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LICENSE HEARING MINUTES
Sweet Pea's
Thursday, July 10, 2014, 2:00 p.m.
330 City Hall, 15 Kellogg Boulevard West
Nhia Vang, Deputy Legislative Hearing Officer

The hearing was called to order at 2:00 p.m.

Staff Present: Jeff Fischbach, Department of Safety and Inspections (DSI)

Applicant: Jeremy Brown, Owner/Applicant; Dan Peterson, Manager

Sweet Pea's: Liquor On Sale – 100 seats or less, Liquor On Sale – Sunday, and Liquor On Sale – 2 AM Closing. (*Note: This is for a change in ownership of an existing location.*)

Ms. Vang stated that this was an informal legislative hearing for a license application. This particular license required a Class N notification which means the neighborhood was notified and people had the chance to voice their concerns. The City received a letter of concern/objection which triggered the hearing. There were three possible results from this hearing: 1) recommend the City Council issue this license without any conditions; 2) recommend the City Council issue this license with agreed upon conditions; or 3) recommend the City Council not issue this license but refer it to the city attorney to take an adverse action on the application, which could involve review by an administrative law judge.

DSI staff will explain their review of the application and state their recommendation. Ms. Vang said she will then ask the applicant to discuss their business plan. At the end of the hearing, she will make a recommendation for the City Council to consider. Her recommendation will be on the Consent Agenda; the City Council is the final authority on whether the license is approved or denied.

Mr. Fischbach stated that this was a change of ownership of an existing location. There were no conditions on the previous license and staff was not recommending any conditions be placed on the new license. The district council submitted a letter of support. There were outstanding building permits which still needed sign off and an inspection by the Minnesota Department of Health had not yet been done.

Ms. Vang read into the record an email of concern received from Joy Decker 1606 James Avenue. (*Said email is made a part of this record*). Ms. Vang then asked Mr. Brown to explain his business plan.

Mr. Brown stated that he owned the business under a franchise agreement with Green Mill/Crooked Pint. Mr. Peterson was the operator of the restaurant and had over 30 years of experience in the business. They had done a remodel of the building replacing old equipment and fixtures with new state-of-the-art appliances and had expanded the seating area to accommodate approximately 100 customers. Their business model was to operate as a family-friendly restaurant and not as a bar as was the previous business. The restaurant was currently opened for business as they were operating with a management agreement under the existing license of the previous owner.

Mr. Peterson explained that the menu included over 40 food items and they specialized in offering craft beers to their patrons. They employed approximately 40 employees, mostly part time, and hours

of operation were 11 a.m. to 1 a.m. Monday through Saturday, closing at midnight on Sunday. As far as parking, they had 23 spaces in the lot adjacent to the building and, in addition, had lease agreements with two of the neighboring businesses to use their lots for customer parking. They also had signage so their customers were aware of the associated lots where they could park.

Ms. Vang asked whether they had a regular schedule for picking up litter around the area and what their schedule was for trash service. Mr. Peterson responded that the employees walked around the property every morning picking up and disposing of litter. They had dumpsters at the rear of the building, facing the alley, which were enclosed in a secured, screened area. Trash service was schedule for pick up in the morning three times per week.

Mr. Fischbach stated that they would need to provide DSI with a copy of the certificate from the State Health Department granting the license to operate their restaurant. They would also need to provide the approval from the state for the 2 a.m. closing before the city would issue their license for the 2 a.m. closing. Mr. Peterson responded that the state did conduct the inspection for food sales and they were granted their license. He was unsure whether they had received the certificate yet but he would be sure to provide it to the department. As far as the 2 a.m. closing, they will follow through with obtaining the license although he was unsure whether they will consider staying open until 2 a.m.

After reviewing all of the documents of record, Ms. Vang said she will recommend to the City Council they approve the license without conditions.

The hearing adjourned at 2:20 p.m.