

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 342-07

AN ORDINANCE

amending Chapter 17 of the City Code by adding a new article on sale of alcohol on city park property by private organizations and individuals; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. A new Article VII of Chapter 17 of the Code of Ordinances of the City of Columbia, Missouri, is hereby enacted as follows:

**ARTICLE VII. SALE OF ALCOHOL ON CITY PARK PROPERTY
BY PRIVATE ORGANIZATIONS OR INDIVIDUALS**

Sec. 17-176. Purpose.

The purpose of this article is to establish rules and regulations regarding the sale of alcoholic beverages by private organizations and individuals at city parks and recreation facilities.

Sec. 17-177. Definition.

“Alcohol” and “alcoholic beverage” as used in this article mean beer, wine and champagne.

Sec. 17-178. Sale of alcohol at approved sites.

The sale of alcoholic beverages by private organizations and individuals is prohibited at all city parks and recreation facilities except for approved events, festivals and special occasions at the following sites:

- Columbia Cosmopolitan Recreation Area
- Lake of the Woods Recreation Area
- Twin Lakes Recreation Area
- Stephens Lake Park
- Nifong Memorial Park
- Flat Branch Park

Oakland Park (non-school days only)
Cosmo-Bethel Park (non-school days only)

Sec. 17-179. Event alcohol sales permits.

(a) Private organizations and individuals desiring to sell alcohol at an event, festival or special occasion held at an approved park or recreation facility must apply for an event alcohol sales permit. Such a permit shall be considered separately and in addition to any event concession sales permit issued by the park and recreation department for the event.

(b) An application must be submitted at least fifteen (15) days before the event and must be reviewed and approved by the city park and recreation department, the city police department and the city finance department. Requests submitted less than fifteen (15) days before the event will not be considered.

(c) The director of parks and recreation may grant an event alcohol sales permit to private organizations and individuals only for events that are compatible with the mission and purpose of the park system and that are focused on recreational activities that are physical, social, cultural, artistic or environmental in nature. Alcohol sales must be secondary to and in support of the approved recreational event and cannot be the primary reason for the event.

Sec. 17-180. Requirements for permit.

The following requirements must be met in order to obtain a parks and recreation department event alcohol sales permit:

- (1) The applicant must have a park special use permit to hold the event.
- (2) The applicant must have the necessary state liquor license.
- (3) The applicant must have the necessary city liquor license.
- (4) The applicant must provide evidence of liability insurance in the amount of two million dollars (\$2,000,000.00) for the planned event. The insurance must name the City of Columbia as co-insured for the event.
- (5) If required by either the park and recreation department or the police department, applicant must agree to provide adequate security personnel to insure proper control and management of the event.

Sec. 17-181. Permit fee.

The fee for an event alcohol sales permit is one hundred dollars (\$100.00) or ten percent (10%) of the gross alcohol sales whichever is greater. The permit will be issued for the event based upon payment of the one hundred dollar (\$100.00) base fee. Permit holders shall be responsible for providing the park and recreation department with documentation as to the amount of gross alcohol sales and payment of any additional fee owed within ten (10) calendar days of the conclusion of the event. If such documentation and payment is not provided, the permit holder shall not be allowed to hold future events in the parks.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2007.

ATTEST:

City Clerk

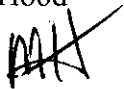
Mayor and Presiding Officer


APPROVED AS TO FORM:

City Counselor

Source:

Mike Hood



TO: City Council
FROM: City Manager and Staff 
DATE: September 21, 2007
RE: Draft Policy on the Sale of Alcohol on City Park Property
By Private Organizations and Individuals

Fiscal Impact

YES

NO

Other Info.

SUMMARY: At the August 6th City Council meeting, the Council received a report from the Parks and Recreation Commission (copy attached) which recommended that the Council not adopt a proposed policy which would allow the sale of alcohol on park property by private organizations and individuals. Following discussion of the Commission's report, the Council directed staff to 1.) prepare an ordinance which if approved would adopt the policy, 2.) identify possible amendments to the policy, and 3.) schedule a public hearing on the proposed policy.

As drafted, the proposed policy (see attachment A) would allow alcohol sales by private organizations and individuals at special events/festivals/special occasions in a limited number of specifically defined parks upon approval of an Event Alcohol Sales Permit and payment of appropriate fees. The Event Alcohol Sales Permit would require approval of the Parks, Police, and Finance Departments. Both the draft policy and possible amendments that the Council may wish to consider are discussed in detail below.

DISCUSSION: During the summer of 2006, the City Council directed the Parks and Recreation Department staff to develop recommendations as to a policy which would define regulations and procedures by which alcohol could be sold at certain events and/or festivals being held on City park property by private organizations and/or individuals. Following considerable research on the issue, staff drafted a proposed policy and presented Council with a report at the May 21, 2007, Council meeting. Council then referred the draft policy to the Parks and Recreation Commission for a recommendation. The Commission, following a public hearing at their July 19th meeting, submitted a report to the Council which recommended the Council not adopt the proposed policy. Upon receipt of the Commission report, Council directed staff to schedule a public hearing on the issue.

As currently drafted, the proposed policy on the sale of alcohol in the Columbia city parks includes the following:

- A. Defines "alcoholic beverage" as beer, wine, and/or champagne. The sale of hard liquor would not be allowed.

B.) Sales of alcoholic beverages would be allowed by private organizations or individuals only upon issuance of an approved Event Alcohol Sales Permit. The permit must be approved by the Parks Department, Police Department, and Finance Department.

C.) Event Alcohol Sales Permits would only be issued to organizations/ individuals who had obtained an approved park special use permit for their event/festival/special occasion. Such events must be compatible with the mission and purpose of the park system and are defined as events focusing on recreational activities that are physical, social, cultural, artistic, and/or environmental in nature. Any alcohol sales that occur must be secondary to and in support of the approved recreational event and cannot be the primary reason for the event.

D.) Approved sites where requests for sales of alcoholic beverages would be considered would be limited to:

- Columbia Cosmopolitan Recreation Area
- Lake of the Woods Recreation Area
- Twin Lakes Recreation Area
- Stephens Lake Park
- Nifong Memorial Park
- Flat Branch Park
- Oakland Park (non-school days only)
- Cosmo-Bethel Park (non-school days only)

Sites could be added to or deleted from this approved list upon the approval of the City Council.

E.) Issuance of the Event Alcohol Sales Permit would require payment of the permit fee. Fee would be \$100 or 10% of gross alcohol sales whichever is greater. Permit would be issued based upon payment of \$100 base fee with applicant responsible for payment of any additional fees owed within 10 days following the conclusion of the event.

F.) Anyone applying for an Event Alcohol Sales Permit would be required to have all necessary state and local liquor licenses and permits. All state laws and regulations regarding the sale and consumption of alcohol would have to be met by the applicant.

G.) Applicant would have to provide evidence of liability insurance in the amount of \$2 million for the planned event. The insurance must name the City as co-insured.

H.) If requested by either the Parks Department or the Police Department, the applicant must agree to provide adequate security personnel to insure proper control and management of the event.

I.) Application for an Event Alcohol Sales Permit must be submitted no less than 15 days prior to the event to allow adequate time for review by the Parks, Police, and Finance Departments.

