

FARGO CITY COMMISSION AGENDA
Monday, July 27, 2009 - 5:00 P.M.

CITY COMMISSION MEETINGS ARE BROADCAST LIVE ON TV FARGO (Channel 99). They are rebroadcast at 7 p.m. each Thursday and again at 8:00 a.m. each Saturday and are also included in our video archive at www.cityoffargo.com/commission

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, July 13, 2009).

* * * Consent Agenda - Approve the Following * * *

- a. Receive and file Ordinance Relating to Imposition of a Sales, Use and Gross Receipts Tax (Flood Risk Mitigation and Reduction Improvements).
- b. 2nd reading, waive reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in the North Half of Section 1, Township 139 North, Range 49 West; 1st reading, 7/13/09.
- c. Receive and file Summons and Complaint in the matter of Howard W. Kremer v. the City of Fargo.
- d. Party Wall Declaration to allow a doorway between the Spirit Room at 113 Broadway and the second floor of the Swanson Health Building at 111 Broadway.
- e. Appointment of Allen Grensteiner, Adam Walter and Brian Willits as special police officers for NDSU.
- f. Fire Department budget adjustment in the amount of \$1,563.10 for F-M Haz Mat training.
- g. NDDOT Traffic Safety Contract for grant funding to purchase a radar unit for the Police Department (CFDA #20.600).
- h. Exercise of option to "piggyback" on the Fairfax, VA purchase of transit coaches.
- i. Addendum to Agreement with Handi-Wheels Transportation for a Jobs Access and Reverse Commute Funds (JARC) grant to extend the grant until all remaining funds are expended.
- j. Grant awards from the North Dakota Department of Health:
 - (1) State Viral Hepatitis Program activities (CFDA #09.008).
 - (2) Women's Way Program (CFDA #93.919).
 - (3) Public Water Supply Supervision Program – EPA Block (CFDA #66.605).
 - (4) VFC/AFIX Immunization Program (CFDA #93.268).
 - (5) Water Pollution – EPA Block (CFDA #66.605).
- k. Site Authorizations for Games of Chance:
 - (1) Ducks Unlimited, Inc. at the Holiday Inn on 9/9/09.
 - (2) Sts. Anne & Joachim Catholic Church, at the Church from 8/1/09 through 6/30/10.

Applications for Games of Chance:

- (1) St. Anthony of Padua Church for bingo and a raffle on 9/27/09.
 - (2) Kringen Club, Inc. for bingo from 7/1/09 through 6/30/10.
 - (3) Rape and Abuse Crisis Center of Fargo-Moorhead for a raffle on 11/13/09.
 - (4) Fargo Lions Club for a calendar raffle from 9/14/09 through 12/28/09.
 - (5) Villa Nazareth d/b/a Friendship, Inc. for a raffle on 10/10/09.
 - (6) Nativity Church of Fargo for a calendar raffle from 9/21/09 to 10/25/09.
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- m. Independent Auditor's report and the City Comprehensive Annual Financial Report for the year ended December 31, 2008.
 - n. Sale of a fire truck in the amount of \$1,700 to the Oberon Fire Department.
 - o. Plat of Gehrig Properties Addition.
 - p. Right-of-way acquisition along 25th Street South from 58th to 76th Avenues South and along 64th Avenue South from University Drive to Maple Valley Drive.
 - q. Bid award for one refuse truck to Olympic Sales in the amount of \$53,250.00.
 - r. Engineering Services contract with KLJ in the amount of \$368,700 for Improvement District No. 5601.
 - s. Engineering Services Contract Amendment for Project No. 5838-01.
 - t. Agreement with the State Water Commission for cost-share participation in the Ridgewood Flood Control Project.
 - u. Agreement for Special Improvements with Eid Co. for Northfield First Addition (Improvement District Nos. 5609, 5610 and 5611)56.
 - v. Relinquishment of Easement Agreement and Purchase Agreement with Bullinger Enterprises, LLLP for a permanent sanitary sewer easement (Improvement District No. 5729).
 - w. License Agreement from WAPA pertaining to a storm sewer easement (Improvement District No. 5706-1).
 - x. Change Order No. 1 for an increase of \$4,065.00 for Project No. 5561.
 - y. Change Order No. 1 for an increase of \$56,660.50 for Project No. 5896.
 - z. Bid advertisement for Project No. 5901.
 - aa. Bid awards for Project Nos. 5660, 5747-14, 5803, 5804, and 5865.
 - bb. Contracts and bonds for Project Nos. 5896, 5897 and 5899.
 - cc. Bills.
 - dd. Change Orders for the following Improvement Districts: No. 1 for an increase of \$41,312.10 for No. 5744; No. 1 for an increase of \$12,623.59 for No. 5775; No. 1 for an increase of 59,923.86 for No. 5796; Final Balancing Change Order No. 2 for an increase of \$49,864.32 for No. 5749-01.

Page 603 Bid awards for Improvement District Nos. 5706-1, 5863, 5890 and 5891.

- ff. Rejection of bid and rebid of Improvement District No. 5844.
- gg. Create Improvement District No. 5889.
- hh. Contracts and bonds for Improvement District Nos. 5784, 5862, 5881, 5882, 5883 and 5886.

* * * Regular Agenda * * *

1. Request for an extension of the noise ordinance until 11:00 p.m. on September 24, 2009 for an outdoor movie event and on October 10th for an outdoor music event at the OB.
2. Recommendation for appointments to the following Boards and Commissions:
 - a. Board of Adjustment (correcting 7/13/09 action).
 - b. Fargo Access Channel Board.
 - c. Native American Commission.
3. Public Hearings - 5:15 p.m.:
 - a. Application filed by RRL Fargo, LLC d/b/a Red River Lodge for a Class "ABH" Alcoholic Beverage License at 901 38th Street South.
 - b. Transfer of a Class "ABH" Alcoholic Beverage License from Doublewood Lounge, Inc. d/b/a Doublewood Lounge at 3333 13th Avenue South to Doublewood Lounge, Inc. d/b/a Doublewood Lounge (ownership change).
 - c. Application filed by Robust Properties, LLC d/b/a La Quinta Inn & Suites for a Class "GH" Alcoholic Beverage License at 2355 46th Street South.
 - d. Proposed Renaissance Zone boundary changes.
4. Recommendation from the Planning Department to extend the moratorium on electronic message center sign permit applications for 6 months.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 241-1310 or TDD 241-8258. Please contact us at least three business days in advance of public meetings to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo Web site at www.cityoffargo.com/commission

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July 23, 2009

Fargo City Commission
Fargo City Hall
Fargo ND

Dear Mayor and Commissioners,

The rest of the summer and early fall is filled with a number of great events to draw people Downtown to join in on the excitement.

The New Life Center will be the beneficiary of an outdoor showing of the movie classic ... "Fargo" on September 24th. In addition to the movie being shown, there will be food vendors and entertainment on 5th Street near the American Legion. Organizers are working with the Fargo Police Department on details. While this event is expected to conclude prior to 11:00 PM, we think it prudent to ask the commission's approval for an extension of the noise ordinance until 11 PM on that date.

Also coming this fall will be the initial running of the FM Half Marathon on Saturday, October 10th. Downtown has been asked to organize several activities in conjunction with the Half Marathon. Anticipating an outdoor music event that evening at the OB, we would ask the commission's approval of an extension of the noise ordinance as well for this date until 11 PM.

With these events in mind, the Downtown Community Partnership and the organizing committees for the "Fargo" movie event and the Half Marathon would respectfully ask for a variance of the city noise ordinance that will allow these two evenings of live entertainment to conclude at 11:00 pm, rather than at 10:00 as the ordinance normally requires.

Public festivities for each evening will begin around 5:00 pm with food, music and dancing and will continue through the evening. Thank you for your consideration.

Sincerely,

Dave Anderson,
Committee Member and Sponsor
Downtown Community Partnership



Mayor Dennis R. Walaker
200 3rd Street North
Fargo, North Dakota 58102
Phone (701) 241-1310
Fax (701) 476-4136

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MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS
FROM: MAYOR DENNIS R. WALAKER *Dennis Walaker*
DATE: JULY 6, 2009
SUBJECT: APPOINTMENT TO THE BOARD OF ADJUSTMENT

After writing the last letter regarding reappointments to the Board of Adjustment, Lisa Wheeler called to say she had reconsidered and is not able to continue her service on the Board of Adjustment.

Although a new letter was written, the incorrect one was included in the City Commission packet. The new letter recommended that Michael Love, who has served as an alternate member of the Board, now be appointed to replace Ms. Wheeler.

In order to correct the action taken at the last meeting, I am now asking that the Board reconsider the motion reappointing Lisa Wheeler to the Board of Adjustment for a three-year term. I am also asking that Michael Love be appointed to replace Ms. Wheeler for a three-year term ending June 30, 2012.

Your favorable consideration of this recommendation will be greatly appreciated.

RECOMMENDED MOTION: To reconsider the motion made at the July 13, 2009 meeting reappointing Lisa Wheeler to the Board of Adjustment and to, instead, confirm the appointment of Michael Love to replace Ms. Wheeler as a member of the Board of Adjustment for a three-year term ending June 30, 2012.

wwappt09boardjust2



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MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR DENNIS R. WALAKER *Dennis R. Walaker*

DATE: JULY 15, 2009

SUBJECT: APPOINTMENTS TO THE FARGO ACCESS CHANNEL BOARD

The terms of Barbara Spaeth Baum and Todd McDonald on the Fargo Access Channel Board expired on June 30, 2009.

Both Ms. Spaeth Baum and Mr. McDonald are willing to continue their service on the Board and I am recommending that they be reappointed for three-year terms ending June 30, 2012.

Your favorable consideration of this recommendation will be greatly appreciated.

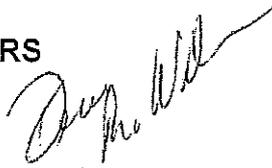
RECOMMENDED MOTION: Approve the reappointment of Barbara Spaeth Baum and Todd McDonald to the Fargo Access Channel Board for three-year terms ending June 30, 2012.

wwappt09facb

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MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR DENNIS R. WALAKER 

DATE: JULY 22, 2009

SUBJECT: NATIVE AMERICAN COMMISSION APPOINTMENTS

The terms of Guy Fox, Scott Satermo and Sharon White Bear on the Native American Commission expired on June 30, 2009. All three have expressed a willingness to continue their service on that Board.

I am recommending the reappointment of Mr. Fox, Mr. Satermo and Ms. White Bear for three year terms expiring June 30, 2012. Your favorable consideration of this recommendation will be greatly appreciated.

RECOMMENDED MOTION: To approve and confirm the reappointment of Guy Fox, Scott Satermo and Sharon White Bear for three year terms ending June 30, 2012.

wwaptsnac08nac

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MEMORANDUM

TO: Chief Keith Ternes
FROM: Sergeant Mathew Sanders
DATE: June 19, 2009

SUBJECT: Application for a Class "ABH" Alcoholic Beverage License for RRL Fargo, LLC d/b/a Red River Lodge to be located at 901 38th St S.

In accordance with Section 25-1505 of the Fargo Municipal Code, I have conducted an investigation into the character, reputation and fitness of the applicant(s) listed on the supplied application.

