

LICENSE HEARING MINUTES
Taste of Rondo LLC, d/b/a Taste of Rondo, 976 Concordia Avenue
Thursday, June 23, 2:00 PM
Room 330 City Hall, 15 Kellogg Boulevard West
Nhia Vang, Deputy Legislative Hearing Officer

The hearing was called to order at 2:03 PM

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

Licensees: Charles Carter and Kasara Carter, Applicants/Owners

License Application: Add Gambling Location license to the existing Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Entertainment (A) licenses

Other(s) Present: Scott Schlaffman (Gambling Manager), Aliveness Project; Darnisha (dee) Henry, 986 Carroll Avenue; Jacob Southworth, Summit-University Planning Council

Legislative Hearing Officer Nhia Vang made introductory comments about the hearing process: This is an informal legislative hearing for a license application. This license application required a Class N notification to inform neighbors and the District Council about the application and provide them with an opportunity to submit comments. The City received correspondence of concern/objection, which triggered this hearing.

The hearing will proceed as follows: DSI staff will explain their review of the application, and state their recommendation. The applicant will be asked to discuss their business plan. Members of the community will be invited to testify as to whether they object to or support the license application. At the end of the hearing, the Legislative Hearing Officer will develop a recommendation for the City Council to consider. The recommendation will come before the City Council as a resolution on the Consent Agenda; the City Council is the final authority on whether the license is approved or denied.

There are three possible results from this hearing: 1) a recommendation that the City Council issue this license without any conditions; 2) a recommendation that the City Council issue this license with agreed upon conditions; or 3) a recommendation that the City Council not issue this license but refer it to the city attorney's office to take an adverse action on the application, which could involve review by an administrative law judge.

Minutes:

DSI Staff, Department of Safety and Inspections (DSI) gave a staff report for licensee Taste of Rondo LLC (License ID #20190000107), d/b/a Taste of Rondo Restaurant, located 976 Concordia Avenue. The application is to add a Gambling Location license to its existing Liquor On Sale - 100 seats or less, Liquor On Sale - Sunday, and Entertainment (A) licenses. There are existing conditions with one modification to condition #2, which removed a reference to zoning

parking requirements, as the City no longer has parking requirements. The conditions are as follows:

1. Licensee agrees to operate the establishment in compliance with Section 409.02 of the City of Saint Paul Legislative Code as a "Restaurant" and acknowledges having received a copy of Section 409.02. Requirements under this section include that the establishment offer full menu service up until one (1) hour prior to closing, actively promotes food sales, and maintains a kitchen staffed with clearly identifiable personnel during all hours of full menu service.
2. Licensee agrees to close the establishment at 12:00 a.m. midnight. All patrons/customers/members of the establishment shall vacate the premises by 12:30 a.m. each day of the week as per Section 409.02 of the City of Saint Paul Legislative Code.
3. The sale, service, display and/or consumption of alcohol shall be restricted to the licensed premises area as per the approved plan on-file with the Department of Safety and Inspections (OSI). Licensee acknowledges the approved liquor service area shall be restricted to the interior of the first floor (i.e., main level) of the building. No liquor sales, service, display and/or consumption is permitted in the basement of the building without prior written approval from OSI.
4. No sales, service, display, and/or consumption of alcohol is allowed outdoors without prior written approval and additional licensing from OSI.
5. 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.

DSI is not recommending any additional conditions for the Gambling Location license. There has been no correspondence received from any neighborhood organization to recommended or object. Building conditions, not applicable; License approved with conditions; and Zoning approved.

Ms. Vang asked Mr. Charles Carter to talk about the business: history, hours of operation, number of employees, etc.

Mr. Charles Carter gave a brief statement of their business since his last appearance in 2019. He then spoke about the application for the Gambling Location license, which was an ask from community members/patrons to do charitable bingo and pull tabs.

Ms. Kasara Carter spoke about the other development aspects of their business. They are responsible stewards of their current licenses. She addressed safety measures they've taken for the management of their business and does believe that the business attracts a dangerous crowd. She noted that the restaurant closes at 11:00 PM on weekends and closes at 9:00 PM on Sunday and Monday. She then went back to address the safety concerns looking directly at Ms. Darnisha (dee) Henry who attended the hearing and referenced her objection letter.

At this point, Ms. Vang took an opportunity to read into the record Ms. Henry's submitted email. Ms. Darnisha (dee) is objecting to the application. The email was received on May 4, 2022. Here address is 986 Carroll Avenue. She then asked Mr. Carter to respond to concern(s) raised.

Ms. Carter spoke directly to Ms. Henry to reassure her about the safety concerns. She stated that they often have their kids (aged 9 and 3 with them) in the restaurant; they committed to a family friendly environment.

Mr. Carter spoke about his intention to be a part of the community and stated that he takes safety concerns very seriously. He does not want to bring any trouble to the venue and expressed a commitment to shutting down any negative behavior observed.

Ms. Carter next shared her desire to uplift the Rondo community.