Amendments: The Parks and Recreation Commission and City staff have identified a number of possible amendments to the proposed policy that the Council may wish to consider. Those amendments are:

1.) Restrict alcohol sales to not-for-profit organizations only. As currently written, the policy would allow any organization or individual who has an approved park special use permit to apply for an alcohol sales permit. The controlling factor would be that the alcohol sale has to be secondary to and in support of an approved recreational event. The alcohol sales cannot be the primary reason for the event.

If the policy is amended to allow only not-for-profits to apply for alcohol sales events, many private organizations, individuals and businesses would not be allowed to sell at any events they might schedule in the parks. Events such as small concerts, festivals such as the Roots 'n Blues 'n BBQ, and wedding receptions (cash bars) would not be eligible to obtain alcohol sales permits.

Restricting alcohol sales permits to not-for-profits would be consistent with the current policy on sales of non-alcohol related items. Should the Council eventually approve the alcohol sales policy as currently written and not amend it to be applicable to only not-for profits, then staff would recommend that the policy on the sale of non-alcohol items be adjusted to the same criteria as the alcohol sales policy.

2.) Prohibit advertising of the alcohol sales. One concern of the park commission was the advertising of alcohol sales in the parks. The policy could be amended to add a provision prohibiting the advertising of any alcohol sales at any events occurring in the parks.

3.) Restrict the time during which sales can occur. This type of restriction could be accomplished in a number of different ways. One option would be to require that all alcohol sales cease a specific amount of time prior to the end of the event. For example, all sales of alcohol might be required to cease a minimum of one hour prior to the advertised ending time of the event. Another option would be to specifically define the hours during which sales could occur. For example, a provision could be added allowing sales to occur only

between the hours of 12:00 noon and 9:00 p.m. on the day or days of the event.

4.) Increase the cost of the permit fee. As currently drafted the policy requires a fee of \$100 or 10% of the gross sales whichever is greater. The permit would be issued upon payment of the \$100 base fee with the applicant responsible for payment of any additional fees owed within 10 days of the event. The Council could increase the base fee, the percent of gross sales, or both to any amount deemed appropriate. A higher fee would likely limit the permits to only larger events. The Council may wish to consider a fee somewhere in the range of \$250-\$500. The percent of gross sales could also be increased. A range of between 15 -20% could be considered. One option might be to increase the fee to \$500 or 15% of gross sales whichever is greater.

SUGGESTED COUNCIL ACTION: Hold the public hearing on the proposed policy. If, following the public hearing, the Council determines that City should proceed with a policy which allows the sale of alcohol on city park property by outside organizations, the ordinance adopting the proposed policy and any desired amendments should be approved.

Source:
Mike Hood
AAH

TO: City Council
FROM: City Manager and Staff
DATE: July 27, 2007
RE: Park and Recreation Commission Review of Draft Policy on the Sale of Alcohol on City Park Property by Private Organizations and Individuals

Fiscal Impact
YES
NO

Other Info.

SUMMARY: Following a review of a staff report at the May 21, 2007, council meeting, the City Council referred the draft policy on the sale of alcohol on City Park property by private organizations and individuals to the Park and Recreation Commission for their review and recommendation. At their July 19th meeting the Commission held a public hearing on the proposed policy. Six individuals spoke at the public hearing and expressed strong opposition to the policy (see attached minutes). Following considerable discussion among Commission members, a motion was made that the Commission recommend to the Council that the draft policy on the sale of alcohol by private organizations be disapproved. That motion was approved unanimously by the five Commissioners present.

DISCUSSION: Following a request by the Columbia Art League in the spring of 2006 to allow the sale of alcoholic beverages at the Art in the Park Festival, the City Council directed staff to develop recommendations for a policy which would establish procedures and guidelines by which alcohol could be sold at certain events and festivals being held on City park property by private organizations and/or individuals. After spending several months researching the issue, Park and Recreation Department staff drafted a policy which would allow alcohol sales on a restricted basis at events, festivals, and special occasions. Sales would be limited to a specifically defined number of parks and be contingent upon approval of an Event Alcohol Sales Permit and payment of appropriate fees. As drafted, the Event Alcohol Sales Permit requires compliance with all state and local liquor laws and must be approved by the City's Park, Police, and Finance Departments.

The draft policy was submitted to the Council in a staff report at the May 21st Council meeting. The Council, at that time, directed that the policy be referred to the City's Park and Recreation Commission for their review and recommendation. The Commission initially reviewed the draft policy at their June meeting, and following discussion decided to schedule a public hearing on the policy for their July 19th meeting.

Six individuals spoke at the public hearing and all expressed strong opposition to the draft policy. The opposition appeared to be primarily

related to the general concept that such a policy gives the perception of encouraging the use of alcohol within the community and in particular how such a message would be viewed by underage youth. An additional concern involved the perceived addition of more venues where youth under-age drinking might occur if not policed well. Upon conclusion of the public hearing and following considerable discussion by the Commission, a motion was made by Commissioner Kloepfel that the Commission recommend to the Council that the policy be disapproved. The motion was passed unanimously by the five commissioners present.

In passing this motion, the Commission recognized the City Council will make the final decision regarding the proposed alcohol sales policy. In the event the City Council decides to allow the sales of alcohol, the Commission identified additional concerns currently not addressed in the draft policy. Those concerns are identified in the attached minutes of the public hearing and could be brought forward as possible amendments if the Council chooses to further consider the policy.

STAFF RECOMMENDATION: It is apparent that there are some community organizations who are opposed to the proposed policy and the Park Commission has recommended the policy not be adopted. It is staff's recommendation that, if the Council wishes to continue consideration of the proposed policy, the Council schedule a public hearing on the policy prior to any vote on adoption.

SUGGESTED COUNCIL ACTION: If the Council wishes to continue consideration of the proposed policy, direct staff to schedule a public hearing on the issue and prepare a resolution which, upon a favorable vote by the Council, would adopt the policy.

PARKS AND RECREATION COMMISSION

Thursday, July 19, 2007, 7:00 p.m.

ARC, 1701 West Ash

MINUTES

Commission Present: Bill Pauls, Terry Kloeppe, Marin Blevins, Dennis Knudson, Dan Devine

Staff Present: Gary Ristow, Mike Griggs, Tammy Miller

Pauls called the meeting to order at 7:01 pm.

Agenda: The agenda was approved on a motion by Kloeppe, seconded by Blevins.

Minutes: The June minutes were approved on a motion from Blevins, seconded by Kloeppe.

Monthly Report: Blevins questioned the Park Ranger's report, if she had really driven 33,000 miles in one week?

Griggs said it was an error and would be changed.

Knudson asked about reports of loud music in the parks, how those were reported?

Griggs answered that those complaints are usually public-driven, that the Park Ranger does not usually ask park patrons to turn down music unless they are reported. Warnings are usually given at first, then an arrest is made on the second offense.

Pauls asked where fishing is allowed at Cosmo Park?

Griggs said that fishing is allowed at the lake at the back of the park, but not in the golf course lakes. There are levels of mercury in the fish in the golf lakes, so fishing is not allowed there.

Blevins asked if Park Ranger Arens directs violators of the leash law to the parks with leash-free areas?

Griggs responded yes, she always gives them a list of the leash-free areas. He added the only time she tickets is when the dog owner refuses to use a leash when asked.

The June monthly report was approved with the recommended edit to the Park Ranger's report, on a motion from Knudson, seconded by Blevins.

Election of Officers

Pauls opened the election of officers by suggesting that Commissioners take the seat of Chair on a rotating basis. He said he felt that since he has served as chair for a couple of years that others should have the experience of being in the Chairman's seat.