During this investigation I questioned the applicant's criminal background, credit history, past residence history as well as any interaction they have had with law enforcement in any state.

The following information was discovered through this investigation:

Nayana Patel (Owner)

Criminal History: No areas of concern

Credit History: No areas of concern

When I interviewed Nayana Patel I clarified the spelling of her first name. In the application it is spelled "Nayna" when in actuality it is spelled "Nayana." This does not appear to be any attempt at deception as her credit history and criminal history is clear under both names.

Neha Patel (Owner)

Criminal History: No areas of concern

Credit History: No areas of concern

Kunal Sharma (Owner)

Criminal History: No areas of concern

Credit History: No areas of concern

Samir Patel (Manager)

Criminal History: No areas of concern

Credit History: No areas of concern

Samir Patel is the current manager of The Red River Lodge and has held that position for 4 ½ years.

Business Location

The application submitted is for a The Red River Lodge which is a hotel currently located at 901 38th St. S., Fargo, ND. Within the immediate area the following establishments currently hold a liquor license: The Box, Santa Lucia, Timber Lodge, and Paradiso.

Conclusion

I believe I have discovered all information related to the listed applicant(s) and all information related to the issuance of the requested liquor license. I have provided this completed background investigation to Fargo Police Chief Keith Ternes for his review and recommendation.



APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

The following section to be completed by City Staff:

Date Received by Auditor's Office: 6/16/09
Investigations Fee Paid (\$250) X Yes ___ No ___ Date paid: 6/16/09
Check # 12336

Reviewed - Health Department by: ___ Date: ___
Comments (or see attached report):

Reviewed - Fire Department by: ___ Date: ___
Comments (or see attached report):

Reviewed - Inspections Division by: ___ Date: ___
Comments (or see attached report):

Reviewed - Police Department by: Sgt. Michael [Signature] Date: 6/19/09
(See attached report):

Approval Recommendation ___ Denial Recommendation
[Signature] Chief of Police 06.19.09 Date

Reviewed - Liquor Control Committee on (date): ___
___ Approval Recommendation ___ Denial Recommendation
(See attached comments or minutes)

Reviewed - City Commission on (date): ___
___ Approval ___ Denial
(See attached minutes)

Business/Company name: RRL FARGO LLC

Doing business as: Red River Lodge

ABH-10

This application is for the Class or Classes of Licenses checked:

- Class A Authorizes the licensee to sell "on-sale" only.
- Class B Authorizes the licensee to sell "off-sale" only. "Off-Sale" licensed premises must be no closer than 100 feet to any grocery store, drug store or gasoline service station or any part thereof.
- Class B "Limited" Authorizes the licensee to sell "off-sale" only. License is Non Transferable. "Off-Sale" licensed premises must be no closer than 100 feet to any grocery store, drug store or gasoline service station or any part thereof.
- Class AB Authorizes the licensee to sell "on-sale" and "off-sale". "Off-Sale" licensed premises must be no closer than 100 feet to any grocery store, drug store or gasoline service station or any part thereof.
- Class ABH Authorizes the licensee to sell "on-sale" and "off sale", at hotels & motels with 100 more guest rooms only.
- Class ABHRZ Authorizes licensee to sell "on-sale" and "off sale" at hotels in Renaissance Zone with 15 guest rooms
- Class C Authorizes the licensee to sell beer "on-sale" only.
- Class D Authorizes the licensee to sell beer "off-sale" only.
- Class F Authorizes the licensee to sell "on-sale" only served at table or booth; no bar allowed. Requires 50% or more of its annual gross receipts from the sale of prepared meals and not alcoholic beverages.
- Class FA Authorizes the licensee to sell "on-sale" only, physical bar is allowed. Requires 50% of more of its annual gross receipts from the sale of prepared meals and not alcoholic beverages.
- Class FARZ Authorizes the licensee to sell "on-sale" only; physical bar allowed. Required to be in the Renaissance Zone. No gaming and no "E" permits allowed. Requires 50% or more of its annual gross receipts from the sale of prepared meals and not alcoholic beverages. The initial fee is 1/2 of the FA license.
- Class FA-Golf On USGA Golf Course of 9 or more holes. Requires 25% receipts of food sales from April to October and 50% the rest of the year.
- Class G Authorizes the licensee to sell wine and sparkling wine "on-sale" only, served at table or booth, no bar. Requires 50% food sales.
- Class H Authorizes the licensee to sell beer "on-sale" only, served at table of booth, with no bar allowed and requires 50% food sales.
- Class I Authorizes the licensee to sell beer, wine, and other sparkling wine "on-sale" only. A physical bar is allowed and requires 50% food sales.
- Class J Authorizes the licensee to sell "on-sale" only at a non-profit organization for military purposes.
- Class L Authorizes the licensee to sell "on-sale" only on an excursion boat operating on the Red River.

- () Class M Authorizes the licensee to operate a "Microbrew Pub" and to sell "on-sale" and "off-sale" offered in conjunction with another license.
- () Class N Authorizes the licensee to sell "on-sale" only at a stadium with a minimum seating capacity of 2,500.
- () Class O Authorizes the licensee to operate a winemaker and/or vendor of winemaking supplies and related services.
- () Class P Authorizes the licensee to operate a domestic winery and to sell wine "on-sale" and "off-sale." Allows limited beer sales.
- () Class W Authorizes the licensee to operate a wine bar, serving wine and limited beer "on-sale." A physical bar is allowed and requires 20% food sales.
- () Class Z Authorizes the licensee to sell "on-sale" only issued to individuals and partnerships not currently holding another "A", "AB", "ABH", or "ABH-RZ". This license is non-transferable.

The following section to be completed by the applicant:

Initial #1 - #8 to indicate you understand and agree to these terms of the "Z", "W" or "B Limited" license. Then print your name and sign in the space provided below:

ALL APPLICANTS must initial #9 - #16 and sign in the space provided below.

1. _____ My business may sell "On Sale" only (Class Z & W).
- 1a. _____ My business may sell "Off Sale" only; **NO** "On-Sale" liquor sales are permitted. ("B Limited)
2. _____ This license shall only be issued to individuals or partnerships (natural persons only), corporations for liability purposes, except as otherwise provided hereinafter.
3. _____ I may not obtain more than one "Z", "W" or "B Limited" license.
4. SP _____ If I hold an "A", "B", "AB", "ABH" or "ABH-RZ" license, I may not obtain a "Z", "W" or "B Limited" license.
5. _____ If I voluntarily go out of business, file a bankruptcy petition, become insolvent or otherwise cease business, the license reverts to the City of Fargo. This license may be transferred to reflect a change in location of your licensed premises.
6. _____ The license may be transferred to my heirs (children only) during my lifetime. Upon my death, the license may be transferred to my heir(s), but may not be transferred to any other person, partnership, firm or corporation. If any partner in a partnership holding the license dies, the remaining partner(s) may continue to hold the license, but no partnership interest may be issued to any new partner. The ordinance will allow a partnership between the original licensee and his children which may take the form of a corporate entity under North Dakota law. Shares in the corporation may be transferred to the children, but transfer of shares to anyone else will constitute a sale that will cause the license to revert to the City of Fargo. As the ordinance indicates, the intent of this provision is to allow a transfer between a parent and children but a transfer of shares to anyone else is absolutely prohibited.
7. _____ If I sell my business as a "going concern" (i.e., a complete and operational bar), the purchaser of the business has the first preference to purchase the "Z", "W" or "B Limited" license from the City. (The purchaser must meet all other relevant conditions and requirements for such a purchase.)
- 8a. _____ If I am issued a "B Limited" license, I must pay an initial fee for the license in the amount of \$80,000 and an annual fee for the license in the amount of the \$1,400 at the beginning of each license year.
- 8b. _____ "Z" Initial \$105,000. Annual \$1,700.
- 8c. _____ "W" Initial \$25,000. Annual \$1,000.
9. SP _____ All Applicants must assure there is adequate off-street parking for my business (within the discretion of-and as approved by-the City Commission). Membership in the current City parking program (e.g., "P.O.P.") may place me in compliance with this requirement.

- 10. SP I have received a copy of the Alcoholic Beverage Ordinance (s) of the City of Fargo, read the ordinances and am familiar with the conditions and requirements of these ordinances.
- 11. SP If granted an alcoholic beverage license, I will obey, abide by and comply with the State of North Dakota Liquor Control Act, and the City of Fargo Alcoholic Beverage ordinances, as well as any amendments to either of these, which may be made from time to time.

- 12. SP I understand either, I, my manager(s), or both of us must attend a yearly meeting (date and time to be announced) with representatives from the Police and Health departments to discuss law enforcement and safety concerns as a condition of license renewal.
- 13. SP I understand that the premises described in this application, if licensed for alcoholic beverage sales, may be inspected at any time by the Chief of Police, or any officer of the Police or Health Departments as allowed by city ordinances and state law. My employees and I will cooperate with such inspections.
- 14. SP I understand that all employees, managers and owners engaged in mixing, pouring or service of alcoholic beverages MUST attend Server Training.
- 15. SP I am familiar with the questions, answers and other information as it appears in the complete application for an alcoholic beverage license, and the answers and information are, to the best of my belief and knowledge, true, complete and accurate. (Note: This application must be made under oath before a Notary Public.)
- 16. SP I recognize the City of Fargo is subject to open records laws contained in chapter 44-04 of the N.D. Century Code. Section 44-04-18.4 contains an exception for trade secrets, proprietary, commercial, and financial information. I agree in submitting the application, that I have familiarized myself with this law. If any information being forwarded to the City of Fargo is claimed as confidential or proprietary under this section, I must clearly indicate this in writing when I submit this application, pointing out, in detail, why the information submitted is claimed as an exemption under section 44-04-18.4. I further agree to respond to, as well as to aid the City, in responding to any claim under 44.04-21.1 concerning this claim of confidentiality under 44-04-18.4.

Applicant printed name: Nayana Patel Signature: N. N. Patel

Applicant printed name: Neha Patel Signature: Neha Patel

Applicant printed name: Kunal Sharma Signature: Kunal

Business/Company name: RRL Fargo, LLC.
Doing business as: Red River Lodge

Business address (location): 901 38th Street SW, Fargo, ND 58103
Mailing address: Same As Above

Legal description of the premises to be licensed: Lot 6 Less the west 376.75 feet, Block 1, Village West Addition to the City of Fargo, Cass County, North Dakota

Does applicant wish to describe, depict, or otherwise identify various areas or spaces within the building which shall constitute the licensed premises in accordance with Section 25-1501, Subsection 8? Yes No

Is the premises now occupied by another business? Yes No

Type of business currently there: Lodging, Motel

Mailing address: 901 38th Street SW, Fargo, ND 58103
(address) (city) (state & zip)

Business e-mail address: Spatel@redriverfargo.com

Phone number: (701) 282-9100 Other number: (701) 281-3951

Do you own or rent the property where the license will be used? Own Rent
If you rent, provide the following information:

(name) (address) (city) (state & zip)

If you are the owner of the property, are there any delinquent taxes against the premises?
 Yes No If "yes", in what amount? _____

Applicant Information:

Name: Nayna N. Patel
(first) (middle) (last) (maiden name)

Address: 4393 Beach Ln S. Fargo ND 58104
(address) (city) (state & zip)

How long have you lived at the address? 2-Years

Provide your address history for the past 5 years: (Use additional page if necessary.)

