

LIQUOR CONTROL COMMITTEE MEETING

April 20, 2016

1:30 P.M.

Present: Commissioner Piepkorn, Commissioner Gehrig, Police Chief Dave Todd,
City Auditor Steve Sprague
Absent: Asst City Attorney Gary Stewart
Others Present: Rick Carik, Rick's; Dean Bachmeier, Buffalo Wild Wings, Nikki
Berglund, Bernies; Joe Burgum, Aaron Templin, Steve Hatfield,
LaQuinta, Dustin Mitzel, Happy Harry's; Tim Rosendahl, Rosey's,
Anderson's, Fargo Brewing, 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 March 16, 2016. There were no additions or corrections to the minutes of March 16, 2016. Moved by Gehrig, seconded by Todd to approve the minutes of the March 16, 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 FA alcoholic beverage license to Playmakers, Inc. d/b/a Avalon Events Center to be located at 2525 9th Ave South. The background check has been completed and no relevant issues revealed. Sprague explained the AB license was included in the sale of the Swanson Properties and the Avalon needed to get a license in order to be able to continue operating. Chief Todd there was a dated Chapter 7 bankruptcy. Piepkorn asked if calls for service had decreased, Todd said they were virtually non-existent.

Moved by Gehrig seconded by Todd to approve the issuance of a Class FA alcoholic beverage license to Playmakers, Inc. d/b/a Avalon Events Center to be located at 2525 9th Ave South. All voted in favor, motion carried.

B. The second application to be considered is for the issuance of a Class Y alcoholic beverage license to The Fargo Brewing Company, LLC d/b/a Fargo Brewing Company Ale House to be located at 4445 17th Street South Suite 3. The applicants are aware the State only allows them to sell beer at the location it is produced.

Moved by Gehrig, seconded by Todd to approve the issuance of a Class Y alcoholic beverage license to The Fargo Brewing Company, LLC d/b/a Fargo Brewing Company Ale House to be located at 4445 17th Street South Suite 3. All voted in favor, motion carried.

3. City Auditor's office received a request from Tim Rosendahl to allow him to sell wine off sale at their Rosey's location. Rosendahl said they currently have an FA-RZ and will feature seafood, cheeses, grab n go and grilled cheese. Sprague pointed out the

FA-RZ license currently does not allow off sale of any kind. Sprague was not sure if stacking licenses was allowed. Piepkorn asked if there was an existing license that would allow him to do the things he is talking about, Sprague replied the AB license would work. Chief Todd said the City issued the license just 2 months ago and now you are asking for changes. No action was taken to create a new license.

4. Aaron Templin requested an increase to the number of Class C, on sale beer, liquor licenses. Currently, the number of license available is capped at 3 and they have all been issued. Mr. Templin's business model is to serve only craft beers; he feels this is a liquor license that is economically feasible.

Gehrig moved to remove the caps on the Class C license, motion died for lack of a second.

Chief Todd asked if there were other licenses that could work for his business model and what the reason for the cap was. Sprague commented his business model is to sell only craft beers and that the Class C is the best license for his business model. Sprague did not know why the caps were put in place in 1986.

Moved by Piepkorn, seconded by Gehrig to direct the City Attorney to add one Class C liquor license to the number available and bring the proposed ordinance back to the Liquor Board and to research the reason for the caps. Motion passed.

5. Sprague indicated he received a request from Steve Hatfield, La Quinta Inn to change the maximum number of rooms to be eligible for the ABH-Limited. Piepkorn asked why the maximum number of rooms was established. The answer was not readily available.

Moved by Piepkorn, seconded by Todd to remove the high end cap on the ABH-Limited license. All voted in favor

6. Sprague presented the audit report from Eide Bailly, There were some questions Sprague could not answer. Sprague said he would work with Eide Bailly to address the questions.
7. Gehrig updated the Liquor Board on the status of the subcommittee. The subcommittee is working on the penalty structure trying to reduce the number of infractions but being mindful to have some flexibility. Gehrig mentioned the subcommittee discussed hiring a consultant to assist with modifying the code.

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 2:10 p.m. The next regular meeting will be held Wednesday, May 18, 2016 at 1:30 p.m. in the City Commission Room.

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