

## LEGISLATIVE REVIEW COMMITTEE

Wednesday, January 19, 2023  
City Hall Conference Room 301B

### Committee Members Present:

Commissioner Carol Myers, Chair  
Commissioner John Culpepper  
Commissioner Jesse Houle  
Commissioner Ovita Thornton  
Commissioner Allison Wright

### Committee Members Absent:

### Staff:

Niki Jones, Assistant Manager  
Austin Jackson, Assistant Attorney  
Gavin Hassemer, Central Services  
Angel Helmly, Central Services  
Deputy Chief Harrison Daniel, Police Department

Lt. Philip Basinger, Police Department  
Kent Kilpatrick, Leisure Services  
Alex Bond, Leisure Services  
Sarah George, Recorder

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Commissioner Myers called the meeting to order at 1:30 p.m.

#### A. **Approval of Minutes:**

Commissioner Thornton made a motion to approve the November 16, 2022 minutes. Commissioner Houle seconded the motion. The motion was approved through unanimous consent.

#### B. **Public Input:**

Public input was received from the following individuals:

- Gene Dixon- supported expanding the festival zones for special events.

### **Commission Identified Items of Interest:**

#### C. **Review current downtown festival zone guidelines to determine elements that would need to be in place to recommend a larger zone**

Assistant Manager Niki Jones summarized Committee past committee discussion and action on the special events pilot program. Gavin Hassemer explained the role of Central Services regarding special events, and he noted that they handle the administrative side. He explained that it is important to note that special events, especially those with festival zones, are occurring in the public right-of-way and that not all events would include a festival zone. The provisions associated with the festival zone only impacts events with alcohol consumption, and, with the pilot program, special events are able to request a festival zone of up to four city blocks, beer gardens, or any combination of the two. He noted that the pilot program has essentially operated for about a year without interruptions from COVID.

Gavin Hassemer provided an overview of the process by which event organizers would apply for a special event permit. He explained that there is an application for special events that must be completed by the event organizer, and, if the event organizer is requesting a festival zone, there is additional paperwork to complete specific to that request. Central Services staff would also make contact with other departments in the government that are involved in this process and will obtain feedback on the special event request. He noted that the ordinance does allow staff to

require conditions of approval for special events based on the type and size of the event. The Police Department will also speak with the event organizer to discuss what will be required from a security standpoint. He also shared some lessons learned from the implementation of the pilot program and noted that staff, similar to event organizers, has experienced both positives and negatives in working to meet the standards of the pilot program. That said, he explained that staff does not recommend a different process or standard, but they would be open to whatever the Mayor and Commission decide. He explained that there are multiple factors to consider for the educational portion needed for festival zones – ensuring that both the participants within a festival zone, as well as the general public not participating in the special event, understand the boundaries of the festival zone and where and where not they are allowed to consume alcohol. He explained that there have been four special events this past year that utilized a festival zone.

Commissioner Houle requested clarification as to whether staff did not recommend changes from the pilot program or from the pre-pilot ordinance. Gavin Hassemer explained that he was referencing that staff did not recommend changes from the pilot. Commissioner Thornton asked staff which special events used a festival zone in the last year. Angel Helmly shared the following special events had a festival zone:

- First American Bank – one block festival zone;
- Twilight Criterium – four block festival zone;
- Creature Comforts Anniversary Party – one block festival zone; and
- Wild Rumpus – four block festival zone.

Commissioner Myers requested staff review the physical barriers required for the festival zone. Lt. Basinger shared that, for festival zones, they typically place a set of pedestrian barriers across an intersection, and there are no barriers placed on the sidewalks. Commissioner Culpepper inquired as to whether or not a wristband was required to enter a festival zone. Lt. Basinger explained that participants are not required to have a wristband to enter a festival zone, but a wristband would be required to consume alcohol within a festival zone. Commissioner Myers also inquired about how the festival zone works for participants in terms of exiting from bars. Lt. Basinger explained that, if the bar is located within the footprint of the festival zone, the participants can exit the bar into the festival zone if they have a wristband. The concept behind the festival zones included the thought that typically the bars included within the festival zone would be partnering with the event sponsor, and they would then have access to produce or provide wristbands to their customers to be able to consume alcohol in the festival zone.

Deputy Chief Daniel explained that the two primary decisions regarding the layout of the barriers for a festival zone are not obstructing the sidewalk, so as to allow free passage of other people who may not be participating in the event or festival zone, and the ability to access for emergency purposes. Assistant Manager Jones asked Central Services staff to share an example of what is provided to event sponsors regarding the signage requirements. Gavin Hassemer explained that the materials that were shared with the Committee are given to event organizers, and these are intended to inform them that it is their responsibility to educate their patrons, as well as neighboring businesses that are affected by the festival zone, about the requirements and regulations. In addition to the instructional sheet, Gavin Hassemer noted that the event organizers also are required to return a document that indicates which businesses they have communicated with regarding the festival zone and the associated requirements. Central Services staff also includes a document with an example of the requirements that should be shared with festival zone patrons, and a document with an example of signage that would need to be posted.

