860 St Clair Ave
St Paul MN 55105

Summit Hill
Association

651.222.1222
SummitHillAssociation.org

Dear Legislative Hearing Officer
310 City Hall
15 West Kellogg Blvd.
Saint Paul, MN 5 5102
Or email to: LH-Licensing@ci.stpaul.mn.us

Cc: Rebecca Noecker, City Council (rebecca.noecker@ci.stpaul.mn.us)
Jeffrey Fischbach, Department of Safety and Inspections (jeffrey.fischbach@ci.stpaul.mn.us)

Thank you for the opportunity to comment on license application 20230000453 for multiple licenses for Gather Eatery and Bar at 857 Grand Avenue. The licenses include:

- Liquor On Sale - 291 or more Seats
- Liquor On Sale- Sunday
- Liquor-Outdoor Service Area (Patio)
- Entertainment (B)
- Gambling Location

For this application, Summit Hill Association (SHA) held a Zoning and Land Use Committee meeting on May 16th. The meeting was held via Zoom and all addresses within 500ft of 857 Grand Avenue received notification by postcard. Approximately 20 neighbors participated in the meeting and SHA received nine comments via email on the application. This is in addition to more than 200 emails submitted to the Department of Safety and Inspections(DSI) during the May 2023 comment period on this license application. All emails received by SHA requested disapproval of the license application or significant conditions for any approval due to safety concerns, especially at closing time and around the parking lot and alley. The May 16th virtual meeting heard a range of concerns about the application and support for the Billy's owners. Nearly all commenters supported an earlier closing time for Billy's/Gather as a condition of the new license. Many participants also expressed the need for improved security, camera coverage, and cooperation with Saint Paul Police and DSI. Other commenters expressed concern that Wes Spearman has been treated unfairly by neighbors due to his race and spoke in support of his commitment to his business and the neighborhood. Racist comments were also a part of certain community members' public testimony at the hearing. We vehemently disagree with and condemn the positions expressed, in the strongest possible terms, on behalf of our organization and the Summit Hill community.

SHA has commented on previous applications from this operator at this site in 2021 and 2022. In 2021, SHA supported DWD Group in seeking all licenses to complete the ownership transfer. In 2022, after a violent incident outside of Billy's, SHA supported all licenses except the 2am close. At that time, SHA requested an earlier closing time to be part of the new license in response to violent incidents and neighborhood complaints about closing time noise and nuisance behaviors. That license was never granted due to enforcement proceedings and now SHA is reviewing this license application for a rebranded bar with the same management team.

At a May 23rd SHA Board Meeting, the board voted on multiple motions to formulate a recommendation to the City:

- A motion to support all five licenses as proposed with DSI conditions failed 1-7.
- A motion to approve licenses as proposed with DSI conditions except an added midnight closure Sunday-Thursday and a 1am closure Friday-Saturday failed 1-6-1.
- A motion to approve licenses as proposed with DSI conditions except an added midnight closure on all days of the week carried 6-1-1.

Based on those votes and additional board conversation, the final recommendation from SHA to the City is:

- SHA does not support the application as submitted.
- SHA would support a license with:
    - 12am closing time
    - Improved camera and security coverage of common areas within the Victoria East complex and the parking lot. SHA would encourage the DWD group to seek outside security expertise in placing cameras.
    - Strengthening proposed condition 8 to apply an "upward departure" to any license violations accrued in the first two years of the new license given recent enforcement actions under this management team and at this location.

SHA supports local businesses, a wide range of entertainment options, and overall vitality on Grand Avenue but given the strength of neighborhood concerns and the number of negative incidents associated with closing time at Billy's, we cannot support the current license application as submitted. SHA is supportive of DWD's plans to rebrand Billy's and focus more on food and a wider range of customers and entertainment options. We believe an earlier closing time and more vigilance around safety within and outside the property is compatible with their goals to modify their business model. It would also represent a commitment from DWD group to taking safety and neighborhood concerns seriously and make it possible for Gather Eatery & Bar to thrive in this location for many years to come. We appreciate DWD Group's willingness to communicate with SHA and participate in community meetings about Billy's and neighborhood safety.

Thank you for the opportunity to comment. Please contact Monica Haas at the SHA office with any additional questions.

Sincerely,

Simon Taghioff	Monica Haas	Maggie Wenger
SHA President	SHA Executive Director	ZLU Chair

Attachments:
2021 SHA Letter of support for Billy's License Application
2022 SHA letter of support with conditions for Billy's License Application
Emails received by SHA about the Gather Eatery and Bar License Application

Re License Application 20230000453
DWD Group LLC, doing business as Gather Eater & Bar

Legislative Hearing Officer,

I strenuously object to the issuance of a permit under this application to this business to serve alcohol at that location. My reasons are as follows:

1. The current operators of Billy's (DWD Group) are operating under another entity's license (RPMJ Group) and are applying for their "own" license.
    a. The current operators of Billy's that are operating have been found non-compliant under current license conditions and have been fined twice. These hearings, administrative law judge proceedings, city council meetings, etc... take a very very very long time. (OAH 71-6020-38398)
    b. They have had two more "occurrences" that are being, or should be, brought forward as violation of license conditions that occurred during the very very very long processes for the first two incidents which both drew fines from the City council. Based on my understanding and police reports:
        i. one was for refusing police entrance to the business to investigate after an incident/assault;
        ii. the other was 18 June 2022 after two customers who had begun a confrontation in the facility left the specific confines of the business itself, exchanged gunfire with many rounds being fired immediately outside the business (nine casings from 2 different weapons) and then fled and to my knowledge were never apprehended even though the police could view both of them on video from inside the bar and leaving the bar. *One of the rounds fired went through the kitchen window of the building that I live in* and narrowly missed one of my neighbors. (pictures attached) (SPPD Case No. 22-107998)
        iii. It is my understanding that if they are granted a new license with their own operating conditions the two outstanding license violations would be associated with the old license or possibly even just "go away". Unacceptable!
2. There have been several incidents of gunfire in the late evening hours since the incidents described above. The most recent was on the early morning hours (1:25AM) of 7 May 2023 when an incident described by police in their initial comments of their continuing investigation as:

