



## Administration Department

**DATE:** May 28, 2024

**FROM:** Jason Tomanek, City Administrator

**ITEM:** Public Hearing on a new Class E - Sale at Retail of Beer Only Liquor License.

**REQUEST:**

Public hearing on a request for a new Class E - Sale at Retail of Beer Only Liquor License for Tri-Energy Cooperative (dba) Tri-Energy Cenex - Expressway at 3801 East Rosser Avenue.

**BACKGROUND INFORMATION:**

Tri-Energy Cooperative (dba) Tri-Energy Cenex - Expressway is requesting the issuance of a new Class E - Sale at Retail of Beer Only Liquor License at 3801 East Rosser Avenue.

**Class E.** To any applicant for the sale at retail of beer only. The total number of Class E licenses issued in any year may not exceed sixteen plus one additional license for each 2,500 people in excess of 60,000 people, as shown by the most recent official estimated census. New Class E licenses or Class E licenses revoked or not renewed may be issued only pursuant to section 5-01-06.

**RECOMMENDED CITY COMMISSION ACTION:**

Hold a public hearing on the request for a new Class E - Sale at Retail of Beer Only Liquor License for Tri-Energy Cooperative (dba) Tri-Energy Cenex - Expressway at 3801 East Rosser Avenue, and approve the new license.

**STAFF CONTACT INFORMATION:**

Whitnie Olsen, Senior Administrative Assistant, [wolsen@bismarcknd.gov](mailto:wolsen@bismarcknd.gov)

**ATTACHMENTS:**

1. Tri-Energy Cooperative Application

Print

Retail Alcohol Beverage License - Submission #22753

Date Submitted: 5/1/2024



License Information:

Application Type\*

New License Application

License Type\*

Please select the type(s) of license(s) you are applying for.

- Class A: Nationally Organized Fraternal Order or Club - \$3,700
- Class B-1: Operator of the Beverage Concession at the Airport Terminal Building - \$650
- Class B-2: Concession at the Bismarck Municipal Country Club - \$650
- Class B-3: Commercial passenger vessels on the Missouri River - \$650
- Class B-3: Commercial passenger vessels on the Missouri River - \$650
- Class B-4: Sale of Beer & Wine at the Bismarck Event Center - \$650
- Class B-5: Sale of Beer & Wine at Bismarck Parks and Recreation Locations - \$650
- Class B-6 : Commercial Airline - \$650
- Class C-1: Hotel or Motel Full Service - \$3,800
- Class C-2: Hotel or Motel - \$1,000
- Class D: Sale at Retail of Alcoholic Beverages - \$4,100
- Class E: Sale at Retail of Beer Only - \$800
- Class F-1: Restaurant - Alcoholic Beverages - \$3,500
- Class F-2: Restaurant - Beer & Wine Only - \$1,100
- Class G: Catered Retail Beer, Wine, & Liquor - \$650
- Class H-1: Domestic Winery - \$800
- Class H-2: Domestic Brewery - \$800
- Class H-3: Domestic Distillery - \$800
- Class I-1: Senior Living Community - \$350
- Class I-2: Complimentary - \$350

Location Information:

Legal Business Name:\*

Tri-Energy Cooperative

Doing Business As (DBA) Name, if Applicable:\*

Tri-Energy Cenex - Expressway

**Date of Incorporation:\***

1-1-1989

**State of ND Liquor License No.:**

[Empty field]

**If out of state corporation, is corporation registered in North Dakota?**

- Yes
- No
- N/A

**Location Address:\***

3801 E Rosser Ave

**City:\***

Bismarck

**State:\***

ND

**Zip:\***

58501

**Phone No.:\***

701-222-2300

**Name and Title of Person Completing Form (must be the person listed in ownership information or manager):**

Sarah Tschider - Retail Operations Manager

**Contact Information (Where correspondence is to be sent):**

**Primary Contact:\***

Sarah Tschider

**Email Address:\***

[Redacted email address]

**Mailing Address:\***

[Redacted mailing address]

**City:\***

Bismarck

**State:\***

ND

**Zip:\***

58502

**Phone No.:\***

[Redacted phone number]

