

CITY OF MINNEAPOLIS  
LICENSES AND CONSUMER SERVICES  
350 SOUTH 5<sup>TH</sup> STREET, ROOM 1-C, CITY HALL  
MINNEAPOLIS, MN 55415

**FINDINGS OF FACT  
CONCLUSIONS, AND  
RECOMMENDATIONS**

In the Matter of License No. L233 34222 8TH STREET GRILL & TAVERN  
for LIQ ON-SALE C-1 W/SS SERIES 1000

Held by:

**8TH STREET GRILL**

**ATTN: MICHAEL STEWART - GENERAL MANAGER**

**800 MARQUETTE AVE**

**MINNEAPOLIS, MN 55402**

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09-0685029

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

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This matter came before a License Settlement Conference hearing on Monday, April 13, 2009. Appearing for the licensee were Michael Stewart, General Manager of 8<sup>th</sup> Street Grill and Morgan Hillborn, Manager of 8<sup>th</sup> Street Grill. Appearing for the City of Minneapolis were Ricardo Cervantes, Deputy Director of Licenses & Consumer Services, Craig Eliason, Inspector for Licenses & Consumer Services and Lieutenant Travis Glampe, Commander of the Minneapolis Police License Investigative Division. Based on the evidence presented at the hearing, the following findings of fact are asserted:

**FINDINGS OF FACT**

1. The Minneapolis Police Department Licensing Division conducts Youth Alcohol Compliance checks in an effort to ensure retail alcohol license holders are not serving alcohol to persons under the age of 21 years.
2. On January 3, 2008 Minneapolis Police Officers conducted a Youth Alcohol Compliance check at 8<sup>th</sup> Street Grill. Without checking for identification or verifying the underage police shopper's age, the 8<sup>th</sup> Street Grill employee served the underage shopper alcohol. An Administrative Citation for sale of alcohol to a minor was issued to 8<sup>th</sup> Street Grill in the amount of \$500. This citation has been paid.

## CONCLUSIONS

1. On two separate occasions, employees of 8<sup>th</sup> Street Grill 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 occurred in a period of less than 24 months.
2. The licensee has paid both administrative citation fines relating to the above stated compliance failures.

## RECOMMENDATIONS

Based on evidence presented at the hearing, the Department makes the following recommendations:

1. 8<sup>th</sup> Street Grill will develop and submit to the City of Minneapolis Licenses Division a written policy regarding alcohol service at the time of signing the agreement. The policy shall address the following issues:
  - a. policy for carding everyone that appears under 30 years of age
  - b. conducting their own youth alcohol compliance checks four times per year for a period of three years and the rewards/consequences for those employees passing/failing the checks
  - c. addressing alcohol service at regularly scheduled staff meetings
  - d. holding at least three meetings to train staff on electronic age verification devices being implemented
  - e. requiring all staff serving liquor to attend professional alcohol server training and annually thereafter.
2. 8<sup>th</sup> Street Grill agrees that a trained manager will be present at all times of alcohol sales.
3. In lieu of suspension 8<sup>th</sup> Street Grill agrees to pay a \$3000 sanction for failing two youth alcohol compliance checks. \$1500 of the sanction is stayed pending no further youth alcohol compliance check failures for a period of two years from the signing of this agreement. \$1500 will be paid upon signing this agreement, payable to the Minneapolis Finance Department, and delivered to the office of Licenses & Consumer Services.

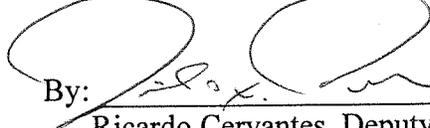
**I have read the above report and recommendations. I agree with the report and recommendations. I understand that failure on my part or on the part of the business to adhere to this agreement may lead to further action against the license. I understand that this report must be accepted by the Minneapolis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

For 8<sup>th</sup> Street Garage Inc  
DBA: 8<sup>th</sup> Street Grill

By:   
\_\_\_\_\_  
Michael Stewart  
General Manager

Date: 4-28-09

For the City of Minneapolis

By:   
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Ricardo Cervantes, Deputy Director  
Licenses & Consumer Services

Date: May 5, 2009