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City of Saint Paul

Legislation Details (With Text)

File #:	RES 19-1454 **Version:** 1		
Type:	Resolution	**Status:**	Archived
		In control:	City Council
		Final action:	8/28/2019
Title:	Granting a stay in enforcement of RES 19-963 imposing a matrix penalty of a 10-day suspension and reducing the fine to $1,000 for JC & MTM, Inc., d/b/a Johnny Baby's at 981 University Avenue West. (To be withdrawn)		
Sponsors:	Dai Thao		
Indexes:			
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Attachments:	1. City Council.Skarda.Tierney ltr 8.21.2019, 2. Mayor City of St. Paul w.Writ 8.21.2019, 3. Email from Jeff 8-20-19, 4. Email to Jeff 8-5-19		

Date	Ver.	Action By	Action	Result
8/28/2019	1	City Council	Withdrawn	

Granting a stay in enforcement of RES 19-963 imposing a matrix penalty of a 10-day suspension and reducing the fine to $1,000 for JC & MTM, Inc., d/b/a Johnny Baby's at 981 University Avenue West. (To be withdrawn)

WHEREAS, On July 24, 2019, the Saint Paul City Council passed RES 19-963 which imposed a presumed matrix penalty under Saint Paul Legislative code §310.05 (m)(1)of 10 days and a reduced fine of $1,000 on JC& MTM Inc., d/b/a Johnny Baby's under ; and

WHEREAS, RES 19-963 was passed after Council held a public hearing during which both the licensee and his attorney testified; and

WHEREAS, the licensee admitted violating his license conditions; and made a request that he be given credit for the 10 days that he had previously shut down for; and

WHEREAS, after the public hearing was closed, Council discussed the matter and ordered by RES 19-963 that JC & MTM, Inc. d/b/a Johnny Baby's was to pay a reduced penalty of $1,000 on the condition that the they work with a business and/or retail association (such as the Minnesota Licensed Beverage Association) to put together training for the employees of licensed beverage retailers on proper wanding and security check techniques; and

WHEREAS, Council further ordered by RES 19-963 that the Liquor On Sale-101-180 seats; Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Gambling Location licenses held by JC & MTM, Inc. d/b/a Johnny Baby's was to be suspended for a period of ten (10) consecutive days and that the suspension was to be served within the next 30 days; and

WHEREAS, JC& MTM Inc., d/b/a Johnny Baby's has filed an appeal of that decision through a Writ of Certiorari from the Court of Appeals for the State of Minnesota; and

WHEREAS, JC& MTM Inc., d/b/a Johnny Baby's has requested a stay of RES 19-963 pending appeal; and

WHEREAS, under Minnesota Rule of Civil Appellate Procedure 108.01, the City Council has the power to

grant a stay of the enforcement of its order to serve the 10 day suspension and pay the reduced $1,000 matrix penalty; and

NOW THEREFORE, BE IT RESOLVED, that the Saint Paul City Council hereby grants a stay of enforcement of RES 19-963 during the appeal.