

COUNCIL ACTION FORM

**SUBJECT: AMES JAYCEES' REQUEST FOR LIQUOR LICENSE AT
BANDSHELL PARK**

BACKGROUND:

At their March 25, 2010 Parks and Recreation Commission meeting, Commissioners unanimously approved the Ames Jaycees' utilization of Bandshell Park and the Durham Bandshell on Friday evenings between the hours of 5:00 and 8:00 pm from June 4 to July 30. The Jaycees will pay the City approximately \$2,700 for renting the Bandshell for these nine events.

The Commission's action required the Jaycees to obtain a liquor license from the City Council, allowing beer and 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. The ordinance has two exceptions as follows:

1. The ordinance allows for consumption of beer or wine from single serving bottles or cans in Brookside, 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, Iowa native wine, and wine coolers. Therefore, this request falls under the second exception and can be allowed if the City Council grants a liquor license.

The Jaycees sponsored similar events at this location during the summers of 2003, 2004, 2007, 2008, and 2009. 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, sixteen were returned. Of those returned, 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, or 2009. They also

reported 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 liquor license for the Ames Jaycees at Bandshell Park for an event to be held on nine Fridays between June 4 and July 30, 2010, 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 upon the group making the request, the adjacent property owners, and the community at large. Though some residents may still 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 liquor license for the Ames Jaycees for their event to be held at Bandshell Park during the spring/summer of 2010.

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: <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>	
Business Phone:	<u>(508) 561-4519</u>		
Mailing Address:	<u>PO Box 624</u>		
City: <u>Ames</u>	State: <u>IA</u>	Zip: <u>50010</u>	

Contact Person

Name:	<u>George Micalone</u>		
Phone:	<u>(508) 561-4519</u>	Email Address:	<u>georgemicalone@yahoo.com</u>

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

Term: 6 months

Effective Date: 05/15/2010

Expiration Date:

Privileges:

Class B Beer (BB) (Includes Wine Coolers)

On-Premise Native Wine

Outdoor Service

Status of Business

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

Ownership

George Micalone

First Name: George

Last Name: Micalone

City: Ames

State: Iowa

Zip: 50014

Position Manager

% of Ownership 0.00 %

U.S. Citizen

Insurance Company Information

Insurance Company:	<u>Founders Insurance Company</u>		
Policy Effective Date:	<u>05/15/2010</u>	Policy Expiration Date:	<u>11/15/2010</u>
Bond Effective Continuously:		Dram Cancel Date:	
Outdoor Service Effective Date:		Outdoor Service Expiration Date:	
Temp Transfer Effective Date:		Temp Transfer Expiration Date:	