> *The investigation into this incident is on-going. The incident has been assigned to the gang unit for further investigation.*
> *So far we know that our officers were dispatched to the area of Grand/Avon just before 1:30am on 5-7-23 on the report of multiple shots fired. There was a large crowd of people in front of Billy's on Grand. Officers did not locate anyone who was injured in the incident. Two windows at Billy's on Grand had been broken and it is believed to be caused by the gun fire.*
> *Preliminary investigation is that the rounds were fired somewhere outside on/near Grand Ave.*
> *It is unknown at this time what lead up to the shots being fired, but that is something our gang unit investigators are working to try to determine.*
>
> *Officers recovered video and other evidence that will be reviewed and process[ed] by investigators in the gang unit.*
> *No suspects at this time, but again the investigation is on-going.*
> *I hope this helps answer some of your questions. Feel free to reach out with any additional questions or concerns.*
> *Thank you.*
>
> ***Stacy Murphy | Senior Commander***
> ***Western District***
> ***Saint Paul Police Department***
> *389 N Hamline Ave I St. Paul, MN 55104*
> *T: 651-266-5558 I C: 612-910-5685*
> *stacy.murphy@ci.stpaul.mn.us*
> ***Trust | Service | Respect***

a. In addition to the bullets that shattered windows of Billy's own building, the following morning a resident directly across the street from Billy's found a bullet hole in a window of her residence. Picture attached. While the investigation is continuing it indicates that gunfire was going in both directions – toward Billy's (shooting out windows as indicated in the above police communication) AND away from Billy's penetrating the window and residence directly across the street.
b. Reports from those awakened by the gunfire at 1:25AM report that it was "automatic" gunfire (machinegun like). This is commonly observed when pistols are modified to alter the "sear" that allows semi-automatic pistols to fire in the same manner as a machine gun, often with extended magazines containing 30 rounds of ammunition. As stated above this incident has been referred to the "gang unit".
c. The SPPD have now stationed a monitoring trailer and camera surveillance unit in front of Billy's that is perhaps necessary under the current conditions and operations of Billy's but represents another cost for the City and is emblematic of the operation of Billy's as the nexis of violence, police response, and cost to the City and impacts to the neighborhood, the residents and other businesses as a result of and associated with the operation of Billy's.

3. They currently have uniformed unarmed security on site, the off duty Ramsey County deputies that formerly were there about a year ago are no longer - they refused to continue providing security. They frisk – pat down, customers entering after 9PM. They have private security there as a condition of their license as a consequence of conditions imposed on them as a result of multiple prior incidents at Billy's under the current owners operations. *That hasn't seemed to help much. The incidents continue*.
4. In my opinion, the reason the shootings are happening outside of the bar is because they frisk and search patrons coming into the bar, so when they get into a dispute inside, they take their dispute outside, get their guns out of their cars, and start shooting it out.
5. The operators of Billy's have steadfastly tried to deflect the incidents that have occurred as happening "outside of their premises". In their view - their operation creating the environment and creating the conditions in our neighborhood described above is not being anything that they can be held accountable for. This is false, wrong, disingenuous. Their operation has been the nexus for the incidents cited.
6. The hearing examiner MUST review the prior findings by the prior administrative hearings and findings. These are FACTS and findings that must be considered in this process.
7. The hearing examiner MUST request from the SPPD *all* police reports including ongoing investigations since the last administrative hearings to get the facts and full scope of the incidents and the number of incidents that the police (and the neighbors in our area) have had to deal with and endure as a direct result of the operation of Billy's over the past 2 years.
8. During a hybrid in person and zoom meeting at the Western District SPPD offices on 15 July 2022 I participated in the meeting via Zoom (pandemic conditions) and directly asked Mr. Spearman why he had to be open between the hours of 11PM and 2AM. His two responses were:
   a. "We just want to be treated the same as other's (a reference to other licenses in St. Paul that allow the sale of alcohol after 11PM); and
   b. "We are a high volume business"
   His first comment (a.) seems to completely disregard the requests, feedback, demands from the residents in the neighborhood. His second comment (b.) indicates that the profit that the operators hope to gain between 11PM and 2AM justifies the violence, gunfire, police response and other unacceptable conditions the neighbors are expected to endure so that he can gain profit from alcohol sales from 11PM to 2AM.
9. The operators of Billy's, in the background of all that has occurred above and the repeated requests from the neighbors and recommendations from the police to not offer events that create the Nexis for

late night violence, gunfire, noise and disturbance in our neighborhood have continued to do just that. A posting from the internet for a recent event:

{REWIND SATURDAYS}: Cinco De Mayo Weekend

Sat May 06 2023 at 09:00 pm

Billy's On Grand, 857 Grand Ave, Saint Paul, United States

Have you been waiting for the weather to break (AGAIN) just like we have??? Great because we have the perfect theme to kick off the Spring season (AGAIN) at Rewind Saturdays!!!

song!
You don't wanna miss this!!!
Vibes curated by DJ Enferno and
Hosted by Lightskin Jermaine!!!!
{REWIND SATURDAYS} Home of
Vintage Hip-Hop & R&B
LADIES ONLY: TEXT REWIND to
763.247.1104 for FREE Guest List!
(Must arrive between 9-10pm)
FOOD | DRINKS | MUSIC | GOOD VIBES
|
Where: Billy's On Grand
When: Every Saturday 9p-2a
Cost: $10
Dress Code: Cool Fly & Flashy
Orchestrated by: The Specialist

https://djenfernobooking.com/event/4818994/614434017/rewind-saturdays

Please note – "When: **Every Saturday 9p-2a**"
This would be the "event" that preceded the gunfire described in #2. above

The operators of Billy's have shown no ability to control the violence that has become associated with their operation and have shown no willingness to modify their operations in spite of continued violence and gunfire.

There have been assertions of racism and prejudice against my neighbors and others in the community who have spoken out against the operations of Billy's over the past two years by the operators of Billy's. These unfounded assertions have appeared both in print and broadcast media. I am offended by those assertions. The issues enumerated above are FACTS. Bullet holes are bullet holes, spent casings on the curb are real and tangible. The assertions of racism are a disingenuous attempt to deflect the responsibility for the serious issues outlined above.

