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Donald J. Fluegel *
Daniel J. Fluegel
Benjamin J. Colburn

To: Honorable Mayor and City Council Members

From: Daniel J. Fluegel, City Attorney 

Date: November 14, 2016

Item: Consider Action on Violation of Pawn Broker License – Old Mill Pawn
2324 Vermillion Street, Hastings

COUNCIL ACTION REQUESTED.

The City Council is requested to consider action and conduct a hearing on alleged violations of the pawn broker license of Old Mill Pawn for failing to pay monthly billable transaction fees in a timely manner.

BACKGROUND INFORMATION.

Robert Bohn of Old Mill Pawn shop located at 2324 Vermillion Street in the City of Hastings was issued and has held for many years a pawn brokers license under City code §110.11. City code requires in §110.11(E)(4) that billable transaction fees shall be billed monthly and are due and payable within 30 days. Failure to do so is a violation of City code. City code §110.11(S) provides in part, that a pawn broker license may be suspended or revoked for any failure by the licensee to comply with provisions of the City code. In addition, City code §110.11(E)(4) provides that the City Council, following notice and an opportunity for hearing, may impose a financial penalty of \$250.00 for fees past due up to thirty (30) days and may impose a financial penalty of an additional \$500.00 for fees past due more than thirty (30) days.

Old Mill Pawn failed to pay monthly transaction fees on time in 2012 and that violation had been brought before the City Council for action. Because Old Mill Pawn had paid all outstanding fees before the City Council took action, the City Council took no further action to suspend or revoke the pawn license but Old Mill Pawn was notified that any subsequent failure to pay fees in a timely manner would result in the matter being brought before the City Council for consideration of formal action, including suspension or revocation of the pawn license.

Old Mill Pawn was once again delinquent on payment of fees earlier this year and by letter dated June 29, 2016, the City notified Mr. Bohn of the delinquencies, that the ordinances required timely payment and that failure to make timely payment could result in a license suspension or revocation plus the imposition of the monetary penalties set forth above. Although some subsequent payments may have been made, all delinquent fees have not been paid in full as of

the date of this memo. By letter dated November 10, 2016, Mr. Bohn was notified that the outstanding monthly transaction fees for invoices issued by the City dated September 7, 2016 and October 5, 2016 remain past due and as a result, the matter is being referred to the City Council for action at the November 21, 2016 meeting which may include imposition of monetary penalties and suspension or revocation of the pawn broker license. A copy of that letter is attached hereto.

The City Council is therefore asked to conduct a hearing based on the foregoing violations and if, following the hearing, the City Council determines Old Mill Pawn has failed to pay monthly transaction fees in a timely manner, to impose sanctions that may include imposition of the monetary penalties allowed by the ordinance or suspension or revocation of the pawn broker license. At the hearing, the licensee must be given the right to address the City Council, to be represented by an attorney of his choosing, to present evidence by witness testimony or document exhibits, to cross examine any witnesses, and to have the proceedings transcribed at his cost. The hearing will be open to the public and the City will record any proceedings. I expect the licensee will effectively acknowledge the late payments but may want to address the City Council. We will need to conduct the hearing accordingly. Because of the history of failure to comply with the payment requirements, I am expecting the City Council may wish to suspend the pawn broker license for a number of days but certainly the City Council could take different action depending on what is learned at or before the hearing. To that end, however, I am providing a simple resolution that would document the violations and would allow the Council to impose a suspension of the pawn broker license for a specified number of days.

This process is somewhat similar to what is used for unlawful sales to minors under the liquor license ordinance but there are no presumptive penalties included in the pawn broker license ordinance. The City also does not have any other pawn broker licenses issued so we do not have a precedent established on what is an appropriate sanction in this situation. Therefore, the City Council will need to determine what it believes to be appropriate for a sanction based on the circumstances and history.

FINANCIAL IMPACT.

There should be no financial impact to the City other than to require monthly billable transaction fees be paid on time plus receipt of any monetary penalties that may be imposed.

