

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

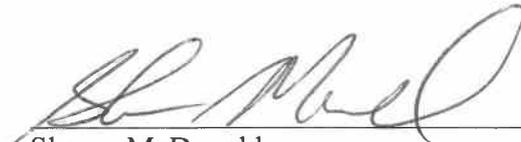
Shawn McDonald, being first duly sworn, deposes and says that on the 10th day of November, he served the attached **NOTICE OF VIOLATION AND REQUEST FOR UPWARD DEPARTURE TO \$1000 MATRIX PENALTY** and a correct copy thereof in an envelope addressed as follows:

Anvil Properties Inc.
d/b/a The Foundry Pub
1201 Jackson Street
Saint Paul, MN 55117
Attn: Matthew Scott Pirkl

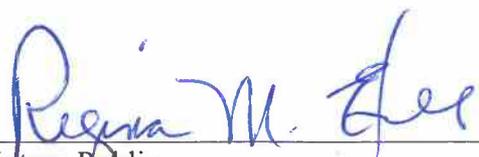
Matthew Scott Pirkl
301 Dayton Avenue Apt 12
Saint Paul, MN 55102

Kerry Antrim, Executive Director
North End Neighborhood Organization
171 Front Avenue
Saint Paul, MN 55117

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Shawn McDonald

Subscribed and sworn to before me
This 10th day of November 2021


Notary Public





November 10, 2021

NOTICE OF VIOLATION AND
REQUEST FOR UPWARD DEPARTURE TO
\$1000 MATRIX PENALTY

Anvil Properties Inc.
d/b/a The Foundry Pub
1201 Jackson Street
Saint Paul, MN 55117
Attn: Matthew Scott Pirkl

RE: Liquor On Sale – 100 seats or less, Liquor On Sale – Sunday, and Gambling location license held by Anvil Properties Inc. d/b/a The Foundry Pub for the premises located at 1201 Jackson Street in Saint Paul.
License ID #: 20040004132

Dear Matthew Scott Pirkl:

The Department of Safety and Inspections (“Department”) will recommend adverse action against the Liquor On Sale – 100 seats or less, Liquor On Sale – Sunday, and Gambling location license held by Anvil Properties Inc. (“Licensee”) for the premises known as The Foundry Pub located at 1201 Jackson Street in Saint Paul. (“Licensed Premises”).

Saint Paul Legislative Code Section 310.06 sets forth a variety of reasons under which adverse actions be based. Adverse Action can be (among other items) the imposition of conditions upon a license or a fine.

- Section 310.06(6)(a) allows for adverse action when “The licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has violated, or performed any act which is a violation of, any of the provisions of these chapters or of any statute, ordinance or regulation reasonably related to the licensed activity, regardless of whether criminal charges have or have not been brought in connection therewith”.



- Section §310.06(8) allows for adverse action when “The licensed business, or the way in which such business is operated, maintains or permits conditions that unreasonably annoy, injure or endanger the safety, health, morals, comfort or repose of any considerable number of members of the public.”

Saint Paul Legislative Code Section 310.05 (m)(1) lays out the presumptive penalty matrix for violations of a license condition placed on the license. The penalty matrix laid out in 310.05 (m)(1) prescribes a \$500 fine for a first violation.

Although matrix penalties are presumed to be appropriate, Saint Paul Legislative Code Section 310.05 allows council to upwardly depart where the council finds that there are substantial and compelling reasons to do so.

The Department believes that substantial and compelling reasons to upwardly depart one box on the matrix penalty to \$1,000 and request additional license conditions exists in this case. They believe that these substantial and compelling reasons include:

- Complaints of excessive noise while patrons are leaving the bar after 10pm.
- The assault of a customer by staff on April 24, 2021 which included striking a patron with a bottle on the head, which broke, causing injury.
- Denying Saint Paul Police Officers entry into the bar on April 24, 2021.
- Problems of trash and litter, loitering and drinking in the parking lot.

On May 20, 2021, the Department of Safety and Inspections sent you a letter requesting surveillance video from the licensed premises of the following dates and time: April 24, 2021, 9:00 pm to 11:00 pm and April 25, 2021, 9:00 pm to 11:00 pm.

