

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

May 1, 2013

The regular meeting of the Alcohol, Gambling & Tobacco Commission was held on Wednesday, May 1, 2013, at 4:45 p.m., in the City Council Chambers, 3rd Floor, City Hall.

ROLL CALL: Present: Dennis Birchland, Chris Pekkala, Jeff Rosenthal,
Ryan Stauber - 4

Absent: Bjorn Braaten, President Donahue - 2

NEW BUSINESS:

MINNESOTA WINE EXCHANGE, LLC, (MINNESOTA WINE EXCHANGE), 3 WEST SUPERIOR STREET - APPLICATION FOR AN ON SALE 3.2 PERCENT MALT LIQUOR LICENSE FOR THE PERIOD ENDING APRIL 30, 2014, WITH DEBRA FELLMAN, 100 % OWNER.

Brent Johanson was present on behalf of the application. Mr. Johanson reviewed that they have recently opened up with wine license, but they have decided they would also like to have a beer license to showcase Minnesota beer. To questioning from the commission, Mr. Johanson stated that they will be no other changes to their operation. Officer Vang stated he has approved the application. There being no further discussion, Mr. Birchland moved that THE APPLICATION OF MINNESOTA WINE EXCHANGE, LLC, (MINNESOTA WINE EXCHANGE), 3 WEST SUPERIOR STREET, FOR AN ON SALE 3.2 PERCENT MALT LIQUOR LICENSE FOR THE PERIOD ENDING APRIL 30, 2014, WITH DEBRA FELLMAN, 100 % OWNER, BE APPROVED, SUBJECT TO AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Stauber seconded the motion, and it was unanimously approved.

LAST CHANCE OF DULUTH, INC., (LAST CHANCE LIQUOR), 619 EAST 4TH STREET - APPLICATION FOR TRANSFER OF STOCK OF THE OFF SALE INTOXICATING LIQUOR FOR THE PERIOD ENDING AUGUST 31, 2013, WITH PATTI KATOSKI, 6 SHARES, KATIE HAGGLUND, 2 SHARES, AND KELLY KATOKSI, 2 SHARES.

Katie Hagglund was present on behalf of the application. Ms. Hagglund explained the transfer is the result of the death of her father, and the stock is now being divided amongst the family. She continued saying that she and her brother will be managing the store and they both have been working there for the past two years with no plans for changing the operation. There being no further discussion, Mr. Birchland moved that the application of LAST CHANCE OF DULUTH, INC., (LAST CHANCE LIQUOR), 619 EAST 4TH STREET FOR TRANSFER OF STOCK OF THE OFF SALE INTOXICATING

LIQUOR FOR THE PERIOD ENDING AUGUST 31, 2013, WITH PATTI KATOSKI, 6 SHARES, KATIE HAGGLUND, 2 SHARES, AND KELLY KATOKSI, 2 SHARES, BE APPROVED, SUBJECT TO AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Rosenthal seconded the motion, and it was unanimously approved.

ALPINE BAR & LOUNGE, INC., (ALPINE BAR & LOUNGE), 1308 COMMONWEALTH AVENUE - APPLICATION FOR TEMPORARY EXPANSION OF THE LICENSED PREMISES OF THEIR ON SALE INTOXICATING LIQUOR LICENSE FOR JUNE 28-30, 2013.

Kim Eskola was present on behalf of the application. Mr. Eskola explained that this application is in conjunction with the Far West Celebration on Commonwealth Avenue the weekend of June 28th. He continued saying that these applications would allow him to sell alcohol out on parking lot during the event. The clerk reviewed that the event organizers are applying for a special events license which will close down the streets during the weekend. To questioning from the commission, Officer Vang that security arrangements are being worked on and has approved this application. There being no further discussion, Mr. Pekkala moved THAT THE APPLICATION OF ALPINE BAR & LOUNGE, INC., (ALPINE BAR & LOUNGE), 1308 COMMONWEALTH AVENUE FOR TEMPORARY EXPANSION OF LICENSED PREMISES OF THEIR ON SALE INTOXICATING LIQUOR LICENSE FOR JUNE 28-30, 2013, BE APPROVED, SUBJECT TO AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Birchland seconded the motion, and it was unanimously approved.

