



Source: Parks and Recreation *AH*

Agenda Item No: REP 22-12

To: City Council
From: City Manager and Staff *M*

Council Meeting Date: February 6, 2012

Re: Parks and Recreation Commission's Recommendation regarding Thumper Entertainment Concert Proposal

EXECUTIVE SUMMARY:

At their January 19 meeting, the Parks and Recreation Commission considered a proposal by Thumper Entertainment to hold a concert at Stephens Lake Park this summer. The matter was referred to the Commission by City Council.

DISCUSSION:

The Commission heard a presentation from representatives of Thumper Entertainment, then accepted comments from the audience and Parks and Recreation Director Mike Hood. A copy of the draft minutes from the meeting, including public comment and Commission discussion, is attached to this memo.

Commissioner Bill Pauls made a motion that the Commission recommend support of the event, waiving the alcohol sales restriction policy for this event and assessing fees to Thumper Entertainment as per city ordinance. Motion seconded by Commissioner Terry Kloeppel.

Voting in favor of the motion: Blevins, Davis, Pauls, Kloeppel and Devine

Voting against the motion: Hutton and Donaldson

Motion passed 5-2.

FISCAL IMPACT:

Should Council decide to charge the park use fees as recommended by the Commission, an additional \$8,800 in revenue to the Recreation Services Fund would be generated if the projected 4,000 in attendance at the concert is achieved.

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

12.1 Goal: A variety of attractive, well-maintained parks throughout Columbia-including neighborhood parks, regional parks, nature parks, and urban parks-will ensure all residents have access to a full range of outdoor and indoor recreational opportunities.

1.1 Goal: Columbia will both sustain and creatively expand its foundation for arts and culture in our community.

SUGGESTED COUNCIL ACTIONS:

Accept this report of the Parks and Recreation Commission.

FISCAL and VISION NOTES:

City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost		New Program/Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated		Duplicates/Expands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed		Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	Yes
One Time		Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	12.1, 1.1
Operating/Ongoing		Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	

DRAFT MINUTES

PARKS AND RECREATION COMMISSION

Thursday, January 19, 2012, 7 p.m.

ARC, 1701 W. Ash

MINUTES

Commission Present: Marin Blevins, Sue Davis, Bill Pauls, Terry Kloeppel, Dan Devine, Meredith Donaldson, Linda Hutton

Commission Absent: None

Staff Present: Mike Hood, Mike Griggs, Erika Coffman, Tammy Miller

Blevins called the meeting to order at 7 pm.

Agenda: Hood told the Commission a rezoning near the Garth Nature Area just came across earlier in the day. He asked the Commission to add the item to the agenda after the Thumper Entertainment proposal. The agenda was approved as amended on a motion by Davis, seconded by Hutton.

Minutes: The minutes were approved on a motion by Pauls, seconded by Davis.

Monthly Report: Devine referred to some crime statistics reported at the Douglass Park Forum the evening before (January 18). He asked if those statistics included Park Ranger calls? Griggs replied that yes, Ranger Arens' reports are filed as part of the police system. However, he pointed out that when Arens patrols a park, she does not count that as a service call. Police do count park "drive-throughs" as service calls. He said he may try to analyze the data a bit more.

The November and December monthly reports were approved on a motion by Pauls, seconded by Donaldson.

Thumper Entertainment Concert Proposal

Hood informed the Commission that Thumper Entertainment has submitted a request to the City for a concert that would be held in June at Stephens Lake Park. The request includes charging admission to the concert as well as the sales of alcohol and other concessions. City Council heard the report at their pre-Council meeting on January 3 as to what the appropriate fees should be for that event and whether or not the sale of alcohol should be allowed. The Parks and Recreation Department's policy is that the sale of alcohol not be allowed at events in the park. In the past, these issues have been appealed to the Council and they are able to override department policy. The Council referred the Thumper proposal to the Parks and Recreation Commission for comments and recommendation. City Council will try to make a decision in early February.

Blevins asked members of Thumper from the audience to speak about the concert proposal.