My strong recommendations:

A. Do not issue a new license at this time to DWD Group LLC, doing business as Gather Eater & Bar until all open incidents associated with the current operation under the current license have been fully processed through DSI, the city attorney, and any office of administrative hearings and the City council. These issues are serious and the refusal to allow police to enter the facility may itself result in revocation of the existing license. The operators should not be allowed to evade responsibility by attempting to get a completely new license and not be held to account for their past violations of an existing license they are operating under. **Their request for a new license at this time is a ploy to avoid revocation of the existing license that Billy's is operating under due to the past violations and penalties and the pending actions discussed above. It is my understanding that under City licensing**

the revocation of the existing license would result in that physical location not being able to receive a new full liquor license for 15 years. The outcome of fines, additional conditions, and potential revocation of the current liquor license as a result of administrative and City council process related to items 1. b. i. and ii. above should be allowed to process through the system. The issuance of a "new" license should not circumvent the process and allow them to evade the consequences of their prior, and current operations of the facility.

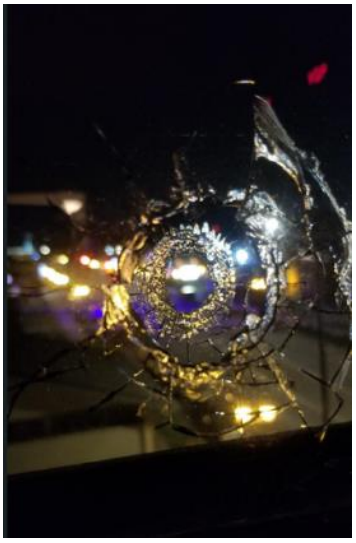
B. If after going through the hearings and actions related to the prior incidents outlined above the City does not revoke the existing full liquor license for the current operators of Billy's (this would be a tragedy and an abdication of their role and duty) then:
    a. The city must put additional restrictions on the license conditions and among other conditions restrict the operation to close at 11pm;
    b. the existing license should not be renewed at the time it comes up for renewal; and
    c. a new license should not be issued at that time.

C. If in spite of our objection to the issue of a new license - if the council would feel pressured into making that very unfortunate and inappropriate decision, the license should be greatly restricted from the license that currently exists to conform to the character and nature of the neighborhood:
    a. considering the past issues of the operation that location should focus on food and have a beer and wine only license.
    b. considering the noise and disruption of the operation on the mixed business residential nature of our neighborhood an 11PM end of beer and wine services to its patrons is most appropriate.

I look to the hearing examiner, DSI, and the City Council to show bold and clear leadership on this issue to show concern for the residents and the other businesses in our area and to restore and maintain the feeling and reputation of Grand Avenue and the greater neighborhood as a safe and enjoyable place to be. In addition, for the residents in our area, we want to feel safer walking our streets, being out at night, and going to the window and not fear catching a stray bullet.

Robert Karls
51 Avon Street South, #24
St. Paul MN 55105
612-850-3811 (cell)
Bkarls58@gmail.com

See attached exhibits on following page.



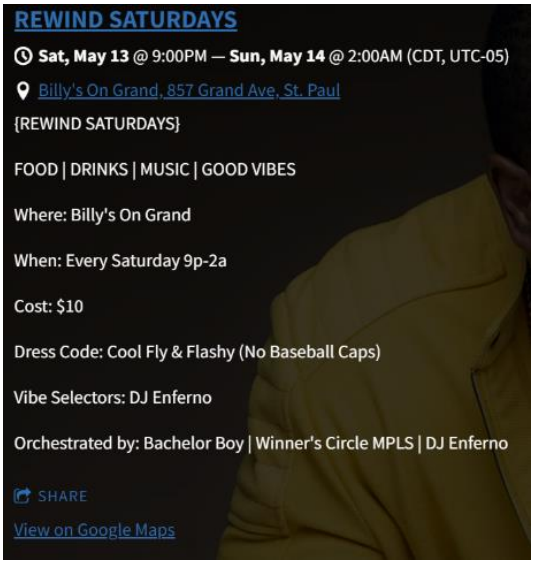
Bullet holes in kitchen window from shooting evening of 18 June 2022. Multiple shots fired.

Police monitoring station now in place Directly across from Billy's - 9 May 2023

Thanks so much, Billy's on Grand, for the bullet hole on my porch from Saturday night!
Billy's On Grand, Saint Paul, MN

(screenshot from posting on NextDoor)

Bullet hole in window of residence directly across from Billy's – Early morning 1:25am 7 May 2023



REWIND SATURDAYS

Sat, May 13 @ 9:00PM — Sun, May 14 @ 2:00AM (CDT, UTC-05)

Billy's On Grand, 857 Grand Ave, St. Paul

{REWIND SATURDAYS}

FOOD | DRINKS | MUSIC | GOOD VIBES

Where: Billy's On Grand

When: Every Saturday 9p-2a

Cost: $10

Dress Code: Cool Fly & Flashy (No Baseball Caps)

Vibe Selectors: DJ Enferno

Orchestrated by: Bachelor Boy | Winner's Circle MPLS | DJ Enferno

SHARE

View on Google Maps

https://djenfernobooking.com/event/4818994/614434017/rewind-saturdays posted on the internet 10 May 2023 - 3 days after the last gunfire outside Billy's

Gmail

ZLU Committee <zlu@summithillassociation.org>

Billy’s liquor license comment

1 message

The Rossos <the.rossos@gmail.com> Tue, May 16, 2023 at 4:45 PM
To: zlu@summithillassociation.org

We have lived at 750 Lincoln Ave for the last 12 years. We do not support approval of a liquor license for Billy’s. The pause from Safety has been warranted. The establishment has drawn a crowd that is not neighborhood friendly.

Last summer we had a shooting outside the establishment that left one man dead, two weeks ago rounds of bullets were sprayed into a bar full of patrons. We have friends that have taken stray bullets to their residences that were directly connected to activity at Billy’s. The civil resources required to keep this establishment “safe” of gang activity and free of gun violence is out of hand.

Billy’s has not demonstrated that they can get control of their crowd. The owners have an obligation to the community and have repeatedly failed.

