City Council Agenda Memo

From: Bonnie Foster, City Clerk

Council Meeting: December 20, 2022

Subject: On-Sale Liquor Operating Agreement dba change

Person(s) Responsible: Bonnie Foster, City Clerk

Summary:
The City of Brookings has received an application to change the On-Sale Liquor Operating Agreement with Den-Wil Hospitality Group, Inc., Dennis Bielfeldt, owner, from doing business as (dba) The Lodge, to dba Boss's Pizza at the 2515 6th Street location. All required documents have been submitted for this application.

Background:
The City of Brookings enters into Operating Agreements with holders of On-Sale Liquor Licenses. A change to the owner or dba on the License and Operating Agreement requires a public hearing and Council action.

Item Details:
Den-Wil Hospitality Group, Inc., Dennis Bielfeldt, owner, is entering into a Restaurant Management Agreement with Boss's Pizza for the 2515 6th Street location. Den-Wil Hospitality Group, Inc., will retain the ownership of the On-Sale Restaurant Liquor License (RR-26776), will report sales tax, and retain use of Den-Wil Hospitality Group, Inc., Employer Identification Number.

Council approval will allow an update to the City's Liquor Operating Agreement stating Den-Wil Hospitality, Inc. as dba Boss's Pizza at 2515 6th Street, Brookings, SD. If approved, the State Department of Revenue will be notified of the dba change.

Legal Considerations:
City Attorney Steve Britzman has reviewed this item.

Strategic Plan Consideration:
Economic Growth – This is an opportunity for a local business (Den-Wil Hospitality Group, Inc.) to change its restaurant to a well-known local restaurant franchise and continue to serve its hotel guests and the general public.

Financial Consideration:
None.

Options and Recommendation:
The City Council has the following options:
1. Approve as presented
2. Amend
3. Deny
4. Refer to a Study Session
5. Discuss / take no action / table

Staff recommends approval.

Supporting Documentation:
Operating Agreement
Legal Notice
Location Map