

**PARK RAPIDS CITY COUNCIL
WORKSHOP
FEBRUARY 23, 2021, 5:00 PM
Park Rapids City Council Chambers
Park Rapids, Minnesota**

1. CALL TO ORDER: Acting Mayor Tom Conway called the City Council Workshop for February 23rd, 2021, to order at 5:00 p.m.

2. ROLL CALL: Present: Acting Mayor Tom Conway, Councilmembers Erika Randall, Liz Stone, and Robert Wills. Absent: Mayor Ryan Leckner. Staff Present: Administrator Angel Weasner, Planner Andrew Mack, and Clerk Margie Vik. Others Present: Molly Luther, Sue Tomte, Cynthia Jones, and Robin Fish from the Enterprise.

3. DISCUSSION:

A. Alfresco Dining Plan in the City of Park Rapids in 2021: Weasner stated the Downtown Business Association has made a formal request for the city to allow alfresco dining once again this year during the summer. If the governor's executive orders are still in place, we would have the ability to allow that. I need to know Council's wishes.

Randall questioned what happens if the executive orders go away? Weasner stated if the executive orders go away, we are looking at maintaining them for the remainder of the summer. If you wanted it could be done again next year, but it would be a totally different situation. Conway stated without the executive order they could dine outside, but without alcohol. We don't have any control over that, that would be the state. Weasner stated it has been discussed with staff and some Council that we would allow dining for the summer. But if the executive order is rescinded, they could no longer serve alcohol outside, but we would allow them to continue dining outside because they are putting significant dollars into having tents put up.

Stone stated I for one, like the alfresco dining, and I would like to see it continue, which is a separate discussion. I fully support whatever we can do to facilitate alfresco dining in the meantime. Randall stated as long as the businesses know that. I think there's a pretty good chance the executive order is going away before summer. They need to go into this with their eyes wide open that they will not be allowed to serve alcohol outside this summer. Before they put the time, effort, and money, into putting up the tents, that there is a good chance it's not going to be allowed. As long as that's very clear, it's fine with me.

Conway stated not being able to serve alcohol, they still made a business of eating alfresco. Randall stated I don't disagree. I just want to make sure the businesses know that.

Molly Luther stated it would be very awkward with customers to not be able to serve alcohol in the tents. Last year it was always evolving, if there wasn't going to be alcohol allowed under the tents, I probably wouldn't have done it. It's very hard when you're so busy and with so many people to explain to everyone why you can't sit in that section if you are going to order a drink. Then there's the whole set of questions, and the explanations that would go with that. If I knew going into it, from an operational

perspective, that we wouldn't be able to have alcohol, I'm not sure that I'd do it. Randall stated that's why I want everyone to know that. The executive order could end at any time. We're still three full months from being able to sit outside. This doesn't have anything to do with us having alcohol. That's the liquor license issue, fully separate.

Weasner stated I can make sure the resolution, if Council wishes, it is written in there. I will send a letter to the Downtown Business Association Chair Sally Wizik-Wills that it will be revoked if the governor loses his executive order powers, just the alcohol part. Luther questioned is there any chance that the governor would allow the alcohol to continue any other way, besides his emergency powers? Stone questioned isn't the alcohol city by city? Weasner stated it is, but this allows it in the public right of way, and that's where the issue is with the alcohol. Because it's on the public right of way, it would have to be on their property, they don't own the street.

Stone questioned you had alfresco dining in the back of your building? Luther stated that was on my property. Stone stated I see, so there's no way around that. Conway stated they can't do it on the state's right of way property. Randall stated before COVID there were some people that wanted to serve alcohol in the front on the sidewalk, and we ran into some issues there. Then they put a patio on the side, on their property, then it was resolved. I'm glad that it was done last summer, and that it can be done this summer if people want to serve food out there. I just want to make sure that businesses know going into it. It is a lot of upfront effort and work to set it up, and then have to explain to every customer that comes through the door that they can't drink alcohol in the tent. Luther stated it would be up to the businesses to decide to go for it. You might see less people take advantage of the offer this summer, just with that hanging over their heads. But there's no harm in allowing it while the executive orders are in place.

Randall questioned what date would it start? Weasner stated I was going to suggest May 1st because sometimes in May it can be pretty nice. We will update the resolution that was used last year.

Conway questioned if anyone had an opposite point of view? There were no comments.

Stone questioned what's the difference with Second Street Stage being able to serve alcohol on the street. Randall stated they get a temporary permit to use that space for that purpose. Weasner added they also get a temporary liquor license. Stone questioned small businesses couldn't use that space in front of their places? Weasner stated twelve times would be the maximum for non-profit organizations only. Randall stated Second Street Stage get a permit at the beginning of the year for each Thursday.

Conway questioned was the mention of alfresco dining in the future to be a permanent thing? Stone stated with alcohol. Randall stated which you couldn't do if it was on the street. Conway stated there is a way to do it. Stone stated with the addition of alfresco dining last year it was a nice addition to Main Street. Anytime there's alfresco dining it creates a festive vibe, which ultimately results in a draw. People like to eat outside.

