

**In the Matter of the
Gasoline Filling Station,
Grocery, Food Manufacturing,
and Tobacco licenses
For Bobby & Steve's
Auto World II LLP
1221 Washington Ave. S.
Minneapolis, MN 55415**

**Findings of Fact,
Conclusions and
Recommendations**

This matter came before a License Settlement Conference hearing held at the 1st Precinct on November 20, 2006, at 10:00 a.m. Appearing for Bobby and Steve's Auto World II LLP were Steven A. Williams, owner, Andrea Van Hofwegen, manager, Holly Beckell, manager, and Scott Treptow, Wolf Protective Agency. Appearing for the Department were Deputy Director of Licensing Ricardo Cervantes, License Inspector Leanne Selander, 1st Precinct Commander Janee Harteau, 1st Precinct Lt. Kathy Waite, 1st Precinct Crime Prevention Specialist Luther Krueger, and Mayoral Policy Aide Sherman Patterson. Based on the information presented at the hearing the Department makes the following findings of fact.

FINDINGS OF FACT

1. Robert and Steve Williams have operated the current Bobby & Steve's Auto World at 1221 Washington S. since 1998. They are strategically located at the freeway interchange of 35W and Washington Ave. S. in downtown Minneapolis.
2. Normal business operating hours are 24 hours a day, seven days a week. Bobby & Steve's Auto World is a late night destination for the convenience of the community, which includes the 2 AM bar closing crowd, offering both gas and grilled food.
3. Licensee, Steve Williams, contacted Inspector Harteau seeking her experience and professionalism on how to best handle the late night activity. Employees were advised to call for police response for every criminal incident, which they did. Police calls for service between January 1, 2005 and November 20, 2006 to Bobby & Steve's show 342 incidents, many of which were called in by the business, itself. The incidents which required police intervention ranged from typical gas station/convenience store-type calls such as disturbances, hit & runs, customer

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trouble, drunks, and shoplifters, to such serious crimes as shots, fights, narcotics activity, assaults, domestics, persons with a gun, robbery of persons, and fleeing the police.

4. Police responded to three shootings which occurred on or near the business premises within the last 2 1/2 years, one of which resulted in a homicide. Two of the shootings occurred in 2006. All the incidents occurred between 2:30 AM and 3:30 AM.
5. Steve Williams acknowledged that late night/early morning criminal activity occurs at Bobby & Steve's despite their steps to reduce it. Williams stated that the majority of crimes appear to be committed by drunken males under the age of 21.
6. Williams gave the following explanations as to why he thought the criminal activity occurred: Old Colony gas station on North Washington ceased late night hours, which, in turn, diverted customers to Bobby & Steve's Auto World; illegal underage drinking by youth who are legally allowed to patronize liquor establishments holding alcohol-free venues; and the lack of necessary oversight by some liquor establishments to control underage drinking at these venues.
7. The licensee stated that the negative activities occurring on or near his premises are offset by the benefits of being a high visibility destination for those in distress, as well as a place for night shift workers such as cabdrivers and postal employees, along with neighborhood residents, to gas up and eat.
8. Bobby & Steve's has installed 19 surveillance cameras, 14 inside and 5 outside. (Outside cameras are not required by ordinance or statute.) Two of the outside cameras scan, while the others are stationary. The cameras covering the pumps are high resolution and can zoom in to read plates. The licensee stated they are adding an additional scanning camera to cover the lot, but a date has not yet been determined. The property has sufficient lighting, with no dark areas.
9. The licensee stated they have taken the following actions to alleviate the ongoing criminal activity:
 - Four nights a week they employ armed security: On Fridays and Saturdays three guards work from 1 AM to 5 AM; and on Thursdays and Sundays two guards work from midnight to 4 AM.
 - A security plan was implemented on April 15, 2006. Some of the protective actions taken consisted of closing down operations between 2:30 AM and 3:15 AM on Saturdays and

SW

Sundays, using flat bed trucks as barricades to block vehicles from entering the gas station and also stationing security at the exit. Bobby & Steve's Auto World acknowledged, however, that the closures were not always consistent but, rather, implemented when determined to be needed.

10. The action of barricading the entrance to the gas station resulted in customers parking on nearby city streets. Neighbors, including one who explained he had almost been shot by one of the gun-wielding assailants as he was coming home from work, complained to the City about Bobby and Steve's Auto World's customers causing late night disturbances on the surrounding city streets. Nearby businesses and Bobby and Steve's Auto World agreed with the City's response to combat the disturbances: installing No Parking signs, enforced from 2:30 AM to 6 AM, on nearby streets.
11. Neighborhood residents who attended a June meeting held at the 1st Precinct stated the noise and crowd issues on the surrounding streets were resolved by the City putting up the No Parking signs.
12. 1st Precinct Police Inspector Janee Harteau stated that despite a comprehensive security plan, and compliance by Bobby & Steve's Auto World to suggestions from the police, the late night/early morning criminal activity near the gas station continued, including the shootings in August and November of 2006. The only action, according to Harteau, that made any significant difference was the closure of the business for 45 minutes on weekends.

CONCLUSIONS

1. It is the responsibility of the licensee to take appropriate action to prevent ongoing violations of criminal conduct on the business premises, including parking areas.
2. The Department of Regulatory Services, Division of Licenses and Consumer Services, has the authority to regulate licensed businesses, including gas stations, repair garages, and establishments selling food, beer and tobacco, and such regulation can include the imposition of conditions on a license, such as the restriction of hours of operation.
3. An inordinate amount of scarce police resources have been taken up by officers responding to late night-early morning

SW

criminal activity at Bobby & Steve's Auto World precisely at a time when the number of officers on the street is at it's lowest.