ATTACHMENTS.

2012 Council Memo with Meeting Minutes;
June 29, 2016 letter to Robert Bohn ;
November 10, 2016 letter to Robert Bohn;
Invoice Summary;
Partially completed Resolution.

City of Hastings

City Council Memorandum

To: Mayor Hicks & City Councilmembers
From: Melanie Mesko Lee, Assistant City Administrator
Date: May 17, 2012
Item: Pawn Shop License: Overdue Transaction Fees and Possible Sanctions

Council Action Requested:

The City Council is requested to consider action and if deemed appropriate, conduct a hearing on alleged violations of the pawn broker license of Old Mill Pawn for failing to pay monthly billable transaction fees in a timely manner.

Background Information:

Robert Bohn of Old Mill Pawn shop located at 2324 Vermillion Street in the City of Hastings was issued and has held for many years a pawn brokers license under City code §110.11. City code requires in §110.11(E)(4) that billable transaction fees shall be billed monthly and are due and payable within 30 days. Failure to do so is a violation of City code. City code §110.11(S) provides in part, that a pawn broker license may be suspended or revoked for any failure by the licensee to comply with provisions of the City code.

Monthly transaction fees for the months of December 2011, and January, February, and March 2012 have been billed to Old Mill Pawn by invoice. For each bill, it was noted that payment is due within 30 days; late fees have been applied to each month's fees in accordance to City policy.

Description	Billing Date	Amount	Due Date	Outstanding Balance
Dec 2011 transaction fees	02/22/2012	\$98.55	03/22/2012	\$98.55*
Jan 2012 transaction fees	03/22/2012	\$79.65	04/21/2012	\$178.20*
Late Fee: Dec 2011 transaction fees	03/26/2012	\$9.86	04/25/2012	\$188.06*
Feb 2012 transaction fees	04/04/2012	\$68.85	05/04/2012	\$256.91*
Late Fee: Jan 2012 transaction fees	04/24/2012	\$7.96	05/24/2012	\$264.87
Mar 2012 transaction fees	05/09/2012	\$108.00	06/08/2012	\$372.87
Late Fee: Feb 2012 transaction fees	05/10/2012	\$6.89	06/09/2012	\$379.76

*Delinquent billings: \$256.91
 Total outstanding bills: \$379.76

It is possible the monthly transaction fees will be paid prior to the City Council meeting. A copy of the May 15, 2012 letter sent to Mr. Robert Bohn on behalf of Old Mill Pawn shop is attached to the materials.

Generally, if the City Council is inclined to take any action against this pawn broker license, the licensee must be first provided an opportunity to request a hearing before the City Council. This is somewhat similar to the hearings provided when there is a violation of a liquor license, but with some differences. At the hearing, the licensee must be given the right to address the City Council, to be represented by an attorney of their choosing, to present evidence by witness testimony or document exhibits, to cross-examine any witnesses, and to have the proceedings transcribed at their cost. The hearing will be open to the public and the City will record any proceedings.

Because the City Council has not been asked to take action regarding a business license in a similar situation in the past, it is difficult for staff to make a recommendation as to the appropriate outcome or sanction. Unlike sanctions related to a liquor license violation, any sanction regarding the license in this matter would need to be limited to a suspension or revocation of the license, but City ordinances do not expressly authorize imposition of a monetary penalty.

From City staff perspective, perhaps the most important goal is to ensure the licensee makes all future payments in a timely manner as required by the ordinance without unnecessary staff time needed to collect those fees. To accomplish that goal, City Council could consider:

- A brief suspension of the pawn broker license;
- A suspension of the license but with the effectiveness stayed upon certain conditions including timely payment for a specified time frame;
- Other action as deemed appropriate; and/or
- Possibly just a firm conversation with the licensee making clear that any future delinquent payments will likely result in a significant license suspension.

I am enclosing with this memorandum a partially completed resolution that could be used by the Council to establish the necessary findings and to impose some sanction if a violation is found to have occurred.

