

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: September 12, 2022
Item No.: 7.d

Department Approval



City Manager Approval



Item Description: Consider Presumptive Penalty Approval for Granite City at Cedarholm as part of the 2022 Alcohol Compliance Checks

1 **BACKGROUND**

2 In 2022, all businesses with a city liquor license were mailed a letter announcing two citywide alcohol
3 compliance checks to be conducted before the end of the calendar year (Attachment A). The letter
4 included information on the Roseville City Ordinance regarding the mandatory liquor licensee training
5 program and penalties for noncompliance. A copy of the letter was also e-mailed to all license holders.
6 The following is related to the first round of alcohol compliance checks, which occurred in July of
7 2022.

8 On Saturday, July 16, 2022, an 18-year-old underage compliance checker, entered establishments
9 holding a liquor license in the city of Roseville, Minnesota, to conduct compliance checks. Upon
10 conclusion of the checks, multiple businesses failed (Attachment B).

11 **Granite City (Cedarholm location) (CN 22019310)** - The underage checker ordered a Coors Light
12 beer. The server then checked ID and provided the beer to the underage checker. When later asked by
13 the officer, the server recalled checking the identification however, stated they had done the math
14 incorrectly.

15 The server was issued administrative citation, which has since been paid.

16 Officers met with each business in-person and advised them of the Roseville City Council hearing date.
17 This notification was also provided in writing (Attachment C). Granite City later provided the required
18 training documentation for their staff. This is Granite City at Cedarholm's first violation within a 36
19 month period.

20 **POLICY OBJECTIVE**

21 The Roseville Police Department seeks Council approval to issue and administer the presumptive
22 penalty pursuant to City Code Section 302.15, for on-sale license holders for the first violation within

23 thirty-six (36) months. The mandatory minimum penalty shall be a one thousand dollar (\$1,000.00)
24 fine and a one (1) day suspension.

25 **BUDGET IMPLICATIONS**

26 Pursuant to City Code Section 302.15, the financial impact shall be a mandatory penalty of a one
27 thousand dollar (\$1,000.00) fine and a one (1) day suspension issued to the on-sale license holder for
28 the first violation within thirty-six (36) months.

29 **STAFF RECOMMENDATION**

30 Staff recommends Council approval to issue and administer the presumptive penalty pursuant to City
31 Code Section 302.15, for on-sale license holders.

32 **REQUESTED COUNCIL ACTION**

33 The Roseville Police Department seeks Council approval to issue and administer the presumptive
34 penalty pursuant to City Code Section 302.15, for on-sale license holders for the first violation within
35 thirty-six (36) months. The mandatory minimum penalty shall be a one thousand dollar (\$1,000.00)
36 fine and a one (1) day suspension.

37

Prepared by: Joe Adams, Deputy Chief of Police

Attachments: A: Letter announcing compliance checks
B: 2022 Police Report: Granite City (CN 22019310)
C: Letter announcing Council Meeting

ROSEVILLE POLICE DEPARTMENT

Alcohol Compliance Checks

July 8, 2022



2022 Alcohol Compliance Checks

The Roseville Police Department conducts a minimum of two citywide alcohol compliance checks each year. The police department conducts compliance checks to ensure Roseville alcoholic beverage license holders are complying with state law and city code. When Roseville began alcohol compliance checks in 1997, the compliance rate was only 70%. Our goal is to achieve 100% compliance.

Required Training

Roseville city code requires all licensees, managers, and employees who serve alcohol to complete a city-approved or city-provided training program.

- The required training shall be completed prior to an employee serving or selling alcohol.
- The training must be completed on an annual basis for all employees who serve or sell alcohol.
- More information on the manager and server training can be found on the police department's [website](#).

Documentation of Training

Your business must maintain documentation you have properly trained every employee who sells or serves alcohol. Per city code, this documentation must be provided to a police officer or designated city employee when requested. Additional penalties may be assessed if you are unable to provide documentation or it is determined an employee did not undergo the required training.

Penalty for Noncompliance

In addition to any criminal penalties, the City Council may suspend a liquor license for up to 60 days, revoke a license, and/or may impose a civil fine on a licensee. The mandatory minimum penalty for the sale of alcoholic beverages to underage individuals is a \$1,000 fine for the license holder and a one day suspension for on-sale establishments. Additional administrative penalties will be imposed when there is a history of violations.

Additional Information

Any questions regarding compliance checks, training, city code, or state laws can be directed to Deputy Chief Joe Adams at 651-792-7275 or joe.adams@cityofroseville.com. Additional information can be found at:

- <https://www.cityofroseville.com/2365/Alcohol-Compliance>
- <https://www.cityofroseville.com/836/Liquor-Licenses>
- https://www.cityofroseville.com/DocumentCenter/View/27294/Title-3-Business-Regulations_181231
- <https://www.mlba.com/>
- <https://www.revisor.mn.gov/statutes/cite/340A.503>

Erika Scheider
Chief of Police



ROSEVILLE POLICE DEPARTMENT INCIDENT REPORT

ICR# 22019310	AGENCY ORI# MN0620800	JUVENILE:
Reported: 07-16-2022 1426 First Assigned: 1426 First Arrived: 1426 Last Cleared: 1432 Committed Start: Committed End: Title: Alcohol Violations How Received: Phone Short Description: Undetermined Summary: Alcohol compliance failure. Location(s) CEDARHOLM GOLF COURSE Address: 2323 HAMLIN AVE N City: Roseville State: MN Zip: 55113 Country: US		
Officer Assigned: Olson, Nick	Badge No: 168	Primary: No
Officer Assigned: Vang, Haivy	Badge No: 224	Primary: No
Involvement: Cited Age: 30	Name: Ferris, Andrea Ellen	DOB: 07-25-1991
Offense: (340A.503.2(1)) Liquor-Purchase/Sell/Barter/Furnish/Give to u		

