

Moermond, Marcia (CI-StPaul)

From: Schweinler, Kristina (CI-StPaul)
Sent: Wednesday, August 30, 2017 8:26 AM
To: Moermond, Marcia (CI-StPaul)
Subject: RE: 691 Dale St N - Malina's Sports Bar

You will be sorry you asked. I have copied the notes from her file. Some of this goes way back but still something that you will need to know.

07/12/2017 Orders issued obtain approval of Shared Parking Agreement, 08/08/2017 response date. JWF
07/11/2017 Submitted Adjustment to have \$30.00 NSF fee taken off account. It is a duplicate. It was paid under "Miscellaneous Transactions" in front counter. LAB
06/27/2017 Paid \$3,741.50 for NSF fees, NSF Penalty Charge & some false alarm fines. LAB
01/13/2017 Pd. fees. JWF
12/30/2016 Delinquent etter sent \$2,615.50 owed on 2nd 1/2 liq. fee (\$2,350.50 lic. fee + \$30 NSF + \$235 late fee), response date 01/13/2017. JWF
12/29/2016 2nd 1/2 liq. fee returned for NSF check. JWF
05/26/2016 Posted placard on both doors, left notice and resolution under front door placard. Pictures taken. KS
04/01/16 To CAO for 53 day lapse in coverage. KS
05/11/2016 Council file #16-783 suspends license for ten days to begin at 12:00 a.m. (midnight) Wed., June 1, 2016 and end at 11:59 p.m. on Fri. June 10, 2016. JWF
04/01/2016 Rec'd replacement liquor liability with a lapse in coverage from 2/08/16 to 3/31/2016. LAB
03/22/2016 Rec'd cancellation of liquor liability effective 2/08/2016. LAB
1/7/16 To CAO for adverse action KS
01/07/2016 No response to delinquent 2nd 1/2 liq. lic. fee letter. To KS for CC adverse action. JWF
12/22/2015 Orders issued submit payment of delinquent 2nd 1/2 liq., 01/05/2016 response date. JWF
06/22/2015 Sent delinquent letter. Response deadline date is July 13, 2015. Max
03/27/2015 Rcvd. written statement Chu Xiong new manager, RH to request record check. JWF
03/09/2015 Submitted payment of penalties, and verified home address correctly stated on license (E Shore Dr). Unsuspended license and ok to reopen. Orders issued to provide current manager info. (Full name, home address, dob, dl #) by 03/27/2015. JWF
03/09/2015 Rcvd \$560.00 for Shared Parking Agreement and Fine. AMW
03/05/2015 Suspension letter sent. VS/jwf
02/26/2015: C.F.#15-340 02/18/2015 CF #15-340 suspends license. JWF
TOTAL FEES OWED \$560 (\$500 penalty + \$60 shared parking fee). NEED TO PROVIDE CURRENT HOME ADDRESS.
02/18/2015 Council file #15-340 suspends license for failure to pay delinquent lic./late fees (already paid unknowingly) and violation of lic. cond. #5 (failure to provide video or incident occurred 01/09/2015), and imposes \$500 matrix penalty for lic. cond. violation. License to remain suspended until all penalties paid in full. JWF
02/11/2015 Paid \$2,835 towards 2nd 1/2 liq. lic. fees (NOTE: entry made on 02/26/2015). JWF
1/23/15 Form A sent with 2/2/15 deadline to respond. KS
1/23/15 2nd 1/2 license fees delinquent.to CAO KS
1/23/15 To CAO for adverse action, violation of condition 5. Failed to have video available immediately. CN15005400. KS
01/20/2015 No response to delinquent letter, to KS for adverse action. JWF
12/26/2014 Letter mailed to home address returned as undeliverable. JWF
12/22/2014 Mailed/emailed delinquent orders 2nd 1/2 liq. lic. fee, response date 01/08/2015. JWF
07/03/14 Hand delv. letter no liq. service. KS
07/03/2014 Remaild invoices for 2AM and Shared Parking. LAB
7/1/14 Spoke to licensee she will be in on 7/2/14 to renew. Ins. will be sent by agency today. KS

