



May 4, 2023

NOTICE OF COUNCIL HEARING

White Squirrel, LLC
d/b/a The White Squirrel Bar
974 – 7th Street West
Saint Paul, MN 55102-3520

RE: Liquor On Sale-100 seats or less;; Liquor On Sale-Sunday; Liquor On Sale-2AM Closing, Liquor Outdoor Service Area (Patio); Tobacco Shop and Entertainment (A) licenses held by White Squirrel, LLC d/b/a The White Squirrel Bar for the premises located at 974 – 7th Street West in Saint Paul
License ID #20200001333

Dear Mr. Oulman:

Please take notice that this matter has been set on the Council Hearing Agenda for a City Council meeting on **Wednesday, May 17, 2023, at 3:30 p.m.**, in the City Council Chambers, Third Floor, Saint Paul City Hall and Ramsey County Courthouse, 15 West Kellogg Boulevard, St. Paul, MN 55102.

Enclosed is a packet containing a copy of the letter we received on May 1, 2023, indicating that you were not contesting the facts related to the incident but were requesting the opportunity to address the Council regarding imposing the license condition. This information will be presented to City Council for their consideration.



This is an uncontested license matter related to a number of serious incidents that led the Department of Safety and Inspections to recommend imposition of a license condition requiring a video surveillance and lighting plan for the interior and exterior of the licensed premises.

Sincerely,

TS/

Therese Skarda
Assistant City Attorney
License No. 0240989

cc: Jarret Scott Oulman, 195 Richmond Street, Saint Paul, MN 55102
974 Llc, 974 -7th Street West, Saint Paul, MN 55102-3520
Mary Curtufello, Executive Director, West Seventh Street/Fort Road
Federation, 882 West 7th Street, Suite 6, Saint Paul, MN 55102

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 4th day of May she served the attached **NOTICE OF COUNCIL HEARING** and a correct copy thereof in an envelope addressed as follows:

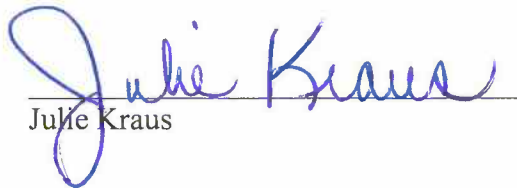
White Squirrel, LLC
d/b/a The White Squirrel Bar
974 – 7th Street West
Saint Paul, MN 55102-3520

Jarret Scott Oulman
195 Richmond Street
Saint Paul, MN 55102

974 Llc,
974 -7th Street West
Saint Paul, MN 55102-3520

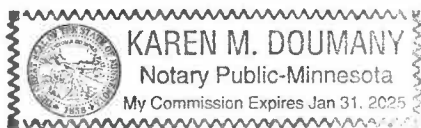
Mary Curtufello, Executive Director
West Seventh Street/Fort Road Federation
882 West 7th Street, Suite 6
Saint Paul, MN 55102

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Julie Kraus

Subscribed and sworn to before me
This 4th day of May 2023


Notary Public



UNCONTESTED LICENSE MATTER

Licensee Name: **The White Squirrel, LLC**
 d/b/a The White Squirrel Bar

Address: **974 – 7th Street West**
 Saint Paul, MN 55102-3520

Council Date: **Wednesday, May 17, 2023, at 3:30 p.m.**

Violation: **A number of serious incidents that led the**
 Department of Safety and Inspections to
 recommend imposition of a license condition
 requiring a video surveillance and lighting plan.

Recommendation of Assistant City Attorney on behalf of client,
Department of Safety and Inspections:

Imposition of a video surveillance camera and lighting plan for interior and
exterior of the licensed premises.

Attachments:

- 1. Resolution**
- 2. Saint Paul Police Incident Report (CN 23-056-189)**
- 3. Notice of Adverse Action and Request for Imposition of a License Condition dated 4/27/2023**
- 4. Proposed license condition**
- 5. License Condition Affidavit**
- 6. Letter from licensee requesting a Council Hearing dated 4/30/2023**
- 7. Screenshots from ECLIPS system dated 4/6/2023**
- 8. STAMP-Ownership/Zoning Information**
- 9. Saint Paul Legislative Code §310.01**
- 10. Saint Paul Legislative Code §310.04**

..Title

Approving adverse action against the Liquor On Sale-100 seats or less;; Liquor On Sale-Sunday; Liquor On Sale-2AM Closing, Liquor Outdoor Service Area (Patio); Tobacco Shop and Entertainment (A) licenses held by White Squirrel, LLC d/b/a The White Squirrel Bar (License ID# 20200001333) for the premises located at 974 – 7th Street West in Saint Paul. (**Licensee will speak to Council on his own behalf**)

..Body

WHEREAS, the Liquor On Sale-100 seats or less;; Liquor On Sale-Sunday; Liquor On Sale-2AM Closing, Liquor Outdoor Service Area (Patio); Tobacco Shop and Entertainment (A) licenses held by White Squirrel, LLC d/b/a The White Squirrel Bar (License ID# 20200001333) for the premises located at 974 – 7th Street West in Saint Paul (“Licensed Premises”) were the subject of a Notice Of Adverse Action And Request For Imposition Of A License Condition, herein incorporated as (“Notice”) sent April 27, 2023; and

WHEREAS, the Notice stated that Saint Paul Police investigated a number of serious incidents that led the Department of Safety and Inspections to recommend imposition of a license condition requiring a video surveillance and lighting plan; and

