

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

**FINDINGS OF FACT
CONCLUSIONS, AND
RECOMMENDATIONS**

In the Matter of License No. L159 50008 PLAN B COFFEEHOUSE
for FOOD RESTAURANT

Held by:

**AGORA CAFE LTD
ATTN: JOLANE M JONES
2717 HENNEPIN AVE
MINNEAPOLIS, MN 55408**

11-0849923

This matter came before a License Settlement Conference meeting on Friday, July 8, 2011. Appearing for the licensee was Jolane Jones, owner of Plan "B" Coffee House. Appearing for the Licenses and Consumer Services were Manager Grant Wilson, and License Inspector Greg Buening. Minneapolis Environmental Services Department was represented by Health Inspector Kathy Loudon. Based on the evidence presented at the hearing, the department makes the following findings of fact:

- 1) The City of Minneapolis Environmental Health Division issued a citation to Plan "B" Coffee House on August 26, 2010 for \$400.00 for a continuing violation of the floor needing repair. They did not appeal the citations by the specified date. It remained unpaid by the date of the meeting.
- 2) The City of Minneapolis Environmental Health Division issued a citation to Plan "B" Coffee House on September 13, 2010 for \$600.00 health violations. They did not appeal the citation by the specified date. A partial payment of \$200.00 was paid leaving a balance of \$400.00.
- 3) The City of Minneapolis Environmental Health Division issued a citation to Plan "B" Coffee House on September 30, 2010 for \$100.00 for health violations on a re-inspection. They did not appeal the citation by the specified date. It remained unpaid by the date of the meeting. Jolane Jones advised Health Inspector Kathy Loudon via e-mail that renovation to the business would begin the second week of January, 2011 with work to complete in four months. That project has not yet begun by the date of the meeting.
- 4) The City of Minneapolis Environmental Health Division issued a citation to Plan "B" Coffee House on March 24, 2011 for \$600.00 for continuing health violations. It remained unpaid by the date of the meeting.
- 5) The City of Minneapolis Environmental Health Division issued a citation to Plan "B" Coffee House on May 25, 2011 \$100.00 as a result of a second re-inspection for continued health violations. Ms. Jones was agreed to submit plans for renovation by June 3, 2011 or a

compliance meeting would be conducted. It remained unpaid by the date of the meeting and the plans still had not been submitted.

- 6) The City of Minneapolis Environmental Health Division received an e-mail from Jolane Jones on June 2, 2011 where she indicated that her renovation plans and timeline would be submitted to Health Inspector Ryan Krick by June 20, 2011. The plans had not been submitted by June 28, 2011 and the settlement conference was requested by Health Inspector Kathy Loudon.
- 7) A License settlement conference was called for Friday, July 8, 2011. The hearing was called to discuss the \$2,000.00 in unpaid citations and the unresolved environmental health orders. At the hearing Ms. Jones stated that her business has taken steps to improve the health standards and has hired a contractor to complete the renovation process of the building. She said work could be started as soon as the plans get approved and permits get issued. The project was estimated to be \$70,000.00. Ms. Jones said she attempted to submit a payment plan via e-mail with Mr. Wilson but her e-mail was rejected. She sent it to an incorrect e-mail address. Plans were then discussed to remedy the renovation issue and the payment of outstanding fines.

CONCLUSIONS

1. Plan "B" Coffee House failed to pay fines in a timely manner to the Environmental Health Division in violation of Minneapolis code of ordinance 259.15.
2. Plan "B" Coffee House failed to comply with Minneapolis Environmental Health code 360.140 in a timely manner.

RECOMMENDATIONS

Based on evidence presented at the license settlement conference, Licensing and Consumer Services makes the following recommendations:

- 1) The plans for renovation of the business at 2717 Hennepin Avenue will be submitted to Environmental Health Inspector Ryan Krick by Monday, July 11, 2011
- 2) The renovation project must begin by August 1, 2011
- 3) Pay \$1,000.00 of the \$2,000.00 in fines by August 1, 2011. The remaining \$1,000.00 in fines will be stayed if the renovation is completed by September 1, 2011.
- 4) Ms. Jones must submit a document to Environmental Health from Kowalski's Supermarket verifying that the produce she brings in to her business is pre-washed at Kowalski's. The documentation should list what types of produce come prewashed from Kowalski's. The documentation should be on Kowalski's letterhead and state the name and address of Plan B Coffee shop as the recipient. This documentation must be submitted to Kathy Loudon by August 1, 2011.

Jolane Jones understands that the holding of a business or liquor license in the City of Minneapolis is both a privilege and a responsibility. A minimum standard shall be met in order to hold such a license. One minimum standard is that a license holder is responsible to ensure that its business operates in compliance with all applicable laws, ordinances, and regulations. It is understood and agreed that any violation of the above Recommendations shall constitute just and proper cause for the immediate imposition of any stayed penalties. It is further understood that compliance with the above Recommendations is a requirement for continuing to hold a license and that failure to comply with any of these conditions may result in additional adverse license action.

I have read and understand the above findings of fact, conclusions, and recommendations. I agree with their contents and I agree with the above noted Recommendations. I understand that the failure of my business to adhere to this agreement may be cause for further suspension, revocation, or denial of my license. I understand that this report must be accepted and approved by the Minneapolis City Council and Mayor.

Based upon the foregoing, this agreement is FREELY & VOLUNTARILY ENTERED INTO IN GOOD FAITH:

Business

PLAN B COFFEEHOUSE

By: J. Jones
(signature)

Its: Manager
(title)

Dated: 7/13, 2011

For the City of Minneapolis:

Grant J. Wilson
Grant J. Wilson
Deputy Director of Licenses

Dated: 7-14, 2011