04/24/2014 Letter sent reminding licensee renewal will be due on or before 06/14/2014. Will handle delinquent Shared Parking renewal at that time. JWF

02/20/2014 Mailed second half invoice (amount owed \$567.36) to both 1874 East Shore Drive (mail to address), and 691 Dale St N (business address). Payment due 04/13/2014. JWF

01/30/2014 Licenses need to be prorated to 6/14/14 to expire with liquor liability insurance. Submitted adjustment form for 4 month refund (from 6/14/14 to 10/13/14). LAB

1/14/14 To CAO for adverse action deliq. fees.KS

12/4/13 All phone numbers on file have been discontinued. KS

7/3/13 SPPD report recd. no activity since shooting will continue to monitor. KS

06/09/2013 Bar owner (Vone X. Moua) shot and killed inside of bar. CAR

07/11/2012 Rcvd \$399.50 for Admin Hearing Costs. AMW

07/09/2012 Gave Kris Suspension/Admin Hearing Costs letter to hand deliver. \$399.50 Admin Hearing Costs due 7/11/2012. LAB

07/03/2012 Council resolution #12-164 adopts settlement letter of ALJ (RE: alcohol sales/consumption after 2 AM) and orders payment of ALJ costs, and suspension of all licenses for a period of twelve (12) days with said suspension to begin at 12:00 a.m. July 11, 2012 until 11:59 p.m. July 22, 2012. Payment of ALJ costs shall be due by 07/11/2012. JWF

05/25/2012 Notice of council hearing scheduled 07/03/2012 @ 5:30 p.m. NM

05/21/2012 Settled before hearing was held. 12 day closure, payment of ALJ and SPPD cost. Resolution to be on Council on 07/03/2012 with penalty to begin the following Wednesday. CAR

05/04/2012 Notice of ALJ Hearing from CAO. Hearing is set for 05/21/2012, 9:30AM, County Commissioner's Office. CAR

04/05/2012 Sent letter notifying RP of the costs assoc with requesting admin hearing. Response needed by 04/13/2012.

03/22/2012 Letter from CAO changing the recommended penalty to 18 days closure. Given to 03/30/2012 to respond. CAR

03/20/2012 Notice of violation from CAO for after hours sale and consumption. \$2000 matrix penalty. Given to 03/30/2012 to respond. CAR

12/12/2011 To CAO for adverse action based on after hours violation on 11/15/2011. Counts as a third violation. Matrix penalty is 18 day closure. CAR

12/02/2011 CN11240253 supplement by Sgt. Schoen indicating that he had reviewed the video and that there was consumption of alcohol after permitted bar hours (after 3AM.) CAR

11/23/2011 Received video in AM - video is late.Gave to Sgt. Schoen to review. CAR

11/15/2011 DSI is requesting video from 11/15. Letter sent 11/15/2011. Video due to DSI on 11/21/2011. CAR

11/15/2001 CN11240253 indicates that bar was open after hours. CAR

09/20/2011 Rcvd \$1,000 for violation. AMW

08/24/2011 Notice of Violation from CAO for incident which occurred on 07/03/2011 @ 2:46 a.m. wherein SPPD observed a group at the back entrance of the establishment. Since front & rear entrances were locked, security gave keys to SPPD who entered and found at least 50 people inside consuming alcohol. This is in violation of SPLC 409.26(b)(6) after hours display or consumption of alchol. Second violation in 12 months. \$1,000 matrix penalty. Response due 09/02/2011. VMS

08/15/2011 To CAO for adverse action based on after hours service. Second violation within 12 months of the first appearance. \$1000 matrix penalty. CAR

08/11/2011 Times of police calls were verified with dispatcher. SPPD was on scene at the time given on police reports. CA

08/05/2011 Sgt. Schoen reviewed Malina's video - see CN11135504.Sgt. Schoen notes that alcohol was served after 2PM, although the times on the video were not the same as the times noted on the police report. CAR

