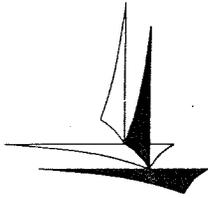


MADI INC.
DBA: VENUS GROCERY
3751 PORTLAND AVENUE

EVIDENCE
PACKET

SEPTEMBER 2007



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

September 13, 2007

Mesud Didovic
Venus Grocery
1101 44 1/2 Avenue NE
Columbia Heights, MN 55421

NOTICE OF HEARING

In respect to your Tobacco license for Venus Grocery, located at 3751 Portland Avenue.

PLEASE TAKE NOTE:

1. This is to notify you that a hearing will be held before the Public Safety and Regulatory Services Committee of the Minneapolis City Council on Wednesday, October 10, 2007 at 1:00 p.m. or shortly thereafter, in Room 317, City Hall, 350 South Fifth Street, Minneapolis, MN to consider action with respect to your tobacco dealer's license for Venus Grocery, 3751 Portland Avenue, Minneapolis, MN 55407
2. This hearing may result in revocation of the tobacco dealer license resulting in loss of the ability to sell tobacco products in your store.
3. An attorney may represent you if you so desire.

Pursuant to Minneapolis Charter Chapter 4, the Committee will determine whether or not the license holder is in violation of Minneapolis Code of Ordinance 281.50 selling tobacco products to minors as outlined below. This grocery store has failed all tobacco checks performed since the owner; Mr. Mesud Didovic obtained a license in March 2006.

- a. On June 29, 2006, Mr. Mesud Didovic, the store owner, sold cigarettes to the minor compliance checker. A \$250 administrative citation was issued and paid. The citation was not appealed.
- b. On April 4, 2007, Mr. Mesud Didovic, the store owner sold cigarettes to the minor compliance checker. A \$450 administrative citation was issued and paid. The citation was not appealed.

- c. On August 16, 2007, Mr. Mesud Didovic, the store owner sold cigarettes to the minor compliance checker. The penalty for this failure was withheld pending a hearing before the Minneapolis City Council.

Minneapolis City Ordinance 281.50 states, "Sales to minors. No person within the city shall sell, give to, or in any way furnish any tobacco to any person under eighteen (18) years of age."

Minneapolis Charter Chapter 4, Section 16 states, "Licenses May be Revoked. Any license issued by the authority of the City Council may be revoked by the City Council at any time upon proper notice and hearing for good cause..."

If you have further questions regarding the issues or conduct of the hearing, you may contact License Inspector Julie Casey at 612-673-3905.

Sincerely,

A handwritten signature in black ink, appearing to read "Ricardo X. Cervantes", written in a cursive style.

Ricardo X. Cervantes, Deputy Director
Licenses and Consumer Services

CHECK TYPE

NEW
 RENEWAL



DEPARTMENT OF REGULATORY SERVICES
 DIVISION OF LICENSES AND CONSUMER SERVICES
 ROOM 1-C, CITY HALL, 350 SOUTH 5TH STREET
 MINNEAPOLIS, MN 55415 (PHONE: 612-673-2080)

LICENSE ID NUMBER: BS 50483
 FEE: \$ 15300
 LICENSE CLERK: BA DATE: 4/3/07

TOBACCO DEALER APPLICATION
 (TYPE OR USE BALL POINT PEN)

BUSINESS TYPE: <input checked="" type="checkbox"/> CONVENIENCE <input type="checkbox"/> CONVENIENCE/GAS <input type="checkbox"/> GAS <input type="checkbox"/> DRUG/PHARMACY <input type="checkbox"/> BAR/RESTAURANT <input type="checkbox"/> TOBACCO/SMOKESHOP <input type="checkbox"/> SUPERMARKET/GROCERY <input type="checkbox"/> GENERAL MERCHANDISE <input type="checkbox"/> LIQUOR <input type="checkbox"/> OTHER		MINNESOTA SALES TAX IDENTIFICATION NUMBER: <u>8228983</u>	
MINNEAPOLIS BUSINESS LOCATION: <u>3751 Portland Ave. So</u>		TRADE/DBA: <u>Venus Grocery</u>	
NAME OF APPLICANT: <u>MADI INC.</u>		ADDRESS: <u>1101 44 1/2 AVE NE Col. Hts</u>	
NAME OF MANAGER: <u>Mesud DiDovic</u>		DATE OF BIRTH: <u>9/29/61</u>	
OWNER OF BUILDING: <u>Abdul Tel</u>		ADDRESS: <u>Van Burn St. Col. Hts</u>	
TYPE OF OWNERSHIP: <input type="checkbox"/> SOLE PROPRIETOR <input type="checkbox"/> PARTNERSHIP <input checked="" type="checkbox"/> CORPORATION		CORPORATION NAME: <u>Modi Inc</u>	
		STATE OF INCORPORATION: <u>MA</u>	