I fear my children driving by Billy’s near bar close or rival gangs showing up at Billy’s and speeding through the streets exchanging gun fire. It’s a matter of time before there is another casualty.

Billy’s needs a rebrand to draw a different crowd. I don’t think their current model and lack of owner responsibility around the gun violence originating from their establishment warrants the granting of a liquor license.

Brent & Tonya Rosso
750 Lincoln Avenue

Sent from my iPhone

Gmail

ZLU Committee <zlu@summithillassociation.org>

Fwd: Billy's on Grand Gun Violence and Licensing

1 message

General Information <info@summithillassociation.org> Sat, May 20, 2023 at 4:04 PM
To: ZLU Committee <zlu@summithillassociation.org>

---------- Forwarded message ---------
From: **Molly Hickey** <molly.breen.quinlan@gmail.com>
Date: Thu, May 18, 2023 at 9:41 AM
Subject: Billy's on Grand Gun Violence and Licensing
To: <info@summithillassociation.org>
Cc: Tom Hickey <tomhickey22@gmail.com>

Hi SHA,

I'm writing to voice my family's strong objection to DWD Group LLC, doing business as Gather Eatery and Bar, previously known as Billy's on Grand, obtaining business license 20230000453.

I understand that you'll be making a recommendation to the city of St. Paul regarding that license in the near future. I know, too, that many of you are also parents of young children. Guns are the number one killer of children in our community, and we have an opportunity to do something about that violence in our neighborhood. I urge you to recommend that DWD group does not get a business license as they have proven that they cannot operate safely over their tenure in the Billy's building.

Thank you,
Molly and Tom Hickey
1012 Portland Ave
651-247-2586

Gmail

ZLU Committee <zlu@summithillassociation.org>

Fwd: Billy's on Grand Liquor License

1 message

General Information <info@summithillassociation.org> Wed, May 17, 2023 at 1:03 PM
To: ZLU Committee <zlu@summithillassociation.org>

---------- Forwarded message ---------
From: **McGough, Kacy (Minneapolis)** <Kacy.McGough@wtwco.com>
Date: Wed, May 17, 2023 at 1:00 PM
Subject: Billy's on Grand Liquor License
To: info@summithillassociation.org <info@summithillassociation.org>

Hello,

I am writing in regards to the current liquor and entertainment license request submitted by Billy's on Grand. I am a Summit Hill resident and live 3 blocks from Billy's today and although I have enjoyed being a patron in the past, it is clear that in recent years Billy's has become a hotspot for violence. Although I appreciate the owners recent pitch regarding plans to renovate and reinvent, this feels like a last ditch effort to push through with an approval with no guarantee of any actual changes. The current owner has had plenty of time and opportunities to make much needed changes. We need to take a firm stance to make our community a safe place for all to live and congregate.

I implore the SHA to recommend to the city to not grant a license to Billy's on Grand. Although I am fully supportive of small business owners and would not want to see yet another Grand Avenue business shuttered, it is time to give someone else a chance at utilizing that spectacular location on Grand Avenue to its full potential.

Kacy McGough, 687 Lincoln Avenue.

Kacy McGough

Director, Benefits Outsourcing

WTW

8400 Normandale Lake Boulevard, Suite 1700 | Minneapolis, MN 55437-3837

Phone: 612.559.5585

kacy.mcgough@wtwco.com

wtwco.com

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Gmail

ZLU Committee <zlu@summithillassociation.org>

Fwd: Class N Notification - DWD Group LLC, dba Gather Eatery & Bar

2 messages

Bob Karls <bkarls58@gmail.com> Thu, May 4, 2023 at 4:30 PM
To: Information <info@summithillassociation.org>, ZLU Committee <zlu@summithillassociation.org>

Hello SHA,
I would assume you have received a similar notification on this license application forwarded below. You filled an important role a year or so ago in taking an active position on convening stakeholders and providing written comment on this establishment and their permit and operating conditions. I realize that you work closely with businesses in our area and on Grand and you, and the residents in the area, want to support a vibrant and diverse business community. **But it must be a safe and <u>compatible</u>** business use.

1. The current operators of Billy's (DWD Group) are operating under another entity's license (RPMJ Group) and are applying for their "own" license. We won't speculate as to why and why this timing... there are different reasons depending upon who you talk to and what your experience has been in this matter, no need for speculation on that - the following three points are facts.
2. The current operators of Billy's that are operating have been found non-compliant under license conditions and have been fined twice. These hearings, administrative law judge proceedings, city council meetings, etc... take a very very very long time. (OAH 71-6020-38398)
3. They have had two more "occurrences" that are being brought forward as violation of license conditions that occurred during the very very very long processes for the first two incidents which both drew fines from the City council. Based on my understanding and police reports:
   a)... one was for refusing police entrance to the business to investigate after an incident/assault;
   b) the other was 18 June 2022 after two customers who had begun a confrontation in the facility left the specific confines of the business itself, exchanged gunfire with many rounds being fired immediately

outside the business (nine casings from 2 different weapons) and then fled and to my knowledge were never apprehended even though the police could view both of them on video from inside the bar and leaving the bar. One of the rounds fired went through the kitchen window of the building that I live in and narrowly missed one of my neighbors. (pictures attached) (Case No. 22-107998)
4. It is my understanding that if they are granted a new license with their own operating conditions the two outstanding license violations would be associated with the old license or possibly even just "go away". Unacceptable!

There have been assertions of racism and prejudice against my neighbors and others in the community who have spoken out against the operations of Billy's over the past two years by the operators of Billy's. I am offended by those assertions. #1 through #4 above are FACTS. Bullet holes are bullet holes, spent casings on the curb are real and tangible.

The operators of Billy's have steadfastly tried to deflect the incidents that have occurred as happening "outside of their premises". In their view - their operation creating the environment, and creating the conditions in our neighborhood described above is not being anything that they can be held accountable for. This is false, wrong, disingenuous. Their operation has been the nexus for all of these incidents cited.

My strong recommendations:
1. Do not issue a new license at this time and do not issue a new license until all open incidents associated with the operation have been fully processed through DSI, the city attorney, and any office of administrative hearings. These issues are serious and the refusal to allow police to enter the facility may itself result in revocation of the existing license. The operators should not be allowed to evade responsibility by attempting to get a completely new license and not be held to account for their past violations of an existing license they are operating under.