Commissioners then decided to start the election with secretary. Blevins moved that Tammy Miller, public information specialist, remain as Commission secretary, seconded by Devine. Motion approved unanimously. Blevins then moved that Kloeppe be elected Commission Chairman, citing his years of experience. Devine seconded the motion. Motion approved unanimously.

Knudson moved that Blevins be elected Commission Vice-Chair. Devine seconded the motion. Motion approved unanimously.

Knudson then discussed his position as liaison to the Bike Commission and said if anyone else was interested in serving, he would offer his spot.

Kloeppe asked when the group met, and Knudson answered the third Wednesday of the month.

Kloeppe said he thought Knudson was a great representative on the Bike Commission, if he wished to continue. Knudson said that he would.

Kloeppe moved, seconded by Devine, that Knudson remain as liaison to the Bike Commission. Motion approved unanimously.

Public Hearing: Draft Policy of Alcohol Sales in Parks

Pauls opened the public hearing by asking for the staff presentation.

Recreation Services Manager Gary Ristow: We're here tonight to talk about the draft of the alcohol sales policy in city parks. You might recall we've been asked to do this by City Council. Our purpose was to draft a policy regarding alcohol sales by outside organizations and individuals. Mike gave a pretty good overview last month. Right now, we do not allow the sale of alcohol in the parks by outside organizations or individuals, but they can consume it legally in the parks.

In 2006, Council did direct staff to draft a policy in regard to sales. This stemmed from a request from the Columbia Art League for the first year of the Art in the Park event at Stephens Lake Park. We spent several months looking at different organizations and cities that have had a policy in those areas. You see everything from absolutely no sale of alcohol in the parks to those that allow alcohol in controlled conditions. This policy for the City, we are very interested in control and restrictions. This draft policy—and it is just a draft—would allow alcohol sales in our larger parks on a restricted basis. We took that back to Council and they referred it to the Park and Recreation Commission for your review.

Like I said, a number of communities don't allow alcohol, but there a number of cities where alcohol sales are allowed. Common themes we found throughout are these bullet points (refers to slide): sales are generally allowed at community wide events with special permit system, a fee is charged for the permit, sales are mostly restricted to beer, wine, and champagne, and many are restricted to larger parks where most large events take place.

Key points of the draft policy would be beer, wine and champagne; no hard liquor allowed. Sales would be allowed after a permit was approved by three departments. From a Parks and Recreation viewpoint, we want to make sure they get all information on there, the Police Department does their background check to make sure everything is on the up-and-up, and Finance makes sure all licenses and permits are in place. We're asking for a 15 day window to allow review by all these departments.

We would also want to make sure they have a Parks Special Use Permit. We want to be able to see details to see that all details are OK. The real key to the sales policy is that the sales cannot be the primary focus of the events. Sales have to be secondary in nature in support of recreational activities. We took a look at the who park system and these are the larger parks that would lend themselves to the sale of alcohol and where we have had requests in the past: Cosmo Park, Lake of the Woods, Twin Lakes, Stephens Lake, Nifong, Flat Branch and the bottom two (Oakland and Cosmo-Bethel) only when school is not in session since those parks are close to schools.

The Event Alcohol Sales Permit, we're proposing a \$100 or 10 percent of sales, which ever is greater. They would have to pay the \$100 fee upfront and then based on the conclusion of the event, pay the balance depending on sales.

A couple of key points: applicants would be required to have all the necessary state and local liquor licenses and permits and all state laws would have to be met regarding the sale and consumption of alcohol. That includes a controlled setting and a defined area such as a garden so to speak. The applicant would have to have liability insurance totaling \$2 million, which is pretty standard. The City would be named as co-insured. And if requested by either Parks and Rec or the Police Department, the applicant would have to provide additional security personnel to make sure there is proper control management of the event. Obviously,

something of that size and nature might require additional security and we'd like to be in position to request that if necessary.

A couple of things I wanted to point out in the application that aren't in the bullet points. As part of the application, on the second page, you'll see a part that if there are going to be people under the age of 21 in attendance at the event, you must make sure that underage drinking is not involved. We want to know about their control mechanisms to make there aren't any minors drinking alcohol. They must outline those control mechanisms on the application. The other thing involved as well is all individuals who are actually selling the alcohol have to be trained in SMART, the alcohol policy. That's from the Missouri Department of Revenue, State of Missouri Alcohol Responsibility Training. The SMART program is a program designed to educate employees on recognizing fake ID's, identifying acceptable forms of identification, prevention of service to minors, as well as recognizing the signs of intoxication, advice on how to handle disorderly and intoxicated customers, and the laws and liability concerns related to serving underage or intoxicated customers. That is one of the things that would be required under the permit system, that all people serving alcohol would have training in these areas.

That's all I have right now, and I would entertain any questions from the Commission.

Pauls: We would like to hear from the public right now. If there is anybody in the audience with concern about this issue, please come forward, state your name and address, and sign the sheet.

Betty Kidwell, 2004 N. Southwest Court: I am the coordinator for Mothers Against Drunk Driving in Boone County. My question to each one of you here on the panel is a very simple one, why? Why would we need this? Does anyone want to answer it? Why do we need alcohol in the park? Is this just for an event or for anybody to be able to have alcohol in the parks?

Ristow: Currently, there is alcohol allowed in the parks. Obviously they have to observe the state liquor laws and there are no sales allowed in the parks. The question here tonight is that we have been directed by City Council to draft a sales policy. That doesn't mean it will be accepted. Our charge, as a park department, is to bring back a proposed policy. It is up to the City Council at that particular point based upon input from the public hearing tonight, based on the Commission's feelings and thoughts on this, to either accept the policy or oppose it.

Parks Service Manager Mike Griggs: As speaker, you need to state why it should or shouldn't happen, and then we'll go through the public hearing, then we'll open it for questions.

Pauls: I think the distinction is that this is about groups selling in the parks. Anyone can take alcohol in the park and legally drink it but you can't legally...an outside organization can't legally sell it.

Griggs: The question of why, this started with the Art in the Park event. They wanted to sell alcohol.

Kidwell: That's where it started?

Griggs: Yes, that's where it started and we had to say no under the existing policy.

Ristow: They went to City Council and an exception was made under certain restrictions and guidelines. At the same time, Council asked staff to draft a policy. I want to say it's not set in stone. We are looking at the proposal.

Kidwell: OK, I wasn't aware that you could have alcohol in the parks.

Pauls: Like the disc golfers at Oakland....I'm part of picking up trash cans on Sunday and Monday mornings...

Kidwell: Who is policing that to make sure that alcohol is not getting in the hands of minors?

Pauls: Just like any other park employee, I understand that the police department is there...if there is a complaint, the police come and answer it.

Kidwell: There has to be a complaint?

Griggs: Or, if they notice anybody intoxicated or anything.

Pauls: I serve as a volunteer with the Columbia Police Department as well as a Park Patrol volunteer, and I'm not enforcement in those roles, but I sure call if I have a concern about anybody being intoxicated in the park or on the trails, or causing problems. We were trained to do that, part of the police department training, how to take care of those issues. We're not enforcement, but we can call enforcement when necessary. There are a lot of folks out there...and just the general public are obligated to watch.

Devine: I noticed in our monthly meeting that there are several park ranger citations in there. Most of those are warnings for having alcohol in areas where it's not allowed, like the swimming beaches. Would it come as a separate item if it was underage drinking, if that was the warning or I guess if it was underage drinking, they would not receive a warning, would they?