WHEREAS, Saint Paul Legislative Code §310.04(c) allows for the imposition of license conditions and/or restrictions upon a license when a reasonable basis is found to impose reasonable conditions; and

WHEREAS, the Department asserts that facts exist to support their recommendation for imposition of a license condition; and

WHEREAS, the Notice stated that if the Licensee failed to sign and return the License Condition Affidavit, request a Council or administrative hearing by May 8, 2023, that the matter would be placed on the next available consent agenda to impose the recommended penalty; and

WHEREAS, On May 1, 2023, the licensee's responded to the Notice by letter requesting a hearing before City Council which was scheduled on May 17, 2023; now, therefore, be it

RESOLVED, the following license condition will be imposed on the Liquor On Sale-100 seats or less;; Liquor On Sale-Sunday; Liquor On Sale-2AM Closing, Liquor Outdoor Service Area (Patio); Tobacco Shop and Entertainment (A) licenses held by White Squirrel, LLC d/b/a The White Squirrel Bar (License ID# 20200001333) for the premises located at 974 – 7th Street West in Saint Paul:

License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder 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, license holder 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. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, License holder 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, license holder shall have the technology, materials and staff available to immediately make the copy. In all other cases, license holder shall provide a copy of the surveillance video to the requestor within 48 hours.



INCIDENT REPORT

SAINT PAUL POLICE DEPARTMENT

Staff Involved

Officer	Type	BWC	ICC	Resistance Encounter	Force Used	Vehicle Pursuit
Graupman, Charles	Submitter, Primary	No		No	No	No

Narratives

Narrative 1

Created by: **GRAUPMAN, CHARLES**

04/07/2023, 16:55

Synopsis :

DSI Investigation related to SPPD CN's 22-065-968, 22-187-609 & 21-191-599. Incidents are under review by St. Paul City Attorney's Office for possible Adverse Action.

Narrative :

I, Sgt. C. Graupman am currently assigned to the Department of Safety & Inspection, located at 375 Jackson St. As part of my regular duties, I assist DSI Licensing Inspectors with monitoring, reviewing and recording activities at businesses that pertain to their current licensing conditions. This is done to ensure that businesses are operating within the licensing conditions they are mandated to follow by the City of St. Paul and that public safety is regarded while doing so.

On 04-07-2023, I was asked by Assistant City Attorney Therese Skarda, to provide a review and summary of the several incidents that occurred on or near the property of the White Squirrel Bar located at 974 7th St. W. St. Paul, MN. 55102. The purpose of this review was for potential Adverse Action related to licensing conditions of the said business for the addition of a video surveillance requirement. I reviewed the following incidents:

CN 21-191-599, 09/13/2021, Assist Other Agency - report to Dunn County, WI. St. Paul Police assisted on a homicide investigation involving (4) victims, who were believed to be at the White Squirrel Bar prior to being found deceased. This case is an open and active investigation.

CN 22-065-968, 04/19/2022, Aggravated Assault - Domestic Strangulation, Opposite Sex. St. Paul Police investigated and spoke with a female victim who reported being at the White Squirrel Bar, when she was physically forced to the ground in the parking lot by a male suspect. The victim reported the male suspect held her on the ground and strangled her, by holding his hand over her mouth and the other around her neck, preventing her from breathing. The victim was then driven home by the suspect and reported being hit in the face repeatedly by the male suspect. The victim later reported the incident to St. Paul Police.

CN 22-187-609, 10/07/2022, Aggravated Assault - W/Revolvers, Pistols, Shotgun, Etc. St. Paul Police investigated a report of shots fired. While en route to the call, officers spotted a vehicle leaving the area at a high rate of speed. Officers attempted to stop the vehicle on traffic but it



**SAINT PAUL
POLICE**

*Trusted service
with respect*

CASE NUMBER: 23-056189

04/08/2023, 19:36

INCIDENT REPORT

SAINT PAUL POLICE DEPARTMENT

Incident Overview

Case Status	: Active	Occ Date From	: 04/07/2023, 14:26
Case Number	: 23-056189	Occ Date To	: 04/07/2023, 14:33
Reported Date	: 04/07/2023, 14:26:50	Bias Motivation	:
Location	: 375 Jackson Street, St Paul, MN 55101	Arrest	:
Offenses	: Investigate-Code Enforcement	Resistance Encountered	: No

Incident Summary

Created by:	04/07/2023, 16:55
DSI Investigation related to SPPD CN's 22-065-968, 22-187-609 & 21-191-599. Incidents are under review by St. Paul City Attorney's Office for possible Adverse Action.	

CASE NUMBER: 23-056189

Printed by: 237725



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with respect*

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04/08/2023, 19:36

INCIDENT REPORT

SAINT PAUL POLICE DEPARTMENT

refused to stop. Officers followed the vehicle, which ended up at United Hospital. Officers were advised by security that a male victim had been dropped off with a GSW (Gunshot Wound) to the chest. The male was given medical treatment and later listed in stable condition. Other responding officers responded to the White Squirrel bar and spoke with patrons who reported a group of 8-10 males at the property who were arguing and later heard a single gunshot. Officers canvassed the area and located a single 9 mm casing near the south side of the building. Officers also located a blood trail in the area and spoke to a witness who reported seeing and hearing a male party, who he described yelling "oh my fucking leg" after the gunshot. The scene was processed and evidence collected.