2. If in spite of our objection to the issue of a new license - if the council would feel pressured into making that very unfortunate and inappropriate decision, the license should be greatly restricted from the license that currently exists to conform to the character and nature of the neighborhood:

a) considering the past issues of the operation they should focus on food and have a beer and wine only license

b) considering the noise and disruption of the operation on the mixed business residential nature of our neighborhood an 11PM end of liquor services to its patrons is most appropriate.

I look to SHA to show bold and clear leadership on this issue to show concern for the other businesses in our area and to restore and maintain the feeling and reputation of the Grand and greater SHA neighborhood as a safe and enjoyable place to be. In addition, for the residents in our area, we want to feel safer walking our streets, being out at night, and going to the window and not fear catching a stray bullet.

I will be presenting this information in the public comment and hearing process. I respectfully request SHA to weigh in as you have before.

Bob Karls
51 Avon St S #24
St. Paul MN 55105

---------- Forwarded message ---------
From: ***CI-StPaul_LH-Licensing** <LH-Licensing@ci.stpaul.mn.us>
Date: Thu, May 4, 2023 at 11:19 AM
Subject: Class N Notification - DWD Group LLC, dba Gather Eatery & Bar
To: *CI-StPaul_LH-Licensing <LH-Licensing@ci.stpaul.mn.us>

Hello,

Based on your prior interest in the license application for DWD Group LLC, dba Gather Eatery & Bar (previously known as Billy's on Grand), 857 Grand Ave, we wanted to let you know that the public comment period has opened for this license application. The Class N Notification is attached to this message. You can send all comments to this email, LH-Licensing@ci.stpaul.mn.us.

If objections are received and a hearing is triggered, the hearing officer will only be considering comments sent during the comment period, which ends on Friday, May 19.

Let me know if you have any questions.

Thanks,

Greg Weiner

Executive Assistant – Licensing Hearings

Saint Paul City Council

LH-Licensing@ci.stpaul.mn.us

651-266-8512

He/him/his

--
Bob Karls
bkarls58@gmail.com

4 attachments

Bullet hole in window 18 June 2022 from Billys.JPG
155K

Bullet hole in window evening of incident 18 June 2022 from Grand by Billys.jpg
131K

DWD Group LLC, dba Gather Eatery & Bar, 857 Grand Ave, 5-4-23.pdf
212K

Findings of Fact, Conclusions of Law, and Recommendation - Billys Dec 2022.pdf
189K

Bob Karls <bkarls58@gmail.com> Mon, May 8, 2023 at 10:37 AM

To: Information <info@summithillassociation.org>, ZLU Committee <zlu@summithillassociation.org>

And to further my points from my email last week - Please see the following from the SPD this morning...We need to keep Grand Avenue vibrant and safe! Key points - gunfire; property damage; gang unit; police responding at 1:30am
Take aways - this business is operated in a mixed business/residential neighborhood; nexus for gun violence we have never had before; they need to close EARLY; they should not be able to escape their violations under their current permit by being issues a new one.

Bob Karls

From: **Stacy Murphy** <stacy.murphy@ci.stpaul.mn.us>
Date: Mon, May 8, 2023 at 10:08 AM
Subject: RE: Shots fired at Billy's on Grand
To: Peter Caritas <peter@stylefish.com>
Cc: David McCabe <david.mccabe@ci.stpaul.mn.us>, Sheila Lambie <sheila.lambie@ci.stpaul.mn.us>, Jennifer Corcoran <jennifer.corcoran@ci.stpaul.mn.us>

The investigation into this incident is on-going. The incident has been assigned to the gang unit for further investigation.

So far we know that our officers were dispatched to the area of Grand/Avon just before 1:30am on 5-7-23 on the report of multiple shots fired. There was a large crowd of people in front of Billy's on Grand. Officers did not locate anyone who was injured in the incident. Two windows at Billy's on Grand had been broken and it is believed to be caused by the gun fire.

Preliminary investigation is that the rounds were fired somewhere outside on/near Grand Ave.

It is unknown at this time what lead up to the shots being fired, but that is something our gang unit investigators are working to try to determine.

Officers recovered video and other evidence that will be reviewed and process by investigators in the gang unit.

No suspects at this time, but again the investigation is on-going.

I hope this helps answer some of your questions. Feel free to reach out with any additional questions or concerns.

Thank you.

Stacy Murphy | Senior Commander

Western District

Saint Paul Police Department

389 N Hamline Ave I St. Paul, MN 55104

T: 651-266-5558 I C: 612-910-5685

stacy.murphy@ci.stpaul.mn.us

Trust | Service | Respect

[Quoted text hidden]

--

Bob Karls
bkarls58@gmail.com

Gmail

ZLU Committee <zlu@summithillassociation.org>

Fwd: Liquor License Application at 857 Grand Avenue in Saint Paul

4 messages

General Information <info@summithillassociation.org> Sun, May 7, 2023 at 11:35 PM
To: ZLU Committee <zlu@summithillassociation.org>

---------- Forwarded message ---------
From: **Montana Luchsinger** <mmluchsinger@gmail.com>
Date: Sun, May 7, 2023 at 10:42 PM
Subject: Liquor License Application at 857 Grand Avenue in Saint Paul
To: <info@summithillassociation.org>

To Whom it may concern,

As a member of this community, I am writing this letter to discuss the license application by DWD Group LLC, Gather Eatery & Bar, currently operating as Billy's on Grand.

Over the past 8 months, there have been a disturbing amount of incidents connected with or surrounding the business located at 857 Grand Ave that I personally have witnessed. I have personally called the police department over a dozen times since September 2022. The issues have ranged from reckless driving, drunken car accidents, open drug use, domestic disputes, verbal altercations, gunshots, and patrons loitering beyond operating hours.

For the 3rd time this year, we are dealing with gun violence directly correlated with Billy's on Grand. This morning, 5/7, at 1:25am, I called 911 in response to gunfire directly outside Billy's. This time, it was an automatic weapon and there were over 15 shots fired within seconds. People running for cover in hopes of not being killed. The windows were shot out at Billy's and the business is still open today, as if nothing happened. How is this ok?

