

LICENSE HEARING MINUTES

Bole Ethiopian Cuisine LLC, 490 Syndicate St N

Thursday, December 14, 2017, 2:00 p.m.

Room 330 City Hall, 15 Kellogg Boulevard West

Nhia Vang, Deputy Legislative Hearing Officer

The hearing was called to order at 2:00 p.m.

Staff Present: Jeff Fischbach, Department of Safety and Inspections (DSI)

Licensee: Solomon Nepash Hailie, Applicant/Owner
Bole Ethiopian Cuisine LLC (ID #20170003907), d/b/a same, 490 Syndicate St N.

License Application: Wine On Sale, Malt On Sale (Strong), and Entertainment (A)

Ms. Vang stated that this was an informal legislative hearing for a license application. This particular license required a Class N notification which means the neighborhood was notified and people had the chance to voice their concerns. The City received a letter of concern/objection which triggered the hearing. There were three possible results from this hearing: 1) recommend the City Council issue this license without any conditions; 2) recommend the City Council issue this license with agreed upon conditions; or 3) recommend the City Council not issue this license but refer it to the city attorney to take an adverse action on the application, which could involve review by an administrative law judge. The applicant will be required to sign a Conditions Affidavit demonstrating the understanding of the conditions.

DSI staff will explain their review of the application and state their recommendation. Then the applicant will be asked to discuss their business plan. Next, members from the community will be invited to testify whether they were in objection or support of the license application. At the end of the hearing, Ms. Vang will make a recommendation for the City Council to consider. Her recommendation will be on the Consent Agenda; the City Council is the final authority on whether the license is approved or denied.

Mr. Fischbach reviewed the license conditions:

1. Per City of Saint Paul Legislative Code 409.15(a)(2), On-sale wine license shall mean a license authorizing the sale of wine not exceeding fourteen (14) percent alcohol by volume, for consumption on the licensed premises only in conjunction with the sale and service of food (menu item only). The sale of Malt (Strong) will also take place only in conjunction with the sale and service of food.
2. Per City of Saint Paul Legislative Code 409.15(e), licensee must be able to show that gross receipts are at least sixty (60) percent attributable to the sale of food.
3. Licensee will submit to the Department of Safety and Inspections (DSI) annual gross receipts for food and liquor for each year the license is renewed.
4. Per City of Saint Paul Legislative Code 411.02, the definition of Entertainment A is, "Amplified or nonamplified music and/or singing by performers without limitation as to number, and group singing participated in by patrons of the establishment." (includes karaoke). Entertainment A license does not allow for patron and/or performance dances.

Ms. Vang asked Mr. Hailie if he understood the conditions and had questions. He did not have questions and agreed to the conditions. Now that he is a business owner, he knows what violating conditions would

mean for him and that he takes them very seriously. He also has experience managing this type of business from his time as the manager of Red Seek in Minneapolis.

Ms. Vang asked whether additional parking would be required and Mr. Fischbach responded that under the zoning code, no additional parking was required.

Ms. Vang asked Mr. Hailie to talk about his business: history, hours of operation, number of employees, etc.

Current hours of operation from Mondays to Saturdays are 11 am to 11 pm for now, and he hopes to extend it to 12 am with the license approval. He will be hiring additional staff for the night shift. Currently, there is a waitress and manger in addition to himself. He has owned this business for five (5) months and has used his previous management experience to help guide him. He will make sure that his employees have the necessary required training. Especially, in how to address overserving.

Trash are picked up weekly around 10:30 a.m. and it was recommended that Mr. Hailie work with his neighbors to streamline garbage pickups to help reduce traffic impact. It was also suggested that bottles not be picked up in the evenings to avoid noise disruption to the community.

Ms. Vang then read into the record an email, dated November 29, 2017, in opposition from Billy Collins of 1231 Sherburne Ave. (*Email was made a part of this record*). Mr. Hailie was given an opportunity to respond to the concerns raised in the email. He believes that parking should not be a problem because there is a parking lot in the back, which may not be known to the objector.

Ms. Vang stated that after reviewing the records and testimony presented, she will recommend to the City Council that they approve the license with the existing license conditions:

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4. Per City of Saint Paul Legislative Code 411.02, the definition of Entertainment A is, "Amplified or nonamplified music and/or singing by performers without limitation as to number, and group singing participated in by patrons of the establishment." (includes karaoke). Entertainment A license does not allow for patron and/or performance dances.

The hearing adjourned at 2:34 p.m.

The Conditions Affidavit was signed and submitted on 11/28/2017.