



January 16, 2024

Andrew Schroeder
Assistant VP, Assistant Controller
Hy-Vee, Inc.
5820 Westown Parkway
West Des Moines, IA 50266

RE: Notice of License Suspension and Civil Penalty for Violation of Spring Lake Park Liquor Regulations – Hy-Vee Wine and Spirits

Dear Mr. Schroeder:

During an alcohol compliance check conducted by the Spring Lake Park Police Department on December 30, 2023, Hy-Vee Wine and Spirits was found in violation of M.S. § 340A.503, subd. 2. This statute prohibits the sale of alcoholic beverages to individuals under 21 years of age (Case #23-307180).

Spring Lake Park Code (SLPC) Section 11.08.010(R)(2) states that every licensee is responsible for their business conduct and the actions of their employees. Thus, any violation by staff is also considered a violation by the licensee.

Penalty:

In light of this being the second violation within a three-year period, the City Council, pursuant to SLPC 11.08.010(V) and 11.08.010(W), hereby imposes the following:

- A three consecutive day license suspension. The days will be chosen by the Council.
- A civil penalty of \$1,000.00.

Hearing:

A hearing is set for February 5, 2024 at 7:00 PM in the Council Chambers of Spring Lake Park City Hall. You will be afforded the opportunity to be heard, to present evidence and to question evidence presented against you.

If you wish to accept the suspension and civil penalty and opt to waive the right to a hearing, please forward the penalty payment along with the completed hearing waiver form to:

City of Spring Lake Park
Attn: Daniel Buchholtz, Administrator, Clerk/Treasurer
1301 81st Ave NE
Spring Lake Park, MN 55432

The deadline for this submission is 4:00 PM on Monday, February 5, 2024. Upon receipt, the City will confirm the suspension dates for your license.

If you have any questions regarding this matter, please don't hesitate to contact me at 763-784-6491.

Sincerely,



Daniel R. Buchholtz, MMC
Administrator, Clerk/Treasurer

Enclosure

cc: Mayor Nelson and Members of the City Council
John Thames, City Attorney
Josh Antoine, Police Chief
Christi Ridge, Wine & Spirits Manager, Spring Lake Park Hy-Vee
Julie Staber, Store Manager, Spring Lake Park Hy-Vee

**CITY OF SPRING LAKE PARK
WAIVER OF HEARING UNDER ADMINISTRATIVE PROCEDURES ACT**

I, _____, authorized representative of _____ do hereby agree to accept a three consecutive day license suspension and pay the civil penalty of \$1,000.00 for violations related to the Spring Lake Park Liquor Code (Chapter 11.08.010). I also hereby waive my right to a hearing as authorized under Chapter 11.08.010(W) of the Spring Lake Park City Code and held pursuant to the Administrative Procedures Act.

Signed this _____ day of _____, _____.

Licensee

Spring Lake Park Police Department

1301 81st Ave NE Spring Lake Park, MN 55432

763-792-7200



Case #:23307180

Incident #: 23307180

Event

8155 HIGHWAY 65 NE SPRING LAKE PARK, MINNESOTA 55432

Reported Date: 12/30/2023 15:38:10
Time Assigned: 15:38
Time Arrived: 15:38
Time Cleared: 15:38
Incident Start Date: 12/30/2023 15:38:10
Exceptional Clearance: NOT APPLICABLE
Latitude: 45.116636
Longitude: -93.23917
Case Summary: ALCOHOL AND TOBACCO COMPLIANCE CHECK
Confidential?: No

Suspects (1)

MATLON, NICOLE CHRISTINE

Arrested: NO
DOB: 06/27/1995
Age: 28
Race: WHITE
Sex: FEMALE
Ethnicity: Not Hispanic or Latino
Related Offenses: 340A.503.2(1) Liquor-Purchase/Sell/Barter/Furnish/Give to u/21yr (90G F); 11.12.110(A) Selling or providing any tobacco-related product to any person under the age of 21 prohibited (90Z M)
Address: 1376 78TH CIR
City: SPRING LAKE PARK
State: Minnesota
Zip Code: 55432-2849
License Number: Q727171039716
License State: Minnesota
Height: 505
Weight: 120
Eye Color: BLUE
Refused Indicator: No
Other Controlled Substance: No

Misc Associated Names Data (2)

DOB: [REDACTED]
Age: 18
Race: WHITE
Sex: FEMALE

Spring Lake Park Police Department

1301 81st Ave NE Spring Lake Park, MN 55432

763-792-7200



Case #:23307180

Incident #: 23307180

Ethnicity: [REDACTED]
Address: 1301 81st Ave NE
City: SPRING LAKE PARK
State: Minnesota
Zip Code: 55432
Cell Phone:
Drivers License Number: [REDACTED]
License State: Minnesota
Eye Color: [REDACTED]
Height: [REDACTED]
Weight: [REDACTED]

HYVEE SPIRIT & WINE

Related Offenses: 11.12.110(A) Selling or providing any tobacco-related product to any person under the age of 21 prohibited (90Z M); 340A.503.2(1) Liquor-Purchase/Sell/Barter/Furnish/Give to u/21yr (90G F)
Address: 8155 HIGHWAY 65 NE
City: SPRING LAKE PARK
State: MINNESOTA
Zip Code: 55432
Latitude: 45.116636
Longitude: -93.23917

Offenses (2)

340A.503.2(1) Liquor-Purchase/Sell/Barter/Furnish/Give to u/21yr

UCR/NIBRS Code: 90G Liquor Law Violations
Felony/Misdemeanor: Gross Misdemeanor
Location Type: Liquor Store
Bias Motivation: NONE
Attempted/Completed: Completed
Offender Suspected of Using: Not Applicable
Weapon Types:
Weapon Automatic1:

11.12.110(A) Selling or providing any tobacco-related product to any person under the age of 21 prohibited

UCR/NIBRS Code: 90Z All Other Offenses
Felony/Misdemeanor: Misdemeanor
Location Type: Liquor Store
Bias Motivation: NONE
Attempted/Completed: Completed
Offender Suspected of Using: Not Applicable
Weapon Types:
Weapon Automatic1:

Spring Lake Park Police Department

1301 81st Ave NE Spring Lake Park, MN 55432

763-792-7200



Case #:23307180

Incident #: 23307180

Vehicle (0)

Related Offense:

Towed By:

Narrative (1)

ORIGINAL OFFICER NARRATIVE

Imig, Aaron R WPD00021

12/30/2023

I conducted a tobacco and liquor compliance check at the above location with an 18-year-old female decoy, MNO. MNO went inside and purchased alcohol and a pack of cigarettes with the money that was given to her for the compliance checks. N. Matlon sold the alcohol and tobacco to MNO. Please see supplement.

Author Name: Imig

Do Not Show On Report: No

Officer (1)

REPORTING Officer: Imig, Aaron R (WPD00021) 12/30/2023 16:25:00

Car Number: 7W70