Financial Impact:

There should be no financial impact to the City other than to require monthly billable transaction fees be paid on time.

Advisory Commission Discussion:

N/A

Council Committee Discussion:

N/A

Attachments:

- May 15, 2012 letter to Robert Bohn of Old Mill Pawn Shop
- Partially completed Resolution
- 2011/2012 Pawn License Application Paperwork

CITY OF HASTINGS

CITY HALL
101 4th Street East
Hastings, MN 55033

p. 651.480.2350
f. 651.437.7082
www.ci.hastings.mn.us

Administration
Building Safety Ext. 342
Communications Ext. 344
Community Development
Finance

POLICE DEPARTMENT
150 3rd Street East
651.480.2300

FIRE DEPARTMENT
115 5th Street West
651.480.6150

**DEPARTMENT OF
PUBLIC WORKS**
1225 Progress Drive

OPERATIONS
651.480.6185

ENGINEERING
651.480.2334

**DEPARTMENT OF
PARKS & RECREATION**
920 10th Street West
651.480.6175

May 15, 2012

Mr. Robert Bohn
Old Mill Pawn Shop
2324 Vermillion Street
Hastings, MN 55033

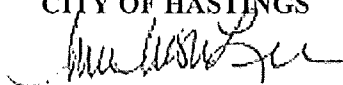
Re: Pawn Shop License: Overdue Transaction Fees and Possible Sanctions

Dear Mr. Bohn:

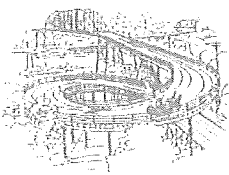
To remain in compliance with a pawn shop license issued by the City of Hastings, payment of monthly transaction fees within 30 days of the bill is required. Unfortunately, you continue to fail to pay the monthly fees in a timely manner. At this point, there is currently \$264.87 in outstanding monthly transaction fees. This reflects monthly transaction fees from February 2012. Attempts to contact you directly, including conversations from Investigator Katie Booth, phone calls to both Old Mill Pawn as well as your home, to remedy these charges have been unsuccessful.

Accordingly, this item will be placed on the agenda for the May 21, 2012 City Council meeting for action, which may include suspension or revocation of your pawn broker license for failure to pay billable transaction fees within 30 days as required by City Code 110.11: Pawn Brokers. While this item will be placed on the agenda irrespective of any payments received, I would strongly encourage you to make any outstanding payments immediately. At the hearing, you will have the right to address the City Council, to be represented by an attorney if you wish, to present evidence by witness testimony or document exhibits, to cross-examine any witnesses, and to have the proceedings transcribed at your costs. The hearing will be open to the public.

Sincerely,
CITY OF HASTINGS


Melanie Mesko Lee
Assistant City Administrator

Cc: Dan Fluegel, City Attorney
Paul Schnell, Chief of Police



**Hastings, Minnesota
City Council Minutes
May 21, 2012**

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, May 21, 2012 at 7:00 PM in the Council Chambers at the Hastings City Hall, 101 East 4th Street, Hastings, Minnesota

Members Present: Mayor Hicks, Councilmembers Alongi, Hollenbeck, Nelson, Schultz, and Slavik.
Councilmember Balsanek arrived at 7:25 p.m.

Staff Present: City Administrator Dave Osberg
City Attorney Dan Fluegel
Assistant City Administrator Melanie Mesko Lee
Community Development Director John Hinzman
Police Chief Paul Schnell
Public Works Director Tom Montgomery
Park and Recreation Director Barry Bernstein

Approval of Minutes

Mayor Hicks asked if there were any additions or corrections to the minutes of the regular City Council Meeting on May 7, 2012. Hearing none, the minutes were approved as presented.

Presentation – Heritage Preservation Commission Awards

Sara Wittgenstein of the HPC announced awards to the following:
106 River Street – Charles Egebert and Joan Egebert-Cailler
214 West 3rd Street – James and Margaret Hanson
538 West 7th Street – Llewellyn Linde
920 Vermillion Street – David Maynard and Kathy Porter-Maynard
312 East 5th Street – Willard and Annella Whipple
111 East 2nd Street – Rachel and Jake Marthaler

The Mayor and Council thanked the property owners for their investment in the community.

