

LICENSE HEARING MINUTES
Mounds Park Lounge Inc., 1067 Hudson Road
Thursday, March 31, 2011, 2:00 p.m.
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: Christine Rozek, Department of Safety and Inspections (DSI)

Applicant: Gregory Olson, owner

Others present: Karin DuPaul, Dayton's Bluff District 4 Community Council

Mounds Park Lounge: Liquor On Sale – 100 seats or less, Liquor On Sale – Sunday, Entertainment (B), Gambling Location, and Restaurant (4) – 51-150 Seats licenses (*note: this is for a change in ownership of an existing location*)

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 one letter of concern and one letter of support. There were three possible results from this hearing: 1) she may recommend that the City Council issue this license without any conditions; 2) she may recommend that the City Council issue this license with agreed upon conditions; or 3) she may recommend that 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. Ms. Vang will then ask the applicant to talk about the business plan. At the end of the hearing, she 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.

Ms. Rozek stated that originally, an additional condition had been placed on the license concerning the placement of video cameras; however, this condition was removed because they received confirmation from the Police Department that cameras had been installed and were located appropriately. The following was the only condition being placed on the license:

1. The license holder shall maintain video surveillance cameras inside and outside the establishment in accordance with Saint Paul Police Department (SPPD) recommendations. The video recordings shall be kept by the license holder for at least thirty (30) days and shall be available for viewing by the SPPD immediately upon request. In addition, if the SPPD responds to a call at the licensed premises, and due to the crime, requests that a copy of the surveillance footage be immediately provided, the license holder shall have technology available to make the copy at the time of the request and shall have it for the police without delay. In other cases, if the SPPD or the Department of Safety and Inspections (DSI) requests copies of the surveillance tapes, licensee shall have a 48-hour period in which to provide such copies.

The Dayton's Bluff District 4 Community Council submitted a letter of support subject to the recommended license condition being placed on the license. DSI recommends approval.

Ms. Vang asked Mr. Olson to explain his business plan: whether he had run a similar business in the past; whether he had a business partner or employees; hours of operation, etc. Mr. Olson responded that he did not have any experience running a bar; however, the previous owner, Steve Cairl, was a friend. He operated the business in a similar manner to Mr. Cairl in having zero tolerance for any type of criminal activity in that such participants would be banished from the bar for life. He was the sole owner and currently employed a day-time bartender, an evening bartender, a cleaning person, and a waitress and two bartenders working on weekends when bands performed. His hours of operation were 8:00 a.m. to 1:00 a.m. Monday through Saturday and 10:00 a.m. to 1:00 a.m. on Sunday.

Ms. Vang asked whether there was adequate parking. Ms. Rozek responded that technically, there was not enough parking; however, this requirement was grandfathered in under the zoning requirements. DSI had not received any complaints concerning parking from any of the neighbors. Mr. Olson stated that he had an agreement with Leo's Chow Mein to use their parking lot on the weekend evenings when Leo's was closed.

Ms. DuPaul read the letter from the District Council into the record which recommended approval of the license. She said Mr. Olson was active in working with the District Council as well as the business group of the District Council. There had been no complaints from neighbors concerning noise or parking and she had frequented the establishment when bands performed on weekends. She had not witnessed any problems and agreed that Mr. Olson had a well-run business.

Ms. Vang read into the record a letter of opposition received from Anthony Lee and Vanessa Vang, 1042 Wakefield Avenue, concerning increased traffic, noise, crime and their overall desire to not have another bar in their neighborhood.

Ms. Olson responded that the bar was closed from 1:00 a.m. to 3:00 a.m. and any noise that the complainants may be hearing was definitely not coming from his establishment; the band quit playing by 12:30 a.m. and all patrons were gone by 1:00 a.m.

Ms. Vang stated that she will recommend to the City Council that they approve the license with the condition proposed by DSI.

The Conditions Affidavit was submitted on April 5, 2011.

The hearing adjourned at 2:20 p.m.

Submitted by:
Vicki Sheffer