

## CITY COUNCIL OVERSIGHT COMMITTEE MINUTES

April 19, 2018

The City Council Oversight Committee of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 8:35 a.m. in the City Council Executive Conference Room on the 19th day of April, 2018, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Allison, Castleberry, and Holman

ABSENT: Councilmember Karjala

OTHERS PRESENT: Mayor Miller  
Ms. Jane Hudson, Principal Planner  
Mr. Jim Maisano, Deputy Police Chief  
Ms. Beth Muckala, Assistant City Attorney II

Item 1, being:

### DISCUSSION REGARDING PROPOSED ORDINANCE AMENDMENTS TO COMPLY WITH THE NEW STATE LIQUOR LAW CHANGES – ESTABLISHING RETAIL WINE AND RETAIL BEER OCCUPATIONAL TAX PERMITS.

Ms. Beth Muckala, Assistant City Attorney, said a presentation was created to summarize the various aspects of the state liquor law changes to Oklahoma's liquor licensure and other laws and how these changes will affect the City, which will be effective October 1, 2018. She said the Senate Bill ("SB") 383 was approved by Governor Mary Fallin and signed into law on June 6, 2016 and Oklahoma State Question ("SQ") 792 was passed on November 8, 2016. She said the following laws effective October 1, 2018 will include:

- Low point beer will be regulated by Alcoholic Beverage Laws Enforcement Commission (ABLE);
- Liquor stores ("Retail Spirits Stores") will be able to sell other goods;
- Convenience/grocery/drug stores will be able to sell beer and wine;
- Extended hours and fewer required closures;
- Extending retail spirits stores hours to midnight.

Ms. Muckala presented one of the changes that will have to be addressed is the Game Day Law. She said Class I and II licenses will go away on October 1<sup>st</sup>. She said there is an engrossed bill that will allow establishments located within municipalities, which also house universities on the day of a regularly scheduled football game, to sell low point and strong point beer in the original packaging for off premises consumption from 8:00 a.m. to midnight. She said this bill will only address the selling and does not address the carry aspect of it. She said there is a separate Ordinance in place right now, which only allows 3.2 point beer to be carried. She said if this bill passes, this issue will need to be addressed in some way, i.e., geographical boundaries.

Ms. Muckala said bills affecting on premises consumption include:

- HB 2186 (signed into law): Movie theaters can sell alcoholic beverages to those wearing wristbands or hand stamps;

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- SB 1332 (engrossed): Grandfathers low-point beer establishments already permitted within 300 feet of a church to be eligible for a mixed beverage license as long as there is change in ownership.

Ms. Brenda Hall, City Clerk, presented the Interim Actions of the Ordinance as follows:

- State law permits interim actions by licensees to prepare for new laws that will be effective on October 1, 2018;
- Norman is issuing certificates of compliance; and
- State-licensed establishment in Norman may stock and prepare their stores for sales.

Ms. Hall said an Ordinance has been established for the language to comply with the State Law and also establishes an off premises license known as a retail wine and retail beer permit. She said the fees are \$1,000 for retail wine and \$500 for the retail beer and those mirror what ABLE is charging for licensing. She said additional cleanup items in the Ordinance include modification to the days and hours businesses can operate for both on and off premises sales and delivery days.

Ms. Hall said additional future Ordinance amendments will include an amendment to Zoning Ordinance to allow movie theaters to sell liquor (cleanup to mirror state law) and additional cleanup of Chapter 13, Licensing, to remove Class I and II beer licenses and references thereto after October 1<sup>st</sup>.

Ms. Hall said some of the other changes that will happen after October 1<sup>st</sup> is wineries will be able to sell wine by the glass and not just by the case. She said the change will also allow for breweries and wineries to attend events and sell as an extension of their licensed premise.

Councilmember Castleberry asked if current PUD/SPUDs will have to be amended to extend the serving hours to mirror state law or it will automatically be changed. Ms. Hall said there will be limitations that are more restrictive in certain areas and will need to check into that.

Ms. Hall said the goal is to have the Ordinance effective by July 1<sup>st</sup> to begin issuing licenses effective October 1<sup>st</sup>. She said she would like to bring this forward for a first and second reading in May. Mayor Miller asked if we needed an additional meeting since this is just cleanup language of the ordinance. She suggested sending out a memo of the cleanup language and if there is a need to have a Study Session we can. Ms. Hall said Council could do a first and second reading in May and make it effective by the end of June and license can be issued by July 1<sup>st</sup>.

Items submitted for the record

1. PowerPoint presentation entitled, "State Liquor Law Changes", dated April 18, 2018
2. Memorandum dated April 12, 2018, from Brenda Hall, City Clerk, Jeff Bryant, City Attorney, and Ms. Beth Muckala
3. Draft Ordinance

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The meeting was adjourned at 6:23 p.m.