Betsy Farris introduced herself and described Thumper, which has organized the Roots, Blues and BBQ Festival each fall. Richard King and Steve Sweitzer joined her for the presentation. Based on the success of Roots and Blues, Farris said Thumper wanted to organize an event at

Stephens Lake Park. Their goals, Farris said, are to shine a spotlight on the park and to promote sustainability. She thought these goals would meet some of the City's goals as well. Farris said Thumper is looking at June 16 as a concert date, from 5 to 11 pm. She showed a map of the park. The concert would be in the northeast area of the park. She pointed out the shuttle drop-off points, where fans would enter the area, while ensuring ADA accessibility. Bike valet parking would also be available.

Sweitzer added that they plan to work with PedNet to promote biking to the event. Farris said they are planning for about 4,000 people, so they would have about 40 porta-potties. Farris pointed out the stage area. It would face into the creek and wooded area, so that would act as a sound buffer for the neighborhood. In front of the stage would be a small VIP area with an operations area behind the stage. The parking lot would serve as site for artist buses. Farris pointed out where vendors would be located. She said that there had been no alcohol-related incidents at Roots and Blues, so they felt comfortable with providing a safe environment. Farris added that people are purchasing a ticket and making an investment with seeing the artist. The demographic being targeted are ages 18-49. Thumper would like to start marketing the event about 60 days ahead of time.

Farris went on to describe some of Thumper's involvement in the community and the schools with the Blues in Schools program. They would like to expand that program and want to give back to the community, as they are all members of the community themselves.

Sweitzer said that an operations agreement would be created with the City, with a detailed security plan. The plan would include private security and also working with the Police Department to ensure rules and laws are being followed. Safety of the crowd is a top priority. King asked if there were any questions.

Before questions, Blevins introduced Councilman Gary Kespohl and Board of Education member Jonathan Sessions in the audience.

Hutton asked about the offer of 10 trees to the City, saying that was not very many.

Farris said they had suggested two options. One was the gift of trees, which Thumper had come up with after looking online to see what the park needed. They thought that would also keep in line with the issue of sustainability. The other idea is to do a fee based on a similar festival in St. Louis called LouFest at Forest Park. They have about 10,000 people per day. The organizers pay the City about \$3750 per day, based on attendance and they also use about 500 acres. Thumper is proposing a 13-acre area. Farris said that is how she came up with that formula. Thumper would also provide 100 tickets to be utilized and include the City as a partner on the event, comparing to Austin City Limits.

Donaldson asked about the admission fee?

King said it would depend on artist and logistics. But they are estimating a price of \$20 to \$40 per ticket. He would like to keep ticket prices as low as possible.

Donaldson said she viewed it as a park for all, and the ticket prices may preclude participation of some. She said she realized if you had the concert for all, then control would be more difficult.

King said they believed there needed to be some control. He added if some really wanted to see the show, they usually don't mind paying.

Donaldson asked about monitoring minors?

King said those 21 and over would have bracelets.

Davis asked if they would be interested in having the event without the sales of alcohol?

Farris said she didn't know if they could sustain the event.

King added that based on his experience, most people expect concessions at concerts. They would rather not exclude alcohol sales but will see what the City has to say.

Farris said this was a one-time event so they want to prove that based on their track record, that this concert would be a wonderful annual event.

King said the pricing of concessions also keeps things under control. He said it would not be a beer bash, that he anticipated the crowd would be pretty well-behaved.

Donaldson asked about the Hindman Discovery Gardens, how that would be protected?

Hood said that he would suggest as part of the operations agreement, staff would work with Thumper to keep the garden outside the fenced boundaries.

King said anything the Commission or Hood recommends, there is no reason for Thumper not to follow through.

Donaldson asked about the rain plan?

King said it would be a rain or shine event, unless it was heavy rain, then a postponement or cancellation would occur. They would take out insurance if there was any damage to the park.

Farris said they would take a recommendation from staff.

Hood added that as part of the process, there would be a security deposit that is refundable.

Donaldson asked Griggs if there would be any problem in this part of the park if it rained?

Griggs responded that it's fescue turf. Hood said that the deposit would cover damages up to a certain point. If it doesn't rain, damages would likely not be significant. If it does rain, and the concert goes on, the damage could be major.

King said that after Roots and Blues, staff from Thumper meets with University staff to discuss damage at Peace Park to see if any restoration is needed.

Pauls asked about the name of the event?

