

**ROSEVILLE**  
**REQUEST FOR COUNCIL ACTION**

Date: Nov 14, 2011  
Item No.: 12.c

Department Approval

City Manager Approval



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Item Description:     **PRESUMPTIVE PENALTY APPROVAL—SMASH BURGER  
RESTAURANT ALCOHOL COMPLIANCE FAILURE**

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2     **Background**

3     On March 28<sup>th</sup>, 2011 all businesses with a liquor license in the City of Roseville were mailed a letter from the  
4     Roseville Police Department announcing two alcohol compliance checks would be conducted before the end of the  
5     year. The letter included notice of recent changes to Roseville City Ordinances regarding mandatory liquor licensee  
6     training programs and penalties for noncompliance. Also in the letter were instructions for the City of Roseville  
7     mandatory liquor licensee training program and the name of a police contact should a business need additional  
8     information on the licensee program. Training was to be completed by every employee prior to the employee selling  
9     or serving alcohol and documentation of this training was to be completed and kept on file by the business.

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11     **Compliance Failure**

12     On Tuesday, September 13, 2011, a plain clothes Roseville Police Officer along with an underage buyer entered  
13     Smash Burger Restaurant, 2100 Snelling Avenue North, Roseville, MN to conduct an alcohol compliance check.  
14     The underage buyer and the plain clothes police officer stood in line together. When asked for his order, the  
15     underage buyer ordered a single bottle of Miller Light beer. The restaurant employee asked the underage buyer for  
16     his identification. The buyer provided the employee with his valid Minnesota photo driver's license which clearly  
17     noted that the underage buyer was under the age of 21. The employee took possession of the license, looked at it,  
18     returned it to the underage buyer and provided the underage buyer a 12 ounce bottle of Miller Light beer. The  
19     underage buyer provided the employee with a \$20.00 bill for the purchase and received change and a receipt. The  
20     restaurant employee was administratively cited for the violation and released. On October 5, 2011, Smash Burger  
21     was mailed a letter requesting documentation of a City of Roseville approved liquor licensee training program. This  
22     documentation was to be received by the Police Department no later than October 14, 2011. Lt. Rosand received  
23     correspondence from Smash Burger management on October 14, 2011, which documented the employee in question  
24     had last completed a City of Roseville approved liquor license training program on January 2, 2011. Upon  
25     inspection of the alcohol training Smash Burger documentation provided to the offending employee, Lt. Rosand  
26     learned the training was internal and doesn't meet city approved licensee training standards. This is Smash Burger's  
27     first liquor compliance failure/violation in the last thirty six (36) months.

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29     **Staff Recommendation**

30     Issue and administer the presumptive penalty pursuant to City Code Section 302.15, for on-sale license holders for  
31     the first violation within thirty-six (36) months. The mandatory minimum penalty shall be a one thousand dollar  
32     (\$1,000.00) fine and a one (1) day suspension.

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34     Discuss violation of City Code Section 302.08, *Manager and Server Training*. Failure to comply with this provision  
35     in its entirety is sufficient grounds for denial or nonrenewal of a requested license in 2012.

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37     **Penalty For Noncompliance:** In addition to any criminal penalties which may be imposed by a court of law, the  
38     City Council may suspend a license for up to 60 days, may revoke a license and/or may impose a civil fine on a  
39     licensee not to exceed \$2,000.00 for each violation on a finding that the license holder or its employee has failed to

40 comply with a statute, rule or ordinance relating to alcoholic beverages, non-intoxicating malt liquor or wine.

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**Council should also be aware of the following:  
Minnesota Statute 340A.402 PERSONS ELIGIBLE.**

No retail license may be issued to:

- (1) a person under 21 years of age;
- (2) a person who has had an intoxicating liquor or 3.2 percent malt liquor license revoked within five years of the license application, or to any person who at the time of the violation owns any interest, whether as a holder of more than five percent of the capital stock of a corporation licensee, as a partner or otherwise, in the premises or in the business conducted thereon, or to a corporation, partnership, association, enterprise, business, or firm in which any such person is in any manner interested;
- (3) a person not of good moral character and repute; or
- (4) a person who has a direct or indirect interest in a manufacturer, brewer, or wholesaler.