Based upon my training and experience, it is my recommendation that the imposition of a video surveillance camera and lighting plan condition will improve and promote public health and safety at the licensed establishment and the nearby neighborhood. Security cameras and proper lighting assist business/property owners in improving workplace safety, deterring crime, and assisting law enforcement investigation in identifying suspects and solving crimes.

A copy of this report should be forwarded to St. Paul Assistant City Attorney Therese Skarda and DSI Licensing Manager Eric Hudak for review and possible adverse action.

CASE NUMBER: 23-056189

Printed by: 237725



**SAINT PAUL
POLICE**

*Trusted service
with respect*

CASE NUMBER: 23-056189

04/08/2023, 19:36

INCIDENT REPORT

SAINT PAUL POLICE DEPARTMENT

Offenses

Offense 1 - INVESTIGATE-CODE ENFORCEMENT

NIBRS Offense Description	:	Criminal Activity Gang Info	:
Crime Scene Type	:	Weapons Used	:
Forced Entry	:	Bias Motivation	:
Attempt Only	:	Bias Target	:
Number Of Premises Entered	:	Bias Based On	:
Offender Suspected Of Using	:		

CASE NUMBER: 23-056189

Printed by: 237725



**SAINT PAUL
POLICE**

*Trusted service
with respect*

CASE NUMBER: 23-056189

04/08/2023, 19:36

INCIDENT REPORT

SAINT PAUL POLICE DEPARTMENT

CAD Information

CAD Info 1

Info

Location	:	375 Jackson Street, St Paul	Sector	:	2	Time Received	:	14:26
Locale	:	St Paul Safety and Inspection	Grid	:	153	Time Sent	:	14:26
Call Date	:		Disposition	:	Records received	Time Arrived	:	14:26
Occur Date	:	04/07/2023	Priority	:	2A	Time Cleared	:	14:27
Caller Information	:		Source	:	Phone	Reopen Time	:	
Address	:		Fire/Amb	:		Citation #	:	
Phone	:		EDP	:				
			Alarm	:				
			ECC Console	:	28			

Employees

Officer	Squad	Type	Beat	Received	Sent	Arrived	Cleared
GRAUPMAN, CHARLES	854	1	CN2	14:26	14:26	14:26	14:27

CAD Comments

Master Incident Number: 20230407-0175878 CAD Address: 375 Jackson St, Lat/Lon: 44948431 / 93090113 04/07/2023 14:26:51TAH [1] Automatic Case Number(s) issued for Incident # [20230407-0175878], Jurisdiction: SPPD. Case Number(s): SP230407056189. requested by 854. 04/07/2023 14:26:50TAH [2] DSI INVESTIGATION NO BWC INV

CASE NUMBER: 23-056189

Printed by: 237725



April 27, 2023

**NOTICE OF ADVERSE ACTION
AND REQUEST FOR IMPOSITION OF
A LICENSE CONDITION**

White Squirrel, LLC
d/b/a The White Squirrel Bar
974 – 7th Street West
Saint Paul, MN 55102-3520

RE: Liquor On Sale – 100 seats or less; Liquor On Sale – Sunday; Liquor On Sale – 2AM Closing;
Liquor Outdoor Service Area (Patio); Tobacco Shop and Entertainment (A) licenses held by
White Squirrel, LLC d/b/a The White Squirrel Bar for the premises located at 974 – 7th Street
West in Saint Paul.
License ID #: 20200001333

Dear Licensee:

The Department of Safety and Inspections (“Department”) has recommended adverse action for the imposition of a license condition against the Liquor On Sale – 100 seats or less; Liquor On Sale – Sunday; Liquor On Sale – 2AM Closing; Liquor Outdoor Service Area (Patio); Tobacco Shop and Entertainment (A) licenses held by White Squirrel, LLC d/b/a The White Squirrel Bar (Licensee”) herein for the premises located at 974 – 7th Street West (“Licensed Premises”).

The Department is recommending the imposition of the following license condition upon your licenses:

License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder 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, license holder 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. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, License holder shall make surveillance video immediately available



serious by SPPD, License holder 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, license holder shall have the technology, materials and staff available to immediately make the copy. In all other cases, license holder shall provide a copy of the surveillance video to the requestor within 48 hours.

The Department asserts that their recommendation is supported under Saint Paul Legislative Code, that it is reasonable and that it will promote the public health, safety and welfare of advancing the public peace and aid in the elimination of conditions or actions that constitute a nuisance or a detriment to the peaceful enjoyment of urban life, or promoting security and safety in nearby neighborhoods:

Saint Paul Legislative Code §310.01, defines Adverse Action as:

"the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee or applicant for a license. "Adverse action" includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. "Adverse action" also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license."

Saint Paul Legislative Code §310.04 (b) "Basis for Action" states that:

"Such adverse action may be based on one (1) or more of the following reasons which are in addition to any other reason specifically provide by law or in these chapters..."

Additionally, Saint Paul Legislative Code §310.04 (c) allows for the imposition of license conditions and/or restrictions upon a license when a reasonable basis is found to impose reasonable conditions:



"c) *Imposition of reasonable conditions and/or restrictions.* When a reasonable basis is found to impose reasonable conditions and/or restrictions upon a license issued or held under these chapters, any one (1) or more such reasonable conditions and/or restrictions may be imposed upon such license for the purpose of promoting public health, safety and welfare, of advancing the public peace and the elimination of conditions or actions that constitute a nuisance or a detriment to the peaceful enjoyment of urban life, or promoting security and safety in nearby neighborhoods. Such reasonable conditions and/or restrictions may include or pertain to, but are not limited to:

- (1) A limitation on the hours of operation of the licensed business or establishment, or on particular types of activities conducted in or on said business or establishment;
- (2) A limitation or restriction as to the location within the licensed business or establishment where particular type of activities may be conducted;
- (3) A limitation as to the means of ingress or egress from the licensed establishment or its parking lot or immediately adjacent area;
- (4) A requirement to provide off-street parking in excess of other requirements of law;
- (5) A limitation on the manner and means of advertising the operation or merchandise of the licensed establishment;
- (6) Any other reasonable condition or restriction limiting the operation of the licensed business or establishment to ensure that the business or establishment will harmonize with the character of the area in which it is located, or to prevent the development or continuation of a nuisance."