From 2000 to 2006 Address: 824 20th St. SW, Jamestown, ND 58401
From _____ to _____ Address: _____
From _____ to _____ Address: _____

E-mail address: trishnap@msn.com

Home phone number: (701) 361-7833 Other number: ()

Date of Birth: 09/18/1960 Place of Birth: Moxoto, Uganda

List each driver's license you have ever had and the state of issue:

DL#: PAT-60-6685 State of Issue: ND Dates: Exp-09-18-2010

DL#: _____ State of Issue: _____ Dates: _____

DL#: _____ State of Issue: _____ Dates: _____

Has your driver's license ever been suspended or revoked? _____ Yes No If "yes," where and when.

If "yes," have you ever been issued a citation for driving after your license was suspended or revoked? Yes No If "yes," where and when.

Have you ever been convicted, plead guilty, or plead "no contest" to any law of the U.S., or any state, or of any local ordinance (other than traffic)? (DUI **should not** be considered a "traffic offense"—and therefore must be listed) _____ Yes No If yes, provide the date of arrest, location, charge, and sentence or each conviction.

Have you been issued a citation for any alcohol-related offense? _____ Yes No
If "yes," provide the date, location, and charge for each citation:

List all federal, state, and local licenses (including liquor licenses; excluding driver's licenses) you currently hold, formerly held, or may have an interest in:

N/A

Have any of the above named licenses ever been suspended or revoked? ___ Yes No

If yes, list the dates and reasons for the suspensions or revocations:

List your employment/business history for the past 7 years period: Use additional pages if necessary.)

From: 1999 to 2006 Business name: Days Inn

Address: 824 20th st SW, Jamestown Position/Title: Managed
ND: 58401

From: 2003 to Current Business name: Patel Enterprises, Inc.

Address: 1605 E. Sheridan St, Ely Position/Title Vice President/owner
MN: 55731

From: 2004 to current Business name: AI Blackduck, LLC

Address: 81 Brandl Dr NW, Blackduck Position/Title: Member / Owner
MN: 56630

From: 2005 to Current Business name: RRL Fargo, LLC

Address: 901 38th st SW, Fargo Position/Title: Member / owner
ND: 58103

2005-2009 Patel Enterprises, LLC. 2202 S. University Dr., Fargo ND 58103 - Member/owner

Do you currently own or have a financial interest in any other business that sells or serves alcoholic beverages? ___ Yes No If "yes," list each business below:

Have you ever manufactured, sold, or distributed alcoholic beverages on the wholesale or retail level? ___ Yes No If "yes, indicate where, when, and for whom below:

Do you have any current or prior management experience working for a business that sells or serves alcohol? ___ Yes No If "yes," describe below:

Partnership/Corporation Information (ALL Partners, Corporate Shareholders and Directors holding 5% or more of the outstanding stock must be listed—make copies and use additional pages as needed)

List your business structure: LLC (Partnership, Corporation, LLP, LLC)
(This section may be copied and pages attached for additional partners.)

Name: _____
Nayna N. Patel _____
(first) (middle) (last) (maiden name)

Address: _____
4393 Beach Ln S. Fargo ND 58104 _____
(address) (city) (state & zip)

How long have you lived at the address? 2-Years

Provide your address history for the past 5 years: (Use additional page if necessary.)

From 1999 to 2006 Address: 824 20th st SW, Jamestown, ND 58401

From 2007 to Current Address: 4393 Beach Ln S., Fargo, ND 58104

From _____ to _____ Address: _____

E-mail address: txisnap@msn.com

Home phone number: (701) 361-7833 Other number: () _____

Date of Birth: 9/18/1960 Place of Birth: Moroto, Uganda

List each driver's license you have ever had and the state of issue:

DL#: PAT-60-6685 State of Issue: ND Dates: Exp 09-18-2010

DL#: _____ State of Issue: _____ Dates: _____

DL#: _____ State of Issue: _____ Dates: _____

Has your driver's license ever been suspended or revoked? _____ Yes No If "yes", where and when.

If "yes," have you ever been issued a citation for driving after you license was suspended or revoked? _____ Yes No If "yes", where and when?

Have you ever been convicted, plead guilty, or plead "no contest" to any law of the U.S., or any state, or of any local ordinance (other than traffic)? (DUI **should not** be considered a "traffic offense"—and therefore must be listed) ___ Yes No If yes, provide the date of arrest, location, charge, and sentence for each conviction:

Have you been issued a citation for any alcohol-related offense? ___ Yes No If "yes," provide the date, location, and charge for each citation:

List all federal, state, and local licenses (including liquor licenses; excluding driver's licenses) you currently hold, formerly held, or may have an interest in:

N/A

Have any of the above named licenses ever been suspended or revoked? ___ Yes No If yes, list the dates and reasons for the suspensions or revocations:

List your employment/business history for the past 7 year's period: (Use additional pages if necessary.)

From: 1999 to 2006 Business name: Days Inn

Address: 824 20th St SW, Jamestown Position/Title: Manager
ND: 58401

From: 2003 to Current Business name: Patel Enterprises, Inc.

Address: 1605 E. Sheridan St., Ely Position/Title: Vice President/owner
MN: 55731

From: 2004 to Current Business name: AI Blackduck, LLC

Address: 81 Brandl Dr. NW, Blackduck Position/Title: Member/owner
MN: 56630

From: 2005 to Current Business name: RRL Fargo, LLC

Address: 901 38th St. SW, Fargo Position/Title: Member/owner
ND: 58103

2005-2009 Patel Enterprises, LLC, 2202 S. University Dr., Fargo, ND 58103

Do you currently own or have a financial interest in any other business that sells or serves alcoholic beverages? ___ Yes No If "yes," list each business below:

Have you ever manufactured, sold, or distributed alcoholic beverages on the wholesale or retail level? ___ Yes X No If "yes," indicate where, when, and for whom below:

Do you have any current or prior management experience working for a business that sells or serves alcohol? ___ Yes X No If "yes," describe below:

Are all officers, directors, and shareholders holding more than 5% of the outstanding stock 21 years of age or older? Yes X No ()

Address of Home Office 901 38th street SW, Fargo, ND 58103
Date Incorporated October 18, 2004 State of Incorporation North Dakota

If a subsidiary of any corporation, state name and address of parent corporation _____

Partnership/Corporation Information (ALL Partners, Corporate Shareholders and Directors holding 5% or more of the outstanding stock must be listed—make copies and use additional pages as needed)

List your business structure: LLC (Partnership, Corporation, LLP, LLC)
(This section may be copied and pages attached for additional partners.)

Name: Neha S. Patel
(first) (middle) (last) (maiden name)

Address: 2002 Rose Creek Blvd. Fargo ND 58104
(address) (city) (state & zip)

How long have you lived at the address? 8 years

Provide your address history for the past 5 years: (Use additional page if necessary.)

From 2000 to Present Address: 2002 Rose Creek Blvd., Fargo, ND 58104

From _____ to _____ Address: _____

From _____ to _____ Address: _____

E-mail address: _____

Home phone number: (701) 232-1033 Other number: () _____

Date of Birth: 9/4/1970 Place of Birth: Ahmedabad, INDIA

List each driver's license you have ever had and the state of issue:

DL#: PAT-70-7500 State of Issue: ND Dates: Exp. 9-4-2010

DL#: _____ State of Issue: _____ Dates: _____

DL#: _____ State of Issue: _____ Dates: _____

Has your driver's license ever been suspended or revoked? _____ Yes No If "yes", where and when.

If "yes," have you ever been issued a citation for driving after you license was suspended or revoked? _____ Yes No If "yes", where and when?

Have you ever been convicted, plead guilty, or plead "no contest" to any law of the U.S., or any state, or of any local ordinance (other than traffic)? (DUI **should not** be considered a "traffic offense"—and therefore must be listed) Yes No If yes, provide the date of arrest, location, charge, and sentence for each conviction:

Have you been issued a citation for any alcohol-related offense? Yes No If "yes," provide the date, location, and charge for each citation:

List all federal, state, and local licenses (including liquor licenses; excluding driver's licenses) you currently hold, formerly held, or may have an interest in:

California, Minnesota & North Dakota Dental License

Have any of the above named licenses ever been suspended or revoked? Yes No If yes, list the dates and reasons for the suspensions or revocations:

List your employment/business history for the past 7 year's period: (Use additional pages if necessary.)

From: 2002 to 2008 Business name: Apple Tree Dental

Address: 520 S. Main St., Hawley Position/Title: Dentist
MN: 56549

From: 2007 to Present Business name: Evergreen Dental

Address: 1220 Main Ave Position/Title: Dentist
Suit #220
Fargo ND 58102

From: 2002 to 2005 Business name: PCHertz.com, Inc.

Address: 4101 13th Ave. S, Fargo ND 58103 Position/Title: Share Holder

From: 2005 to Present Business name: RRL Fargo, LLC

Address: 901 38th St SW, Fargo, ND Position/Title: Member
58103

2004-Present AI Blackduck, LLC - 81 Brandt Dr. NW, Blackduck, MN 56630 Member/owner

Do you currently own or have a financial interest in any other business that sells or serves alcoholic beverages? Yes No If "yes," list each business below:

Have you ever manufactured, sold, or distributed alcoholic beverages on the wholesale or retail level? Yes No If "yes," indicate where, when, and for whom below:

Do you have any current or prior management experience working for a business that sells or serves alcohol? Yes No If "yes," describe below:

Are all officers, directors, and shareholders holding more than 5% of the outstanding stock 21 years of age or older? Yes ; No ;

Address of Home Office 901 38th st SW, Fargo, ND 58103

Date Incorporated October 14, 2004 State of Incorporation North Dakota

If a subsidiary of any corporation, state name and address of parent corporation _____

Partnership/Corporation Information (ALL Partners, Corporate Shareholders and Directors holding 5% or more of the outstanding stock must be listed—make copies and use additional pages as needed)

List your business structure: LLC (Partnership, Corporation, LLP, LLC)
(This section may be copied and pages attached for additional partners.)

Name: KUNAL SHARMA
(first) (middle) (last) (maiden name)

Address: 3025 EAGANDALE PL, #323, EAGAN MN 55121
(address) (city) (state & zip)

How long have you lived at the address? 2 years

Provide your address history for the past 5 years: (Use additional page if necessary.)

From 7/1/07 to PRESENT Address: 3025 EAGANDALE PL, #323, EAGAN MN 55121

From 7/1/06 to 6/30/07 Address: 4120 LEXINGTON AVE S #108, EAGAN MN 55123

From 8/15/05 to 6/30/06 Address: 2544 AMBER VALLEY CT FARGO ND 58104

11/1/03 8/14/05 1761 39th ST SW #108 FARGO ND 58103
E-mail address: kunalsh@gmail.com

Home phone number: (651) 434 5867 Other number: ()

Date of Birth: 06/14/1980 Place of Birth: AHMEDABAD, INDIA

List each driver's license you have ever had and the state of issue:

DL#: C213094122506 State of Issue: MN Dates: 06-2008 to PRESENT

DL#: SHA - 80 - 6293 State of Issue: ND Dates: 11-2003 to 06-2008

DL#: _____ State of Issue: _____ Dates: _____

Has your driver's license ever been suspended or revoked? _____ Yes X No If "yes", where and when.

