Legislation Text

File #: RES 26-1301, **Version:** 1

Directing the Department of Safety and Inspections to proceed with adverse action and the imposition of a $500 matrix penalty and amended license conditions against Richard A Defoe Entertainment Inc d/b/a Wilebskis Blues Saloon (License ID #0096027) for the premises located at 1638 Rice St.

WHEREAS, Richard A Defoe Entertainment Inc d/b/a Wilebskis Blues Saloon ("Licensee") was notified in a letter from the City Attorney's Office dated April 15, 2026, and titled Notice of Violation and Request for Imposition of $500 Matrix Penalty and Amended Conditions ("Notice") (**Exhibit #1**), that the Department of Safety and Inspections ("Department") recommended a $500 matrix penalty and amended conditions for the Licensee's Liquor On Sale 181-290 Seats, Liquor On Sale - Sunday, Liquor On Sale - 2AM Closing, and Entertainment (B) licenses (License ID #0096027) ("License") for violations of the Minnesota Statutes and Saint Paul Legislative Code; and

WHEREAS, The Notice explained that on October 5, 2025, a homicide had taken place in the parking lot at 1638 Rice Street ("Licensed Premises"). That same night, a patron was struck by a vehicle while crossing the street after leaving the Licensed Premises. On October 16, 2025, the Department sent a letter to the Licensee requesting video footage for the night of October 5, 2025, no later than October 20, 2025 (**Exhibit #2**). On October 21, 2025, the Licensee emailed the Department requesting an extension of the deadline to October 23, 2025 (**Exhibit #3**); and

WHEREAS, The Licensee provided the video footage and the Saint Paul Police Department ("SPPD") reviewed the footage and observed staff serving alcohol to patrons past the 2 a.m. closing time, staff consuming alcohol in the presence of the SPPD, and staff dumping bottles outside of the Licensed Premises past 10 p.m., which are violations of the License; and

WHEREAS, On April 27, 2026, the Licensee, via his attorney, contacted the City Attorney's Office requesting an extension to respond to the Notice; and

WHEREAS, The City Attorney's Office provided the Licensee's attorney with extensions to respond to the Notice of Violation on multiple occasions including on April 27, 2026, April 29, 2026, May 27, 2026, May 29, 2026, and June 8, 2026 (**Exhibit #4**); and

WHEREAS, On May 5, 2026, and May 8, 2026, the Licensee's attorney emailed the City Attorney's Office advising that the Licensee will be paying the $500 fine (**Exhibit #5**). The Department confirmed with the City Attorney's Office that no payment was received from the Licensee; and

WHEREAS, After receiving a letter of objection to the proposed conditions on June 8, 2026, the City Attorney's Office emailed a response letter on July 9, 2026, to the Licensee's attorney (**Exhibit #6**). The Licensee's attorney was given a deadline of July 31, 2026, to respond to the letter but failed to do so; and

WHEREAS, The Department recommends reasonable amendments to the Licensee's current license conditions for the purpose of promoting public safety and welfare, in addition to advancing the public peace, and promoting security and safety in the neighborhood, consistent with Saint Paul Legislative Code § 310.04 (c) (**Exhibit #7**); and

WHEREAS, Saint Paul Legislative Code § 310.03(m)(2) identifies the presumptive penalty for a first violation as a $500 matrix penalty; and

WHEREAS, The Department recommends the imposition of the presumptive $500 matrix penalty and the amendment of the license conditions; and

WHEREAS, The Notice explained the Licensee's options to respond to this proposed penalty, including contesting the facts before an administrative law judge, contesting the penalty before the City Council, or admitting to the facts and agreeing to the penalty; and

WHEREAS, The Notice stated that if the Licensee does not contest the violation, the matter would be placed on the City Council consent agenda to impose the $500 matrix penalty and impose the amended conditions; now, therefore, be it

RESOLVED, That Richard A Defoe Entertainment Inc d/b/a Wilebskis Blues Saloon, holding the Liquor On Sale 181-290 Seats, Liquor On Sale - Sunday, Liquor On Sale - 2AM Closing & Entertainment (B) licenses (License ID #0096027) for the premises located at 1638 Rice St., Saint Paul, MN 55117, is hereby ordered to pay the $500 matrix penalty and abide by the license conditions now amended and imposed upon this license for violations of the Saint Paul Legislative Code §§ 409.07(a)(1), 409.07(c)(3), 409.07(d), 409.07.1(c)(2)-(3), 409.08(3), and Minnesota Statutes § 340A.504, subds. 2, 7(a), a penalty which is consistent with Saint Paul Legislative Code §§ 310.03(m)(1), (m)(2), 310.04(c).

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