

PURCHASING AND LICENSING COMMITTEE

11-0384R

RESOLUTION APPROVING THE TEMPORARY EXPANSION OF THE ON  
SALE INTOXICATING LIQUOR LICENSES OF VARIOUS LICENSEES.

CITY PROPOSAL:

BE IT RESOLVED, that the city council of the city of Duluth hereby approves the temporary expansion of the designated serving area of the following on sale intoxicating liquor licenses, subject to departmental approvals, with any specific restrictions:

D&D Enterprises of Cloquet, Inc. (Mr. D's Bar and Grill), 5622 Grand Avenue, for August 3 & 4, 2011, from 6:00 p.m. to 11:00 p.m., and on August 5, 2011, from 6:00 p.m. to 1:00 a.m. with the music and serving ceasing at 1:00 a.m.

Rustic Bar, Inc. (Rustic Bar), 401 North Central Avenue, for August 5, 2011, with the serving starting at 6:00 p.m. and the music and serving ceasing at 1:00 a.m.

JMMP Enterprises, LLC (Kom on Inn), 332 North 57th Avenue West, for August 3 & 4, 2011, from 6:00 p.m. to 11:00 p.m., and on August 5, 2011, from 6:00 p.m. to 1:00 a.m. with the music and serving ceasing at 1:00 a.m.

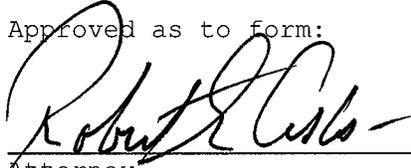
Sir Benedicts III, Inc. (Sir Benedict's Tavern), 805 East Superior Street, for July 30, 2011, from 10:00 a.m. to 6:00 p.m.

Player's Grandstand, Inc. (Player's Grandstand), 4024 Grand Avenue, for August 6, 2011, from 7:00 p.m. to 1:00 a.m.

Historic Union Depot, Inc. (The Depot), 506 West Michigan Street, for July 30, 2011, from 10:00 a.m. to 5:00 p.m., and on September 1, 2011, from 4:00 p.m. to 8:00 p.m.

Clyde Industrial Park, Inc. (Clyde Iron Works Restaurant & Bar), 2920 West Michigan Street, for July 30, 2011, from 12:00 p.m. to 10:00 p.m.

Approved as to form:

  
\_\_\_\_\_  
Attorney

CLERK JJC:mao 7/6/2011

Alcohol, Gambling, and Tobacco Commission discussion: 7/6/11

**D&D Enterprises of Cloquet, Inc. (Mr. D's Bar and Grill), 5622 Grand Avenue,** for August 3 & 4, 2011, from 6:00 p.m. to 11:00 p.m., and on August 5, 2011, from 6:00 p.m. to 1:00 a.m. with the music and serving ceasing at 1:00 a.m.

**Rustic Bar, Inc. (Rustic Bar), 401 North Central Avenue,** for August 5, 2011, with the serving starting at 6:00 p.m. and the music and serving ceasing at 1:00 a.m.

**JMMP Enterprises, LLC (Kom on Inn), 332 North 57th Avenue West,** for August 3 & 4, 2011, from 6:00 p.m. to 11:00 p.m., and on August 5, 2011, from 6:00 p.m. to 1:00 a.m. with the music and serving ceasing at 1:00 a.m.

Al Terwey on behalf of Mr. D's, Pam Houle on behalf of the Kom On Inn, and George Gothner on behalf of the Rustic Bar were present for their applications for temporary expansion of their bars for the Spirit Valley Days. Mr. Terwey explained that Spirit Valley Days will encompass three days, and that on Wednesday and Thursday there will be an outside bar on Ramsey street with a band playing until approximately 10:00 p.m. He said that the area will be fenced in from the Kom On Inn to Mr. D's to allow people will be able to take their drinks outside from the two bars in plastic glasses or cans but no outside bars will be set up. Mr. Terwey explained that the Rustic Bar won't be included in these two nights as they are too far away from the fenced off area. Mr. Terwey continued explaining that on Friday night they will have outside bars and the barricades moved to Central Avenue and reviewed that the perimeter will be blocked off by snow fencing with 3 entrances and 2 officers at each entrance checking ID's to prevent underage people from entering, and wrist banding anyone under 21 that is not allowed to drink. To questioning from the board, Mr. Terwey replied that the fencing will go up at 6:00 around the perimeter at which time there will be a sweep to make the sure the minors are out of the area as no minors will be allowed in that area after 6:00 p.m. He continued saying that the outside and serving will go from 6:00 p.m. to 1:00 a.m., with the inside bar closing at 1:00 a.m. also, and the band will follow the same hours. He also stated that security arrangements have been made with the police department for off duty officers to working that night. Officer Vang stated the police department has approved these applications. The clerk stated that the Spirit Valley committee applies for a special events license which allows the streets to be blocked off, and a resolution that allows drinking in public is done for the outside drinking at the street dance. There being no further discussion, Mr. Birchland moved that THE APPLICATION OF D & D ENTERPRISES OF CLOQUET, INC. (MR D'S SPIRIT VALLEY BAR & GRILL), 5622 GRAND AVE., DWAYNE & KIMBERLY, INC. (KOM-ON-INN) 332 N. 57<sup>TH</sup> AVE. WEST, AND THE RUSTIC BAR INC, (RUSTIC SPORTS BAR), 401 N. CENTRAL AV. FOR TEMPORARY EXPANSION OF THEIR ON SALE INTOXICATING LIQUOR LICENSES FOR AUGUST 3-5, 2011, BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Stauber seconded the motion, and it was unanimously approved.