Griggs: There is no warning, those go to the police department, so it would not appear in Rosanna's report.

Devine: It would not?

Griggs: No. It would be documented that she contacted the police department, but underage drinking is strict, there's no forgiveness.

Devine: So what we're seeing in those reports are just warnings for having alcohol in areas not...

Griggs: For adults at places like the swimming beaches.

Devine: And, also we do sell alcohol, but it's the Parks and Rec Department, selling it at Rainbow and the golf courses?

Griggs: Right.

Devine: Is that it?

Ristow: Yes, it's in a controlled setting.

Devine: Right, but in that instance, we do sell in those cases too.

Pauls: We are a little less formal here, we probably shouldn't be having this discussion right now. It won't affect your three minutes.

Kidwell: No I want to hear what you all have to say.

Pauls: We'll write our questions down from your comments.

Griggs: Historically in the parks, the beer we have are mainly family reunions at shelters. They have canned beer, we don't see a lot of kegs or anything like that. But the problem with alcohol in the parks is the homeless. That's where we have the inebriated person, with homeless living near the parks. That's really our alcohol problem. Almost 9 out of 10 are all related to that. We rarely have DWIs or DUIs at our park facilities.

Kidwell: What about the containers...

Griggs: You can have it in the parks.

Kidwell: OK....

Griggs: That's why the homeless tend to like to hang out there.

Kidwell: If they're homeless, how are they purchasing it in the first place? My position here is that parks are for families. They're for families that go out there and take their kids, play on the swings, play on the slides, have a picnic, have a nice family day at the park, that's what it used to be. Alcohol comes into the picture, you say you're going to keep it in a contained area. Is that what the policy is saying?

Ristow: Yes, what's commonly referred to a beer garden, a defined area. At Art in the Park, it was a wine garden in a defined area. They were not supposed to go outside that area to sell alcohol.

Kidwell: And did that occur?

Ristow: We had no problems. Purchases were being made by the bottle.

Kidwell: OK, my question would be when this becomes more prevalent in the park, what are you going to do when this gets into the hands of minors? I know for a fact at Rainbow field alcohol got into the hands of a minor because that minor was my grandson. In our group, there was one that saw him come out of the

concession stand with a beer in his hand. I'm not stupid, I realize that 21 and older can buy the beer and go right back out to the ball fields and everybody serves it up. So it is getting into the hands of minors. MADD's position is we have zero tolerance for under 21 drinking. Over 21, if they choose to drink and purchase alcohol over 21, you can do that. But you never have the right to drive drunk. If you look at statistics and how alcohol affects youth, it is absolutely horrible. Here in Columbia, it is worse because we are a college town. And when you go to college, a lot of kids think I'm away from home now, I can do what I want. And then you even have parents that support their kids and say, Well I did it in I was college and I'm OK. Unless you are a senior at the University of Missouri, you are under 21. So I just think this gives more opportunity for alcohol to get into the hands of minors. There are enough places here in Columbia that kids get the alcohol. I just don't think it needs to be in the park. Right now, down the hall, we are hosting a victim impact panel. Are you aware of what that is? Most of the ones in there are under 21, minors in possession. There are 11 in there right now and they are from all over. DWIs, there is one in there over 21 and this is his second DWI. I would request on behalf of MADD that you not allow more alcohol to be affordable to get into the hands of minors. Every 31 minutes, somebody in the United States is killed by a drink driver...every 31 minutes and it's getting worse. Thank you for listening to me, I need to get back to the panel. If any one of you would like to sit in, we'd be happy to have you. These are people who are on the front lines that see who is drinking and driving. With one beer, you will blow a .08. I think we need to take responsibility as adults to see that kids don't get alcohol anymore than they already do. Thanks.

Becky Markt, 1661 High Quest Circle: I have some information to pass out to you all as well as testimony. Mr. Chairman and members of the Commission, thank you for taking time to listen to our concerns regarding the draft policy on the sale of alcohol on city park property by private organizations and individuals. I am the Coalition Coordinator of the Youth Community Coalition, a group that is working to reduce the use of alcohol and other drugs among 12 – 25 year olds in Columbia. Tonight I represent the nearly 80 agencies, organizations, and individuals who are members of the Youth Community Coalition – a project funded by the Drug Free Communities Program of the Substance Abuse and Mental Health Administration, the Strategic Prevention Framework Project of the Missouri Department of Mental Health, and the City of Columbia through Title II and Title V funding.

Members of the Youth Community Coalition represent local, regional and statewide organizations including Missouri's Youth/Adult Alliance or MYAA -- a project of the not-for-profit organization known as ACT Missouri. MYAA is a coalition of youth and adults with representation from all over Missouri, including many coalitions, agencies and organizations with like missions. MYAA's sole focus is to reduce underage drinking. MYAA strategies include educating communities and identifying social and environmental norms within a community that encourage underage drinking.

Policy makers are often reluctant to impose restrictions and controls on how alcohol is manufactured, promoted, sold and consumed. They believe they are maintaining the status quo. They are acting on the common public perception that the majority of people drink alcohol and that most alcohol is consumed in a moderate fashion.

- The public perception is wrong. The truth is most adults do not drink frequently:
46 % of those 21 and older don't drink at all
- 26 % report drinking once a week or less

Most alcohol is consumed by different types of drinkers.

- Adult binge drinkers (23% of drinking population) drink 76% of the alcohol consumed by adults
- And underage drinkers consumed about 11% of all the alcohol purchased in the United States in 2002
- Among underage drinkers, heavy drinking on one or more occasions in the past month is reported by

- 50 percent of the 12 -14 year olds
- 65 percent of the 15 – 17 year olds
- 72 percent of the 18 – 20 year olds

Therefore, controls on alcohol have little or no impact on the majority of Americans – but CAN reduce heavy and hazardous drinking, especially among underage drinkers.

There is strong public support for policies designed to create a healthier environment with regard to alcohol – especially to prevent alcohol problems among youth. Large majorities of those who are 18 and older favor regulatory strategies designed to reduce underage drinking problems like restrictions on drinking in public locations where youth are likely to be present. After all, most people have no stake at all in alcohol as a commodity. It’s therefore no surprise that...

- 63% support restrictions in public parks
- 51% at concerts
- 53.1% on beaches
- And 47.8% in stadiums and arenas

Many communities have placed limits or restrictions on the consumption and sales of alcohol in public places (such as parks and beaches), at public events (such as fairs and festivals), or at certain kinds of retail locations (such as gas stations). Restricting the density of alcohol outlets and their location has been shown to reduce consumption and related problems.

On the other hand, policies such as the one proposed to allow sales in public parks create an environment that encourages alcohol use and downplay its potential for harm to public health and safety. Such policies undercut our efforts to reduce alcohol-related problems and underage drinking in our community. They make alcohol easily available and send messages that promote alcohol’s glamour and attractiveness.

These policies play a powerful role in shaping the alcohol environment at both the community and societal level. A national call to action issued by the Office of the Surgeon General states “The greatest influence on young people’s decisions to begin drinking is the world they live in...”

The Office of the Surgeon General has issued this national call to action to prevent and reduce underage drinking and has asked communities to “replace environments that enable underage alcohol use with environments that discourage it” and to “keep sending the message that the community does not approve of underage drinking.”

