

STIPULATION

IN THE MATTER OF:

**Alleged Alcoholic Beverage
License Violation
Streetz Grill Bloomington, LLC
1200 West 98th Street
Bloomington, MN 55431**

CITY COUNCIL HEARING

The City of Bloomington, through its undersigned attorney, and Streetz Grill Bloomington, LLC, through its undersigned agent, hereby stipulate to the following facts:

1. Streetz Grill Bloomington, LLC, is licensed under Chapter 13 of the Bloomington City Code to operate an on-sale wine and beer establishment known as Streetz American Grill, located at 1200 West 98th Street, in the City of Bloomington.

2. On December 17, 2014 at approximately 7:49 p.m., two Bloomington police operatives, a 19 year-old male, and a 20 year-old female, entered Streetz American Grill, located at 1200 West 98th Street, in the City of Bloomington. The 19 year-old operative ordered a bottle of Coors Light bottled beer and the 20 year-old operative ordered a bottle of water. The clerk, subsequently identified as Caitlin Diane Condon (d.o.b. 01/11/1980), requested the male operative's identification, which the operative provided. The operative's identification, from the State of Wisconsin, clearly identified the operative as being under 21 years of age. Ms. Condon viewed the operative's identification, returned it to the operative, and served the male operative with the bottled beer. Ms. Condon then proceeded to ring up the transaction for the beverage and collected \$4.50 from the operative for the purchase.

3. At no time did the operative lie about his age. After the transaction, a Bloomington police officer identified herself to Ms. Condon and advised Ms. Condon that she had served a minor. Ms. Condon was immediately apologetic and cooperative.

4. Based on the foregoing facts, Ms. Condon was charged with a gross-misdemeanor offense of selling an alcoholic beverage to a person under 21 years of age, in violation of Minnesota Statutes, Section 340A.503, subd. 2(1), and in violation of Section 13.52 of the Bloomington City Code.

5. The parties agree that copies of the Bloomington Police Department records regarding this incident are incorporated into this stipulation by reference.

DATED: 2.2.15

THE CITY OF BLOOMINGTON
Ann Kaul
Ann Kaul (Att. Id. #0268173)
Associate City Attorney
City of Bloomington
1800 West Old Shakopee Road
Bloomington, Minnesota 55431
(952) 563-4893

DATED: 2/2/15

STREETZ GILL BLOOMINGTON, LLC
[Signature]
STREETZ GILL BLOOMINGTON, LLC
By Its: owner

Bloomington
Disposition:

INCIDENT

Case Number: 14012957
Title: LIQUOR/TOBACCO COM

14012957

Charges/Offenses: 340A.503.2(1)

Needs Follow-up: No

Incident Type:

Citation Issued: No

Investigation Needed: No

CAD #: LBP141217068847

Admin Review Needed: Yes

How Initiated: Dispatch

Drug Related: No

Gang Related: No

Domestic Related: No

OFFICER INFORMATION

Name	Agency	Badge	Type
Kerri A Nolden	Bloomington	237	Investigator

EVENT DATES

Reported	On Scene	Cleared
2014-12-17 17:49	2014-12-17 17:55	2014-12-17 17:56

INCIDENT DETAILS

Address: 1200 98 Street W; Bloomington, MN; US

Location Type:

Location Description: STREETZ AMERICAN GRI

Start Date: 2014-12-17 17:49

End Date: 2014-12-17 17:56

SYNOPSIS

Business served alcohol to a Minor.

Parties Involved

PERSON 1

Role(s): Suspect

Last: Condon First: Caitlin Middle: Diane Suffix:

Date of Birth: 1980-01-11 Age: 34 Is Juvenile: No

Residence: 10501 Bloomington Fw; Bloomington, MN 55420; US

Home Phone: (952)888-1862

Description:

Sex: Female Height: 501 Weight: 145 lbs Hair: Eyes: Hazel

Race: White Ethnicity: Build: Complexion:

ASSIGNED ID INFORMATION

Type	Authority	ID
Drivers License	Minnesota	V442208222810

EMPLOYMENT INFORMATION

Name: Streetz American Grill Type:

Occupation: Server Shift:

Name: Streetz American Grill Type:

Description:

