

SPECIAL COUNCIL PROCEEDINGS FOR JULY 21, 1999

Meeting called to order at 7:02 PM by Mayor Ken Brown.

PRESENT: Councilmembers: Laura Carpenter, Frank Lukacs, Marvin Ford, Mike Lents, Judy Murray, Kelly Pavel, Mayor Ken Brown, City Manager Clint Holmes, City Attorney Marilyn Zimmerman, City Clerk Julie Miller.

GUESTS: Mr. and Mrs. Ben Zyrowski, Jim Zyrowski, Ben's Supermarket Corporate Attorney Frank Polasky, Gary Rutkowski.

Mayor Brown stated that the Zyrowski's and their Attorney from Ben's Supermarket had 20 minutes on the floor to speak and the meeting would be no longer than 1 hour. Each guest will be given 5 minutes to speak also.

Attorney Frank Polasky stated that he spoke with Julie Wendt from the Liquor Control Commission, as stated in letter to the City Government approval is not needed but desired. A Resort Specially Designated Distributor (R-SDD) License is a type of liquor license issued to businesses or organizations that serve populations or groups larger than the normal year-round population of the community in which they are located. There are 110 applicants for this license, with only 10 being issued this year. Ben's already posses a SDM (Special Designated Merchant) license to sell Packaged Beer and Wine for off premise consumption only, whereas an R-SDD license permits the sale of liquor for off premise consumption only.

Ben Zyrowski, Chairman of Ben's Supermarket spoke on his behalf as well as Jim Zyrowski, President of Ben's Supermarket.

Gary Rutkowski, owner of Brown City Pharmacy and Gifts who possesses the sole SDD License in the City of Brown City spoke on behalf of his business, and noted the possible decline of Liquor Sales at his store.

Council discussed the financial and social ramifications of this issue. Council also noted the letters of objection provided by two local church pastors.

NOTE: City Clerk stopped tape to get a second tape, due to length of discussion. Second tape added.

Moved by CM Pavel, supported by CM Carpenter and CM Murray to rescind the letter that was sent to the Liquor Control Commission. Roll Call Vote: Pavel-yes, Murray-yes, Lents-no, Ford-no, Lukacs-no, Carpenter-yes. 3-yes, 3-no. Mayor to break tie vote. Mayor-NO. Motion NOT carried. Therefore the City will take no more action in this matter.

Moved by CM Ford, supported by CM Murray to adjourn at 8:12PM. Motion Carried.

Respectfully submitted,

Julie P. Miller
City Clerk