CITY OF MONTELLO

LICENSE AND ORDINANCE COMMITTEE

MEETING MINUTES

JUNE 25, 2015

Members Present : Utke, Jordan, Schaefer, Houdek

Others Present: Scott Freitag, Cheryl Deskins, Rhonda Hughes, Jerry Ross

Meeting called to order at 6PM

Old Business: Discuss/ Possible action on Class A liquor license previously approved for Kwik Trip, based on recently obtained information.

Houdek provided background on the subject; license application was presented to the committee prior to publication. At that meeting, Utke made a motion to approve, pending publication, and no complaints prior to the July 1st issuance. When publication was made a complaint was received from Scott Freitag who provided information regarding the city having put a quota of 2 Class A liquor licenses only, back in the 1980’s. He was able to provide a rough time frame and the City Clerk was able to obtain the minutes from the Montello City Council meeting of December 5, 1983, at which time a motion was made by Mark Napralla, seconded by John Otto to establish a limit of two (2) Class A Intoxicating Liquor carryout licenses in the City of Montello. Motion was carried by a 5 to 2 vote. A copy of these minutes was given to each committee member.

Houdek also provided a copy of the city’s denial letter from March of 2011 to Dollar General, which stated that the council had denied their Class A Beer & Fermented Beverage license due to the council’s opinion that we had enough licenses issued in the city.

Freitag spoke and explained how Block Grant funds were being used at the time for construction of the new store, and part of that agreement, and issuance of the license, would be that Freitags create 8 jobs. He stated they are currently at 31 employees, but if another license were to be issued, he may have to lessen that number, as he currently has 1 dedicated person every day, 12 hours a day, in the liquor department.

Deskins addressed the committee as to the thoroughness of the Kwik trip staff in checking identification for alcohol and tobacco sales, and how well this is monitored. She spoke of how the variety offered at Kwik Trip has expanded to include meat, produce, etc and customers would like to be able to buy their wine and liquor at the same time. She stated that they would only be carrying a small variety of pint bottles behind the counter, and a four foot section of wine.

Ross addressed the committee and relayed how he was on the City Council at the time the quota was put in place. The reasoning behind it was the council’s opinion that 2 licenses were sufficient for a population of our size.

Jordan questioned why this council decision from 1983 was never made part of an official ordinance.

Utke reminded the committee that her original motion at the prior meeting was made with the contingency of not receiving any complaints, because the public had not been aware of the license request yet.

Schaefer stated she would not be voting on this matter due to her employment with Kwik Trip. She also stated that Kwik Trip sells more gas and cigarettes than groceries and another license would not have that much effect on the other licensed businesses.

Houdek made a motion, that based on the complaint received after publication, per the original motion from the May 28th meeting, and based on the December 5, 1983 actions of the City Council establishing a limit of 2 Class A Intoxicating Liquor licenses in the city, and based on state statute allowing a municipality to establish quotas for Class A liquor licenses, and based on previous precedent of the denial of a Class A beer license to Dollar General that we rescind the approval for the Class A Intoxicating Liquor license that had been approved at the May 28, 2015 meeting. Utke seconded the motion.

Schaefer – abstained, Houdek & Utke vote yea for the motion, Jordan votes Nay for the motion.

Motion carried.

Motion by Utke, second by Schaefer to adjourn. Motion carried unanimously.

Meeting adjourned 6:33PM