Consent Agenda

Moved by Councilmember Schultz, seconded by Councilmember Nelson to approve the Consent Agenda as amended.

6 Ayes; Nays, None.

1. Pay Bills as Audited
2. Resolution 05-11-12—Accept Donation of \$27.91 from Angela Lee & an Anonymous Donor to the City Parks & Recreation Department
3. Approve Park Variance for Jaycees Overnight Camping at Lake Rebecca On June 2, 2012
4. Authorize Signature—Dakota County Joint Powers Agreement: GIS Maintenance
5. Resolution 05-12-12—Accept Donation of \$100.00 from Intek Plastics to the Hastings Police Reserve Unit
6. Resolution 05-13-12—Approve Massage License for Shannon Marie Koch
7. Resolution 05-14-12—Approve Fireworks License for Cub Foods
8. Resolution 05-15-12—Approve SEAS Fall Festival 2-Day Temporary Liquor and Gambling Permits for September 15 and 16, 2012

9. First Reading/Order Public Hearing—Ordinance Amendment Relating to Chapter 110 Section 110.09; Billiards and Pool
10. First Reading/Order Public Hearing—Ordinance Amendment Relating to Fees: Civic Arena
11. Award Contract—2012 Cul-De-Sac Program
12. Award Contract—2012 Crack Seal Program

Award Contract—Resolution 05-16-12 Vermillion Trail & Underpass Connection

Montgomery introduced the item and recommended conditional award to Blackstone Contractors, LLC in the amount of \$489,205.15. The project will be \$23,000 over funding, including contingencies. Suggestion was given to not charging for City staff time estimated at \$24,000.00, which will result in revenue loss.

Moved by Councilmember Schultz, seconded by Councilmember Slavik to award contract as presented.

6 Ayes; Nays, None.

Award Contract—Resolution 05-17-12 2012 Seal Coat Program

Montgomery introduced the item and recommended award to Allied Blacktop Company in the amount of \$279,313.80.

Moved by Councilmember Hollenbeck, seconded by Councilmember Nelson to award contract as presented.

6 Ayes; Nays, None.

Award Contract—2012 Trail Crack Sealing and Surface Treatment Program

Bernstein introduced the item and recommended award to Minnesota Asphalt Maintenance in the amount of \$29,715.18.

Moved by Councilmember Nelson, seconded by Councilmember Alongi to award contract as presented.

6 Ayes; Nays, None.

Councilmember Balsanek arrived at 7:25 p.m.

Resolution 05-18-12—Accept Easement and approve Agreement: County Road 46 Trail Over Bauer Property

Montgomery introduced the item explaining the 11 acres abutting the Vermillion River are a donation by the Bauer and Sieben Families with the following conditions: 20 foot wide permanent easement; City needs to maintain wooded property including mowing one time per year and remove dead/diseased trees; the trail is to be closed in the winter from December 15 to March 15 and with one inch of snow; and reimbursement to property owners for related legal fees with a cap of \$25,000.00. Clearing cost is \$35,000.00 which is included in bid. If City doesn't full fill its' agreement, there is a take back provision after 20 years.

Moved by Councilmember Alongi, seconded by Councilmember Schultz to approve as presented.

7 Ayes; Nays, None.

Resolution 05-19-12—Authorize Purchase of Schmitt Easement for County Road 46 Trail

Montgomery introduced the item stating the City has negotiated with the Schmitt Family to purchase at assessor's value a 50 foot wide strip on the East side of County Road 47 to the Right of Way, North to the Bauer/Sieben Property along the Vermillion River.

Moved by Councilmember Schultz, seconded by Councilmember Slavik to approve as presented.