**Manager's Name:\***

Mike Goldade

**Date of Birth:\***

[Redacted] -1975

**Percentage of Ownership:\***

0

Driver's License No.:

[Redacted]

State Issued:

ND

Gender:

Male

Race:

White

Home Address:

[Redacted]

City:

Mandan

State:

ND

Zip:

58554

Phone No.:

[Redacted]

Occupation:

Retail

Title:

District Manager

Email Address:

[Redacted]

List all officers, directors, and stockholders of corporation and percentage of ownership:

Name:

Dan Belohlavek

Date of Birth:

[Redacted]-1959

Percentage of Ownership:

0

Driver's License No.:

[Redacted]

State Issued:

ND

Gender:

Male

Race:

White

Home Address:

[Redacted]

City:

Mandan

State:

ND

Zip:

58554

Phone No.:

[Redacted]

**Occupation:\***

Agriculture

**Title:\***

Farmer

**Email Address:**

**Name:**

George Ferderer

**Date of Birth:**

-1961

**Percentage of Ownership:**

0

**Driver's License No.:**

**State Issued:**

ND

**Gender:**

Male

**Race:**

White

**Home Address:**

**City:**

Mandan

**State:**

ND

**Zip:**

58554

**Phone No.:**

**Occupation:**

Agriculture

**Title:**

Farmer

**Email Address:**

**Name:**

Kevin Schmidt

**Date of Birth:**

-1957

**Percentage of Ownership:**

0

**Driver's License No.:**

**State Issued:**

ND

**Gender:**

Male

**Race:**

White

**Home Address:**

[Redacted]

**City:**

Mandan

**State:**

ND

**Zip:**

58554

**Phone No.:**

[Redacted]

**Occupation:**

Agriculture

**Title:**

Rancher

**Email address:**

[Redacted]

**Please submit all officers that will not fit on this form.**

Board of Directors.docx

**The undersigned states that the following information is true and correct.**

**1. Are manager and partners legal residents of the United States and the State of North Dakota, and are all officers or directors legal residents of the United States?\***

- Yes
- No

**If no, please explain:**

[Redacted]

**2. Have any of the persons listed above been convicted of any crime within the past five years? \***

- Yes
- No

**If yes, list all convictions and the dates, locations and sentence of disposition of each:**

[Redacted]

**3. Does the building meet all state and local sanitation and safety requirements?\***

- Yes
- No

**4. Has applicant, or any of the persons listed above, within the past five years had any license to engage in sale of alcoholic beverages revoked or suspended? \***

- Yes
- No

**If yes please, give details:**

**5. If new application, have you ever engaged in the sale or transportation of alcoholic beverages previously?\***

- Yes
- No
- N/A

**If yes please, give details:**

We currently sell alcohol at five of our other convenience stores.

**6. Has applicant, or any of the persons listed above, within the past five years, had an application for any federal or state or local license of any type rejected or denied? \***

- Yes
- No

**If yes please, give details:**

**7. Is there any agreement or understanding, or proposed agreement or understanding to obtain the license for another, or to operate the business for another, or as an agent for another?\***

- Yes
- No

**If yes please, give details:**

**8. Has the business been sold or leased, or is there any intention to sell or lease the business to another?\***

- Yes
- No

**If yes please, give details:**

**9. Has the applicant, or any of the persons listed above, shown interest in whatsoever, directly or indirectly, any other license liquor establishment within or without the State of North Dakota?\***

- Yes
- No

**If yes please, give details:**

We have 5 other c-stores that sell beer in Bismarck, Mandan, Sterling, and Lincoln, ND.

**10. Will the applicant, or any of the persons listed above, be engaged in any other business other than the sale of liquor under the license applied for?\***

- Yes
- No

**If yes please, give details:**

Retail Convenience Store & Gas Station

**11. Have all property taxes and special assessments currently due been paid?\***

- Yes
- No

**If not please, explain why:**

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### Special Requirements:

All Class F-1, F-2, C-2, & G license holders shall file with the application for license renewal a copy of their report of food and alcoholic beverage amounts that they have filed with the State of North Dakota for their state alcohol permit for the immediately preceding calendar year prior to renewal. The Board of City Commissioners may, at its discretion, require the licensee to provide such additional proof of the licensee's compliance with this section as the commission deems necessary.

