



MAYOR & COUNCIL COMMUNICATION

DATE: September 16, 2014

CONSENT

ITEM # 14

AGENDA ITEM: Authorization for John Schiltz to dispense beer and wine coolers at the Lake Elmo Volksmarch event on October 11, 2014

SUBMITTED BY: Beckie Gumatz, Deputy Clerk

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Adam Bell, City Clerk

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: City Staff

FISCAL IMPACT: NA

SUMMARY AND ACTION REQUESTED:

As part of its Consent Agenda, the 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 Volksmarch event on October 11, 2014. As part of the Consent Agenda, no formal motion is required. If 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 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 Volksmarch event being held October 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 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. The City of Lake Elmo, in conjunction with local businesses and the community, will hold the Lake Elmo Volksmarch event on October 11, 2014. Authorization is necessary for the safe sale of alcohol at the event and to confirm that requirement of liability insurance for the municipal on-sale license holder.

RECOMMENDATION:

Staff recommends the City Council authorize, as part of its Consent Agenda, 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 Volksmarch event being held October 11, 2014. As part of the consent agenda, no formal motion is required. If Council wishes to further discuss the 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 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 Volksmarch event being held October 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.