

CITY OF PELICAN RAPIDS COUNCIL MINUTES – 10-25-00

The City Council of Pelican Rapids met in regular session at 3:30 p.m. on Wednesday, 10-25-00, in the Pelican Rapids Public Library meeting room. Present: Mayor Wayne Runningen, Council Members Dave Gottenborg, Paulette Nettetstad, Denise Magnusson and John Waller III. Absent: none. Also present: Administrative Assistant Richard A. Jenson, City Attorney Scott Dirks, Deputy Clerk-Treasurer Glenys Ehlert, Street Superintendent Vern Benson, Utilities Superintendent Brent Frazier, Liquor Store Manager Gary Olson, Rudy Butenas of the Chamber of Commerce, Ron Konoske, Ray Martin and Karen Reich of Ray J's Café and Arcade, Rick Loerzel and Luke Loerzel of Holiday Station Stores, Jeanne Hovland of Southtown C Store, and Julie Tunheim of Pelican Rapids Press.

Meeting called to order by Mayor Runningen.

Disaster Planning Meeting was added to the agenda.

Mayor Runningen said the Council would consider the requests for 3.2 Beer Off-Sale licenses. He introduced City Attorney Scott Dirks and asked him to review the Council's options.

City Attorney Scott Dirks summarized state law and council issues regarding permitting 3.2 Beer Off-Sale licensing. Dirks said one issue is does the Council want to adopt an ordinance to permit the sale of 3.2 Beer Off-Sale. The second issue is if the Council wishes to be more restrictive than state law and establish the age of people selling the beer in the licensing ordinance. State law does not require liquor liability insurance for a 3.2 Beer Off-Sale establishment, but the City could require liability insurance.

Rick Loerzel of Holiday Store discussed his company's policy requiring a supervisor eighteen years old or older on the premises for 3.2 beer sales. Jeanne Hovland, Southtown C Store and Loerzel both spoke of customer requests for the product especially when the liquor store is closed.

Council Member John Waller III arrived at 4:00 p.m.

Liquor Store Manager Gary Olson said he is concerned about control.

Council Members discussed issues of control and number of licenses to issue.

Rudy Butenas of the Chamber of Commerce said that the Chamber of Commerce Board wishes to support these businesses in their request.

Resident Ron Konoske said he would prefer that Council not approve 3.2 Beer Off-Sale. He said beer is available at the liquor store.

City Attorney Scott Dirks said determining age for salesperson is a policy decision for the City Council. The ordinance could include either requiring a supervisor who is 18 years old or older on the premises or require the salesperson to be 18 years old or older.

Motion by Nettestad, seconded by Waller to authorize City Attorney Scott Dirks to draft an ordinance for review purposes to permit convenience stores and grocery stores to be licensed for 3.2 Beer Off-Sale. The license would require an 18 year old or older making the sale and would follow state law in not requiring liability insurance if sales do not exceed state guidelines. The number of licenses is not restricted. Motion passed unanimously. The ordinance will be available for Council's consideration on 11-13-00.

Ray J's Café reviewed their request for a license to permit them to sell strong beer instead of 3.2 beer. They cited the difficulty in obtaining 3.2 beer.

City Attorney Dirks said on-sale strong beer is presently included in the Intoxicating Liquor License. There are two licenses for the sale of intoxicating liquor in a restaurant permitted by ordinance and one is available.

Motion by Waller, seconded by Nettestad to direct city staff to find out if surrounding communities offer licenses for on-sale strong beer only or strong beer and 3.2 beer and what their license fee is. Voting yes: Mayor Runnigen, Council Members Waller, Nettestad and Magnusson. Voting no: Gottenborg. Motion carried.

Street Superintendent Vern Benson suggested 11-16-00 at 3:00 p.m. for a Disaster Planning Meeting. Council agreed.

Administrative Assistant Richard A. Jenson reported on interviewing library architects. He said Widseth, Smith and Nolting were selected due to lower fees, their knowledge about acoustics and lighting and their willingness to hire additional engineering in this area if necessary, willingness to have weekly construction meetings and their willingness to plan work so library could remain open during construction.

Motion by Waller, seconded by Nettestad to approve the selection of Widseth, Smith and Nolting as library architects. Motion passed unanimously.

Jenson reviewed the renewal of the lease for the airport house with Elmer and Rose Tingelstad.

Motion by Magnusson, seconded by Waller to approve renewal of the airport house lease for two years with Elmer and Rose Tingelstad. Motion passed unanimously.

Jenson directed Council's attention to the letter from the Minnesota Department of Transportation regarding school zone safety concerns. Council will review and consider at next council meeting.

Jenson reviewed Planning Commission meeting of 10-24-00 regarding a request from Mel Zierke for a variance for front yard setback from the required 30 ft to 20 ft.

Motion by Waller, seconded by Magnusson to accept the Planning Commission's recommendation and approve the variance in front yard setback to allow Mel Zierke to construct a house 20 ft. from the property line on Lot 8 of Block 2 of Sunnyside Estate. Motion passed unanimously.

Meeting adjourned at 5:25 p.m.

Glenys Ehlert, CMC

Deputy Clerk-Treasurer