



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

October 16, 2013

NOTICE OF VIOLATION

Alexander Kopilenko, Owner/CEO  
International Wines & Liquors  
710 Cleveland Avenue South  
St. Paul, MN 55116

RE: All licenses held by Kopilenko International Wines & Liquors d/b/a International Wines & Liquors for the premises located at 710 Cleveland Avenue South in Saint Paul.  
License ID #: 0015928

Dear Mr. Kopilenko:

The Department of Safety and Inspections (DSI) has recommended adverse action against all licenses held by Kopilenko International Wines & Liquors d/b/a International Wines & Liquors for the premises located at 710 Cleveland Avenue South in Saint Paul. The basis for the recommendation is as follows:

**On October 7, 2013 at approximately 6:45 p.m. Saint Paul Police conducted a liquor compliance check at International Wines & Liquors at 710 Cleveland Avenue South (CN#13-217-773). The officers used under-aged checkers who carried valid Minnesota Driver licenses with "Under 21" clearly printed above their pictures.**

**When the under-age checkers entered your establishment, they were able to purchase a 6-pack of Corona beer. The checkers left the store and brought the beer and remaining change back to the officers. The checkers told the officers the cashier did not ask to see their identification.**

**The officers entered the store, identified themselves and told the cashier that he had just sold beer to under-aged individuals. The cashier said he "just blanked out and forgot to ask for their identification".**

Sale of alcohol to an underage person is a violation of Minn. Stat. § 340A.503, Subd. 2 (1) and Saint Paul Legislative Code § 409.26 (b) (3). This is the first failure after alcohol awareness training; therefore, the licensing department will recommend a \$500.00 matrix penalty.

At this time, you have three options on how to proceed:

1. You can pay the recommended \$500.00 matrix penalty. If this is your choice, you should make payment directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, October 28, 2013**. A self-addressed envelope is enclosed for your convenience. Payment of the \$500.00 matrix penalty will be considered to be a waiver of the hearing to which you are entitled.
2. If you wish to admit the facts but you contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing. I will need to receive your letter by **Monday, October 28, 2013**. The matter will then be scheduled before the City Council for a public hearing to determine whether to impose the \$500.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **Monday, October 28, 2013**. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a public hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation.

Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

**If you have not contacted me or DSI by Monday, October 28, 2013, I will assume that you do not contest the imposition of the \$500.00 matrix penalty. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.**

If you have questions about these options, please feel free to contact me at 266-8710.

Sincerely,



Geoffrey Karls  
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI  
Alexander Kopilenko, 1856 Summit Lane, Mendota Heights, MN 55118  
Patty Partridge, Community Organizer, Highland District Council, 1978 Ford Parkway, Saint Paul, MN 55116-1922

STATE OF MINNESOTA)  
 ) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY )

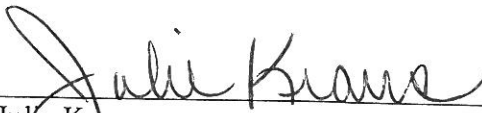
Julie Kraus, being first duly sworn, deposes and says that on the 16<sup>th</sup> day of October she served the attached **NOTICE OF VIOLATION** and a correct copy thereof in an envelope addressed as follows:

Alexander Kopilenko, Owner/CEO  
International Wines & Liquors  
710 Cleveland Avenue South  
St. Paul, MN 55116

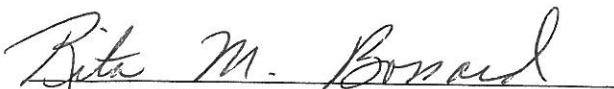
Alexander Kopilenko  
1856 Summit Lane  
Mendota Heights, MN 55118

Patty Partridge, Community Organizer  
Highland District Council  
1978 Ford Parkway  
Saint Paul, MN 55116-1922

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.

  
Julie Kraus

Subscribed and sworn to before me  
this 14<sup>th</sup> day of October, 2013

  
Notary Public