It is important to start sending this message early –before most parents think to talk to their kids about alcohol because according to self-reports by Missouri students in grades 9 – 12:

- 24% had their first drink of alcohol, other than few sips, before age 13

It is also important to keep sending this message consistently because the chance that young people will use alcohol grows each year:

- Nationally, approximately 10% of 12-year olds say they have used alcohol at least once.
- By age 13 that number doubles
- By age 15, approximately 50% have had at least one drink.

The Surgeon General says underage drinking has grave circumstances:

- Underage alcohol use is a major cause of death from injuries among young people.
- About 5000 under the age of 21 die each year as a result of underage drinking.

In comparison to adults, the proportion of those who drink heavily is higher among underage drinkers. This can result in other risky behaviors, even death from alcohol poisoning. According to self-reports from Missouri students in grades 9 – 12:

- 41% had at least one drink of alcohol on one or more occasion in the past 30 days
- 25% had five or more drinks of alcohol in a row (binge drinking) in the past 30 days

Today we know that alcohol can harm developing brains, especially when teens drink a lot. The brain continues to develop from birth through teens into the mid 20s.

- Research shows that those who take a drink before age 15 are 4 times more likely to have a problem with alcohol dependency later in life.
- Those who drink at an early age are also at increased risk of teen pregnancy, assault, sexually transmitted diseases, homicide, suicide, and the use of other drugs.

As we sit here this evening, more youth are drinking than are smoking cigarettes or using marijuana.

Underage alcohol use is a serious problem with roots deep in our culture. It is time to stop looking the other way. The Youth Community Coalition is asking the city of Columbia to support us in our efforts to prevent underage alcohol use by using documented principles in alcohol use prevention:

1. Make it harder for young people to get alcohol
2. Express community norms against underage use and against alcohol abuse in general

Policies and norms that promote alcohol availability support and encourage problematic drinking behaviors. Reforming these policies has been shown effective in reducing alcohol consumption and problems.

We currently have a policy that does not allow sales in our public parks. Why invite problems by changing it from one designed to promote healthy behaviors and fitness to a policy that caters to and encourages hazardous behavior in a family setting? Why create the possibility of additional public health issues? Why cause additional safety concerns?

Enacting a policy to allow the sale of alcohol on city park property by private organizations and individuals establishes dangerous social norms and undercuts community efforts to reduce alcohol-related problems and underage drinking. On behalf of the Youth Community Coalition, I ask you tonight

- to reconsider your draft proposal
- to help us refute the myths about alcohol consumption with the facts
- to educate council members and other elected officials about the dangers of allowing the sales and consumption of alcohol in areas where young people frequent
- And to implore those in power to keep our public parks a safe, healthy environment where young people can grow up and feel good about themselves without drinking.

Thank you.

Heather Windham, 5507 Irma Drive: Tonight, I am talking as a concerned mother. Two years ago, I moved here with my family from Los Angeles, California, in the hopes to have a nice place to raise a family with good old-fashioned American values, quality of life, safe schools, safe streets. When we lived in Los Angeles, we would take my son who is 8 to Cinco de Mayo festivals, blues festivals, art festivals, and there would be big banners of Anheuser-Busch, big beer tents. As the evening would progress, I'd have to explain to my son why that man was stumbling to his car. Or why that young person was throwing up in a trash can. Or why some belligerent person behind us was cursing in front of my 8-year-old son. And coming to Columbia, I was very excited to be able to have Twilight Festivals and different community events that were totally family-focused, because in Los Angeles, you don't see things like that. So, we had an experience last weekend, taking them to the river thinking we'd have a nice little family float trip cruising down the river, seeing nature. Apparently there are frat parties on the river, I didn't know this. There were beer bongs on the river. There again, I'm explaining to my son why somebody is saying something completely inappropriate about Mexicans and my son is half-Latino. And cussing in front of him...I have to explain this to him. I love that with this policy there are parameters that deal with alcohol and minors, and that there is SMART training. I appreciate those efforts. At the same time, I don't think it's guaranteed that it doesn't get in the hands of minors for one, and it's not going to guarantee that people aren't going to get drunk. When I go and take my son to the next Parks and Rec event and there's that big Budweiser tent, people are starting to be belligerent and swaying and cussing and throwing up, or just being inappropriate, then I have to explain this to him again. It breaks my heart to even think of that. I thought I was guaranteed coming to Columbia that it was just old-fashioned family time, where he can see grown-ups are having a good time without having to

use alcohol. The older he grows up, he's going to have tons of situations showing, hey this is how you have fun, drink this. He doesn't need more of that at events that are supposed to be community-driven to appreciate the arts or fitness, or whatever the event is about. As a mother, I just ask that this not happen. Whatever Parks and Rec needs to do, I just ask that this not happen. Thank you.

Maureen Coy, 2208 Iris: I want to echo what Heather said. I guess what's on my mind is it bothers me the message this might be sending to our young people. That you can't have fun at an art festival, or a cultural festival without alcohol being involved. And there are 300 locations here in town, 300 liquor license applications here in town. I think that if the adults that go to these events want to have some alcohol, they can leave whenever they want and get it. Or they can stop by after and get it. I don't think that we need to make another venue when we already have 300 liquor licenses. That's all I have to say. Thank you.

Maria McMahon, 1104 N. Providence: I work at a high school here in town with youth. I work with kids who have problems with drugs and alcohol and are trying to recover, and with a group of kids that try to be proactive and help other kids learn social skills without relying on alcohol and drugs. I am here tonight to speak for them, because one of my students said to me last year, loud and clear, "Ms. McMahon why do we spend so much time in planning safe and drug-free events when the community never supports us?" That's the question I want to leave you guys with. That was from a 17-year-old. Thank you.

Linda Frost, 7321 Southern Drive: I'm here tonight as a private citizen. I also work for a counseling agency here in town and I'm also a substance abuse prevention specialist. I'm wearing many hats. I love Columbia, it's a great place to live. We are a sporting family, we love sports, we think Parks and Rec has done a wonderful job with healthy, wholesome activities here in Columbia. I love the parks here. However, in my private opinion, the parks are for families. They're for Frisbee throwing, playing ball, and swimming and hiking and looking at wildflowers and swinging and just hanging out. We have two grandchildren and another one on the way. I would like to raise them in a healthy environment without alcohol. Like Heather, I like to be able to take my grandchildren to the park without having to explain that those people are being pretty loud and obnoxious and this is why. Or now we're going to have to leave because I don't want the children to be around them. Coincidentally, I have two daughters-in-law who both happen to have fathers who are recovering alcoholics. Another thing you need to consider is the population here in Columbia and everywhere who should avoid alcohol. Let me explain quickly about addiction. A lot of people don't understand it. When you have an addiction of any kind, whether it's to alcohol, or cocaine or meth, you physically have a change in your brain. It's not just a matter of low willpower or just say no, your brain physically changes. Your brain, just like your other organs, things can go wrong with your brain. So for an alcoholic, just being anywhere that alcohol is served or seeing other people drinking, brings the urge to drink. So that means at some of these events, there are people not able to attend, they would be very uncomfortable with that. My other concern is the underage drinkers. I would like to reiterate that 62 percent of adults support a complete ban, I believe it's 23 percent supported some restriction. That's a nationwide survey, but given that Columbia is strongly wholesome, I would think if you did a survey in Columbia, that would be even higher. Another thing I would like you to know is that when it comes to availability, or just perceived availability, when teenagers think alcohol is easy to get, they tend to drink more. The perception is everybody gets it and it's so easy. And 46 percent of those employ the method of asking someone else to buy it for them. So while the SMART training itself is a good idea, it does not keep alcohol out of the hands of teenagers. 63 percent of eighth-graders, 83 percent of tenth-graders and 93 percent of 12th graders say that alcohol is easy or very easy to get. So they are sure to see people with alcohol at these venues, there are sure to be people who drink and drive. I would think that might present some liability issues. Adults are the most common source of alcohol for 13 to 18-year-olds. The average age of first use again here in Missouri is—it's not just

the college students drinking, it's not just the high school age drinking—average age is less than 12 which means that sixth graders are drinking. The last thing I wanted to point out is that there are actually different types of alcoholics. 32 percent of alcoholics were alcoholics before the age of 21. Given the large number of students we have here, it means you've got a lot of alcoholics that are underage drinkers. I'm going to give you these facts (hands out pamphlets). But I would implore you to please keep our parks wholesome, healthy and an appropriate place to take our families. Thank you very much.