7 Ayes; Nays, None.

Resolution 05-20-12—Deny Variance #2012-15: Sideyard Setback at 209 West 7th Street (McCoy)

Hinzman introduced the item noting that the applicant has amended the request since last meeting. There was discussion about the revised plan, impact on the existing maple tree; and setback requirements. Staff created a plan with same size addition proposed by applicant, but reconfigured without needing a variance. Rita Dahl submitted a letter requesting that the variance denial be supported.

Andy McCoy stated that he has made some changes to the proposal; he does not feel that the revised plan proposed by staff is practical, due to utilities. .

Moved by Councilmember Alongi, seconded by Councilmember Balsanek to remove the item from the table.

7 Ayes; Nays, None.

There was discussion about impact of zoning ordinances, and HPC guidelines. There was additional discussion about definition of hardship.

Moved by Councilmember Hollenbeck, seconded by Mayor Hicks to deny the variance as recommended.

Roll Call vote was taken.

5 Ayes; Nays, two. Councilmembers Alongi and Balsanek voting against.

Variance denied.

Hudson Manufacturing Demotion—1974 Addition

Hinzman introduced the item and noted that demolition costs and much of the environmental analysis will be paid through grant funds. It is expected that the demolition will be completed by Fall 2012.

Moved by Councilmember Nelson, seconded by Councilmember Alongi supporting the action.

7 Ayes; Nays, None.

Pawn Shop License—Overdue Transaction Fess and Possible Sanctions

Mayor Hicks noted that the licensee had brought in a check for the delinquent fees prior to the start of the meeting. The licensee was not in attendance at the meeting.

Moved by Councilmember Schultz, seconded by Councilmember Alongi to accept the payment and note that any future delinquencies will be brought immediately before the Council for consideration of formal action.

7 Ayes; Nays, None.

Reports from City Committees, Officers, Councilmembers:

- Slavik recently attended a DCC meeting where the 2013 budget was approved.
- Monday May 28 City offices will be closed in observation of Memorial Day
- The public is invited to attend the Memorial Day celebration at Roadside Park at 10 a.m. on May 28
- Tuesday, May 29 at 7:30 a.m. in Volunteer Room—Joint Powers
- Tuesday May 29 at 7:00 p.m. in Council Chambers—Planning Commission
- Tuesday, May 29 at 7:30 a.m. in Volunteer Room—Joint Powers
- Monday, June 4 at 6:00 p.m. in Volunteer Room—Finance Committee
- Monday, June 4 at 7:00 p.m. in Council Chambers—City Council Meeting

Adjournment:

Moved by Councilmember Balsanek, seconded by Councilmember Nelson to adjourn meeting at 8:48 p.m.

Paul J. Hicks, Mayor

Melanie Mesko Lee, City Clerk

DRAFT

City of Hastings
Pawn Broker License Renewal Application
2011/2012

The following information, for a pawn broker license renewal for the period of July 1—
June 30 must be filled out completely and accurately. Omissions and/or misinformation
may result in denial or revocation of license.

Type of License Renewal Requested:

Pawnbroker Precious Metal Dealer

Business Name: OLD MILL PAWN

Business Address: 2324 Vermillion ST

Business Phone Number: 651-438-9224

Business Contact: Robert Bohn

If you answer YES to any of the following questions, you must explain in detail below.

1. Has corporate structure, ownership, or management changed since last application submitted?
 YES NO

2. Has operating officer or employee in charge of licensed activity changed since last application submitted?
 YES NO

3. Have there been any changes in persons or groups holding financial interests in building, business, furniture, or stock since last application submitted?
 YES NO

4. Are there any plans currently pending or anticipated for the sale or transfer of the premises or business for which license is applied?
 YES NO

I hereby certify that all real estate taxes, assessments, or other financial claims of City, State, or Federal government have been paid to date. I hereby certify that all statements made in this renewal application are true and complete and understand that any misinformation or omission of material facts may result in denial or revocation of license.