LAKE EFFECT RESTAURANT, INC. (LAKE AVENUE CAFÉ), 394 LAKE AVENUE SOUTH - APPLICATION FOR TEMPORARY EXPANSION OF THE LICENSED PREMISES OF THEIR ON SALE INTOXICATING LIQUOR LICENSE FOR JUNE 21 & 22, 2013.

No one was present on behalf of the application. The commission moved to table the application until the June meeting.

PDL OF DULUTH, INC. (CLUB SARATOGA), 331 CANAL PARK DRIVE - APPLICATION FOR TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE FOR JUNE 22, 2013.

Philip Fish was present on behalf of the application. Mr. Fish explained that he would like to sell beer out of a tub on the sidewalk in front of his bar during Grandma's Marathon. He continued saying that he would be selling beer in plastic bottles and would be selling from 10:00 a.m. to approximately 3:00 p.m. when the special events license was over and the streets were reopened. To questioning from the commission, Officer Vang stated he has approved this application. The clerk reviewed that the special events licenses closes the streets and the drinking in public resolution allows the

bar to sell beer on the sidewalk. There being no further discussion, Mr. Birchland moved that THE APPLICATION OF PDL OF DULUTH, INC. (CLUB SARATOGA), 331 CANAL PARK DRIVE FOR TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE FOR JUNE 22, 2013, BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Rosenthal seconded the motion, and it was unanimously approved.

GRANDMA'S INC. (GRANDMA'S SALOON & DELI), 522 LAKE AVENUE S. - APPLICATION FOR TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE FOR JUNE 22, 2013.

Erick Robinson was present on behalf of the application. Mr. Robinson reviewed that they will have an enclosed tent up in their parking lot where food, beverages, and music will be served in the tent until 1:00 a.m. He continued to say that there will be two off duty police officers working in the tent along with their own security, and that during the evening hours no one under 21 is allowed in the tent and the tent will be cleared out by 1:00 a.m. Officer Vang stated the security requirements have been approved. There being no further discussion, Mr. Stauber moved that THE APPLICATION OF GRANDMA'S, INC. (GRANDMA'S SALOON & GRILL), 522 LAKE AVENUE SOUTH, FOR TEMPORARY EXPANSION OF THE LICENSED PREMISES OF THEIR ON SALE INTOXICATING LIQUOR LICENSE FOR JUNE 22, 2013, BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Birchland seconded the motion, and it was unanimously approved.

GRANDMA'S INC. (GRANDMA'S SALOON & DELI), 522 LAKE AVENUE S. - APPLICATION FOR PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE FOR PERIOD ENDING AUGUST 31, 2013.

Erick Robinson was present on behalf of the application. Mr. Robinson explained that they are expanding their 2nd level deck area to allow for more rooftop dining. He continued saying that the deck will be facing the lake and hope to be open soon for the summer business. Officer Vang replied he has approved this application. There being no further discussion, Mr. Birchland moved THAT THE APPLICATION OF GRANDMA'S INC. (GRANDMA'S SALOON & DELI), 522 LAKE AVENUE SOUTH FOR PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE FOR PERIOD ENDING AUGUST 31, 2013, BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Stauber seconded the motion, and it was unanimously approved.

GRANDMA'S OF MILLER HILL, INC. (GRANDMA'S SALOON & GRILL), 2202 MAPLE GROVE ROAD - APPLICATION FOR A PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE FOR THE PERIOD ENDING AUGUST 31, 2013.