Location: 1200 98 Street W; Bloomington, MN; US

Incident Report

Bloomington
Disposition:

INCIDENT

Case Number: 14012957
Title: LIQUOR/TOBACCO COM

14012957

Unknown: (952)888-1411

Description:

BUSINESS 1

Role(s): Mentioned

Association(s): Caitlin Diane Condon (Employee);

Business Name: Streetz American Grill

Business Type:

Description:

Location: 1200 98 Street W; Bloomington, MN; US

Unknown: (952)888-1411

Description:

OFFENSE INFORMATION

Type: Statute	Chapter: 340A	Section: 503	Subdivision: 2(1)	Citation #:
UOC:		Level:		Enh. Factor:
Description: Liquor-Purchase/Sell/Barter/Furnish/Give to u/21yr				

STATEMENT

While working a liquor compliance detail the following occurred:

Operatives known as BMS (19 yoa male) and KMO (20 yoa female) entered Streetz American Grill at approximately 1749 hours. I followed behind them and waited near the business entry to observe. The clerk was a white female with blonde hair. BMS ordered a bottle of Coors light bottled beer and KMO ordered a water. The clerk asked BMS for his driver's license, which he presented his Wisconsin state license card, which showed his photo image and personal information. The clerk viewed the license, served the beer and accepted money for the purchase \$4.50. BMS obtained the receipt, monetary change and both he and KMO walked to a table. Once at their table, I alerted them to leave the business and leave behind the monetary change, beer and receipt.

I collected the beer, receipt and monetary change (\$15.50). I made contact with the clerk, who was identified via MN picture DL as Caitlin Condon. I identified myself to Condon, advising that she had just sold an alcoholic beverage to a minor. She was immediately apologetic and cooperative.

Management for the business was advised. Streetz American Grill provided their city alcohol license #39400. The stated that they had no previous violations. They were advised that a report would be completed and charges would be pending against the clerk and business, after review by the Bloomington City Attorney's Office.

Digital photos of the beer, receipt and city license were added to the case file.

The beer was returned to the business and our funds were returned to me.

No further information.

DOCUMENT APPROVAL HISTORY

Created By: Kerri A Nolden

On: 2014-12-18 10:50:36

Incident Report

14-~~12957~~
12957

14-12957



2202

Host: Caitlin	12/17/2014
2202	5:49 PM
	20101
COORS LIGHT	3.99
Subtotal	3.99
Tax	0.51
ORDER Total	4.50
CASH	20.00
Change	15.50

Check Closed

14-12957



January 5, 2015

Streetz Grill Bloomington, LLC
1200 West 98th Street
Bloomington, MN 55431

RE: Alleged Alcoholic Beverage License Violation

Dear Sir or Madam:

The City of Bloomington's records indicate that a sale of alcoholic beverages to a person under the age of 21 years was made by an employee of Streetz American Grill located at 1200 West 98th Street, Bloomington, Minnesota, on December 17, 2014. Pursuant to Chapter 13 of the Bloomington City Code, the City Attorney's Office will be presenting the alleged alcoholic beverage license violation before the Bloomington City Council on **February 23, 2015, at 7:00 p.m.**

Section 13.55 of the Bloomington City Code provides that the City Council may revoke a license, suspend a license for up to sixty (60) days, impose a civil fine of up to \$2,000, or impose a combination of these sanctions for a violation of the City's alcoholic beverage control ordinance or a state law relating to alcoholic beverages.

In preparation for the public hearing on February 23, 2015, I am enclosing a copy of a proposed stipulation of facts regarding the sale to the minor that occurred at your establishment. Please contact me if you have any questions regarding this stipulation. If it meets with your approval, please sign it and return it to me along with copies of any documents you intend to present at the hearing on or before **February 2, 2015**. At the hearing, you will be able to present any arguments on your own behalf as to proper penalty, but the facts agreed to in this stipulation will govern the hearing.

Please contact me regarding this matter at your earliest convenience.

Very truly yours,

Ann Kaul
Associate City Attorney

Enclosures

cc: Doug Junker, City of Bloomington Licensing Department
Streetz American Grill, Attn: General Manager, 1200 West 98th Street, Bloomington, MN 55431