



**ALBERTVILLE CITY COUNCIL SPECIAL MEETING
JUNE 22, 2009
MINUTES**

ALBERTVILLE CITY HALL

7:00 PM

ROLL CALL

PRESENT: Mayor Ron Klecker, Council members Tom Fay, John Vetsch, Dan Wagner, and Larry Sorensen, City Administrator Larry Kruse

ABSENT: none

OTHERS PRESENT: John and Kelly Mabusth, Full Moon Saloon and Sgt. Butch Darsow, Wright County Sheriff's Office.

CALL TO ORDER

Mayor Klecker called the special meeting to order to discuss alleged noise ordinance violations related to the door being propped open when live music was playing at the Full Moon causing a nuisance to the neighborhood.

Full Moon Saloon owner John and Kelly Mabusth were present for the meeting. Mr. and Mrs. Mabusth stated they have tried really hard to keep the bars doors closed and have directed the band to keep the music volume down to a reasonable level. Mabusth stated that he does not hire bands back if they don't comply with his request to keep the music volume reasonable.

The Council reviewed an e-mail from the Wright County Sheriff's Department outlining that they responded to a complaint and that they found the door propped open with a 2" x 4" board. The Sheriff's Department issued a verbal warning to not prop the door open. The e-mail noted that customers frequently come and go resulting in the door being open a lot when it is busy even if the door is not propped open.

City Administrator Kruse stated that the City had received a number of verbal complaints about loud music coming from the Full Moon. City Administrator Kruse visited with City Attorney Mike Couri and identified several options for the Council to consider as follows:

- 1) Issue a fine (possibly following the fine schedule for compliance checks-serving minors - \$500 first offense, \$1,000 second offence, \$2,000 third offence and loss of license)

- 2) Issue a warning
- 3) Amend the ordinance to require establishments hosting live music and DJ's to have a double door or entry to contain the music or noise.
- 4) Establish an Ordinance limiting the hours bands can play with a single door (no entry).
- 5) Any combination of the above or do nothing.

The City Council stated they appreciated the Full Moon business in Albertville. The Council values all businesses; however felt very strongly that the City did not want establishments like the Full Moon negatively impacting the neighborhoods where they reside. The Council by consensus decided to issue a strong warning to Mr. and Mrs. Mabusth stating that if the City finds the Full Moon doors being propped open and/or loud music emanating from the business, the Council will pursue one of the above options. Further, they directed the Sheriff's Department to issue an Ordinance Violation if they respond to complaints and find the Full Moon in violation of the Ordinance.

ADJOURNMENT

MOTION BY Council member Wagner, seconded by Council member Sorensen to adjourn the June 22, 2009 meeting at 7:50 p.m. Motion carried unanimously.

Larry Kruse, City Administrator (recording secretary)