LIST ALL NAMES OF OWNERS, PARTNERS OR CORPORATE MEMBERS

FIRST NAME, FULL MIDDLE NAME AND LAST NAME: <u>Mesud DiDovic</u>		BIRTHDATE: <u>9/29/61</u>	TITLE: <u>Pres.</u>	HOME TELEPHONE NUMBER: <u>(763) 788-1607</u>
HOME STREET ADDRESS: <u>1101 44 1/2 AVE NE</u>		CITY: <u>Col. Hts</u>		STATE: <u>MIN.</u>
FIRST NAME, FULL MIDDLE NAME AND LAST NAME:		BIRTHDATE:	TITLE:	HOME TELEPHONE NUMBER:
HOME STREET ADDRESS:		CITY:		STATE: ZIP CODE:

***** ATTACH ADDITIONAL SHEET IF NECESSARY *****

HAVE ANY OF THE ABOVE PEOPLE BEEN CONVICTED OF A CRIME?
 NO YES - IF YES, PLEASE PROVIDE DATE, OFFENSE AND JURISDICTION ON A SEPARATE SHEET AND ATTACH TO APPLICATION.

SQUARE FOOTAGE OF ESTABLISHMENT - GROSS AREA: 3200 SQFT
 SQUARE FOOTAGE OF ESTABLISHMENT - NET TOBACCO FLOOR AREA: 25 SQ FT

- Method by which Tobacco products are sold:
 (a) Over the Counter
 (b) Vending Machine
 (c) Self-Service (Customer has physical access to product without assistant of employee.)
- If (b) or (c) was checked, how are persons under 18 years of age prevented from entering the establishment? _____
- If (c) was checked, please provide previous years sales percentages: _____

Minneapolis Code of Ordinances prohibits all self-service merchandising of tobacco products. Self service restrictions shall not apply to retail stores which derive at least ninety (90) percent of their revenue from tobacco and tobacco-related products and which cannot be entered at any time by persons younger than eighteen (18) years of age. Any establishment wishing to apply for this exemption must provide an independent accountant's statement showing total sales for the previous year to the office of Licenses and Consumer Services at renewal.

I hereby certify that I have read and understand every question in this application and that the answer to every question is true to my own knowledge and belief. I further understand that the giving of false information in this application constitutes cause for the immediate revocation of any license and permits issued hereunder.

PRINT NAME: <u>Mesud DiDovic</u>	SIGNATURE OF APPLICANT (MUST BE NOTARIZED): <u>Mesud DiDovic</u>	DATE SIGNED: <u>03-30-07</u>
-------------------------------------	---	---------------------------------

THE ABOVE SIGNATURE MUST BE NOTARIZED



Subscribed and sworn to before me this 30th day of March, 2007
 Signature of Notary: Annepin
 Notary Public, Annepin County, State of Minnesota
 My Commission Expires: 1-31-2011

pd. 7/17/06
1072

CITY OF MINNEAPOLIS
DEPARTMENT OF REGULATORY SERVICES
LICENSES AND CONSUMER SERVICES DIVISION 612-673-2080
350 SOUTH 5TH STREET ROOM 1-C MINNEAPOLIS MN 55415

entered in
KIVA 7/14/07
[Signature]

TOBACCO SALES AGE COMPLIANCE REPORT

Date: 6-28-06 Time: 10:51
Licensee: _____ ID # 6022-2111
DBA: _____
Address: 211 1st St NE

50665

A tobacco sales age compliance check was performed at the above-listed address on the date and time indicated. The license was found to be:

 IN COMPLIANCE **IN VIOLATION**
of Chapter 281.50 of the Minneapolis Code of Ordinances which relates to the sale of tobacco products to persons under the age of eighteen (18) years.

Penalties for violation of the age of purchase ordinance within a two (2) calendar year period are:

- FIRST VIOLATION - An administrative fine of two hundred dollars (\$200.00);
- SECOND VIOLATION - An Administrative fine of four hundred dollars (\$400.00);
- THIRD VIOLATION - Suspension of the tobacco dealer license for thirty (30) days and a fine of six hundred dollars (\$600.00).
- FOURTH VIOLATION - Revocation of the tobacco dealer license for a minimum of one (1) year and a fine of eight hundred dollars (\$800.00).
- CLERK FINE- The store clerk responsible for the sale of tobacco to a minor is fined fifty dollars (\$50.00).

MAKE CHECKS PAYABLE TO: MINNEAPOLIS FINANCE DEPARTMENT

The administrative fine must be mailed or brought to Licenses 350 South 5th St., Room 1-C City Hall no later than 7-14-06. Failure to pay the administrative fine will result in immediate action to revoke or suspend the tobacco dealer license. Fines must be paid, or a **written** appeal filed, by the licensee, within 10 days of the date of each violation. An appeal must state the reason for the appeal.

