

City of Excelsior
Hennepin County, Minnesota

MINUTES
EXCELSIOR CITY COUNCIL WORK SESSION

October 19, 2015

1. CALL TO ORDER/ROLL CALL

Mayor Gaylord called the meeting to order at 6:00 p.m.

Present: Councilmembers Beattie, Miller, and Mayor Gaylord

Absent: Councilmembers Carlson and Caron

Also Present: City Manager Luger, City Attorney Staunton, Finance Director Tumberg, Public Works Superintendent Wisdorf and City Clerk Orlofsky

2. AGENDA APPROVAL

Beattie moved, Miller seconded, to approve the agenda. Motion carried 3/0.

3. PLACE OF LAST DRINK

Sergeant Mark Geyer presented the Place of Last Drink (POLD) program to the City Council. In 2014, North Memorial Medical Center started a grant funded coalition focused on reducing underage access to alcohol/drugs and issues regarding the over-serving of alcohol. This coalition is known as the Partnership for Change.

A main component of the Partnership for Change effort is this POLD program. The program helps police officers document and track where people have last been drinking when an issue arises requiring police services.

The goal of POLD is to identify problem areas so that preventative resources can be focused on those areas in order to avoid a tragedy and/or help reduce costs to the community.

Sergeant Geyer explained that this grant will continue for a few more years and then it is their hope that the State will pick up the program. The program is very costly and would be a lot for the State to pick up and rebuild into their own system.

Gaylord asked Sergeant Geyer why 23% of the 200 incidents that occur in Excelsior are all from residences. Police Chief Meehan explained that Excelsior has a lot more apartments than other cities do. So the data shows it a place of residence.

Sergeant Geyer noted that Excelsior has had a few severe cases that include alcohol limits of .33 and .4.

Chief Meehan added that medically speaking .4 is fatal to the average adult.

So there is an issue of over-serving and the Police Department would like the opportunity to work with the businesses to help educate the management and staff.

3. PLACE OF LAST DRINK - CONTINUED

Miller added that it is important to understand the total number of people served that evening versus how many were over-served.

Sergeant Geyer explained that at this point the South Lake Minnetonka Police Department has notified the different businesses that are of concern and they are reaching out to work with the management on educating their businesses on how to get better.

Sergeant Geyer stated that the Police Department does perform checks on entertainment venues for over-serving, however; they would like another year to refine those checks so they can better understand the situation. Chief Meehan explained that these checks have never occurred during the peak season and he thinks that is critical.

City Attorney Stauton asked if the Police Department tracks their expenses related to those checks, as those would be direct costs that could be associated with enforcing this topic. Sergeant Geyer said that they did track those expenses.

Chief Meehan added that Excelsior clearly has three maybe four establishments that have an over-serving problem. Excelsior doesn't not have an underage serving problem, but there is an over-serving problem and it's the goal of the South Lake Minnetonka Police Department to change the livability of the community and make the quality of life better.

Council felt that Chief Meehan's idea to put the establishments on notice and to work with them to improve the livability of the community was reasonable and they asked the South Lake Minnetonka Police Department to come back with an update in six months time.

4. LIQUOR LICENSE AND FEES

Tumberg provided the City Council with a liquor license fee comparison, and explained that the 2016 license renewals need to be sent next week. Tumberg stated that in the aggregate, the City is covering its cost related to liquor license establishments, and with that staff recommends that Council keep the on-sale intoxicating liquor license fee at \$10,000 for the 2016 license year.

Gaylord stated that the overall cost for police enforcement would remain the same so there currently is no direct cost would constitute a raise in the fees for the on-sale intoxicating liquor license.

Stauton explained the City Council does not have any room to raise the fees on the wine and beer licenses, but there is some room on the taproom fees as long as the cost is direct. Stauton added that the City is in the neighborhood as far as fees, however; there are some fees associated with enforcement that Excelsior has not accounted for.

Miller thought the Council originally started the brewery license fee low, as the Council was unsure what that fee should be. Miller stated that he was comfortable moving that fee up in 2016 to \$2,500.

4. LIQUOR LICENSE FEES- CONTINUED

Beattie suggested that staff give the brewery notice that their fee will be raised for 2017 and the fee as is for 2016.

Miller moved, Beattie seconded, to continue with the current fee structure and that the Taproom Fee be raised to \$2,500 in 2017. Motion carried 3/0.

5. Caterer's Liquor License Ordinance Considerations

Staunton explained that the City previously dealt with issues related to catering operations that threatened to circumvent the City Council's authority to limit licensed alcohol sales. Staff has drafted an ordinance designed to prevent that from happening by:

- Requiring holders of Caterer's Permits who do not also hold an on-sale license to sell alcohol in Excelsior to register with the City;
- Requiring Caterers to provide notice to the SLMPD police chief at least five days in advance of any catered event; and
- Limiting the number of catered events that may happen at any one location in any year;
- Prohibiting the customer for a catered event from having a financial interest in the permitting caterer.

Miller suggested that the City remove the restrictions on the number of occasions that can be held in any year.

Beattie suggested that staff add a requirement that holders of a caterer's permit who also hold on-sale liquor licenses for premises in the City be required to provide the City with a valid copy of their caterer's permit and comply with the remaining requirements of the ordinance.

Staunton said he would make the changes to the ordinance and bring it back to the City Council at the November 2, 2015 meeting.

6. ADJOURNMENT

Beattie moved, Miller seconded, to adjourn at 7:00 p.m. Motion carried 3/0.

Respectfully submitted,

Ann Orlofsky
City Clerk