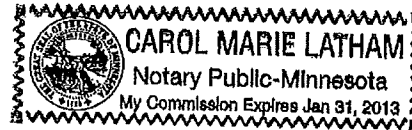
Date: 6-10-11

Printed Name Robert T Bohn
Signature: [Handwritten Signature]

NOATRY:

Subscribed and sworn to ^{me} ~~be~~ this 10th day of June, 2011.

Seal: Notary Signature: Carol Marie Latham





June 29, 2016

Mr. Robert Bohn
2324 Vermillion Street
Hastings, MN 55033

Re: Pawn Shop License: Transaction and License Fees and Possible Sanctions

Dear Mr. Bohn:

To remain in compliance with a pawn shop license issued by the City of Hastings, payment of monthly transactions fees within 30 days of the bill is required. For the past 11 months your transactions fees have not been paid timely.

Description	Billing Date	Amount	Due Date	Paid Date
APS April	7/1/2015	95.85	7/31/2015	1/29/2016
APS May	7/29/2015	112.05	8/28/2015	1/29/2016
APS June and July	9/2/2015	225.45	11/6/2015	1/29/2016
APS August	11/4/2015	106.65	12/4/2015	1/29/2016
APS Oct/Nov/Dec	1/27/2016	261.90	2/26/2016	
APS Jan/Feb/March	5/25/2016	263.25	6/24/2016	6/24/2016

In 2012 the City Council adopted a change to Ordinance 110.11 Pawn Brokers in response to fees not being paid timely. It reads, in part, as follows:

(4) Billable transaction fees shall be billed monthly and are due and payable within 30 days. Failure to pay billable transaction fees when due is a violation of this section and will result in the following monetary penalties in addition to any license suspension or revocation imposed by the City Council following notice and an opportunity for hearing:

- (a) Fees past due up to thirty (30) days shall result in a \$250 penalty.
- (b) Fees past due more than thirty (30) days shall result in an additional \$500 penalty.

Please be advised that going forward untimely payment will result in the above penalties being applied to your account and additional City Council action regarding your Pawn Broker license may follow. I encourage you to make payments in a timely manner.

Sincerely,
CITY OF HASTINGS

Julie Flaten
Administrative Services Director



November 10, 2016

Mr. Robert Bohn
Old Mill Pawn Shop
2324 Vermillion Street
Hastings, MN 55033

Re: Pawn Shop License: Overdue Transaction Fees and Possible Sanctions

Dear Mr. Bohn:

As you have been notified in the past including by my prior letter to you dated June 29, 2016, to remain in compliance with your pawn shop license issued by the City of Hastings, payment of monthly transaction fees within 30 days of the invoice date is required. Unfortunately, you continue to fail to pay these monthly fees in a timely manner. At this time, there are outstanding monthly transaction fees for invoices issued by the City to you dated September 7, 2016 and October 5, 2016 which are past due. This is an ongoing problem and the City's attempts to work with you to remedy these delinquent payments have been unsuccessful.

Accordingly, this item will be placed on the agenda for the November 21, 2016 City Council meeting for action, which may include imposition of monetary penalties and suspension or revocation of your pawn broker license for failure to pay billable transaction fees within 30 days as required by City Code 110.11: Pawn Brokers. The hearing will occur in the City Council Chambers, Hastings City Hall, 101 East 4th Street, Hastings, MN 55033. You are required to attend this hearing and if you fail to appear sanctions may be imposed in your absence. While this item will be placed on the agenda irrespective of any payments received, I would strongly encourage you to make any outstanding payments immediately.

At the hearing, you will have the right to address the City Council, to be represented by an attorney if you wish, to present evidence by witness testimony or document exhibits, to cross-examine any witnesses, and to have the proceedings transcribed at your costs. The hearing will be open to the public.

Sincerely,
CITY OF HASTINGS

Julie Flaten
Administrative Services Director

Cc: Dan Fluegel, City Attorney
Melanie Mesko Lee, City Administrator
Bryan Schafer, Chief of Police

Kayla S. Kimmes

From: Daniel J. Fluegel
 Sent: Tuesday, November 15, 2016 1:38 PM
 To: Kayla S. Kimmes
 Subject: FW: Old Mill Pawn
 Attachments: 06.29.2016 Old Mill Pawn Shop Letter.docx

Invoices for monthly pawn charges dates September 7 and October 5th are past due— see detail below.