The Department asserts that facts exist to support the Department's recommendation for the addition of a camera and surveillance plan condition and believes that the following facts support their recommendation for imposition of the condition:

The Department received a copy of a letter dated November 14, 2022, sent to you from the Minnesota Department of Public Safety Alcohol and Gambling & Enforcement (AG&E). The letter stated they found evidence of the following:

1. The White Squirrel Bar kept pre-mixed cocktails for sale/service in the bar.
2. Bar storage areas that were improperly labeled and had aged beyond the 72-hour storage limit set forth in Minnesota Statute 340A.508 Subdivision 5.



A source product for some of the cocktails came from a homemade mix of water and TH/CBD powder. The use of homemade mixer in a commercial venue creates a public safety concern. Agents of the Alcohol & Gambling Enforcement issued a warning related to the labeling and storage of pre-mix cocktails and instructed you on proper handling of the product back in February 2022.

Additionally, Sergeant Graupman, the Saint Paul Police Officer assigned to the Department, has reviewed a number of police reports related to incidents which occurred in the parking lot for the Licensed Premises. Based on the Sergeant's training and experience he believes that the imposition of a condition relating to video surveillance camera and lighting plan will improve and promote public health and safety at the licensed establishment and in the nearby neighborhood as it would ensure that video would be available if another incident occurred. He bases this belief on his knowledge that security cameras and proper lighting assist business/property owners in improving workplace safety, deterring crime and assist law enforcement investigation in identifying suspects and solving crimes. The police reports reviewed by Sergeant Graupman include:

On September 13, 2021, Assist to Other Agency – report to Dunn County, WI. St. Paul Police assisted on a homicide investigation involving four (4) victims who were believed to be at The White Squirrel Bar prior to being found deceased (CN 21-191-599)

On April 19, 2022, Saint Paul Police investigated and spoke with a female victim who reported being at The White Squirrel Bar when she was physically forced to the ground in the parking lot by a male suspect. The victim reported the male suspect held her to the ground and strangled her by hold his hand over her mouth and the other around her neck preventing her from breathing. The victim was then driven home by the suspect and reported by hit in the face repeatedly by the male suspect. The victim later reported the incident to St. Paul Police (CN-22-065-968).

On October 7, 2022, St. Paul Police investigated a report of shots fired. While enroute to the call, officers spotted a vehicle leaving the area at a high rate of speed. Officers attempted to stop the vehicle on traffic, but it refused to stop. Officers followed the vehicle, which ended up at United Hospital. Officers were advised that a male victim had been dropped off with a gunshot wound to the chest. Other responding officers went The White Squirrel Bar and spoke with patrons who reported a group of 8-10 males at the property were arguing and that they later heard a single gunshot. Officers canvassed the area and located a single 9mm casing near the south side of the building. Officers also located a blood trail in the area and spoke with a witness who reported seeing and hearing a male party, who he described yelling "oh my f..... leg" after the gunshot (CN 22-187-609).



You have four (4) options to proceed:

1. If you do not contest the imposition of the proposed license condition you can return a signed License Condition Affidavit and this matter will be placed on a City Council Agenda for approval. If this is your choice, you should return the signed License Condition Affidavit directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **May 8, 2023**. A self-addressed envelope is enclosed for your convenience. Submission of a signed License Condition Affidavit will be considered an admission to the facts and a waiver of the hearing to which you are entitled.
2. You may do nothing. If I have not heard from you by **May 8, 2023**, I will presume that you have chosen not to contest the proposed license condition and the matter will be placed on the City Council Consent agenda for imposition of the proposed license condition.
3. If you wish to admit the facts but you contest the proposed license conditions, you may have a hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a Council hearing no later than **May 8, 2023**. The matter will then be scheduled before the City Council to determine whether to impose the proposed license condition. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge ("ALJ"). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **May 8, 2023**. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a hearing will need to be scheduled before the City Council. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation.

Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to recommend that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code §310.03 (k).

If you have not contacted me by May 8, 2023, I will assume that you do not contest the imposition of the proposed license condition. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended Adverse Action.



SAINT PAUL
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY
LYNDSEY M. OLSON, CITY ATTORNEY

Civil Division, 15 Kellogg Blvd. West, 400 City Hall
Saint Paul, MN 55102
Tel: 651-266-8710 | Fax: 651-298-5619

If you have questions about these options, please contact my Legal Assistant Julie Kraus at (651) 266-8776.

