

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

September 3, 2014

The regular meeting of the Alcohol, Gambling & Tobacco Commission was held on Wednesday, September 3, 2014, at 4:45 p.m., in the City Council Chambers, 3rd Floor, City Hall.

ROLL CALL: Present: Dennis Birchland, Bjorn Braaten, Bryn  
Pollard, Jeff Rosenthal, President Pekkala

Absent: Ryan Stauber, Lindsay Bartholomew-Kolu

July 2, 2014 minutes of the Alcohol, Gambling and Tobacco Commission. -Unanimously Approved.

**COMMUNICATIONS**

CITY ATTORNEY SUBMITTING CORRESPONDENCE TO NORTH POLE BAR, INC. DATED SEPTEMBER 3, 2014 REGARDING THEIR ON-SALE LIQUOR LICENSE RENEWAL - Recieved

**NEW BUSINESS:**

**THE COLLEGE OF ST. SCHOLASTICA (HOMECOMING TAILGATE PARTY) 1200 KENWOOD AVENUE** - APPLICATION FOR A TEMPORARY ON-SALE NON-INTOXICATING MALT LIQUOR LICENSE FOR OCTOBER 4, 2014, WITH CARRIE KRUEGER, MANAGER.

Carrie Krueger was present on behalf of the application. Ms. Krueger explained that this is their annual tailgating party being held in the parking lot at the school prior to the football game as part of the alumni weekend. She continued saying that the event will be open to parents and alumni going to the game. To questioning, Ms. Emslander replied that they a section of the parking lot fenced off for the beer garden and will be hiring one off duty police officers for the event. Officer Vang stated that they agreed upon security for the event. There being no further discussion, Mr. Birchland moved to APPROVE THE APPLICATION OF COLLEGE OF ST SCHOLASTICA, 1200 KENWOOD AVENUE, FOR A TEMPORARY ON SALE 3.2 PERCENT MALT LIQUOR LICENSE FOR OCTOBER 4, 2014, WITH CARRIE KRUEGER, MANAGER, BE. Mr. Rosenthal seconded the motion and it was unanimously approved.

**MINNESOTA BALLET (BLACK AND WHITE BALL) 301 W. FIRST ST., STE. 800** – APPLICATION FOR A TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR SEPTEMBER 26, 2014, WITH WILLY MCMANUS, MANAGER.

Willy McManus appeared on behalf of the application. Ms. McManus stated the application is for one day and that this is the 8<sup>th</sup> or 9<sup>th</sup> year the Ballet has held this fundraiser. The event is held from 7:00 p.m. to 11:00 p.m. In response to questioning from the Commission, Ms. McManus stated the event is the same as years past. There is a bar available where they accept donations for drinks, they serve heavy hors d'oeuvres and there is a \$60.00 admission for the event. Commissioner Birchland moved to APPROVE THE APPLICATION FOR THE TEMPORARY ON-SALE INTOXICATING LIQUOR LICENSE FOR THE MINNESOTA BALLET

(BLACK AND WHITE BALL) FOR SEPTEMBER 26, 2014. Commissioner Braaten seconded the motion, and it was unanimously approved.

**JUST TAKE ACTION, INC. (ENDION STATION) 200 LAKE PLACE DRIVE, APPLICATION FOR TEMPORARY EXPANSION OF THE LICENSED PREMISES OF THEIR ON SALE INTOXICATING LIQUOR LICENSE FOR SEPTEMBER 20, 2014.**

Michelle Bennett appeared on behalf of the application. Ms. Bennett stated they are hoping to extend the area for patrons from the patio onto the grassy area near the restaurant which will be enclosed with a weighted fence. Ms. Bennett stated this is the first year for the event; past years have been hosted at a different location. Ms. Bennett stated hours for the event will be from 1:00 p.m. to 6:00 p.m. Attorney Lutterman stated there may be additional approvals for the property because the land is not owned by the applicant. Ms. Bennett indicated that they had applied for a Special Events Permit with the Parks Department. Officer Vang recommended approval contingent upon his review of the licensed area. In response to questioning from the Commission, Ms. Bennett stated that the fence would be weighted and not staked as requested by the Parks Department. Mr. Birchland moved to APPROVE THE APPLICATION FOR JUST TAKE ACTION, INC. (ENDION STATION) 200 LAKE PLACE DRIVE, FOR TEMPORARY EXPANSION OF THE LICENSED PREMISES OF THEIR ON SALE INTOXICATING LIQUOR LICENSE FOR SEPTEMBER 20, 2014, subject to further approvals from the City Attorney's office, Police Department, and Parks Department. Commissioner Rosenthal seconded the motion, and it was unanimously approved.

