

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. L149-30763 A SLICE OF NEW YORK
for FOOD MANUFACTURER

Held by:

**G & H RESTAURANT INC
ATTN: HISHAM HASSAN
2407 NICOLLET AVE
MINNEAPOLIS, MN 55404**

11-0834235

This matter came before a License Settlement Conference meeting on Monday, May 23, 2011. Appearing for the licensee was Hisham Hassan, owner of A Slice of New York and building property owner, James Wenzel. Appearing for the Licenses and Consumer services were Manager Grant Wilson, and License Inspector Greg Buenning. Minneapolis Environmental Services Department was represented by Health Inspector Kathy Louden, Deputy Director of Environmental Services, Dan Huff, and Manager of Environmental Health, Curt Fernandez. Based on the evidence presented at the hearing, the department makes the following findings of fact:

- 1) The City of Minneapolis Licensing and Consumer Services issued a citation to A Slice of New York on 9/15/10 for \$400.00 for being open after their legal hours of operation. They did not appeal the citations by the specified date. It remained unpaid by the date of the meeting.
- 2) The City of Minneapolis Licensing and Consumer Services issued a citation to A Slice of New York on 10/04/10 for \$800.00 for being open after their legal hours of operation. They did not appeal the citation by the specified date. It remained unpaid by the date of the meeting.
- 3) The City of Minneapolis Licensing and Consumer Services issued a citation to A Slice of New York on 10/25/10 for \$1,600.00 for being open after their legal hours of operation. They did not appeal the citation by the specified date. It remained unpaid by the date of the meeting.
- 4) The City of Minneapolis Environmental Health issued a citation to A Slice of New York on 12/01/10 for \$800.00 for not having a Certified Food Manager and for having a gyro machine on premises without proper venting for the machine. It remained unpaid by the date of the meeting.

- 5) The City of Minneapolis Environmental Health issued a citation to A Slice of New York on 05/17/11 for \$800.00 for not having a Certified Food Manager. It remained unpaid by the date of the meeting.
- 6) The City of Minneapolis Environmental Health issued violation orders to A Slice of New York to install a new NSF front counter, a three compartment sink, a mop sink and a food prep sink. At the following inspection, the order had not been resolved.
- 7) A License settlement conference was called for Monday, May 23, 2011. The hearing was called to discuss the \$4,400 in unpaid citations and the unresolved environmental health orders. At the hearing, Mr. Hassan stated that he did not comply with the Environmental Health orders because he did not understand the orders. In answer to the outstanding citations, he stated that he could not make full payments and remain in business. Alternative arrangements were discussed at the meeting.

CONCLUSIONS

1. A Slice of New York failed to pay in a timely manner Licensing and Consumer Services in violation of Minneapolis code of ordinance 259.15.
2. A Slice of New York 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 fines will be paid by September 1, 2011 as follows.
 - a) The fines issued by Licensing and Consumer Services in the amount of \$2,800.00 will be reduced to \$700.00.
 - b) The first fine issued by Environmental Health in the amount of \$800.00 will be reduced to \$200.00.
 - c) The second fine issued by Environmental Health in the amount of \$800.00 will remain at \$800.00. It will be stayed, however, if Mr. Hassan satisfactorily completes a qualified certified food manager program.
- 2) A Slice of New York also must not utilize a gyro machine until the proper vent system is installed, the front counter must be upgraded with approved materials, a three compartment sink must be installed, a mop sink must be installed, and a food prep sink must be installed unless all produce that is used comes pre-washed. A Slice of New York must also provide a letter of agreement to Environmental Health that only pre-washed produce will be coming in to their facility. They will also provide a list of what produce they will use and who their supplier(s) are.

Hisham Hassan 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

Aslice of new york

By: Hisham Hassan
(signature)

Its: owner
(title)

Dated: 05-31, 2011

For the City of Minneapolis:

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

Dated: 5-31, 2011