If "yes," have you ever been issued a citation for driving after you license was suspended or revoked? _____ Yes X No If "yes", where and when?

Have you ever been convicted, plead guilty, or plead "no contest" to any law of the U.S., or any state, or of any local ordinance (other than traffic)? (DUI **should not** be considered a "traffic offense"—and therefore must be listed) ___ Yes No If yes, provide the date of arrest, location, charge, and sentence for each conviction:

Have you been issued a citation for any alcohol-related offense? ___ Yes No If "yes," provide the date, location, and charge for each citation:

List all federal, state, and local licenses (including liquor licenses; excluding driver's licenses) you currently hold, formerly held, or may have an interest in: NONE

Have any of the above named licenses ever been suspended or revoked? ___ Yes No If yes, list the dates and reasons for the suspensions or revocations:

List your employment/business history for the past 7 year's period: (Use additional pages if necessary.)

- From: 6/2006 to PRESENT Business name: THOMSON REUTERS
Address: 610 OPPERMAN DR, EAGAN MN 55123 Position/Title: SENIOR SOFTWARE ENGINEER
- From: 10/2003 to 06/2006 Business name: MICROSOFT BUSINESS SOLUTIONS
Address: ONE LONE TREE RD, FARGO ND 58104 Position/Title: APPLICATION DEVELOPER
- From: 5/2003 to 8/2003 Business name: MICROSOFT BUSINESS SOLUTIONS
Address: ONE LONE TREE RD, FARGO ND 58104 Position/Title: SUMMER INTERN
- From: 8/2002 to 5/2003 Business name: UNIV. of FLORIDA - CTQP/EDOT
Address: GAINESVILLE, FL 32608 Position/Title: GRADUATE ASSISTANT

Do you currently own or have a financial interest in any other business that sells or serves alcoholic beverages? ___ Yes No If "yes," list each business below:

Operator/Manager Information

Are you going to operate this business personally? ___ Yes No If "no", who will operate it?

Name: Samir C. Patel
(first) (middle) (last) (maiden name)

Address: 2002 Rose Creek Blvd. Fargo ND 58104
(address) (city) (state & zip)

Home phone number: (701) 232-1033 Other number: (701) 281-3951

Date of Birth: 7/17/1970 Place of Birth: Anand, INDIA

Are you going to have a manager or assistant in this business? Yes ___ No If the manager is not the same as the operator, provide the following manager information:

Name: Samir C. Patel
(first) (middle) (city) (maiden name)

Address: 2002 Rose Creek Blvd. Fargo ND 58104
(address) (city) (state & zip)

Home phone number: (701) 232-1033 Other number: (701) 281-3951

Date of Birth: 7/17/1970 Place of Birth: Anand, INDIA

(Important: The name and other information about your manager must be provided before a license can be issued. If the manager changes during the course of the license period, you must provide the City Auditor's Office with updated information about the new manager immediately.)

Business Site Plan

On the following page (or on attached pages if additional space is needed), provide a detailed diagram and description of the design, location, and square footage of the premises to be licensed.

- * The scale should be state, such as 1"=20'. The direction N should be indicated towards the top.
- * The diagram should include placement of all pertinent features of the interior of the licensed premises, such as seating areas, kitchens, offices, repair areas, restrooms, etc. The exterior parking area should also be shown.

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MEMORANDUM

TO: Chief Keith Ternes

FROM: Sergeant Mathew Sanders

DATE: June 5, 2009

SUBJECT: Application for transfer of Class "ABH" Alcoholic Beverage License from Doublewood Lounge, Inc., d/b/a Doublewood Lounge, to Doublewood Lounge, Inc., d/b/a Doublewood Lounge to be located at 3333 13 Ave S (Ownership Change).

In accordance with Section 25-1505 of the Fargo Municipal Code, I have conducted an investigation into the character, reputation and fitness of the applicant(s) listed on the supplied application.

During this investigation I questioned the applicant's criminal background, credit history, past residence history as well as any interaction they have had with law enforcement in any state.

The following information was discovered through this investigation:

Shannon Gangl (Owner)

Criminal History: No areas of concern

Credit History: No areas of concern

Stacy Gangl (Owner)

Criminal History: No areas of concern

Credit History: No areas of concern

Chad Davis (Manager)

Criminal History: No areas of concern

Credit History: No areas of concern

Investigation Notes (Owner)

Mr. and Mrs. Gangl own two other businesses that have liquor licenses. They are the Seven Seas in Mandan and The Doublewood Inn in Bismarck. Mr. Gangl reported that a citation was issued for serving a minor at the Doublewood Inn approximately three years ago.

I spoke to the Deputy Chief of the Mandan Police Department and he said there have been no citations or warnings issued for the Seven Seas.

Business Location

The application submitted is for a business currently located at 3333 13 Ave S, Fargo, ND. Within the immediate area the following establishments currently hold a liquor license: Fargo Suites, Ground Round, Chuck E. Cheese and Borrowed Bucks.

Conclusion

I believe I have discovered all information related to the listed applicant(s) and all information related to the issuance of the requested liquor license. I have provided this completed background investigation to Fargo Police Chief Keith Ternes for his review and recommendation.



APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

The following section to be completed by City Staff:

Date Received by Auditor's Office: 5-26-09
Investigations Fee Paid (\$250) Yes No Date paid: 6-1-09
Check # 11211

Reviewed—Health Department by: _____ Date: _____
Comments (or see attached report):

Reviewed—Fire Department by: _____ Date: _____
Comments (or see attached report):

Reviewed—Inspections Division by: _____ Date: _____
Comments (or see attached report):

Reviewed—Police Department by: [Signature] Date: 6/5/09
(See attached report):

Approval Recommendation _____ Denial Recommendation
[Signature] _____
Chief of Police June 8, 2009
Date

Reviewed—Liquor Control Committee on (date): _____

_____ Approval Recommendation _____ Denial Recommendation
(See attached comments or minutes)

Reviewed— City Commission on (date): _____

_____ Approval _____ Denial
(See attached minutes)

Business/Company name: Doubledead Lounge, Inc.

Doing business as: Douglaswood Lounge

This application is for the Class or Classes of Licenses checked:

- Class A Authorizes the licensee to sell "on-sale" only.
- Class B Authorizes the licensee to sell "off-sale" only. "Off-Sale" licensed premises must be no closer than 100 feet to any grocery store, drug store or gasoline service station or any part thereof.
- Class B "Limited" Authorizes the licensee to sell "off-sale" only. License is Non Transferable. "Off-Sale" licensed premises must be no closer than 100 feet to any grocery store, drug store or gasoline service station or any part thereof.
- Class AB Authorizes the licensee to sell "on-sale" and "off-sale". "Off-Sale" licensed premises must be no closer than 100 feet to any grocery store, drug store or gasoline service station or any part thereof.
- Class ABH Authorizes the licensee to sell "on-sale" and "off sale", at hotels & motels with 100 more guest rooms only.
- Class ABHRZ Authorizes licensee to sell "on-sale" and "off sale" at hotels in Renaissance Zone with 15 guest rooms
- Class C Authorizes the licensee to sell beer "on-sale" only.
- Class D Authorizes the licensee to sell beer "off-sale" only.
- Class F Authorizes the licensee to sell "on-sale" only served at table or booth; no bar allowed. Requires 50% or more of its annual gross receipts from the sale of prepared meals and not alcoholic beverages.
- Class FA Authorizes the licensee to sell "on-sale" only, physical bar is allowed. Requires 50% of more of its annual gross receipts from the sale of prepared meals and not alcoholic beverages.
- Class FARZ Authorizes the licensee to sell "on-sale" only; physical bar allowed. Required to be in the Renaissance Zone. No gaming and no "E" permits allowed. Requires 50% or more of its annual gross receipts from the sale of prepared meals and not alcoholic beverages. The initial fee is 1/2 of the FA license.
- Class FA-Golf On USGA Golf Course of 9 or more holes. Requires 25% receipts of food sales from April to October and 50% the rest of the year.
- Class G Authorizes the licensee to sell wine and sparkling wine "on-sale" only, served at table or booth, no bar. Requires 50% food sales.
- Class H Authorizes the licensee to sell beer "on-sale" only, served at table of booth, with no bar allowed and requires 50% food sales.
- Class I Authorizes the licensee to sell beer, wine, and other sparkling wine "on-sale" only. A physical bar is allowed and requires 50% food sales.
- Class J Authorizes the licensee to sell "on-sale" only at a non-profit organization for military purposes.
- Class L Authorizes the licensee to sell "on-sale" only on an excursion boat operating on the Red River.

- () Class M Authorizes the licensee to operate a "Microbrew Pub" and to sell "on-sale" and "off-sale" offered in conjunction with another license.
- () Class N Authorizes the licensee to sell "on-sale" only at a stadium with a minimum seating capacity of 2,500.
- () Class O Authorizes the licensee to operate a winemaker and/or vendor of winemaking supplies and related services.
- () Class P Authorizes the licensee to operate a domestic winery and to sell wine "on-sale" and "off-sale." Allows limited beer sales.
- () Class W Authorizes the licensee to operate a wine bar, serving wine and limited beer "on-sale." A physical bar is allowed and requires 20% food sales.
- () Class Z Authorizes the licensee to sell "on-sale" only issued to individuals and partnerships not currently holding another "A", "AB", "ABH", or "ABH-RZ". This license is non-transferable.

The following section to be completed by the applicant:

Initial #1 - #8 to indicate you understand and agree to these terms of the "Z", "W" or "B Limited" license. Then print your name and sign in the space provided below:

ALL APPLICANTS must initial #9 - #16 and sign in the space provided below.

1. _____ My business may sell "On Sale" only (Class Z & W).
- 1a. _____ My business may sell "Off Sale" only; **NO** "On-Sale" liquor sales are permitted. ("B Limited)
2. _____ This license shall only be issued to individuals or partnerships (natural persons only), corporations for liability purposes, except as otherwise provided hereinafter.
3. _____ I may not obtain more than one "Z", "W" or "B Limited" license.
4. _____ If I hold an "A", "B", "AB", "ABH or ABH-RZ" license, I may not obtain a "Z", "W" or "B Limited" license.
5. _____ If I voluntarily go out of business, file a bankruptcy petition, become insolvent or otherwise cease business, the license reverts to the City of Fargo. This license may be transferred to reflect a change in location of your licensed premises.
6. _____ The license may be transferred to my heirs (children only) during my lifetime. Upon my death, the license may be transferred to my heir(s), but may not be transferred to any other person, partnership, firm or corporation. If any partner in a partnership holding the license dies, the remaining partner(s) may continue to hold the license, but no partnership interest may be issued to any new partner. The ordinance will allow a partnership between the original licensee and his children which may take the form of a corporate entity under North Dakota law. Shares in the corporation may be transferred to the children, but transfer of shares to anyone else will constitute a sale that will cause the license to revert to the City of Fargo. As the ordinance indicates, the intent of this provision is to allow a transfer between a parent and children but a transfer of shares to anyone else is absolutely prohibited.
7. _____ If I sell my business as a "going concern" (i.e., a complete and operational bar), the purchaser of the business has the first preference to purchase the "Z", "W" or "B Limited" license from the City. (The purchaser must meet all other relevant conditions and requirements for such a purchase.)
- 8a. _____ If I am issued a "B Limited" license, I must pay an initial fee for the license in the amount of \$80,000 and an annual fee for the license in the amount of the \$1,400 at the beginning of each license year.
- 8b. _____ "Z" Initial \$105,000. Annual \$1,700.
- 8c. _____ "W" Initial \$25,000. Annual \$1,000.
9. S/A All Applicants must assure there is adequate off-street parking for my business (within the discretion of-and as approved by- the City Commission). Membership in the current City parking program (e.g., "P.O.P.") may place me in compliance with this requirement.