On May 27, 2021, after retrieving the surveillance video Inspector Joseph Voyda from the Department of Safety and Inspections reviewed the surveillance video. He noted the following violations:

- Smoking within 25 feet of the bar against the Ramsey County Clean Indoor Air ordinance
- Police officers who were responding to a call for service being denied immediate entry into the bar.



- The assault of a Customer who threw a drink at the bartender by a bartender who struck the customer over the head with a bottle of alcohol, breaking it and causing injury to the customer.

The Department has proposed the following license conditions due to multiple violations of the current conditions on the licensed premises on April 24, 2021.

The Department believes that the proposed license conditions will sufficiently improve safety and help ensure the well-being of staff, patrons and the surrounding community. The Department also believes that the imposition of these conditions will provide a deterrent for those who impose a threat to public safety, assist with managing the trash and litter issues, address the community complaints related to excessive noise from customers leaving the bar and always allow police officers access to the bar.

1. License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder will submit the video surveillance plan to the Saint Paul Police Department (SPPD) liaison with the Department of Safety and Inspection (DSI) for review and approval. In accordance with the approved video surveillance plan, license holder will ensure that video surveillance camera system is in good working order, ensure it is recording 24 hours per day, ensure it can produce recorded surveillance video in a commonly used, up-to-date format, and ensure that accurate date and time of day are visible on all recorded video. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, license holder shall make surveillance video immediately available for viewing by SPPD. If a copy of the surveillance video for a serious incident is requested by SPPD, license holder shall have the technology, materials and staff available to immediately make the copy. In all other cases, license holder shall provide a copy of the surveillance video to the requestor within 48 hours.

2. License holder will use an identification card scanner system to record and retain for a minimum of thirty (30) days the identification of all patrons who enter or re-enter the licensed establishment after 10:00 p.m. until closing during any day of operation. If an incident is deemed serious by SPPD, license holder shall make identification card scanner information immediately available for viewing by SPPD. In all other cases, license holder shall provide recorded card scanner information to the requestor within 48 hours.



3. License holder shall retain clearly identifiable security personnel. Clearly identifiable security personnel shall mean a uniform or marked outerwear. Security personnel shall be assigned to each entrance/exit of the license premises starting at 10:00 p.m. during any day of operation and shall remain until all patrons have left the property of the licensed business. While on duty security personnel shall screen each patron upon entry using a metal detection device and check all handbags and packages carried by patrons to effectively detect and prohibit weapons from entering the licensed premises. The requirement to screen patrons includes those who have left for any duration of time and return to re-enter the licensed premises. Security personnel shall verify the age of patrons by checking state or federally issued photo identification cards using the method outlined in condition #2. License holder shall establish and require that security personnel enforce a no picture identification/no entrance policy.
4. Security or staff will conduct outside sweeps of the building and parking lot at least twice an hour to disperse and discourage loitering from 9:00 p.m. during any day of operation until closing and shall remain at the licensed premises until all patrons have left the property/parking lot. All customers/patrons must be off the property/parking lot within 15 minutes after closing time.
5. License holder will remove any litter, trash, debris, or similar materials around exterior of licensed premises daily.
6. Signage shall be prominently posted at all exits stating, "You are exiting into a residential neighborhood – please leave quietly".

As the Licensee you have four (4) options:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **November 24, 2021**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council Consent Agenda for approval of the proposed remedy and imposition of the additional conditions on your license.
2. You can admit to the violation and pay the \$1,000.00 matrix penalty and sign the additional license conditions. If this is your choice, send the payment directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **November 24, 2021**. A self-addressed envelope



is enclosed for your convenience. Payment of the \$1,000.00 matrix penalty and your signature on the additional conditions will be considered a waiver of the hearing to which you are entitled.

3. If you wish to admit the facts but you contest the \$1,000.00 matrix penalty and/or the additional license conditions, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing no later than **November 24, 2021**. The matter will then be scheduled before the City Council to determine whether to impose the \$1,000.00 matrix penalty and/or the additional license conditions. You will have an opportunity to appear before the Council and make a statement on your own behalf.

4. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **November 24, 2021**. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a public hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation.

Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing, per Saint Paul Legislative Code § 310.05 (k).

If you have not contacted me by November 24, 2021, I will assume that you do not contest the imposition of the \$1,000.00 matrix penalty and the additional license conditions. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please contact Shawn McDonald, my Legal Assistant at (651) 266-8729.

Sincerely,

Therese Skarda
Assistant City Attorney
License No.: 0240989



cc: Matthew Scott PirkI; 301 Dayton Avenue Apt 12; Saint Paul, MN 55102
Kerry Antrim, Executive Director, North End Neighborhood Organization, 171 Front
Avenue, Saint Paul, MN 55117

Attachments: Screenshots from EClips System
STAMP – Ownership/Zoning Information
License Group Conditions Text
License Group Comments Text
Adverse Action Comments Text
Surveillance Video Observations
May 20, 2021 Request for April 24, 2021 Surveillance video
List of Proposed license Conditions with DSI Inspector Joseph Voyda notes

Properties For License 1201 JACKSON ST

Licensee: ANVIL PROPERTIES INC
DBA: THE FOUNDRY PUB

License Licensee Lic. Types Insurance Bond Requirements

Licensee Name: ANVIL PROPERTIES INC
DBA: THE FOUNDRY PUB
Sales Tax Id: ***** Non-Profit: Worker's Comp: 00/00/0000
AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000
AA Fee Collected: 00/00/0000 Discount Rec'd:

Other Agency Licenses

Other Licensing Agency Name / License Type	License #	Expiration
State of Minnesota / Optional 2AM Closing Lice	15794	10/07/2007
Ramsey County / Smoke-Free Restaurant (Bar Bar)		06/30/2006

Financial Hold Reasons

Reason	Active	Date
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Contacts for this Licensee

Last Name	First Name	Title	Bus. Phone	Home Phone	Contact Address
PIRKL	MATTHEW SC	OFFICER	(651) 489-6310 () -		1203 JACKSON ST
PIRKL	MATTHEW SC	OFFICER	(651) 489-6310 () -		1203 JACKSON ST
PIRKL	JAMES ROBE	PRESIDENT	(651) 489-6310	(651) 686-4714	1825 WARRIOR DR
PIRKL	MATTHEW SC	OFFICER	(651) 489-6310	(651) 214-4176	301 DAYTON AVE

Background Check Required Contact Properties...

License # 040004132 Save Changes to History OK Cancel Help

Properties For License 1201 JACKSON ST

Licensee: ANVIL PROPERTIES INC
DBA: THE FOUNDRY PUB

License Licensee Lic. Types Insurance Bond Requirements

Licensee Name: ANVIL PROPERTIES INC
DBA: THE FOUNDRY PUB
Sales Tax Id: ***** Non-Profit: Worker's Comp: 00/00/0000
AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000
AA Fee Collected: 00/00/0000 Discount Rec'd:

Other Agency Licenses

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Ramsey County / Smoke-Free Restaurant (Bar Bar)		06/30/2006

Financial Hold Reasons

Reason	Active	Date
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Contacts for this Licensee

Contact Address	City	Zip	DOB	Last Check
1203 JACKSON ST	ST PAUL	55117	11/04/1969	09/17/2004 P-62
1203 JACKSON ST	ST PAUL	55117	11/04/1969	09/17/2004 P-62
1825 WARRIOR DRIVE	MENDOTA HTS	55118	01/27/1939	09/17/2004
301 DAYTON AVE APT 12	ST PAUL		11/04/1969	09/17/2004 P-62

Background Check Required Contact Properties...