**Upload Gross Food Sales Report:**

No file chosen

**Liquor License Site Diagram Requirements:**

- Site diagrams are to be submitted on a plain sheet of paper, 8½ x 11-inch size.
- The agency name shall be included on the diagram.
- The direction "North" shall be included on the diagram.
- The interior design of the licensed area shall be represented. This should include entrances, exits, interior doors, windows, tables, coolers, storage offices and room dividers.
- The diagram may be hand drawn, but it must be neat and reasonably accurate.
- If the licensed site is part of a larger complex such as a restaurant, areas such as mixing, serving and storage must be identified.

**Upload Site Diagram:\***

Expressway Floorplan.docx

**Liquor License Transfers**

**Download Required Form for License Transfer:**

[Alcoholic Beverage License Transfer Form](#)

**Upload Notarized Alcoholic Beverage License Transfer Form**

No file chosen

**I agree that I will not transfer or sell this license, if granted, without the prior approval of the governing body and in accordance with applicable ordinances,\***

I agree

**I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform city officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership or management during the period of the license, prior approval of the Board of City Commissioners is required.\***

I agree

**I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.\***

I agree

**Signature of Applicant:\***

Sarah Tschider

//

**By checking this box I acknowledge that I am electronically signing this liquor license application.\***

**Date:\***

5/1/2024

Electronic Signature

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**Payment Options:\***

Credit Card Authorization Form



**NOTE: This application must be accompanied by required fees.**

The \$200 application fee is due when the application is submitted. (Fee does not apply to renewal applications)

**Credit Card**

[Credit Card Authorization Form](#)