- 10. SAD I have received a copy of the Alcoholic Beverage Ordinance (s) of the City of Fargo, read the ordinances and am familiar with the conditions and requirements of these ordinances.
- 11. SAD If granted an alcoholic beverage license, I will obey, abide by and comply with the State of North Dakota Liquor Control Act, and the City of Fargo Alcoholic Beverage ordinances, as well as any amendments to either of these, which may be made from time to time.
- 12. SAD I understand either, I, my manager(s), or both of us must attend a yearly meeting (date and time to be announced) with representatives from the Police and Health departments to discuss law enforcement and safety concerns as a condition of license renewal.
- 13. SAD I understand that the premises described in this application, if licensed for alcoholic beverage sales, may be inspected at any time by the Chief of Police, or any officer of the Police or Health Departments as allowed by city ordinances and state law. My employees and I will cooperate with such inspections.
- 14. SAD I understand that all employees, managers and owners engaged in mixing, pouring or service of alcoholic beverages MUST attend Server Training.
- 15. SAD I am familiar with the questions, answers and other information as it appears in the complete application for an alcoholic beverage license, and the answers and information are, to the best of my belief and knowledge, true, complete and accurate. (Note: This application must be made under oath before a Notary Public.)
- 16. SAD I recognize the City of Fargo is subject to open records laws contained in chapter 44-04 of the N.D. Century Code. Section 44-04-18.4 contains an exception for trade secrets, proprietary, commercial, and financial information. I agree in submitting the application, that I have familiarized myself with this law. If any information being forwarded to the City of Fargo is claimed as confidential or proprietary under this section, I must clearly indicate this in writing when I submit this application, pointing out, in detail, why the information submitted is claimed as an exemption under section 44-04-18.4. I further agree to respond to, as well as to aid the City, in responding to any claim under 44.04-21.1 concerning this claim of confidentiality under 44-04-18.4.

Applicant printed name: Shannon Gorgl Signature: Shannon Gorgl

Applicant printed name: Stacy Gorgl Signature: Stacy Gorgl

Applicant printed name: _____ Signature: _____

May 22, 2009

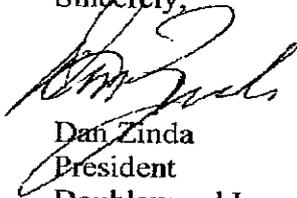
City Auditor's Office
Steven Sprague
City Auditor
P. O. Box 2083
Fargo, ND 58107

Dear Mr. Sprague:

This letter is to inform you that as of May 26, 2009 I am selling my interest in the Doublewood Lounge, Inc., 3333 13th Ave. S., Fargo, ND to Shannon Gangl and Stacy Gangl, 5710 Rock Haven Harbor Rd., Mandan, ND 58554.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Zinda", written over a printed name and title.

Dan Zinda
President
Doublewood Lounge, Inc.

Business/Company name: Doublewood Lounge, Inc
Doing business as: Doublewood Lounge

Business address (location): 3333 13th Ave So Fargo ND 58103
Mailing address: same

Legal description of the premises to be licensed: EAST 150 feet of Lot 1, Lots 2 and 3 and the west 200 feet of Lot 4, Block 1, Westrac First Addition

Does applicant wish to describe, depict, or otherwise identify various areas or spaces within the building which shall constitute the licensed premises in accordance with Section 25-1501, Subsection 8? Yes No ()

Is the premises now occupied by another business? Yes No

Type of business currently there: _____

Mailing address: _____
(address) (city) (state & zip)

Business e-mail address: _____

Phone number: (____) _____ Other number: (____) _____

Do you own or rent the property where the license will be used? Own _____ Rent
If you rent, provide the following information:

FARGO Doublewood Inn LLP 3333 13th Ave So FARGO ND 58103
(name) (address) (city) (state & zip)

If you are the owner of the property, are there any delinquent taxes against the premises?
Yes _____ No _____ If "yes", in what amount? _____

Applicant Information:

Name: Shaunon Harvey Gangl
(first) (middle) (last) (maiden name)

Address: 5710 Rock Haven Harbor Rd Mandan ND 58554
(address) (city) (state & zip)

How long have you lived at the address? 2 yrs

Provide your address history for the past 5 years: (Use additional page if necessary.)

From 2002 to 2007 Address: 702 15th St NE, Mandan, ND 58554
From _____ to _____ Address: _____
From _____ to _____ Address: _____

E-mail address: Shannon.Swensens@midconetwork.com

Home phone number: (701) 663-1930 Other number: (701) 226-7048

Date of Birth: 2/11/69 Place of Birth: Oakland, Calif

List each driver's license you have ever had and the state of issue:

DL#: GAN-69-3250 State of Issue: ND Dates: 1985 - Present

DL#: _____ State of Issue: _____ Dates: _____

DL#: _____ State of Issue: _____ Dates: _____

Has your driver's license ever been suspended or revoked? Yes _____ No If "yes," where and when. Bismarck, ND 1986

If "yes," have you ever been issued a citation for driving after your license was suspended or revoked? _____ Yes No If "yes," where and when.

Have you ever been convicted, plead guilty, or plead "no contest" to any law of the U.S., or any state, or of any local ordinance (other than traffic)? (DUI **should not** be considered a "traffic offense"—and therefore must be listed) _____ Yes No If yes, provide the date of arrest, location, charge, and sentence or each conviction.

Have you been issued a citation for any alcohol-related offense? _____ Yes No If "yes," provide the date, location, and charge for each citation:

List all federal, state, and local licenses (including liquor licenses; excluding driver's licenses) you currently hold, formerly held, or may have an interest in:

Liquor License - Seven Seas - Mandon, ND

Liquor License - Doublewood Inn - Bismarck, ND

Have any of the above named licenses ever been suspended or revoked? Yes No

If yes, list the dates and reasons for the suspensions or revocations:

List your employment/business history for the past 7 years period: Use additional pages if necessary.)

From: 1996 to Present Business name: Seven Seas

Address: Mandan, ND Position/Title: Owner

From: 1996 to Present Business name: Doublewood Inn

Address: Bismarck, ND Position/Title: VP / Partner

From: 2005 to Present Business name: Doublewood Inn

Address: Fargo, ND Position/Title: VP / Partner

From: 2007 to Present Business name: Ramada Suites

Address: Bismarck, ND Position/Title: VP / Partner

Do you currently own or have a financial interest in any other business that sells or serves alcoholic beverages? Yes No If "yes," list each business below:

Seven Seas, Doublewood Bismarck & Fargo

Have you ever manufactured, sold, or distributed alcoholic beverages on the wholesale or retail level? Yes No If "yes," indicate where, when, and for whom below:

Do you have any current or prior management experience working for a business that sells or serves alcohol? Yes No If "yes," describe below:

See Above

Partnership/Corporation Information (ALL Partners, Corporate Shareholders and Directors holding 5% or more of the outstanding stock must be listed—make copies and use additional pages as needed)

Is your business a partnership? Yes No If "yes," complete the following Section: (This section may be copied and pages attached for additional partners.)

Name: Stacy Lynn Gangl Geigel
(first) (middle) (last) (maiden name)

Address: 5710 Rock Haven Harbor Rd Mandan ND 58554
(address) (city) (state & zip)

How long have you lived at the address? 2 yrs

Provide your address history for the past 5 years: (Use additional page if necessary.)

From 2007 to Present Address: 5710 Rock Haven - Mandan

From 2002 to 2007 Address: 702 15 St NE - Mandan, ND 58554

From _____ to _____ Address: _____

E-mail address: gangl@bis.mideo.net

Home phone number: (701) 663-1930 Other number: (701) 400-2048

Date of Birth: 5/19/70 Place of Birth: Bismarck, ND

List each driver's license you have ever had and the state of issue:

DL#: GAN-70-1292 State of Issue: ND Dates: 1986-Present

DL#: _____ State of Issue: _____ Dates: _____

DL#: _____ State of Issue: _____ Dates: _____

Has your driver's license ever been suspended or revoked? Yes No If "yes", where and when.

If "yes," have you ever been issued a citation for driving after you license was suspended or revoked? Yes No If "yes", where and when?

Have you ever been convicted, plead guilty, or plead "no contest" to any law of the U.S., or any state, or of any local ordinance (other than traffic)? (DUI **should not** be considered a "traffic offense" --and therefore must be listed) Yes No If yes, provide the date of arrest, location, charge, and sentence for each conviction:

Have you been issued a citation for any alcohol-related offense? Yes No
If "yes," provide the date, location, and charge for each citation:

List all federal, state, and local licenses (including liquor licenses; excluding driver's licenses) you currently hold, formerly held, or may have an interest in:

Liquor License - Swen Seas - Mandan

Have any of the above named licenses ever been suspended or revoked? Yes No
If yes, list the dates and reasons for the suspensions or revocations:

List your employment/business history for the past 7 year's period: (Use additional pages if necessary.)

From: 1988 to 2009 Business name: Wells Fargo
Address: Bismarck, ND Position/Title: District President

From: _____ to _____ Business name: _____

Address: _____ Position/Title: _____

From: _____ to _____ Business name: _____

Address: _____ Position/Title: _____

From: _____ to _____ Business name: _____

Address: _____ Position/Title: _____

Do you currently own or have a financial interest in any other business that sells or serves alcoholic beverages? Yes No If "yes," list each business below:

Swen Seas - Mandan

Have you ever manufactured, sold, or distributed alcoholic beverages on the wholesale or retail level? Yes No If "yes," indicate where, when, and for whom below:

Do you have any current or prior management experience working for a business that sells or serves alcohol? Yes No If "yes," describe below:

Are all officers, directors, and shareholders holding more than 5% of the outstanding stock 21 years of age or older? Yes No ();

Address of Home Office 3333 13th Ave So, Fargo, ND 58103
Date Incorporated January 29, 1985 State of Incorporation NORTH Dakota

If a subsidiary of any corporation, state name and address of parent corporation _____

Operator/Manager Information

Are you going to operate this business personally? Yes No If "no", who will operate it?

Name:

(first) (middle) (last) (maiden name)

Address:

(address) (city) (state & zip)

Home phone number: (____) _____ Other number: (____) _____

Date of Birth: _____ Place of Birth: _____

Are you going to have a manager or assistant in this business? Yes No If the manager is not the same as the operator, provide the following manager information:

Name:

Chad Davis
(first) (middle) (city) (maiden name)

Address:

2565 Amber Valley Court Fargo, ND 58104
(address) (city) (state & zip)

Home phone number: (701) 799-6850 Other number: (____) _____

Date of Birth: 3-22-79 Place of Birth: Williston, ND

(Important: The name and other information about your manager must be provided before a license can be issued. If the manager changes during the course of the license period, you must provide the City Auditor's Office with updated information about the new manager immediately.)

