

## Item 24-1634: Alcohol Establishment Demerit Point Violations Safety and Licensing Committee

Wed, Jan 08, 2025, 5:30PM

### **Alderman Chris Croatt (District 14) 56:50**

All right, moving on to—on our agenda is a couple of demerit point violations, alcohol establishments. Broken Tree Pizza on River Heath Way dispensing to minors, no licensed operator on premise. So that's a total of 120. Mr. Frogs, 409 West College, under-aged person on premise, 80 points. Dispensing alcohol to a minor, 80 points. So that's 160 points total. I'm sorry I turned it off. **[Referencing microphone]** Go ahead.

### **Zak Buruin (Assistant City Attorney) 57:31**

My understanding is there have been summons issued to both of those license holders to appear before this committee to address those issues. One thing I will highlight is the point situation is a little bit deceptive because of the nature of the dispensing alcohol to minors violations. That is an odd one in which we are statutorily prohibited from taking licensing action against that individual unless there's another one of the same violations within the 12 months leading up to that. So it is properly noted as 160 points for Mr. Frogs. But that 160 points, because it includes one of those violations, there will not be a suspension based on that, because we're statutorily prohibited from doing so.

### **Alderman Chris Croatt (District 14) 58:15**

Okay, thank you. But both of them have been asked to come before the committee?

### **Zak Buruin (Assistant City Attorney) 58:20**

That is what Clerk Lynch tells me. Obviously, she can speak to that more directly. More directly.

### **Alderman Chris Croatt (District 14) 58:24**

Okay, all right—which we know that it's there's still their choice to come or not, and there's no penalty for not coming.

### **Zak Buruin (Assistant City Attorney) 58:30**

Indeed.

### **Alderman Chris Croatt (District 14) 58:31**

Okay, all right. Alder Schultz, yep.

### **Alderman Alex Schultz (District 9) 58:34**

Thank you, Chair. I just—I mean, I know this is an information item and not sure how to ask this question, but, I mean, I'm looking at two establishments and they seem somewhat different to me. Broken Tree has been in business for a year and a half now, and I'm not sure why they're finding themselves in this situation. Mister Frogs has a slightly different history with us in this committee. I guess the question I would have for anyone who could answer it is what is the—what's the city's approach to sort of tracking what our businesses are doing, and why are these institutions being cited for the—I mean, how is it that they are getting these citations? What's the process? Maybe that's a question that's a little bit too far off base, but I'm trying to understand. I know it's a little—

**Alderson Chris Croatt (District 14) 59:19**

Anybody wanna take that?

**Alderson Alex Schultz (District 9) 59:21**

—bit of a...

**Alderson Chris Croatt (District 14) 59:22**

What? District seven? Okay.

**Police Chief Polly Olson 59:25**

So the short answer to that is we do routinely—this has been for as many years as I can remember. We have a licensed premise team that does do checks at different times during the calendar year. When they check pretty much all establishments. It's not like we're targeting particular establishments to check licensing, but we have a team of officers that regularly do these routine checks, and in these instances, these two establishments were in violation, so they were issued citations.

**Alderson Alex Schultz (District 9) 1:00:01**

So there's violations that obviously result in these demerit points. Are there—again, I can't because it's not actually—I feel like are there any other interactions that these establishments are having with APD that hasn't resulted in demerit points, but that there's stuff happening with these—my particular concerns with Mr. Frogs given our history with that establishment.

**Police Chief Polly Olson 1:00:25**

I would be able to safely say that the activities that are happening at Mr. Frogs are consistent with some of the other establishments in the downtown that we've had issues with in the past.

**Alderson Alex Schultz (District 9) 1:00:39**

Good enough. I'll leave it at that.

**Alderson Chris Croatt (District 14) 1:00:41**

All right, okay, any other, any other questions or comments on those noted informational violations? Okay, not seeing any. Alder Fenton, no? Okay.