



Legislation Text

File #: Res 2019-126, **Version:** 2

RESOLUTION DESIGNATING DIRECTOR AND OPERATIONAL MANAGER FOR ADMINISTRATION OF THE LIQUOR LICENSE AT THE BISON GRILL RESTAURANT AT BUFFALO RUN GOLF COURSE

Summary and Background Information:

This resolution designates a city councilmember as a “director” for purposes of administering the liquor license for the City’s Bison Grill. The City holds a Hotel and Restaurant with Optional Premises Liquor License and applied for such license as a corporation, given an ambiguity in the State Liquor statutes about the manner in which municipalities should apply for such licenses. The City has routinely identified all councilmembers as “officers” of the “corporation,” and has historically required each member of Council to undergo fingerprinting and submit to background checks to renew the City’s license and to update the license when a new member joins Council. This process is cumbersome, time consuming, resource intensive, and unnecessary. In 2019, the City Attorney’s Office petitioned the state Liquor Enforcement Division to obtain its position for an alternative process. The LED subsequently issued draft rules to allow for municipalities to appoint an individual to act as the appropriate “officer” or “director” to serve as the City’s liquor license applicant and a point person for the license. Although the new rule is not final, the LED has agreed to accept an individual to serve as a “director” for the license and purpose of any process required or necessary to maintain that license between now and when the new rule goes into effect. The designation does not grant additional authority to the designated official.

The resolution designates Mayor Benjamin Huseman as the City’s director. Mayor Huseman is at the beginning of a four-year term and has already undergone required fingerprinting and background checks. The resolution also repeals any prior inconsistent resolutions and affirms the City Manager’s authority to designate an operational manager, as required by law, who has regular daily control over the licensed premises.

Staff Responsible (Department Head): Robert Sheesley, City Attorney

Staff Member Presenting: Robert Sheesley, City Attorney

Financial Impact: n/a

Funding Source: n/a

Staff Recommendation: Approval.