License # 040004132 Save Changes to History OK Cancel Help

STAMP - Ownership / Zoning Information

[New Search](#)

[Help using this report](#)

Run Date: 10/13/21 03:58 PM

House#:

Last updated from Ramsey County data on:

Street Name:

Click on "Other Application" links below to access GISmo, MapIT, and Ramsey County Info

1201 Jackson St - The Foundry Pub - 55117-4611 - [Other Applications](#)

PIN: 192922340055

Census Tract: 30500 Census Block: 3016

Council Ward: 5 District Council: 6

Year Built:

Foundation Sq Feet: Loan Company:

Land

Building

Value: 85600

Value: 55000

Unverified Usage: 10- GENERAL RETAIL & SVC- B- Commercial

ISP:

Units: 1

Zoning: B3

Legal Desc: DAWSON'S FOURTH ADDITION,TO ST LOTS 45 THRU LOT 48 BLK 1

Owner:

Matthew S Pirk|James R Pirk|
1201 Jackson St
St Paul MN 55117-4611
651-686-4714

Homesteader:

Matthew S Pirk|
1201 Jackson St
St Paul MN 55117-4611

Certificate of Occupancy Responsible Party:

Foundry Pub
1201 Jackson St
St Paul MN 55117
651-489-6310

* Disclaimer: Homesteader data is only updated by Ramsey County AS OF THE BEGINNING OF THE CALENDAR YEAR. So this may not be the current homesteader.

License Group Conditions Text

10/13/2021

Licensee: ANVIL PROPERTIES INC

DBA: THE FOUNDRY PUB

License #: 20040004132

1. Pursuant to requirements of the Public Works Traffic Division, the existing curb cut to the parking lot, on Jackson St. shall be widen to (24)twenty-four feet. The proposed addition will disrupt the existing maneuvering area in the parking lot near the driveway and so widening this curb-cut is necessary to provide more maneuvering area for vehicle leaving or exiting the parking lot.
2. Modification to the drive must be completed before a Certificate of Occupancy will be issued for the building addition and before final approval is given, by this office, to expand the liquor service to the new area.
3. Construction of the drive must be done under a curb-cut permit issued by the Public Works Sidewalk Division. Actual construction must be done by a masonry contractor license, by Public Works.

