**LICENSE HEARING MINUTES**
**Sweeney's LLC, dba Sweeney's Saloon, 96 Dale Street N**
**Monday, November 25, 10:00 AM**
**Room 330 City Hall, 15 Kellogg Boulevard West**
**Nhia Vang, Legislative Hearing Officer**

The hearing was called to order at 10:22 AM

Staff Present: Jeff Fischbach, Department of Safety and Inspections (DSI) Licensing Inspector; Frances Birch, DSI Zoning Inspector (remote participation)

Licensee: William Rolf, Applicant/Owner; Brian Alton, Attorney o/b/o current license holder

License Application: Liquor On Sale - 181-290 Seats, Liquor On Sale Sunday, Liquor On Sale - 2 AM Closing, Liquor-Outdoor Service Area (Patio), Entertainment (B), and Tobacco Shop licenses

Legislative Hearing Officer Nhia Vang made introductory comments about the hearing process: This is an informal legislative hearing for a license application. This license application required a Class N notification to inform neighbors and the District Council about the application and provide them with an opportunity to submit comments. The city received correspondence of concern/objection, which triggered this hearing.

The hearing will proceed as follows: DSI staff will explain their review of the application and state their recommendation. The applicant will be asked to discuss their business plan. Members of the community will be invited to testify as to whether they object to or support the license application. At the end of the hearing, the Legislative Hearing Officer will develop a recommendation for the City Council to consider. The recommendation will come before the City Council as a resolution on the Consent Agenda; the City Council is the final authority on whether the license is approved or denied.

There are three possible results from this hearing: 1) a recommendation that the City Council issue this license without any conditions; 2) a recommendation that the City Council issue this license with agreed upon conditions; or 3) a recommendation that the City Council not issue this license but refer it to the city attorney's office to take an adverse action on the application, which could involve review by an administrative law judge.

Minutes:

Jeff Fischbach, Department of Safety and Inspections (DSI) - Licensing, gave a staff report for licensee Sweeney's LLC, (License ID# 20240001827), d/b/a Sweeney's Saloon, located at 96 Dale St N. The application is for Liquor On Sale - 181-290 Seats, Liquor On Sale Sunday, Liquor On Sale - 2 AM Closing, Liquor-Outdoor Service Area (Patio), Entertainment (B), and Tobacco Shop licenses. DSI is recommending approval without license conditions.

The District 8 Summit-University Planning Council submitted an email acknowledging receipt of the application. Building conditions, N/A; License approved; and Zoning approved.

The current license holder had a 2 AM license until 2022, when they choose to surrender it. They originally got that license in 2003.

Hearing Officer Vang asked about the Zoning review.

Frances Birch, Department of Safety and Inspections (DSI) - Zoning, gave a staff report. The area is zoned B2 – Community Business. This is a permitted use. A conditional use permit is required for bars of greater than 5,000 square feet to ensure compatibility with the neighborhood. There are no parking requirements associated with this application. There are no tobacco requirements either.

Hearing Officer Vang asked the applicant to talk about the business: history, hours of operation, number of employees, etc.

William Rolf: I have a purchase agreement to buy the building and don't have any intentions to change the way the business is operating. I want to maintain a good relationship with the neighbors. We are ready to close on the building as soon as the City gives us approval on the license as well.

Brian Alton: I represent the seller of both the business and the real estate being purchased by Rolf. He is a well-known member of the community, has a good reputation, and has operated several businesses in the area. We're supportive of his application. I personally am also supportive of Sweeneys's staying, as it's been around since it first opened in 1982.

Hearing Officer Vang: Could you talk about the 2am license?

Rolf: It would be nice to have the option if needed. It is currently open until midnight on weekdays and 1am on weekends. We would not stay open until 2am on weekdays.

Hearing Officer Vang: Where is the entertainment held?

Rolf: The first floor is not set up for entertainment. The second floor is 3,000 sq. ft. and is an event space. It does host music, so we do need that entertainment license. It's not used every day. Music entertainment may be on the first floor, but it would just be a single guitar player.

Hearing Officer Vang: What is the structure made of?

Rolf: Brick

Hearing Officer Vang: So that helps mitigate sound, then.

Rolf: I don't anticipate sound being an issue.

Hearing Officer Vang: Are you operating it yet?

Rolf: Not yet, but I will operate it in the same manner as it operates now. Once we close on the sale, I will take over operation. There won't be any break in operations.

Hearing Officer Vang: Will there be any renovations or staff changes?

Rolf: Nothing planned. I have some ideas but those would come later.

Hearing Officer Vang: How many staff are there?

Rolf: 27 people.

Hearing Officer Vang: Will you have security for late nights?

Rolf: No.

Hearing Officer Vang: Are you wanting to add any with the addition of a 2am license?