**Upload Credit Card Authorization Form**

CC auth form.pdf

**Mail Payments To:**

City of Bismarck Administration, 221 North 5th Street, Bismarck, ND 58501

Board of Directors

Dan Belohlavek



Mandan, ND 58554

Elwood Barth



Solen, ND 58570

George Ferderer



Mandan, ND 58554

James Schmidt



Menoken, ND 58558

Kevin Schmidt



Mandan, ND 58554

Jeff Perkins



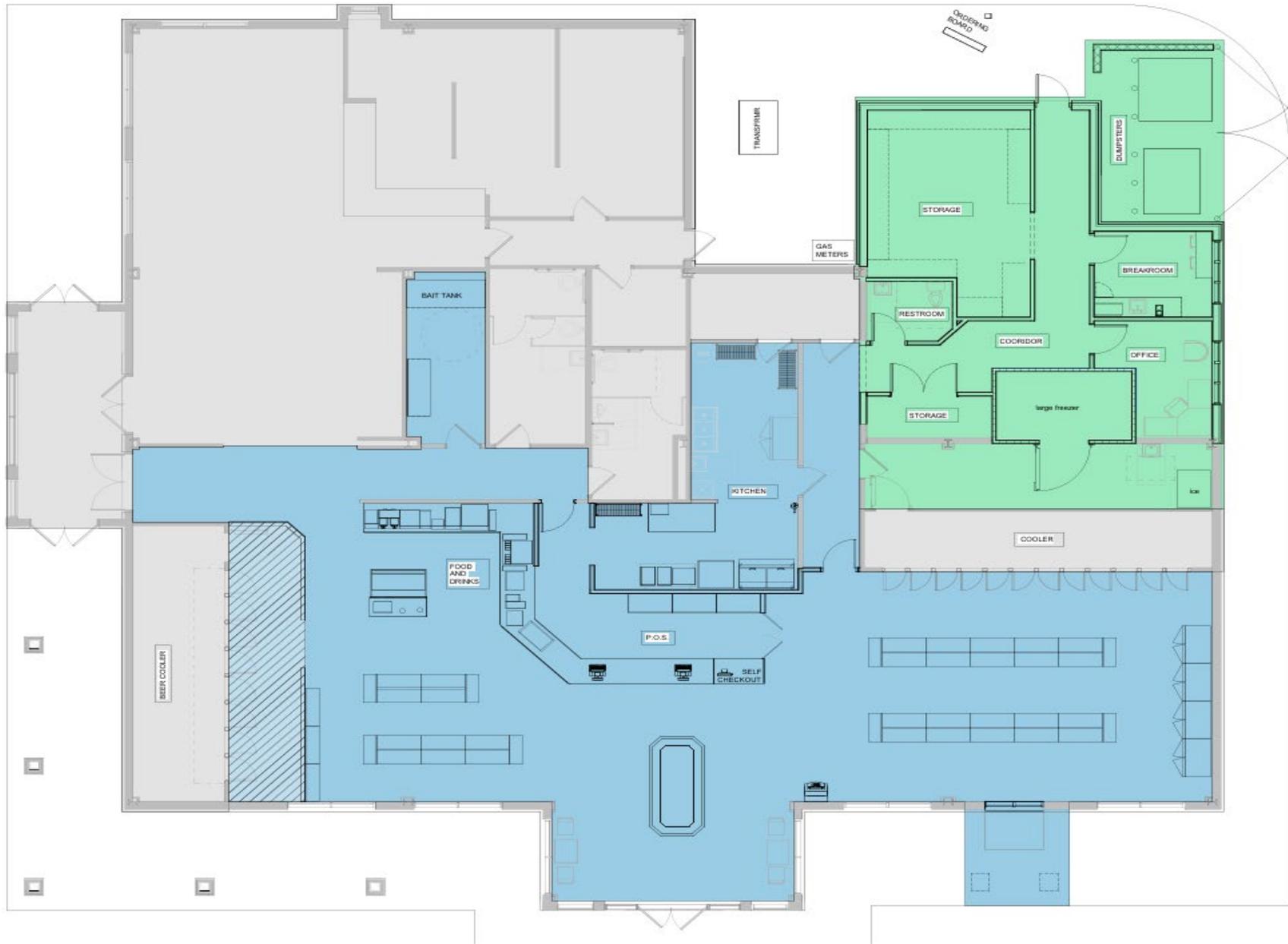
Bismarck, ND 58503

Doug Boehm



Bismarck, ND 58501

# Tri-Energy Cenex - Expressway



North



October 9, 2023

Tri-Energy Cooperative  
ATTN: Sarah Tschider  
219 North 20<sup>th</sup> Street  
Bismarck, ND 58501

Dear Ms. Tschider,

Please accept this letter as acknowledgment of the submitted bid for the Class E Beer-Only On/Off-Sale alcohol license. Bids were received and opened on Friday, October 6, 2023. The bid submitted by Tri-Energy Cooperative in the amount of \$51,000 is the highest bid received. Two additional bids were also submitted in the amounts of \$38,001 and \$40,000.

The high bid submitted by Tri-Energy Cooperative will be presented to the Board of City Commissioners at the Tuesday, October 24, 2023 commission meeting for review and acceptance.

Tri-Energy Cooperative will need to submit an application to implement the license before it can become active. For more information on this process, please feel free to contact Whitnie Olsen at [wolsen@bismarcknd.gov](mailto:wolsen@bismarcknd.gov) or by calling 355.1300.

Respectfully,

A handwritten signature in blue ink that reads "Jason Tomanek".

Jason Tomanek  
Assistant City Administrator  
City of Bismarck



**BID FORM  
CLASS E ALCOHOL LICENSE**

To: The Bismarck Board of City Commissioners.

1800-29

From: Tri-Energy Cooperative

I hereby submit my bid for a Class E Liquor License to be issued by the City of Bismarck. I understand that award of the license will be based upon the highest sum bid that meets or exceeds the minimum bid of \$30,000 and upon meeting the qualifications for licensure and approval of my application. I agree to honor my bid for a period of 60 days after the time of opening. I certify that I have not submitted or participated in more than one bid and that I am submitting this bid on my own behalf or in my official capacity as an employee or owner of a company. I have included a certified check or money order in the amount of \$200 as bond security.

Amount of Bid: \$ \$ 51,000.00

Dated this 25 day of October, 2023.

Tri-Energy Cooperative

Company name

219 N 20th St, Bismarck, ND 58501

Address (Street, City, State, Zip)

(701) 223-8707

Telephone Number

sarah.tschider@trienergycoop.com

Email

Sarah Tschider

Printed Name

*Sarah Tschider*  
Signature