Licensee: ANVIL PROPERTIES INC

DBA: THE FOUNDRY PUB

License #: 20040004132

5/25/2021 Went to the property to retrieve video from a request letter sent on 5-20-2021 JNV
 5/20/2021 Letter for voluntary video request sent by LM EH entered in by JNV
 4/16/2021 Spoke to Mike Lavalie about the ongoing problems in the parking lot. I reminded him that he needs to control parking lot issues and must submit a new license application due to the license holders death. JNV
 02/02/2021 Letter & revised invoice sent that COVID 25% reduction incorrectly applied twice resulting in 2nd half fee owed of \$2,978 (NOT \$1,834 as originally invoiced). JWF
 10/08/2020 State took corrective measures for Covid compliance. RJH
 08/18/2020 Reduced fee COVID 90-day grace prd. liq. 2nd half invoice mailed 07/18/2020 due date. JWF
 12/12/2018 Conducted Gambling inspection JNV
 10/27/2014 Payment rovd. auth. to adjust form submitted to waive \$45 late fee (created 10/06/2014). JWF
 10/14/2014 Spoke with Jim PirkI, told him \$480 still owed on license. Explained payment due 10/24/2014, or all late fees will be owed. Explained no payment plans permitted any longer. Letter sent (see document under AMANDA folder 04-144952), will follow-up with enforcement action if 2nd late fee incurred. JWF
 08/30/2014 Paid \$2,100.00 towards 1st half fees due. LAB
 01/23/14 Rec'd \$260.00 towards payment plan. Licenses now paid in full. LAB
 12/28/2013 Rec'd \$660.00 payment towards payment plan. Balance remaining = \$260.00. LAB
 11/21/2013 Rec'd \$660.00 payment towards payment plan. Balance remaining = \$920.00. LAB
 10/10/2013 Rec'd \$1,000.00 payment towards first half fees due. Balance remaining = \$1,580.00. LAB
 10/10/2013 Payment Plan set up for first half fees due per Kris. Four (4) payments of \$645.00 due 10/20/13, 11/20/13, 12/20/13, 1/20/14. LAB
 03/21/2013 Weapons warning sent by CAO based on CN13625322. CAR
 03/28/2013 Rec'd \$1,000.00 partial payment on second half. Balance remaining = \$1,282.00 LAB
 02/07/2013 CN13625322 indicates that a patron had a gun in the establishment. To CAO for weapons warning. CAR
 01/30/2013 Hand deliv. delinq. invoice.KS
 10/29/2012 Paid partial payment of \$1,160.00. Balance remaining = \$1,000.00. LAB
 10/02/12 Paid partial payment of \$1,000.00. Balance remaining = \$2,160.00. LAB
 03/02/2012 Rec'd \$759.50 for payment #4 of 4. Payment Plan now paid in full. LAB
 02/07/2012 Rec'd \$459.50 for payment #3 of 4. Balance remaining = \$759.50. LAB
 01/24/2012 Rec'd \$300.00 for partial payment of payment #3 of 4. Balance remaining = \$1,219.00. LAB
 01/17/2012 Payment Plan revised. Balance of \$1,519.00 divided into two payments of \$759.50 due 2/3 and 3/3/2012. LAB
 01/03/2012 Rec'd \$1,519.00 for payment #1 of 2. Balance remaining = \$1,519.00. LAB
 12/22/2011 Payment Plan set up. Two payments of \$1,519.00 due 1/3/12 and 2/3/12. LAB
 12/20/2011 Rec'd \$282.00 for remaining fee of last year's license fees. LAB
 12/5/11 delivered 2 delinq. invoices. One for last years remaining fees and the 1st 1/2 for this year. KS
 08/27/2011 Rec'd partial payment for 1st half fee (\$825). 3,160 - 825 = \$2,335.00 remaining. LAB
 05/18/2011 Rec'd partial payment for 2nd half fee (\$1,000.00). \$1,282.00 - 1,000.00 = \$282.00 balance due (plus late fees). LAB
 04/28/2011 Rec'd partial payment for 2nd half fee (\$1,000.00). \$2,282.00 - 1,000.00 = \$1,282.00 balance due (plus late fees). LAB
 4/22/11 Hand delv. delinq. 2nd 1/2 invoice KS
 01/19/2011 \$2,000.00 rovd for fine. ES
 /6/2011 Notice of Violation by CAO to licensee for employee's conviction for sale of drugs to undercover SPPD at establishment on 8/5/2010. \$2,000 matrix penalty. Response due 1/17/2011.
 08/31/2009 Sent passed liquor compliance check letter done by SPPD ON 08/21/09. ml
 05/29/2009 Letter received from James R PirkI stating he wants to withdraw building permit application for proposed building expansion, and withdraw request to extend liquor service area to this location (because it will not longer be built). License notification letter sent to applicant was returned with "UP YOUR" written on it. JWF
 05/13/2009 License notification sent for request to expand liquor service area into a proposed new addition to northeast corner of building, 39M/35EM, response date 07/03/2009. JWF
 08/06/2008: Sent congratulations letter for passing liquor compliance check done by St. Paul Police Deptment on 07-21-2008. ML
 1/04/2008 Spoke to mgr. Luann they are not renewing 2am. Will be closing at 1amKS
 05/01/2007 Prorated licenses 3 months from 4/30/07 to 7/30/07. LAB
 01/12/2007 Prorated licenses 4 mos. from 12/30/06 to 4/30/07 per CAR. LAB
 10/20/2006: Congrats letter sent MED
 10/18/2006: Passed alcohol compliance check conducted by SPPD MED
 10/03/2006 Prorated license 3 months from 9/30/2006 to 12/30/2006 per CAR. LAB
 08/15/2006 Mailed invoice with 3-month prorated fees per CAR. LAB
 03/15/2006 Delivered no smoking signs and letter, owner very upset! PF
 12/1/2005: Congrats letter sent MED
 11/22/2005: Passed alcohol compliance check conducted by SPPD MED
 10/06/2004 Adopted Resolution - 04-978 - Waiving the 45-day notice requirement to issue Liquor On-Sale, Sunday Liquor On-Sale, Gambling Location, Restaurant B, and Alarm Permit Licenses for Anvil Properties, Inc., d/b/a The Foundry Pub, 1201 Jackson Street.
 08/29/2004 Notification was sent 09/29/2004, Response Date 11/19/2004; 65M and 31EM.gb
 08/15/2004 letter sent for req not met. car/cat

