

## **LIQUOR CONTROL COMMITTEE MEETING**

**May 18, 2016**

**1:30 P.M.**

Present: Commissioner Piepkorn, Commissioner Gehrig, Deputy Police Chief Joe Anderson, Director Environmental Health Grant Larson, City Auditor Steve Sprague

Absent: None

Others Present: Rick Carik, Rick's; Dean Bachmeier, Buffalo Wild Wings, Dave Erickson, Bulldog Tap; Joe Burgum, Aaron Duma, Sanctuary, Hans Miller, Spicy Pie; Dustin Mitzel, Happy Harry's; Dave Glessner, Sidestreet; Duane Linton, Duffy's; Raihana Nadem, Men's Hair World, 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 April 20, 2016. There were no additions or corrections to the minutes of April 20, 2016. Moved by Gehrig, seconded by Anderson to approve the minutes of the April 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 transfer of a Class A alcoholic beverage license from Firebox LLC d/b/a Firebox to DEI Holdings, Inc. d/b/a Firebox to be located at 503 7<sup>th</sup> Street North #3.

Moved by Gehrig seconded by Larson to approve the transfer of a Class A alcoholic beverage license from Firebox LLC d/b/a Firebox to DEI Holdings, Inc. d/b/a Firebox to be located at 503 7<sup>th</sup> Street North #3. All voted in favor, motion carried.

- B. The second application to be considered is for the issuance of a Class H alcoholic beverage license to Spicy Pie SF, LLC d/b/a Spicy Pie to be located at 2640 52<sup>nd</sup> Ave South.

Moved by Gehrig, seconded by Larson to approve the issuance of a Class H alcoholic beverage license to Spicy Pie SF, LLC d/b/a Spicy Pie to be located at 2640 52<sup>nd</sup> Ave South. All voted in favor, motion carried.

- C. The third application to be considered is for the issuance of a Class RZ-V alcoholic beverage license to 670 Events LLC d/b/a Sanctuary Events Center to be located at 670 4<sup>th</sup> Avenue North. Commissioner Piepkorn questioned the initial issuance fee as opposed to a Class A license, Sprague reviewed the restrictions associated with the RZ-V licenses. Aaron Duma explained their concept will have them operating 3 to 4 days a week. Piepkorn commented the businesses in the area should all see a benefit from events located in this complex.

Moved by Gehrig, seconded by Anderson to approve the issuance of a Class RZ-V alcoholic beverage license to 670 Events LLC d/b/a Sanctuary Events Center to be located at 670 4<sup>th</sup> Avenue North. Motion Carried

D. The fourth application to be considered today is for the issuance of a Class H alcoholic beverage license to Men's Hair World LLC d/b/a Hair Salon to be located at 1801 45<sup>th</sup> Street South Suite L.

Sprague explained after meeting with the applicant the Class H license appeared to be the best fit based on the licenses currently available. Ideally, the city would have a class of license that was tied to a primary business clause but that is not currently available. Sprague further commented that this business concept would be similar to the nail salons that are serving wine and have a Class G liquor license. The applicant has received a limited food service license from Environmental Health. Deputy Chief Anderson commented that the department's concerns are the ordinance requires 50% food sales, alcohol served at a table or booth and alcohol is sold not given away.

Moved by Gehrig, seconded by Larson to approve the issuance of a Class H alcoholic beverage license to Men's Hair World LLC d/b/a Hair Salon to be located at 1801 45<sup>th</sup> Street South Suite L. Motion carried

3. At the last Liquor Board meeting Aaron Templin requested an increase to the number of Class C, on sale beer, liquor licenses. Assistant Attorney Morris was directed to prepare a revision to the ordinances to increase the number of Class C licenses by one. Sprague read the minutes from two City Commission meetings from January 1986, in those minutes Commissioners reflected on the number of Class C licenses available and pending requests to have off sale beer in convenience stores.

Moved by Sprague, seconded by Gehrig to forward the ordinance to add one Class C liquor license to the number available to the City Commission. Motion passed.

4. Sprague stated he contacted the audit firm Eide Bailly to discuss the businesses that were not fully cooperative in the audit. The auditor felt that a letter from the City explaining that full cooperation in the audit is required by ordinance would help get full cooperation. The estimated fee would be \$3,000

Moved by Gehrig, seconded by Anderson to have the auditors conduct the additional testing to complete the audits. All voted in favor

5. Gehrig reviewed the proposed penalty structure matrix and indicated we still had about one-third of the various penalties to review.

Liquor Control Board minutes are available on line at:

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

There being no further business to come before the Liquor Control Board, the meeting was adjourned at 2:05 p.m. The next regular meeting will be held Wednesday, Jun 15, 2016 at 1:30 p.m. in the City Commission Room.

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