

**CITY OF MINNEAPOLIS  
CITY COUNCIL  
PUBLIC SAFETY & REGULATORY SERVICE COMMITTEE**

In the Matter of the Off-Sale Beer License,  
Held by Memo, Inc.  
dba 4<sup>th</sup> Street Market

**FINDINGS OF FACT  
CONCLUSIONS, AND  
RECOMMENDATIONS**

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This matter was scheduled for a License Settlement Conference ("LSC") meeting on Thursday August 17, 2006 at 9:00 a.m. in Room 1 of City Hall, 350 South Fifth Street, Minneapolis, MN 55415. The LSC meeting was scheduled to discuss issues related to the operation of Memo, Inc, dba 4<sup>th</sup> Street Market, located at 805 4<sup>th</sup> Street Southeast, Minneapolis, Minnesota 55414 pursuant to a Notice to Appear, dated August 11, 2006. Present at the LSC meeting was the following representative of 4<sup>th</sup> Street Market: Rani Hassuneh (Owner). Also present were the following representatives of the City of Minneapolis: Ricardo Cervatnes (Deputy Director-Licenses and Consumer Services), Lieutenant Travis Glampe (Minneapolis Police License Investigation Division) and Joel Fussy (Assistant City Attorney). The August settlement conference was adjourned without an agreement being reached. On January 4, 2007 an administrative hearing was held regarding an administrative citation that was issued to 4<sup>th</sup> Street Market. With permission from the hearing officer, the hearing was continued and negotiations continued with the below agreement being reached by the City and 4<sup>th</sup> Street Market.

Based upon the agreement between the parties and all files and records contained herein, the following recommendations are forwarded:

## FINDINGS OF FACT

1. The Minneapolis Police Department License Investigation Division conducts youth alcohol compliance checks in an effort to assure retail-alcohol license holders are not serving alcohol to persons under the age of 21.

2. On May 24, 2006 the Minneapolis Police License Investigation Division conducted a youth alcohol compliance check at the 4<sup>th</sup> Street Market. Two 19 year old female decoys were sent into the business. The decoys presented a 6 pack of Corona beer for purchase to an employee working behind the counter. This employee asked one of the decoys for her identification. The decoy presented her actual Minnesota driver's license which showed her to be 19 years of age. The employee reviewed the driver's license and completed the transaction, selling the beer to the decoy. This was 4<sup>th</sup> Street Market's first alcohol compliance failure. As a result of the compliance failure, an administrative citation was issued to 4<sup>th</sup> Street Market for sale of alcohol to a minor-1<sup>st</sup> offense in the amount of \$500 as detailed in a City Council resolution. As of January 16, 2007 this citation is still unpaid.

3. On July 20, 2006 the Minneapolis Police License Investigation Division conducted a youth alcohol compliance check at the 4<sup>th</sup> Street Market. A 19 year old female decoy and 18 year old male decoy were sent into the business. The decoys presented a 6 pack of Budweiser Select beer for purchase to an employee behind the front counter. The employee asked for the male decoy's identification. The decoy presented his actual driver's license which showed him to be 18 years old. The employee then completed the transaction, selling the beer to the decoys. This constituted 4<sup>th</sup> Street Market's second youth alcohol compliance failure. As a result of the compliance failure,

an administrative citation was issued to 4<sup>th</sup> Street Market for sale of alcohol to a minor-2<sup>nd</sup> offense in the amount of \$1,000 as detailed in a City Council resolution. As of January 16, 2007 this payment is outstanding.

4. On 11-03-2006 the Minneapolis Police License Investigation Division conducted a youth alcohol compliance check at the 4<sup>th</sup> Street Market. A 19 year old female decoy and a 20 year old female decoy were sent into the business. The 19 year old decoy selected a six pack of Bud Light beer and presented it for purchase to the clerk at the front counter. The clerk requested identification from the 19 year old decoy. The decoy produced her actual Minnesota Driver's License which showed her age to be 19 years old. The clerk returned the driver's license and completed the sale. This constituted 4<sup>th</sup> Street Market's third youth alcohol compliance failure. As a result of the compliance failure, an administrative citation was issued to 4<sup>th</sup> Street Market for sale of alcohol to a minor-3<sup>rd</sup> offense in the amount of \$2,000 as detailed in a City Council resolution. 4<sup>th</sup> Street Market requested a hearing on this citation. On January 4, 2007 an administrative hearing was held. The hearing was continued at the request of the 4<sup>th</sup> Street Market and the City, pending further negotiations. As a result of these negotiations an agreement was reached, as recorded in this document.

5. The Minneapolis Police License Investigation Division has forwarded criminal charges to the City Attorney's Office for review regarding each 4<sup>th</sup> Street Market employee. These charges are pending.

## CONCLUSIONS

1. On three separate occasions, employees of the 4<sup>th</sup> Street Market sold alcohol to persons under the age of 21, in violation of Minneapolis City Ordinance 370.10, Minnesota Statute 340A.503 subd. 2(1), and the established compliance check policy and procedures of the City of Minneapolis. These compliance failures all occurred in a period of less than seven months.