07/21/2011 Video is received and sent to SPPD for review. Time requested on video reduced to 2:00-3:00 because licensee is having trouble downloading the entire 4 hours originally requested. SPPD determined that the video was provided for the incorrect date because there are no scenes recording the arrival of SPPD on 07/03/2011. CAR spoke to Mee Moua and the correct video was provided. Bar owners have been very cooperative. CAR

07/13/2011 Request for video from 07/03/2011 from CAR. Video due in DSI on 07/21/2011. CAR

07/11/2011 CN11141968 reports an assault in the parking lot. Victim is not cooperative. SPPD did not do a followup request for video. CAR

07/03/2011 CN11135504 reports possible after hours service. DSI to request video. CAR

01/24/2011 Original flash drive reviewed by SPPD lab. The lab could not find the night in question. Drive returned to Christine. No further action taken. CAR

01/00/2011 Additional disk brought to office by licensee in case the other one isn't adequate. CAR

01/18/2011 Video brought to office - pink flash drive. Will send to SPPD for review. CAR

01/11/2011 Requested video recordings from 01/03/2011. Due by 01/18/2011. CAR

01/03/2011 CN11001130 indicates possible after hours service. Will request video. CA

10/21/2010 \$500.00 rcvd for fine. ES

10/15/2010 Sent Fine/Amendment of License Condition letter. \$500.00 fine due 11/5/2010. Mailed to business and mailing address. LAB

09/24/2010 Received revised signed license condition affidavit. Reviewed conditions with Mee Moua at front counter. JWF

09/22/2010 CF #10-1077 imposes \$500 matrix penalty for violation of lic. cond. #2 on 11/20/2009 (payment due within 30 days), and modifies lic. cond. #2 (now cond. #5) to read as follows: "The license holder shall maintain video surveillance cameras inside and outside the establishment. The video recordings shall be kept by the license holder for at least thirty (30) days and shall be available for viewing by the Saint Paul Police Dept. immediately upon request. In addition, if the Saint Paul Police Dept. responds to a call at the licensed premises, and due to the serious nature of 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 Saint Paul Police Dept. or the Dept. of Safety and Inspections requests copies of the surveillance tapes, licensee shall have a 48-hour period in which to provide such copies." JWF

08/23/2010 The following license conditions were replaced by the current conditions:

1. Establishment employees will, daily, monitor the perimeter of the property for trash and bottle pick-up.
2. The license holder shall maintain video surveillance cameras inside and outside the establishment. (additional language added by City Council on 11/15/2006: The video recordings shall be kept by the license holder for at least (30) days and produced immediately upon request by the Saint Paul Police Department or the Department of Safety and Inspections.
3. During normal business hours, the license holder will only allow entrance and exit from the establishment through the northern most door located on Dale Street. The other two doors will only be used as emergency exits.
4. The license holder will place a sign on the exterior south wall of the establishment, on Van Buren Avenue. The sign will read "Parking for Malina's Sports Bar and Grill is located on the other side of the building. Please do not park on the street."

Conditions #5, 6, 7, 8, & 9 added on 4/13/10 in conjunction with request for Entertainment B License.

5. The license holder shall consult with the Saint Paul Police Department (SPPD) to increase the amount of lighting that surrounds the building and is in the parking lot of the establishment, and shall make any necessary improvements to the lighting in accordance with SPPD recommendations prior to issuance of the Entertainment B license. All lighting improvements shall be maintained in accordance with SPPD recommendations.

6. The license holder will meet with District 7 Planning Council and its members six (6) months after approval of this license to respond to any issues the neighborhood might have regarding the addition of the Entertainment B license.

7. Proof of a valid shared parking agreement for a minimum of twelve (12) off-street parking spaces must be submitted to DSI-Zoning Section annually at time of renewal of the licenses. The location of the off-street parking spaces must comply with applicable City Code Requirements regarding shared parking.

