

JASPER CITY COUNCIL MINUTES

Special Meeting – Hall Rental Agreement-March 11, 2025

The Jasper City Council of the City of Jasper met in-person on **Tuesday, March 11, 2025 at 6:00pm.**

Members present:

Mayor Kim Lape; Council members: Deb Plahn, Zach Kounkel, Tim Houg, Stacie Smith;

Employees present: Admin/Clerk-Treas: Trinidad Garcia, Deputy Clerk/Treas: Maggie Erickson;

Public Works Superintendent: Brian Thode

Pipestone Star: Kyle Kupal;

Community members: Cynthia Jamison, Doug Tillma, Jeff & Carol Johnson, Jerry Tower, Julie Meyer, Lisa Kounkel, Cathy Bryan, Amy Hamann, Aaron Lape, Jeff Carstensen, Alexis DeGroot, Vince & April Brouwer, Stan Williamson, Angel Garcia

Mayor Kim Lape called the Special Meeting to order at 6:00pm followed by the Pledge of Allegiance;

Agenda Approval:

Removed: N/A

Added: N/A

Hall Rental Agreement

Mayor Lape explained that the meeting was to discuss alcohol consumption in the hall and the rules that apply.

Council member Kounkel asked if Council never approved changes why is there no alcohol signs in the hall. Deputy Clerk confirmed that no such signs are up in the hall and questioned what signs he had seen in the hall. Council member Kounkel stated that they just need to come up with a solution because people don't want to rent the hall. Council member Plahn stated that the issue is not to have alcohol in the hall, but the City needs to abide to the rules of the state of MN by having a licensed liquor holder serve alcohol with a catering license. Council member Kounkel explained he the need for large parties with a 100 people that they should sign an agreement, but for a small party of 20 people that they should be able to have beer if they want to and that it has been that way for 40 years. Council member Plahn shared that if a party of 20 people had someone who left intoxicated and falls down the stairs, who would be responsible. The Public stated the person who rented the hall. Council member Kounkel stated that the renter will have to sign a waiver that the City is not liable. Amy Hamann asked to address Council. With the ok to speak, Amy stated that she spoke to an inspector and she was told the licensed liquor holder does not need a catering license because they do not serve food. The Bar would need a special event license for the event

to serve alcohol at the hall and charge the City a fee and include the City under their insurance. Amy received a document from their inspector that will allow using a MN State Statute to allow for serving of alcohol by updating City Ordinance. Council member Plahn questioned why the bar would charge the City. Jason Johnson from the Public responded that the Bar would charge the renter. City Admin stated that the Bar would need to add the City as an additional insurer for the event. City Admin explained that she spoke to Randy Claussen from Kozlowski and was told that the City only holds liability insurance on the Hall and the City does not carry liquor liability insurance. If someone were to be injured due to alcohol consumption the City's insurance will not cover and the City would take a direct hit. City Admin spoke to the Kellie Murray/Liquor License Supervisor and was told if an establishment has a liquor license that covers them for their actual establishment, if they want to serve at a location off site they will need a catering license. Kellie Murray referenced MN Statute Social Host Liability and the person providing the alcohol is held responsible. City Admin also shared with Council the terms that are included in the Hall Rental agreement and read out loud the terms:

Alcohol-NO OUTSIDE ALCOHOLIC BEVERAGE OF ANY KIND ALLOWED. *Alcohol may only be served in the rental facility by Stonewall Bar & Grill. If the renting party wishes to serve free alcoholic beverages, they must be served and purchased by and from Stonewall Bar & Grill. Beverages are not permitted outside the building. Liquor laws of the State of Minnesota and the City of Jasper prohibit consumption of alcohol by anyone under the age of 21 years. Alcoholic beverages will not be served to anyone that is obviously intoxicated. Stonewall Bar & Grill will be responsible for the security officer (does not need to be a licensed officer of the law) that will be an employee of Stonewall Bar & Grill. The primary duty of the security officer is to see that the State of Minnesota liquor laws are abided by and to observe and prevent potential problems that may arise. If the security officer cannot handle the problem, they are instructed to call Pipestone County Law Enforcement for assistance.*