In addition, no new retail license may be issued to, and the governing body of a municipality may refuse to renew the license of, a person who, within five years of the license application, has been convicted of a felony or a willful violation of a federal or state law or local ordinance governing the manufacture, sale, distribution, or possession for sale or distribution of an alcoholic beverage. The Alcohol and Gambling Enforcement Division or licensing authority may require that fingerprints be taken and forwarded to the Federal Bureau of Investigation for purposes of a criminal history check.

**Council Action Requested**

Allow the Roseville Police Department to issue and administer the presumptive penalty as set forth in Section 302.15, of the Roseville City Code or other action as determined by the Roseville City Council.

**Prepared by:** Lt. Lorne Rosand

Attachments:

- A: Police Report
- B: Letter announcing compliance checks
- C: Notifications of failure and investigation
- D: Documentation from Smash Burger regarding training
- E: Letters announcing Council Meeting

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## ROSEVILLE POLICE DEPARTMENT INCIDENT REPORT

<b>ICR#</b> 11026531	<b>AGENCY ORI#</b> MN0620800	<b>JUVENILE:</b>
<b>INCIDENT</b>	<b>Reported:</b> 09-13-2011 1823 <b>First Assigned:</b> 1818 <b>First Arrived:</b> 1818 <b>Last Cleared:</b> 1830 <b>Committed Start:</b> 09-13-2011 1818 <b>Committed End:</b> 09-13-2011 1830 <b>Title:</b> Alcohol Violations <b>How Received:</b> In Person <b>Short Description:</b> Alcohol Compliance Check / Fail / Smash Burger <b>Location(s)</b> SMASHBURGER <b>Address:</b> 2100 SNELLING AV N <b>City:</b> Roseville <b>State:</b> MN <b>Zip:</b> 55113	
<b>OFFICERS</b>	<b>Officer Assigned:</b> Brake, Matthew <b>Badge No:</b> 193 <b>Primary:</b> No	
<b>MOC</b>	<b>MOC:</b> M4120 <b>Literal:</b> LIQUOR-PROHIBITED ACTS <b>Statute:</b> CHAPTER 340A <b>UCR:</b> 22 <b>Name(s)</b> <b>Last Name:</b> Robin <b>First:</b> Lindsey <b>Middle:</b> Louise <b>DOB:</b> 03-24-1986	
<b>NAMES</b>	<b>Involvement:</b> Arrested <b>Name:</b> Robin, Lindsey Louise <b>DOB:</b> <b>Age:</b> <b>Race:</b> <b>Height:</b> <b>Weight:</b> <b>Address:</b> 3608 34TH AVE S <b>City:</b> MPLS <b>State:</b> MN <b>Zip:</b> 55406 <b>Hair Color:</b> <b>Arrest Date Time:</b> 09-13-2011 1818 <b>ID Number(s)</b> <b>ID Type:</b> DL / ID Number <b>ID #:</b> <b>State:</b> <b>Year:</b> <b>Class:</b> D <hr/> <b>PRIVATE Involvement:</b> Other <b>Name:</b> <b>DOB:</b> XXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXXXXXXXXXX <b>Age:</b> XX <b>Sex:</b> <b>Race:</b> <b>Height:</b> XXX <b>Weight:</b> XXX <b>Address:</b> XXXX XXXXX XX <b>City:</b> XXXXXXXXXXXX <b>State:</b> XX <b>Zip:</b> XXXXX <b>ID Number(s)</b> <b>ID Type:</b> DL / ID Number <b>ID #:</b> XXXXXXXXXXXXXXXX <b>State:</b> <b>Year:</b> <b>Class:</b> <hr/> <b>Involvement:</b> Mentioned <b>Name:</b> Wozniak, Michele Marie <b>DOB:</b> <b>Age</b> <b>Sex:</b> <b>Race:</b> <b>Height:</b> <b>Weight:</b> <b>Address:</b> 1085 Lawnview Ave <b>City:</b> SHOREVIEW <b>State:</b> MN <b>Zip:</b> 55126 <b>Phone:</b> (Home) ( ) - <b>Phone:</b> (Work) (651)251-0221 <b>Phone:</b> (Cell) (651)285-4551 <b>ID Number(s)</b> <b>ID Type:</b> DL / ID Number <b>ID #:</b> <b>State:</b> MN <b>Year:</b> <b>Class:</b> D	
<b>EVIDENCE</b>	<b>BarCode:</b> 11-05640 <b>Item Type:</b> Receipt <b>Bin:</b> Document Drawer <b>Value:</b> <b>Description:</b> Receipt for alcohol purchase from Smash Burger <b>Location</b> <b>Address:</b> 2100 SNELLING AV N <b>City:</b> Roseville <b>State:</b> MN <b>Zip:</b> 55113	

Supplemental Report

ICR: 11026531

09-21-2011 1450

Title: Alcohol Compliance Check

Created By: Matthew Brake

On 09/13/2011 at approximately 1818 hours I was conducting alcohol compliance checks in the city of Roseville. My under 21 year old buyer, XXXXXXXX XXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX), along with myself were dressed in plain clothes.

