

LIQUOR CONTROL AGENDA

To: Liquor Control Committee
 Commissioner Dave Piepkorn
 Commissioner Tony Gehrig
 Police Chief Dave Todd
 Grant Larson, Environmental Health

FROM: City Auditor Steven Sprague

DATE: July 12, 2018

SUBJECT: Liquor Control Committee Meeting

The Liquor Control Committee will be meeting on Wednesday July 18, 2018 at 1:30 p.m. in the City Commission Room at City Hall.

Agenda items are:

1. Approve minutes of the May 16, 2018 meeting.
2. Review Liquor Applications
 - a. Application to issue a Class Y alcoholic beverage license to Drekker Brewing Company LLC d/b/a Drekker Brewing Company to be located at 1632 1st Ave N.
 - b. Application to issue a Class FA alcoholic beverage license to BeerFish LLC d/b/a BeerFish to be located at 230 Roberts Alley North.
3. Other items.

LIQUOR CONTROL COMMITTEE MEETING
May 16, 2018 1:30 P.M.

Present: Commissioner Piepkorn, Commissioner Gehrig, Police Chief Dave Todd,
City Auditor Sprague, Chris Ohman, Environmental Health,
Absent: Grant Larson
Others Present: City Attorney Erik Johnson; Rick Carik, Rick's; Dustin Mitzel, Happy
Harry's; Dave Erickson, Bulldog Tap; Duane Litton, Duffy's; Mark
Doyle, Chubs; Cody Nelson, Barbacoa; Jared Hardy, Fargo Brewing;
Melissa Rademacher, DCP; Chad Klimek, Windbreak; Greg & Jose Danz,
Zambroz; Other members of the media, 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 18, 2018. There were no additions or corrections to the minutes of April 18, 2018. Moved by Gehrig, seconded by Todd to approve the minutes of the April 18, 2018 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 "F" alcoholic beverage license to Drunken Noodle d/b/a Wasabi/Poke Bowl to be located at 560 2nd Avenue North.
There were no questions or comments regarding this application.
Moved by Gehrig, seconded by Todd approve the issuance of a Class "F" alcoholic beverage license to Drunken Noodle d/b/a Wasabi/Poke Bowl to be located at 560 2nd Avenue North, all voted in favor, motion passed unanimously.

B. The second application to be considered today is for the transfer of a Class "FA" alcoholic beverage license from Mom's Kitchen Inc. d/b/a Mom's Kitchen to 1631 Hospitality LLC d/b/a Black Sheet Grill & Tavern located at 635 2nd Avenue North.

Commissioner Gehrig questioned the transferability of this license, Attorney Johnson all licenses issued prior to 2014 are transferrable. Gehrig said he can't approve these anymore.

Moved by Sprague, seconded by Todd to approve the transfer of a Class "FA" alcoholic beverage license from Mom's Kitchen Inc. d/b/a Mom's Kitchen to 1631 Hospitality LLC d/b/a Black Sheet Grill & Tavern located at 635 2nd Avenue North, Voting in favor, Piepkorn, Todd, Sprague, Ohman, voting against Gehrig.

C. The third application to be considered today is for the transfer of a Class "FA" alcoholic beverage license from Anderson Franchise Investments d/b/a Perla's Fresh Mexican located at 2635 45th Street South to North Star Hospitality LLC d/b/a 47 Degrees North to be located at 4281 45th Street South.

Chief Todd indicated the pending criminal case was dismissed.

Moved by Sprague, seconded by Todd to approve the transfer of a Class "FA" alcoholic beverage license from Anderson Franchise Investments d/b/a Perla's Fresh Mexican located at 2635 45th Street South to North Star Hospitality LLC d/b/a 47 Degrees North to be located at 4281 45th Street South. Voting in favor, Piepkorn, Todd, Sprague, Ohman, voting against Gehrig.

3. Commissioner Gehrig commented he would like to request an RFP to have someone review our liquor ordinances, the scope would be similar to what the task force reviewed a couple of years ago including licensing structure and caps.

Moved by Gehrig to seek an RFP to review liquor ordinances, there was no second. Motion died for lack of a second.

4. Attorney Johnson explained the permit would require the DCP to designate a defined area and defined dates. The DCP will work with liquor license holders as this is not a license for the DCP to sell alcohol. It allows the alcohol to be in areas of the public right of way that under non DCP events would not be allowed. Chief Todd commented it requires the police to determine the proper amount of security.

Jose Danz said this ordinance sets a precedent, allowing alcohol in public areas, what's next pub crawls? How do you say no to non DCP events? Does it close the streets for all these events?

Chief Todd responded if they are closing streets it needs to be included in the plan, events like Corks and Canvas do not close the streets, additionally; pub-crawls are not a DCP event.

Greg Danz asked what the intent was. Do you want people walking around the street carrying drinks? In Sioux Falls, they essentially close their store when these events take place; it is all about the bars. He further commented that a wristband would not change the character of a person. He said he would like to see participants of Corks And Canvas slow down and engage with the artists.

Duane Litton, Duffy's, asked if you have to be a member of the DCP? Also, he clarified that participating license holders would need to obtain an E permit. Chief Todd indicated the DCP would choose the participants from the applications they received.

Melissa Rademacher, DCP, said the goal was to be conservative, to drive support for local businesses. Using this permit at the Street Fair and other DCP events will require DCP Board approval before the permit request is submitted, they are modeling the ordinance after events in other communities. The intent is to enjoy Broadway and not slam drinks. She said the goal was to be ready for Street Fair.

Commissioner Piepkorn commented this sets a precedent and we need to move cautiously and do it right. He said it would be great if it was a pilot project. Attorney Johnson suggested including a sunset clause

Moved by Gehrig, seconded by Sprague to forward the proposed ordinance to the City Commission adding a sunset date of December 31. Motion passed unanimously.

There being no further business to come before the Liquor Control Board, the meeting was adjourned at 2:03 p.m. **The next regular meeting will be held Wednesday, June 20, 2018 at 1:30 p.m. in the City Commission Room.**