

BEFORE THE MUSCATINE CITY COUNCIL

In RE:	No. MUSTA0070940
Nash Finch Company 850 76 <sup>th</sup> St. SW Byron Center, MI 49315, Permit Holder	ORDER ACCEPTING ACKNOWLEDGMENT/SETTLEMENT AGREEMENT—SECOND VIOLATION
Nash Finch Company d/b/a Wholesale Food Outlet # 312 807 Grandview Ave. Muscatine, IA 52761, Retailer	

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, the Muscatine City Council has before it an Acknowledgment/Settlement Agreement signed by the above-captioned permit holder. The City FINDS that the permit holder acknowledged in the Agreement that a second violation of Iowa Code section 453A.2 occurred within a two-year time period, the most recent of which occurred on November 30, 2016, and that the mandatory sanction for this second violation is a \$1500.00 civil penalty or a 30-day suspension of the cigarette permit. The permit holder has chosen the civil penalty and has submitted a check in the amount of \$1500.00 with the Agreement.

IT IS THEREFORE ORDERED that the Acknowledgement/Settlement Agreement be approved. This sanction is consistent with Iowa Code section 453A.22(2)(b) for a first violation of Iowa Code section 453A.2(1).

\_\_\_\_\_  
Mayor

BEFORE THE MUSCATINE CITY COUNCIL

In RE: Nash Finch Company 850 76 <sup>th</sup> St. SW Byron Center, MI 49315, Permit Holder	No. MUSTA0070940
Nash Finch Company d/b/a Wholesale Food Outlet # 312 807 Grandview Ave. Muscatine, IA 52761, Retailer	ACKNOWLEDGMENT/SETTLEMENT AGREEMENT

1. The undersigned hereby knowingly and voluntarily acknowledge the following:
  - a. Retailer and Permit Holder have received the Complaint in the above case.
  - b. The facts and allegations contained in the Complaint, attached hereto and incorporated herein by reference, are true and correct.
  - c. Permit Holder has the right to a hearing and voluntarily waives same and submits to the statutory penalties prescribed by Iowa law.
  - d. Eric Alexander Patino, an employee of Nash Finch Company, d/b/a Wholesale Food Outlet # 312, sold tobacco to a minor on November 30, 2016, in violation of Iowa Code section 453A.2.
  - e. The violation noted in paragraph "d" herein, will count as an official second violation of Iowa Code section 453A.2 pursuant to Iowa Code section 453A.22.
2. To settle the above-referenced Complaint (check one):  
 enclosed with this Acknowledgement/Settlement Agreement is a check in the amount of \$1500.00 made payable to City of Muscatine; or  
 acknowledgement of a thirty-day suspension beginning on the date that will be specified in the official order received from the City of Muscatine.
3. Permit Holder acknowledges that in order to conclude this matter the mayor must approve this settlement agreement.

Nash-Finch Company  
\_\_\_\_\_  
Permit Holder

Kathleen M. Mahoney  
\_\_\_\_\_  
printed name of signator

2/9/2017  
\_\_\_\_\_  
Date

NOTE: This must be signed by an individual cigarette permittee, or in the case of another business entity, by the individual(s) who has (have) authority to bind the entity. If you decide to sign and date this Acknowledgment/Settlement Agreement and waive your appearance at a hearing, this document, properly signed and dated as well as a check in the amount \$1500.00 made payable to City of Muscatine should be returned to: Assistant County Attorney Dan Williamson, 420 E. Third St., Muscatine, IA 52761.

BEFORE THE MUSCATINE CITY COUNCIL

In RE:	No. STA0070530
Kum & Go LC 6400 Westown Parkway West Des Moines, IA 50266, Permit Holder	ORDER ACCEPTING ACKNOWLEDGMENT/SETTLEMENT AGREEMENT—SECOND VIOLATION
Kum & Go LC d/b/a Kum & Go # 436 501 Cedar St. Muscatine, IA 52761, Retailer	

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, the Muscatine City Council has before it an Acknowledgment/Settlement Agreement signed by the above-captioned permit holder. The City FINDS that the permit holder acknowledged in the Agreement that a second violation of Iowa Code section 453A.2 occurred within a two-year time period, the most recent of which occurred on November 9, 2016, and that the mandatory sanction for this second violation is a \$1500.00 civil penalty or a 30-day suspension of the cigarette permit. The permit holder has chosen the civil penalty and has submitted a check in the amount of \$1500.00 with the Agreement.

IT IS THEREFORE ORDERED that the Acknowledgement/Settlement Agreement be approved. This sanction is consistent with Iowa Code section 453A.22(2)(b) for a first violation of Iowa Code section 453A.2(1).

