

LICENSE HEARING MINUTES
University of Saint Thomas, d/b/a same, 2115 Summit Ave
Monday, April 17, 2023 at 10:00 AM
Room 330 City Hall, 15 Kellogg Boulevard West
Nhia Vang, Legislative Hearing Officer

The hearing was called to order at 10:01 AM

Staff Present: Ross Haddow, Department of Safety and Inspections (DSI) Licensing Inspector, Eric Hudak, DSI Licensing Manager

Licensee: Pam Peterson, Applicant/Associate Vice President of Auxiliary Services

License Application: Expansion of the existing Liquor On Sale - 291 or more Seats liquor service area

Other(s) Present: Amy McDonough, Chief of Staff in University of Saint Thomas President's Office; Jerome Benner, Director of Neighborhood and Community Relations for the University of Saint Thomas

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. Also received was an email of support from the district council.

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:

Ross Haddow, Department of Safety and Inspections (DSI) gave a staff report for licensee University of Saint Thomas (License ID# 20110002908), d/b/a same, located at 2115 Summit Avenue. The application is for expansion of the existing Liquor On Sale - 291 or more Seats

liquor service area. DSI is recommending approval with no new license conditions. Existing conditions are as follows:

1. The University of Saint Thomas (UST) agrees that service and consumption of alcohol will only be allowed within the areas outlined on the UST Campus Liquor License Locations Map (Locations Map) dated 03/16/2023. UST understands and agrees that modifications to the Locations Map must occur in accordance with the procedural guidelines for modification of liquor licensed premises outlined under the Saint Paul Legislative Code.
2. The licensee is responsible for taking all appropriate measures to ensure that the sale/service/consumption of alcohol is contained within the designated UST campus liquor service area(s) on file with DSI.
3. There shall be no permanent bar and/or liquor service area established by UST. The intent of this condition is to prohibit UST from conducting business in a manner similar to operations such as, but not necessarily limited to the following: a restaurant with regular hours which also serves alcohol, a bar, etc.
4. All employees/managers/servers providing alcoholic beverages under the UST license shall undergo yearly Alcohol Awareness Training through an agency approved by DSI to operate such a program. All new employees/managers/servers shall be required to undergo training within two (2) weeks of their starting date. The licensee shall have proof of each person who has completed this training on-site, and this proof shall be made available to DSI upon request.
5. Licensee will adopt procedures to ensure that alcohol is not served to anyone under the age of twenty-one (21).
6. The sale of alcoholic beverages shall occur between the hours of 10:00 a.m. and midnight, with last call at 11:30 p.m. NOTE: The sale/service of alcoholic beverages on Sunday is permitted with this license.
7. There shall be an annual review of the license and conditions. As part of the review, UST will provide documentation from the previous year regarding events at which liquor was sold, including calls to UST security regarding patron behavior at these events.
8. UST will provide to the West Summit Neighborhood Advisory Committee (WSNAC) and/or to DSI upon request a log of events where sales of alcoholic beverages have occurred. UST will cooperate with WSNAC and DSI to address any complaints filed with the City regarding sales of alcoholic beverages by UST, including discussing the need for new or modified conditions at the time of annual license renewal.
9. The sale of alcoholic beverages outdoors at events with more than 150 attendees shall occur only in the following outdoor locations: (a) Monahan Plaza-lower academic quadrangle; (b) Upper (residential) quadrangle; (c) Sabo Plaza (in front of science center); (d) Science center rear plaza; (e) North Athletic Fields; and (f) Palmer Athletic Field.
10. UST will position trash receptacles at each exit of events attended by more than 150 individuals with signage encouraging trash to be discarded upon exit.
11. UST will control access to and from each authorized service and consumption area outlined on the Locations Map to prohibit individuals from exiting those areas with open containers of alcohol.

No District Council correspondence was received. Building N/A; License is approved with conditions; and Zoning is approved.

Ms. Vang asked Mr. Haddow if there have been any complaints that DSI was contacted about regarding Condition #8 since the applicant first obtained their liquor license.

Mr. Haddow: We have not had a complaint related to that and have not requested any log.

Ms. Vang next asked the applicants how many events have taken place and how many complaints there have been related to their liquor license, since they first obtained their license.

Ms. McDonough: There have been no complaints. Regarding the total number of events, there have been 100 or more. Events where we are serving alcohol on campus are primarily donor events. They don't involve students.

Ms. Vang: I ask because I want to understand what or how many objections were received and resolved.

Ms. McDonough: These events are really by invitation only and is not open to just anybody who could attend. Before football games there is an event solely for alumni as well. This is not in the stadium. It's a much smaller group.

Ms. Peterson: Sometimes there are wedding receptions as well.

Ms. Vang: How are events monitored to keep out undergraduates, and if a complaint comes in how do you resolve it?