As you are aware, I hope, the business is up for renewal of its liquor license, which is going to a vote in the next few days. As a vested member of this community, I would hope that this association will get involved in petitioning against this license renewal.

I urge you to take this very seriously. If this continues to escalate, someone will be hurt, again.

Sincerely,

Montana Luchsinger
415-419-4275

ZLU Committee <zlu@summithillassociation.org> Wed, May 10, 2023 at 7:29 PM
To: mmluchsinger@gmail.com

Received. I have not seen the city hearing announcement yet, but the Summit Hill Association ZLU hearing will be next Tuesday:

https://www.summithillassociation.org/calendar/2023/5/16/zlu-hearing-for-gather-eatery-amp-bar-billys-liquor-license

Maggie Wenger
ZLU Chair
[Quoted text hidden]

Montana Luchsinger <mmluchsinger@gmail.com> Wed, May 10, 2023 at 7:48 PM
To: ZLU Committee <zlu@summithillassociation.org>

Thank you for sharing Maggie! Quick question for you- are these sessions recorded, I assume not, but just checking.

We received notice for the hearing as follows;

The Legislative Hearing will tentatively be held on:
Date/Time: 6/1/2022 at 2:00 p.m.
Location: Room 330 City Hall/Courthouse
15 West Kellogg Boulevard
St. Paul, MN 55102
[Quoted text hidden]

ZLU Committee <zlu@summithillassociation.org> Wed, May 10, 2023 at 8:31 PM
To: Montana Luchsinger <mmluchsinger@gmail.com>

They are not recorded. Thanks for the info on the City hearing! If you have additional comments to share via email before the meeting, please do.

Thanks!
Maggie
[Quoted text hidden]

Gmail

ZLU Committee <zlu@summithillassociation.org>

Fwd: More Gun Fire and the Application of LICENSE NUMBER 20230000453

2 messages

Executive Director <director@summithillassociation.org> Sun, May 7, 2023 at 6:33 PM
To: ZLU Committee <zlu@summithillassociation.org>

---------- Forwarded message ---------
From: **Griggs Nichols** <griggsn@gmail.com>
Date: Sun, May 7, 2023 at 6:08 PM
Subject: More Gun Fire and the Application of LICENSE NUMBER 20230000453
To: LH-Licensing@ci.stpaul.mn.us <lh-licensing@ci.stpaul.mn.us>
Cc: Noecker, Rebecca (CI-StPaul) <rebecca.noecker@ci.stpaul.mn.us>, <info@summithillassociation.org>, <director@summithillassociation.org>

I'm writing this on Sunday afternoon after we were awoken (yet AGAIN) at 1:30am by another flurry of gun fire in front of 857 Grand, presently known as Billy's on Grand. Billy's front window was shot out and is currently covered with gray sheets of plywood. Luckily, yet again, no one was injured or killed. How much longer before Billy's and the city's luck runs out and the headline changes to injury or death?

This establishment and ownership CANNOT be allowed to continue to function in this manner. They CANNOT continue to be allowed to be a nuisance and blight on this otherwise upscale neighborhood. They CANNOT be allowed to stay open past midnight. They CANNOT continue to be permitted to have DJs or live bands/music. They have demonstrated numerous times in the last two years that their client base cannot behave as law abiding, civil people.

I was nearly struck down by a stray bullet last June from a probable customer of Billy's. I can't walk into my kitchen without pause, reflection, or memory (and sometimes fear) of that night.

I have owned a home here along Grand Avenue for twenty-four years. I have been a nearly life long Crocus Hill and Mac-Groveland resident. No more. I'm finished. I'm tired. I am now leaving Saint Paul strictly because of this establishment, how it continues to be run, and how the city seems to refuse or be able to take definitive action.

Fix this soon or the blood will be on your hands.

Respectfully,

Milton Griggs Nichols
612-790-7809

ZLU Committee <zlu@summithillassociation.org> Wed, May 10, 2023 at 7:29 PM
To: griggsn@gmail.com

Received. I have not seen the city hearing announcement yet, but the Summit Hill Association ZLU hearing will be next Tuesday:

https://www.summithillassociation.org/calendar/2023/5/16/zlu-hearing-for-gather-eatery-amp-bar-billys-liquor-license

Maggie Wenger
ZLU Chair
[Quoted text hidden]

Gmail

ZLU Committee <zlu@summithillassociation.org>

Grand Old Day 2023

1 message

Sonja Mason <sonjalmason@gmail.com> Mon, Feb 6, 2023 at 7:33 PM
To: zlu@summithillassociation.org

Greetings.

I am writing to request more information on 2023 Grand Old Day. The return of Grand Old Day after the pandemic hiatus is exciting, but it also brings with it the need to ensure it is managed well.

Over the years, a number of strategies have been worked out to support the fun, while countering the disruption and harms that come with such a large event, especially in the areas where alcohol is served.

(1) what security measures will be in place?
(2) specifically, will there be security in the Summit-Grand alleys adjacent to the beer garden stages, as there has been in the past?

(I urge the committee/SHA ONLY to support the application with alley security measures. There is a history of considerable inappropriate and illegal behavior as well as property damage. Crimes in the alleys, security measures, have abated those problems without security, undoubtedly the criminal activity will return.)

(3) What trash collection measures will be in place? In the past, ample trash receptacles were provided on Summit, as well as on Grand Avenue. Cleanup crews swept the streets at the end of the event.

(I hope that the trash and litter containment policies will remain at the same high-level that they were at in 2019.)

(4) stages and gardens:

I have many questions about the Dixies Stage as it relates to having a stage with music and alcohol next to an active construction site, as well as the new concept of a rolling stage being placed in the public right of way. I will save those for the meeting, as I understand that drawings and more details will be presented.

Thank you,
Sonja

Sent from iPhone (please excuse the typos.)

Gmail

ZLU Committee <zlu@summithillassociation.org>

ZLU Hearing for Gather Eatery and Bar (Billy's) Liquor License

1 message

Patrick Michaelis <michaelis@uwalumni.com> Wed, May 10, 2023 at 7:40 PM
To: zlu@summithillassociation.org

Dear ZLU Committee,

I am writing this letter as a neighbor in response to the license application by DWD Group LLC, doing business as Gather Eatery & Bar, which has been operating as Billy's on Grand.

