



Legislation Details (With Text)

File #: RES 19-510 **Version:** 1

Type: Resolution **Status:** Passed

In control: City Council

Final action: 5/8/2019

Title: Approving the application with conditions, per the Deputy Legislative Hearing Officer for The Midway Entertainment Group, LLC (License # 20180004578), d/b/a The Midway Saloon, for Liquor On Sale - 100 Seats or Less, Liquor On Sale - Sunday, Liquor On Sale - 2 AM Closing, Entertainment (B), and Gambling Location licenses at 1567 University Avenue West.

Sponsors: Mitra Jalali

Indexes: License, Liquor, Ward - 4

Code sections:

Attachments: 1. Minutes, 2. Signed Conditions Affidavit, 3. Class N Application, 4. Floor Plan with Interior Photos, 5. Street Photos, 6. STAMP Activity Report, 7. Incident Report, 8. District Council Letter, 9. Email of Objection, 10. Aerial Photo, 11. Zoning Map, 12. Plat Map, 13. AMANDA Print Screen, 14. 100' Property Ownership, 15. Class N Notification, 16. Notification of License Hearing, 17. Notification to Non-City Parties, 18. 45-Day Waiver Resolution, 19. Sign-in Sheet

Date	Ver.	Action By	Action	Result
5/10/2019	1	Mayor's Office	Signed	
5/8/2019	1	City Council	Adopted	Pass

Approving the application with conditions, per the Deputy Legislative Hearing Officer for The Midway Entertainment Group, LLC (License # 20180004578), d/b/a The Midway Saloon, for Liquor On Sale - 100 Seats or Less, Liquor On Sale - Sunday, Liquor On Sale - 2 AM Closing, Entertainment (B), and Gambling Location licenses at 1567 University Avenue West.

WHEREAS, The Midway Entertainment Group, LLC (License # 20180004578), d/b/a The Midway Saloon applied for Liquor On Sale - 100 Seats or Less, Liquor On Sale - Sunday, Liquor On Sale - 2 AM Closing, Entertainment (B), and Gambling Location licenses located at 1567 University Avenue; and

WHEREAS, the licensee received support from the Hamline Midway Coalition to waive the 45-day notification; and

WHEREAS, per RES 19-220, the City Council granted approval on February 13, 2019 for Liquor On Sale - 100 Seats or Less, Liquor On Sale - Sunday, Liquor On Sale - 2 AM Closing, Entertainment (B), and Gambling Location licenses with the following conditions:

1. Licensee will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. Licensee will submit the video surveillance plan to the Saint Paul Police Department (SPPD) liaison with the Department of Safety and Inspection (DSI) for review and approval. In accordance with the approved video surveillance plan, licensee will ensure that video surveillance camera system is in good working order, ensure it is recording 24 hours per day, ensure it can produce recorded surveillance video in a commonly used, up-to-date format, and ensure that accurate date and time of day are visible on all recorded video. Licensee will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, licensee shall make surveillance video immediately available for viewing by SPPD. If a copy of the

surveillance video for a serious incident is requested by SPPD, Licensee shall have the technology, materials and staff available to immediately make the copy. In all other cases, licensee shall provide a copy of the surveillance video to the requestor within 48 hours.

2. Licensee will insure that daily inspection of the perimeter of the licensed premises takes place. Any trash, debris, cigarette butts, bottles, cups or similar materials shall immediately be removed; and

WHEREAS, an objection to the for Liquor On Sale - 100 Seats or Less, Liquor On Sale - Sunday, Liquor On Sale - 2 AM Closing, Entertainment (B), and Gambling Location licenses was received within the notification period, and a hearing was held on March 18, 2019; and

WHEREAS, after conducting the hearing and considering testimonies and relevant materials, the Deputy Legislative Hearing Officer recommends that the application for for Liquor On Sale - 100 Seats or Less, Liquor On Sale - Sunday, Liquor On Sale - 2 AM Closing, Entertainment (B), and Gambling Location licenses for The Midway Entertainment Group, LLC (License # 20180004578), d/b/a The Midway Saloon at 1567 University Avenue West be approved with the following conditions:

1. Licensee will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. Licensee will submit the video surveillance plan to the Saint Paul Police Department (SPPD) liaison with the Department of Safety and Inspection (DSI) for review and approval. In accordance with the approved video surveillance plan, licensee will ensure that video surveillance camera system is in good working order, ensure it is recording 24 hours per day, ensure it can produce recorded surveillance video in a commonly used, up-to-date format, and ensure that accurate date and time of day are visible on all recorded video. Licensee will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, licensee shall make surveillance video immediately available for viewing by SPPD. If a copy of the surveillance video for a serious incident is requested by SPPD, Licensee shall have the technology, materials and staff available to immediately make the copy. In all other cases, licensee shall provide a copy of the surveillance video to the requestor within 48 hours.
2. Licensee will insure that daily inspection of the perimeter of the licensed premises takes place. Any trash, debris, cigarette butts, bottles, cups or similar materials shall immediately be removed.
3. Licensee agrees to complete work on the SPPD approved video surveillance camera and lighting placement plan (video surveillance plan) in accordance with SPPD plan requirements by 04/05/2019
4. Lighting will be installed to provide illumination for the security cameras and for the safety of customers, etc., pursuant to St. Paul Leg. Code Sec.63.116. Outdoor lighting - new and/or modified - shall be shielded to reduce glare and shall be so arranged as to reflect light away from all residences in such a way as to not exceed three (3) foot-candles measured at the resident district boundary. Lighting shall not interfere with the vision of persons on adjacent highways or adjacent property. The illumination of any other outdoor feature shall be maintained stationary and constant in intensity and color at all times when in use.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Saint Paul hereby approves this license application with the aforementioned mutually agreed-upon conditions.

The Conditions Affidavit was signed and submitted on March 20, 2019.