Conway stated in Council Bluffs they have an area with blocked off streets. They are barricaded off. It's not a right of way anymore. They opened it up with nothing but a courtyard full of restaurants. Everybody can sit outside, weather provided. That would be one way to do it, to vacate the right of way on Main Street. It would not be a city street anymore. But that's a bigger issue. Stone stated then you'd be getting rid of parking in the middle of the street.

Luther questioned is that a permanent vacate, or would it just be parts of it? Conway stated I don't think you'd want cars going up and down it. You'd have to do it for one or two block sections. Then you'd have to be concerned about the businesses that aren't restaurants.

Luther stated it would only be beneficial to the businesses adjacent to that space. If you picked a block that I wasn't on, I wouldn't be able to take advantage of that. Conway stated the other piece would be there is argument that businesses would rather have the foot traffic than the car traffic. It's just a thought. Randall stated I don't think Park Rapids is that progressive.

Stone stated maybe we need to explore some spots on Main Street that are between the businesses that could be used to offer some alfresco dining. I'm just looking outside of the box. Conway stated I'm with you. I went to the alfresco dining last year and I called Council Bluffs to ask them what they did. I think it would be a draw in the summer when you have tourists in town. I don't know how that would play out during the other nine months of the year. Randall stated it wouldn't. They'd want the closest parking spot.

Andrew Mack stated I've actually researched this. There are other cities in Minnesota that have figured out how to do this on a temporary seasonal basis. We have the method already figured out with the license agreement. There are ways the city, should it choose to, rewrite its ordinance, or adopt specific policies, similar to what we did last year, to consider this on a future permitted seasonal basis with extensive standards and procedures in place. There is a way to do it. Three cities have figured it out. Randall questioned into the street? Mack stated into the street or the sidewalk or a combination thereof. Randall stated I'm aware that we can change it for the sidewalk. We could change our policies. Mack stated it largely depends on how you want to keep the pedestrian access open, in light of the traffic conditions on the street. Randall questioned what city has allowed it in the street, in a public right of way? Mack stated Hopkins, Wayzata, White Bear Lake. I have that information researched and collected already.

Randall stated we have the time to look at this. We're going to allow it for this summer. We made it clear and we want to make sure the businesses know the facts. We're hearing that the businesses like being able to do it. I didn't hear any complaints about people not being able to park where the tents were last summer. Conway stated we had one compliant last year from the shoe store. Randall stated they were in a bad position where they are next to three businesses that service food that all chose to do some sort of alfresco dining. Mack stated it also had to do with where their employee felt they were entitled to park, which surprised us as to why they would want an employee to block their parking in front of their store.

Randall stated I think whatever information that Mack has we should be looking at because February of 2022 is going to be here before we know it and we need to have started working on this process if we are going to put it into action. I do think it's relevant to talk about this for the future. Weasner stated I can get the information and pass it on so that we can start the conversation. Randall stated it can be on a future workshop for future planning. Conway stated I would imagine there would be public hearings to see if this is something that the people want. Mack stated certainly if it involves changing the ordinance. We can get the Planning Commission involved.

Conway requested comments from the public. Luther stated it's just setting expectations with consumers. You have it one year, then you don't have it the next year because the executive orders are gone and everybody needs booze outside. And then maybe you have it again the next year. It needs to be reliable so they can count on it as a

destination feature. We've gone forward, backward, forward. Randall stated that's COVID, forward, backward.

Stone stated I'm encouraged that we are all wanting to explore this and see what we can come up with. Luther stated I think that if it's a permanent change, you'll see people make a bigger investment in it as well, as far as beautifying the space. During COVID everybody was looking at making bare minimum expenses, so a tent and a few potted plants was all that you were going to get. Conway stated that's a good point. The ones that I have been to they have been laid out consistently all the way through the area with cobblestones and street lamps. It was very well put together.

Randall stated Duluth allows it for non-alcoholic places. They have some really neat setups. They don't use tents. It's a true alfresco area. Luther stated outdoor dining in Minnesota is very fickle. As an operator, if it was totally open, I wouldn't be that interested in it. It's a lot of work for a very unreliable area. When we had it every year, I made improvements to make it more and more sheltered so it was useable more days of the year. I like the thought of a pedestrian only area. I don't know if it would be the main street, but an outdoor plaza that you would have public events in that doesn't take away from the main thoroughfare, if it was more on a side street. We lived in Salem, MA, and they had cobblestone streets, pedestrians only and the shops along there were awesome.

Luther stated I'm hearing that for this year the best that we can do is to allow it under the executive order and if that goes away, then the outdoor alcohol goes away then. Weasner answered yes. Luther stated that needs to be very clear to anyone that applied for the permit. There's lots of places that don't serve alcohol, so if it helps them then that's wonderful.

Randall stated a lot can change in a couple of months so hopefully we'll know one way or another before people make a big decision around May or June 1st. Weasner stated I wanted to make sure tonight if there would be any changes, and I'll have some thing on the next Council agenda in two weeks.

4. ADJOURNMENT: A motion was made by Wills, seconded by Stone, and unanimously carried to adjourn the meeting at 5:25 p.m.

[seal]

Acting Mayor Tom Conway

ATTEST:

Margie M. Vik
City Clerk