**Sir Benedicts III, Inc. (Sir Benedict's Tavern), 805 East Superior Street,** for July 30, 2011, from 10:00 a.m. to 6:00 p.m.

Antonino and Aura Coppola were present on behalf of the application. Ms. Coppola explained that they will be having a vintage motor cycle rally in their parking lot from 10:00 a.m. to 6:00 p.m. and would like to set up their grill and kegs of beer on the patio to allow the group to carry their drinks out onto the parking lot. To questioning, Mr. Coppola replied that they had this event the last two years. She also stated they have talked with Officer Vang and have an application into the police department for an off duty

police officer. Ms. Coppola stated the hours would be 10 a.m. to 6 p.m. There being no further discussion, Mr. Birchland moved that THE APPLICATION OF SIR BENEDICTS III, INC. (SIR BENEDICT'S TAVERN), 805 E SUPERIOR STREET, FOR TEMPORARY EXPANSION OF LICENSED PREMISES OF THEIR ON SALE INTOXICATING LIQUOR LICENSE FOR JULY 30, 2011, BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Stauber seconded the motion, and it was unanimously approved.

**Player's Grandstand, Inc. (Player's Grandstand), 4024 Grand Avenue, for August 6, 2011, from 7:00 p.m. to 1:00 a.m.**

Rick McArthur was present on behalf of the application. Mr. McArthur explained that this expansion is in conjunction with the Beerhunters softball tournament that weekend, and he is looking to expand his licensed premises to include the area behind the bar. To questioning from the commission, Officer Vang replied that the security arrangements are in place for the event. There being no further discussion, Mr. Birchland moved that THE APPLICATION OF PLAYER'S GRANDSTAND, INC. (PLAYER'S GRANDSTAND), 4024 GRAND AVENUE, FOR TEMPORARY EXPANSION OF THEIR ON SALE INTOXICATING LIQUOR LICENSE FOR AUGUST 6, 2011, BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Stauber seconded the motion, and it was unanimously approved.

**Historic Union Depot, Inc. (The Depot), 506 West Michigan Street, for July 30, 2011, from 10:00 a.m. to 5:00 p.m., and on September 1, 2011, from 4:00 p.m. to 8:00 p.m.**

Ken Buehler was present on behalf of the application. Mr. Buehler explained that he is applying for two events at the Depot with the first one on July 30<sup>th</sup>. He stated that the Duluth Playhouse is holding a Summer Arts Festival which will include a craft fair, ballet, and Playhouse vignettes, and they would like to allow the people to bring their drinks outside. He further stated that event will go from 10:00 a.m. to 5:00 p.m. Mr. Buehler then reviewed that the second date is the Mayor's Pride reception which ties in with the GLBT Pride weekend. He reviewed that they will be putting a service bar outside with the hours going from 4:00 p.m. to 8:00 p.m. He continued saying that they will be applying for a special events license to close off Michigan street with barricades with check points in order to expand their liquor sales out onto the street. To questioning from the commission, Mr. Buehler replied that they will be setting up a stage on Michigan Street directly across from the entrance to the Great Hall with snow fencing behind the stage area supported by the parking meters. He went on to say he will be contracting with the police department for security for both events. There being no further discussion, Mr. Birchland moved that THE APPLICATIONS OF HISTORIC UNION DEPOT, (SLC HERITAGE & ARTS CENTER), 506 WEST MICHIGAN ST, FOR TEMPORARY EXPANSION OF THE LICENSED PREMISES OF THEIR ON SALE INTOXICATING LIQUOR LICENSE FOR JULY 30, 2011, AND SEPTEMBER 1, 2011, BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Hammack seconded the motion, and it was unanimously approved.

**Clyde Industrial Park, Inc. (Clyde Iron Works Restaurant & Bar), 2920 West Michigan Street, for July 30, 2011, from 12:00 p.m. to 10:00 p.m.**

Alex Giuliani was present on behalf of the application. Mr. Giuliani explained that they are planning on having a rib fest along with music in the back parking area of the restaurant on July 30<sup>th</sup>. He went on to say that it will be rib tasting event starting at noon with some bands playing from 5:00 to 10:00 p.m. To questioning from the commission, Mr. Giuliani replied that

he will be working with the police department for security for the event, and anticipates the crowd to be around 200 people. There being no further discussion, Mr. Birchland moved THAT THE APPLICATION OF CLYDE INDUSTRIAL PARK INC. (CLYDE IRON WORKS RESTAURANT & BAR), 2920 W MICHIGAN ST, FOR TEMPORARY EXPANSION OF THE ON SALE INTOXICATING LIQUOR LICENSE FOR JULY 30, 2011, BE APPROVED, AND THE SAME BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL. Mr. Hammack seconded the motion, and it was unanimously approved.