We stopped at the restaurant Smash Burger and stood in line. XXXXXXXXXXXXX ordered a single bottle of Miller Lite from the employee running the register. The Smash Burger employee was later positively identified as store manager LINDSEY LOUISE ROBIN (03/24/1986). ROBIN asked XXXXXXXXXXXXX for his ID. XXXXXXXXXXXXX provided ROBIN with his Minnesota issued driver's license which clearly shows he is under the age of 21. A copy of his license was placed in the paperwork portion of the report.

ROBIN looked at XXXXXXXXXXXXX's license, returned it to him and provided him with one 12oz bottle of Miller Lite. XXXXXXXXXXXXX provided ROBIN with a \$20.00 which ROBIN returned proper change and a receipt. The correct \$20.00 bill and receipt was later retrieved with the receipt being placed in evidence.

I displayed my department issued badge and informed ROBIN she had just failed the RPD alcohol compliance check. When I asked to talk to ROBIN's boss she advised me she was the store manager and no one above her was currently working. I advised ROBIN of the situation and provided her administrative citation #22490 for selling on sale alcohol to a minor.

ROBIN was released on scene with citation.

Nothing Further

#### Supplemental Report

ICR: 11026531

09-21-2011 1611

Title: Supplement Report

Created By: Lorne Rosand

On Friday, September 16, 2011 at 1046 hours, Lindsey Robin paid her administrative offense violation of \$250.00 to the city of Roseville for sale of alcohol to a minor.

See attached media file for a copy of the receipt.

Report for informational purposes.

#### Supplemental Report

ICR: 11026531

10-21-2011 1645

Title: Supplement Report

Created By: Lorne Rosand

On Friday, October 14, 2011, I received the attached documents (electronically) from Smashburger General Manager Michele Wozniak specific to the alcohol training Robin had received. In order to receive the attached documents, I had to prompt Wozniak with a visit to the business on Thursday, October 13th as well as a phone call conversation on Friday, October 14th.

Upon inspection of these documents, it appears Robin received alcohol training on or about January 2011. Upon closer inspection of these photocopied documents, it appears someone (post training) had entered the year "11" to indicate the training occurred in the year 2011.

After reviewing the training documents provided by Smashburger General Manager Wozniak, they do not meet the city required alcohol server training guidelines. The documents provided specific to

Robin's alcohol server training indicate she was asked to explain guidelines for beer and wine sale. Once explained it appears either the manager or employee initialed and dated a document. There is no alcohol server certificate included with the documents provided by Smashburger.

According to documents, alcohol server training is completed internally.

Report is for informational purposes.

#### Supplemental Report

**ICR:** 11026531

11-04-2011 1628

**Title:** Supplement Report

**Created By:** Lorne Rosand

On Friday, November 4, 2011 at approximately 1400 hours, I stopped at Smash Burger and spoke with Michele Wozniak about the training documents she had e-mailed me.

When I showed Wozniak the documents she had e-mailed me specific to Robin's training, I pointed to the "11" which appears to have been added post training. Wozniak assured me Robin's training occurred in January 2011. Wozniak excused herself and returned with Robin's employment file. Wozniak showed me documents indicating Robins was hired in January 2011 so there was no reason to to alter the year she (Robin) received her alcohol training.

Based on Robin's employment documents, I have no reason to doubt the training records Wozniak provided are accurate.

Prior to ending my conversation with Wozniak, she asked the date and time she needs to be at the Roseville Council meeting to address the September 13, 2011 alcohol violation. I provided Wozniak my business card with the date and time she should be in council chambers (Monday, November 14, 2011 no later then 1815 hours.

Report is for informational purposes.



