

COUNCIL ACTION FORM

SUBJECT: MSCD REQUESTS FOR RAGBRAI ENTERTAINMENT

BACKGROUND:

On Tuesday, July 24, the City will host the Register's Annual Great Bicycle Ride Across Iowa (RAGBRAI) as an overnight stop. Approximately 15,000-20,000 bicycle riders and support individuals will be in Ames for the event. In conjunction with the ride, the Main Street Cultural District (MSCD) is coordinating the downtown entertainment component of the event.

The proposed downtown entertainment will consist of musicians performing on two stages, beer service, food vendors, and carnival-type acts. In addition, a portion of the downtown area will serve as a venue for the bicycle repair shops that follow RAGBRAI across the state and set up temporary tents to facilitate repairs. The entertainment will begin at approximately 3:00 p.m. and continue until midnight. It is anticipated that a total of 8,000 people will attend the downtown event, though the attendance at any one time is expected to be several thousand fewer.

The affected event area is as follows:

- Main Street from Pearle Avenue to Douglas Avenue (Pearle/Main and Douglas/Main intersections to remain open to traffic)
- Clark Avenue from the exit of the CBD lot to Main Street
- Burnett Avenue from Main Street to the alley north of Main Street
- Kellogg Avenue from the CBD lot to Fifth Street
- Tom Evans Plaza

Additionally, organizers are requesting closure of 12 parking spaces in the 400 block of Douglas Avenue to provide parking for the entertainers.

In total, the event will require:

- Closure of the streets indicated above from 6:00 a.m. Tuesday, July 24 through 9:00 a.m. Wednesday, July 25
- Closure of 203 metered parking spaces in the Downtown Business District from 6:00 a.m. Tuesday to 9:00 a.m. Wednesday (A waiver of fees has been requested, which is an estimated \$365 loss to the Parking Fund. **It should be noted that this calculation is based upon current parking meter rates, which are anticipated to increase as of July 1. However, the City Council has not yet formalized that action.**)
- Closure of Depot Lot V
- A blanket Temporary Obstruction Permit for the closed area

- A Special Class C Liquor License with Outdoor Service Privilege (This license allows for beer, wine, and wine coolers, but no liquor)
- Access to City electrical outlets (A waiver of fees has been requested, which is an estimated \$20 loss to the Electrical Fund)
- Suspension of existing sidewalk cafes in the downtown area from 4:00 p.m. July 24 through 2:00 a.m. July 25

The City Council is considering adoption of a separate temporary RAGBRAI ordinance which would address how vending is to be conducted in conjunction with RAGBRAI. Therefore, a Vending License is not anticipated to be required for this event. If the Council does not adopt the proposed temporary RAGBRAI ordinance, then City staff will bring a separate request regarding the Vending License needs to facilitate the downtown entertainment.

ALCOHOL ISSUES:

This event is unique in that MSCD has requested allowing alcohol consumption anywhere on the streets and sidewalks within the event area. This event area would be open to the public, including to anyone under the age of 21. According to *Municipal Code* Section 17.16 – Minors Prohibited on Certain Premises, there are limited circumstances in which persons under 21 years of age can be on the premises of an alcohol-dispensing establishment.

If the establishment conducts most of its sales in things such as food rather than alcohol, minors may be allowed on the premises (e.g., a family restaurant that also sells beer is typically selling more food than alcohol, and minors are permitted). If the establishment sells primarily alcohol, however, minors are not permitted on the premises (e.g., if the establishment is a bar or cocktail lounge, minors may not be present).

For a special event such as this, there is no verifiable history of transactions to determine whether the sales of the license-holder are primarily alcohol or not. Additionally, the food vendors taking part in the event are not the alcohol license-holder, and therefore their sales would not count towards non-alcoholic sales. Additionally, with a temporary event there are fewer lasting consequences that can be imposed for poor compliance with alcohol laws compared to a brick-and-mortar alcohol establishment.

MSCD has historically complied with Section 17.16 by establishing a separate fenced area for persons 21 years of age and older, where they may obtain and consume alcohol, but where those under 21 are not allowed. These areas are arranged so that both groups can participate in the entertainment. The standard provided to the organizers is to have fencing in place that is either high enough or wide enough that alcohol cannot be passed from one area to another.

Section 17.16 of the *Municipal Code* is an important tool to ensure safe and responsible consumption of alcohol in establishments and at events across the City. Allowing minors in licensed premises increases the chances that a person

under 21 will be able to access alcohol to consume, either by purchasing it directly or obtaining it from a person who is of legal age.

City staff recognizes that the RAGBRAI entertainment events are a unique occurrence in our community. Staff has met with the MSCD and Ames Convention and Visitors Bureau on a number of occasions to discuss the planning for this aspect of RAGBRAI and to identify how to make it as safe and successful as possible.

