

**April 25, 2005**

**In the Matter of  
On-Sale Wine w/ Strong Beer, Class C-2  
Global Dish Family Restaurant, LLP  
Global Dish Family Restaurant  
Efrem & Petros Haile  
4016 Bloomington Ave. S.  
Minneapolis, MN 55407**

**Findings of Fact,  
Conclusions and  
Recommendations**

This matter came before the Department at a Technical Advisory Committee hearing on Friday, April 15, 2005 at 3:00 p.m. in Room 1-C, Minneapolis City Hall. Appearing on behalf of the business was Petros Haile, partner. Appearing for the City were License Inspectors Phil Schliesman and Angie Hugen and Deputy Director of Licenses and Consumer Services Ricardo Cervantes. Based on information presented at the hearing, the Department makes the following findings of facts:

### **FINDINGS OF FACT**

1. That on March 31<sup>st</sup>, 2005, liquor liability insurance expired for this business.
2. That on April 1<sup>st</sup>, 2005, Inspector Ken Ziegler went to the business and placed an orange placard on the front door stating that the business was unlicensed due to no liquor liability insurance. The placard indicated the business must remain closed until proof of liquor liability insurance was provided.
3. That on April 1<sup>st</sup>, 2005, Petros Haile spoke to Inspector Phil Schliesman and Liquor CSR Ross Kegel about the placard and the lack of liquor liability insurance. Mr. Haile knew at that time that he owed fees on the business and that he could not reopen until he could show proof of liquor liability insurance.
4. That on April 1<sup>st</sup>, 2005, Inspector Hugen arrived at the business at 10:50 pm and found it open and operating with no sign of the placard on the front door. A band with four musicians was playing.
5. That on April 1<sup>st</sup>, 2005, Efrem Haile was the manager on duty. Once informed of the situation regarding liquor liability insurance, Mr. Haile voluntarily complied with the request to stop the band and to ask all customers to leave.
6. That on April 5<sup>th</sup>, 2005, liquor liability insurance was turned into Licenses for the coverage period of 04-05-05 through 04-01-06 which showed a gap in coverage for 04-01-05 through 04-5-05.
7. That by April 8<sup>th</sup>, 2005, all fees for 2005 had been paid as well as the back fees and fines for 2004. Prior to the April 8<sup>th</sup> payment, one check had bounced, a budget payment schedule had not been followed, and another check was written on an account that did not have sufficient funds at the time the check was presented to Licenses.

## CONCLUSIONS

1. The owners failed to maintain continuous coverage of liquor liability insurance in violation of Mpls Ord. 362.150 and MN Statutes, Section 340A.409.
2. The owners failed to remain closed after being placarded as an unlicensed business due to lack of current liquor liability insurance in violation of Mpls. Ord. 363.20.
3. The owners failed to pay all license fees in a timely manner in violation of Mpls. Ord. 363.50, 363.80, & 363.90.
4. The owners had four musicians playing on stage which violated their Class C-2 level of entertainment which only allows three musicians to play.

## RECOMMENDATIONS

The Department acknowledges the business's interest to resolve the issues at 4016 Bloomington Ave. S. Due to the willingness of all to bring the property into compliance with all ordinances, the Department makes the following recommendations:

1. Liquor Liability Insurance must remain in continuous coverage or the business will close.
2. Dates of coverage for Liquor Liability Insurance will run April 1<sup>st</sup> through April 1<sup>st</sup> of each year.
3. No more than three musicians are allowed to play with a Class C-2 entertainment license.
4. Both partners must communicate to each other on notices and requirements of the business.
5. The owners shall be assessed a civil penalty of \$1000 for not carrying continuous liquor liability insurance and for remaining open once notified they must remain closed. To recover the cost of staff time, an additional \$400 fee must also be paid for a total of \$1400. This can be paid in monthly installments of \$150 minimum until the total balance is paid off starting on May 1<sup>st</sup>, 2005.
6. Both partners, Efreem Haile and Petros Haile, will sign the agreement.

I have read the above report and recommendations. I agree with the report and I agree with the above noted recommendations. I understand that failure on my part to adhere to this agreement with the Department may be cause for further suspension, revocation, or denial of my license. I understand that this report must be accepted by the Minneapolis City Council and signed by the Mayor. I also understand that future violations may put my license in jeopardy.

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Signature

Date

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Printed Name

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Signature

Date

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Printed Name