My wife and I moved next door to Billy's on Grand in August of 2022, and have nothing but negative feelings towards the establishment since arriving. We have lived in multiple major cities before Saint Paul and knew the potential of "bar noise" prior to signing our lease at our location. Needless to say, our experience living next to Billy's on Grand has been like nothing we have ever seen or experienced before and has reached well beyond your typical "bar noise".

My wife and I have called the police countless times since living here due to reckless firearm discharges, gun shots, domestic disputes, verbal altercations, reckless driving, patrons loitering beyond operating hours, patrons playing excessively loud music from their cars while they loiter, open drug usage, and witnessing public urination to name a few offenses.

If the city of Saint Paul communicated with the Saint Paul police department, the SPPD would be able to provide a sufficient amount of evidence to prove Billy's on Grand is an issue beyond repair. The business obviously has not been able to control the patrons that have decided to frequent this establishment. It is out of the control of the business. The fact is that the business is attracting this crowd to my neighborhood and making it dangerous for my family, other's that live here, and even innocent other people that go to the bar that are not causing issues!

Billy's on Grand is bringing no value to this neighborhood and does not belong here. The amount of criminal activity and mischief has skyrocketed in this neighborhood since the new ownership group has taken over and community members do not feel safe in this neighborhood. The amount of police calls due to the patrons of Billy's on Grand should be enough evidence beyond measure that this business cannot go on as is. There has been evidence of an increase in gun violence in this neighborhood directly related to this establishment. The city of Saint Paul already knows what a nuisance and safety liability this business is causing. Accepting the liquor license for Billy's on Grand would be accepting this neighborhood to continue on a downward path. The police have been called hundreds of times in the past few years and this business has been allowed to stay open and carry on. Someone was shot and killed on Grand Avenue in August of 2020, directly related to individuals from Billy's on Grand.

When is enough enough? Do more people need to be hurt? Does someone else need to be shot?

Please let the neighborhood live in peace, and do not accept the continuation of a liquor license at 857 Grand Avenue.

As a last note, someone with an automatic firearm shot multiple rounds through the patio and front windows of Billy's on Grand last night, in the early hours of May 7th.

I am pleading with you to make this madness stop! I live here. I have witnessed, single handedly, day in and day out, better than anyone else, the dangerous and destructive behavior that is a result of the business at 857 Grand Avenue This is a residential neighborhood that is wreaking havoc on innocent community members. Please help.

Thank you for your consideration,

Patrick Michaelis
833 Grand Ave.
Saint Paul, MN 55105

860 St Clair Ave
St Paul MN 55105

651.222.1222
SummitHillAssociation.org

April 26th, 2022

To: Jeff Fischbach, DSI (LH-Licensing@ci.stpaul.mn.us)
Ross Haddow, DSI (ross.haddow@ci.stpaul.mn.us)
Erik Hudak, DSI (Eric.Hudak@ci.stpaul.mn.us)

CC: DWD Group LLC / Wesley Spearman (wesleemalik@gmail.com) (Applicant)
C.M. Rebecca Noecker (Rebecca.Noecker@ci.stpaul.mn.us)
Nhia Vang (nhia.vang@ci.stpaul.mn.us)

Re: Renotification for Liquor on Sale, Entertainment and Gambling Licenses for DWD Group LLC d/b/a Billy's on Grand (License #20210000875)

Background

Billy's on Grand is a long-established neighborhood bar at the intersection of Grand Avenue and Victoria Street. DWD Group, the present owners, began operating the bar under a management agreement from the licensee, RJMP Group Inc., in May 2021, and promptly applied for identical licensing in their own name.

That license application originally came before us in September last year. We supported all the licenses, including the 2:00 AM license, as they were identical to the previous licensing. However at the time we also 'strongly encouraged' the applicant to retain the existing 1am closing time that was in effect at the time.

After reviewing the adverse action packet regarding the incidents which took place in October/November 2021, we wrote to the City Council, withdrawing our support for a 1:00 AM closing time and suggesting a 12:30 AM close instead. The inspection process ultimately led to a fine and additional proposed license conditions from DSI, which in turn triggered a re-notification of the license application.

The Present Application

DWD Group LLC is applying for 6 licenses, which are identical to those they have had under their management agreement since May 2021. Five of those licenses are uncontroversial: *Liquor On Sale - 291 or more Seats*; *Liquor On Sale - Sunday*; *Liquor - Outdoor Service Area (Patio)*; *Entertainment (B)*; and *Gambling Location*.

The sixth license – *Liquor On Sale - 2AM Closing* – has been the focus of neighborhood concern.

860 St Clair Ave
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Public Hearing

SHA held a Public Hearing on 4/12/22, followed by a discussion and vote by the full board. There has been considerable interest from the neighborhood. We received **~35 written public comments** and approximately **50 neighbors attended** our Public Hearing.

The key issues discussed and relevant to our recommendations are:

1. **Crime and public nuisance**

   It was clear from the written comments and from those who spoke at our hearing that the vast majority of neighbors want Billy's to be a successful business for many years to come. They also want Billy's to be a good neighbor.

   Written and verbal testimony from neighbors focused on the various incidents of ongoing public nuisance or criminal conduct at or associated with Billy's since May 2021. Issues voiced by residents included:

   - **Violence in and around the establishment.** Neighbors highlighted the increased numbers of assaults, shootings, robberies and carjackings that have taken place in the vicinity of Billy's. The recent adverse action as well as other reported incidents were mentioned. Several neighbors were eyewitnesses to one or more of these incidents.
   - **Noise and public nuisance.** Noise and other disturbance was a major complaint. Although the bar is on Grand Avenue, it is within a residential neighborhood and directly adjacent to a number of residential buildings. Loud patrons leaving the venue after 2:00AM, drag racing and loud music were all reported. With the 2:00AM closing time, neighbors report noise until 2:30 AM - 3:00 AM.
   - **Public safety.** Many testified that they no longer feel safe being near that section of Grand Avenue in the evening or that their peaceful enjoyment of their property has been repeatedly interrupted by everything from excessive noise, to violent assaults and gunshots. Two building owners in the vicinity of Billy's reported that renters are not renewing their leases and that condo owners are putting their units up for sale because they no longer feel safe living in the neighborhood.
   - **Break-ins, loitering and vandalism.** Owners and renters reported that their homes and buildings were broken into and entered after midnight, and that property was stolen or vandalized.
   - **Siphoning of police resources.** Some residents were concerned that the police calls generated by Billy's were taking law enforcement resources away from other areas of the city.