Tony Boen was present on behalf of the application. Mr. Boen reviewed that the July 2012 flood wiped away their outside seating area, so they are rebuilding their deck and have decided to expand the area by 28 seats and the area will also include a fire pit. He continued saying that they have gotten a special use permit for the deck and fencing and will have landscaping done around the deck. To questioning by the commission, Mr. Boen replied they will have two servers working outside on the deck area monitoring the area. Officer Vang stated he has approved this application. There being no further discussion, Mr. Rosenthal moved that THE APPLICATION OF GRANDMA'S OF MILLER HILL, INC. (GRANDMA'S SALOON & GRILL), 2202 MAPLE GROVE ROAD, FOR A PERMANENT EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE FOR THE PERIOD ENDING AUGUST 31, 2013, BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Stauber seconded the motion, and it was unanimously approved.

COLLEGE OF ST SCHOLASTICA, (JOHN BAGGS MEMORIAL SCHOLARSHIP GOLF TOURNAMENT), 1200 KENWOOD AVENUE - APPLICATION FOR A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE FOR JUNE 8, 2013, WITH KEN KOLQUIST, MANAGER.

Kenny Kolquist was present on behalf of the application. Mr. Kolquist explained that they will be holding a golf tournament and raffle as a fundraiser for a scholarship fund in memory of the baseball coach at St. Scholastica . He continued saying that after the golfing event, there will be a dinner and silent auction in the Reif Center at CSS open to the public and the players starting approximately at 5:00 p.m. and ending approximately 8:00 p.m. To questioning from the commission, Mr. Kolquist replied that they have an off duty police volunteer to work the event that would include checking ID's. He continued saying that they will be using wrist bands to identify underage guests. There being no further discussion, Mr. Birchland moved that THE APPLICATION OF COLLEGE OF ST. SCHOLASTICA, 1200 KENWOOD AVE, FOR A TEMPORARY ON SALE INTOXICATING LIQUOR LICENSE FOR JUNE 8, 2013, WITH KEN KOLQUIST, MANAGER, BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Stauber seconded the motion, and it was unanimously approved.

LAWFUL GAMBLING:

Duluth Superior Symphony raffle - 60 day waiver

Michael Beery and David Steininger was present on behalf of the application. Mr. Steininger explained that they are having a beer tasting event as a fund raiser and at the same time will be introducing the new symphony director, and they would like to hold a raffle at the same time. To questioning from the commission, Mr. Steininger stated that the value of the raffle prizes are about \$100-\$500. There being no further discussion, Mr. Stauber moved that THE 60 DAY WAIVER REQUEST FOR A RAFFLE EXEMPTION FOR NORTHERN LIGHTS FOUNDATION BE APPROVED, AND THE SAME BE

RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Birchland seconded the motion, and it was unanimously approved.

Northern Lights Foundation raffle - 60 day waiver

Matt McShane was present on behalf of the application. He went on to say that they will be holding a raffle in June and need the 60 day waiver in order to start selling tickets. He explained that the Northern Lights Foundation is a non profit that has been started by local businessmen to raise money to fulfill wishes of children with life threatening illnesses that are in Duluth and the surrounding area. He explained that the State requires a 60 day waiting period before a raffle permit is issued and tickets can be sold and requested a waiver of the 60 day waiting period required by the State. There being no further discussion, Mr. Hammack moved THAT THE 60 DAY WAIVER REQUEST FOR A RAFFLE EXEMPTION FOR NORTHERN LIGHTS FOUNDATION BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Birchland seconded the motion, and it was unanimously approved.

Irving Community Association Off site pull tab permit

Ginny Hinnenkamp was present on behalf of the application. Ms. Hinnenkamp explained that they have been asked to sell pulltabs during the Police softball tournament being held July 27 & 28 at Wheeler Field. She also stated that the State allows organizations to sell pulltabs off site for up to 3 days. The commission questioned if the City would want to allow pulltabs in a city park. The clerk stated that the city needs to sign off on the lease agreement and would need to make a decision at that time if they will allow pulltabs at Wheeler Field. Mr. Birchland moved that THE OFF SITE PREMISE PERMIT APPLICATION FOR IRVING COMMUNITY ASSOCIATION BE APPROVED, SUBJECT TO CITY ADMINISTRATION APPROVAL, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Stauber seconded the motion, and it was unanimously approved.

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