Business Site Plan

On the following page (or on attached pages if additional space is needed), provide a detailed diagram and description of the design, location, and square footage of the premises to be licensed.

- * The scale should be state, such as 1" = 20'. The direction N should be indicated towards the top.
- * The diagram should include placement of all pertinent features of the interior of the licensed premises, such as seating areas, kitchens, offices, repair areas, restrooms, etc. The exterior parking area should also be shown.



NOTICE OF HEARING

Application For Alcoholic Beverage License

Notice is hereby given that the Board of City Commissioners of the City of Fargo, North Dakota, will conduct a Public Hearing in the City Commission Room, City Hall, on Monday, July 27, 2009 at 5:15 o'clock p.m. to consider for approval, an application of a Class "GH" Alcoholic Beverage License for Robust Properties, LLC d/b/a: La Quinta Inn & Suites to be located at 2355 46 St S.

Any interested person may appear and will be heard.

City Auditor's Office
(July 6, 2009)

Instructions to Forum

Please publish as a Public Notice in the Legal Ad Section on Monday July 6, 2009.

I will need an affidavit of publication.

Bill to: City Auditor's Office
 Attn: Michelle
 200 Third Street North
 Fargo, ND 58102

If you have any questions, please call Sharon at 241-1304.

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MEMORANDUM

TO: Chief Keith Ternes
FROM: Sergeant Mathew Sanders
DATE: June 5th, 2009

SUBJECT: Application for Class "GH" Alcoholic Beverage License for Robust Properties, LLC, d/b/a: La Quinta Inn and Suites to be located at 2355 46 St. S.

In accordance with Section 25-1505 of the Fargo Municipal Code, I have conducted an investigation into the character, reputation and fitness of the applicant(s) listed on the supplied application.

During this investigation I questioned the applicant's criminal background, credit history, past residence history as well as any interaction they have had with law enforcement in any state.

The following information was discovered through this investigation:

Charles Hayes (Owner)

Criminal History: No areas of concern

Credit History: No areas of concern

Mr. Hayes has a record of a Federal Tax Lien from 8/29/06 for \$2,942 which has been released. I asked him about this during my interview with him. He said it is a result of the Federal Government taxing him for alimony payments he made to his ex-wife. He said the lien was released because he went to court in contest of this taxation and got a judgment in his favor.

Mr. Hayes will not be involved in the on-site operations of the business.

Dell Arneson (Owner)

Criminal History: DUI – Fargo, 1993
DUI – Cass County, ND, 2006
DUI – West Fargo, ND, 2004

Mr. Arneson's application says he was arrested for a DUI in 1993. I asked him where that arrest took place and he said it was in Fargo. I asked him if he had ever been arrested for anything other than the 1993 DUI. He said he had not. I then ended our interview.

I checked our local computer and found out that Arneson was arrested for DUI in 2004 and 2006. I contacted Arneson again to make sure I was looking at the correct data in our system. I again asked him if he was ever arrested for anything other than his 1993 DUI. He said he had not.

I told Arneson we showed a record of a 2006 DUI arrest in Cass County. He said that was pled down to a Reckless Driving or Careless Driving. I asked him if he was arrested in 2006 for DUI and he said "yes." I then explained to him that I was asking him these questions because I needed to know about all of his arrests, regardless of what the final disposition of the case was. I then asked him, "Other than the 1993 DUI arrest and the 2006 DUI arrest, have you ever been arrested for anything, regardless of what the final disposition of the case was?" He said he had not been arrested for anything else.

I then asked him about the 2004 DUI arrest in West Fargo. He said that case was also pled down to something else. I asked him if he was arrested in 2004 and he said yes. During each interval between questioning I explained to Arneson that I wanted to know about every time he was arrested. After I confronted him with each additional arrest that I discovered he said he was confused and didn't understand the question.

I checked with West Fargo Police Department and they said the 2004 DUI arrest was pled down to a Reckless Driving. I checked with the Cass County State's Attorneys Office and they said the 2006 DUI arrest was also pled down to a Reckless Driving.

Our records do not show a 1993 DUI arrest for Arneson.

Arneson was a suspect in a theft in Fargo in 2004. I reviewed the case and it appears to be a civil disagreement and the State's Attorneys Office declined prosecution.

There were no other issues of concern in his criminal history check.

Credit History: No areas of concern

Steven Hatfield (Manager)

Criminal History: MIP in Moorhead in 1990

Credit History: No areas of concern

Business Location

The application submitted is for a business located at 2355 46 St. S., Fargo, ND. This is a new construction and the business is scheduled to open at the end of June. Within the immediate area, the following establishments currently hold a liquor license: Famous Dave's, Applebee's, Old Chicago, Settle Inn and Suites, Taco Shop and Pizza Ranch.

Conclusion

I believe I have discovered all information related to the listed applicant(s) and all information related to the issuance of the requested liquor license. I have provided this completed background investigation to Fargo Police Chief Keith Ternes for his review and recommendation.



APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

The following section to be completed by City Staff:

Date Received by Auditor's Office: 5-29-09
Investigations Fee Paid (\$250) [X] Yes ___ No Date paid: 5-29-09
Check # 10393

Reviewed -Health Department by: ___ Date: ___
Comments (or see attached report):

Reviewed -Fire Department by: ___ Date: ___
Comments (or see attached report):

Reviewed -Inspections Division by: ___ Date: ___
Comments (or see attached report):

Reviewed -Police Department by: Sgt. Matthew Jenkins Date: 6/5/09
(See attached report):

[Signature] Approval Recommendation ___ Denial Recommendation
Chief of Police June 5, 2009 Date

Reviewed -Liquor Control Committee on (date): ___

___ Approval Recommendation ___ Denial Recommendation
(See attached comments or minutes)

Reviewed -City Commission on (date): ___

___ Approval ___ Denial
(See attached minutes)

Business/Company name: La Quinta Inn & Suites
Robust Properties

Doing business as: LaQuinta Inn & Suites

This application is for the Class or Classes of Licenses checked:

- Class A Authorizes the licensee to sell "on-sale" only.
- Class B Authorizes the licensee to sell "off-sale" only. "Off-Sale" licensed premises must be no closer than 100 feet to any grocery store, drug store or gasoline service station or any part thereof.
- Class B "Limited" Authorizes the licensee to sell "off-sale" only. License is Non Transferable. "Off-Sale" licensed premises must be no closer than 100 feet to any grocery store, drug store or gasoline service station or any part thereof.
- Class AB Authorizes the licensee to sell "on-sale" and "off-sale". "Off-Sale" licensed premises must be no closer than 100 feet to any grocery store, drug store or gasoline service station or any part thereof.
- Class ABH Authorizes the licensee to sell "on-sale" and "off sale", at hotels & motels with 100 more guest rooms only.
- Class ABHRZ Authorizes licensee to sell "on-sale" and "off sale" at hotels in Renaissance Zone with 15 guest rooms
- Class C Authorizes the licensee to sell beer "on-sale" only.
- Class D Authorizes the licensee to sell beer "off-sale" only.
- Class F Authorizes the licensee to sell "on-sale" only served at table or booth; no bar allowed. Requires 50% or more of its annual gross receipts from the sale of prepared meals and not alcoholic beverages.
- Class FA Authorizes the licensee to sell "on-sale" only, physical bar is allowed. Requires 50% of more of its annual gross receipts from the sale of prepared meals and not alcoholic beverages.
- Class FARZ Authorizes the licensee to sell "on-sale" only; physical bar allowed. Required to be in the Renaissance Zone. No gaming and no "E" permits allowed. Requires 50% or more of its annual gross receipts from the sale of prepared meals and not alcoholic beverages. The initial fee is 1/2 of the FA license.
- Class FA-Golf On USGA Golf Course of 9 or more holes. Requires 25% receipts of food sales from April to October and 50% the rest of the year.
- Class G Authorizes the licensee to sell wine and sparkling wine "on-sale" only, served at table or booth, no bar. Requires 50% food sales.
- Class H Authorizes the licensee to sell beer "on-sale" only, served at table of booth, with no bar allowed and requires 50% food sales.
- Class I Authorizes the licensee to sell beer, wine, and other sparkling wine "on-sale" only. A physical bar is allowed and requires 50% food sales.
- Class J Authorizes the licensee to sell "on-sale" only at a non-profit organization for military purposes.
- Class L Authorizes the licensee to sell "on-sale" only on an excursion boat operating on the Red River.

- () Class M Authorizes the licensee to operate a "Microbrew Pub" and to sell "on-sale" and "off-sale" offered in conjunction with another license.
- () Class N Authorizes the licensee to sell "on-sale" only at a stadium with a minimum seating capacity of 2,500.
- () Class O Authorizes the licensee to operate a winemaker and/or vendor of winemaking supplies and related services.
- () Class P Authorizes the licensee to operate a domestic winery and to sell wine "on-sale" and "off-sale." Allows limited beer sales.
- () Class W Authorizes the licensee to operate a wine bar, serving wine and limited beer "on-sale." A physical bar is allowed and requires 20% food sales.
- () Class Z Authorizes the licensee to sell "on-sale" only issued to individuals and partnerships not currently holding another "A", "AB", "ABH", or "ABH-RZ". This license is non-transferable.

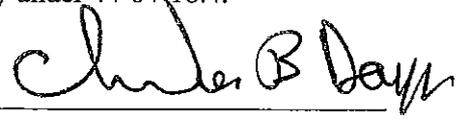
The following section to be completed by the applicant:

Initial #1 - #8 to indicate you understand and agree to these terms of the "Z", "W" or "B Limited" license. Then print your name and sign in the space provided below:

ALL APPLICANTS must initial #9 - #16 and sign in the space provided below.

1. _____ My business may sell "On Sale" only (Class Z & W).
- 1a. _____ My business may sell "Off Sale" only; **NO** "On-Sale" liquor sales are permitted. ("B Limited)
2. _____ This license shall only be issued to individuals or partnerships (natural persons only), corporations for liability purposes, except as otherwise provided hereinafter.
3. _____ I may not obtain more than one "Z", "W" or "B Limited" license.
4. _____ If I hold an "A", "B", "AB", "ABH or ABH-RZ" license, I may not obtain a "Z", "W" or "B Limited" license.
5. _____ If I voluntarily go out of business, file a bankruptcy petition, become insolvent or otherwise cease business, the license reverts to the City of Fargo. This license may be transferred to reflect a change in location of your licensed premises.
6. _____ The license may be transferred to my heirs (children only) during my lifetime. Upon my death, the license may be transferred to my heir(s), but may not be transferred to any other person, partnership, firm or corporation. If any partner in a partnership holding the license dies, the remaining partner(s) may continue to hold the license, but no partnership interest may be issued to any new partner. The ordinance will allow a partnership between the original licensee and his children which may take the form of a corporate entity under North Dakota law. Shares in the corporation may be transferred to the children, but transfer of shares to anyone else will constitute a sale that will cause the license to revert to the City of Fargo. As the ordinance indicates, the intent of this provision is to allow a transfer between a parent and children but a transfer of shares to anyone else is absolutely prohibited.
7. _____ If I sell my business as a "going concern" (i.e., a complete and operational bar), the purchaser of the business has the first preference to purchase the "Z", "W" or "B Limited" license from the City. (The purchaser must meet all other relevant conditions and requirements for such a purchase.)
- 8a. _____ If I am issued a "B Limited" license, I must pay an initial fee for the license in the amount of \$80,000 and an annual fee for the license in the amount of the \$1,400 at the beginning of each license year.
- 8b. _____ "Z" Initial \$105,000. Annual \$1,700.
- 8c. _____ "W" Initial \$25,000. Annual \$1,000.
9. All Applicants must assure there is adequate off-street parking for my business (within the discretion of-and as approved by-the City Commission). Membership in the current City parking program (e.g., "P.O.P.") may place me in compliance with this requirement.