Ms. McDonough: We have brought this up at a couple different at WSNAC meetings and there were no concerns. They haven't requested a log of liquor consumption either. These are contained events that do not have students present. Maybe we should have had a little bit more explanation because the liquor license notice does not provide context.

Ms. Vang: I remember there was a lot of interest around this and I just want to get an update. Nothing seems to have changed and obviously this has been working. It makes sense that you would keep this pattern.

Mr. Benner: We did reach out to the objectors. I spoke to three and Ms. McDonough spoke to one. I think their biggest concern is that they think that we're trying to expand our liquor license to everything that we can on campus for entertainment and fun, and that alcohol will be served to students as well. However, these are for specific events for donors, weddings, and other gatherings. They appreciated that we gave them a phone call. Context was lost in the letters, and they appreciated the clarification.

Ms. Vang: And these are for specific events and won't be used 7 days a week. The big thing is that you no longer have to use a third party for serving liquor. How would the new locations be monitored?

Ms. McDonough: The Schoenecker center will be used for events, like its opening event. It would be in a room and contained in a specific area.

Ms. Peterson: This will not be on a regular basis.

Ms. Vang: And these are posted in advance, so anyone with an issue can get in touch with you, correct?

Ms. Peterson: Correct

Ms. McDonough: The person I talked to was mainly concern about a new hockey arena that has been discussed. I was clear this this was not for that, and they just wanted to make sure they had a chance for public input on that subject.

Ms. Peterson: It sounds like a big ask, but three of these locations are ones that we missed adding back in 2021. One other is outside. The Murray Center will only use one room and only be used three times a year. The Veranda just for premium season ticket holders for football, for taking drinks outside for the 6 home football games. Currently they have to stay in the bar service area

Ms. Vang: The context is helpful to understanding how the space can be controlled. What locations were missed?

Ms. Peterson: 3 missed are Murray Campus Center, the Seminary School, and Saint Mary's Chapel.

Mr. Haddow: You don't do open service on the sports fields, correct? Only premium season ticket holders have access?

Ms. Peterson: Correct. There is also the Purple on the Plaza pre-game and goes through halftime

Mr. Haddow: Just wanted to have on the record that this is not like a Vikings game in terms of access to alcohol, since that was a concern from one of the letters.

Ms. Peterson: Correct.

Ms. Vang note that no guests were in attendance. She closed the public hearing and next read into the record letters from several people who were unable to attend the hearing. The first was from Sara Cassidy, 88 Exeter Place. Her objection did not cite a reason.

Mr. Benner: I did speak with Sara. She did appreciate the phone call. She just wasn't quite sure to what extent we were looking to serve. But once I explained things to her, she was okay with that.

Ms. Vang next read into the record the letter from Colleen Crenshaw, 2182 Goodrich Avenue. Their objection voiced concerns about youth consumption and consumption between allowed service areas.

Ms. McDonough: I spoke to Colleen yesterday. I explained that we are not serving young people. She appreciated that and had nice things to say as well. She did also express concerns about the arena and the ability to weigh in on that.

Ms. Vang next read into the record the letter from Gayle Breutzman, 151 Woodlawn Avenue. Their objection voiced concerns about nuisance activities, parking, displacing of other private businesses, and security.

Mr. Benner: I spoke to her and her husband Jerome. These were similar concerns about what the future holds in terms of development, such as when the arena comes. We will keep them in the loop. Once I explained things, they did appreciate the clarification. They didn't withdraw the objections but did appreciate the call.

Ms. Vang: Regarding noise and parking, you have a private ramp, correct? There is lots of permitted parking around there so people can't just park anywhere.

Ms. McDonough: Correct. We get complaints about parking, more from student parking than from events.

Ms. Vang: You do have security though that will help monitor that?

Ms. Peterson: For the big ones, yes. For athletics we use Best Security. All other events are our Public Safety department, for things like weddings.

Ms. Vang: Do you have your own security then?

Ms. McDonough: We do have our security that operates 24/7. Anyone can make a call to them at any time.

Ms. Vang: This doesn't prevent them from calling the City though, right?

Mr. Haddow: Correct. We have our complaint line that can be accessed 24/7. We check it when we are in the office Monday through Friday. For complaints, anything that's related to liquor gets routed to me and I do the initial follow-up and figure out what's going on, whether that be to contact the resident who made the complaint or contact the school to figure out what was going on. But as we've noted, we haven't had any complaints. 651-266-8989 is the number and is always available to anybody. Should they have a complaint, we follow up with those immediately.

Ms. Vang next read into the record the letter from Jerome Abrams, 151 Woodlawn Avenue. Their objection voiced concerns about competition with local businesses, nuisance activities, youth consumption, vandalism, and training.