March 28, 2011

Applebee's Neighborhood Grill  
 ATTN: MANAGER  
 1893 West Highway 36  
 Roseville, MN 55113

*- Sample -  
 This letter was sent to  
 all businesses.*

ATTN: MANAGER

**Please thoroughly review the following information as it pertains to alcohol compliance checks conducted by the Roseville Police Department, relative to your establishment.**

The City of Roseville began alcohol compliance checks on licensed alcoholic beverage sellers in 1997. At that time, the compliance rate was only 70%. Nearly 30% of our licensees failed those compliance checks. The Roseville Police Department does yearly compliance checks to insure licensed alcoholic beverage sellers in the City of Roseville are complying with State law and Roseville Code Provisions relating to the selling of alcoholic beverages.

Please review the following relating to sales of alcohol to underage persons:

*Minnesota Statute Chapter 340A.503 PERSONS UNDER 21; ILLEGAL ACTS.*

*Subdivision 1. Consumption.*

*(a) It is unlawful for any:*

*(1) retail intoxicating liquor or 3.2 percent malt liquor licensee, municipal liquor store, or bottle club permit holder under section 340A.414, to permit any person under the age of 21 years to drink alcoholic beverages on the licensed premises or within the municipal liquor store;*

*Subdivision 2. Purchasing. It is unlawful for any person:*

*(1) to sell, barter, furnish, or give alcoholic beverages to a person under 21 years of age;*

The City of Roseville has passed a Liquor Control Ordinance. It is Chapter 302 of the Roseville City Code. The Roseville Police Department encourages you to become familiar with the Liquor Control Ordinance of Roseville. It can be obtained at the Roseville City Hall. It can also be reviewed and downloaded by going to the City of Roseville website, [www.ci.roseville.mn.us](http://www.ci.roseville.mn.us).

The civil penalties for underage alcoholic beverage sales are set forth in the Roseville City Code. There are presumptive penalties set forth in § 302.15 of the Code. These penalties vary depending upon whether it is a first time violation, a second time violation, a third time violation, etc.

March 28, 2011

Page 2

The Roseville Police Department has worked with City alcoholic beverage licensees to promote training for both servers and managers to prevent sales of alcohol to underage persons, and to prevent other violations of the Liquor Control Ordinance. All licensees and their managers, and all employees or agents employed by the licensee that sell or serve alcohol, must complete a city approved or provided liquor licensee training program. Free training packets are available from the City. You can obtain information regarding the program by contacting Kelly Roberto of the Roseville Police Department, at [kelly.roberto@ci.roseville.mn.us](mailto:kelly.roberto@ci.roseville.mn.us).

Both the City's approval and the required training shall be completed:

1. Prior to licensure or renewal for licensees and managers, or
2. Prior to serving or selling for any employee or agent, and
3. Every year thereafter.

Your business must maintain documentation that you have properly trained every employee that sells or serves alcohol, and produce such documentation upon reasonable request made by a peace officer, health officer or properly designated officer or employee of the city. The City will not maintain these records for you. Additional penalties may be assessed if you are unable to provide documentation or it is determined the employee did not under go the required training.

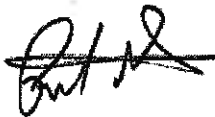
**The mandatory minimum penalty for the sale of alcoholic beverages to underage individuals is a \$1,000 fine and a one day suspension.**

These penalties are civil in nature. Please be aware criminal penalties may also be imposed for violations of the Liquor Control Ordinance.

The Roseville Police Department will do two compliance checks in 2011 beginning this spring. Please remind your employees of their legal and moral responsibility not to sell or serve alcoholic beverages to anyone under the age of 21.

Once again, we encourage you to review Roseville City Code, Chapter 302, to insure that you have familiarized yourself with the local regulations applicable to your establishment. If you have any questions, please contact Lt. Lorne Rosand at (651) 792-7211.

Sincerely,



Rick Mathwig  
Chief of Police



October 5, 2011

Lindsey Robin  
Smash Burger  
2100 North Snelling Avenue  
Roseville Minnesota 55113

Lindsey Robin and/or General Manager:

As you know, the City of Roseville has an ordinance prohibiting the sale of any alcoholic beverage to persons under the age of 21 years. A copy of Roseville Code 302 has been enclosed for your review. Please note Section 302.15 of code where minimum penalties are stipulated.

On September 13, 2011, you (Lindsey Robin) sold an alcoholic beverage to a minor in violation of the attached code. Our records indicate that this is your first violation in the previous thirty-six (36) months. Therefore, pursuant to Section 302.15 of Roseville City Code, the presumptive penalty for a first violation for sale of an alcoholic beverage to a person under the age of twenty-one is a minimum penalty of a \$1,000.00 fine and a one (1) day suspension.

