



City of Minneapolis
Licenses and Consumer Services Division
350 South Fifth Street Room 1-C City Hall
Minneapolis, Minnesota 55415
www.minneapolismn.gov



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**FINDINGS OF FACT
CONCLUSIONS, AND
RECOMMENDATIONS**

In the Matter of License No. L239-38686 THE LOCAL- AN EPICUREAN CAFE AND PUB
for LIQ ON-SALE C-1 W/SS SERIES 4000

Held by:
THE LOCAL - AN EPICUREAN CAFE AND PUB, LLC
PETER KILLEN
931 NICOLLET MALL
MINNEAPOLIS, MN 55402

15-1128995

This matter came before the Division of Licenses and Consumer Services at a Licensing Settlement Conference meeting on Thursday, July 16, 2015 in Room 107, Minneapolis City Hall. Appearing on behalf of the Licensee were Peter Killen; CEO and Josh Petzel; General Manager. Appearing for the City were Grant Wilson; Manager, Officer Chris Leum; Police Licensing and Michele Harvet; License Inspector. Based on information presented at the meeting, the Division makes the following findings of fact, conclusions, and recommendations:

FINDINGS OF FACT

1. The Minneapolis Police Department License Investigative Division conducts alcohol compliance checks in an effort to verify that retail-alcohol license holders are not serving alcohol to persons under the age of 21.
2. On June 6th, 2013 the MPD conducted an alcohol compliance check at the Local, 931 Nicollet Mall. One female shopper was sent into your business in an attempt to purchase alcohol. The shopper ordered a bottle of Guinness Black Lager. The bartender did not ask for the shoppers ID. The beer was paid for and the transaction

was considered complete. As a result of the alcohol compliance failure, an Administrative citation was issued to the Local in the amount of \$500.00. The Local has paid the \$500.00 administrative fee.

3. On July 23rd, 2013 the MPD conducted an alcohol compliance re-check at the Local and the check was passed.
4. On April 24th, 2015 the MPD conducted an alcohol compliance check at the Local using two shoppers, a 19 and 20 year old. The shoppers ordered two Miller Lite Beers. The beer was poured into a glass and placed in front of them. The bartender did not ask for the shoppers ID's. The beer was paid for and the change received. As a result of this alcohol compliance failure, an Administrative citation was issued to the Local in the amount of \$1000.00 for failing two checks in 24 months.
5. On July 10th, 2015 the MPD conducted an alcohol compliance re-check at the Local and the check was passed.
6. From the first compliance check failure on June 6th, 2013, the bartender was convicted of a Gross Misdemeanor, serving a person under 21. For the second failure on April 24th, 2015, the case has been charged by the Minneapolis City Attorney's office.

CONCLUSION

1. On two separate occasions, employees of the Local 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 both occurred in a period of less than 24 months.
2. The licensee has paid the \$500.00 administrative fine for the first violation. They have also paid the \$1000.00 fine for the second violation.

RECOMMENDATIONS

That the On-Sale Liquor with Sunday Sales, Class C1 License issued to The Local – An Epicurean Café and Pub shall be subject to the following conditions and adverse license action:

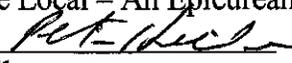
1. The licensee shall post, on a daily basis, a notice on their alcohol cooler that states the birthdate a person needs to be born by in order to be served alcohol and the penalties for serving alcohol to a minor.
2. The licensee shall perform four (4) self audits for serving alcohol to persons under twenty-one (21) in the twelve (12) months following the approval of this agreement by

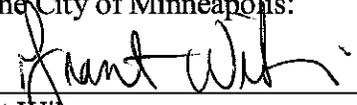
City Council. Documentation of these self audits shall be made available to Licenses and Consumer Services upon request.

3. The licensee shall complete one alcohol server training with an approved alcohol server training provider, within six (6) months following the approval of this agreement by City Council.
4. In lieu of a three day suspension, the City shall impose a \$2000 sanction. \$1500 shall be stayed for a period of one year from the signing of this agreement. The licensee shall pay \$500 of this sanction due at the time of signing this agreement.

The Local - An Epicurean Cafe and Pub, LLC 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.

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

The Local - An Epicurean Cafe and Pub, LLC
d/b/a The Local - An Epicurean Cafe and Pub
By: 
Peter Killen
CEO

For the City of Minneapolis:
By: 
Grant Wilson
Manager
Licenses & Consumer Services

Date: 08.03.15

Date: 8-3-15