

**From:** [Moore, Shari \(CI-StPaul\)](#)  
**To:** [Weiner, Greg \(CI-StPaul\)](#)  
**Subject:** FW: RES 22-882 RAS Ethiopian Bar and Restaurant, LLC  
**Date:** Tuesday, June 14, 2022 3:34:14 PM  
**Attachments:** [2022.06.14 RES 22-882 Letter to City Council.pdf](#)  
[image001.png](#)

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Please add the email below, along with the attachment to RES 22-882 and then republish the agenda online.

**Shari Moore, MMC**

City Clerk  
Pronouns: she/her/hers  
City Clerk's Office  
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Saint Paul, MN 55102  
P: 651-266-8686  
[shari.moore@ci.stpaul.mn.us](mailto:shari.moore@ci.stpaul.mn.us)  
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**SAINT PAUL**  
**MINNESOTA**

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**From:** Brian Alton <[Brian@McClay-Alton.com](mailto:Brian@McClay-Alton.com)>  
**Sent:** Tuesday, June 14, 2022 11:59 AM  
**To:** #CI-StPaul\_Ward5 <[Ward5@ci.stpaul.mn.us](mailto:Ward5@ci.stpaul.mn.us)>  
**Cc:** #CI-StPaul\_Ward1 <[Ward1@ci.stpaul.mn.us](mailto:Ward1@ci.stpaul.mn.us)>; #CI-StPaul\_Ward2 <[Ward2@ci.stpaul.mn.us](mailto:Ward2@ci.stpaul.mn.us)>; #CI-StPaul\_Ward3 <[Ward3@ci.stpaul.mn.us](mailto:Ward3@ci.stpaul.mn.us)>; #CI-StPaul\_Ward4 <[Ward4@ci.stpaul.mn.us](mailto:Ward4@ci.stpaul.mn.us)>; [ward6@stpaul.mn.us](mailto:ward6@stpaul.mn.us); #CI-StPaul\_Ward7 <[Ward7@ci.stpaul.mn.us](mailto:Ward7@ci.stpaul.mn.us)>; [rasdj2516@gmail.com](mailto:rasdj2516@gmail.com); Moore, Shari (CI-StPaul) <[shari.moore@ci.stpaul.mn.us](mailto:shari.moore@ci.stpaul.mn.us)>; Skarda, Therese (CI-StPaul) <[therese.skarda@ci.stpaul.mn.us](mailto:therese.skarda@ci.stpaul.mn.us)>  
**Subject:** RES 22-882 RAS Ethiopian Bar and Restaurant, LLC

**Think Before You Click:** This email originated **outside** our organization.

Please see attached letter on behalf of RAS Ethiopian Bar and Restaurant, LLC requesting that this matter be taken off the Consent Agenda and scheduled for hearing before a hearing examiner for the following reasons as stated in the letter:

1. **RAS disputes the facts** underlying the violation and a hearing should be held to present evidence and argument.
2. The recommended **upward departure for revocation is not justified** and RAS should be given an opportunity to present mitigating circumstances. The extraordinary harshness of the proposed penalty requires the owner be given a chance to respond.
3. **The owner did not receive the May 6, 2022 letter** from the City Attorney Office, due in part to the fact that one copy was sent to a prior residential address. As a result, unfortunately the owner did not reply stating objection before the May 20, 2022 deadline. That letter however did not give the owner notice of the place, date and time of a hearing. **The owner acted promptly** upon being informed of the adverse action.
4. As required by City Code, a license holder shall be given notice and an opportunity to be heard. The notice shall state the place, date and time of the hearing. **The June 7, 2022 Notice of Council Hearing provided the place, date and time but no opportunity to be heard** because it is on the consent agenda.
5. It is **unfair to revoke a license and take away the livelihood of a business owner without any opportunity to contest it**. Due process, in addition to the ordinance, requires reasonable notice and a hearing.
6. The owner needs more time to respond. **Due process also requires that the owner be given a sufficient amount of time to prepare a defense**.
7. I am unable to attend the Council meeting to represent the owner and present argument on its behalf due to a requirement to be isolated under CDC guidelines.

This communication relates to the status, scheduling and procedures concerning this license matter, regarding the

licensee's request it be taken off the Consent Agenda and scheduled for hearing before a hearing examiner.  
Thank you for your consideration.

Regards,

Brian

Brian D. Alton

MCCLAY · ALTON, P.L.L.P.

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McCLAY • ALTON, P.L.L.P.  
ATTORNEYS

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Brian D. Alton\*

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June 14, 2022

VIA EMAIL

Council President Amy Brendmoen  
CITY OF SAINT PAUL  
ST. Paul, Minnesota

Re: RES 22-882

Dear Council President Brendmoen:

Our office represents RAS Ethiopian Bar and Restaurant, LLC. The possible revocation of the licenses of RAS is on the agenda for the City Council at its meeting on June 15, 2022.

On behalf of RAS Ethiopian Restaurant, we are requesting that it be taken off the Consent Agenda and scheduled for hearing before a hearing examiner. This request is made based on the following reasons:

1. RAS disputes the facts underlying the violation and a hearing should be held to present evidence and argument.
2. The recommended upward departure for revocation is not justified and RAS should be given an opportunity to present mitigating circumstances. The extraordinary harshness of the proposed penalty requires the owner be given a chance to respond.
3. The owner did not receive the May 6, 2022 letter from the City Attorney Office, due in part to the fact that one copy was sent to a prior residential address. As a result, unfortunately the owner did not reply stating objection before the May 20, 2022 deadline. That letter however did not give the owner notice of the place, date and time of a hearing. The owner acted promptly upon being informed of the adverse action.
4. As required by City Code, a license holder shall be given notice and an opportunity to be heard. The notice shall state the place, date and time of the hearing. The June 7, 2022 Notice of Council Hearing provided the place, date and time but no opportunity to be heard because it is on the consent agenda.
5. It is unfair to revoke a license and take away the livelihood of a business owner without any opportunity to contest it. Due process, in addition to the ordinance, requires reasonable notice and a hearing.
6. The owner needs more time to respond. Due process also requires that the owner be given a sufficient amount of time to prepare a defense.
7. I am unable to attend the Council meeting due to a requirement to be isolated under CDC guidelines.

Therefore, we respectfully request this case be continued until a later date and scheduled for hearing before a hearing examiner.

Very truly yours,  
McClay•Alton, PLLP



Brian D. Alton  
[brian@mcclay-alton.com](mailto:brian@mcclay-alton.com)

cc: Council Members, via email  
Shari Moore, City Clerk  
Therese Skarda, Assistant City Attorney  
DJ Bedasso, RAS Ethiopian Restaurant  
Zinash Amde, RAS Ethiopian Restaurant