This incident is currently under investigation by the Roseville Police Department. You are being asked to provide a training certificate showing that you (Lindsey Robin) completed a city approved or provided liquor license training program. **I must receive a copy of your training certification from you by Friday, October 14<sup>th</sup>. Failure to provide this training certification may result in additional penalties because of non compliance.**

When a violation occurs, the police department provides information to the City Council, which either will assess the presumptive penalty set forth above or depart upward or downward based on extenuating or aggravating circumstances. The information set forth in this letter regarding the failed compliance check will be passed on to the City Council, as well as information regarding your participation in the manager and server training program and the history of compliance checks at your establishment. Once the date of the Council meeting is established, I will send you notice.

A representative of your establishment may appear at the Council meeting to offer any information that you deem relevant as to whether the Council should deviate from the presumptive penalties set forth in the Roseville City Code. If you fail to appear at that meeting, the City Council will act without any input from your establishment.

Finally, please be advised that if another violation should occur, further penalties will be invoked. If you have any questions, you can reach me during normal business hours at my desk telephone number of 651-792-7211.

Sincerely,

Lorne R. Rosand  
Lieutenant  
Roseville Police Department

Enclosure

Cc: Rick Mathwig – Chief of Police  
Bill Malinen – City Manager



**Lorne Rosand**

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**From:** Roseville [Roseville@smashburger.com]  
**Sent:** Friday, October 14, 2011 1:05 PM  
**To:** Lorne Rosand  
**Subject:** FW: training certification for Lindey Robins  
**Attachments:** Scan\_Doc0045.pdf; Scan\_Doc0044.pdf; Scan\_Doc0046.pdf

Michele Wozniak  
General Manager  
Smashburger Roseville  
2100N Snelling Ave  
Roseville MN55113

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**From:** Roseville  
**Sent:** Friday, October 14, 2011 10:57 AM  
**To:** [lorne.rosand@roseville.mn.us](mailto:lorne.rosand@roseville.mn.us)  
**Subject:** FW: training certification for Lindey Robins

Here is a copy of our Alcohol Guidelines  
Also Lindsey training record that she intital and dated.

Let me know if you need more information.

Michele Wozniak  
General Manager  
Smashburger Roseville  
2100N Snelling Ave  
Roseville MN55113

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**From:** Roseville  
**Sent:** Friday, October 14, 2011 10:16 AM  
**Cruse, Lonny**  
**Subject:** training certification for Lindey Robins

Here is a copy of our Alcohol Guidelines  
Also Lindsey training record that she intital and dated.

Let me know if you need more information.

Michele Wozniak  
General Manager  
Smashburger Roseville  
2100N Snelling Ave  
Roseville MN55113



## Drugs and Alcohol

It is the goal of **Smashburger** to foster a work environment free from the behavior-altering effects of drugs and alcoholic beverages. Use of alcohol and drugs alters judgment resulting in increased safety risks, workplace injuries and faulty decision-making. It may also be illegal. Therefore, working after the apparent use of alcohol, a controlled substance or abuse of any other substances is strictly prohibited and will result in immediate discipline up to and including termination. Additionally, the possession, purchase, use or sale of a controlled substance or alcohol on **Smashburger** premises or while conducting **Smashburger** business is prohibited.

To ensure that all our restaurants operate in accordance with all local, state and federal laws and regulations, and to control Team Member consumption, the following guidelines apply to all Team Members:

### Drug Testing

1. The possession, use or sale of alcohol, unauthorized or illegal drugs or misuse of legal drugs on **Smashburger** time or on **Smashburger** property is prohibited and grounds for immediate termination.
2. Team Members should immediately report to their supervisor legitimate use of prescription drugs which might impair performance.
3. **Smashburger** Team Members may also be subject to blood or urine tests for drugs or alcohol if they demonstrate impaired job performance, or if they are involved in an accident, breach of security, or unsafe job practice, or if they demonstrate excessive absenteeism.
4. **Smashburger** reserves the right to conduct random drug and/or alcohol tests on any and all Team Members at any time.
5. **Smashburger** will obtain written consent from each Team Member tested.
6. If a verified positive test is received indicating the presence of drugs or alcohol in the body, or if the applicant refuses to provide a sample upon request, **Smashburger** will refuse to hire the prospective Team Member and will discipline current Team Members by immediate termination. Refusal to consent to a requested drug or alcohol test is considered to be insubordination and will result in termination.
7. All stores will send all test results to the Corporate Office. The Corporate Office will keep a separate file for medical information.
8. All test results will be confidential.
9. All parts of the test will be done at a lab, including collection of urine specimens. The lab will be licensed to do drug testing for federally required testing programs.
10. **Smashburger** reserves the right to search anywhere on Company property for illegal drugs, including vehicles, desks, lunch boxes, purses, briefcases, book bags, or any place illegal drugs might be found. Refusal to consent to search will be considered insubordination and will result in termination.
11. All Team Members will follow "The Administration of Drugs and Alcohol Screening Policy". This policy will be available at the Corporate Office.

