



## Legislation Details (With Text)

**File #:** 21-399      **Version:** 1      **Name:**  
**Type:** Motion      **Status:** Passed  
**File created:** 6/16/2021      **In control:** City Council  
**On agenda:** 7/13/2021      **Final action:** 7/13/2021  
**Title:** Consideration of New Liquor License Two Scouts Standing LLP dba Froggy Bottoms at 307 Water Street South.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/13/2021	1	City Council	approve	Pass

**City Council Meeting Date:** July 13, 2021

**To:** Mayor and City Council  
City Administrator

**From:** Lynette Peterson, City Clerk  
Mark Elliott, Chief of Police

**Subject:**

Consideration of New Liquor License Two Scouts Standing LLP dba Froggy Bottoms at 307 Water Street South.

**Action Requested:**

The Northfield City Council approves a motion to approve the new liquor license for Two Scouts Standing LLP dba Froggy Bottoms, subject to the following conditions:

- Liquor licenses will be issued upon receipt of:
  - All required documents
  - Payment of all delinquent taxes, assessments, utility bills or other financial claims of the city
  - Payment of all remaining liquor license fees (Council waived all liquor license fees for 2021)
  - Approval of the State Alcohol and Gambling Enforcement Division
  - Final inspection of premises
- Outdoor Dining Permit is approved for Two Scouts Standing LLP dba Froggy Bottoms subject to the following conditions:
  - Final review and approval of layout and barriers proposed to be used by the Chief of Police
  - Compliance with all terms and conditions noted in City Code Section 6-70 - Temporary expansion of licensed premises/outdoor sales and service
  - Froggy Bottoms hours of operation: Monday - Saturday 11 - 10 pm and Sunday 11 am - 9 pm:

with all tables, chairs and barriers removed from the Riverwalk each night after 10 pm.

### **Summary Report:**

The presentation of this information is being provided at the public hearing prior to this agenda item. There will be no additional staff presentations, applicant input or public input under this item as it is being provided at the public hearing. The City Council will entertain a motion and then proceed with questions and discussion before considering action.

The City Council is being asked to consider the new liquor license request. City staff checks applications for compliance, which covers the provisions of Minnesota State law and City Code. These provisions include:

- Background investigations on licensees
- Review of premises layout
- Review of liquor law violations for the previous five years
- Review of insurance certificates
- Review of delinquent utilities, taxes, assessments or other financial claims

Periodically questions are raised regarding statutory restrictions on the number of on-sale intoxicating liquor licenses that may be issued in Northfield. If this license is approved, Northfield will have 19 on-sale intoxicating liquor license holders. Northfield is a city of the second class and therefore may issue not more than 18 on-sale intoxicating liquor licenses, subject to very broad exclusions. The applicable statute is 340A.413, Subd. 1 (3). However, 340A.413, Subd. 4, excludes the following from the restrictions stated in Subd. 1:

- clubs
- restaurants
- establishments that are licensed to sell wine under section 340A.404, Subd. 5
- theaters that are issued licenses under section 340A.404
- hotels, and
- bowling centers

The existing on-sale intoxicating liquor licenses in Northfield all fall into those categories that are noted. Therefore, they are excluded from the restriction.

Once licenses are approved by the City Council, they will be sent to the Department of Public Safety Alcohol and Gambling Enforcement Division (DPS-AGE) for review and approval. Licenses will be issued after receipt of all required documents, any delinquent payments, successful completion of background checks and walk-through of the facility prior to license issuance.

### **Alternative Options:**

N/A

### **Financial Impacts:**

The City will not receive fees for liquor licenses since the Council decided to waive the liquor license fees for 2021.

### **Tentative Timelines:**

If approved, certification and license application will be sent to the Department of Public Safety Alcohol & Gambling Enforcement Division for review and approval. Once the Alcohol & Gambling Division approves the license, final documents are submitted, and the final inspection of the premises has been completed, the liquor

licenses will be issued.