

December 11, 2006

**In the Matter of the  
On Sale liquor license  
held by Waldo's Inc,  
Walt Wolinski, 4601 Lyndale No.  
Minneapolis, MN. 55412  
5<sup>th</sup> Ward**

**Findings of Fact,  
Conclusions, and  
Recommendations.**

This matter came before a License Settlement Conference hearing on Wednesday November 1<sup>st</sup>, 2006. Appearing for the licensee was the sole officer and shareholder of Waldo's Inc., Walt Wolinski. Appearing for the City of Minneapolis were Grant Wilson, Manager of Licenses and Consumer Services, License Inspector Dan Niziolek, Environmental Health Inspector Kathy Loudon, Regulatory Services Inspector Sheila Rawski, and Lt. Travis Glampe, Minneapolis Police Department. Based on the evidence presented at the hearing, the department makes the following findings of fact:

#### **FINDINGS OF FACT**

1. Walt Wolinski is the sole officer and shareholder of Waldo's, Inc. Mr. Wolinski is also the on site manager of this establishment.
2. On numerous occasions since 2005 Waldo's Inc. has been found to be operating in violation of the Minneapolis Food Code.
3. On July 11<sup>th</sup>, 2006 no representative from Waldo's was at an administrative hearing scheduled to review food code violations.
4. A September 2006 court hearing was held and no Waldo's representative appeared at the hearing.
5. A \$400.00 citation issued to Waldo's Inc. for food code violations on 8-03-06 remains unpaid.
6. Waldo's Inc. failed to provide evidence of liquor liability insurance for the period of 9-01-06 to 9-31-06.
7. Waldo's Inc. failed to provide workers compensation insurance evidence for 2006.

8. Renovations to the building and fixtures were conducted in 2005 and 2006, such as kitchen improvements, a bar area expansion, plumbing and electrical work, and a new heating system was without the required building permits.
9. The establishment failed to provide a certified food manager.

## **CONCLUSIONS**

1. Waldo's Inc. failed to comply with numerous written orders from Environmental Health Inspectors during the calendar years of 2005 and 2006. Violation citations were issued with fines totaling \$400.00. These fines remain unpaid or appealed. Mr. Wolinski indicated at the hearing that he understood this matter and that he would correct the violations within 30 days, and pay the fines by no later than November 13<sup>th</sup>. As of December 11<sup>th</sup>, 2006 none of the above items have been corrected.
2. Waldo's Inc. failed to obtain building permits for renovations made to the establishment. Mr. Wolinski agreed to obtain the required permits by December 1, 2006. As of December 11<sup>th</sup>, 2006 none of the permits have been obtained.
3. The premises operated a food and beverage business without the benefit of a certified food manager per Minneapolis Code 188.550. Mr. Wolinski agreed to register an employee for the food manager certification course by 11-13-06. As of December 11<sup>th</sup>, 2006 no one from Waldo's Inc. has registered for this course.
4. A bench warrant was found to be active for Mr. Wolinski due to non-appearance for a court date. Lt. Travis Glampe walked Mr. Wolinski to the warrant desk of the Hennepin County Sheriffs Department upon the conclusion of the hearing so that Mr. Wolinski could address the outstanding warrant. As of December 11, 2006 the warrant remains open.

## **RECOMMENDATIONS**

Based on the evidence presented at the hearing, the department makes the following recommendations.

1. The licensee will obtain building permits for all un-permitted construction work by May 1, 2007.
2. The Licensee will complete the construction repairs required by the open permits by May 15<sup>th</sup>, 2007.
3. All unpaid citations and fines owed the City of Minneapolis related to the operation of Waldo's will be paid in full by May 15<sup>th</sup>, 2007.
4. The License held by Waldo Inc. shall be the subject of adverse license action which may include monetary fines, suspension or revocation should the above listed recommendations are not met.

I understand that this is a voluntary agreement between the City of Minneapolis and Waldo's, Inc., and I understand that non-compliance with this agreement will jeopardize my City of Minneapolis On-Sale Liquor License at 4601 Lyndale Ave. No.

\_\_\_\_\_  
By Walt Wolinsky, President  
Waldo's, Inc.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness, Grant Wilson, Manager  
Licenses and Consumer Services

\_\_\_\_\_  
Date