

MINUTES
CITY COUNCIL PUBLIC HEARINGS ON LIQUOR VIOLATIONS
October 4, 2005
5:30 P.M.
Council Chambers

MEMBERS PRESENT: Mayor Rietz. Council Members Jorgenson, D. Pacholl, Council Member-at-Large Christopherson, Nordin, McAlister, S. Pacholl, and Hecimovich.

MEMBERS ABSENT: None.

OTHERS PRESENT: City Administrator Jim Hurm. City Attorney David Hoversten. Chief Paul Philipp. Officer Travis Heickley.

A public hearing was held on liquor license violation – Francisca Alvarez dba El Palicio De La Cumbia.

First violation date was October 4, 2003. Second violation date was April 29, 2004. The third violation date was September 11, 2005.

Moved by Council Member Hecimovich, seconded by Council Member Scott Pacholl, moved that the City Council find Francisca Alvarez dba El Palicio De La Cumbia violated City Ordinance Section 5.12 September 11, 2005 by selling alcoholic beverages to a minor.

It was further moved that because this is Francisca Alvarez's third violation within two years, the presumptive penalty of \$1000 fine and seven business days' suspension under Section 5.99 be imposed.

It was further moved that the seven-business-day suspension be consecutive business days and be served no later than 30 days from the date of this Council's finding and that it be agreed upon between the violator and the Chief of Police. Further, that the \$1000 fine be paid no later than 10 business days from the date of finding by the Council.

It was further moved that the City Attorney be directed to prepare specific written findings relating to this violation.

A public hearing was held on liquor license violation – J.T.S. Inc. dba Hovland Sportts.

First violation date was April 22, 2004. Second violation date was September 11, 2005.

Moved by Council Member Hecimovich, seconded by Council Member Scott Pacholl, moved that the City Council find J.T.S. Inc. dba Hovland Sportts violated City Ordinance Section 5.12 September 11, 2005 by selling alcoholic beverages to a minor.

It was further moved that because this is J.T.S. Inc.'s second violation within two years, the presumptive penalty of \$750 fine and three business days' suspension under Section 5.99 be imposed.

It was further moved that the three-business-day suspension be consecutive business days and be served no later than 30 days from the date of this Council's finding and that it be agreed upon between the violator and the Chief of Police. Further, that the \$750 fine be paid no later than 10 business days from the date of finding by the Council.

It was further moved that the City Attorney be directed to prepare specific written findings relating to this violation.

A public hearing was held on liquor license violation – P. Island Inc. dba Paradise Island.

First violation date was May 1, 2004. Second violation date was September 11, 2005.

Council Member Nordin motioned to reduce the fine to \$500. Motion died for lack of a second.

Moved by Council Member Hecimovich, seconded by Council Member Scott Pacholl, moved that the City Council find P. Island Inc. dba Paradise Island violated City Ordinance Section 5.12 September 11, 2005 by selling alcoholic beverages to a minor.

It was further moved that because this is P. Island Inc.'s second violation within two years, the presumptive penalty of \$750 fine and three business days' suspension under Section 5.99 be imposed.

It was further moved that the three-business-day suspension be consecutive business days and be served no later than 30 days from the date of this Council's finding and that it be agreed upon between the violator and the Chief of Police. Further, that the \$750 fine be paid no later than 10 business days from the date of finding by the Council.

It was further moved that the City Attorney be directed to prepare specific written findings relating to this violation.

A public hearing was held on liquor license violation – The Ville of Austin Inc. dba The Ville.

First violation date was April 20, 2004. The second violation date was September 10, 2005.

Moved by Council Member-at-Large Christopherson, seconded by Council Member Scott Pacholl, moved that the City Council find The Ville of Austin Inc. dba The Ville violated City Ordinance Section 5.12 September 10, 2005 by selling alcoholic beverages to a minor.

It was further moved that because this is The Ville of Austin Inc.'s second violation within two years, the presumptive penalty of \$750 fine and three business days' suspension under Section 5.99 be imposed.

It was further moved that the three-business-day suspension be consecutive business days and be served no later than 30 days from the date of this Council's finding and that it be agreed upon between the violator and the Chief of Police. Further, that the \$750 fine be paid no later than 10 business days from the date of finding by the Council.

It was further moved that the City Attorney be directed to prepare specific written findings relating to this violation.

Moved by Council Member Nordin, seconded by Council Member Scott Pacholl, to adjourn. 7-0. Carried.

Adjourned: 6:24 pm

Approved: October 17, 2005

Mayor: _____

City Recorder: _____