

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. L192 50027 T'S PLACE  
for LIQ ON-SALE C-2 W/SS SERIES 2000

Held by:  
**TEES ETHIO ASIAN CUSINE LLC**  
**ATTN: TEGENGE BELACHEW**  
**614 19TH AVE S**  
**MINNEAPOLIS, MN 55454**

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09-0716187

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This matter came before a License Settlement Conference on Wednesday, August 5, 2009. Present for the License Division were Deputy Director Ricardo Cervantes and Lead License Inspector Julie Casey. Present for the Minneapolis Police License Division were Lt Travis Glampe and Sgt Rolf Markstrom. Appearing for the Licensee were Tegenge Belachew and his attorney, James Behrenbrinker. Based on the information presented at the hearing the Department makes the following findings of fact.

**FINDINGS OF FACT**

1. Minneapolis Police License Division conducts youth alcohol compliance checks in an effort to ensure retail alcohol holders are not serving alcohol to persons under the age of 21.
2. On March 2, 2009, Minneapolis Police Officers conducted a Youth Alcohol Compliance check at T's Place, located at 2713 East Lake Street. After checking the underage-police shoppers' identification, the owner of the establishment, Tegenge Belachew served the underage shopper beer. An administrative citation in the amount of \$500 was issued to T's Place for the sale of alcohol to a minor. The citation has been paid.
3. On June 24, 2009, Minneapolis Police Officers conducted a second Youth Alcohol Compliance check at T's Place. Without first checking for identification or verifying the underage police shoppers' ages, the T's Place employees served the underage shoppers beer. An administrative citation in the amount of \$1000 was issued to T's Place for the sale of alcohol to a minor. The citation has been paid.

4. A License Settlement Conference was held on Wednesday, August 6, 2009. Mr. Belachew said that after the first check he got a calendar that recorded the 21<sup>st</sup> birthdate for each day of the year. He instructed his staff to use the calendar but the server did not follow his instruction. Since the second check he has contacted the Minnesota Licensed Beverage Association to set up server training with his staff. He has also been looking for an electronic scanner but had not purchased one at the time of the hearing.

### **CONCLUSIONS**

1. Tees Ethio Asian Cuisine LLC allowed alcohol sale to minors on two occasions, March 2, 2009 and June 24, 2009, in violation of 370.10., Minnesota Statute 340A503 subd 2(1) and the established compliance check policy and procedures of the City of Minneapolis. These compliance failures occurred in a period of less than 24 months.

### **RECOMMENDATIONS**

1. In lieu of a suspension of the on sale wine with strong beer license, the City shall impose a \$3,000 sanction and a 30 day suspension. The \$3000 sanction will be stayed for a period of two years from full City Council approval of this agreement pending no same or similar violations. 27 days of the 30 day suspension will be stayed. T's Place will serve a three day suspension from 2:30 a.m. November 15, 2009 to 8 a.m. November 18, 2009.
2. Provide an updated alcohol service policy to the Division of Licenses and Consumer Services due at the time of signing of this agreement to include all of the following:
  - a. Establish a policy whereby all persons under a particular age will be carded.
  - b. Clearly designate, on a daily basis, the name of the manager on duty that wait staff may request assistance of in case of a difficult situation with a person being denied alcohol based on the T's Place policies.
  - c. All employees will take server training through a recognized server training program within 30 days of employment. Refresher training shall be provided on an annual basis.
  - d. The owner or manager of T's Place will conduct daily or weekly meetings emphasizing the need to check identification appropriately.
3. Employ a self check program with persons that employees of T's Place are required to check the ID. These must be conducted a minimum of four (4) times per year for the next two years and document the results and make them available to the Business License or Police License Divisions upon request. This program should start within 30 days of this agreement being approved by the City Council.
4. An electronic scanner shall be purchased and utilized for all persons under the age limit established under the T's Place policies to determine lawful age to purchase and consumer alcohol beverage.

5. T's Place shall post signs on the entry door and on tables emphasizing that no one under the age of 21 will be allowed to purchase or drink alcoholic beverages while on the premises or T's Place checks identification for persons under the age limit established by the T's Place policies.

Tegenge Belachew understands that the holding of a business or liquor license in the City of Minneapolis is both a privilege and a responsibility, and, as such, it is understood that there is a minimum standard that shall be met in order to hold such a license.

Furthermore, it is understood that a license holder is responsible to ensure that its business operates in compliance with all applicable laws, ordinances and regulations. As such, it is understood and agreed that any violation of the above Recommendations shall constitute just and proper cause for the immediate imposition of any agreed upon or 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

Tegenge Belachew

By: [Signature]  
(signature)

Its: owner  
(title)

Dated: 10/16, 2009

For the City of Minneapolis:

[Signature]

Ricardo Cervantes  
Deputy Director of Licenses

Dated: \_\_\_\_\_, 20\_\_