Sincerely,

LS/

Therese Skarda
Assistant City Attorney
License No. 0240989

Cc: Jarret Scott Oulman, 195 Richmond Street, Saint Paul, MN 55102
974, Llc, 974 – 7th Street West, Saint Paul, MN 55102-3520
Mary Curtufello, Executive Director, West Seventh Street/Fort Road Federation
882 West 7th Street, Suite 6, Saint Paul, MN 55102

Attachments: Letter from Minnesota Department of Public Safety (A&GE) with attached
letter to licensee dated November 14, 2022
CN #23-056-189 Summary of incidents dated April 8, 2023
Proposed License Conditions
License Condition Affidavit
Screenshots from ECLIPS system
STAMP Ownership/Zoning Information
Saint Paul Legislative Code §310.01
Saint Paul Legislative Code §310.04

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 27th day of April she served the attached **NOTICE OF ADVERSE ACTION AND REQUEST FOR IMPOSITION OF A LICENSE CONDITION** and a correct copy thereof in an envelope addressed as follows:

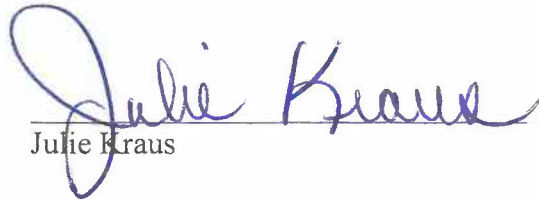
White Squirrel, LLC
d/b/a The White Squirrel Bar
974 – 7th Street West
Saint Paul, MN 55102-3520

Jarret Scott Oulman
195 Richmond Street
Saint Paul, MN 55102

974, Llc
974 – 7th Street West
Saint Paul, MN 55102-3520

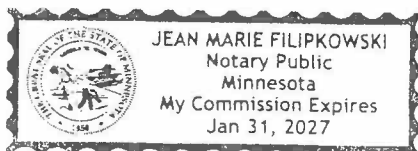
Mary Curtufello, Executive Director
West Seventh Street/Fort Road Federation
882 West 7th Street, Suite 6
Saint Paul, MN 55102

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Julie Kraus

Subscribed and sworn to before me
This 27th of April 2023


Notary Public



Imposed License Condition

Video

License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder 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, license holder 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. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, License holder 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, license holder shall have the technology, materials and staff available to immediately make the copy. In all other cases, license holder shall provide a copy of the surveillance video to the requestor within 48 hours.



CITY OF SAINT PAUL

Department of Safety & Inspections

Angie Wiese, Director

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

Web Site Address: www.sipaul.gov/dsi

Telephone: 651-266-8989

Facsimile: 651-266-9124

I agree to the following conditions being placed on the following license(s):

License #: 20200001333
Type of Business: Entertainment (A)
Liquor On Sale - 100 seats or less
Liquor On Sale - 2 AM Closing
Liquor On Sale - Sunday
Liquor-Outdoor Service Area (Patio)
Applied for by: WHITE SQUIRREL LLC
Doing Business As: THE WHITE SQUIRREL BAR
at: 974 7TH ST W
ST PAUL MN 55102

Conditions are as follows:

1. Per City of Saint Paul Legislative Code 411.02, the definition of Entertainment A is, "Amplified or nonamplified music and/or singing by performers without limitation as to number, and group singing participated in by patrons of the establishment." (includes karaoke). Entertainment A license does not allow for patron and/or performance dances.
2. Any noise associated with indoor and/or outdoor activities (e.g., seating area) shall comply with applicable State and Local rules and regulations, including but not limited to Chapter 293 Noise Regulations of the City of Saint Paul Legislative Code.
3. License holder will create a video surveillance camera and lighting placement plan (video surveillance plan) for the interior and exterior of the licensed premises. License holder 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, license holder 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. License holder will retain surveillance video for a minimum of thirty (30) days. If an incident is deemed serious by SPPD, License holder 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, license holder shall have the technology, materials and staff available to immediately make the copy. In all other cases, license holder shall provide a copy of the surveillance video to the requestor within 48 hours.

Licensee

Date

Sign date
4/26/20

To the office of the city attorney
Attn: Theresa Skarda and Julie Kraus

RECEIVED
MAY 01 2023
CITY ATTORNEY

This is a letter requesting a hearing with the Saint Paul City Council to determine whether to impose the proposed adverse action against the license of the White Squirrel Bar and the request for imposition of the proposed license condition. I do not disagree with the record of occurrences in the letter. I also do not believe that adverse action against the license and the imposition of the license condition is a reasonable response to this record of occurrences.

I have availability the following wednesdays at 330 for scheduling; May 10th, May 17th, May 24th, May 31st, June 7th. I am unavailable June 14th and June 21st.