## BOH Skills Proficiency Checklist

Instructions: This checklist should be completed at the end of week 1. It is a visual verification that the MIT can perform these tasks. In essence, the Training manager is saying: "I have seen you successfully perform these tasks."

Skill	MIT Initials	Training MGR Initials and/or Comments
Correctly smashes burgers	UL 1-20-11	10sec metal to metal
Correctly cooks chicken	UL 1-20-11	1650
Can perform cheese position properly	UL 1-20-11	ok
Can successfully run the fry station	UL 1-21-11	talk with Ben person
Can properly set all burgers and dogs	UL 1-21	ok
Properly cleans grill	UL 1-21	ok
Can calibrate a thermometer	UL 1-21	ice - 32°
Properly packages to-go orders	UL 1-24	mark each bag
Can set the kitchen for open	UL 1-22	
Can close the kitchen	UL 1-24	ok
Can filter the fryer oil	UL 1-27	ok 2x per day

## Sizzle Training Objectives

When you've completed your FOH training, you should be able to:

Objectives	Initial & Date when complete	Your notes or comments for study or to revisit
Perform Aloha cashier functions	UL 1-25	ok
Change passwords, re-open checks	UL 1-26	hasnt changed password
Make shakes, root beer floats to spec	UL 1-26	dont forget whip cream
* Explain guidelines for beer and wine	UL 1-26	40 years
Demonstrate Steps to Sizzle	UL 1-26	ok
Perform Sizzle 20 tasks	UL 1-26	ok - bathroom
Perform FOH opening procedures	UL 1-27	ok
Perform FOH closing procedures	UL 1-27	ok





October 28, 2011

Michele M. Wozniak  
General Manager  
Smash Burger  
2100 Snelling Avenue North  
Roseville Minnesota 55113

Ms. Michele M. Wozniak;

Reference: September 13, 2011 Smash Burger Alcohol Compliance Failure.

On Monday, November 14, 2011, the Roseville City Council will discuss the September 13, 2011 alcohol compliance failure of Smash Burger. Staff has recommend Council impose the presumptive penalty of a \$1,000.00 fine and one (1) day liquor suspension. The penalty for non compliance with mandatory liquor licensee training program may be considered for non renewal or denial of your 2012 liquor license.

A representative of your establishment may appear at the time of council discussion to offer any information that you deem relevant as to whether the Council should deviate from the presumptive penalties set forth in the Roseville City Code. If you fail to appear at this meeting, the City Council will act without any input from your establishment.

Summary of Violation:

- March 28, 2011:** All businesses with a liquor license in the City of Roseville were mailed a letter from Roseville Police Department announcing two alcohol compliance checks would be conducted before the end of the year.
- September 13, 2011:** A Smash Burger employee serves an underage compliance buyer an alcoholic beverage after reviewing the buyer's Minnesota photo identification which clearly indicates "UNDER 21". This violation is witnessed by a plain clothing police officer. The employee server is administratively cited for the violation.
- September 16, 2011:** Smash Burger violator pays a \$250.00 administrative fine to the City of Roseville for violating city code.
- October 14, 2011:** Smash Burger provides server training documentation showing the offending server last received internal alcohol server training on or about January 2011. A review of this internal alcohol server training indicates it fails to meet city required alcohol server training guidelines.

Roseville City Council will consider staff recommendation specific to this violation at its regular meeting scheduled for **Monday, November 14, 2011**. Council discussion of this violation will occur during the "Business Actions" segment of the meeting.

Finally, please be advised if another violation should occur, further penalties will be invoked. If you have any questions, you can reach me at my desk number of 651-792-7211 during normal business hours.

Sincerely,

Lorne Rosand  
Lieutenant

Cc: Rick Mathwig – Chief of Police  
Bill Malinen – City Manager  
Roseville City Council