Supplemental Report	
ICR: 22019310	Last Modified: 07-18-2022 2221
Title: Alcohol Compliance Failure	Created By: Haivy Vang
<p>On 7/16/2022, at approximately 1426 hours, I conducted an alcohol compliance check at 2323 Hamline Ave N (Cedarholm Golf Course). Underage checker XXXXX (18 years old) entered the establishment and ordered an alcoholic beverage from an employee. The employee checked XXXXXXXX Minnesota provisional license and proceeded to serve her an alcoholic beverage.</p> <p>The food and alcohol vendor at the golf course is currently contracted through Granite City.</p> <p>It should be noted XXXXXXXX driver's license is orientated vertically indicating she is under 21 years of age. Under 18 and under 21 indicators are displayed below the picture. UNDER 18 UNTIL, with appropriate date, displays as black text in a yellow bar. UNDER 21 UNTIL, with appropriate date, displays as white text in a red bar. This driver's license / identification card orientation was implemented by The Minnesota Department of Public Safety Driver and Vehicle Services in August of 2018.</p> <p>I entered the establishment after XXXXX alerted me she had been served an alcoholic beverage. I spoke with the employee whom was identified by her Minnesota driver's license as Andrea Ellen FERRIS date of birth 7/25/1991. FERRIS stated she checked XXXXXXXX identification and thought she was 21 or older thus serving her with an alcoholic beverage. FERRIS stated she miscalculated XXXXXXXX birth date. I informed FERRIS XXXXX was only 18 years of age. I further advised FERRIS any vertical orientated identification card in Minnesota indicates the</p>	

individuals are either under 18 or 21 years of age. FERRIS is an employee of Granite City.

It is worth mentioning there appeared to be a golf event at the location during the time of this alcohol check. There was a large group of teenage males present along with some adults.

FERRIS was clear of any active warrants.

I advised FERRIS I would be issuing her an administrative citation at a later date for the offense of selling alcoholic beverage to an underage person.

A photo of FERRIS' DL was uploaded to evidence.com. I did not have my work cell phone with me during this check, but captured the alcoholic beverage with my PRS.

PRS activated.

Supplemental Report

ICR: 22019310

Last Modified: 07-31-2022 1830

Title: Admin Citation

Created By: Haivy Vang

On 7/31/2022, I mailed FERRIS a Roseville Police administrative citation for the alcohol sales/serve to an underage offense.

Supplemental Report

ICR: 22019310

Last Modified: 08-08-2022 2057

Title: Business Admin Letter

Created By: Haivy Vang

On 8/8/2022, at the request of Deputy Chief Adams, I delivered Granite City (Cedarholm Golf Course) their business administrative letter.

I explained to the on duty manager two very important items mentioned in the letter:

- a city council meeting is set to take place on 9/12/2022 discussing their failed alcohol compliance
- to send all copies of their alcohol training records to Deputy Chief Adams via his email which was provided in the letter prior to the city council meeting on 9/12/2022.

The manager stated they understood the information and would inform the owner/s of the business.

PRS activated.

Nothing further.

Supplemental Report

ICR: 22019310

Last Modified: 08-17-2022 1813

Title: Contact with Management

Created By: Dennis Cook

On Wednesday August 17th 2022 I, Officer Cook (#247), made contact with a manager for Granite City, 2323 Hamline Ave N.

I met with the manager at the Rosedale Granite City location (1595 Highway 36 W). The manager stated that the employee who had sold the alcoholic beverage (Andrea Ferris) had been terminated. The manager also stated he would email the training records for the employees to Deputy Chief Adams later in the evening/tomorrow (August 18th).

I made phone contact with Andrea Ferris who stated she had mailed a check as payment of her fine

the previous week. I advised Ferris she would be contacted again if her payment was not received.

I notified Deputy Chief Adams via email.

My body worn camera was active.

Nothing further.

ROSEVILLE POLICE DEPARTMENT
2022 Alcohol Compliance Check
August 8, 2022



August 8, 2022

Granite City
2323 Hamline Avenue
Roseville, MN 55113

Dear Granite City Manager,

On Monday, September 12, 2022, the Roseville City Council will discuss the July 16, 2022 alcohol compliance failure at Granite City (Cedarholm). Staff has recommended Council impose the presumptive penalty of a \$1000.00 fine and one (1) day liquor license suspension.

Council discussion of this violation will occur during the "Business Actions" segment of the meeting. A representative from your establishment may appear at the time of the council discussion to offer any information you deem relevant as to whether the Council should deviate from the presumptive penalties set forth in the Roseville City Code. If you choose not to appear at this meeting, the City Council will act without any input from your business. Please note, due to the pandemic, the September city council meetings are being held in-person and virtually. Information on providing input can be found on the city's website at <http://cityofroseville.com/3458/Attend-a-Virtual-Meeting>.

Summary of Violation:

July 16, 2022: An employee sold an 18-year old underage compliance buyer a beer without asking for identification. This violation was confirmed by a plain clothing police officer (ref Police Incident 22019310).

Please be advised if another violation should occur, further penalties will be invoked. Also, I will need copies of your training records. Please email the records to joe.adams@cityofroseville.com. If you have any questions, you can reach me at 651-792-7275.

Sincerely,

Joe Adams
Deputy Chief of Police