

COUNCIL ACTION FORM

SUBJECT: AMES JAYCEES "AMES ON THE HALF SHELL" SUMMER 2008 BEER PERMIT REQUEST FOR BANDSHELL PARK

BACKGROUND:

At their April 17, 2008 Parks and Recreation Commission meeting, Commissioners unanimously approved the Ames Jaycees utilizing Bandshell Park and the Durham Bandshell for their annual "Ames on the Half Shell" events held on Friday evenings between the hours of 5 and 8 PM, from May 30 through July 25; with a rain make-up date scheduled for August 1. The Commission also approved that on Friday, July 4th the Jaycees will move their event to the afternoon (2 to 6 PM) in support of other planned activities within the community during the 4th of July celebration. The Jaycees will pay the City \$2,533 to rent the Bandshell for these events.

The Commission's action required that the Jaycees obtain a beer permit from City Council, thereby allowing beer and wine to be consumed in a public place – Bandshell Park. Section 17.7 of the City Code prohibits consumption of alcoholic beverages in public places, including parks. However, 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 grant approval.
2. The limitations on alcoholic beverages reflected in the ordinance also do not apply in any public place if a valid beer permit is obtained.

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

The Jaycees have sponsored similar events during the summers of 2003, 2004, and 2007 at Bandshell Park. Due to the renovation of the Bandshell in 2005 and 2006, the event was moved to the east side of City Hall on Clark Avenue between 5th and 6th Streets. Following the Jaycees return to Bandshell Park for 2007, staff completed a survey of the surrounding neighborhood (6th Street to 9th Street / Duff to Crawford) to gain feedback on this event. Of the 87 letters mailed-out, sixteen were returned (18%). Of those returned, only three respondents responded unfavorably to the activity. Neighbors who objected generally cited concerns with illegal parking, alcohol being allowed at this park, and the noise level of the event.

Over the past five years Parks and Recreation Administrative staff has attended several of these events. 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. They also reported that the event was 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 beer permit for the Ames Jaycees at Bandshell Park for "Ames on the Half Shell" events to be held on eight Fridays between May 30 and August 1 between the hours of 5 and 8 PM and 2 to 6 PM on July 4th.

2. Deny the Jaycees' request to obtain a beer permit for their "Ames on the Half Shell" events.

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 similar concerns to those expressed in 2007, upon reviewing the overall positive comments from the neighborhood, along with 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 permit for the Ames Jaycees to hold their "Ames on the Half Shell" events at Bandshell Park during the summer of 2008.

License Application ()

Applicant

Name of Applicant:	<u>Ames Jaycees</u>		
Name of Business (DBA):	<u>Ames Jaycees</u>		
Address of Premises:	<u>Bandshell Park</u>		
City:	County: <u>Story</u>	Zip: <u>50010</u>	
Business Phone:	<u>(515) 450-5935</u>		
Mailing Address:	<u>PO Box 624</u>		
City: <u>Ames</u>	State: <u>IA</u>	Zip: <u>50010</u>	

Contact Person

Name:	<u>Shannon Bardole</u>		
Phone:	<u>(515) 201-5942</u>	Email Address:	<u>imabassplayer@hotmail.com</u>

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

Term: 6 months

Effective Date: 05/15/2008

Expiration Date:

Privileges:

Class B Beer (BB) (Includes Wine Coolers)
Outdoor Service

Status of Business

BusinessType:	<u>Limited Liability Company</u>		
Corporate ID Number:	<u>109337</u>	Federal Employer ID #	<u>42-6075796</u>

Ownership

Peggy Nitchals

First Name: Peggy Last Name: Nitchals
 City: Ames State: Zip: 50010
 Position President
 % of Ownership 0.00 % U.S. Citizen

Shannon Bardole

First Name: Shannon Last Name: Bardole
 City: Ames State: Zip: 50014
 Position Manger
 % of Ownership 0.00 % U.S. Citizen

Insurance Company Information

Insurance Company:	<u>Scottsdale Insurance Company</u>		
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:	

Ames on the Half Shell

Perimeter Fencing