**IRON MUG COFFEE HOUSE, LLC (IRON MUG COFFEE HOUSE) 1096 88<sup>TH</sup> AVENUE W. – APPLICATION FOR AN ON SALE WINE LICENSE FOR THE PERIOD ENDING AUGUST 31, 2015 AND ON SALE BEER LICENSE FOR THE PERIOD ENDING APRIL 30, 2015.**

Paul M. Johnson and Brandon M. Johnson, appeared on behalf of the application and indicated the establishment is a small coffee shop and they have had requests from the community to serve wine and beer with their food. Mr. B. Johnson indicated their hours are 7:00 a.m. to 7:00 p.m. on weekdays, 8:00 a.m. to 7:00 p.m. on Saturday and 9:00 a.m. to 2:00 p.m. on Sundays. Mr. B. Johnson. In response to questioning from the Commission, Mr. Mr. B. Johnson stated they have around 9 staff who would be receiving training. In response to questioning from the Commission, Mr. P. Johnson stated they would be taking a serving class for their liquor insurance requirements. Commissioner Braaten moved to APPROVE THE APPLICATION FOR IRON MUG COFFEE HOUSE, LLC (IRON MUG COFFEE HOUSE) 1096 88<sup>TH</sup> AVENUE W. FOR AN ON SALE WINE LICENSE FOR THE PERIOD ENDING AUGUST 31, 2015 AND ON SALE BEER LICENSE FOR THE PERIOD ENDING APRIL 30, 2015. Commissioner Rosenthal seconded the motion and it was unanimously approved.

**THE GREENS DULUTH, INC. (THE BREAK ROOM) 501 E. FOURTH ST. – APPLICATION FOR AN ON SALE INTOXICATING LIQUOR LICENSE, DANCING LICENSE AND ON SALE SUNDAY LICENSE FOR THE PERIOD ENDING AUGUST 31, 2015, WITH DANIEL WITZMAN, 85% STOCKHOLDER AND ROGER KOSKI AND PAUL KOSKI, 15% STOCKHOLDERS.**

Daniel Witzman appeared on behalf of the application. Mr. Witzman stated he submitted an executive summary, that the business will be a small upscale pool hall. They would like to have bands eventually and the bar space is set up for live music currently. Mr. Witzman stated they hopes to open September 15, 2014 and they are currently remodeling the entire bar. He is hoping to cater to hospital employees and will also have pool leagues. Attorney Lutterman indicated that this License does not provide for serving alcohol at the Chinese Restaurant

connected to the bar (505 E. Fourth St.), because that premises is owned by another entity. Attorney Lutterman indicated that the restaurant is not part of the licensed premises and the restaurant would need to obtain their own liquor license and any serving at that location under this license would be prohibited. In response to questioning from the Commission regarding previous issues with security at the location, Mr. Witzman indicated that he has submitted a security plan and has spoken with prior bar owners at that location. Mr. Witzman stated he will be ensuring that responsible employees will be hired, installing security cameras and have security on staff as needed. The bar itself is going to be reduced in size and the majority of the space will be taken up with pool tables. Officer Vang indicated that he has reviewed the security plan and that he has spoken with Mr. Witzman. Commissioner Birchland moved to DENY THE APPLICATION FOR THE GREENS DULUTH, INC. AT 505 E. FOURTH ST. AND APPROVE THE APPLICATION FOR THE GREENS DULUTH, INC. (THE BREAK ROOM) AT 501 E. FOURTH ST. FOR AN ON SALE INTOXICATING LIQUOR LICENSE, DANCING LICENSE AND ON SALE SUNDAY LICENSE FOR THE PERIOD ENDING AUGUST 31, 2015. Commissioner Pollard seconded the motion and it was unanimously approved.

**ARAMARK EDUCATIONAL SERVICES, LLC (THE COLLEGE OF ST. SCHOLASTICA) 1200 KENWOOD AVENUE – APPLICATION FOR AN ON SALE INTOXICATING LIQUOR LICENSE AND ADDITIONAL BAR LICENSE FOR THE PERIOD ENDING AUGUST 31, 2015.**

Commissioner Pollard moved to table the Application, Commissioner Braaten seconded the motion and it was unanimously approved.

### **LAWFUL GAMBLING**

Regents of the University of Minnesota

raffle - 60 day waiver request

Students from the University of Minnesota appeared on behalf of the application. They stated the application is for a raffle in support of UMD athletics during the UMD's Fall Fling event. They stated the event will be on September 24<sup>th</sup> and that raffle tickets are sold to all persons who purchase tickets for the event. It is a 50/50 raffle with 50% going to UMD athletics. The event will be held at Greysolon Ballroom. Commissioner Birchland moved to approve Raffle – 60 Day Waiver Request for the Regents of the University of Minnesota. Commissioner Pollard seconded the motion and it was unanimously approved.