

LIQUOR CONTROL COMMITTEE MEETING
February 24, 2016
1:30 P.M.

Present: Commissioner Piepkorn, Police Chief Dave Todd, City Auditor, Steve Sprague, Commissioner Tony Gehrig.
Absent: Asst City Attorney Gary Stewart
Others Present: Rick Carik, Rick's; Duane Linton, Duffy's; Nikki Bergland, Bernie's; Jade Rosenfeldt, Vogel; Lloyd Sampson; Nancy Morris, City Attorney; Dean Bachmeier, Buffalo Wild Wings, concerned citizens and other members of the industry.

Meeting was called to order at 1:30 P.M.

1. Commissioner Piepkorn called the meeting to order and asked if there were any additions or corrections to the minutes of January 20, 2016. There were no additions or corrections to the minutes of January 20, 2016. Moved by Gehrig, seconded by Todd to approve the minutes of the January 20, 2016 meeting of the Liquor Control Board; all voted in favor, motion passed unanimously.
2. A. The first application to be considered today is for the issuance of a Class G alcoholic beverage license to Nail Concepts Inc d/b/a Nail Deluxe to be located at 4302 13th Ave South Suite 5. Both the Police Department and the Auditor's office commented about the difficulty communicating with the applicant. Both felt the applicant did not grasp the requirements of the ordinance to serve prepared meals.

Moved by Gehrig seconded by Todd to DENY the issuance of a Class G alcoholic beverage license to be issued to Nail Concepts Inc d/b/a Nail Deluxe to be located at 4302 13th Ave South Suite 5. All voted in favor, motion to DENY carried.

B. The second application to be considered is for the transfer of a Class ABH alcoholic beverage license from Imperial Hospitality LLC d/b/a Vista Inn to Great Plains Hospitality Inc. d/b/a Vista Inn to be located at 1340 21st Avenue South.

Moved by Sprague, seconded by Gehrig to approve the transfer of a Class ABH alcoholic beverage license from Imperial Hospitality LLC d/b/a Vista Inn to Great Plains Hospitality Inc. d/b/a Vista Inn to be located at 1340 21st Avenue South. All voted in favor, motion carried.

3. Sprague explained he received a request from an FA-RZ license holder to remove the restriction that doesn't allow an FA-RZ license holder to receive a class E permit. The issue was referred to the task force, the discussion there revolved around the need to continue to incent businesses to open restaurants in the downtown corridor. Gehrig suggested eliminating the gaming and E permit restriction thereby making the FA-RZ the same as the FA then capping the FA-RZ license until the subcommittee completes its work, at that time the intention would be to consolidate the FA-RZ and the FA.

Nancy Morris raised some issues she wanted to explore. Sprague suggested we direct the city attorney to return to Liquor Control with a draft of the changes. Gehrig moved to direct the City Attorney to draft the ordinance revisions that would remove certain restrictions on the FA-RZ license and then cap the issuance of more licenses and return the draft to the Liquor Control Board, seconded by Sprague. Motion Carried

4. Jade Rosenfeldt, Vogel Law, representing Marcus Theater presented a draft ordinance with additional restrictions not allowing alcohol in movies rated G or animated PG movies. She mentioned concerns about the additional cost of enforcement because of the requirement that an admission ticket be purchased for compliance checks, she shared her client would not be interested in sharing any additional costs. She commented that ideally we would have separate theaters but in the movie theater environment that is not a possibility. Chief Todd questioned if the monitoring of alcohol would be at the door to the theater or based on the ticket purchased, Jade responded it would be at the door. Piepkorn stated he suggested at the City Commission meeting that the discuss some compromise; he also commented that he had not been contacted at this point. He feels each theater should have a family friendly section. Jade suggested a meeting with the commissioners. Moved by Piepkorn, seconded by Sprague to delay any action on the FA-Cinema request until further discussion can take place. Motion passed.
5. Gehrig updated the Liquor Board on the status of the subcommittee.

There being no further business to come before the Liquor Control Board, the meeting was adjourned at 2:09 p.m. The next regular meeting will be held Wednesday, March 16, 2016 at 1:30 p.m. in the City Commission Room.

Liquor Control Board minutes are available on line at:

<http://www.cityoffargo.com/Business/Licensing/Alcohollicensing/LiquorControlBoard/>