Thank you,
Jarret Oulman, Owner, White Squirrel LLC


4-30-2023

Licensee: WHITE SQUIRREL LLC

DBA: THE WHITE SQUIRREL BAR

License #: 20200001333

3/27/2023 Sent email response to LH for patio fence compliance JNV
12/9/2022 Underage buyers tobacco compliance check- No sale of Tobacco AYV
11/21/2022 DSI received violation letter from A&GE pre mixed drinks with THC - AA Review JNV
10/27/2022 DSI/SPPD Safety meeting and inspection to review LC and Site Plan JNV
10/17/2022 Left a message for Jerret to set up an appointment to review LC and SP JNV
08/23/2021 Liq. 2nd half invoice mailed 11/15/2021 due date. Cancel all late fees if paid on-time. JWF
05/15/2021 License issued for first time, 2nd half liquor fee payment of \$2,445.50 due 11/15/2021. Cancel all late fees is payment submitted by due date. JWF
05/13/2021 Delinquent letter sent for second half. Response deadline date is June 3, 2021. SLH
05/05/2021 CF #21-692 approves Liq. Out. Srv. Area Patio lic. JWF
04/19/2021 Per RH LHO to recommend approval of outdoor Liq. Srv. Patio lic. to CC with no additional conditions. Rck. 05/19/20201. JWF
04/07/2021 CF #21-495 approves indoor liq. service licenses. JWF
04/12/2021 2nd email sent to RH regarding separation protected uses and visual screening of parking lot. File on RH desk for upcoming Leg. Hrg. JWF
3/24/2021 Sent to the CAO for approval by CC JNV
03/24/2021 To JNV for CAO action on CC approval of indoor liquor service license. To EH/RH for review/approval of LH staff report on outdoor liquor patio license. JWF
03/21/2021 Obj. rcvd. for Liq. Outdoor lic. Leg. Hrg. scheduled 04/19/2021 @ 10:00 a.m. via Skype. JWF
01/25/2021 To EH/RH for review of Liq. Out. Patio lic. so that public notice may be sent. JWF
01/21/2021 Verified obtained 9 of 14 (64% support) potential signatures for Liq. Out. Patio. JWF
12/03/2021 Rcvd. complete application for Liq. Out. Patio including petition and letter of attempt. JWF
11/10/2020 Emailed applicant requirements for making outdoor liq. serv. permanent including list of petition signatures needed. Rck. application status 12/14/2020. JWF
10/15/2020 Per email from applicant 01/01/2021 anticipated opening. JWF
10/15/2020 Emailed lic. app. no objections and outstanding req., 11/08/2020 rck. (gray file). JWF
10/14/2020 No objection to lic. noticer per Nhia Vang's office, Leg. Hrg. Officer. JWF
10/12/2020 Emailed lic. applicant unmet req. and requested anticipated open date. JWF
09/11/2020 Rcvd. signed lic. cond. affidavit. JWF
02/23/2021 Lic. notice sent to add Liq. Outdoor Serv., 32M/35EM, response date 04/09/2021. JWF
08/20/2020 Lic. notice sent, 32M/35EM, response date 10/09/2020. JWF
07/20/2020 Email to RH status update on review of application. JWF
06/29/2020 To RH/EH/DN/KS for review via email, file with RH. JWF
06/15/2020 Payment rcvd. and processed per BART statement. JWF
06/02/2020 Needs Payment. Credit Card declined payment. LAB

License Group Conditions Text

01/11/2023

Licensee: WHITE SQUIRREL LLC

DBA: THE WHITE SQUIRREL BAR

License #: 20200001333

1. Per City of Saint Paul Legislative Code 411.02, the definition of Entertainment A is, "Amplified or nonamplified music and/or singing by performers without limitation as to number, and group singing participated in by patrons of the establishment." (includes karaoke). Entertainment A license does not allow for patron and/or performance dances.
2. Any noise associated with indoor and/or outdoor activities (e.g., seating area) shall comply with applicable State and Local rules and regulations, including but not limited to Chapter 293 Noise Regulations of the City of Saint Paul Legislative Code.

Properties For License 974 7TH ST W

Licensee: WHITE SQUIRREL LLC
 DBA: THE WHITE SQUIRREL BAR

License Licensee Lic. Types Insurance Bond Requirements

Licensee Name: WHITE SQUIRREL LLC
 DBA: THE WHITE SQUIRREL BAR
 Sales Tax Id: ***** Non-Profit: ☐ Worker's Comp: 00/00/0000
 AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000
 AA Fee Collected: 00/00/0000 Discount Rec'd: ☐

Other Agency Licenses Financial Hold Reasons

Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date
State of Minnesota / Optional 2AM Closing Lice	74543	05/15/2023			

Contacts for this Licensee

Last Name	First Name	Title	Bus. Phone	Home Phone	Contact Address
WHITE SQUIRREL L			(612) 669-6915		974 7TH ST W
OULMAN	JARRET SCO	PRESIDENT/OV	(612) 669-6915	(612) 669-6915	195 RICHMOND ST

Mail License To:
☒ Mail To Contact
☐ License Address

Mail Invoice To:
☒ Mail To Contact
☐ License Address

Background Check Required ☐

License # 200001333 Save Changes to History ☒

Properties For License 974 7TH ST W

Licensee: WHITE SQUIRREL LLC
 DBA: THE WHITE SQUIRREL BAR

License Licensee Lic. Types Insurance Bond Requirements

Licensee Name: WHITE SQUIRREL LLC
 DBA: THE WHITE SQUIRREL BAR
 Sales Tax Id: ***** Non-Profit: ☐ Worker's Comp: 00/00/0000
 AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000
 AA Fee Collected: 00/00/0000 Discount Rec'd: ☐

Other Agency Licenses Financial Hold Reasons

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State of Minnesota / Optional 2AM Closing Lice	74543	05/15/2023			

Contacts for this Licensee

Contact Address	City	Zip	DOB	Last Check	Drp
974 7TH ST W	ST PAUL	55102	00/00/0000	00/00/0000	
195 RICHMOND ST	ST PAUL	55102	11/02/1977	00/00/0000	K00112

Mail License To:
☒ Mail To Contact
☐ License Address

Mail Invoice To:
☒ Mail To Contact
☐ License Address

Background Check Required ☐

License # 200001333 Save Changes to History ☒

STAMP - Ownership / Zoning Information

[New Search](#)

[Help using this report](#)

Run Date: 01/11/23 04:28 PM

House#:

Last updated from Ramsey County data on:

Street Name:

Click on "Other Application" links below to access GISmo, MapIT, and Ramsey County Info

974 7th St W - 55102-3520 - [Other Applications](#)

PIN: 112823140191

Census Tract: 36900 **Census Block:** 2019

Council Ward: 2 **District Council:** 9

Year Built:

Foundation Sq Feet: **Loan Company:**

Land Value: 0 **Building Value:** 0

Unverified Usage: 13- COMMERCIAL/APARTMENT- B- Commercial

ISP:

Units: 0

Zoning: B2 / T2

Heritage Preservation: HP Inventory #: RA-SPC-5323 / **HP Property Name:** saloon/apartments / **HP Date Built:** ca. 1887 / **HP Address:** 974 Seventh St. W. (Fort Rd.)

