

Minneapolis Charter Commission Minutes

May 7, 2014 - 4:00 p.m.

Room 317 City Hall, Minneapolis, Minnesota

Members Present: Commissioners Clegg (Chair), Cohen, Ferrara, Heinle, Johnson, Kozak, Peltola, Rubenstein, Sandberg, Schwarzkopf

Members Excused: Commissioners Connell, Lickness, Metge, Rice

Also Present: Peter Ginder, Deputy City Attorney; Grant Wilson, Manager, Business Licensing; and Casey Joe Carl, City Clerk

1. Roll Call

Chair Clegg called the meeting to order at 4:00 p.m. Roll call was taken.

2. Adopt Agenda

On motion by Heinle seconded, the agenda was adopted.

3. Approve minutes of regular meeting of April 2, 2014

On a motion by Heinle, seconded, the minutes of the meeting of April 2, 2014 were approved.

4. Introduction of New Charter Commissioner Commissioner Jill Garcia.

Commissioner Garcia was introduced and welcomed.

5. Chair's Report

Chair Clegg reported that former Commissioner Aaron Street has been appointed to fill Commissioner Connell's vacant seat.

Discussion

6. Filing Fees for Municipal Office:

Consider proposed amendment relating to filing fees for municipal office for referral to the City Council for adoption by ordinance.

Chair Clegg provided an overview of the proposed amendment and the procedures related to proposing the charter amendment by ordinance to the City Council. The Commission held a public hearing on the proposal at last month's meeting.

Motion was made by Schwarzkopf, seconded, to approve the proposed amendment for adoption by ordinance; the effective date of the amendment is January 2, 2015 (an amendment to the Plain Language Charter).

The motion was discussed and support was voiced on the basis that this proposal has the best chance of adoption by the Council on a 13 to 0 vote.

Schwarzkopf's motion was adopted upon a voice vote.

The City Clerk's Office was directed to transmit the proposed ordinance to the City Council.

7. Proposal to amend the Charter's provisions regarding the sale of wine and beer in certain establishments.

Molly Broder, President of Broders' Pasta Bar, addressed the Commission with respect to a proposed Charter amendment to amend Article IV, Subsections 4.1 (f) (2) and (3); proposed language was distributed. She referenced support for the proposal entails approximately 5,000 signatures and 70 restaurants, which would eliminate the 70/30 requirement relating to wine and beer in certain establishments. She didn't believe that the 70/30 requirement was pertinent in today's marketplace. The intention was to remove this provision from the Charter so as to allow the City to set the regulations in City ordinance. She further requested that the provision either be passed by a 13-0 Council vote or placed on the ballot.

Grant Wilson, Manager of Business Licensing, spoke with regard to the liquor regulations relating to the 70/30 and 60/40 food to alcohol sales ratio requirement. He was in support of the Charter change, and reported that staff is working on updating language standards, i.e. management responsibilities, to provide the City Council with more latitude as it relates to classes of entertainment. He noted that the Legislature has a pending liquor bill during the 2014 session that removes the 60/40 requirement statewide.

The Commission discussed the following topics:

- a) What food to liquor ratio would make economic sense in 2014.
- b) Whether or not the Police Department has an opinion with regard to these changes and how it might affect driving conditions, public intoxication (the things that initially provided the impetus for these laws).
- c) The compliance level of liquor establishments in meeting the 70/30 and 60/40 food to alcohol sales ratios.
- d) The acreage requirements related to liquor establishments.
- e) The pros and cons of removing the entire wine license requirements from the City Charter.
- f) What the suggested economic model would be to restrict having a "bar" in certain neighborhoods, absent a food to alcohol ratio.
- g) The type of communication that has taken place with neighborhood organizations across the City, and what type of buy-in has taken place with neighborhoods and the restaurateurs in those neighborhoods.
- h) The type of regulations that apply for Downtown restaurants/bars.
- i) The type of opposition/complications that could be foreseen with the proposal.

Motion was made by Sandberg, seconded, that at least one public hearing be held on the proposed subject matter, with the first one scheduled for the next regular meeting on June 4th, at a time certain of 4:30 p.m.

It was requested that the Chair be in contact with the City Attorney and Business Licensing staff to develop a report for the Commission and interested parties that included the following matters:

- a) The various categories of liquor licensing regulations and how the Charter pieces fit into said regulations.
- b) The pros and cons of removing all liquor references from the Charter and including those regulations in City ordinance.
- c) A complete report from the Police Department as to their regulatory powers needed to regulate liquor licensing in a way that does not encourage violations.
- d) A listing of the areas in the City that already have the 70/30 regulation and the problems associated with those licenses.
- e) The possible areas of concern if the regulations move from Charter to ordinance, especially in Northeast and the northern part of Minneapolis.

Sandberg's motion was adopted upon a voice vote.

The City Clerk was requested to provide notice of the public hearing to the Police Department, the Minneapolis Council of Churches, and all neighborhood organizations.

Public Commentary

The following persons came forward to provide commentary to the Commission:

- a) Dave Bicking, a resident of 4200 Cedar Ave S, requested that the Commission consider televising its meetings. He spoke to his concerns with regard to the proposal to increase the filing fees for municipal office. He feared that the increased fees would raise barriers to viable candidates running for public office.
- b) Captain Jack Sparrow, a former candidate for Mayor, spoke in opposition to the proposal to increase the filing fee for municipal office. He believed there should be no fee for Mayoral candidates.

On motion by Ferrara, seconded, the meeting was adjourned at 5:07 p.m.

Submitted by: Jackie Hanson, City Clerk's Office