

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

**FINDINGS OF FACT  
CONCLUSIONS, AND  
RECOMMENDATIONS**

In the Matter of License No. L210 50103 THE 508  
for LIQ ON-SALE B W/SS SERIES 4000

Held by:  
**RED ROCKET LLC  
ATTN: RYAN BREVIG  
508 1ST AVE N  
MINNEAPOLIS, MN 55403**

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11-0869831

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This matter came before the Division of Licenses and Consumer Services at a License Settlement Conference on Thursday, September 15, 2011 at 10:00 AM in Room 1C, Minneapolis City Hall. Appearing on behalf of the licensee was Ryan Brevig, officer of Red Rocket LLC. Appearing for the City of Minneapolis were Grant Wilson, Manager of Licenses and Consumer Services, Craig Eliason, License Inspector, Lt. Chris Hildreth, Commander of the Minneapolis Police License Investigative Division and Sergeant Rolf Markstrom of the Minneapolis Police License Investigative Division. Based on information presented at the hearing, the Division makes the following findings of fact, conclusions, and recommendations:

**Findings of Fact**

1. The Minneapolis Police Department License Investigative Division conducts youth alcohol compliance checks in an effort to assure retail alcohol license holders are not serving alcohol to persons under the age of 21.
2. On June 21, 2011 the Minneapolis Police Department License Investigative Division conducted a youth alcohol compliance check at The 508, located at 508 1<sup>st</sup> Ave N, in the City of Minneapolis. A 20 year old female and a 20 year old male were sent into the business in an attempt to purchase alcohol. The shoppers took a seat at the bar. Each shopper ordered a beer from the bar tender. The bar tender asked the shoppers for ID. After looking at the IDs, the bar tender served each shopper a beer. Two plain clothes Minneapolis Police Officers were seated approximately 20 feet away from the

shoppers and observed the above transaction. The shoppers picked up their respective beers and handed them off to the officers. The transaction was completed and the business was considered to have failed the compliance check. As a result of the compliance check failure, an administrative citation was issued to The 508 in the amount of \$500.00 as detailed in a City Council Resolution. The 508 has paid the \$500.00 administrative fine.

3. On July 19, 2011 the Minneapolis Police Department License Investigative Division conducted a youth alcohol compliance recheck at The 508, pursuant to the above compliance check failure. A 20 year old male and a 19 year old female were sent into the business in an attempt to purchase alcohol. The shoppers took a seat at the bar. Each shopper ordered a beer from the bar tender. The bar tender asked the shoppers for ID. After checking the IDs the bar tender served the male shopper a beer, but he refused service to the female shopper. Two plain clothes Minneapolis Police Officers were seated approximately 15-20 feet away from the shoppers and observed the transaction. The male shopper picked up the beer and handed it off to the officers. The transaction was completed and the business was considered to have failed the compliance recheck. This constituted the second youth alcohol compliance check failure for The 508 within a 24 month period.
4. As a result of the second compliance check failure, an administrative citation was issued to The 508 in the amount of \$1000.00 as detailed in a City Council Resolution. The 508 has paid the \$1000.00 administrative fine.
5. From the first compliance check failure on June 21, 2011, criminal charges for Furnishing Alcohol to a Person Under 21 are pending. Criminal charges against the bar tender are also pending as a result of the July 19, 2011 compliance re-check failure.

#### **Conclusions**

1. On two separate occasions, employees of The 508 sold alcohol to persons under the age of 21, in violation of Minneapolis City Ordinance 370.10, Minnesota Statute 340A.503 subd. 2(1), and the established compliance check policy and procedures of the City of Minneapolis. These compliance failures all occurred in a period of less than 24 months.
2. The licensee has paid the \$500.00 administrative fine related to the first above stated compliance check failure. The licensee has also paid the \$1000.00 administrative fine related to the second above stated compliance check failure.

### **Recommendations**

Based on evidence presented at the hearing, the Division makes the following recommendations:

1. The 508 agrees to implement a policy to card anyone attempting to purchase alcohol.
2. The 508 agrees to conduct its own youth alcohol compliance checks on a quarterly basis for a period of two years and keep a record of the results.
3. The 508 agrees to address alcohol service at regularly scheduled staff meetings.
4. The 508 agrees that a trained manager will be present at all times of alcohol sales.
6. The 508 agrees to pay a \$1,500 sanction in lieu of suspension for failing a second youth alcohol compliance check. \$1,000 of the sanction is stayed pending no further youth alcohol compliance check failures for a period of one year from the signing of this agreement.
7. The 508 agrees to pay the \$500 sanction at the time of signing this agreement.

Ryan Brevig 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

Ryan Brevig

By: [Signature]  
(signature)

Its: Owner  
(title)

Dated: Sept 21, 2011

For the City of Minneapolis:

[Signature]  
Grant J. Wilson  
Manager

Dated: 9-26-, 2011