## RECOMMENDATIONS

That the Off-Sale Beer License, issued to 4<sup>th</sup> Street Market shall be subject to adverse license action up to and including revocation, with the commencement of such adverse license action stayed through and including May 24, 2009 subject to full compliance with the following conditions:

1. 4<sup>th</sup> Street Market will surrender its Off-Sale Beer License and withdraw its application for the license in person at room 1 of City Hall, 350 Fifth Street South, Minneapolis, Minnesota. This surrender and withdrawal shall be immediate and no sale of beer by 4<sup>th</sup> Street Market shall occur after 1:00 p.m. on January 16, 2007.
2. Rani Hassuneh will not reapply for an Off-Sale Beer License, or any other alcohol licenses, in the City of Minneapolis until May 24, 2009. This will include any business in which Rani Hassuneh holds an ownership stake.
3. 4<sup>th</sup> Street Market will pay the outstanding \$500 administrative fine from the May 24, 2006 youth alcohol compliance failure. 4<sup>th</sup> Street Market will also pay a \$50 late fee.

4. 4<sup>th</sup> Street Market will pay the outstanding \$1,000 administrative fine from the July 20, 2006 youth alcohol compliance failure. 4<sup>th</sup> Street Market will also pay a \$100 late fee.
5. 4<sup>th</sup> Street Market will pay an additional \$350 in financial sanctions to the City.
6. 4<sup>th</sup> Street Market owes a total of \$2000 in administrative fines, late fees and financial sanctions. This payment must be received by the Minneapolis Police License Investigation Division, Room 1A City Hall, 350 South Fifth Street, Minneapolis Minnesota by 1:00 p.m. on Thursday February 1, 2007.
7. This Agreement does not alter or preclude any previously imposed license conditions that may exist.
8. This Agreement shall not preclude any other adverse license action, including but not limited to suspension or revocation, for subsequent violations of this Agreement, or for subsequent violations or subsequently-discovered violations of any federal, state or local laws, ordinances, or regulations.
9. Term of Agreement. This Agreement shall remain in effect through and including May 24, 2009. It is understood between the parties that this Agreement shall bind only the present licensee and will not bind any subsequent, unrelated person or persons should the business be sold and a new license approved provided that the present licensee, Rani Hassuneh, holds no part of the new license.
10. "Date of Agreement" shall be defined as the date that the licensee signs or otherwise executes this Agreement. This Agreement is subject to approval by the Minneapolis City Council, however should such approval be obtained after the

execution of this Agreement the approval shall be retroactive to the date of execution.

Memo, Inc.  
Dba: 4<sup>th</sup> Street Market

By: [Signature]  
Rani Hassuneh  
Owner

Date: 01-25-07

Minneapolis Police Department

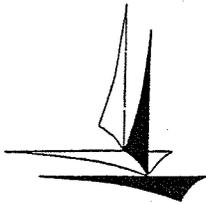
By: [Signature]  
Lt. Travis Glanpe  
Commander, License Division

Date: 01-31-07

City of Minneapolis Office of  
Licenses and Consumer Services

By: [Signature]  
Ricardo Cervantes  
Deputy Director of Consumer  
Services

Date: 1-31-07



# APPLICATION FOR WITHDRAWAL/REFUND OF LICENSE FEE

Minneapolis  
City of Lakes

Regulatory Services  
Department

Licenses &  
Consumer Services  
Division

350 South 5th Street - Room 1C  
Minneapolis MN 55415-1391

Office 612 673-2080  
Fax 612 673-3399  
TTY 612 673-2157

Residential Specialty  
Contractor Licenses 612 673-3001  
Liquor Licenses 612 673-2551

Date: January 18, 2007

Official Name of License Applicant: Rani Hassuneh

Doing business as (DBA): 4<sup>th</sup> Street Market

Address of Business: 805 4<sup>th</sup> St. SE  
Minneapolis, MN 55414

Type of License: OFF-Sale Beer

Amount of Refund Claimed: \$250.00

Reason for Withdrawal/Refund Request: \_\_\_\_\_

License Applicant's Signature: [Signature]

Name (Printed): Rani Hassuneh

Mailing Address: Same as Above

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## DEPARTMENT REPORT

License Number: L028-50067 Amount of Fee Paid: 187<sup>00</sup> (late fee 93<sup>50</sup> non-refundable)

Date of Fee Paid: 9-11-06 Amount of Refund Granted: 46<sup>75</sup> (1/4 fee)

Remarks: As a part of a license settlement agreement, licenses agreed to refund the remaining portion of 4<sup>th</sup> St Mkt Beer Lic

License Inspector: \_\_\_\_\_ Date: \_\_\_\_\_ Director: [Signature] Date: 1-31-07

Revenue Code 3110-05