Sweitzer said their idea is to have the name of the band @ SLP. A web address has been secured.

Devine asked if Thumper had considered the amphitheater and if it was too small?

Farris confirmed that yes, it would not be big enough and they did not want to infringe on the neighborhood. She said they planned to involve the neighborhood and let them know what they are planning to do and get their input. Thumper wants to prevent people from parking along Walnut.

King said it was a great stage and beautiful addition to the park.

Blevins asked if anyone else in the audience would like to comment.

Lisa Bartlett, owner of Artlandish Gallery, spoke as a member of the North Village Arts District. She said a cultural event like this will engage the public and expose so many tourists to the park, trails, and facilities who have never seen it before. She added that Thumper has a proven track record of putting on well-managed, safe events. She said the Roots and Blues events are so well organized. She thought a concert in this outdoor setting would foster community spirit and engages younger citizens as well as promoting tourism. Bartlett feels that Stephens Lake Park is a perfect place for this concert.

Diana Moxon, director of the Columbia Art League, spoke of the annual Art in the Park event at Stephens Lake Park each year. She said people love coming to the park and they hear many compliments. She said she would endorse their wish to use the park for this event.

Pauls asked about wine-selling at Art in the Park?

Moxon said wine was not sold there, but she would like to. Wine-tasting is done there.

Hood did remind the Commission that before Moxon was director of the Art League, they did have permission once to sell wine. The Council approved it as a one-time use. Mayor Hindman asked staff to draft a policy allowing the sale of alcohol in the parks. It came before the Commission in 2007 and was debated. Ultimately, the Commission voted against it and it was put in front of the Council in the form of an ordinance. They defeated it 6-1.

Farris commented that Loufest in St. Louis does work with the City to responsibly sell beer. She said it could be done responsibly.

Hutton asked if other alcohol besides beer would be sold?

Farris said it would be similar to Roots and Blues, with beer, frozen drinks and wine. Servers are experienced.

Hutton referred to the map, asking again about specific location?

Farris pointed out on the map how it would all lay out and where the boundary of the event would be.

Pauls asked about parking?

Farris said it would be at Boone Hospital and also they have talked to the City about running a shuttle from the new parking garage downtown.

Hutton asked if they were concerned about congestion on Walnut?

King said their most serious concerns are parking and traffic. They will come up with a game plan and will try to encourage biking but it will involve serious consideration.

Sweitzer said parking would not be allowed on Walnut to allow the shuttles to get through.

Farris asked Moxon about Art in the Park attendance, with about 10,000 per day? Moxon said it was about 7,000-8,000.

Hood mentioned one concern was a wedding reception already scheduled at Riechmann Pavilion that same evening. The renter has been notified of the possibility of the concert and she was accepting of that, as long as the Riechmann parking lot stays open for their event. Thumper has agreed to ensure that lot is open for the private use, Hood said, and the rest of the shelters have been blocked out for that day. This results in a loss of income. The swimming area would remain open.

Kloeppel asked about if the crowd would be limited to 4,000 people? Kloeppel expressed concern that the crowd would reach an unmanageable number.

King answered that he thought 4,000 was a lofty goal for a first-time event, but ticket sales would be monitored.

Sweitzer said a capacity is set by working with the Fire Department.

Blevins asked if anyone else from the audience desired to speak.

Jonathan Sessions, member of the Columbia Board of Education, identified himself as living near the park. He also has worked with Thumper Entertainment through Roots, Blues and BBQ. He believes they have clearly proven they can work with the City and they have set precedent for organizing these types of events. Sessions said their record of alcohol sales with no incidents speaks for itself. He said Stephens Lake Park is a perfect site for a concert and this is the logical next step for the park. Speaking as a Board of Education member, Sessions said Thumper's work with the community is far beyond any expectation. Each year, they have been dedicated to the public school system by expanding music education and giving back to the public schools. Sessions does not feel they get the proper recognition for their community work.

Becky Markt, director of the Youth Community Coalition, spoke to the Commission. She read a prepared statement that was approved by the membership of the Youth Community Coalition as follows:

"The Youth Community Coalition appreciates that Mr. King is not marketing this event as a "stroller-friendly", "family-friendly" event. He is not trying to attract young children with either the design of the event or the choice of performers. We appreciate that.