- 10. ~~CH DA~~ I have received a copy of the Alcoholic Beverage Ordinance (s) of the City of Fargo, read the ordinances and am familiar with the conditions and requirements of these ordinances.
- 11. ~~CH DA~~ If granted an alcoholic beverage license, I will obey, abide by and comply with the State of North Dakota Liquor Control Act, and the City of Fargo Alcoholic Beverage ordinances, as well as any amendments to either of these, which may be made from time to time.
- 12. ~~CH DA~~ I understand either, I, my manager(s), or both of us must attend a yearly meeting (date and time to be announced) with representatives from the Police and Health departments to discuss law enforcement and safety concerns as a condition of license renewal.
- 13. ~~CH DA~~ I understand that the premises described in this application, if licensed for alcoholic beverage sales, may be inspected at any time by the Chief of Police, or any officer of the Police or Health Departments as allowed by city ordinances and state law. My employees and I will cooperate with such inspections.
- 14. ~~CH DA~~ I understand that all employees, managers and owners engaged in mixing, pouring or service of alcoholic beverages MUST attend Server Training.
- 15. ~~CH DA~~ I am familiar with the questions, answers and other information as it appears in the complete application for an alcoholic beverage license, and the answers and information are, to the best of my belief and knowledge, true, complete and accurate. (Note: This application must be made under oath before a Notary Public.)
- 16. ~~CH DA~~ I recognize the City of Fargo is subject to open records laws contained in chapter 44-04 of the N.D. Century Code. Section 44-04-18.4 contains an exception for trade secrets, proprietary, commercial, and financial information. I agree in submitting the application, that I have familiarized myself with this law. If any information being forwarded to the City of Fargo is claimed as confidential or proprietary under this section, I must clearly indicate this in writing when I submit this application, pointing out, in detail, why the information submitted is claimed as an exemption under section 44-04-18.4. I further agree to respond to, as well as to aid the City, in responding to any claim under 44.04-21.1 concerning this claim of confidentiality under 44-04-18.4.

Applicant printed name: Charles B Hayes Signature: 

Applicant printed name: Dell L Arneson Signature: 

Applicant printed name: _____ Signature: _____

Business/Company name: Robust Properties, LLC
Doing business as: La Quinta Inn & Suites

Business address (location): 2355 46th St So Fargo ND 58104
Mailing address: 300 Main Ave Ste 110 Fargo ND 58103

Legal description of the premises to be licensed: Hotel
lot 1 Block 1 ROBUST ADD-TRAC

Does applicant wish to describe, depict, or otherwise identify various areas or spaces within the building which shall constitute the licensed premises in accordance with Section 25-1501, Subsection 8? Yes No

Is the premises now occupied by another business? Yes No

Type of business currently there: _____

Mailing address: _____
(address) (city) (state & zip)

Business e-mail address: FARGO LG @ LUTZ.COM

Phone number: (701) 499-2000 Other number: (701) 239-4451
-HOTEL

Do you own or rent the property where the license will be used? Own Rent
If you rent, provide the following information:

(name) (address) (city) (state & zip)

If you are the owner of the property, are there any delinquent taxes against the premises?
 Yes No If "yes", in what amount? _____

Applicant Information: See Partnership

Name: _____
(first) (middle) (last) (maiden name)

Address: _____
(address) (city) (state & zip)

How long have you lived at the address? _____

Provide your address history for the past 5 years: (Use additional page if necessary.)

From _____ to _____ Address: _____
From _____ to _____ Address: _____
From _____ to _____ Address: _____

Partnership/Corporation Information (ALL Partners, Corporate Shareholders and Directors holding 5% or more of the outstanding stock must be listed—make copies and use additional pages as needed)

List your business structure: LLC (Partnership, Corporation, LLP, LLC)
(This section may be copied and pages attached for additional partners.)

Name: Charles Buddy Hayes
(first) (middle) (last) (maiden name)

Address: 204 W. 1st St Kimball SD 57355
(address) (city) (state & zip)

How long have you lived at the address? 4

Provide your address history for the past 5 years: (Use additional page if necessary.)

From 1999 to 2006 Address: 2231 N. Kimball St #9
Mitchell, SD 57301

From 2000 to Current Address: 21060 S. Pelican Dr Pelican
Rapids MN 56501

From _____ to _____ Address: _____

E-mail address: cbhflym@aol.com

Home phone number: (605) 770-6969 Other number: (701) 239-4451

Date of Birth: 12/28/1951 Place of Birth: Minneapolis, MN

List each driver's license you have ever had and the state of issue:

DL#: 60987311 State of Issue: SD Dates: 09/11/2007 - 12/28/2011

DL#: 474580486 State of Issue: SD Dates: 10/26/2001 - 12/28/2006

DL#: 4200115101990 State of Issue: MN Dates: - 12/28/2009

Has your driver's license ever been suspended or revoked? Yes No If "yes", where and when.

If "yes," have you ever been issued a citation for driving after you license was suspended or revoked? Yes No If "yes", where and when?

Have you ever been convicted, plead guilty, or plead "no contest" to any law of the U.S., or any state, or of any local ordinance (other than traffic)? (DUI should not be considered a "traffic offense"—and therefore must be listed) Yes No If yes, provide the date of arrest, location, charge, and sentence for each conviction:

Have you been issued a citation for any alcohol-related offense? Yes No
If "yes," provide the date, location, and charge for each citation:

List all federal, state, and local licenses (including liquor licenses; excluding driver's licenses) you currently hold, formerly held, or may have an interest in:

Have any of the above named licenses ever been suspended or revoked? Yes No
If yes, list the dates and reasons for the suspensions or revocations:

List your employment/business history for the past 7 year's period: (Use additional pages if necessary.)

From: 12/10/1999 to Current Business name: Pelican Lake Consulting, Inc.

Address: 300 Main Ave Ste 110 Position/Title: Owner
Fargo, ND 58103

From: _____ to _____ Business name: _____

Address: _____ Position/Title: _____

From: _____ to _____ Business name: _____

Address: _____ Position/Title: _____

From: _____ to _____ Business name: _____

Address: _____ Position/Title: _____

Do you currently own or have a financial interest in any other business that sells or serves alcoholic beverages? Yes No If "yes," list each business below:

Highland Travel Plaza - Mitchell, SD

Corsica Travel Plaza - Corsica, SD

Have you ever manufactured, sold, or distributed alcoholic beverages on the wholesale or retail level? Yes No If "yes," indicate where, when, and for whom below:

Do you have any current or prior management experience working for a business that sells or serves alcohol? Yes No If "yes," describe below:

HIGHLAND TRAVEL PLAZA - MITCHELL, SD
CORSECA TRAVEL PLAZA - CORSECA, SD

Are all officers, directors, and shareholders holding more than 5% of the outstanding stock 21 years of age or older? Yes ; No ;

Address of Home Office 300 Main Ave Ste 110 Fargo ND 58103
Date Incorporated 12/09/2007 State of Incorporation ND

If a subsidiary of any corporation, state name and address of parent corporation _____

Partnership/Corporation Information (ALL Partners, Corporate Shareholders and Directors holding 5% or more of the outstanding stock must be listed—make copies and use additional pages as needed)

List your business structure: LLC (Partnership, Corporation, LLP, LLC)
(This section may be copied and pages attached for additional partners.)

Name: Dell Lee Arneson
(first) (middle) (last) (maiden name)

Address: 2057 Rosecreek Dr Fargo ND 58104
(address) (city) (state & zip)

How long have you lived at the address? 4 yrs

Provide your address history for the past 5 years: (Use additional page if necessary.)

From 6-05 to present Address: 2057 Rosecreek Dr Fargo ND

From 8-97 to 6-05 Address: 1649 Roundhill Dr Fargo ND

From _____ to _____ Address: _____

E-mail address: dell@dellinc.com

Home phone number: (701) 277-1518 Other number: (701) 238-4150

Date of Birth: 12-12-59 Place of Birth: Cooperstown, ND

List each driver's license you have ever had and the state of issue:

DL#: ARN-59-8563 State of Issue: ND Dates: 19 - present

** NO started new # system.* DL#: 501-74-1761 State of Issue: ND Dates: 1974 -

DL#: _____ State of Issue: _____ Dates: _____

Has your driver's license ever been suspended or revoked? Yes _____ No If "yes", where and when. DUI - 93

If "yes," have you ever been issued a citation for driving after you license was suspended or revoked? _____ Yes No If "yes", where and when?

Have you ever been convicted, plead guilty, or plead "no contest" to any law of the U.S., or any state, or of any local ordinance (other than traffic)? (DUI should not be considered a "traffic offense"—and therefore must be listed) ___ Yes X No If yes, provide the date of arrest, location, charge, and sentence for each conviction:

Have you been issued a citation for any alcohol-related offense? X Yes ___ No If "yes," provide the date, location, and charge for each citation:

DUI - 93

List all federal, state, and local licenses (including liquor licenses; excluding driver's licenses) you currently hold, formerly held, or may have an interest in:

2007- AA-00045 Retail Alcoholic Bev. License
2007 392 Retail Liquor License
2007 940 Beer License

Have any of the above named licenses ever been suspended or revoked? ___ Yes X No If yes, list the dates and reasons for the suspensions or revocations:

List your employment/business history for the past 7 year's period: (Use additional pages if necessary.)

From: 1985 to present Business name: Dell Arneson Inc.

Address: 3545-38th St S Fargo Position/Title: President

From: _____ to _____ Business name: _____

Address: _____ Position/Title: _____

From: _____ to _____ Business name: _____

Address: _____ Position/Title: _____

From: _____ to _____ Business name: _____

Address: _____ Position/Title: _____

Do you currently own or have a financial interest in any other business that sells or serves alcoholic beverages? X Yes ___ No If "yes," list each business below:

Leonard Country Club LLC

Have you ever manufactured, sold, or distributed alcoholic beverages on the wholesale or retail level? Yes No If "yes," indicate where, when, and for whom below:

Do you have any current or prior management experience working for a business that sells or serves alcohol? Yes No If "yes," describe below:

owner - Leonard Country Club, LLC - golf course
w/club house.