Rolf: I've operated a 2am licensed business before where bouncers were needed. This type of business likely won't attract those types of customers. If it's needed, I will hire one who can also check IDs, but I don't think it will be needed.

Hearing Officer Vang: Does your role also involve managing?

Rolf: I manage our general manager. I am the contact for community members. The general manager is Steve Uhl.

Hearing Officer Vang: Where did you have a 2am license?

Rolf: Downtown Minneapolis. I don't plan on doing that again.

Hearing Officer Vang: What is parking like?

Rolf: We have 20 spaces, some in back and some across the street. I would like to add parking, if possible, to mitigate neighborhood impact.

Hearing Officer Vang: Could you describe the patio location?

Rolf: It's between the structure and our back lot. It has a 12-foot masonry wall around it, which holds in sound.

Hearing Officer Vang: Are windows open in the summer?

Rolf: None of the windows open.

Hearing Officer Vang: How is seating done?

Rolf: People seat themselves and can enter through the patio. It's nice to have one point of access to check who's going in and out, so we can make that back entrance more difficult to access if it becomes an issue.

Hearing Officer Vang: Are patio hours the same as hours inside?

Rolf: Yes, if it doesn't become an issue. It stays open until 1am now.

Hearing Officer Vang: What is lighting like outside?

Rolf: We have no planned changes for outside lighting. The patio has string lights.

Hearing Officer Vang: So, you have no planned changes to current operations?

Rolf: Besides the 2am license, no. We won't keep it if it becomes an issue.

Hearing Officer Vang: Have you had any communications with the area district council?

Rolf: Yes. They like that I plan on keeping current operations. They have no issues with the 2am license, though they may not have noticed the addition.

Hearing Officer Vang: How is trash handled?

Rolf: We have a dumpster in the parking area.

Hearing Officer Vang: What day of the week is pickup?

Rolf: It's a smaller dumpster that might require every day pickup based on the food volume. We also recycle and could do organics if the City wanted.

Hearing Officer Vang: What is the situation with the tobacco license?

Fischbach: Most bars dropped the license, but with recent ordinance changes to reduce the number of tobacco shops, I don't suspect the licenses to be dropped from bars that have them, as they would not be able to get them back. This license also means that they can't sell flavored products.

Hearing Officer Vang: Is there a dedicated space or a machine to dispense them?

Fischbach: Tobacco is sold from behind the bar.

Rolf: It's a convenience thing for the customers.

Fischbach: Tobacco machines are all gone now too.

Hearing Officer Vang: Is there a dedicated smoking space on the patio?

Rolf: There's no smoking on the patio. People can go outside to smoke. It's not a profit thing. It currently accounts for less than 1% of sales.

Hearing Officer Vang: Where are things with your liquor insurance?

Rolf: It's approved, pending the license approval.

Hearing Officer Vang referred to the STAMP and police incident reports and encouraged the applicant to be aware of past issues with the property.

Rolf: We plan to have professional snow removal, which seems to come up.

Hearing Officer Vang: The STAMP report goes pretty far back and should help you become familiar with other issues facing the property as well.

Rolf: I can see a shift in number of calls in January and February of this year, when the manager changed.

Hearing Officer Vang: Will you be doing alcohol awareness training?

Rolf: I want staff to be aware of not overserving customers or serving underaged people. Training is planned to be biannual. Employees are all of age to handle alcohol.

Hearing Officer Vang next read into the record the letter of objection from Karen and Brian Chatt, 93 Kent Street, which voiced concerns about traffic and nuisance activity resulting from the 2 AM license. She then gave the applicant the opportunity to respond.

Rolf: Parking in the neighborhood is the biggest issue for us, and we try to be respectful to the neighborhood. I talked to auto shop nearby about using their parking late at night or adding other spots to reduce the number of customers walking in the neighborhood.

Hearing Officer Vang next read into the record the letter of objection received from Diane Marie Knott, 93 Kent Street, #5. This objection was received outside the notification period which voiced concerns about traffic and nuisance activity resulting from the 2 AM license. She then gave the applicant the opportunity to respond.

Rolf: This sounds like the same issue.

Hearing Officer Vang: When do you open?

Rolf: 11am.

Hearing Officer Vang: When is last call?

Rolf: For 1am closing, it would be 12:30am or 12:45am. Right now, only 10 people are usually there after midnight, since covid reduced the late-night numbers a lot. Hours right now are 11am – 12am on weekdays, 11am – 1am on weekends.

Hearing Officer Vang: Fischbach has also asked you to provide your Minnesota and federal Tax ID Number. Where are you on providing that information?

Rolf: I have that.

Hearing Officer Vang stated that after reviewing the records and considering the testimonies from all parties, she will recommend to the City Council that they approve the license with no conditions.

The hearing adjourned at 11:00 AM.