



Roll Call Number

14-0303

Agenda Item Number

36

Date February 24, 2014

**APPROVING SETTLEMENT WITH CASEY'S #2641 LOCATED AT 2849 E. EUCLID AVE FOR SUSPENSION OF ITS LIQUOR LICENSE FOR 30 DAYS AND PAYMENT OF A \$1,500.00 PENALTY FOR A 2<sup>ND</sup> SALE OF ALCOHOLIC BEVERAGES TO A PERSON UNDER LEGAL AGE IN A TWO YEAR PERIOD**

WHEREAS, an employee of Casey's located at 2849 E. Euclid Ave. sold an alcoholic beverage to an under aged person at the place of business in violation of Iowa Code section 123.49(2)(h) on January 17, 2014 and plead guilty to the charge.

WHEREAS, this is the second conviction in a two year period for sale of an alcoholic beverage to a person under legal age for an employee at Casey's located at 2849 E. Euclid Ave.; The prior violation occurred on 8/31/2012.

WHEREAS, Casey's wishes to waive its right to hearing in this matter and settle by payment of the statutory civil penalty (\$1,500) and suspension (30 days) as is required by Iowa Code Section 123.50(3).

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the proposed settlement on file at the city clerk's office with Casey's for its store located at 2849 E. Euclid for payment of \$1,500.00 and a 30 day suspension of it liquor license no. BC0028975 be approved and reported to the State Alcoholic Beverages Division.

MOVED BY Hensley TO ADOPT.

FORM APPROVED:

Douglas P. Philip  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
VOSS	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin  
Mayor

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk