

Dear Mayor Mars,

My name is Michael Wilkie. I have been a citizen of Shakopee for the past 21 years and I am the current owner of Southbridge Liquor in Shakopee. I have had this business for 9 years. I am a proud business owner who has been an active member of our community through volunteering in schools, the hospital, youth athletics coaching and of course through the fundraisers and donations I do regularly through my business. This pride has found a partner in embarrassment and humility with a unintentional failed alcohol compliance check in October 2018 and a second fail in June 2019. Two within one year.

Since I opened my business 9 years ago we conduct regular training of employees with alcohol age compliance, intoxicated customers and fake identification. We actually have 2 convictions including one for buying for minors in the first year we were open. On average we turn away 2-3 people a month with either fake I.D. or who are actually under age. We also refuse sale to obviously intoxicated customers fairly regularly. I take responsible operations very seriously.

After the last compliance fail we implemented some changes. I added signage at the registers, had a large banner printed for the front door, added in-store training and required online TIPS.com training on carding customers and alcohol compliance at a cost of \$50 per employee, purchased updated software with ID scanning and date reminder at a cost of \$500 and finally created a store policy and employee agreement for alcohol compliance.

I accepted the leniency agreement offered by the City of Shakopee. Obviously I never expected another fail to happen knowing we had a one year probation and solid training in place. The first failure was a fantastic long term employee who DID card the customer but did the math wrong in her head despite a large sign with date and year info right next to her. This was unintentional human error. The second offense was purely careless but again unintentional. The employee said he thought the customer was a regular that he had seen before and that she looked like she was in her mid 20's. (Side note: it's no excuse but after reviewing the video 4 times I agreed that she didn't look anywhere close to being a minor.) In the end he still failed to card her and I own that. I support the police 100% and their efforts to keep the community safe.

I ponder what the goal of the punishment really is. Is it to cause embarrassment to the business owner and elevate the level of awareness and heighten the training efforts? If so that goal has been met. After the second offense I invested over \$900 total in signage, online training and software to improve awareness. I am totally committed to all of these things to reduce human error. My business has NEVER actually had an offense tied to actual underage purchase of alcohol. If the goal is financial punishment then the \$2000 fine certainly does that. I am a small business not a corporation and that kind of fine does hurt. Closing me for 6 days is significant. What is the process for this? I have asked the City Clerk and Deputy Clerk this question and received no reply. I'm not trying to get anyone in trouble. I just need to plan financially for this upcoming process. I hope it's not 6 consecutive days as that will affect my staff, vendors and most importantly the customers of this city. The loss of sales and profit in this scenario would add approximately \$2000 more in penalty for the business. It would also be detrimental

to orders and deliveries. However if the 6 days could be implemented across 6 consecutive Sundays I believe that would be much easier to absorb. (This is what happened with the most recent punishment in the SW Metro when MGM Prior Lake failed twice in a year. They were given 6 Mondays in a row as Sunday sales had not yet passed) If this is something that could be agreed upon ahead of time then it would save the City Council and myself the time and energy to have a hearing. I would also like to begin serving this punishment as soon as possible even though my employee doesn't have his court date until February 28th. I am accepting the civil responsibility that this happened and will not argue or contest any part of it. Can this be addressed through the City Council?

Again I want to reiterate my desire to be responsible and accept accountability for my business failure. I want to improve awareness and reduce human error. I've never been more embarrassed as a business owner. The stress it has caused me is significant. I am FULLY committed to doing everything in my power to assure another fail doesn't happen. As of today we have already gone 247 days without fail. I would also like the City Council to consider this as time served towards the one year probation as the 8 month wait for a court date was completely out of our hands and I would hope this successful timeframe would count for something. The date of the last fail was June 1, 2019. By the time my employee goes to court it will be 9 months.

As a small business operating in a low unemployment community it is hard to find good employees. It hurts me to lose them when they ARE great people and workers. As a result of my last compliance fail I lost a great employee. This is another form of loss for me. I'm asking for your understanding and leniency in determining how my punishment is handled. I love this city where I live and operate my business. The community is filled with amazing and supportive people. I am sorry for the mistakes that have been made and can't say it enough. I know I'm supported and appreciated for all I do for the community but more important I hope I can be forgiven for causing any feelings of lack of safety or for any inconvenience that resulting punishment may cause. I look forward to resolving this and re-establishing my previously impeccable reputation. I thank you once again for allowing me to reach out to you and appreciate whatever feedback you have at this time. Whatever the City Council decides will be respected.

Sincerely,

Michael Wilkie

Owner, Southbridge Liquor

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