Customer Set: 1-CITY OF HASTINGS Name: OLD MILL PAWN
 Customer: 00412 Next Customer: #

General | Profile | Financial | Information | Comments | History

Filter: Unpaid Items Only, Item Date Range: 09/07/2016 to 99999999
 Pending Activity: 0.00 Balance: 1,230.65

Drag a column to add it here to group by that column

Item Date	Due Date	Packet	Type	Receipt #	ID	Description	Tax	Gross	Item Balance
11/09/16	12/08/16	04145	INV		201611076...	LATE PENALTIES	0.00	750.00	750.00
11/02/16	12/02/16	04139	INV		201611026...	APS - SEPT (56)	0.00	75.60	75.60
10/10/16	11/09/16	04110	INV		201610106...	LATE FEE - JULY...	0.00	250.00	250.00
10/05/16	11/04/16	04105	INV		201610056...	APS (59) AUGUST	0.00	79.65	79.65
09/07/16	10/07/16	04075	INV		201609056...	APS (56) - JULY	0.00	75.60	75.60

**CITY OF HASTINGS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 11-21-2016-_____

**A RESOLUTION MAKING FINDINGS, CONCLUSION AND DECISION IMPOSING
LICENSE SANCTIONS UPON ROBERT BOHN AND OLD MILL PAWN SHOP**

BE IT RESOLVED, by the City Council of the City of Hastings, Minnesota, as follows:

WHEREAS, a hearing was held by the City Council pursuant to Hastings City Code Section 110.11 on November 21, 2016 at which testimony and written evidence were received; and

WHEREAS, Robert Bohn was afforded the opportunity to participate in the hearing on behalf of himself and Old Mill Pawn Shop as pawn broker licensee.

NOW, THEREFORE, based upon the evidence and testimony the City Council of the City of Hastings, makes the following:

FINDINGS

1. Robert Bohn, d/b/a Old Mill Pawn Shop (herein "Old Mill Pawn"), 2324 Vermillion Street, Hastings, Minnesota, holds a pawn broker license issued by the City of Hastings.
2. City Code Section 110.11(E)(4) provides that pawn broker billable transaction fees shall be billed monthly and are due and payable within 30-days and failure to do so is a violation of the City Code.
3. On September 7, 2016, the City of Hastings issued an invoice to Old Mill Pawn for monthly transaction fees due for the month of July 2016 in the amount of \$75.60. Those fees were due to be paid by October 7, 2016.
4. On October 5, 2016, the City of Hastings issued an invoice to Old Mill Pawn for monthly transaction fees due for the month of August 2016 in the amount of \$79.65. Those fees were due to be paid by November 4, 2016.
5. As of November 14, 2016, Old Mill Pawn had not paid the monthly transaction fees as set forth above for July and August of 2016.
6. Old Mill Pawn did not pay the foregoing monthly transaction fees within 30-days after Old Mill Pawn was invoiced for those fees.

CONCLUSIONS

Old Mill Pawn failed to pay the entire monthly transaction fees for July and August of 2016 within 30-days from the dates of receipts of the invoices for those fees in violation of City Code Section 110.11(E)(4).

ORDER

IT IS HEREBY ORDERED, pursuant to City Code Section 110.11(S) that Robert Bohn d/b/a Old Mill Pawn Shop is subject to the following sanctions:

- (1) A suspension of the pawn broker license of Old Mill Pawn for ____ days beginning at 12:01 a.m. on _____.

Failure to comply with this order will subject the licensee to further sanctions including potential revocation of the pawn broker license.

By order of the City Council of the City of Hastings, Minnesota, on November 21, 2016.

Paul J. Hicks, Mayor

ATTEST:

Julie Flaten, City Clerk