



TO: Mayor Shaun Sipma
Members of the City Council

FROM: Kelly Matalaka, City Clerk

DATE: October 30, 2018

SUBJECT: RETAIL LIQUOR & BEER LICENSE – ICE TIME, LLC DBA ACES

I. RECOMMENDED ACTION

It is recommended the Committee and Council approve the transfer of the retail liquor and beer license from H O Entertainment LLP (dba dae Udder Place Lounge & Casino) to Ice Time, LLC.

It is also recommended the Committee and Council approve the request by Ice Time, LLC dba Aces for the retail liquor and beer license to operate at 1524 S. Broadway, subject to approval by the Police Chief, Fire Marshal and Building Official.

II. DEPARTMENT CONTACT PERSONS

Kelly Matalaka, City Clerk 857-4752

III. DESCRIPTION

Under the City of Minot Code of Ordinances, Sec. 5-25. - City clerk to submit application to the committee of the whole; approval.

- a. The city clerk shall submit the application to the committee of the whole for its recommendation.
- b. Upon receiving the recommendation of the committee of the whole, the city clerk shall then submit the application to the city council for its consideration.
- c. Every application for a license required by this article shall be approved by the city council before the license shall be issued.

Paperwork was submitted to transfer the retail liquor and beer license from Gary Huber, owner of H O Entertainment, LLP dba dae Udder Place Lounge & Casino, to Ice Time, LLC.

The City received a request from Ice Time, LLC dba Aces, for a retail liquor and beer license operating at 1524 S. Broadway. All documentation has been submitted and is being reviewed by the appropriate departments.

IV. IMPACT:

Strategic Impact: N/A

Service/Delivery Impact: N/A

Fiscal Impact:

Alcoholic beverage license applications are processed by the City Clerk. The transfer fee for a liquor license is \$250 and has been collected from the applicant.

V. ALTERNATIVES

The Committee of the Whole and City Council could deny this application if there is reasonable cause to do so and the establishment would not be permitted to sell alcohol.

VI. TIME CONSTRAINTS

Once the City license is approved, the organization must also apply for a State license. A timely approval is necessary if their business wishes to proceed with the sale of alcohol.

There is another factor of urgency in this case because the license being transferred has not conducted activity for which the license was issued for almost 12 months. According to Section 5-32 of the City of Minot Code of Ordinances, the Committee of the Whole has the power to revoke a license if the licensee does not conduct the activity for which the license was issued at the licensed premises for a period of twelve (12) consecutive months.

VII. LIST OF ATTACHMENTS

- A. Alcoholic Beverage License Transfer Form