



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

February 24, 2016

NOTICE OF VIOLATION  
NOTICE OF INTENT TO SUSPEND LICENSES  
NOTICE OF IMPOSITION OF STAYED MATRIX PENALTY

Jonathan Lopez, President  
Louie's Bar  
883 Payne Avenue  
St. Paul, MN 55130

RE: All licenses held by the Eastsiders Bar, Inc. d/b/a Louie's Bar for the premises located at 883 Payne Avenue in Saint Paul  
License ID #: 20120005867

Dear Licensee:

The Department of Safety and Inspections will recommend adverse action against all licenses held by Eastsiders Bar, Inc. d/b/a Louie's Bar for the premises located at 883 Payne Avenue in Saint Paul. The basis for the recommendation is based on the following information:

**On February 3, 2016 at approximately 8:48 p.m. Saint Paul Police responded to a call of two females assaulting another female in the men's bathroom within your establishment (CN #16-022-22). When speaking to the victim, the officer was told she was assaulted by four (4) females but she did not know who they were.**

**The officer then spoke to the bartender who called the police regarding the assault. The bartender told the officer the suspects and the incident would be on the video surveillance but that he was not able to create a copy of the video upon police request. He indicated that, if necessary, he could contact a manager to come to the premises and create a DVD of the incident, if the officer needed it, or the officer could contact the manager himself to obtain a copy of the recording.**

**Failure to immediately provide a copy of video surveillance to Saint Paul Police without delay is a violation of license condition #2: "The license holder shall maintain video surveillance cameras inside and outside the establishment. The video recordings shall be kept by the license holder for at least thirty (30) days and shall be available for viewing by the Saint Paul Police Dept. immediately upon request. In addition, if the Saint Paul Police Dept. responds to a call at the licensed premises, and due to the serious nature of the crime, requests that a copy of the surveillance footage be immediately provided, the license holder shall have the technology available to make the copy at the time of the request and shall have it for the Police without delay. In other cases, if the SPPD or the Dept. of Safety and Inspections requests copies of the surveillance tapes, licensee shall have a 48-hour period in which to provide such copies."**

As a result of this third (3<sup>rd</sup>) violation, the licensing office will recommend imposition of the \$500.00 penalty stayed by City Council on December 16, 2015 (RES PH #16-361) as well as a \$2,000.00 matrix penalty and ten (10) day suspension of all licenses.

At this time, you have three (3) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **Monday, March 7, 2016**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the City Council Agenda for approval of the proposed remedy.
2. 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 **Monday, March 7, 2016**. The matter will then be scheduled before the City Council for a public hearing to determine whether to impose the \$500.00 penalty stayed by City Council on December 16, 2015 (RES PH #16-361) as well as a \$2,000.00 matrix penalty and ten (10) day suspension of all licenses.
3. 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 **Monday, March 7, 2016**. 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.

Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

**If you have not contacted me or DSI by Monday, March 7, 2016, I will assume that you do not contest the imposition of the \$500.00 matrix penalty stayed by City Council on December 16, 2015 (RES PH #16-361) as well as a \$2,000.00 matrix penalty and ten (10) day suspension of all licenses. 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,



Geoffrey Karls  
Assistant City Attorney

cc: Eric Hudak, DSI Licensing Manager  
Jonathan Lopez, 1225 Bradley Street, St. Paul, MN 55130  
Leslie McMurray, Executive Director, Payne Phalen District 5 Planning Council, 506 Kenny Road, Ste. 130  
St. Paul, MN 55130  
Maxfel LLC, 977 Payne Avenue, St. Paul, MN 55130-3901

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 24<sup>th</sup> day of February she served the attached **NOTICE OF VIOLATION – NOTICE OF INTENT TO SUSPEND LICENSES AND NOTICE OF IMPOSITION OF STAYED MATRIX PENALTY** and a correct copy thereof in an envelope addressed as follows:

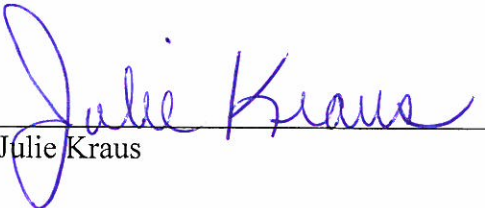
Jonathan Lopez, President  
Louie's Bar  
883 Payne Avenue  
St. Paul, MN 55130

Jonathan Lopez  
1225 Bradley Street  
St. Paul, MN 55130

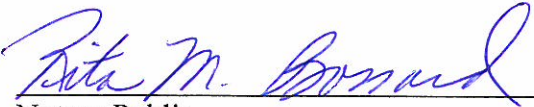
Leslie McMurray, Executive Director  
Payne Phalen District 5 Planning Council  
506 Kenny Road, Ste. 130  
St. Paul, MN 55130

Maxfel, LLC  
977 Payne Avenue  
St. Paul, MN 55130-3901

(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 24<sup>th</sup> day of February, 2016

  
Notary Public