However, as the Youth Community Coalition promotes the 5 promises for children and the delivery of these promises to create an environment of opportunity and success for all our youth in Columbia, and because one of those promises is the provision of SAFE PLACES, we are concerned about the use of a public park by a private enterprise for profit.

A large portion of the park will be cordoned off for this event. And there is an admission charge.

The Youth Community Coalition – advisors to the City Council on issues concerning families and youth – contend that the parks – free and open to families and children who want a safe place for healthy activities – should be kept free and open. We feel that this event could set a dangerous precedent for other – less responsible entities – to close access to the park in pursuit of profit.

The Youth Community Coalition also promotes effective education and a healthy start. We are concerned that this event could impact the park's carefully planned ecology. The natural habitats for animals, native grasses, and birds should be preserved. Millions of dollars have been invested to create this learning laboratory for our budding biologists, zoologists and botanists.

Mr. King compares the planned event to the LouFest in St. Louis. That event, he says, has an average attendance of 10,000 and uses 500 acres of land – 20 individuals per acre. Mr. King asks for only 13 acres and expects around 4,000 individuals. That's more than 300 individuals per acre.

That's a lot of foot traffic in a small area.

Not to mention port-a-potties next to a natural marsh and pond. Or the inevitable trash. Or food waste. Or bus exhaust. Or trucks moving over and through the carefully maintained grass and bushes. And if the event happens every year?

How's that for a carbon footprint?

Will this park still be a shining example of our commitment to the environment after the event?

Will it continue to be safe and attractive to the taxpayers and donors who paid for it? How much will it really cost Columbia – NOW and in the future?

The Youth Community Coalition asks you to consider these factors, as well as the precedent being set by allowing a private enterprise to use a public park for profit. Does this for-profit event truly demonstrate the community's vision for a youth and family-friendly community?"

Linda Frost spoke to the Commission, saying she works in substance abuse prevention and that she is not against people drinking but she wanted to comment on sales of alcohol in the parks as it concerns youth. Many studies show that the more youth are exposed to alcohol, the more they feel it is the social norm, she said. Frost said that the Division of Alcohol and Tobacco Control strongly advises allowing minors to enter bars. This concert would not be a bar, but a place that alcohol would be sold and easier for youth to obtain, even with the wristbands. Frost cited a national survey that adults do not approve of alcohol in the parks. Most consider parks to be kid and family friendly. Frost said this does not seem like a good mix.

King asked if he could respond. He stated that the parks allow consumption of alcohol. He believes this would be a controlled environment with drinking. King said he served more than 5 years on the Alcohol Awareness Committee through University of Missouri and he understands the issues but he disagrees and says Thumper would be responsible.

Blevins asked for staff comments on the issue.

Hood said it not unusual for a City to hold this type of an event in a park. From staff standpoint, there is a potential for a high-quality event. Staff has some concerns. Hood said he is proud of the park and pleased that Thumper thinks it will be great site for this. But it was not designed from an infrastructure standpoint for this large of an event, which makes this challenging. Hood said from a staff standpoint related to the alcohol sales, they can work with either way the decision is made, depending on the community's standpoint. Thumper also mentioned other concerts such as LouFest. Hood said that when LouFest stated they were using 500 acres, that's about half the park. There is a substantial infrastructure in Forest Park, with roads, entrances and exits. From a fee standpoint, Hood said the fee that St. Louis charges is 5 cents per square foot. The \$7,000 fee that was cut in half, Hood said he calculated that to be that

LouFest was renting about 3.5 acres. However the calculation came about, St. Louis did waive half the fee. Hood said staff looked at similar events that charge a base rental fee for the area, then a per ticket fee in addition to that. He said our fee structure is not set up that way, but will likely be considered in the future. Such a structure does help account for the wear and tear on the park.

