007	Saturday	1	1	On Premises	Yes

Club Element 2401 Chamberlain

06-21777	10/11/2006	Wednesday	1	1	On Premises	Yes
06-25966	12/09/2006	Saturday	1	1	On Premises	Yes
07-02324	02/03/2007	Saturday	1	1	On Premises	Yes
07-02833	02/10/2007	Saturday	1	1	On Premises	Yes
07-02835	02/10/2007	Saturday	1	3	On Premises Fake ID Harassment of Public Official	Yes
07-02836	02/10/2007	Saturday	1	1	On Premises	Yes
07-06860	04/05/2007	Thursday	1	1	On Premises	Unknown
07-06937	04/06/2007	Friday	3	3	On Premises	Yes all 3
07-07379	04/13/2007	Friday	2	2	On Premises	Yes
07-09443	05/05/2007	Monday	1	1	On Premises	Yes
07-13283	06/24/2007	Sunday	1	1	Serving After Hours	N/A
07-17573	08/18/2007	Saturday	2	2	Possession Alcohol Under Age	Unknown
07-18046	08/24/2007	Friday	1	3	Interference with Official Acts Public Consumption Possession Alcohol Under Age	Unknown
07-21055	09/27/2007	Thursday	2	2	On Premises	Unknown
07-21056	09/27/2007	Thursday	1	1	On Premises	Unknown
07-21058	09/27/2007	Thursday	1	1	On Premises	Yes
07-21790	10/06/2007	Saturday	1	1	Noise Ordinance Violation	N/A
07-22254	10/12/2007	Friday	2	2	On Premises	1 yes, 1 unknown

of defendants 38 44

Generally, we find the establishment to be responsive when officers have issues with the bar. The manager, Scott Davis, has tried to make improvements when deficiencies were brought to his attention. One issue brought up was that it was sometimes hard to determine who was working and on duty. Scott has ordered shirts for the employees to wear while on duty to help the officers. He has installed an alarm on one of the doors that was suspected of being used by patrons to let in underage individuals. He offers his doormen \$10 per fake ID. One new development is the addition of an outdoor service area that has bands play on Friday nights. We have started to receive complaints about this and has resulted in one citation for noise ordinance violation. This is one area that the bar will have to address in the future. I believe that 44 violations is a high number of violations and is an increase over last year. Management will need to come up with a plan to address the increase in citations. Of the 33 citations for On Premises under age, officers were able to verify that 21 had fake Ids in their possession. In essence, we are able to verify that 64% of the time the person presented false identification to gain access. I am not able to speak to the quality of the fake ids used and in the other cases we were unable to determine if they had a fake id in their possession or not.

Police Department's liquor license renewal recommendation: YES / NO

Report Submitted by : Lieutenant Geoff Huff