After she explained that the Stonewall Bar was suppose to serve alcohol at the bar and at some point, individuals were told they can have alcohol, but they will need to purchase alcohol from the Stonewall Bar only. Cathy Bryan from the Public asked when this was put into place and City Admin explained that the rental agreement paperwork was in place prior to her working with the City. It was explained that last year someone inquired about having a dance at the hall and wanted to obtain a 3.2 liquor license. The State was contacted regarding the license request and the state explained that a catering license was needed with a liquor license. This was brought to Council to review and legal was consulted. Our legal support at the time did not give much direction and the Stonewall bar was in the process of wanting to move the bar to a location across the street, so Council wanted to work through that process first. This whole issue has gone to far and was not intended to become what is became today. City Admin gave her opinion that the whole process needs to be review and City's legal will need to be consulted to help put a process in place. Council member Smith asked if Community input should be taken in the current special meeting. City Admin explained that the special meeting was intended to share information with Council and open to the public to listen, but it was not an open public hearing. Mayor Lape addressed the Council and references the City of Pipestone's agreement and Pipestone is following MN Statute:

340A.404 INTOXICATING LIQUOR; ON-SALE LICENSES.

Subd. 4. Special provisions; sports, conventions, or cultural facilities; community festivals.

(a) The governing body of a municipality may authorize a holder of a retail on-sale intoxicating liquor license issued by the municipality or by an adjacent municipality to dispense intoxicating liquor at any convention, banquet, conference, meeting, or social affair conducted on the premises of a sports, convention, or cultural facility owned by the municipality or instrumentality thereof having independent policy-making and appropriating authority and located within the municipality. The licensee must be engaged to dispense intoxicating liquor at an event held by a person or organization permitted to use the premises, and may

dispense intoxicating liquor only to persons attending the event. The licensee may not dispense intoxicating liquor to any person attending or participating in a youth amateur athletic event, for persons 18 years of age or younger, held on the premises.

(b) The governing body of a municipality may authorize a holder of a retail on-sale intoxicating liquor license issued by the municipality to dispense intoxicating liquor off premises at a community festival held within the municipality. The authorization shall specify the area in which the intoxicating liquor must be dispensed and consumed, and shall not be issued unless the licensee demonstrates that it has liability insurance as prescribed by section 340A.409 to cover the event.

They are also having their Council approve each event that wants alcohol and this is with their attorney's approval. Mayor Lape wants to follow Pipestone's approach for the hall agreement; by getting Council's approval to have alcohol, renter provides liquor liability insurance through their homeowners policy or using Gather Guard. Council all agreed on this and wants to move forward put a policy in place that is right and with legal's input. Council member Smith suggest having the City attorney draw up a contract and include the liquor liability proof of insurance. Mayor Lape stated Damian Sandy was going to attend a meeting but could not, due to other obligations. Council member Plahn had other concerns with Council approving agreements, since Council only meets once a month and then having to call special meetings all the time. Cathy Bryan from the public suggested having a couple of Council members available on call to approve and then take turns rotating. Council member Kounkel asked if a limit of under 50 people can be put in place to have alcohol. It was asked from the public if a renter wanted to have a cater for food and alcohol that it would be approved as long as the cater had a liquor license, insurance, and a caters license.

Mayor Lape suggested that the City would want to include the part of not consuming alcohol in the parking lot or sidewalk areas of the hall. City Admin referenced that other sample hall agreements from neighboring City's all had common policies. A motion was made to work with the City Attorney to draw up a contract and include liquor liability insurance from the renter.

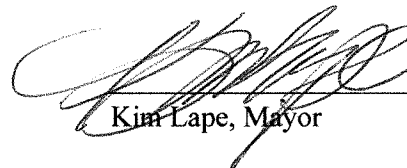
Motioned by: Plahn 1st/Smith 2nd. All ayes followed

Council member Kounkel asked to have the attorney clarify the liquor license and catering license requirements.

Amy Hamann shared that she is going to ask the inspector about the catering license so the Bar knows what they will need to serve at the Hall and ask for it in writing to share with Council.

Smith motioned to adjourn, Plahn seconded all ayes, carried; regular meeting adjourned at 6:22 p.m.


Trinidad Garcia City Admin/Treas. 4-8-25
Date


Kim Lape, Mayor 4-8-25
Date