Hood said parks and recreation staff processes about 300 special event requests per year. There are 5 pages of different fees depending on type of activity. Most are rental fees for specific facilities, however the applicable fee for this event is the general park use fee. If an entity wants to use a portion of the park for exclusive or semi-exclusive use, that's the first consideration. Second consideration is, are they charging a fee to attend their event. Hood feels like Thumper fits in that category by asking for a portion of the park for the concert. Hood said the concert could be a great event once all the details are worked out and staff will be happy to work with Thumper on it. The park will take some wear and tear and there will be additional work by staff to get the park ready. Hood said there would be expenses and the department budget is challenged. Staff has been asked to generate revenue to support the budget and that revenue helps make the park the place it is. Hood said all other groups are charged the fee and from staff's standpoint, since the fees are set by ordinance, they have no option but to recommend the fee be charged. The Commission can recommend otherwise and the Council can waive that fee or accept another fee. Hood said Council has chosen to waive the fees for the Show Me Games. The established fee is \$2.20 per adult and around \$1.95 per youth, Hood said.

Hood cited a recent bike event that paid the fee. They worked the fee into the admission cost for their event. Hood mentioned to King that if he has not worked out his ticket cost, then that could be built in with his other expenses. This would mean revenue back for making sure the park is in good condition for future events. Hood said the offer of the trees is very nice and would be appreciated but it does not support the operating budget, which is the biggest challenge right now.

Hood said there are a lot of logistical issues, but staff can work with Thumper on those types of details. There is concern about getting people in and out and dealing with parking and traffic. Hood said everyone wants it to be a quality event. The worst thing for both Thumper and the Parks and Recreation Department would be for a major problem to occur that would affect events in the future.

Devine asked about this being just a one-night, timed event; it seems that people would all be arriving at around the same time, rather than Art in the Park where it's more spread out.

King said they would need to work those things out with the shuttles and encouraging bikes.

Farris said many would walk from the parking lot at Boone to the venue.

Hutton asked about the lack of a sidewalk along East Walnut?

Farris said they would be able to walk along the trail that is in the park, pointing it out on the map.

Sweitzer said signage would help direct people.

Donaldson said the very least, she wanted to ensure that costs are recovered to the Parks and Recreation department in their labor and time. She also wants to make sure that the Discovery Garden is excluded from the area.

Davis said that when she goes to the Bluenote, she expects alcohol to be sold but not necessarily when she goes to the park. Another concern is that something of this magnitude would damage the park. She agreed with Donaldson that at the very least, fees would need to cover the costs of any needed park restoration.

Pauls added that he liked the event and the economic development it would bring. He has confidence that park staff will be able to handle this type of event and doesn't feel that they would allow this if they didn't think they could prevent damage to the park. Pauls said he thinks it would be wonderful. He said he has been to other types of events in St. Louis and other viable, vibrant communities, which hosts such events frequently. Pauls thinks that if Columbia is going to be in that realm, he is willing to try it. He likes the fee schedule and believes it could generate revenue.

Donaldson asked if the fees would cover the costs?

Hood said there was no way to know for sure. But that fee is established by ordinance and applied to other groups. Griggs added that if they sell 4,000 tickets, then that would accommodate it. But if not many tickets are sold, then it may work.

King said that Thumper is not looking for a freebie, that they want to come up with a fee that the City is happy with and wanted to make this first event work. They are open to all ideas in terms of fees.

Devine asked staff in terms of alcohol sales, would this be setting a precedent and how would staff deal with it?

Hood said he would approach it as the department policy is to not allow alcohol sales. This can be waived on a case by case basis by the City Council. Hood thinks that if this is waived for Thumper, then he suspects Art in the Park may be talking to the Council after that. Both are great events, Hood said, and he does not see problems. But there are concerns when unknown groups come in with no track record. Hood said that staff would likely continue to deny requests and advise such groups they have the right to appeal to Council.

Devine asked if this would be reviewed year to year?

Hood said yes that Council would only be waiving it for this event. If this comes up next year, then staff and Council would look back and see if anything needs to be changed going forward. Griggs said that if at some point in time if this becomes an issue, then perhaps a deadline would be set up for a year. All events that would sell alcohol would need to have their applications submitted by such a date, then that list is developed and acted on and given to the Council for their consideration at one time. Then it is done for the year so we're not dealing with this every other month.

Pauls made a motion that the Commission recommend support of the event, waiving the alcohol sales restriction policy for this event and assessing fees to Thumper Entertainment as per city ordinance. Motion seconded by Kloeppe. Motion passed 5-2, with Hutton and Donaldson voting against the motion.