

LICENSE HEARING MINUTES
SuperAmerica #4358, 756 Snelling Avenue North
Thursday, January 27, 2011, 10:00 a.m.
330 City Hall, 15 Kellogg Boulevard West
Nhia Vang, Deputy Legislative Hearing Officer

The hearing was called to order at 10:00 a.m.

Staff Present: Kris Schweinler, Department of Safety and Inspections (DSI)

Applicant: Lesley Zaun, attorney, Faegre & Benson; and Jarret Persons, District Manager, representing Northern Tier Retail LLC, owner

Others Present: Doug Anderson, Vice President for Finance, Hamline University

SuperAmerica #4358: Gas Station, Cigarette/Tobacco, Restaurant (1) – No Seats, and Retail Food (C) – Grocery 1001-3000 sq. ft., and Malt Off Sale licenses

Ms. Vang stated that it was her understanding the hearing was continued to allow time for representatives of Super America to meet with Hamline University and the district council to discuss security issues.

Ms. Zaun stated that they had met with representatives of Hamline that morning to discuss security concerns.

Mr. Anderson stated that they had reached an agreement with Super America concerning security and responsibility for providing security; however, they still had outstanding issues concerning hours of operation and sale of malt liquor. It was their desire to stop the sale of malt liquor at 10:00 p.m., the same as a liquor store. They did not reach resolution on this issue.

Ms. Zaun stated that it was her understanding that the only issue which required resolution was security and that hours of operation and sale of malt liquor were not on the table for negotiation since they had been determined at the previous hearing.

Ms. Schweinler responded that this was her understanding as well. As far as deviating from the hours malt liquor is available for sale would be too difficult as the hours were set by statute.

Ms. Vang inquired about the standardized language which was being set forth for all malt off sale licenses (no individual sale of cans/bottles; no sale of 40 ounce cans/bottles; no sale of strong beer or wine). Ms. Schweinler responded that the only time they would include the standard language for malt off sale is if the district council or council person requested that language be included in the license. This particular store never had that condition on their license and the only condition being proposed was for security.

Ms. Vang will recommend to the City Council the following condition as recommended by DSI:

1. The license holder shall maintain video surveillance cameras inside and out side 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 Department (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 the cases, if the SPPD or the Department of Safety and Inspections (DSI) request copies of the surveillance tapes, licensee shall have a 48-hour period in which to provide such copies.

The Conditions Affidavit was submitted on February 3, 2011.

The hearing adjourned at 10:45 a.m.

Submitted by:
Vicki Sheffer