License Inspector: [Signature] Badge Number: 7

Store Clerk: [Signature]
(signature)
Name: Miscel D. Devic ID: D-312-999 019 751

OR
Licensee: _____
(signature)
Name: _____ ID: _____

Vending Machine? _____

Compliance Checker(s) [Signature] ID Scanned Yes _____ No _____

Original - To Licensee
Yellow - File
Pink - Clerk
Gold - Return with Fine Payment

Entered in K1VA
4/11/07

[Handwritten Signature]

CITY OF MINNEAPOLIS
DEPARTMENT OF REGULATORY SERVICES
LICENSES AND CONSUMER SERVICES DIVISION 612-673-2080
350 SOUTH 5TH STREET ROOM 1-C MINNEAPOLIS MN 55415

TOBACCO SALES AGE COMPLIANCE REPORT

Date: 4-4-07 Time: 1:30

Licensee: Venus ID # L022-50665
DBA: _____
Address: 3751 Portlanda

A tobacco sales age compliance check was performed at the above-listed address on the date and time indicated. The license was found to be:

 IN COMPLIANCE X **IN VIOLATION**
of Chapter 281.50 of the Minneapolis Code of Ordinances which relates to the sale of tobacco products to persons under the age of eighteen (18) years.

Penalties for violation of the age of purchase ordinance within a two (2) calendar year period are:

- FIRST VIOLATION - An administrative fine of two hundred dollars (\$200.00);
- X SECOND VIOLATION - An Administrative fine of four hundred dollars (\$400.00);
- THIRD VIOLATION - Suspension of the tobacco dealer license for thirty (30) days and a fine of six hundred dollars (\$600.00).
- FOURTH VIOLATION - Revocation of the tobacco dealer license for a minimum of one (1) year and a fine of eight hundred dollars (\$800.00).
- CLERK FINE- The store clerk responsible for the sale of tobacco to a minor is fined fifty dollars (\$50.00).

MAKE CHECKS PAYABLE TO: MINNEAPOLIS FINANCE DEPARTMENT

The administrative fine must be mailed or brought to Licenses 350 South 5th St., Room 1-C City Hall no later than 4-15-07. Failure to pay the administrative fine will result in immediate action to revoke or suspend the tobacco dealer license. Fines must be paid, or a **written** appeal filed, by the licensee, within 10 days of the date of each violation. An appeal must state the reason for the appeal.

License Inspector: Cosery Badge Number: 7

Store Clerk: _____

Name: Mesud Didovic (signature) ID: D312 599 019 751

OR
Licensee: [Signature] (signature)
Name: _____ ID: _____

Vending Machine? _____

Compliance Checker(s) SC ID Scanned Yes _____ No _____

Original - To Licensee Pink - Clerk
Yellow - File Gold - Return with Fine Payment

2
9/6/07

TOBACCO SALES AGE COMPLIANCE REPORT

Date: 8-16-07 Time: 10:24

Licensee: Venus Grocery ID # L022-50605
DBA: _____
Address: 3751 Portland

A tobacco sales age compliance check was performed at the above-listed address on the date and time indicated. The license was found to be:

IN COMPLIANCE

IN VIOLATION

of Chapter 281.50 of the Minneapolis Code of Ordinances which relates to the sale of tobacco products to persons under the age of eighteen (18) years.

Penalties for violation of the age of purchase ordinance within a two (2) calendar year period are:

- FIRST VIOLATION - An administrative fine of two hundred dollars (\$200.00);
- SECOND VIOLATION - An Administrative fine of four hundred dollars (\$400.00);
- THIRD VIOLATION - Suspension of the tobacco dealer license for thirty (30) days and a fine of six hundred dollars (\$600.00).
- FOURTH VIOLATION - Revocation of the tobacco dealer license for a minimum of one (1) year and a fine of eight hundred dollars (\$800.00).
- CLERK FINE- The store clerk responsible for the sale of tobacco to a minor is fined fifty dollars (\$50.00).

MAKE CHECKS PAYABLE TO: MINNEAPOLIS FINANCE DEPARTMENT

The administrative fine must be mailed or brought to Licenses 350 South 5th St., Room 1-C City Hall no later than 9-6-07. Failure to pay the administrative fine will result in immediate action to revoke or suspend the tobacco dealer license. Fines must be paid, or a **written** appeal filed, by the licensee, within 10 days of the date of each violation. An appeal must state the reason for the appeal.

