



Legislation Text

File #: RES 22-1154, **Version:** 1

Denying a stay in implementation of Council File #RES 22-882 Revoking All Licenses Held by RAS Ethiopian Bar & Restaurant LLC d/b/a RAS Restaurant & Lounge (License ID #20100000062) at 2516 Seventh Street West.

WHEREAS, on June 15, 2022, pursuant to RES 22-882, the Saint Paul City Council revoked all licenses held by RAS Ethiopian Bar & Restaurant LLC d/b/a RAS Restaurant & Lounge; and

WHEREAS, on July 15, 2022 the City Clerk was served with a Petition for Reconsideration or a Stay of Proceedings ("Petition") in the above entitled matter; and

WHEREAS, RAS Ethiopian Bar & Restaurant LLC d/b/a RAS Restaurant & Lounge has stated they intend to apply for a Writ of Certiorari from the Minnesota Court of Appeals; and

WHEREAS, Counsel for RAS Ethiopian Bar & Restaurant LLC d/b/a RAS Restaurant & Lounge has petitioned the Saint Paul City Council for either an Order:

1. Reconsidering the approving adverse action against the Liquor on Sale - 101- 189 seats, Liquor on Sale - Sunday, Liquor on Sale - 2AM Closing, Liquor - Outdoor Service Area - Patio, and Entertainment B License held by Petitioner by Resolution dated June 15, 2022;
2. In the alternative, staying the adverse action pending Petitioner's appeal of this matter to the Minnesota Court of Appeals, subject to the posting of a supersedeas bond or other conditions as may be ordered by this Council; and

WHEREAS, there is no path for reconsideration of RES 22-882 as it was signed by the Mayor on June 16, 2022 and is deemed final; and

WHEREAS, under Minnesota Rule of Civil Appellate Procedure 108.01, the City Council has the power to grant a stay and impose reasonable terms and conditions that are proper for the security of the rights of the City of Saint Paul; and

WHEREAS, council exercised its discretion and removed the matter from the council agenda for an informational update and discussion which reflects the thoughtful consideration that Council gave the matter; and

WHEREAS, the Council in approving RES 22-882 found that due process had been afforded to the Licensee and that the violations as alleged formed the basis for revocation of the license; and

WHEREAS, RES 22-882, herein incorporated as Exhibit 11, and the record supporting it, herein incorporated as Exhibits 1-10, support the determination that no conditions could be added to the license that would

adequately protect the health and safety of the citizens as, even with the license conditions in existence and prior adverse actions:

- a 15 and 19 year old were served alcohol within the licensed premises,
- the 19 year old was assaulted, Saint Paul Police were denied entry into the licensed premises when they were trying to investigate the assault,
- patrons denied any knowledge of an assault,
- staff were unable to produce video of the assault at the scene for Saint Paul Police to review;
- the licensee was unable to produce all video requested by the Department of Safety and Inspections; now therefore, be it

RESOLVED, that the City Council denies the Motion for a Stay Pending Appeal based on the above stated reasons as well as all of the information contained in RES 22-882 and the supporting council file which is incorporated by reference, and which demonstrates that no terms and conditions could be added to the licenses of RAS Ethiopian Bar & Restaurant LLC d/b/a RAS Restaurant & Lounge that would adequately protect the health and safety of the City and its citizens.