Commissioner Houle inquired about whether or not any of the events that did not utilize the festival zones had communicated with staff regarding the reasons why the festival zones did not

work for their events. Angel Helmly explained that, while she did not recall the specific reasons that were shared, the events that chose to use only beer gardens rather than the festival zone indicated that the beer gardens worked better for their event; this likely was due to the fundraising aspect of their event. Commissioner Wright requested clarification on the example signage that is shared with event organizers that notes “you cannot bring alcohol into the festival zone” and whether this was intended to refer to outside alcohol. Staff confirmed that it is specific to prohibiting people from bringing their own alcohol or alcohol from outside the boundaries of the festival zone into the festival zone. Commissioner Wright also inquired about whether or not the Police Department experienced people trying to bring in outside alcohol when enforcing the festival zone. Deputy Chief Daniel explained that they did experience challenges associated with regulating the container, and he believed it was more a matter of confusion. Lt. Basinger confirmed that they did also experience a few people bring in outside alcohol; he also shared that he believed, more often than not, the issues experienced related to the festival zones was from a lack of education and not knowing what can and cannot be done. He shared that the first event that used a festival zone happened during the year that COVID altered many special events, and he noted that the event was held during an atypical month. He explained that, during this very first festival zone event, a significant number of downtown patrons and alcohol-serving establishments did not know the specifics of the festival zone. This led them to have a meeting with as many bar owners as they could to layout the festivals.

Commissioner Culpepper requested clarification on the difference between a festival zone and a beer garden. Lt. Basinger explained that beer gardens have barriers on all sides and have a designated entrance and exit; patrons of a beer garden are not permitted to take alcohol outside of the beer garden boundaries. Commissioner Culpepper inquired about who has the alcohol permit for the beer garden. Lt. Basinger explained that, under State of Georgia law, the event caterer would be required to have the alcohol license for a beer garden. Assistant Manager Jones added that a 4,000 sq. ft. beer garden is limited to 300 people, and a 2,000 sq. ft. beer garden is limited to 150 people. This is in contrast to a festival zone, which has no limit on the number of people. Commissioner Culpepper asked staff if any vendor could sell alcohol in a festival zone or if they have to have a special permit for it. Lt. Basinger explained that, if the bar falls within the boundaries of a festival zone, they can participate in it by selling alcohol to patrons for the festival zone. Commissioner Culpepper also inquired about any feedback staff has received from bar owners and whether or not they indicated preference for the festival zones or beer gardens. Angel Helmly explained that, if they fall within the festival zone area, they probably prefer the festival zone, but a lot of them do not fall within the area. She also noted that previously, when they only permitted beer gardens, the event sponsor was able to decide which businesses got to use the beer gardens, so even then not everyone was able to participate.

Commissioner Houle requested clarification from staff as to whether the recommendation was to keep in place the festival zone and beer gardens as options and continue to allow event organizers to request any combination of them. Gavin Hassemer confirmed that to be correct, and he explained that staff does not believe there has been sufficient time or events to give any sort of recommendation to change what is written. Commissioner Houle also requested confirmation that, because the pilot program was put in place as a pilot, there would need to be some action to at least solidify the pilot as a permanent code change. Assistant Manager Jones confirmed that to be correct.

The Police Department shared with the Committee their lessons learned from the special events pilot program. Deputy Chief Daniel reiterated that the Police Department’s goals regarding any special event is to safely facilitate the event in accordance with local and state laws, and they also have an interest in reducing conflict points between their officers and the public. He also noted that they look at this as having a shared responsibility between the Police Department and

the event sponsor on the ground to make sure that the necessary things are being done. He agreed with Central Services staff that they believe it is too early to expand the festival zones. He noted that they have observed confusion and a lot of open containers, even blocks away from the festival zones, and this is an area that they need to look at for improvement, whether through increased signage or opportunities for education. He also explained that they can manage a small area with one entry point and one exit point or two entry and exit points, but the larger it grows, the more difficulty and unwieldy it will be from a safety standpoint. He noted that they might also have to increase the number of officers required if the size of the festival zone increases. He reiterated that the greatest lesson learned is that people did not seem to understand or recognize what the rules were regarding festival zones.