Whether those under 21 are allowed on the premises or not, MSCD has the same duty to ensure that persons under 21 do not obtain and consume alcohol. It intends to do this through several means:

- Hiring 20 professional security guards from a private company – These guards will be a visible presence at the entry/exit points of the event area. They will assist in ensuring no alcoholic beverages leave the event area. This includes ensuring that any person who wishes to enter or leave one of the existing bars on Main Street does not bring alcohol with them. Additionally, these guards will patrol through the event area to monitor for issues.
- Having at least 32 peer security volunteers trained in crowd management to assist with entry and exit to the entertainment area, the checking of IDs, and the beverage service. Participants will have IDs checked by trained volunteers upon purchasing drink tickets, and will be required to have a wristband if they consume alcohol. The beverage servers, as always, have the ability to request IDs from those who they suspect of being underage and refuse service if they are not certain that the person buying the alcohol should possess it.
- Coordinating with other licensed establishments that connect to Main Street to ensure they can comply with their obligations to prevent alcohol from traveling with patrons into the event area. Additionally, MSCD has indicated it will provide information and signage to all other businesses (non-bars) in the area that will be open to ensure they can communicate that alcohol is not permitted in their businesses.

Additionally, MSCD will implement the following general safety measures:

- Ending alcohol service at 11 p.m. Although the entertainment will continue until midnight, the alcohol service will end early to ensure participants do not drink alcohol through to the end of the event.
- Establishing a command post in the Chamber of Commerce office to manage the event and handle any major safety concerns.
- Securing the services of a medical team to attend the event to address medical needs of event participants if they arise.

- Providing attendants at the railroad crossings at Clark Avenue and Kellogg Avenue to ensure that those crossing the tracks are doing so in a safe manner as they go to and from the event. This is due to several factors: The rail corridor adjacent to downtown is very active, many of the event participants may not be familiar with Ames' rail crossings, and some event participants may be intoxicated as they leave the event area. Therefore, providing volunteers to ensure pedestrians wait safely for approaching trains seems prudent. These volunteers can also help provide directions or other assistance to participants.
- Preparing an emergency action plan to address communications, roles of staff and volunteers, and additional actions that would be taken in the event of an emergency that would threaten the safety of event participants.

Additionally, MSCD's proposed premises will also include Tom Evans Plaza. Consumption of alcohol in City parks is only allowed in certain designated parks, according to Section 17.17 of *Municipal Code*. Tom Evans Plaza is not one of those designated areas. Therefore, MSCD would require a waiver of this section of *Municipal Code* to allow this area to be used as a component of the alcohol service area.

SIDEWALK CAFÉ ISSUES:

As of the time of this writing, only two downtown establishments have obtained a Sidewalk Café Permit for the 2018 summer season: Della Viti – 323 Main Street, and Bar La Tosca – 400 Main Street. Whiskey River, 134 Main Street, is in the process of obtaining a Sidewalk Café Permit, but has not yet completed the application.

MSCD is requesting that all sidewalk café operations in the downtown area be suspended from 4:00 p.m. on Tuesday, July 24 through 2:00 a.m. on Wednesday, July 25. **Through conversations with MSCD and ACVB, staff has clarified that sidewalk café proprietors would be permitted to leave their accessories (planters, fencing, etc.) out during this period of time, but would not be able to serve alcohol. It would be up to each proprietor if they would like to serve food items in their sidewalk cafes, but doing so would subject them to the local RAGBRAI organizing committee's rules regarding vendor fees.**

The rationale for this request is to ensure that there is a separation between different licensed establishments where alcohol is being consumed. MSCD has further clarified that to assist in managing the crowds, it would be preferable to suspend operation of those downtown sidewalk cafes that are outside the event area (e.g., Whiskey River).

ALTERNATIVES:

1. Approve the requests from the Main Street Cultural District for the downtown entertainment area on July 24-25, 2018, including:
 - a. Issuance of a blanket Temporary Obstruction Permit
 - b. Issuance of a Special Class C Liquor License with Outdoor Service Privilege
 - c. Closure of the streets, parking spaces, Depot Lot V, and Tom Evans Plaza as indicated above
 - d. Waiver of fees for lost parking revenue
 - e. Access to City electrical outlets and a waiver of fees for electricity use
 - f. Suspension of sidewalk café operations in the downtown area from 4:00 p.m. July 24 through 2:00 a.m. July 25
 - g. Waiver of enforcement of Section 17.16 of *Municipal Code* related to minors prohibited on certain premises with respect only to the proposed downtown entertainment area
 - h. Waiver of enforcement of Section 17.17 of *Municipal Code* related to alcohol consumption in the parks with respect only to Tom Evans Plaza.
2. Direct staff to work with the requestors to develop a downtown entertainment proposal that does not involve alcohol consumption in an all-ages environment.
3. Do not approve the requests.

CITY MANAGER'S RECOMMENDED ACTION:

Providing an entertainment area for RAGBRAI participants is an expectation of any community serving as a RAGBRAI overnight stop. Centralizing that entertainment area provides advantages in managing the entertainment and the crowds that will participate. The proposed event provides an opportunity to showcase the Main Street Cultural District area of Ames for RAGBRAI participants.