Adverse Action Comments Text

10/13/2021

Licensee: ANVIL PROPERTIES INC

DBA: THE FOUNDRY PUB

License #: 20040004132

License provided by MDH/MDA em
07/11/2008 CF #07-967 - Change in license type from Restaurant-B to Restaurant-3. LAB
11/09/2007 No longer open until 2 AM. LAB

1201 Jackson Street – DBA: The Foundry Pub license # 20040004132

Surveillance Video Observations

Saturday, April 24, 2021 9:00 pm to 11:00 pm

Sunday, April 25, 2021. 9:00 pm to 10:30pm

Violations found:

USB Flash Drive:

Camera 1 – 4/24/2021 at 21:00:10 – Smoking within 25 feet of the door against Ramsey County Clean Indoor Air Ordinance.

Camera 1 – 4/24/2021 at 22:09:25 – Two people Tried to leave from the rear exit, door is locked – Fire Safety.

Camera 1 – 4/24/2021 at 22:22:10 – Police enter video

Camera 2 – 4/24/2021 at 21:00:12 - Smoking within 25 feet of the door against Ramsey County Clean Indoor Air Ordinance.

Camera 2 – 4/24/2021 at 22:07:27 - Victim leaves bar

Camera 2 & Camera 4 – 4/24/2021 at C2 22:19:01 C4 22:18:51 - SPPD Arrives

Camera 2 – 4/24/2021 at 22:21:36 - SPPD Enters in the bar

NOTE: Denial of the police was a 15 Second wait to enter the establishment

Camera 2 – 4/24/2021 at 22:25:39 - SPPD Leaves (over all SPPD was in the bar 4 minutes and 3 seconds)

Camera 3 – 4/24/2021 at 22:06:38 - People scatter from the alleged bottle over the head

Camera 3 Night Owl Camera – 4/24/2021 at 45:14 – Victim enters the bar

Camera 3 Night Owl Camera – 4/24/2021 at 59:30 – Victim throws a drink at the bartender; the bartender strikes the victim on the head area with a Hennessy Cognac Bottle

Camera 3 Night Owl Camera – 4/24/2021 at 1:13:23 – Police arrive

Camera 3 Night Owl Camera – 4/24/2021 at 56 Seconds of the video – Reentry gets pat down

Camera 3 Night Owl Camera – 4/24/2021 at 1:10:02 and 1:14:23 - Smoking indoor violations RCCIAO

Camera 3 Night Owl Camera – 4/24/2021 at 46:43 – 4 or 5 security personnel – #1 Security posted at the front door to gain access – #2 Security use of I.D. Card Scanner, conducting pat downs and bag checks for females - #3 Security wandering - #'s 4 and 5 security is roaming/scanning the bar and main seating area.

Violations Found: Mask, social distancing Governors Executive Orders 21-11 – Vaping in bar – Smoking within 25 feet of doorways RCCIAO

NOTE: See attached documents for pictures of violations and the request for video letter dated May 20, 2021

Joseph Voyda
Licensing inspector III



May 27, 2021



CITY OF SAINT PAUL

375 Jackson Street, Suite 200
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.smpaul.gov/dsi

May 20, 2021

ANVIL Properties Inc.
D/B/A The Foundry Pub
1201 Jackson Street
St. Paul, MN 55117

Mr. Matthew PirkI:

The Department of Safety and Inspections Licensing Division ("Department") is investigating two separate life-safety incidents that occurred at the Foundry Pub, a city-licensed business located at 1201 Jackson St., St Paul, MN 55117.

In the interest of conducting a complete and thorough investigation the Department is requesting your assistance by providing video footage from all views of your establishment's camera surveillance system for the following periods:

Saturday, April 24, 2021 9:00 pm to 11:00 pm

Sunday, April 25, 2021. 9:00 pm to 10:30pm

Information gained from your voluntary submission of the requested video may be used to determine appropriate corrective measures. The video may be delivered to the Department at 375 Jackson Street, Suite 200, Saint Paul MN 55101 or by contacting me directly to arrange it to be picked up.

This video request is separate and independent from any similar video request which may have originated from the Saint Paul Police Department.

Questions regarding this letter can be directed to me at (651) 266-9132.