Commissioner Thornton inquired about the length of time that staff recommends for the pilot to be extended, given that staff shared that they do not have enough data or information, and if this would change the scope of the Mayor's charge. Assistant Manager Jones explained that the Mayor's charge specifically asks for us to consider the elements needed in order to increase the festival zones. He explained that staff would not recommend that we increase the size of the festival zone, as they believe it is too early to tell at this point and more festival zones are needed; however, if that is the will of the body, staff will certainly advise on those elements. Commissioner Wright requested clarification on whether or not College Square could be potentially used for a festival zone. Staff confirmed that it could be used for a festival zone. Commissioner Wright noted that there are even areas that have yet to be used or observed, and there also has not been any special events on Clayton Street, since the streetscaping has been completed. She also inquired if College Square was a larger area than what is currently allowed under the pilot program to use as a festival zone. Deputy Chief Daniel explained that the area of College Square would be smaller than one city block, and event organizers are allowed up to four city blocks for a festival zone.

Deputy Chief Daniel also noted that the Police Department does believe the allowance for festival zones are already pretty expansive from their perspective; however, if they were to be expanded it would likely require some additional officers to staff a larger area, improved signage to make things more clear inside and outside the festival zone, stronger language related to the education, and then the shared responsibility to take corrective action if something is problematic at the moment the event is occurring. Commissioner Wright also requested clarification on whether or not volunteers could be used to assist with educating patrons. Deputy Chief Daniel shared that he did not see any problem with volunteers assisting with educating patrons at the gates. Commissioner Wright expressed interest in continuing the pilot program.

Commissioner Myers inquired about whether or not there were elements of the ordinance that needed to be corrected like the language associated with the signage requirements. Under the existing ordinance for the pilot program, signs are required to have letters that are at least three inches; Commissioner Myers explained that she would believe it would need to be a larger, given the amount of people in crowds that may make it even more difficult to see. Staff agreed that it could be larger. Lt. Basinger explained that a lot of the problem associated with signage pertains to where the signs are being located; lessons have been learned from each special event that has used a festival zone, and this is the reason staff is recommending extending the pilot program. Commissioner Houle agreed with Commissioner Wright and noted that they would support continuing the pilot program; however, from an event planner's perspective, it might be beneficial to codify the pilot language in the ordinance to reduce any sense of anxiety when event organizers are seeking sponsors and planning the event. Commissioner Houle also inquired about whether or not the Police Department felt more officers were needed for night events than at day events or if the same amount of people were needed at any time of day. Deputy Chief Daniel explained that it would depend on the type of event, and it is not something

that they can reasonably predict. Currently, it is written to require at least one officer at each entry and exit point of a festival zone, but, if the festival zones were expanded, it may require more officers within the broader area of the festival zone.

Commissioner Houle expressed interest in also understanding the needs of other staff, like Transportation and Public Works or Solid Waste, which may be on the ground for special events and may be impacted if the festival zones expanded. Kent Kilpatrick explained that, from a Leisure Services perspective, staff would be present for the protection of any equipment, like mobile stage. Commissioner Houle inquired if the number of staff would need to be changed if festival zones were expanded, and Kent Kilpatrick shared that it would not change their level of staffing. Angel Helmly explained that Transportation and Public Works is not typically present for the special events; Solid Waste would most likely need more staff if the festival zones were larger. Commissioner Houle also expressed interest in understanding if there could be lessons learned from how other jurisdictions approach open container rules. Deputy Chief Daniel explained they could reach out to other jurisdictions, like City of Savannah, if desired.

Commissioner Myers requested staff provide a list of obstacles that would have to be overcome to expand festival zones at this point as well. This would help them better explain to event organizers that are facing logistical and financial challenges why expanding festival zones at this point is not recommended and why more data is needed. She also agreed that learning what other communities are doing and how those are burdensome or helpful to the event sponsors and staff would be helpful. Commissioner Thornton explained that she believes staff has given her enough information for her to support continuing the pilot program, but she expressed interest in getting it in writing. Lt. Basinger shared that, when the pilot program was put together, staff did incorporate research from other communities' models, including Milledgeville. Assistant Manager Jones also noted that staff had conducted a comparative analysis prior to drafting the ordinance for the pilot program.

Commissioner Wright explained that she was curious if the concerns related to the signage requirements might be alleviated if staff developed the signs using hotel/motel funding that could be reused for special events. Gavin Hassemer explained that staff could look into the signs, but he noted that the problem with the signs is more related to the placement of the signs versus the size of the signs.

Assistant Manager Jones summarized that staff would note any changes that are recommended within the ordinance, they will also do some additional research on City of Savannah, staff will look into the signage, and they will also work on a staff report summary to help communicate the reasons behind the recommendation.

#### **D. Schedule/Agenda Changes**

The next LRC meeting is scheduled for February 2, 2023 at 1:00 p.m.

Commissioner Wright made a motion to adjourn the meeting. Commissioner Houle seconded the motion. The motion passed unanimously.

The meeting adjourned at 2:49 p.m.