8. Signage at 691 Dale Street North must be displayed in the parking lot to inform your patrons that overflow parking is available at 633 Minnehaha Avenue West.

9. The licensee acknowledges that use of the basement for the sale and/or consumption of food and/or beverage (including both alcoholic and non-alcoholic) by either customers and/or employees is prohibited. No customers and or patrons are permitted in the basement of this establishment.

07/09/2010 Notice of Council Hearing from CAO to Licensee scheduled for Wednesday, August 4, 2010 at 5:30 pm, 3rd Flr City Hall. MXV

06/08/2010 No objections to notification for adding Entertainment B license per Nhia Vang's office, Leg. Hearing Officer. JWF

5/26/2010 Processed refund. KX

05/19/2010 Council File #10-503 approves Entertainment B license with conditions. JWF

05/21/2010 Entertainment-B license prorated 6 months to expire with other licenses. \$286.00 refund due. LAB

05/19/2010 Letter to Vone and Mee Moua detailing our meeting of 05/06/2010. Letter provided contact information for Commanders Luna and Thomasser and Officer Parsons(for review of lighting and cameras). Letter retated that videos must be made available to SPPD immediately upon request. CAR

05/19/2010 Entertainment B approved by council - Resolution 10-503. CAR

05/06/2010 CAR and CAO V Palmer met with Vone and Mee JMoua to discuss the video license condition. We made it clear that when SPPD requests a video, Malinas must be able to produce the video at the time of the request. The Mouas also agreed to have SPPD review their camera placement and lighting. Contact numbers for Commanders Luna and Thomasser were provided in our 05/19/2010 letter. CAR

05/06/2010 Rcvd. signed lic. cond. affidavit. JWF

04/20/2010 License notification sent to add Entertainment B license (replacing existing Ent. A) to existing licenses, 80M/34EM, response date 06/04/2010. JWF

04/02/10 Shared parking agreement approved for 12 spaces at 633 W. Minnehaha File#10-016820. LRZ

02/03/10 Petition results are 33 out of 66 signatures possible or 50%.LRZ/KS

03/09/2010 Notice of Administrative Hearing from CAO scheduled for April 13, 2010 at 9:30 am Rm 40B, City Hall & Courthouse, Docket # 61-6020-21178-2. MXV

02/22/2010 Notice of Violation from CAO for failure to provide recover/duplicate surveillance video on two separate incidents. \$500 matrix penalty. Response due 03/04/2010. MXV

2/11/10 left message on 2 phones.Malinas has the video now from 01/30/2010. DSI will review it. Sgt. Schoen to pick up video for DSI. CAR

One phone number was incorrect and listed to someone else.KS

01/30/2010 CN 10019964 indicates that the video was again not available immediately upon request by SPPD. TO CAO to combine with the previous report regarding videos. CAR

01/20/2010 To CAO for adverse action. CAR

11/20/2009 CN09247319 supplement indicates that video surveillance footage was not available to SPPD upon request. There have been several previous video requests by DSI or SPPD that could not be honored by the licensee because no one on the premises knows how to obtain the video requested. This is a violation of license condition #2 which requires that videos be made available immediately upon request. \$500 matrix penalty. CAR

11/20/2009 CN09247319 indicates that underage person(s) might have been served in the bar. To CAO for adverse action when criminal case is closed. CAR

10/29/2009: Liquor compliance check done by SPPD establishment was closed at time check. ml

12/12/2008 License fees and late fees paid. CAR

12/10/2008 Notice of Intent to Suspend license from CAO for paying license fees with a bad check. Given to 219/2008 to respond. CAR

12/01/2008 To CAO for adverse action . Licensee paid license renewal with a check that was not honored by the bank. Amount now due is \$6110.00 plus a \$25 bad check charge = \$6135 if paying for entire year. The amount due was \$3900 for the first half only, including the \$25 bad chack charge. License fee was due 10/13/2008. Licensee wrote a bad check for renewal last year as well. To CAO for license suspension until all fees have been paid. CAR

11/21/08 left mess. on mach. to call me regarding bad check. KS.