Eric Hudak
Licensing Manager, Department of Safety and Inspections

cc: Matthew PirkI, 301 Dayton Avenue #12, St. Paul, MN 55102
Therese Skarda, Saint Paul City Attorney's Office
Charles Graupman, Saint Paul Police Department

Proposed License Conditions for 1201 Jackson Street DBA: The Foundry Pub

To be removed, conditions highlighted 1-3 have been satisfied and are no longer applicable:

1. Pursuant to requirements of the Public Works Traffic Division, the existing curb cut to the parking lot, on Jackson St. shall be widened to ~~(24) twenty-four~~ feet. The proposed addition will disrupt the existing maneuvering area in the parking lot near the driveway and so widening this curb-cut is necessary to provide more maneuvering area for vehicle leaving or exiting the parking lot.

2. Modification to the drive must be completed before a Certificate of Occupancy will be issued for the building addition and before final approval is given, by this office, to expand the liquor service to the new area.

3. Construction of the drive must be done under a curb-cut permit issued by the Public Works Sidewalk Division. Actual construction must be done by a masonry contractor license, by Public Works.

Proposed License Conditions 1-6:

1. License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder will submit the video surveillance plan to the Saint Paul Police Department (SPPD) liaison with the Department of Safety and Inspection (DSI) for review and approval. In accordance with the approved video surveillance plan, license holder will ensure that video surveillance camera system is in good working order, ensure it is recording 24 hours per day, ensure it can produce recorded surveillance video in a commonly used, up-to-date format, and ensure that accurate date and time of day are visible on all recorded ~~video~~. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, license holder shall make surveillance video immediately available for viewing by SPPD. If a copy of the surveillance video for a serious incident is requested by SPPD, license holder shall have the technology, ~~materials~~ and staff available to immediately make the copy. In all other cases, license holder shall provide a copy of the surveillance video to the requestor within 48 hours.

2. License holder will use an identification card scanner system to record and retain for a minimum of thirty (30) days the identification of all patrons who enter or re-enter the licensed establishment after 10:00 p.m. until closing during any day of operation. If an incident is deemed serious by SPPD, license holder shall make identification card scanner information immediately available for viewing by SPPD. In all other cases, license holder shall provide recorded card scanner information to the requestor within 48 ~~hours~~.

3. License holder shall retain clearly identifiable security personnel. Clearly identifiable security personnel shall mean a uniform or marked outerwear. Security personnel shall be assigned to each entrance/exit of the license premises starting at 10:00 p.m. during any day of operation and shall remain until all patrons have left the property of the licensed business. While on duty security personnel shall screen each patron upon entry using a metal detection device and check all handbags and packages carried by patrons to effectively detect and prohibit weapons from entering the licensed premises. The requirement to screen patrons includes those who have left for any duration of time and return to re-enter the licensed premises. Security personnel shall verify the age of patrons by checking state or federally issued photo identification cards using the method outlined in condition #2. License holder shall establish and require that security personnel enforce a no picture identification/no entrance policy.

4. Security or staff will conduct outside sweeps of the building and parking lot at least twice an hour to disperse and discourage loitering from 9:00 p.m. during any day of operation until closing and shall remain at the licensed premises until all patrons have left the property/parking lot. All customers/patrons must be off the property/parking lot within 15 minutes after closing ~~time~~.

5. License holder will remove any litter, trash, debris, or similar materials around exterior of licensed premises ~~daily~~.

6. Signage shall be prominently posted at all exits stating, "You are exiting into a residential neighborhood - please ~~leave~~ quietly".

Voyda, Joseph (CI-StPaul)
Standard Camera License Condition-Police reports show more than 75 calls to this location. Also, this LC illustrates that the SPPD may inspect location at all times. Body camera of police officers getting denied entry for a call of assault. 4/24/2021

Voyda, Joseph (CI-StPaul)
LC# 2 & 3 It has been successful that bars that have an electric card scanner that is recordable is a successful deterrent against those who imposes a threat to public safety.

Voyda, Joseph (CI-StPaul)
Police reports - Parking lot imposes danger, threat of safety and illegal activity - loitering and drinking - Sec. 310.06 Par (b)(8) The licensed business, or the way in which such business is operated, maintains or permits conditions that unreasonably annoy, injure or endanger the safety, health, morals, comfort or repose of any considerable number of members of the public.