Legal Desc: THOMAS DALY'S SUB OF BLKS18&31 EX 7TH ST LOTS 3 & LOT 4 BLK 31

Owner:

974 Llc
974 7th St W
St Paul MN 55102-3520

Tax Owner:

974 Llc
974 7th St W
St Paul MN 55102-3520

Certificate of Occupancy Responsible Party:

974 Llc
974 7th St W
St Paul MN 55102-3520

Chapter 310. Uniform License Procedures

The procedures in this chapter are meant to govern the issuance of all licenses and certain permits in the City of Saint Paul unless a different process is required by statute. The requirements laid out in this chapter are meant to supersede all requirements laid out in ordinance related to Applications for the Grant or Issuance of a License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures.

Sec. 310.01. Definitions.

For the purposes of this chapter, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for Class R, for routinely issued licenses, Class T for temporary licenses and Class N for licenses in which neighbors are required to be notified, under authority of the City of Saint Paul, the terms defined in this section will have the following meanings:

Adverse action means the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee, or applicant for a license. "Adverse action" includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. "Adverse action" also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license.

Sec. 310.04. Revocation; suspension; adverse actions; imposition of conditions.

(a) *Council may take adverse action.* The council is authorized to take adverse action, as defined in section 310.01 above, against any or all licenses or permits, licensee or applicant for a license, as provided in and by these chapters. Adverse actions against entertainment licenses issued under chapter 411 of the Legislative Code may be initiated for the reasons set forth in subsection (b) below, or upon any lawful grounds which are communicated to the license holder in writing prior to the hearing before the council. Such actions must be initiated and carried out in accordance with the procedures outlined in section 310.03; provided, however, that the formal notice of hearing must be used to initiate the adverse action.

(b) *Basis for action.* Such adverse action may be based on one (1) or more of the following reasons, which are in addition to any other reason specifically provided by law or in these chapters:

(1) The license or permit was procured by misrepresentation of material facts, fraud, deceit or bad faith.

(2) The applicant or one acting in his or her behalf made oral or written misstatements or misrepresentations of material facts in or accompanying the application.

(3) The license was issued in violation of any of the provisions of the zoning code, or the premises which are licensed, or which are to be licensed do not comply with applicable health, housing, fire, zoning and building codes and regulations.

(4) The license or permit was issued in violation of law, without authority, or under a material mistake of fact.

(5) The licensee or applicant has failed to comply with any condition set forth in the license or set forth in the resolution granting or renewing the license.

(6) a. The licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has violated, or performed any act which is a violation of, any of the provisions of these chapters or of any statute, ordinance or regulation reasonably related to the licensed activity, regardless of whether criminal charges have or have not been brought in connection therewith;

b. The licensee or applicant has been convicted of a crime that may disqualify said applicant from holding the license in question under the standards and procedures in Minnesota Statutes chapter 364; or

c. The licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has engaged in or permitted a pattern or practice of conduct of failure to comply with laws reasonably related to the licensed activity or from which an inference of lack of fitness or good character may be drawn.

(7) The activities of the licensee in the licensed activity created or have created a serious danger to the public health, safety or welfare, or the licensee performs or has performed his or her work or activity in an unsafe manner.

(8) The licensed business, or the way in which such business is operated, maintains or permits conditions that unreasonably annoy, injure or endanger the safety, health, morals, comfort or repose of any considerable number of members of the public.

(9) Failure to keep sidewalks or pedestrian ways reasonably free of snow and ice as required under chapter 114 of the Saint Paul Legislative Code.

(10) The licensee or applicant has shown by past misconduct or unfair acts or dealings: physical abuse, assaults or violent actions done to others, including, but not limited to, actions meeting the definition of criminal sexual conduct pursuant to Minnesota Statutes sections 609.342 through 609.3451; sexual abuse, physical abuse or maltreatment of a child as defined in Minnesota Statutes section 626.556, subdivisions 2 and 10e, including, but not limited to, acts which constitute a violation of Minnesota Statutes sections 609.02, subdivision 10; 609.321 through 609.3451; or 617.246; neglect or endangerment of a child as defined in Minnesota Statutes section 626.557, subdivision 2; the manufacture, distribution, sale, gift, delivery, transportation, exchange or barter of a controlled substance as defined in Minnesota Statutes chapter 152; the possession of a controlled substance as defined in Minnesota Statutes chapter 152 in such quantities or under circumstances giving rise to a reasonable inference that the possession was for the purpose of sale or distribution to others; or by the abuse of alcohol or other drugs, that such licensee or applicant is not a person of the good moral character or fitness required to engage in a licensed activity, business or profession.

(11) The licensee or applicant has materially changed or permitted a material change in the design, construction or configuration of the licensed premises without the prior approval of the city council in the case of Class N licenses, the Director in the case of Class T licenses, and the Director in the case of Class R licenses, or without first having obtained the proper building permits from the city.