Mr. Carter reiterated his commitment to safety and stated that they have not experienced any issues over the past two years and that he will not allow lawful gambling to change that.

Ms. Vang asked about returns the business pre-pandemic measures.

Ms. Carter said their business opened during the pandemic and there was no pre-pandemic state.

Ms. Vang asked for clarification on the hours of operation.

Mr. Carter confirmed the hours of operation. Opens at 3:00 PM daily. Closes at 9:00 PM Sunday and Monday. Closes at 11:00 PM on Saturday and Sunday.

Ms. Vang asked about staffing.

Ms. Carter addressed staffing levels, which is about 10 – 11 people.

Ms. Vang asked about types of lawful gambling being operated.

Mr. Carter stated that the types of intended gambling are pull tabs, occasionally offering bingo, and maybe occasionally offering meat raffles.

Ms. Carter stated that she has not seen negative behaviors from offering these types of gambling.

Ms. Vang asked staff if there are restrictions on offering lawful gambling at this location.

Mr. Fischbach said that any gambling needs to be done in partnership with a state-approved organization.

Ms. Vang then open the next part of the hearing for public input. There were three members of the public in attendance. They were asked to introduce themselves by stating their Name, Address and whether they object or support the license application.

Mr. Scott Schlaffman, Gambling Manager, Aliveness Project, 3808 Nicollet Avenue S, Minneapolis

He introduced himself and stated that they a charitable organization that have been conducting charitable gambling in partnerships similar businesses since 1995. He provided details on how the pull tabs machines would operate: Players would put money in the machine and get a ticket; If the ticket has a cash value, they can go to the bar to redeem the ticket for cash value; and allow the operators to shut the machine down early.

Ms. Vang asked if the Aliveness Project will handle training for Taste of Rondo staff.

Mr. Schlaffman said they train staff and do regular check-ins, possibly weekly. Their visits are to replenish the tickets in the machine or train staff how to handle a winning ticket. The organization does not provide training to staff on bingo and meat raffles. He next discussed the mission of the Aliveness Project as an organization helping people living with HIV and AIDS.

Ms. Vang asked how the three types of lawful gambling would be operated.

Mr. Schlaffman gave details on how bingo and meat raffles are run differently than pull tabs. For bingo and meat raffles, he would decide as to the suitability of when the activities could be offered. A sufficient number of people interested in the event is needed in order to host a bingo or raffle event. He stated that summers can be more difficult because people spend more time outside. He added that bingo and raffles can only be administered by him or staff from his organization.

Mr. Carter stated that their bingo games and meat raffles would be scheduled and that he would work with Mr. Schlaffman to organize it.

Ms. Vang asked how the pull tab machines would be managed.

Mr. Schlaffman clarified that there would be one pull tabs machine with two games being offered. The machine must be in full view of the bar [Ms. Vang referenced the Floor Plan.]. He stated that operators are trained and on how to manage the machine, i.e., turning the machine on or off. The owners can turn it off whenever they like.

Mr. Carter stated that he would control the pull tabs machine and could end them at any time.

Ms. Vang asked Mr. Schlaffman if any of his partnerships with bars or restaurants had ever been severed.

Mr. Schlaffman said he had no issues with operators. Closures of partnerships have always been based on a lack of sales at the location.

Ms. Vang next invited other attendees to testify.

Ms. Darnisha (dee) Henry, 986 Carroll Avenue, Saint Paul

Ms. Henry objected to the issuance of the Gambling Location license because she does not support gambling. She addressed issues associated with gambling and why she opposes it. She

cited how the license would attract all types of people, including the wrong types of people. She had concerns about gambling safety in general, not specific to Taste of Rondo.

Mr. and Ms. Carter addressed Ms. Henry's concerns. They appreciated her heart being in the right place. They added that a dress code is one way, which might alleviate Ms. Henry's concerns. Also, they stated that they would turn off the machine, turn off the music, or refuse service if trouble emerges.

Ms. Henry appreciated the reassurances but said she would never be okay with gambling, and that it had nothing to do with the establishment.

Mr. Jacob Southwood from the Summit-University District Council spoke about the District Council's support for the business and stated that the organization has no objections to the license application.

Ms. Vang stated that after reviewing the records and testimonies from all parties, she supports DSI's recommendation of not adding additional conditions to the Gambling Location license. She will recommend to the City Council that they approve the license with no new conditions being added to the following existing license conditions:

1. Licensee agrees to operate the establishment in compliance with Section 409.02 of the City of Saint Paul Legislative Code as a "Restaurant" and acknowledges having received a copy of Section 409.02. Requirements under this section include that the establishment offer full menu service up until one (1) hour prior to closing, actively promotes food sales, and maintains a kitchen staffed with clearly identifiable personnel during all hours of full menu service.
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4. No sales, service, display, and/or consumption of alcohol is allowed outdoors without prior written approval and additional licensing from OSI.
5. 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 2:52 PM

The Conditions Affidavit was signed and submitted on June 23, 2022