Are all officers, directors, and shareholders holding more than 5% of the outstanding stock 21 years of age or older? Yes ; No ;

Address of Home Office 300 Main Ave Ste 110 Fargo ND 58103
Date Incorporated _____ State of Incorporation _____

If a subsidiary of any corporation, state name and address of parent corporation _____

Operator/Manager Information

Are you going to operate this business personally? ___ Yes No If "no", who will operate it?

Name: Pelican Lake Consulting, Inc
(first) (middle) (last) (maiden name)

Address: 300 Main Ave Ste 110 Fargo ND 58103
(address) (city) (state & zip)

Home phone number: (701) 239-4451 Other number: () _____

Date of Birth: _____ Place of Birth: _____

Are you going to have a manager or assistant in this business? Yes ___ No If the manager is not the same as the operator, provide the following manager information:

Name: Steven Douglas Hatfield
(first) (middle) (city) (maiden name)

Address: 2914 29th Ave Circle So. Moorhead MN 56500
(address) (city) (state & zip)

Home phone number: (218) 287-2386 Other number: () _____

Date of Birth: 10/4/71 Place of Birth: Fargo, ND

(Important: The name and other information about your manager must be provided before a license can be issued. If the manager changes during the course of the license period, you must provide the City Auditor's Office with updated information about the new manager immediately.)

Business Site Plan

On the following page (or on attached pages if additional space is needed), provide a detailed diagram and description of the design, location, and square footage of the premises to be licensed.

- * The scale should be state, such as 1"=20'. The direction N should be indicated towards the top.
- * The diagram should include placement of all pertinent features of the interior of the licensed premises, such as seating areas, kitchens, offices, repair areas, restrooms, etc. The exterior parking area should also be shown.

3d



Memorandum

Date: 23 July 2009
To: Board of Commissioners, City of Fargo
From: Robert C. Stein
Re: Renaissance Zone boundary Changes

Over the past several months, the Renaissance Zone Authority has been evaluating the Zone in order to make adjustments to the boundaries. The evaluation were prompted by several factors: 1) the action of the 2007 ND Legislature that authorized 3 additional blocks for each Renaissance Zone; 2) the acquisition of properties by NDSU in the Renaissance Zone that will no longer benefit from the program; and 3) the need to periodically review and evaluate conditions in the Zone.

The process for developing the attached recommendations was the same as that used in previous evaluations:

- Determine the area to evaluate relative to this boundary change;
- Conduct a block by block analysis that reviews progress to date, development potential, and preferred land use;
- Mail all property owners in the blocks considered for redesignation;
- Organize a RZ Authority bus tour to view blocks being considered for redesignation;
- Provide staff recommendations to RZ Authority;
- Designate proposed boundary changes;
- Public meeting advertised in the Forum and notification mailed to all property owners in blocks being considered for redesignation;
- Public input meeting and
- Make final recommendations that will be proposed to City Commission.

July 23, 2009

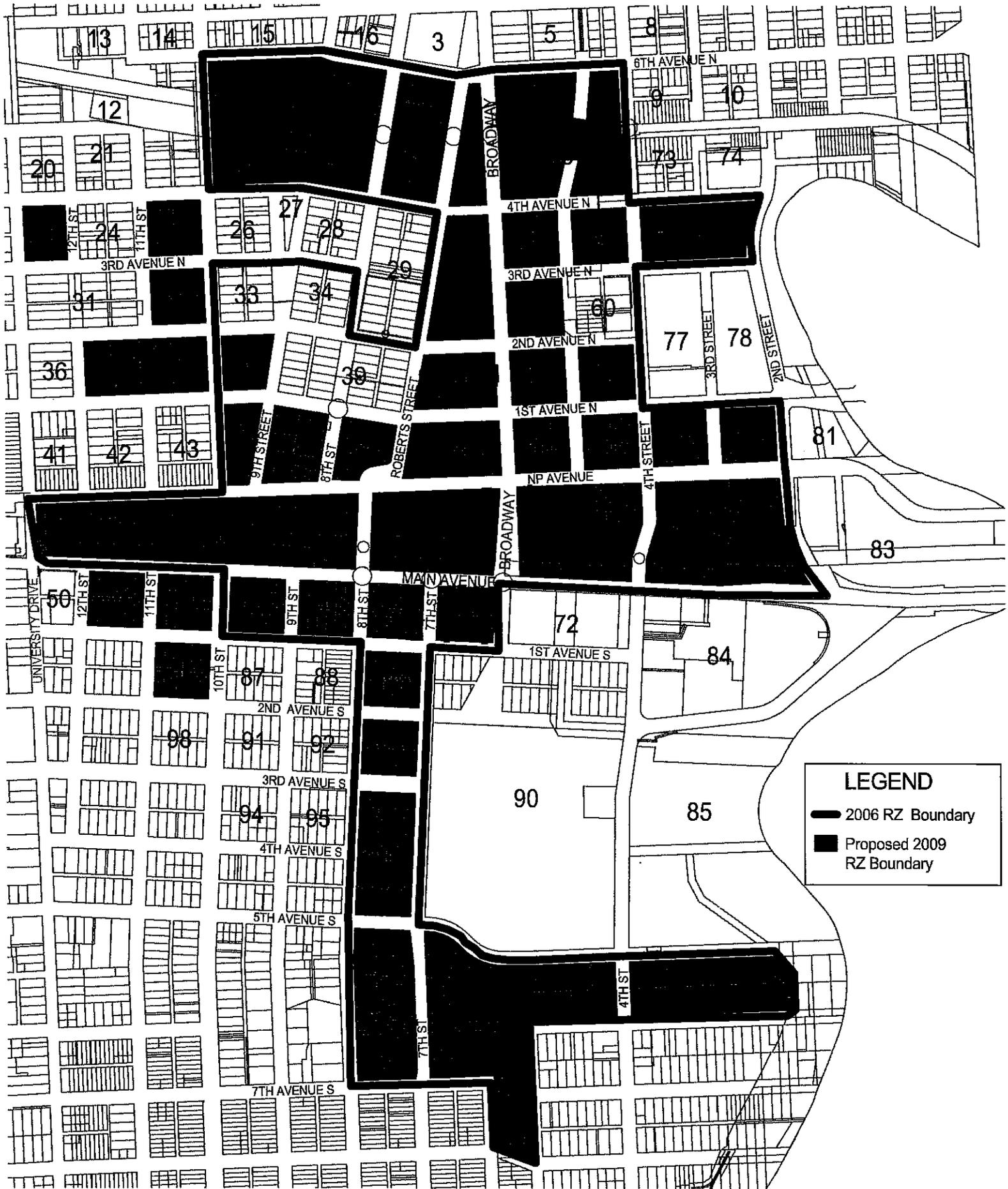
A public input meeting was held at 10:00 a.m. on Wednesday, July 22, 2009 in the Commission Room at City Hall. Following the public meeting recommendations were made as reflected on the attached map.

It was recommended that four blocks be removed from the Zone. Three of those blocks (Blocks 33, 34, and 39 on the attached map) are mostly owned by governmental or non-profit owners and therefore the incentive of tax exemptions has little or no value to them. Block 60 was removed with the knowledge that conditions may change in the future, but at present the redevelopment potential was greater in other areas.

The seven blocks added (Blocks 23, 25, 32, 37, 51, 52, and 86 on the attached map) all have high redevelopment potential and support the evolving growth areas in downtown Fargo.

Suggested Action: to approve the recommendations of the Renaissance Zone Authority and to amend the Fargo Renaissance Zone boundaries to reflect the suggested changes on the attached map entitled Proposed 2009 Renaissance Zone.

Proposed 2009 Renaissance Zone



LEGEND

- 2006 RZ Boundary
- Proposed 2009 RZ Boundary

2009 Proposed Renaissance Zone Boundary Changes

Block #	Buildings/Land Use	Proposed Action	Development Potential	Comments
23	Woodrow Wilson	Add		Zoned Public/Institutional. Single owner. Very good location on commercial corridor.
25	Taco Shop, Credit Union, residential (7), Helenske Architects, Rock Shop	Add	High	SF homes in this block may be candidates for the NRJ program. However, there are 4 SF units, 2 duplexes, and one conversion apartment. Additionally there are 2 commercial office buildings, a drive-up restaurant, and a retail store. The parking lots provide obvious opportunities for development; however there may be other redevelopment opportunities.
32	Service Station, Credit Union, Parking Lot, MF Residential, SF Residential (1)	Add	High	There is a gas station, an apartment, and a SF home on the block. The rest of the space is used for parking. Good commercial potential on 10 th Street.
33	NDSU College of Business, Parking Lot	Remove	Low	Currently owned by NDSU; very low potential for future development.
34	NDSU Klai Hall, Parking Lot	Remove	Low	Currently owned by GSA, NDSU, and Sons of Norway – all tax exempt.
37	Taco Bell, Parking Lot (2), Pierce Company, Nodak Mutual, one SF.	Add	High	Double block with good development potential. This block has bounced on and off in the past years. The changes in the neighborhood again make this a good candidate for redevelopment.
39	Federal Court House, Dawson Insurance, EAPC Architects, First Presbyterian Church, Sons of Norway	Remove	Low	A high percentage of the block is owned by governmental or non-profit entities. The remaining buildings are in good condition.
51	Car Rental, Duffy's, Feder Office Bldg, Curt's Lock, MF Residential/ Commercial, Parking Lots	Add	High	This block was considered in previous evaluations, however was always considered to be too far from the core; however it is located in a highly visible gateway to downtown. There are several opportunities for improvements.
52	Used Cars, Office, Residential, Amvets	Add	High	There are 4 residential structures on the block: 2 SF units, a duplex, a 3-plex, and a conversion apartment. The block is in need of redevelopment given the location as a gateway and also due to the condition of the buildings.
60	City of Fargo, American Federal, Prairie Public, Radisson, Firestone	Remove	Low	There is low redevelopment potential due to the overall condition of the buildings.
86	Leef Cleaners, SF Residential (1), MF Residential, Boulger Funeral Home	Add	High	Only 3 residential properties remain on this block: one SF, a 3-plex, and a conversion apartment. ½ of the block is occupied by a commercial cleaner. The rest of the block is occupied by the funeral home and adjacent parking.

MEMORANDUM

4

TO: Fargo City Commission

FROM: Senior Planner, Jim Hinderaker *JH*

DATE: July 23, 2009

SUBJECT: Sign Moratorium

On May 18, 2009, the City Commission approved a three-month moratorium on the issuance of all On-Premise LED sign permit applications. On June 15, 2009, the City Commission amended the moratorium so that the moratorium only applies to all On-Premise Electronic Messaging Centers (EMC's) sign permit applications that are 150 feet or less from a residentially zoned property. At present, the moratorium will lapse on August 18, 2009.

At the direction of the Planning Commission, staff is working to update the City of Fargo Sign Code. A schedule has been established to have a working draft of an updated sign code ready for review and public input by late October, 2009. Staff anticipates that a final draft would be ready for review and consideration by the City Commission in early 2010.

RECOMMENDATION

Based on the on-going work to update the City of Fargo Sign Code, staff recommends that the City Commission take action to extend the moratorium on all On-Premise Electronic Messaging Centers sign permit applications that are less than 150 feet from a residentially zoned property for an additional 6-months, with the extension to begin immediately upon the expiration of the existing 3-month moratorium.