MAYOR & COUNCIL COMMUNICATION

DATE: **July 1, 2014**
CONSENT
ITEM #   **6**

AGENDA ITEM: Authorization for John Schiltz to dispense beer and wine coolers at the Lake Elmo Street Dance on Friday, July 11, 2014, from 7PM-11PM

SUBMITTED BY: Alyssa MacLeod, Taxpayer Relations & Communications Coordinator

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Adam Bell, City Clerk/Assistant City Administrator

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SUGGESTED ORDER OF BUSINESS:

- Introduction of Item .... City Administrator
- Report/Presentation…………………………………………City Administrator
- Questions from Council to Staff .... Mayor Facilitates
- Call for Motion .... Mayor & City Council
- Discussion .... Mayor & City Council
- Action on Motion... Mayor Facilitates

POLICY RECOMMENDER: Staff

FISCAL IMPACT: None

SUMMARY AND ACTION REQUESTED:

City Council is requested to consider authorization for John Schiltz, owner and operator of Lake Elmo Inn, a municipal retail on-sale liquor license holder to dispense beer and wine coolers off premises and allow for consumption within the parameters set for the City's street dance event on July 11, 2014. As part of the Consent Agenda, no formal motion is required. If Council wishes to further discuss this item, they can remove this item from the Consent Agenda and approve the authorization through the following motion:

"Move to authorize John Schiltz, owner and operator of the Lake Elmo Inn, a municipal retail on-sale liquor license holder, to dispense beer and wine coolers off premises and allow for consumption within the parameters set for the City's street dance event being held July 11, 2014."

LEGISLATIVE HISTORY:

Pursuant to MN State Statute 340A.404 Subd. 4(b), under Special provisions; sports, conventions, or cultural facilities; community festivals, the governing body of a municipality may authorize a holder of a retail on-sale intoxicating liquor license issued by the municipality to dispense intoxicating liquor off premises at a community festival held within the municipality. The authorization shall specify the area in which intoxicating must be dispensed and consumed, and shall not be issued unless the licensee demonstrates that it has liability insurance as prescribed by section 340A.409 to cover the event. The City of Lake Elmo, in conjunction with local businesses and the community, will hold the street dance event on July 11, 2014. Authorization is necessary for the sale of alcohol at the event and to confirm the requirement of liability insurance for the municipal on-sale license holder.

RECOMMENDATION:

Staff recommends the City Council authorize John Schiltz, owner and operator of the Lake Elmo Inn, a municipal retail on-sale liquor license holder to dispense beer and wine coolers off premises and allow for consumption within the parameters set for the City's street dance event being held July 11, 2014. As part of the Consent Agenda, no formal motion is required. If the Council wishes to further discuss this authorization, they can remove this item from the Consent Agenda and approve the authorization by taking the following action:

"Move to authorize John Schiltz, owner and operator of the Lake Elmo Inn, a municipal retail on-sale liquor license holder, to dispense beer and wine coolers off premises and allow for consumption within the parameters set for the City's street dance event being held July 11, 2014."

AUTHORITY:

2013 Minnesota Statutes:

§340A.404 INTOXICATING LIQUOR; ON-SALE LICENSES.
        Subd. 4. **Special provisions; sports, conventions, or cultural facilities; community festivals.**
                (b) The governing body of a municipality may authorize a holder of a retail on-sale intoxicating liquor license issued by the municipality to dispense intoxicating liquor off premises at a community festival held within the municipality. The authorization shall specify the area in which the intoxicating liquor must be dispensed and consumed, and shall not be issued unless the licensee demonstrates that it has liability insurance as prescribed by section 340A.409 to cover the event.