11/21/2008 Rcvd NSF ck #4564 for \$5,438.00. Now owes \$5463.00 plus late fees. AMW

05/26/2008 CN08096684 indicates that noise from the establishment can be heard at neighboring residences. Bar was slow to respond to police request to abate the noise to give the neighbors some relief.No adverse action. CAR

04/23/2008 E-mail from SPPD:On 04-22-08 we went to 691 Dale street(Molinas) to inspect the placements of their cameras. We met with the owner(Moua) who showed us the system. The system appears adequate however the placements of the inside cameras were not. We suggested that 1 camera should show and record the entry door giving a full frontal view of all persons entering. Moua seemed less than receptive to this idea. We informed him that we would not say that the camera system was acceptable until this was done. Moua currently has 1 camera in the kitchen and 1 over the bar till which have no purpose for security which could be easily moved to the front door. Moua stated that he would look into it but didn't sound too convincing. I should note that we also recommended that for security purposes Moua should install either a small window or peephole on his entry door so that they could see who was outside befo



The Most Livable
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Kristina Schweinler

DSI III

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375 Jackson Street, Suite 220
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“DSI’s Mission: To preserve and improve the quality of life in Saint Paul by protecting and promoting public health and safety for all.”

From: Moermond, Marcia (CI-StPaul)
Sent: Wednesday, August 30, 2017 8:21 AM
To: Schweinler, Kristina (CI-StPaul); Niziolek, Dan (CI-StPaul)
Cc: Hudak, Eric (CI-StPaul)
Subject: RE: 691 Dale St N - Malina's Sports Bar

I could definitely be mistaken about her being open for business.

Any relevant adverse actions?

From: Schweinler, Kristina (CI-StPaul)
Sent: Wednesday, August 30, 2017 8:18 AM
To: Niziolek, Dan (CI-StPaul)
Cc: Hudak, Eric (CI-StPaul); Moermond, Marcia (CI-StPaul)
Subject: RE: 691 Dale St N - Malina's Sports Bar

She is currently licensed, her 2nd ½ will be due in December. I was unaware that she was closed, this establishment normally opened later in the evenings and on weekends. Mee Moua is the license holder at this time. Not sure about the ability to operate. She is also post with the MN Dept. of Revenue for delinquent sales tax.



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Kristina Schweinler

DSI III

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“DSI’s Mission: To preserve and improve the quality of life in Saint Paul by protecting and promoting public health and safety for all.”

From: Niziolek, Dan (CI-StPaul)
Sent: Wednesday, August 30, 2017 8:11 AM
To: Schweinler, Kristina (CI-StPaul)
Cc: Hudak, Eric (CI-StPaul)
Subject: Fwd: 691 Dale St N - Malina's Sports Bar

Kris,

Please respond to Marcia and cc me.

Thanks!!

Dan

Sent from my iPhone

Begin forwarded message:

From: "Moermond, Marcia (CI-StPaul)" <marcia.moermond@ci.stpaul.mn.us>

Date: August 30, 2017 at 7:44:04 AM CDT

To: "Niziolek, Dan (CI-StPaul)" <dan.niziolek@ci.stpaul.mn.us>

Subject: 691 Dale St N - Malina's Sports Bar

Hi Tina,

This is a property which has forfeited to the state for nonpayment of property taxes. The owner wishes to repurchase the county. I evaluate these cases for council, looking at the last 5 years of police and code enforcement activity, which is the scope of the work requested in the county resolution asking for the city's opinion. The owner, Mee Lee Moua, indicates she is more than \$80,000 in arrears on her property taxes due to the death of her spouse.

My question to you is about the status of the license, knowing the establishment is closed. Was Ms. Moua the license holder or business manager? Would she be able to re-open a business there herself? If there are conditions under which we would or would not recommend the county allow her to re-purchase, please advise.

Thank you, Marcia