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2. **Whether these problems are specific to Billy's or reflective of city-wide increases in violent crime.**

   The applicant noted that there has been a general uptick in violent crime city-wide, and that events are, at least to some extent, beyond their control.

   While we do not doubt this is the case, this does not absolve the owners of their responsibilities toward their patrons or the general public. Businesses are obliged to respond to the realities of the time and place in which they operate, and do what is reasonably within their control to address issues of public nuisance and criminal activity as they arise.

   To their credit, the owners have added extra security personnel, including off-duty Ramsey County officers on weekends at considerable cost. Unfortunately, even this heightened level of security has been insufficient to address the ongoing problems listed above.

3. **Whether a midnight closing time would be an appropriate and effective measure.**

   Virtually all of the public testimony we received strongly advocated for an earlier closing time, noting that many of the problems seemed to be taking place in the early hours of the morning.

   We heard from two SPPD officers at our hearing. They stated that bars in Saint Paul that stay open past midnight can become a focal point for public nuisance and criminal activity. They named several other bars they had worked with where the owners had voluntarily agreed to close at midnight and experienced a marked reduction in police calls and other complaints as a result. We also independently researched closing times for other bars in the neighborhood and cross-compared with a list of licensed premises and their hours that DSI compiled and provided to us.

   The applicant's position was that a 2:00 AM closing time is inherent to their business model as a sports bar, and necessary to differentiate them from other establishments on Grand Avenue. We disagree. Several other venues have demonstrated that it is possible to operate a profitable bar at a prominent location on Grand Avenue (and elsewhere in the city) without the need to serve alcohol until 2:00 AM.

   Ultimately, the owners have made a series of business decisions that have invited and enabled the kinds of problems listed above.

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4. **How to deal with spillover from smokers, and the impact of vacating the patio at 11:30 PM**

   The applicant raised the concern that vacating the outdoor patio after ending service at 11:00 PM forces patrons out onto the surrounding streets to smoke, which in turn makes it harder for security personnel to manage and exacerbates the issues described above. We share this concern. We would support a further condition that allows the patio space to be used after 11:30 PM solely by patrons who wish to smoke, so long as the area has sufficient security coverage and alcoholic beverages are not consumed outside. To be clear, we support the proposed 11:00 PM ending of service on the outdoor patio, and the 11:30 PM cessation of consumption of drinks on the patio. We request that smoking patrons be provided space on the premises where their safety can be assured and neighbors' noise concerns might be better addressed.

SHA Board Recommendations

Having weighed all the public testimony received and evaluated the application, the full Summit Hill Association / D16 board recommends the following:

- We **support** 5 of the 6 licenses:
  - *Liquor On Sale - 291 or more Seats*
  - *Liquor On Sale - Sunday*
  - *Liquor - Outdoor Service Area (Patio)*
  - *Entertainment (B)*; and
  - *Gambling Location*

- We **do not support** the following license:
  - *Liquor On Sale - 2AM Closing*

- We **support** an alternative license (if required) to allow for a midnight closing time.

- We **support** all of the listed license conditions (1-9).
  - Our support for the 5 licenses above plus a midnight closing time is premised upon all of the listed conditions being attached to the licenses.

- We **suggest** the adoption of one further condition:
  - To allow for limited use of the patio after 11:30 PM to accommodate smokers, with sufficient security provided. No alcoholic beverages would be allowed outside during this time.

Thank you for your consideration, and please let us know if you have any further questions.

860 St Clair Ave
St Paul MN 55105

Summit Hill
Association

651.222.1222
SummitHillAssociation.org

Kind regards,

Monica Haas	Denise Aldrich	Simon Taghioff
Executive Director	President	Chair, Zoning & Land Use Committee

860 St Clair Ave
St Paul MN 55105

Summit Hill Association

651.222.1222
SummitHillAssociation.org

December 14, 2021

Ms. Rebecca Noecker (ward2@ci.stpaul.mn.us)
Ms. Amy Brendmoen, Council President (ward5@ci.stpaul.mn.us)
Mr. Dai Thao (ward1@ci.stpaul.mn.us)
Mr. Chris Tolbert (ward3@ci.stpaul.mn.us)
Ms. Mitra Jalali (ward4@ci.stpaul.mn.us)
Ms. Nhia Vang (nhia.vang@ci.stpaul.mn.us)
Ms. Taina Maki (taina.maki@ci.stpaul.mn.us)

RE: APPLICATION FOR LIQUOR ON SALE UNTIL 2:00AM FOR BUSINESS AT 857 GRAND AVENUE

The Summit Hill Association is grateful for the opportunity to provide further comment on the requests made by Billy's on Grand, 857 Grand Avenue, to transfer the existing licenses at this address to Mr. Wes Spearman.

Per our previous letter, we support all of Mr. Spearman's/Billy's applications ***except for the Liquor On Sale Until 2:00am License***. Due to recent events at Billy's and the feedback that has come to the City Council and SHA from neighbors since the submission of our original letter (dated September 15, 2021), the Summit Hill Association now recommends approval of a license for ***Liquor on Sale Until Midnight***.

Separate from Mr. Spearman's application, we urge the City Council review the topic of closing times for establishments with liquor licenses throughout the city. We are greatly concerned with the increase of violent crimes throughout our city, which are certainly exacerbated by the presence of alcohol. We encourage the City to develop a comprehensive plan governing bar and tavern operations on a city-wide level to help to create a safer and thriving St. Paul.

We would welcome the opportunity to talk in greater detail regarding the city-wide issues at hand. Please do not hesitate to contact us with any questions.

Sincerely,

Monica Haas, Executive Director
Denise Aldrich, Board President
Simon Taghioff, ZLU Chair