Pauls: Is that everyone from the public? Commissioners, I'll open it for discussion here.

Kloeppe: I'll start. When you did the survey of other towns about allowing alcohol, do you have any idea of the percentage did or did not allow it?

Ristow: No, it wasn't a scientific study in terms of sending out a survey. It was getting on the Internet, talking to people we knew regarding some of the pros and cons. But I have not seen any type of statistic saying what percentage restricts alcohol.

Devine: Do you remember what some of those pros and cons were in talking to other cities?

Ristow: Mostly it was they had it or they didn't. Really it boils down to a philosophical question as to whether to allow it or not. If you allow it and this policy is accepted, we really want to see these guidelines as to what we feel would be appropriate in terms of addressing some of the concerns our staff had as well.

Devine: I didn't know if there was a common problem that you had heard in conversations you had with other places.

Griggs: Most of them came about because there were some parks that allowed no alcohol in the parks except by permit only. Then we looked at now they have a permit, is that for just having alcohol or is that a permit to sell alcohol? Or was that a dram shop license permit or is that a legal license, what were these things? We were just trying to get as much data as to who did what and how they did it, not necessarily the why of it. We just said if we're going to have this policy, we're going to have the most restrictive policy we can find. But we don't want to cut ourselves short by having a policy that is difficult to enforce. So that was part of the research on that, it was more how can we grab all the best features of everyone else's policy and make one really tough policy.

Kloeppe: So, who decides Art in the Park...can you recall anyone else getting an exception by the City Council?

Ristow: No that's it. The events that are held in the downtown where alcohol is sold, those are not Parks and Recreation events.

Kloeppe: Right, when they block off the streets sometimes. Those are private.

Ristow: Right, we are specifically talking about parks.

Kloeppe: How many other requests over the last few years would you say we received to just pursue it...I guess I'm just trying to grasp how often we get a request to sell alcohol?

Ristow: At the downtown office, where we get the shelter reservations and things like that, we don't get a tremendous amount. The ones that we do, we just say that the sale of alcohol is not allowed in the park and that is the end of the discussion. We've never had anything go beyond that. We do have a number of people who say they are going to have it and we ask that they police themselves and they cannot sell it. Those are the restrictions we presently put on it.

Griggs: Most of the big events we have that ask for it are concerts like the Blue Note if they want to have a concert in the park.

Kloeppe: It says there would be approval from Parks and Rec, the Police and Finance. Would there be one specific point person who would say yea or nay to this, or how would that work?

Ristow: In Parks and Rec, what we do sometimes is we take a committee-type of approach. We'll take a look at an event and then we'll have several pairs of eyes generally review the Special Use application if there is something out of the norm. And then one of us might raise a concern we voice to Mike Hood, our director.

He would have the final sign-off on Parks and Recreation applications. As far as the police department, we would look to a person to go to there as well as the finance department. With the finance department, it would most likely be business license portion.

Devine: Do all of them have to disapprove or just one?

Griggs: Just one. If one says no, that's it. They can always appeal back to the City Council.

Pauls: What is the background on where this originated from? Who initially requested this policy be drafted?

Ristow: As you recall, the Art in the Park event was held on the Stephens College campus for a number of years. During our discussions when it moved to Stephens Lake Park, it was mentioned that ordinances prohibited the sale of alcohol and we denied their request. Based upon that, they went to City Council and got permission from Council. In addition to permission, Council asked staff to come back with a policy regarding sales.

Pauls: Art in the Park is....

Griggs: The Columbia Art League is the coordinator of the event. Their current director was not there at the time, it was Jill Stedem.

Pauls: Are they aware of this public hearing here? I mean why aren't they here?

Ristow: Right now, their event has permission to do it so they don't have...they have to get permission from Council.

Pauls: So they would continue to do that by requesting special permission from Council?

Griggs: Then the Council asked us for policy so the Council would have to make that decision.

Pauls: So there are wine companies or vineyards or anybody else you know of pushing this? Mainly for wine at this event?

Ristow: Again, it would be very restrictive so you would not have vineyards coming in for wine-tasting parties.

Pauls: Wouldn't we be opening ourselves, if we do this for Art in the Park, then when we put in the amphitheater, that's a good place for a concert. If the Blue Note wanted a concert and to sell alcohol...

Ristow: That would be for any organization, they have approached us in the past.

Griggs: Then we would go through the whole permit process. Is there adequate parking, what is the crowd, what types of music, crowd control, how is clean-up? We go through a more in-depth permit even if they just have a concert period.

Pauls: We don't look at this from the Parks and Rec standpoint as a financial benefit in any way?

Griggs: Oh, no.

Pauls: So it's mainly a...

Ristow: It's a control mechanism. If it's going to occur, then we'd like to be able to control it as best we can.

Pauls: I have a question for Becky (Markt). How do you think this type of event...not that you don't have many overall concerns, but the main ones are underage drinking and adult binge drinkers. Do you think these type of events would be a detriment to those groups? I don't think adult binge drinkers are going to show up at these events and as far as kids, I don't know about the concerts. That's where I have concerns. I think the Parks staff and the City are responsible when it comes to issuing permits. I do have concerns...I have the same concerns as you, I think we all do. I don't know if a policy like this....

Markt: I think it goes to social norms that kids identify that alcohol is needed in order to have a successful and fun event. It also allows additional advertising of alcohol whether it's a banner or sign or whatever to get their attention. Kids are exposed to tons of messages about alcohol. When Art in the Park did theirs, we came to Parks and Rec and asked about that. We were assured it was not being sold by the drink, that it was bottled, which is a totally different thing, because most likely people were buying the bottle to take home to put in their wine cabinet or wherever. They weren't consuming it there by the drink. The other thing is that the arts and wine have gone together for a lot of years. That doesn't mean it has to be allowed in our parks. If it's an adult event that caters to adults, then it should be in perhaps an adult venue where kids aren't around.

Pauls: Thank you. Commissioners, other comments?

Blevins: You have alcohol at an event for two purposes. Purpose number one is the sale of it is going to increase revenues by that organization, right? At what point in time are we using our parks as a profit making venue for an organization?

Ristow: It's a good point.

Blevins: The sale of alcohol does that: makes profit and that's an issue we have to think about. And, I like Art in the Park, I've been to all of them since I've lived here for 37 years. They've all been first-class events.