MSCD has proposed an event where those under 21 would be able to participate in the entertainment aspects of the event alongside those who are 21 and over who can legally consume alcoholic beverages. **Staff is extremely cautious about recommending any waiver of enforcement of Section 17.16 of the *Municipal Code*. However, it is evident that MSCD has taken extraordinary steps to evaluate risks, implement practices that will reduce or minimize those risks, and provide a significant staff, volunteer, and professional security staff presence to manage this event. It is clear that these measures exceed the typical safety measures that would be expected for an event.**

It should be noted that the waiver of enforcement for Section 17.16 related to minors prohibited on certain premises for this time period would only apply to the downtown entertainment area being proposed. It would not apply to other establishments in

downtown or other parts of the City. Those establishments will be required to comply with Section 17.16.

Assuming the City Council is supportive of this limited instance where alcohol would be served in an all-ages entertainment area, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.



SPECIAL EVENT APPLICATION

SUMMARY OF EVENT

DESCRIPTION

Event Name RAGBRAI on Main

Description

On July 24, Ames will play host to RAGBRAI as an overnight stop. The entertainment and beer garden will be located in downtown Ames. The event will include two main stages with amplified bands, beer service, food vendors, and carnival type acts (jugglers, stilt walkers, fire walkers, actors).

The event will span from the 500 block of Main to the 200 block of Main, street closures will include Clark, Burnett, and Kellogg. We also request no parking on Douglas. (See Map)

500 Block of Main - Bike parking in Depot Lot, RAGBRAI vendors on street

400 Block of Main - Food vendors (small stage on Burnett)

300 Block of Main - Food vendors, beer sales, (carnival performers on Kellogg)

200 Block of Main - Beer sales and Main Stage

Other Requests:

1. 24 hour suspension of sidewalk cafe service (7/24,6am - 7/25,6am)

2. 24 hours suspension of enforcement of ordinance Sec. 17.16 Minors prohibited on certain premises (7/24,6am - 7/25,6am)

3. 24 hour suspension of enforcement of Alcohol in Parks Policy for Tom Evans Park (7/24,6am - 7/25,6am)

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

Anticipated Attendance

Total 8000 Per Day 8000

DATE/TIME

Setup	Date <u>7/24/2018</u>	Time <u>3am</u>	Day of Week <u>Tuesday</u>
Event Starts	Date <u>7/24/2018</u>	Time <u>3pm</u>	Day of Week <u>Tuesday</u>
Event Ends	Date <u>7/25/2018</u>	Time <u>12am</u>	Day of Week <u>Wednesday</u>
Teardown Complete	Date <u>7/25/2018</u>	Time <u>9am</u>	Day of Week <u>Wednesday</u>

Rain Date, if applicable n/a

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:

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Downtown - Main Street Cultural District: (515) 233-3472 events@amesdowntown.org
Campustown - Campustown Action Association: (515) 450-8771 director@amescampustown.com
Iowa State University - Events Authorization Committee: (515) 294-1437 eventauthorization@iastate.edu

CONTACTS

Host Organization Main Street Cultural District

Local Contact (Required)	Name	<u>Cindy Hicks</u>
	Address	<u>304 Main Street</u>
	Telephone	<u>515-233-3472</u>
	Cell Phone	<u>316-871-0837</u>
	Email	<u>director@amesdowntown.org</u>

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? _
- 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

RAGBRAI Ames overnight stop - Ames Convention and Visitor's Bureau

Contacts:
Julie Weeks: jweeks@iastate.edu
Kim Abels: kima@amescvb.com

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>200-400 Main Street</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business <u>(515) 233-3472</u>		
Mailing <u>304 Main Street, amesdowntown.org</u>		
City <u>Ames</u>	State <u>IA</u>	Zip: <u>50010</u>

Contact Person

Name <u>Cindy Hicks</u>	
Phone: <u>(316) 871-0837</u>	Email <u>director@amesdowntown.org</u>

Classification Special Class C Liquor License (BW) (Beer/Wine)

Term: 5 days

Effective Date: 07/23/2018

Expiration Date: 01/01/1900

Privileges:

Outdoor Service

Special Class C Liquor License (BW) (Beer/Wine)

Status of Business

BusinessType: <u>Municipality</u>	
Corporate ID Number: <u>XXXXXXXXXX</u>	Federal Employer ID <u>XXXXXXXXXX</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:



April 12, 2018

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

Dear Honorable Mayor John Haila and Ames City Council,

The Ames Main Street Cultural District is proud to request a special event permit to host RAGBRAI entertainment and beer garden on Main Street on Tuesday, July 24. With three locations for entertainment, a vast diversity in entertainment options, local food vendors, and a beer garden, we anticipate making Ames the best and most memorable stop on the RAGBRAI route.

Events of this nature help the MSCD achieve its vision of making downtown Ames the primary destination of Central Iowa by creating an economically vibrant district with unique living, dining, and entertainment experiences.

We have several special requests for this event:

- Waiver of fees for parking meters.
- Waiver of fees for electric use.
- Suspension of sidewalk café service for the downtown service center area from 4pm to 2am.
- Suspension of enforcement of ordinance 17.16, minors on certain premises.
- Suspension of enforcement of parks policy prohibiting alcohol in Tom Evans Park.

We appreciate your consideration of these requests and look forward to seeing all of you in downtown Ames, on July 24!

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Abrams".

Eric Abrams
2018 MSCD Board President