License Inspector: Casuy Badge Number: 7

Store Clerk: [Signature]
(signature)

Name: Mesud Didovic ID: D 312 599 019 751

OR

Licensee: _____
(signature)

Name: _____ ID: _____

Vending Machine? _____

Compliance Checker(s) KW ID Scanned Yes _____ No _____

281.50. Sales to minors. No person within the city shall sell, give to, or in any way furnish any tobacco to any person under eighteen (18) years of age. (Code 1960, As Amend., § 353.050; 90-Or-054, § 4, 2-9-90)

State law references: Furnishing tobacco to children, M.S. § 609.685.

281.60. Revocation, suspension or non-renewal. Every license holder under this chapter will either be subject to a monetary penalty or in extenuating circumstances have their license revoked, suspended, or not renewed by the city council according to the penalty schedule as provided in section 281.65, for any of the following reasons:

- (a) Violation of section 281.50 or any other provision of this chapter.
- (b) Violation of Minnesota Statutes, Section 609.685 relating to sale of tobacco to persons under eighteen (18) years of age.
- (c) Failure of the license holder to monitor, supervise, and control the purchase of tobacco from a vending machine so as to prevent the purchase of tobacco from a vending machine by persons under eighteen (18) years of age.
- (d) Other good cause related to the business of selling or furnishing tobacco products. (Code 1960, As Amend., § 353.060; 90-Or-022, § 1, 1-26-90; 90-Or-054, § 6, 2-9-90; 95-Or-015, § 3, 2-10-95)

281.65. Presumptive penalty for licensee. Penalties for those violations listed in section 281.60 and occurring within a consecutive two-year period will be presumed as follows:

- (a) First violation--Two hundred dollar (\$200.00) fine.
- (b) Second violation--Four hundred dollar (\$400.00) fine.
- (c) Third violation--Thirty-day suspension of license and six hundred dollar (\$600.00) fine.
- (d) Fourth violation--License revocation for a minimum of one (1) year and eight hundred dollar (\$800.00) fine.

For the purposes of this section, "consecutive two-year period" means a period, two (2) years in duration, which begins to toll on the date of the first violation, and ends two (2) years from the date of the first violation. If no further violations occur within two (2) years following the first violation, any violations occurring after the expiration of the two-year period will not be cumulative with regards to the first violation. (95-Or-015, § 4, 2-10-95; 99-Or-089, § 5, 7-30-99)

281.70. Administrative penalty, individual. An individual who sells tobacco to a person under the age of eighteen (18) years must be charged an administrative penalty of fifty dollars (\$50.00). The licensee will be responsible for ensuring the employee pays the fine or takes necessary steps to appeal the penalty. (90-Or-054, § 7, 2-9-90; 99-Or-089, § 6, 7,

CITY OF MINNEAPOLIS
DEPARTMENT OF REGULATORY SERVICES
LICENSES AND CONSUMER SERVICES DIVISION 612-673-2080
350 SOUTH 5TH STREET ROOM 1-C MINNEAPOLIS MN 55415

2
022-50665
9.11.07 ma
\$650.00

TOBACCO SALES AGE COMPLIANCE REPORT

Date: 8-16-07 Time: 10:24

Licensee: Venus Grocery ID # L022-50665
DBA: _____
Address: 3751 Portland

A tobacco sales age compliance check was performed at the above-listed address on the date and time indicated. The license was found to be:

 IN COMPLIANCE **IN VIOLATION**
of Chapter 281.50 of the Minneapolis Code of Ordinances which relates to the sale of tobacco products to persons under the age of eighteen (18) years.

Penalties for violation of the age of purchase ordinance within a two (2) calendar year period are:

- FIRST VIOLATION - An administrative fine of two hundred dollars (\$200.00);
- SECOND VIOLATION - An Administrative fine of four hundred dollars (\$400.00);
- X THIRD VIOLATION - Suspension of the tobacco dealer license for thirty (30) days and a fine of six hundred dollars (\$600.00).
- FOURTH VIOLATION - Revocation of the tobacco dealer license for a minimum of one (1) year and a fine of eight hundred dollars (\$800.00).
- X CLERK FINE- The store clerk responsible for the sale of tobacco to a minor is fined fifty dollars (\$50.00).

MAKE CHECKS PAYABLE TO: MINNEAPOLIS FINANCE DEPARTMENT

The administrative fine must be mailed or brought to Licenses 350 South 5th St., Room 1-C City Hall no later than 9-6-07. Failure to pay the administrative fine will result in immediate action to revoke or suspend the tobacco dealer license. Fines must be paid, or a **written** appeal filed, by the licensee, within 10 days of the date of each violation. An appeal must state the reason for the appeal.

License Inspector: Casuy Badge Number: 7

Store Clerk: X Mark Brumby
(signature)

Name: Mesud Didovic ID: D 312 599 019 751

OR

Licensee: _____
(signature)

Name: _____ ID: _____

Vending Machine? _____

Compliance Checker(s) KW ID Scanned Yes _____ No _____

Original - To Licensee
Yellow - File

Pink - Clerk
Gold - Return with Fine Payment