

December 14, 2023

Mayor Melvin Carter - mayor@ci.stpaul.mn.us

Councilperson Rebecca Noecker - Rebecca.Noecker@ci.stpaul.mn.us

Hearing Officer Nhia Vang - Nhia.vang@ci.stpaul.mn.us

Greg Weiner, Legislative Hearing Coordinator and Executive Assistant - LH-Licensing@ci.stpaul.mn.us

Re: DWD Group LLC (ID# 20230000453), d/b/a Gather Eatery & Bar, 857 Grand Avenue Findings and Recommendation issued by Nhia Vang on 6 December 2023

This letter is to object to several of the “findings” in Ms. Vang’s letter and to object to unsupported assertions and allegations that defame, and impugn the character of the residents of the neighborhood surrounding Billy’s. A retraction and apology for the assertions of discrimination and racism are required and requested.

The most serious deficiency of the report are the following statements taken directly from the findings:

1. “The neighborhood **appears to be** targeting a black-owned business on Grand Avenue. Mr. Spearman is black, and Mr. Johnson is white. Although nothing in the record points directly to the neighborhood targeting Gather for being a black-owned business, there **may be potential** substantiation of racial discrimination. Active campaigning against DWD’s application included social media, flyers, and petition. While many objectors stated that their comments were not racially motivated and that they had supported DWD’s business, the partners of DWD testified they felt racial discrimination and unwelcome based on race.”
2. “...the negative neighborhood activity in advance of the license hearing **may justify** the applicant’s claims of racial discrimination hurting their business. This **potential substantiation** of racial discrimination contributed to the analysis that denial of the license application is not warranted.”

Ms. Vang has impuned the character of the 140+ residents of our neighborhood who objected to the closing time proposed for the license. We opposed because of the gunshots that broke the peace of our neighborhood. The “negative neighborhood activity” is because of the bullets that entered 3 of the residences surrounding Billy’s. We presented pictures of bullet holes, police reports, and testimony on the impact of the operation of Billy’s over the past 2 years. Mr. Spearman’s unsupported accusation of “felt discrimination” apparently overwhelms Ms. Vang’s understanding of bullet casings in the streets, shattered windows and shattered nerves. Her use of “appears to be”, “may be potential” and “may justify” unfairly paints our neighborhood and its residents as **discriminatory and racist with absolutely no evidence, facts, or supported testimony**. I demand a retraction of these unsubstantiated “findings” and an apology.

Ms Vang further supports a 1a.m. closing time in her recommendations in spite of the testimony by SPPD about the decrease in violent crime and police calls for bars that close at or before midnight. She indicates that “There is not enough available data to directly link the increase in crime to DWD. “ Yet she completely fails to acknowledge the events that have occurred within a block of Billy’s, while there are NO similar events around any of the other institutions on Grand Avenue that serve liquor.

3/5/22 Male shot in the chest. Suspect chased a witness down in his car and crashed into her at Milton and Grand.

3/25/22 Woman assaulted, dragged from her car and beaten. Avon and Grand

4/3/22 Woman assaulted by man at Victoria and Grand

4/8/22 Shots fired at Avon and Grand

5/15/22 Person assaulted Victoria and Grand
6/19/22 Gun battle on Victoria and Grand. Bullet through window at 51 Avon St. S. narrowly missing my neighbor in his kitchen.
8/5/22 Woman assaulted at Billy's on Grand
8/19/22 Woman assaulted at Billy's on Grand
8/21/22 Gun battle on Grand Ave continued in the alley between Grand and Lincoln.
10/10/22 Weapons Discharge Lincoln and Victoria
11/5/22 Weapons Discharge Grand and Victoria
4/7/23 Summit and Avon 30-40 shots fired. Bullet through resident's window
5/7/23 Gun battle Victoria and Grand. Bullet through resident's window

These incidents all have police reports. The vast majority of them occurred after midnight. She does not support with data and states in error: "Data does not exist to show a correlation between late night closings and an increase in crime between the hours of 12 a.m. and 2 a.m.". This is simply not true. I request that Ms. Vang support this errant finding with the data that contradicts the above listing or evidence to support similar violence at other institutions on Grand Avenue that serve liquor. She cannot – there is no such contradictory data.

Ms. Vang goes on to state "...making DWD responsible for the increase in crimes or nuisance activities because they want the option to remain open past midnight while other businesses on Grand choose to close early is arbitrary and meritless without sufficient evidence." There are several of the incidents where police investigations have shown the combatants were patrons of Billy's and the gunfire or assaults occurred after they "took their dispute outside". She ignores these reports. Ms. Vang states further: "In summary, DWD should not be blamed for this increase in nuisance activities or gun violence. To broadly attribute the increase in nuisance activities and gun violence to DWD without conclusive evidence is unreasonable and unfair."

Are buildings across the street (and Billy's itself) with bullet holes through their windows not conclusive evidence?!

The mayor and council repeatedly state that they want to decrease violence, decrease crime, provide safe neighborhoods... show that you mean what you say by imposing a closing time no later than midnight as recommended by the Summit Hill Association.

The delayed release of these findings and recommendations some 6 months after the hearing and one month after city wide elections is not without notice.

I await your response, correction of the unsubstantiated assertions of discrimination and racism by the neighborhood surrounding Billy's, and an apology for these insults.

Sincerely,



Robert Karls
51 Avon St. S. #24
St. Paul MN 55105

cc Summit Hill Association - director@summithillassociation.org



Bullet hole in kitchen window - 51 Grand Ave. 18 June 2022



Thanks so much, Billy's on Grand, for the bullet hole on my porch from Saturday night!
[Billy's On Grand, Saint Paul, MN](#)

**Bullet hole in window of residence directly across from Billy's –
Early morning 1:25am 7 May 2023**

A bullet shattered a window in Billy's in this same incident during the exchange in gunfire.