4. Some of the criminal activity that has occurred during the late night-early morning hours has been extremely serious.
5. Bobby & Steve's Auto World and the City worked on solutions to reduce ongoing problems. The 45-minute business closures on the weekends reduced the criminal activity at the station during those times. And the installation of No Parking signs resolved the noise and crowd issues in the area surrounding the station. However, the amount and type of criminal activity continued to be unacceptable after those steps were taken.
6. Suggested solutions offered by Bobby & Steve's Auto World, such as changing the current ordinance to prohibit access to patrons under 21 to alcohol-free venues at liquor establishments, or increasing enforcement of liquor establishments serving alcohol to underage youth, are long-term and do not address the current problems.
7. The licensee disagrees with the City's assessment that, when balancing convenience verses safety, the benefits of a 24-hour operation provided to customers of Bobby & Steve's Auto World do not outweigh the associated costs to the City and its residents.

RECOMMENDATIONS

The Department makes the following recommendations:

1. Bobby & Steve's Auto World, 1221 Washington S., agrees to close its gas fueling pumps and grocery convenience store from 2:15 AM to 3:45 AM, on Fridays, Saturdays, and Sundays.
2. Additionally, Bobby & Steve's Auto World, 1221 Washington S., agrees to close its gas fueling pumps and grocery convenience store from 2:15 AM to 3:45 AM when special, late-night, downtown events or venues of the type which draw large, young crowds are taking place, and which have been predetermined by the 1st Pct. to have a high probability of producing secondary criminal activity, and which a 30-day notice has been provided to the licensee by the 1st Pct.
3. The aforementioned restrictions on hours of operation shall not impinge on the Towing or Motor Vehicle Repair Garage licenses held by Bobby & Steve's Auto World. All towing and



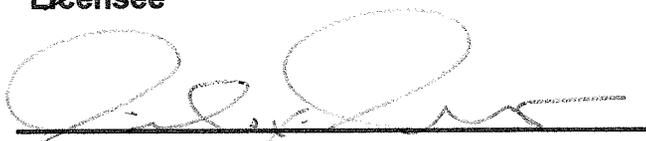
motor vehicle repair operations shall continue without restrictions.

4. The aforementioned restrictions on hours of operation shall commence on the date in which the Findings of Fact, Conclusions and Recommendations are approved by the City Council. After 365 days, representatives from Bobby & Steve's Auto World, and Licensing will reexamine the restrictive hours provision to determine the necessity for continued restrictions, most specifically, the necessity for continued restrictions on the gas pumps. Criteria used will include: calls for service; police reports; complaints from the community; and the articulated observations from police officers, security agents and Bobby & Steve's owners, managers and employees.
5. The licensee shall provide its most recent, written security plan at the time of the signing of this agreement. The plan shall include: employee staffing levels; a schedule showing the days and hours when professional, uniformed security are working; and an up-to-date list of all indoor and outdoor surveillance cameras. The plan shall also explain: how the business implements the trespassing ordinance for unwanted customers, how the business plans to expeditiously serve customers during hours of operation to avoid loitering, and how the business uses barricades for security when closed.

I have read the above report and recommendations. I agree with the report, and I agree with the above recommendations. I understand that failure on the part of my business to adhere to this agreement with the Department may lead to further action against my license. I understand that this report must be accepted by the Minneapolis City Council and signed by the Mayor. I understand that future violations may put my license in jeopardy.



Licensee 5-17-07
Date



Ricardo Cervantes 5/23/07
Deputy Director, Date
Licenses and Consumer Services

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**Addendum to Bobby & Steve's Auto World Security Plan
May 17, 2007**

Staffing

Bobby & Steve's Auto World will staff three team members in its convenience store from 10:30 pm until 7:00 am every day of the week. In the Chevy Grille, there will be one team member on all days except Thursday, in which there will be two team members. It is unnecessary to add a second team member in the Grille on the days we are closed.

Contracted Armed Security

Wolf Protective Agency (Operations Manager Scott Treptow) will provide armed security guards on the overnight shifts from Thursday through Sunday. The times are listed below

Thursday Overnight	12:00am - 04:00am	2 Guards
Friday Overnight	01:00am - 05:00am	2 Guards
Saturday Overnight	01:00am - 05:00am	2 Guards
Sunday Overnight	12:00am - 04:00am	2 Guards

Other Security Tools

No Trespassing signs are posted on the Twin City Florist Building saying Violators Will Be Towed. On the entrance doors to Bobby & Steve's Auto World, there are signs informing our guests of our Closed Circuit Surveillance Cameras.

Camera Locations

There is one camera on the west side of our Lube Express building that pans back and forth to cover our backside parking lot as well as parts of 12th Avenue.

There are two cameras inside the Lube Express Building, one that shoots people walking in the west door, and one inside the garage.

One camera is located on the east exterior of the Lube Express Building that aims at the car wash line as well as the Twin City Florist Lot in the background.

On the exterior of the main building, there are two panning high resolution cameras. They are located on both corners of the north end (front) of the building. They zoom in on the gas pumps in order to obtain license plates. There is another camera on the exterior of the north side of the building that pans back and forth over our entire driveway.

Inside the building, we have cameras at every entrance. There is also a camera covering the Chevy Grille, two on the cash registers, one in the back delivery hallway, one inside the shop, and three on the upper level covering various locations including the '57 Chevy Bel Air.