

MINUTES OF THE REGULAR MEETING OF THE ALCOHOL, GAMBLING & TOBACCO COMMISSION

September 4, 2013

The regular meeting of the Alcohol, Gambling & Tobacco Commission was held on Wednesday, September 4, 2013, at 4:45 p.m., in the City Council Chambers, 3rd Floor, City Hall.

ROLL CALL: Present: Lindsay Bartholomew-Kolu, Dennis Birchland, Bjorn Braaten,
Chris Pekkala, Jeff Rosenthal, Ryan Stauber,
Absent: President Donahue

NEW BUSINESS:

GRANDMA'S SPORTS BAR/GRILL, INC. (GRANDMA'S HOSPITALITY #1), 250 CANAL PARK DRIVE - APPLICATION FOR TEMPORARY EXPANSION OF THE LICENSED PREMISES OF THEIR ON SALE INTOXICATING LIQUOR LICENSE FOR SEPTEMBER 19, 2013.

Tony Bronson was present on behalf of the application. Mr. Bronson stated that they are erecting a tent on the lake side of the hotel for a private event and will be serving food and alcohol. Attorney Lutterman questioned if this tent was connected to their serving area in the hotel, and Mr. Bronson replied that there is public space between the inside serving and the tent outside. Ms. Lutterman explained that this application does meet the requirement of being compact and contiguous for a temporary license and therefore the application should be denied. The clerk questioned if the event could be catered by Grandma's catering license. Ms. Lutterman replied if the event met the requirement of food and alcohol being served the caterer, the caterer's license would work. Mr. Bronson stated he would bring the event notification form for that event into the clerk's office and requested that his application be withdrawn.

WESSMAN ESTATE, LLC (TWINS BAR), 501-505 EAST 4TH STREET - APPLICATION FOR TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE, (OLD) ON SALE SUNDAY LICENSE, DANCING LICENSE, AND 2:00 A.M. ALCOHOL BEVERAGE LICENSE APPLICATION FOR THE PERIOD ENDING AUGUST 31, 2014, WITH CARL LEE GREEN, 100% OWNER, TRANSFERRED FROM C W CHIPS BAR & GRILL, (TWINS BAR), SAME ADDRESS.

Carl Green and Jason Isensee were present on behalf of the application. Mr. Green explained that he is in the process of purchasing the Twins Bar and Mr. Isensee will be the manager. Mr. Isensee stated that before they reopen, they are planning on doing some clean up and light remodeling of the bar to keep the neighborhood clientele coming to the bar. To questioning from the commission, Mr. Isensee replied he used to own billiards business downtown and was co-owner of the Tap Room when it first opened. Mr. Green stated that the purchasing agreement has not been signed and they are working on get that completed. Mary Lemon Bjorklund, representing the current licensee, also stated that no lease has been signed or money exchanged, and they would like the transfer to be contingent on the signed agreement and money paid. Officer Vang stated that ID's need to be checked and to watch

for minors in the bar. Mr. Isenee replied that all employees will be trained on the rules and regulations of selling alcohol. There being no further discussion, Mr. Birchland moved that THE APPLICATION OF WESSMAN ESTATE, LLC (TWINS BAR), 501-505 EAST 4TH STREET, FOR TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE, (OLD) ON SALE SUNDAY LICENSE, DANCING LICENSE, AND 2:00 A.M. ALCOHOL BEVERAGE LICENSE APPLICATION FOR THE PERIOD ENDING AUGUST 31, 2014, WITH CARL LEE GREEN, 100% OWNER, TRANSFERRED FROM C W CHIPS BAR & GRILL, (TWINS BAR), SAME ADDRESS, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Rosenthal seconded the motion, and it was unanimously approved.

THE GREENS DULUTH, INC. (THE GREENS DULUTH), 212 W. SUPERIOR ST -
APPLICATION FOR TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE (OLD) AND ON SALE SUNDAY LICENSE FOR THE PERIOD ENDING AUGUST 31, 2014, WITH DANIEL WITZMAN, 100% OWNER, TRANSFERRED FROM LUCKY BREAK, INC. (HORSESHOE BILLIARDS), 2415 W. SUPERIOR ST.