Ms. Peterson: I can speak to the alcohol awareness training. Within 2 weeks of hire, the staff that are serving complete tips training and it's an online training that takes about 6 hours to complete.

We do that with some 20 hires, and they do it annually. The university pays for that. They do also check IDs.

Ms. Vang: There is a condition in place that indicates that you don't operate like a restaurant, and that is not an issue. Regarding complaints, it may be helpful for Mr. Haddow to review the complaint process.

Mr. Haddow: We do a very thorough complaint process. As stated earlier, the number is 651-266-8989. If you call during business hours, you get somebody on the phone to get the figure out where the complaint needs to go, and they route it directly to the inspector. Inspectors follow up on any phone calls that we receive within 24 hours. If there is a phone number to contact the resident who complained, we contact them and figure out exactly what's going on with the issue and get all the details. We'll follow up with the school or in this case, as well. But in any case, all liquor license complaints come directly to me. I am the point person for all liquor complaints, so they don't go into a black hole. We take all complaints very seriously. We do our due diligence to verify the validity of the complaint and what needs to be done. And then we address the situation however necessary.

Ms. Vang: Mr. Abrams mentioned vandalism. Have you seen complaints about this?

Mr. Haddow: Very minimal complaints. We went through and pulled the police log for that address to gauge what's going on. We have complaints that go through our system and then we have anything that's gone through the 911. Most of the items listed are contracted over time, since I'm assuming you're hiring off-duty police officers occasionally from various events. There's a couple of disturbances here. Disorderly boys and girls, a couple welfare checks, some burglary, some break-ins, accidents. There may have been one graffiti I think on there. But all in all, we didn't see anything on the report that really, they were due to specific. Most of the complaints that we see here would be similar complaints for any of the other colleges and universities within the city.

Ms. Vang: And for traffic accidents, this is a large area. Those can't really be attributed to the management of the university.

Ms. McDonough: We are very concerned about the safety of Cretin Avenue and want to state that for the record.

Ms. Vang next read into the record the letter from Tim Rowell, 2040 Laurel Avenue. Their objection voiced concerns about nuisance activities, student drinking, and a lack of any neighborhood liaison.

Ms. Vang: Just to clarify, these locations are indoors, correct?

Ms. Peterson: They are all indoor except the veranda.

Ms. Vang: The complaint in the letter cited an incident that was outside your jurisdiction.

Ms. McDonough: Regarding the complaint the letter cites, this was probably a student house. We really encourage neighbors to call our Department of Public safety, but they always can call the Saint Paul police as well.

Mr. Benner: The dean of students' office and is aware of this event and we are currently investigating it.

Ms. Vang: What happens with investigation?

Ms. McDonough: We ask the student to come in and talk about it if there are upset neighbors.

Mr. Benner: We want to get the students' perspectives as well to get two sides to the story. We investigate whether disciplinary action is needed, but mostly it's an educational focus to make sure it doesn't happen again.

Ms. Vang: Can we have your contact info attached to the record so people can reach you, since you are the new neighborhood liaison?

Mr. Benner: Yes. [Contact information: Jerome Benner, Director of Neighborhood and Community Relations, Telephone: 651-962-6063, Email: jerome.benner@stthomas.edu]

Ms. Vang asked Mr. Haddow about the police report process.

Mr. Haddow: I had a police officer pulled a report on Thursday of last week just to see if there are any updates. The most recent call I have for that address is on April 7th and its tagged as Investigate and All/Other, so that doesn't get really given much to go off. I didn't have the specific address as to where the complaint came. It was impossible for me to narrow down if there was a police call to it. But once again, nothing is showing up that there's anything attached to the university, and we did not get any complaints to our office.

Ms. Vang: Again, this is outside your scope, but as a university, you do more because the neighbors expect that from you.

Ms. Vang next read into the record the letter from Chris Parker, who did not list an address. Their letter was received after the closing date for public comment but was still considered. Their objection voiced concerns about student drinking problems and the specific buildings being expanded to.

Ms. McDonough: This letter cites two residence halls as service areas. I want to clarify that we don't allow liquor in residence halls. There are some residence hall rooms on the top two floors of Murray Campus Center, so that may be what they are referring to. It's not the intention to serve alcohol for residence halls, but for events to allow alcohol service there.

Ms. Peterson: And for the classroom, the Summit Classroom Building has been renovated and is now Morrison College of Health. This is not a classroom building and should have been reflected in the name of the building.

Ms. McDonough: Overall, this will not lead to more events. It's just to allow changing of locations.

Ms. Vang stated that after reviewing the records and testimonies from all parties, she will recommend to the City Council that they approve the license with the following agreed-upon conditions:

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The hearing was adjourned at 10:45 AM.

The Conditions Affidavit was signed and submitted on April 17, 2023.