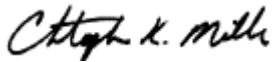


REQUEST FOR COUNCIL ACTION

Date: 7/07/2014
Item No.: 11.a

Department Approval



City Manager Approval



Item Description: Public Hearing to Consider the Transfer of an Off Sale Liquor License to Yangsons, Inc (Hamline Liquors)

BACKGROUND

Yangsons, Inc. is in the process of purchasing the Hamline Liquors store located at 2825 Hamline Avenue N. Yangsons, Inc. intends to begin operating under the existing trade name, Hamline Liquors, upon the transfer of the license.

Recognizing that the City permits a maximum of ten off-sale liquor licenses, all of which are currently in use, Thanh V. Hoang has agreed to forfeit the rights to his off-sale liquor license upon City Council's approval of the transfer. The license will then be transferred to Yangsons, Inc. for the remainder of 2014.

Under State Statute 340A.412 and City Code Chapter 302.07B, the acquisition of an existing off-sale retail location is effectively categorized as a transfer of an existing license; for which City Council consent is required. The City Code reads as follows:

***Person and Premises Licensed; Transfer:** Each license shall be issued only to the applicant and for the premises described in the application. No license may be transferred to another person or place without City Council approval. Before a transfer is approved, the transferee shall comply with the requirements for a new application. Any transfer of the controlling interest of a licensee is deemed a transfer of the license. Transfer of a license without prior City Council approval is a ground for revocation of the license. (Ord. 972, 5-13-1985) (Ord. 1390, 3-29-2010)*

Specific to City Code, Yangsons, Inc.'s application materials are considered complete and in full compliance with City documentation requirements.

POLICY OBJECTIVE

State Statute and City Code permit the transfer of a liquor license with City Council consent.

FINANCIAL IMPACTS

Not applicable.

STAFF RECOMMENDATION

City Staff recommends that the City Council approve the transfer of the off-sale liquor license from

31 Thanh V. Hoang to Yangsons, Inc.

32 **REQUESTED COUNCIL ACTION**

33 Motion to approve the transfer of the off-sale liquor license to Yangsons, Inc. for the remainder of the
34 2014 calendar year.

35

Prepared by: Chris Miller, Finance Director

Attachments: A: Application from Yangsons, Inc. (Hamline Liquors)



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
 444 Cedar St., Suite 222, St. Paul, MN 55101-5133
 (651) 201-7507 FAX (651) 297-5259 TTY (651) 282-6555
 WWW.DPS.STATE.MN.US



APPLICATION FOR OFF SALE INTOXICATING LIQUOR LICENSE

No license will be approved or released until the \$20 Retailer ID Card fee is received

Workers compensation insurance company, Name Corporate 4 Insurance Agency Policy # 1207882
 Licensee's MN Sales and Use Tax ID # 342-7421 To apply for a MN sales and use tax ID #, call (651) 296-6181
 Licensee's Federal Tax ID # 46-5062492

If a corporation, an officer shall execute this application If a partnership, a partner shall execute this application.

Licensee Name (Individual, Corporation, Partnership, LLC) <u>Yangsons, Inc</u>		Social Security #		Trade Name or DBA <u>Hamline Liquors, Inc</u>	
License Location (Street Address & Block No.) <u>2825 Hamline Ave. N.</u>		License Period From To		Applicant's Home Phone #	
City <u>Roseville</u>		County <u>Ramsey</u>	State <u>MN</u>	Zip Code <u>55113</u>	
Name of Store Manager <u>Sia Saeyang</u>		Business Phone Number <u>651-639-1369</u>		DOB (Individual Applicant)	

If a corporation or LLC state name, date of birth, Social Security # address, title, and shares held by each officer. If a partnership, state names, address and date of birth of each partner.

Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Address, City, State, Zip Code
<u>Sia Saeyang</u>			<u>President</u>	<u>10</u>	
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Address, City, State, Zip Code
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Address, City, State, Zip Code
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Address, City, State, Zip Code

1. If a corporation, date of incorporation 2-11-14, state incorporated in MN, amount paid in capital _____. If a subsidiary of any other corporation, so state _____ and give purpose of corporation _____. If incorporated under the laws of another state, is corporation authorized to do business in the state of Minnesota? ☐ Yes ☒ No
2. Describe premises to which license applies; such as (first floor, second floor, basement, etc.) or if entire building, so state.
First floor
3. Is establishment located near any state university, state hospital, training school, reformatory or prison? ☐ Yes ☒ No If yes state approximate distance. _____
4. Name and address of building owner: Mid-America Real Estate-Minnesota, LLC
5353 Wayzata Blvd, Ste 650, Minneapolis, MN 55416
Has owner of building any connection, directly or indirectly, with applicant? ☐ Yes ☒ No
5. Is applicant or any of the associates in this application, a member of the governing body of the municipality in which this license is to be issued? ☐ Yes ☒ No If yes, in what capacity? _____
6. State whether any person other than applicants has any right, title or interest in the furniture, fixtures or equipment for which license is applied and if so, give name and details. _____
7. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the state of Minnesota?
☐ Yes ☒ No If yes, give name and address of establishment. _____

8. Are the premises now occupied or to be occupied by the applicant entirely separate and exclusive from any other business establishment? ☒ Yes ☐ No
9. State whether applicant has or will be granted, an On sale Liquor License in conjunction with this Off Sale Liquor License and for the same premises. ☐ Yes ☒ No ☐ Will be granted
10. State whether applicant has or will be granted a Sunday On Sale Liquor License in conjunction with the regular On Sale Liquor License. ☐ Yes ☒ No ☐ Will be granted
11. If this application is for a County Board Off Sale License, state the distance in miles to the nearest municipality. _____
12. State Number of Employees 2
13. If this license is being issued by a County Board, has a public hearing been held as per MN Statute 340A.405 sub2(d)? _____
14. If this license is being issued by a County Board, is it located in an organized township? **If so, attach township approval.**

1. State whether applicant or any of the associates in this application, have ever had an application for a liquor license rejected by any municipality or state authority; if so, give dates and details. NO
2. Has the applicant or any of the associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give dates and details. NO
3. Has applicant, partners, officers, or employees ever had any liquor law violations or felony convictions in Minnesota or elsewhere, including State Liquor Control penalties? ☐ Yes ☒ No If yes, give dates, charges and final outcome.
4. During the past license year, has a summons been issued under the Liquor Civil Liability Law (Dram Shop) M.S. 340A.802. ☐ Yes ☒ No If yes, attach a copy of the summons.

This licensee must have one of the following:

(ATTACH CERTIFICATE OF INSURANCE TO THIS FORM.)

Check one

- ☒ A. Liquor Liability Insurance (Dram Shop) - \$50,000 per person, \$100,000 more than one person; \$10,000 property destruction; \$50,000 and \$100,000 for loss of means of support.
- or ☐ B. A surety bond from a surety company with minimum coverage as specified in A.
- or ☐ C. A certificate from the State Treasurer that the licensee has deposited with the state, trust funds having market value of \$100,000 or \$100,000 in cash or securities.

I certify that I have read the above questions and that the answers are true and correct of my own knowledge.

Print name of applicant & title

Signature of Applicant

Date

Sia Saeyang / President

Sia Saeyang

6-12-14

REPORT BY POLICE/SHERIFF'S DEPARTMENT

This is to certify that the applicant and the associates named herein have not been convicted within the past five years for any violation of laws of the State of Minnesota or municipal ordinances relating to intoxicating liquor except as follows:

Police/Sheriff's Department

Title

Signature

County Attorney's Signature

PS 9136-(2009)

IMPORTANT NOTICE

All retail liquor licensees must register with the Alcohol, Tobacco Tax and Trade Bureau.
For information call (513) 684-2979 or 1-800-937-8864

June 11, 2014

City of Roseville
2660 Civic Center Dr.
Roseville, MN 55113

To whom it may concern,

I, Thanh Hoang, hereby state that I will be selling Hamline Liquor to Sia Saeyang pending the City's approval of the transfer of the existing off-sale liquor license and the final closing of the business. I relinquish any and all rights to the license upon the approval of the transfer.

Sincerely,

 6/11/14
Thanh Hoang