

June 10, 2024 Alcohol Ordinance Review and Rewrite Committee

Alcohol Ordinance Review and Rewrite Committee – June 10, 2024 AT 1:00 P.M.

Members Present:

Kevin Black, Jon Hanson, Chairman Paul Pitner, Mayor Tom Ross, Brett Tinnes

Members Absent:

None

Also Present:

Mikayla McWilliams (City Clerk), Harold Stewart (City Manager), Chief John Klug (Police Chief), Stefanie Stalheim (City Attorney), and Brian Billingsley (Community & Economic Development Director)

The meeting was called to order by Chairman Paul Pitner at 1:00 pm.

APPROVAL OF MINUTES

Mayor Ross moved the committee approve the minutes of the May 20, 2024 Alcohol Ordinance Review and Rewrite Committee meeting.

Motion seconded by Brett Tinnes and carried the following vote: ayes: Black, Hanson, Pitner, Ross, Tinnes; nays: none.

NEW BUSINESS

3.1 DISCUSSION WITH RETAINED COUNSEL – KATIE SCHMIDT WITH OHNSTAD TWICHELL, P.C.

Chairman Pitner provided Katie with a brief summary of the work the committee has done up to this point:

- Adding an off-sale license
- Defining transfers and licensed premise differently
- Special Event Permits
- Outdoor Dining
- Mandatory Server Training
- Theoretical value of a capped Retail Liquor, Beer, and Wine license
- Discussion on violation process

He also reiterated these are just recommendations from the committee and there will be public input sessions.

The committee provided Katie with ideas to review and research. They discussed the idea of grouping together license 12-17 into some sort of event/stadium license. When it comes to the Retail Liquor, Beer, and Wine license a few ideas for Katie to research included:

- Initial license fee \$125,000 and overtime lowering the amount down to the decided final amount.
- Grandfathered licenses get a one-time transfer.
- Right of first notice – the City of Minot would provide notice to all license holders before the sale of a new license. This would give the chance for a private sale/transfer to happen with the new license holder and grandfathered license.
- Renewal fees/application fees – waived for a period of time.
- Gaming only allowed in the locations of the grandfathered licensed premise.

- Determination of value on the license.

The committee and Katie decided she would do the research with a timeline of 6-8 weeks.

OLD BUSINESS

4.1 DISCUSSION OF CHAPTER 28, ARTICLE VII, DIVISION 2 – OUTDOOR DINING, STREATERY, AND PARKLET ENCROACHMENTS

Emily Huettl, Assistant City Engineer, discussed how the City of Minot updated the ordinance in 2022 and removed some of the information and developed a policy mimicking the City of Fargo. The committee discussed clarifying the way Section 5-27 reads in the City of Minot Code of Ordinances. This section relates to the process of private property vs public property. Parklets do not allow for alcohol service.

To better understand the committee thoughts on Section 5-27, Mayor Ross moved the committee approve that outdoor dining on private property would require permanent fencing. Motion seconded by Kevin Black and carried the following vote: ayes: Black, Hanson, Pitner, Ross, Tinnes; nays: none.

4.2 DISCUSSION ON WORKING DRAFT OF ORDINANCE CHANGES PROVIDED BY THE COMMITTEE

The committee discussed the City of Minot holding two townhall meetings about two weeks apart. This is were staff and license holders can discuss any issues annually. These meetings do not need to be mandatory for license holders.

Staff provided the committee with the recent changes to the special event permit section. The committee discussed the change of the permit being for an individual event and not for the duration of up to 14 days if different events are occurring. The changes also included adding a late fee if it is within a 7 day window, adding the need for a site map of the area which will be premised for the event, and an application will be automatically denied if submitted within 24 hours of the event.

Holly Brekhus, First District Health Unit, discussed the feedback she had provided about the Mandatory Server Training section the committee is recommending to add to the ordinance. Staff and the committee were able to clarify with Holly some changes for Section 5-12 Mandatory Alcohol Server Training.

PUBLIC INPUT

There was no public input.

NEXT SCHEDULED MEETING

The committee discussed removing all upcoming meetings off the calendar. The committee will resume with Katie Schmidt with Ohnstad Twichell, P.C. completes her research and has recommendations for the committee on the capped license and fee structure.

There being no further business, Jon Hanson moved the committee meeting be adjourned. Motion seconded by Mayor Ross and carried unanimously. Meeting adjourned at 2:27 pm.