

**March 25, 2024 Alcohol Ordinance Review and Rewrite Committee**

**Alcohol Ordinance Review and Rewrite Committee – March 25, 2024 AT 1:00 P.M.**

**Members Present:**

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

**Members Absent:**

Kevin Black

**Also Present:**

Mikayla McWilliams (City Clerk), Harold Stewart (City Manager), Stefanie Stalheim (City Attorney), Chief John Klug (Police Chief), Brian Billingsley (Community and 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 March 11, 2024 Alcohol Ordinance Review and Rewrite Committee meeting.

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

**DISCUSSION ON CURRENT LICENSING FEES**

Mikayla McWilliams started the discussion with the idea of moving the fees to a resolution rather than included in the ordinance. If the fees are set in a resolution, the option is for City Council to either revisit them on a yearly basis or as they deem necessary.

Mayor Ross moved the committee move the fees into a resolution, include an application and renewal fee, and the City Council can revisit the fees as they deem necessary. Motion seconded by Jon Hanson and carried the following vote: ayes: Hanson, Pitner, Ross, Tinnes; nays: none.

The committee also discussed how the fee structure could be similar to Grand Forks. After a short discussion the committee decided to revisit the resolution and fees once the language is drafted and approved for removing the cap on the Retail Liquor, Beer, and Wine license.

**DISCUSSION ON SECTION 5-27 OF CURRENT CITY OF MINOT ORDINANCES**

Brian Billingsley clarified that an encroachment permit is only necessary for a permanent fence to be placed in the right of way. There needs to be a 5-foot ADA required clearance on the sidewalk. Portable fencing would not require an encroachment permit. A concern was a rope could be pushed/moved into the 5-foot clearance area.

Fencing is only required when alcohol is involved. Parklets are an outdoor option but cannot include alcohol. It is important to delineate the premise in which alcohol is being served because that area is the responsibility of the business owner.

Mikayla McWilliams asked some questions of Harold Stewart about the transitional options for downtown. Harold had mentioned that in order to have the transitional option for downtown someone would have to take on the responsibility and risks if it became a downtown permit or license.

The committee discussed how the change to look into would be the 36in high contiguous fence. They would like to see it more moveable/flexible such as a rope or set of planters. The committee asked for this to come back to the next meeting, have staff reach out to the state on the premise changes and research what other cities are doing with outdoor space.

#### **FIRST DISTRICT HEALTH SAFE SERVING TRAINING**

Holly Brekhus, Executive Director of First District Health Unit, presented to the committee on incorporating the Responsible Beverage Server Training. By incorporating this as a requirement for licensing, who would be responsible for enforcing it? It could be done at renewal time on a yearly basis, and also during the year with a compliance check. This training has been said to lower the risk with some insurances and helps to prevent over serving. The employee is the once getting certified, it lasts for a duration of 3 years, and the employee can take the certification with them if they change employment.

The committee discussed modeling the process of Fargo. First District Health could do the yearly compliance check but would prefer for the training to be done with First District Health or the individual provide them with the online certification to record it. First District Health Unit contracts with Margie Zietz to provide the training and could provide onsite training if requested. The committee asked for this to be on the next meeting agenda and will bring back their decisions once they are able to do some more research.

#### **NEXT SCHEDULED MEETING**

The next scheduled meeting is Monday, April 8, 2024, at 1:00 pm in the Council Chambers at City Hall. Staff will prepare the next agenda to include compliance checks, violations, and days of not serving.

There being no further business, Mayor Ross moved the committee meeting be adjourned. Motion seconded by Brett Tinnes and carried unanimously. Meeting adjourned at 2:38 pm.