

below. If a license holder fails to notify the City Administrator or appear for the hearing, they are deemed to have accepted the penalty.

JD's BBQ - \$500 fine, written warning.

Lucky's Liquor - \$500 fine waived, written warning [server training completed]

Liquor Warehouse - \$500 fine waived, written warning [server training completed]

Don Pedro's - \$500 fine waived, written warning [server training completed]

Eagle's - \$500 fine, written warning

Attorney Haylee Cripe states there are no representation from the above liquor license holders.

MOTION BY: Sarah Jennings

SECONDED BY: Carson Steiner

To approve the violation for Liquor Warehouse, JD's BBQ, Lucky's Liquor, Don Pedro's and the Eagles Club.

DISPOSITION: Roll call vote...Aye 3, Nay 0, Absent 2
Motion declared duly passed

IV. **COMPLIANCE CHECKS PRESENTATION**

Presentation on Compliance Checks

Becky Byzewski of Community Action was asked by President Scott Decker for her process and procedure or guidelines that she follows and Ms. Byzewski did not have anything available to present.

Police Chief Dustin Dassinger states when the compliance checks are held 100% of the establishments whom hold a liquor license are checked each time a compliance check is held.

Captain Dave Wilkie of the Dickinson Police Department states if a license holder is missed this is normally due to their closure for that evening. If this happens the check is done on them a different date. Captain Wilkie does states all liquor license holder are treated fairly and the intent is to have these compliance checks are to be 100% with no failure. Captain Dave Wilkie states he wants to ensure all businesses don't fail. He feels Community Action's goal is to visit each business and have no failures.

President Scott Decker does not want to see any criminal intent on any of the business. He feels many of the employees that fail the checks are lazy and not have a criminal intent. He does feel the volunteers should all be about the same look of age.

Mrs. Becky Byzewski does explain the ID's look to the Commissioners with the yellow/red or no bar look indicating the age of the person.

Commissioner Sarah Jennings thanks everyone for being at the meeting and she has noticed some discrepancies in the compliance checks. She feels it is sometimes deceptive on whom the minor is as they look older than they really are. She is questioning the protocol of the procedure. Ms. Jennings does feel it would look better for the server to check the ID if they feel the person is of age or not. Commissioner Sarah Jennings states the servers are making an assumption that the person with the Police Officer is 21 years of age.

Police Chief Dustin Dassinger feels that the Police Department and Community Action is being reprimanded for performing their job of compliance checks.

President Scott Decker feels the City needs to address the policies and procedures. Mr. Decker is not placing any blame on the Police Department or of Ms. Byzewski, but wants to have equality in compliance checks.

Captain Dave Wilkie reviews the guidelines and how the procedure is working and warns the Commission of setting a precedence by judging whom can do the compliance checks. Mr. Wilkie states in order to avoid the charge the ID should have been checked.

Police Chief Dustin Dassinger states the Police Department does not select the individuals or dates that the compliance checks are done. Chief Dassinger states this procedure is not to trick any one establishment or aggressively target any one establishment.

Commissioner Sarah Jennings would like to see a clear policy and procedure to follow.

Captain Dave Wilkie states to the Commission that 4 of the 9 businesses actually looked at the ID's and still served the minor.

V. **REPORT**

1. **Discussion of Section 4.08.240 revocation and Suspension by City Commission**

City Attorney Haylee Cripe states the purpose of this discussion to address concerns regarding process of compliance checks, status of the ordinance and open meeting discussion of ordinance. Ms. Haylee Cripe presents ordinances from several different cities on how they handle the process of liquor license holders and their penalties. She states some cities don't have codes for services and just use the Century Code.

Commissioner Carson Steiner states the City will take these ordinances into consideration and review them along with several liquor license holders in Dickinson.

