

COUNCIL ACTION FORM

SUBJECT: JAYCEES LIQUOR LICENSE REQUEST FOR BANDSHELL PARK

BACKGROUND:

At their March 24, 2011 Parks and Recreation Commission meeting, Commissioners unanimously approved the Ames Jaycees utilization of Bandshell Park and the Durham Bandshell for their 2011 "Ames on the Half Shell" activities. The events will occur on eight Friday evenings from June 3 to July 22 between the hours of 5:00 and 8:00 PM, with the exception that the hours on June 3 will be from 5:00 to 9:00 PM. The Jaycees will pay the City approximately \$2,500 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 coolers to be consumed in a public place, Bandshell Park. It should be noted that City ordinance (Section 17.7) prohibits consumption of alcoholic beverages in public places. This restriction includes parks since they are considered public places. 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 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 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, 2009, and 2010. 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, 16 were returned. Of those returned, only 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, 2009, or 2010. They also

report 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 events to be held on eight Fridays between June 3 and July 22, 2011, for the hours of 5:00 to 8:00 PM with the exception that hours on June 3 will be from 5:00 to 9:00 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 on the group making the request, on adjacent property owners, and on the community at large. Although some residents may voice similar concerns of those expressed in 2007, upon reviewing the overall positive comments from the neighborhood, along with feedback from Parks and Recreation administrative staff and the Ames Police Department, 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 events to be held at Bandshell Park during the spring/summer of 2011.