(12) The licensee or applicant has violated section 294.01 of the Legislative Code or has made or attempted to make a prohibited ex-parte contact with a council member as provided in section 310.03 (c-2) of the Legislative Code.

(13) The licensee violated the law, or any license condition and that violation is related to a death or great bodily harm, as defined in Minnesota Statute section 609.02, subd. 8, in or near the establishment.

(14) The licensee has failed to pay license fees within sixty (60) days of the date the fees are due. Licensee must pay any outstanding fees and delinquent fees in total. Failure to do so within sixty (60) days of the due date may result in revocation of the license. A revocation for this reason, however, is not considered a revocation resulting from misconduct or unfitness of the licensee, evidence of violations of law involving licensed premises, evidence that the applicant had been involved in the operation of a nuisance, or fraud or deception in the license application. Therefore, the requirement of § 310.02 prohibiting re-application within one year of revocation shall not apply to revocations under this paragraph.

The terms "licensee" or "applicant" for the purpose of this section means and includes any person who has any interest, whether as a holder of more than five (5) percent of the stock of a corporation, as a partner, or otherwise, in the premises or in the business or activity which are licensed or proposed to be licensed.

With respect to any license for activities entitled to the protection of the First Amendment, notwithstanding the foregoing provisions, neither the lack of good moral character or fitness of the licensee or applicant nor the content of the protected speech or matter must be the basis for adverse action against the license or application.

(c) *Imposition of reasonable conditions and/or restrictions.* When a reasonable basis is found to impose reasonable conditions and/or restrictions upon a license issued or held under these chapters, any one (1) or more such reasonable conditions and/or restrictions may be imposed upon such license for the purpose of promoting public health, safety and welfare, of advancing the public peace and the elimination of conditions or actions that constitute a nuisance or a detriment to the peaceful enjoyment of urban life, or promoting security and safety in nearby neighborhoods. Such reasonable conditions and/or restrictions may include or pertain to, but are not limited to:

- (1) A limitation on the hours of operation of the licensed business or establishment, or on particular types of activities conducted in or on said business or establishment;
- (2) A limitation or restriction as to the location within the licensed business or establishment where particular type of activities may be conducted;
- (3) A limitation as to the means of ingress or egress from the licensed establishment or its parking lot or immediately adjacent area;
- (4) A requirement to provide off-street parking in excess of other requirements of law;
- (5) A limitation on the manner and means of advertising the operation or merchandise of the licensed establishment;
- (6) Any other reasonable condition or restriction limiting the operation of the licensed business or establishment to ensure that the business or establishment will harmonize with the character of the area in which it is located, or to prevent the development or continuation of a nuisance.

The Director may recommend the imposition of such reasonable conditions and/or restrictions as an adverse action against the license or licenses. The council may impose such conditions with the consent of the license holder, as an adverse action against the license or licenses following notice and hearing as may be required. Such conditions may be imposed on a license or licenses upon issuance or renewal thereof, or upon and as part of any adverse action against a license or licenses, including suspension. Conditions imposed on a license or licenses will remain on such licenses when renewed and must continue thereafter until removed by the council.

(d) *Restrictions on intoxicating liquor, non-intoxicating and malt liquor licenses.*

When a reasonable basis is found by the council to impose restrictions or conditions upon an intoxicating liquor license held under this chapter, the council, upon issuing a new license or renewing a license or approving a transfer of a license, may impose reasonable conditions and restrictions pertaining to the manner and circumstances in which the business to preserve the public peace and protect and promote good order and security. These reasonable conditions or restrictions may pertain to:

- (1) the hours when intoxicating liquor may be sold and/or consumed on the licensed premises;

- (2) the exact location within a building where intoxicating liquor will be served and/or sold and/or consumed;
- (3) the means of ingress to or egress from the licensed establishment;
- (4) a requirement that certain off-street parking facilities be provided;
- (5) a condition that the license will be in effect only so long as the establishment remains a drugstore, restaurant or hotel as defined by the state liquor act or regulations adopted pursuant thereto;
- (6) the means and methods of advertising the sale of intoxicating liquor on the building and/or on the premises adjacent thereto;
- (7) Reasonable conditions limiting the operation of the licensed premises so as to ensure that the licensed business will comport with the character of the district in which it is located and/or to the end that nuisances will be prevented; and
- (8) Additional conditions upon hotels and restaurants which may in the discretion of the council tend to ensure that the sale of liquor will take place only in conjunction with the sale and service of food.

(e) *Standards for multiple license determination.* In any case in which the council is authorized to take adverse action against less than all of the licenses held by a licensee, or applied for by an applicant, the following standards may be used:

- (1) The nature and gravity of the grounds found by the council to exist upon which the adverse action would be based;
- (2) The policy and/or regulatory goals for the particular licenses involved, either as embodied in the Legislative Code or as found and determined by the council;
- (3) The interrelationship of the licenses and their relative importance to the overall business enterprise of the licensee or applicant;
- (4) The management practices of the licensee or applicant with respect to each of such licenses;
- (5) The extent to which adverse action against less than all of the licenses or applications would result in difficulty in enforcing and monitoring the adverse action taken;
- (6) The hardship to the licensee or applicant that would be caused by applying adverse action to all licenses or applications; and
- (7) The hardship and/or danger to the public, or to the public health and welfare, that would result from adverse action against less than all of the licenses or applications.