



## Legislation Details (With Text)

**File #:** RES PH 17- 191 **Version:** 1  
**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 7/19/2017

**Title:** Approving adverse action against the the Liquor On Sale - 100 seats or less, Liquor On Sale-Sunday, Entertainment B and Gambling Location licenses held by Midway Enterprises, LTD d/b/a Hot Rod's Bar & Grill (License ID #0016294) for the premises located at 1553 University Avenue West in Saint Paul.

**Sponsors:** Russ Stark

**Indexes:**

**Code sections:**

**Attachments:** 1. Notice of Council Hearing with Affidavit of Service.pdf, 2. Uncontested License Matter form.pdf, 3. License Group Comments Text.pdf, 4. License Group Conditions Text.pdf, 5. Original Offense Incident Report - CN #17-070-817 dated April 1st 2017.pdf, 6. Original Offense Incident Report - CN #17-071-571 dated April 3rd 2017.pdf, 7. Letter from Kristina Schweinler to Dean Bigaouette dated April 12th 2017.pdf, 8. Email from Kristina Schweinler to Therese Skarda and DSI staff dated April 18th 2017.pdf, 9. Notice of Violation and Notice of Intent to Suspend Licenses with Affidavit of Service.pdf, 10. Letter from licensee's attorney requesting a public hearing received June 15th 2017.pdf, 11. Signature Copy of RES PH #16-426 imposing \$500 penalty and license conditions dated December 7th 2016.pdf, 12. Email indicating \$500 penalty payment dated January 24th 2017.pdf, 13. Signature Copy of RES #17-643 - ALJ Report Memorialization imposing \$1000 penalty dated April 26th 2017.pdf, 14. Email indicating \$1000 penalty payment dated May 9th 2017.pdf, 15. SPLC Section 310.05 (m) - Presumptive Penalties Matrix.pdf

Date	Ver.	Action By	Action	Result
7/24/2017	1	Mayor's Office	Signed	
7/19/2017	1	City Council	Adopted As Amended	Pass

Approving adverse action against the the Liquor On Sale - 100 seats or less, Liquor On Sale-Sunday, Entertainment B and Gambling Location licenses held by Midway Enterprises, LTD d/b/a Hot Rod's Bar & Grill (License ID #0016294) for the premises located at 1553 University Avenue West in Saint Paul.

WHEREAS, the Liquor On Sale - 100 seats or less, Liquor On Sale-Sunday, Entertainment B and Gambling Location licenses held by Midway Enterprises, LTD d/b/a Hot Rod's Bar & Grill (License ID #0016294) for the premises located at 1553 University Avenue West in Saint Paul were the subject of a Notice of Violation and Notice of Intent to Suspend Licenses sent June 1, 2017, stating the licensee failed to submit the required Video Surveillance Plan to the Department of Safety and Inspections by the December 31, 2016 deadline imposed by City Council on December 7, 2016 (RES PH #16-426) in violation of license condition #1; and

WHEREAS, the Department of Safety and Inspections sent a letter to the licensee on April 12, 2017, requesting video surveillance on April 3, 2017 from midnight to 1:30 a.m. be submitted to their office by 4:30 p.m. on April 17, 2017; and

WHEREAS, a representative of the licensee contacted DSI on April 17, 2017, to inform them the video surveillance would not be submitted by the deadline because they needed to call a technician to download the video; and

WHEREAS, the video surveillance was then submitted to the Department of Safety and Inspections on April 18, 2017 at 9:42 a.m.; and

WHEREAS, the licensee's security staff also failed to wand patrons as they entered the licensed premises in violation of license condition #2; and

WHEREAS, this was the third (3<sup>rd</sup>) violation to his license conditions within the past eighteen (18) months; and

WHEREAS, per Saint Paul Legislative Code § 310.05 (m) (1), the licensing office recommended a \$2,000.00 matrix penalty and a ten (10) day suspension of all licenses; and

WHEREAS, the licensee responded to the Notice of Violation and Notice of Intent to Suspend Licenses to request a public hearing which was scheduled on July 19, 2017; so therefore be it

RESOLVED, Midway Enterprises, LTD d/b/a Hot Rod's Bar & Grill is hereby ordered to pay a \$2,000.00 matrix penalty; and

FURTHER RESOLVED, the Liquor On Sale - 100 seats or less, Liquor On Sale-Sunday, Entertainment B and Gambling Location licenses held by Midway Enterprises, LTD d/b/a Hot Rod's Bar & Grill are hereby suspended for a period of ten (10) days with five (5) days being stayed for eighteen (18) months pending no same or similar incidents. Said suspension will begin at 12 a.m. (midnight) on Wednesday, August 9, 2017 and end at 11:59 p.m. on ~~Friday, August 18~~ Sunday August 13, 2017.