Ristow: I would say up until three years ago, when we revised the Parks Special Use permit to allow sales in the parks. In the past you could not sell at all. But now with some events, we allow the sales of some concessions, but that can't be their primary focus. In other words, we don't necessarily want a garage sale occurring in our park. You know, if Columbia Soccer Club wants to hold a tournament and bring in other outside organization—and they have to be not for profit—and they happen to sell t-shirts, we have in just the last three years allowed something like that.

Devine: Do you have a special permit for that too?

Ristow: Yes, we do. But the key here is they have to be not-for-profit. A t-shirt company in town could not come in and sell but they would have to be under the umbrella of a not-for-profit. Special Olympics could hold a special event and ask a t-shirt company to come in and sell, because they would be under that umbrella.

Devine: So that is how Art in the Park makes it, because they are non-profit?

Ristow: Right. Plus, we are listed as a co-sponsor.

Pauls: So, if a private entity like some musical group would ask for a special permit once the amphitheater is done, they could not put on a concert to make money?

Ristow: Right. Right now, in addition to this policy, we are pulling together a policy on how to handle the amphitheater. That's one of the issues we're going to have to address.

Griggs: That gets into the whole thing of event management with street musicians, we're getting into more things like that now. I'm sure you saw in LA, they bid out street corners for popular spots for musicians. We're not seeing that yet, but that's probably something down the road.

Pauls: That's really the only place in town I can picture at any of our parks something like that.

Ristow: There is an amphitheater at Flat Branch too, but that is a more relaxed and informal setting. I would also say in terms of concerts, we've worked with some in the past and discussed logistics of having concerts in some of our parks. We've decided in most cases that the park cannot accommodate the crowds. We have had some real concerns. The logistics just would not work so we've denied those. Something like that would come through a Park Special Use permit. We now have to look at the amphitheater and have some rules and regulations for that.

Griggs: Another thing we would watch with concerts would be foul language and inappropriate music late at night.

Knudson: How would we pass the word to the City Council that we do not want...

Ristow: Whatever recommendation comes out of this group will go before City Council...you have the options of approval, disapproval, approval with amendments, or come back to the next meeting. Whenever that recommendation does go to City Council, I'm sure at one point, there will be another public hearing, at which point you could come back and state your concerns. This group has, as a former director used to say, unlimited powers of advisory. They are an advisory board. And the City Council has asked for their recommendations and they will be the ones to make the final decision.

Kloepfel: You said that private parties that bring alcohol to the parks, there is no real regulation except for other than not allowing under 21 to drink alcohol. In the past, has there been any complaints, like a big family reunion with a couple of kegs and everybody is getting sloshed, has that occurred often in the past and anything you've dealt with?

Griggs: Not really anything like that. Most of our park shelters are noon to 6 or 6 to 11. You know, maybe that kind of thing happens but we don't get complaints. I've been doing this since '84 and in the sports. A lot of our complaints are more with the trash resulting from it. Like at Rainbow parking lot with guys that sit after ballgames and drink a couple of beers. They hit the can or they don't. Since we lost the deposit, we have a lot more to pick up.

Blevins: Since this is a controversial and important issue, we are two members short. I would recommend that we take the comments under advisement and let's involve all the group before we recommend to City Council.

Pauls: Is there a second?

Devine: I've got a couple more things I want to say...

Pauls: We can have further discussion where there is a second. I still need a second.

Devine: OK, that's fine.

Pauls: We can still have discussion, we could let the motion die from lack of a second...I think the motion is dead for lack of a second. Dan, go ahead.

Devine: Since we have allowed alcohol in the parks, either through private individuals bringing it in, or as we said, sales at Rainbow and the golf courses—since we have that experience behind us, do we see some problems with allowing this permit, this type of use? Can we do some predicting?

Ristow: One of our thoughts is that we're trying to be proactive. For instance, at Riechmann Pavilion, with wedding receptions, we know that alcohol is going to be there. Our park ranger knows and can stop by and make sure that things are going OK. Mike, you can speak to this better than I can, but one of the problems is if we don't know about it. When they sign a permit, they are aware of the restrictions.

Devine: I noticed on the application there was a spot to put down the estimated attendance and the number of participants that are 21, and if they are under 21, outlining a plan to ensure underage individuals are not served alcohol. Would there be criteria set up so that we can say these are acceptable steps or no they haven't met them?

Griggs: We would be looking for a doorman-type, a minimum of that, someone there checking IDs. Then if there was a big crowd, 100, 200 or more, we may require they hire off-duty officers and that is always a stipulation. We even require that of all big events. If there is a large event, and we think the park is going to be packed, we may say you need to provide extra security. You're going to have parking and traffic issues, and you need to work that out with an x-number of off-duty police officers. We'll give them the contact for that and they'll work that out with the appropriate number of police.

Devine: So we would have criteria where we could say here are the things that need to happen. A couple of concerns that I also have--I have a real concern with any type of advertising of any type of alcohol in our parks. And I would ask if we get that far that we can put that into the application process, that there would not be any advertising. That's one of my big concerns. Going back to the difference between...I'm seeing a difference between Art in the Park and a concert. I'm having a real problem with that atmosphere you have at a concert than what you have at Art in the Park. You know, Art in the Park is during the day and you have the sales of alcohol not being consumed there versus a concert. With us opening up the amphitheater, I really don't want to see us going down that path. I guess my question is, are we opening ourselves up to these problems, where we have to say yes to one person and no to another person? Or are we going to be able...

Griggs: We do that now sometimes. We have to say no they can't sell alcohol right now, even though Art in the Park can.

Devine: Right, but what I'm saying is, isn't it a lot easier for you to say no to somebody because they can't do it, than it is to say no, because they haven't met the application process?

Griggs: With the draft policy, you could even recommend that purchase is by the bottle only. It's by sealed containers, not to be consumed by the drink. This is a draft we were asked to present and it can be modified as the commissioners would like.

Devine: That's what I'm saying. Before we allow this permit, I want to make sure that this is something the Parks Department wants to take on because they think it is going to make our parks better.

Knudson: To sell alcohol?

Devine: Before we do something, I want to do it because it's going to enhance the parks.

Pauls: What I don't understand is why we're changing, why we're considering a whole new policy for one group, the purpose of which could be approved every time. When now, we're causing our staff all kinds of headaches plus we're upsetting at least 60 percent of the community, if probably not more. Plus, we're going to upset the other percent we haven't heard from for whatever reasons. I don't know why we would want to go down that road with this.

Kloeppe: My opinion is that I think it sends the wrong message to say, OK let's draft something and puts the onus on us. I think this could work, but to me, it sends the wrong message to allow this in certain situations when we are going to say we're not really in favor of it. If City Council wants to make exceptions, then let them do it.

Knudson: I'm not in favor of doing this, it really is not a good mix. I have my beer every once in a while, but try not to take it to the park. I really think that where it is to this extent, even with all the regulations, I think it is the wrong message.

Pauls: I understand art and wine, I really do. I don't necessarily have a problem with that at all because it really has not created a problem that I've seen. That's what I like to go on, is experience. But I think we have a lot of experience that there can be problems you can get into and I don't want to create that. I was torn, but I don't think I'm as torn after listening to our discussion. Even if we... we had several wonderful presentations with our Columbia Hospitality, I'm part of that group—from wineries around here. That's a big part of our state's economy and they are great people. But I don't know why we would want to entertain this. I don't. Personally, I don't really see taking it under advisement, I'm ready to vote on whether we feel one way or the other and recommending it to Council. Now, Council is going to do what Council is going to do, and I think they'll...