Dan Witzman was present on behalf of the application. Mr. Witzman explained that he bought the Ace Hardware building downtown and is planning on putting a pool hall on the top floor and leasing the space on the lower level to different vendors. He went on to say that he is looking to have an elegant and classy place and doesn't want a lot of young kids hanging out. Mr. Witzman explained that he is first going to open on the Michigan street level and sublet to various vendors while he remodels the top floor. To questioning from the commission, Mr. Witzman replied that he will be putting a bar on the Superior Street level once it opens, but until then he would like to put a bar in the lower level and is unsure if the bar will remain once he opens the top floor. To questioning from the commission, he replied that he has been in the food and liquor business for several years in local restaurants and his brother has experience managing a liquor establishment and will be doing the training and helping run the business. The commission questioned what type of security he plans on having. Mr. Witzman replied he plans on putting cameras on both levels. Attorney Lutterman reviewed the requirements of a Sunday liquor license and questioned what food his food plan is. Mr. Witzman replied that he will be serving sandwiches made on site along with other easy prep food such as pizza. Officer Vang reminded Mr. Witzman that ID's need to be checked and training for all employees. There being no further discussion, Mr. Birchland moved that THE APPLICATION OF THE GREENS DULUTH, INC. (THE GREENS DULUTH), 212 W. SUPERIOR ST FOR TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE (OLD) AND ON SALE SUNDAY LICENSE FOR THE PERIOD ENDING AUGUST 31, 2014, WITH DANIEL WITZMAN, 100% OWNER, TRANSFERRED FROM LUCKY BREAK, INC. (HORSESHOE BILLIARDS), 2415 W. SUPERIOR ST, BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPORVAL. Mr. Stauber seconded the motion, and it was unanimously approved.

LAWFUL GAMBLING:

Regents of the University of Minnesota

raffle exemption - 60 day waiver

No one was present on behalf of the application. The clerk reviewed that this raffle is part of an annual event held at UMD and the raffle has been approved in the past. Mr. Birchland moved that the THE 60 DAY WAIVER REQUEST OF REGENTS OF UM FOR

A RAFFLE EXEMPTION PERMIT BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Rosenthal seconded the motion, and it was unanimously approved.

St. Michael's Church

Denise Conolly was present on behalf of the application. Ms. Conolly explained that they are holding their annual bazaar on Oct 27 and will be having a bingo and raffle at the event. She continued saying that she missed the 60 day deadline with the State so she is requesting a waiver from the city. To questioning from the commission, Ms. Connolly replied that raffle prizes are cash and are sold at the bazaar. There being no further discussion, Mr. Birchland moved THAT THE 60 DAY WAIVER REQUEST OF ST. MICHAEL'S CHURCH FOR A RAFFLE AND BINGO EXEMPTION BE APPROVED AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Rosenthal seconded the motion, and it was unanimously approved.

FILED AFTER DEADLINE:

THE DUKE PARTNERS, LLC (SPURS ON 1ST), 220 W SUPERIOR ST - APPLICATION FOR TEMPORARY EXPANSION OF THE LICENSED PREMISES OF THEIR ON SALE INTOXICATING LIQUOR LICENSE FOR OCTOBER 11, 2013 (RAIN DATE OCTOBER 12, 2013).

Nick Patronas was present on behalf of the application. Mr. Patronas explained that he is planning on having a street dance in front of the bar with the whole area being fenced from the avenue over to the bar. To questioning from the commission, Mr. Patronas replied that they will be doing the same procedures as they do for the street dance for Aces and will have four off duty police officers working the outside area checking ID's. He continued saying there will be a cover charge to get into the outside area but not into the bar. Mr. Patronas also stated that the event will start around 6:00 p.m. and end at midnight. The clerk reviewed that a special events license is needed to block off the street. There being no further discussion, Mr. Stauber moved that THE APPLICATION OF THE DUKE PARTNERS, LLC, (SPURS ON 1ST), 109 W. 1ST ST. FOR TEMPORARY EXPANSION OF THEIR ON SALE INTOXICATING LIQUOR LICENSE FOR OCTOBER 11, 2013, (RAIN DATE OCTOBER 12, 2013), BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Rosenthal seconded the motion, and it was unanimously approved.

There being no further business to bring before the commission, the meeting was adjourned at 5:15 p.m.