

City of Minot

STATE OF NORTH DAKOTA
COUNTY OF WARD
BEFORE THE MINOT CITY COUNCIL

IN THE MATTER OF:

DUCKPOND VENTURES, LLC
Attn: JON LAKODUK
LICENSE NO. BL24-0322
105 1st ST SE (Basement)
MINOT, NORTH DAKOTA
58701

**AFFIDAVIT OF
SERVICE**

I, Dave Chapman, being first duly sworn, deposes and says that I am a citizen of the United States of America, over the age of twenty-one years, and am not a party to nor interested in the above-entitled action; that on May 9, 2024 this Affiant served true and correct copies of the following documents in the above-entitled action:

1. Hearing Notice
2. Complaint and Specifications

Hand delivered those copies to Jon Lakoduk at 105 1st St. SE (Basement) Minot, ND 58701 and the above documents were duly filed with the Minot City Clerk in accordance with the provisions of the North Dakota Rules of Civil Procedure.

Dated: May 9, 2024



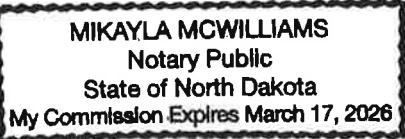
Dave Chapman

STATE OF NORTH DAKOTA
COUNTY OF WARD

Subscribed and sworn to before me on May 9, 2024.

Mikayla McWilliams

Notary Public





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**NOTICE OF
HEARING**

TO: DUCKPOND VENTURES, LLC

Date: MONDAY, MAY 20, 2024
Time: 5:30 PM
Place: City of Minot City Council Chambers,
10 – 3rd Ave. SW, Minot, ND 58701
Before: City Council

NOTICE IS HEREBY GIVEN that at 5:30 PM on Monday, May 20, 2024 in the City Council Chambers located in City Hall, 10 – 3rd Ave, Minot, North Dakota, a hearing shall be held before the Minot City Council with regard to the suspension or revocation of the City of Minot Retail Liquor, Beer, & Wine License No. BL24-0322, presently held by DUCKPOND VENTURES, LLC, located in the basement of 105 1st St. SE in Minot, North Dakota. Factual allegations, which form the basis for this hearing before the City Council, are specified in a complaint and specification of issues dated May 9, 2024 by John Klug, Police Chief, City of Minot. A copy of the complaint and specification of issues is also attached to this written notice and is incorporated by reference and made a part hereof.

Dated this 9th day of May, 2024.

A handwritten signature in black ink that reads "Mikayla McWilliams".

Mikayla McWilliams, City Clerk
City of Minot
P.O. Box 5006
Minot, North Dakota 58702-5006

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**COMPLAINT AND
SPECIFICATION OF
ISSUES**

TO: DUCKPOND VENTURES, LLC

This complaint and specification of issues is being served upon you with regard to a City of Minot Retail Liquor, Beer, & Wine License, license number BL24-0322. The purpose of this complaint and specification of issues is to request the suspension or revocation of such license at a subsequent hearing to be held before the Minot City Council at 5:30 pm on Monday, May 20, 2024. If you fail to respond and appear at the hearing as scheduled above, an order imposing a penalty of suspension or revocation will be issued. The factual circumstances alleged in support of this suspension or revocation action are the following:

1. The City of Minot is a municipal entity as a political subdivision in the state of North Dakota, and pursuant to North Dakota law codified at NDCC 5-02-09, and powers in the City of Minot's Home Rule Charter, the City, as the local governing body, may implement ordinances or resolutions to regulate or restrict the operation of licensees obtaining liquor licenses in said municipality; and
2. That the City of Minot has codified in its code of ordinances certain regulations and restrictions relating to alcoholic beverages. See Minot City Ordinance Chapter 5, Sections 5-1 through 5-44, inclusive; and
3. DUKPOND VENTURES, located in the basement of 105 1st St. SE in Minot, North Dakota ("Licensee") is a licensed alcohol beverage retailer in the City of Minot, and is the current holder of a 2024 Retail Liquor, Beer, & Wine License No. BL24-0322, issued to Licensee and effective on February 5, 2024; and
4. Following an investigation, the affiant has reason to believe the following events have occurred:
 - a. On October 19, 2023, DUCKPOND VENTURES, LLC operated their premises at a premises other than the licensed premises to which

their city liquor license relates without obtaining a permit pursuant to Minot City Ordinance Sec. 5-40.

- b. On November 2, 2023, DUCKPOND VENTURES, LLC operated their premises at a premises other than the licensed premises to which their city liquor license relates without obtaining a permit pursuant to Minot City Ordinance Sec. 5-40.
- c. On November 30, 2023, DUCKPOND VENTURES, LLC operated their premises at a premises other than the licensed premises to which their city liquor license relates without obtaining a permit pursuant to Minot City Ordinance Sec. 5-40.
- d. On December 14, 2023, DUCKPOND VENTURES, LLC operated their premises at a premises other than the licensed premises to which their city liquor license relates without obtaining a permit pursuant to Minot City Ordinance Sec. 5-40.
- e. On February 2, 2024, DUCKPOND VENTURES, LLC operated their premises at a premises other than the licensed premises to which their city liquor license relates without obtaining a permit pursuant to Minot City Ordinance Sec. 5-40.
- f. On March 9, 2024, DUCKPOND VENTURES, LLC operated their premises at a premises other than the licensed premises to which their city liquor license relates without obtaining a permit pursuant to Minot City Ordinance Sec. 5-40.

5. If the City Council determines allegations set forth in paragraph 4 did in fact occur, they would be considered violations of Minot City Ordinance Sec. 5-40, which prohibits a licensee from allowing the sale and consumption of alcoholic beverages off the premises to which their license specifically relates.

6. THEREFORE, the affiant hereby considers this complaint and specifications submitted to the Minot City Council to hold any hearings it deems necessary to make a determination as to what action, if any, it wants to take against the City of Minot retail alcoholic beverage license of Licensee, including such actions as, suspension or revocation of the license pursuant to Minot City Ordinance Sec. 5-32.

Dated this 9th day of May, 2024.



John Klug, Police Chief

City of Minot

PO Box 5006

Minot, North Dakota 58702-5006