Blevins: I'll talk to my Councilman.

Pauls: Well, I will too. So will all of these fine people. And the people from the Art League too. But nobody from the Art League is here and they would have to present a very good case for me to change my mind to go for that policy.

Ristow: Just a point of clarification, we did not invite them, we just advertised the public hearing.

Pauls: Well we didn't invite these people either, we just invited the public in general. We advertised this didn't we?

Ristow: Yes it was in the paper and posted.

Knudson: Yes, I saw it in the paper.

Pauls: I wish they would have come, they could have presented a case as to why we should have this policy.

Ristow: Right now, they are allowed to do it, so I can't speak for them, but...

Griggs: They have a new person, the executive director who was passionate about this is no longer there.

Pauls: I'm sure they will make a presentation to Council, if we vote to disapprove.

Griggs: They probably will.

Pauls: Marin, you wanted to take it under advisement, I'd be interested in what you think.

Blevins: Well, my point is that it's going to almost have to be unanimous because it's controversial, even though you have a quorum here. I was just wondering too from a legal perspective...one, I don't see a place (on the application) where a representative from the organization needs to be notarized. Right now it looks like anyone can sign this form. I think it should be modified where a president or leader of the organization has to. I also see other things on this form that—we'll just call them loopholes, if you will. As a non-drinker myself, I almost have to step back and ask myself why we're considering this: number one, I want to make sure that any changes don't alter or impair the abilities of our parks staff, and two, to make the parks

conducive to our families, to the public at large to make it better and better to enjoy the outdoors. I think any consideration of alcohol would not do that.

Pauls: Has the legal staff of the city looked at this?

Ristow: I don't think so, it's just a draft we pulled together. Before that goes out, we would ask them to take a look at it.

Blevins: That's fine.

Kloepfel: I've got a feel....I mean, we could put this off until the next meeting but we are the ones who sat here and listened and we are the majority of the Commission. I think we just need to go ahead, and I'll just...

Blevins: Call the question.

Devine: Can I just say one thing before? In anticipation of the vote, if we recommend disapproval of the policy, I think I would like to have a discussion of concerns we have that we want to send directly to the City Council because even though we recommend disapproval, it's still going to be brought up there and I want those concerns addressed when the City Council takes this under advisement.

Pauls: I think that probably most of the concerns will be in the minutes...

Devine: That's great, but I would like bullets and specific things that we would clarify here...

Pauls: Do you want to do that before we...

Devine: No, I just wanted to bring that up right now before we vote.

Kloepfel: The motion I was going to make is just simple, one way or the other, then afterwards, then are you saying we need a long and involved why...

Devine: No, I'm just saying after we vote, I would like to have that discussion, maybe just then four or five things just to really emphasize to the City Council our main concerns. I just wanted to say that before we got into the vote.

Blevins: The bullet points would be...

Devine: We'll discuss that after.

Kloepfel: I would move that the Parks and Recreation Commission recommend disapproval of the policy to allow alcohol sales in city parks.

Blevins: Second.

Pauls: It's been moved and seconded that we recommend disapproval of the policy to City Council...

Griggs: We'll make it work with what the Council directly asked. They asked us to draft a policy allowing outside organizations to sell alcohol. Isn't that what you mean, outside organizations?

Kloepfel: Yes, I want to make that clear. Any outside organizations selling alcohol in city parks.

Pauls: Further discussion? All those in favor, say aye?

Voting yes: Pauls, Kloepfel, Devine, Blevins, Knudson. Voting no: no one. Absent: Grus and Jones.

Motion passed unanimously.

Ristow: As a point of order, since Council did ask us to bring a policy to them, we are obligated to do that. It will be coupled with your recommendation and a staff report.

Griggs: That's where Dan's bullets would be helpful.

Pauls: As to why we disapprove of the policy?

Griggs: What your concerns are and why we had a unanimous vote.

Pauls: OK.

Devine: Then I'm assuming we don't want to have a discussion about a different permit or something like that.

Pauls: I don't think we want to be proposing changes to a policy that we just disapproved in the first place.

Devine: OK, right, but their point is we have to send a policy there.

Pauls: There's already a draft of that policy.

Devine: Then do we want to get into a discussion of trying to make....I didn't think so but I wanted to make sure.

Pauls: Now, you'd like to go ahead and present...what do you think?

Devine: One of my bullets would be is there would be no advertising of the alcohol sales, that...

Pauls: That that should be added to the policy if it is approved.

Devine: Right.

Ristow: I think that staff has to incorporate...

Devine: I like the umbrella of the not-for-profit, that all alcohol sales would have to be under that umbrella, that there could not be, does that make sense?

Griggs: Yes. I think that some of the bullets would be some of the points that these people made, that it would send the wrong message regarding activities in the park...

Pauls: I think Dan is now making suggestions how it should be modified if it's approved.

Devine: What I'm concerned about bringing this up is because all the information they provided us is great. I don't have a pulse on the City Council and I am afraid they are going to pass some kind of policy. What I would like to do is just send some messages if they are going to accept a policy, some things that we can agree upon that would be in there. Does that make sense?

Pauls: I don't know if that is our goal.

Griggs: Well, we could change the policy to incorporate those suggestions...

Devine: But I don't want to show any support...I want to vote against having a policy but what I'm worried about is if City Council does have a policy, that these things are not addressed.

Griggs: We can easily add to the policy that no alcohol advertising be allowed, I mean we could modify that.

Ristow: As it goes forward as part of the policy that is presented to the Council.

Devine: Can you do that without saying that we approve of the policy?

Griggs: Yes, but I think that what goes with the policy would be the policy with some of your suggestions, the motion that you disapprove the policy, then the transcript of everybody's testimony. That will all be submitted with your motion.

Ristow: There will be a staff report.

Griggs: Right.

Blevins: I would like to add that the signature be the person responsible and representing what capacity they have with the organization and that it be notarized.

(Request from audience to speak).

Pauls: I don't know, can anybody...sure, go ahead.

Coy: I guess this is related to the bullet points, but what I am hearing you all say is why does the city need a policy. I guess it's just one organization pushing it, but this has the chance to open the floodgates for other people and other organizations to profit. If other organizations think there is money involved, they're going to take advantage of it. I think your biggest bullet point is why does the city need to have a policy, taking Parks and Rec's time to go through all of this for just one group making a big stink about it. Then, my other thought was they kind of want you to be the bad guys and have to give your OK on this. I think you need to make it clear that you aren't giving your OK, and if they do this, they will be doing it against your recommendation.

Pauls: I think our vote for disapproval does that.

Griggs: The staff report will have a summary of comments with bullets and key points of each speaker and then your detailed transcription.

Devine: OK.

Blevins: I want to add to the bullets that this policy really does work in detriment with what our mission is as a board, and in detriment to our parks and to our users.

Griggs: In our staff report, we can say that some of these concerns came up. We'll have to co-team this report.

Ristow: I think that it should say that the Parks and Recreation Commission, based upon testimony, voted to

recommend disapproval and here's why. Then I think some of the comments made during the discussion included those types of things you talked about. And you are certainly aware that City Council does not have to take your recommendation or any other board.

Devine: Right, and that's the reason I made the point to bring these individual things up...I want the City Council to know what our big concerns are.

Ristow: We will work on the report and couch it in the way that you asked.

Griggs: When it goes to Council, it will be made public and will be on the web site, so generally whenever the report goes, it will be introduced. And the report will be posted online so you can see it.