Voyda, Joseph (CI-StPaul)
To help address the ongoing problem of trash and litter in our community, the city is encouraging community members to help clean, beautify and improve their neighborhoods. Clean neighborhoods benefit everyone!

Voyda, Joseph (CI-StPaul)
Complaint received of excessive noise while patrons leaving the bar after 10pm - Sec. 293.02 Par. (a)(1) It shall be unlawful for any person to make, continue, permit or cause to be made, continued or permitted within the city, any loud, disturbing or excessive noise which would be likely to cause significant discomfort or annoyance to a reasonable person of ordinary sensitivities in the area.

Proposed License Conditions for 1201 Jackson Street DBA: The Foundry Pub

To be removed, conditions highlighted 1-3 have been satisfied and are no longer applicable:

1. Pursuant to requirements of the Public Works Traffic Division, the existing curb cut to the parking lot, on Jackson St. shall be widen to (24)twenty-four feet. The proposed addition will disrupt the existing maneuvering area in the parking lot near the driveway and so widening this curb-cut is necessary to provide more maneuvering area for vehicle leaving or exiting the parking lot.
2. Modification to the drive must be completed before a Certificate of Occupancy will be issued for the building addition and before final approval is given, by this office, to expand the liquor service to the new area.
3. Construction of the drive must be done under a curb-cut permit issued by the Public Works Sidewalk Division. Actual construction must be done by a masonry contractor license, by Public Works.

Proposed License Conditions 1-6:

1. License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder will submit the video surveillance plan to the Saint Paul Police Department (SPPD) liaison with the Department of Safety and Inspection (DSI) for review and approval. In accordance with the approved video surveillance plan, license holder will ensure that video surveillance camera system is in good working order, ensure it is recording 24 hours per day, ensure it can produce recorded surveillance video in a commonly used, up-to-date format, and ensure that accurate date and time of day are visible on all recorded video. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, license holder shall make surveillance video immediately available for viewing by SPPD. If a copy of the surveillance video for a serious incident is requested by SPPD, license holder shall have the technology, materials and staff available to immediately make the copy. In all other cases, license holder shall provide a copy of the surveillance video to the requestor within 48 hours.
2. License holder will use an identification card scanner system to record and retain for a minimum of thirty (30) days the identification of all patrons who enter or re-enter the licensed establishment after 10:00 p.m. until closing during any day of operation. If an incident is deemed serious by SPPD, license holder shall make identification card scanner information immediately available for viewing by SPPD. In all other cases, license holder shall provide recorded card scanner information to the requestor within 48 hours.
3. License holder shall retain clearly identifiable security personnel. Clearly identifiable security personnel shall mean a uniform or marked outerwear. Security personnel shall be assigned to each entrance/exit of the license premises starting at 10:00 p.m. during any day of operation and shall remain until all patrons have left the property of the licensed business. While on duty security personnel shall screen each patron upon entry using a metal detection device and check all handbags and packages carried by patrons to effectively detect and prohibit weapons from entering the licensed premises. The requirement to screen patrons includes those who have left for any duration of time and return to re-enter the licensed premises. Security personnel shall verify the age of patrons by checking state or federally issued photo identification cards using the method outlined in condition #2. License holder shall establish and require that security personnel enforce a no picture identification/no entrance policy.
4. Security or staff will conduct outside sweeps of the building and parking lot at least twice an hour to disperse and discourage loitering from 9:00 p.m. during any day of operation until closing and shall remain at the licensed premises until all patrons have left the property/parking lot. All customers/patrons must be off the property/parking lot within 15 minutes after closing time.
5. License holder will remove any litter, trash, debris, or similar materials around exterior of licensed premises daily.
6. Signage shall be prominently posted at all exits stating, "You are exiting into a residential neighborhood – please leave quietly".

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Voyda, Joseph (CI-StPaul)

Standard Camera License Condition-Police reports- show more then 75 calls to this location. Also, this LC illustrates that the SPPD may inspect location at all times. Body camera of police officers getting denied entry for a call of assault. 4/24/2021



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