

## **EDUCATION, ARTS & CULTURE COMMITTEE**

**November 24, 2009**

**3:45 P.M.**

Councilman McGary, Chairman, called the meeting of the Education, Arts & Culture Committee to order with Councilmen Benson, Berz, Ladd, Rico, Robinson, Scott, Gilbert, and Murphy present. City Attorney Michael McMahan and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Chief Williams, Daisy Madison, Dan Johnson, Larry Zehnder, Richard Beeland, Missy Crutchfield, David Johnson, and Mayor Littlefield.

**On motion of Councilwoman Robinson, seconded by Councilwoman Ladd, the minutes of the previous meeting were approved as published.**

### **ALCOHOL AND WINE SALES/TIVOLI AND MEMORIAL AUDITORIUM**

Chairman McGary stated that Senator Berke would be here later to give his opinion, stating that he thought the Convention Center was the route to go. He stated that this issue would be taken up later in the meeting.

### **PUBLIC ART FUNDING**

Chairman McGary mentioned that in addition to our actual funding allocation that some had mentioned finding an alternative funding source; that Councilman Murphy had suggested an alternative funding source in the way of \$.50 per night on the hotel and motel stays—that this was a suggestion.

Councilwoman Robinson asked if this would be replacing the City's allocation? Chairman McGary responded "no"—that it was alternative funding in conjunction with the Capital Budget funding. Councilwoman Ladd indicated that she had no other suggestion but would serve on a committee. Chairman McGary asked if others on the Council would like to see this looked into?

Councilman Rico stated that there was so much else the City needs; that he was in favor of just giving this the \$100,000 and not worry about an Art Program.

Chairman McGary still questioned if there were other suggestions as to alternative funding? Councilwoman Berz stated that the Mayor appoints a Public Art Committee with funds through Parks and Recreation, and this is their job. Chairman McGary stated that in an effort to be clear, this was just follow-up to Councilman Murphy who had raised this concern; that he just wanted to know if there was anyone else with similar concerns; that he would sit down with Councilwoman Ladd and Councilman Murphy later about this situation and follow through for next year's cycle.

**ALCOHOL AND WINE SALES/TIVOLI AND MEMORIAL AUDITORIUM**

Senator Berke had not arrived. Chairman McGary noted that the Senator had made the suggestion that the Convention Center might be the route to go. Councilwoman Berz questioned if both entire facilities would have to be declared a Convention Center? Chairman McGary responded that in following our Code, a Non-Profit Organization would have to manage the Tivoli and Memorial Auditorium—that the staff people were concerned if we go this route; that the second option was the Convention Center format. Councilwoman Berz pointed out that we already have a Convention Center and questioned if it would become part of this and there would be three entities? Councilwoman Scott noted that we have a contract with Carter Street Corp. for the Convention Center downtown. Attorney McMahan added that Carter Street is non-profit and manages the Convention Center for the City and the County; that it was set up in 1982, with the City owning 2/3 and the County 1/3 and operates at a slight deficit.

Councilwoman Scott stated that this issue was linked with many moving parts, and she was not sure she could encourage or discourage this.

Attorney McMahan noted that we could set up a second Convention Center. Chairman McGary stated that in looking at this issue, they had talked to TAPA and Carlos Smith, and he did not feel comfortable with this. He again outlined two options—Another outside non-profit facility, which would involve the staff issue and possible loss of jobs and the City holding a liquor license as a Convention model.

Councilwoman Berz wanted to know if a cost analysis had been done, irrespective of what the Senator has to say. Chairman McGary stated that Senator Berke had indicated that he would aid us in this process. Councilwoman Berz stated that if we go the convention model route that she would like to look at the whole picture.

Councilman Gilbert asked since Carter St. was a non-profit organization, if they could not run both facilities, and we could keep the current employees, with Councilwoman Berz agreeing that both would be under one umbrella.

At this time a recess was taken until Senator Berke arrived.

The meeting resumed and Chairman McGary thanked Senator Berke for joining us in looking into the sale of alcohol and wine at the Tivoli and Memorial Auditorium. He asked what management meant and the best route for us to go.

Senator Berke stated that it was a privilege to be here; that Councilman Murphy had sent him a request to get the Attorney General's opinion and also he had been in contact with Chairman McGary as to how to sell alcohol at the Tivoli and Memorial Auditorium; that he contacted the Attorney General's office, and he asked the question if a non-profit would just have to manage the concession stand or the whole facility? The opinion was to register the particular facility as a Convention Center with ABC, and they believed the Tivoli and Memorial Auditorium would fit this; that once this was done, the City could obtain a license and manage the facilities itself.

Councilwoman Robinson noted that we have a Convention Center that is managed by Carter St. Corp.; that what this sounds like is just essentially a piece of paper that we could get approved and move forward. Senator Berke responded that it was a "very important" piece of paper; that the City would need to fill out the proper paperwork and if the facilities meet the definition that would be the last step.

Chairman McGary noted that David Johnson stated that the Memorial Auditorium started out as a Convention Center.

Senator Berke stated that he did not have the Code with him, but he did not think there would be any problem and the State was expecting the City to do this.

Councilman Rico asked about this being across from a church and was told that this was a zoning issue that the City could take care of.

Senator Berke stated that the City could operate this themselves or could use a third party; that a Convention Center can hold a license. He did note that this was just an informal Attorney General opinion but that they contacted ABC.

Attorney McMahan stated that there would be a \$1,500 fee to apply. Senator Berke noted that ABC can be complicated and if any issues should arise, everyone had his telephone number.

Councilwoman Robinson stated that she would like to be the first to propose a toast and thanked Senator Berke.

The meeting adjourned at 4:30 p.m.