



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

Civil Division
400 City Hall
15 West Kellogg Blvd.
Saint Paul, Minnesota 55102

Telephone: 651 266-8710
Facsimile: 651 298-5619

November 6, 2012

NOTICE OF VIOLATION

Jonah Ogamien
508 Snelling Avenue North
St. Paul, MN 55104

RE: Dance or Rental Halls licenses held by Jonah Ogamien d/b/a Jonah Ogamien for the premises located at 508 Snelling Avenue North in Saint Paul
License ID #: 19990005112

Dear Mr. Ogamien:

The Department of Safety and Inspections will recommend adverse action be taken against the Dance or Rental Halls licenses held by Jonah Ogamien d/b/a Jonah Ogamien for the premises located at 508 Snelling Avenue North in Saint Paul. The basis for the recommendation is based on the following information:

On December 11, 2011, Saint Paul Police were called to your establishment regarding a disturbance (CN #11-258-323). The officer was informed by a complainant across the street of a party occurring inside your establishment where alcoholic beverages were being served and hookahs were also being used.

The officer was given a sheet of paper that looked like an invitation which stated: "Dec 10 Saturday Night...MKG AKA "Miki" Party @ Miki's Spot 508 Snelling Avenue Upstairs from Fasika Restaurant Hookah Bar Start @ 7PM till 0230 am". The officer was aware that the owner at 508 Snelling Avenue did not have a liquor license.

The officer entered your establishment and walked up the staircase, where he observed you standing at the top of the staircase. He also observed a female sitting behind a table near the entry door with a gray colored cash box where she was taking money from an individual next to the table.

When the officer entered the main room, he observed approximately sixty (60) individuals standing in the room where more than half of the people were holding plastic cups with what appeared to be alcoholic beverages in their hands or a glass bottle of beer. The officer also observed several individuals standing in the back of the room and behind the area.

The officer approached a male who told him he had rented out the space from you in the past and was not aware he could not serve alcohol or have individuals smoking tobacco inside. He told the officer he was charging \$10.00 cover charge and the individuals were then allowed to consume alcohol and smoke "SHISHA".

The officer then turned up the lights to main room and told everyone they needed to leave the property. The officer was told by the renters that you were aware they had alcohol and brought in fourteen (14) hookahs. They also stated you have been present at past events.

When the officer asked you about this, you told him you did not know they were serving alcohol or that people were smoking inside the establishment. You were then taken into custody and booked for Gross Misdemeanor Operating a Disorderly House.

On October 29, 2012 you were convicted of Gross Misdemeanor Disorderly House-Own or Operate in Ramsey County.

This is a third (3rd) offense within a twelve-month period; therefore, per Saint Paul Legislative Code § 310.05 (m) (2), the licensing office will recommend a \$2,000.00 matrix penalty and ten (10) day suspension of your Dance or Rental Halls license.


At this time, you have two options on how to proceed:

1. If you wish to admit the facts but you contest the penalty, you may have a public 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 public hearing. I will need to receive your letter by **Friday, November 16, 2012**. The matter will then be scheduled before the City Council for a public hearing to determine whether to impose the \$2,000.00 matrix penalty and ten (10) suspension of your Dance or Rental Halls license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
2. 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 **Friday, November 16, 2012**. 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 public hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation

If you have not contacted me by Friday, November 16, 2012, I will assume that you do not contest the imposition of the \$2,000.00 matrix penalty and ten (10) day suspension of your Dance or Rental Halls license. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please feel free to contact me at 266-8710.

Sincerely,


Daphne Lundstrom
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Jonah Ogiamien, 3437 Fairfax Lane, Woodbury, MN 55129
Faith Krogstad, Community Organizer, Hamline Midway Coalition, 1558 Minnehaha Avenue West
St. Paul, MN 55104-1264

STATE OF MINNESOTA))
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

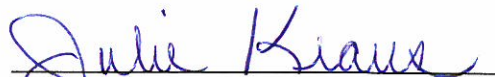
Julie Kraus, being first duly sworn, deposes and says that on the 6th day of November she served the attached **NOTICE OF VIOLATION** and correct copy thereof in an envelope addressed as follows:

Jonah Ogiamien
508 Snelling Avenue North
St. Paul, MN 55104

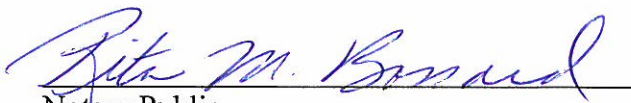
Jonah Ogiamien
3437 Fairfax Lane
Woodbury, MN 55129

Faith Krogstad, Community Organizer
Hamline Midway Coalition
1558 Minnehaha Avenue West
St. Paul, MN 55104-1264

(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 6th day of November, 2012


Notary Public