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Mayor

BEFORE THE MUSCATINE CITY COUNCIL

In RE: Kum & Go LC 6400 Westown Parkway West Des Moines, IA 50266, Permit Holder	No. STA0070530
Kum & Go LC d/b/a Kum & Go # 436 501 Cedar St. Muscatine, IA 52761, Retailer	ACKNOWLEDGMENT/SETTLEMENT AGREEMENT

1. The undersigned hereby knowingly and voluntarily acknowledge the following:
  - a. Retailer and Permit Holder have received the Complaint in the above case.
  - b. The facts and allegations contained in the Complaint, attached hereto and incorporated herein by reference, are true and correct.
  - c. Permit Holder has the right to a hearing and voluntarily waives same and submits to the statutory penalties prescribed by Iowa law.
  - d. Chloe Jessica Jo Steinke, an employee of Kum & Go LC, d/b/a Kum & Go # 436, sold tobacco to a minor on November 9, 2016, in violation of Iowa Code section 453A.2.
  - e. The violation noted in paragraph "d" herein, will count as an official second violation of Iowa Code section 453A.2 pursuant to Iowa Code section 453A.22.

2. To settle the above-referenced Complaint (check one):

enclosed with this Acknowledgement/Settlement Agreement is a check in the amount of \$1500.00 made payable to City of Muscatine; or  
 acknowledgement of a thirty-day suspension beginning on the date that will be specified in the official order received from the City of Muscatine.

3. Permit Holder acknowledges that in order to conclude this matter the mayor must approve this settlement agreement.

*Jaclyn S. Scatena*  
Kum & Go, L.C. dba Kum & Go 436  
Permit Holder

*Jaclyn S. Scatena*  
printed name of signator

2/10/17  
Date

NOTE: This must be signed by an individual cigarette permittee, or in the case of another business entity, by the individual(s) who has (have) authority to bind the entity. If you decide to sign and date this Acknowledgment/Settlement Agreement and waive your appearance at a hearing, this document, properly signed and dated as well as a check in the amount \$1500.00 made payable to City of Muscatine should be returned to: Assistant County Attorney Dan Williamson, 420 E. Third St., Muscatine, IA 52761.

BEFORE THE MUSCATINE CITY COUNCIL

In RE:	No. MUSTA0070942
DJMB Enterprises 2201 Houser St. Muscatine, IA 52761, Permit Holder	ORDER ACCEPTING ACKNOWLEDGMENT/SETTLEMENT AGREEMENT—FIRST VIOLATION
DJMB Enterprises d/b/a West Side Store 2201 Houser St. Muscatine, IA 52761, Retailer	

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, the Muscatine City Council has before it an Acknowledgment/Settlement Agreement signed by the above-captioned permit holder. The City FINDS that the permit holder acknowledged in the Agreement that a first violation of Iowa Code section 453A.2 occurred on November 30, 2016, and that the mandatory sanction for this violation is a \$300.00 civil penalty. The permit holder has submitted a check in the amount of \$300.00 with the Agreement.

IT IS THEREFORE ORDERED that the Acknowledgement/Settlement Agreement be approved. This sanction is consistent with Iowa Code section 453A.22(2)(a) for a first violation of Iowa Code section 453A.2(1).

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Mayor

BEFORE THE MUSCATINE CITY COUNCIL

In RE: DJMB Enterprises 2201 Houser St. Muscatine, IA 52761,	No. MUSTA0070942
Permit Holder	ACKNOWLEDGMENT/SETTLEMENT AGREEMENT
DJMB Enterprises d/b/a West Side Store 2201 Houser St. Muscatine, IA 52761, Retailer	

1. The undersigned hereby knowingly and voluntarily acknowledge the following:
  - a. Retailer and Permit Holder have received the Complaint in the above case.
  - b. The facts and allegations contained in the Complaint, attached hereto and incorporated herein by reference, are true and correct.
  - c. Permit Holder has the right to a hearing and voluntarily waives same and submits to the statutory penalties prescribed by Iowa law.
  - d. Trisha Lynn Sloan, an employee of DJMB Enterprises d/b/a West Side Store, sold tobacco to a minor on November 30, 2016, in violation of Iowa Code section 453A.2.
  - e. The violation noted in paragraph "d" herein, will count as an official first violation of Iowa Code section 453A.2 pursuant to Iowa Code section 453A.22.
2. Enclosed with this Acknowledgment/Settlement Agreement is a check in the amount of \$300.00 made payable to City of Muscatine to settle the above-referenced Complaint.
3. Permit Holder acknowledges that in order to conclude this matter the mayor must approve this settlement agreement.

DJMB ENTERPRISES  
Permit Holder  
2-19-17  
Date

BRIAN MUSSEHL  
printed name of signator

NOTE: This must be signed by an individual cigarette permittee, or in the case of another business entity, by the individual(s) who has (have) authority to bind the entity. If you decide to sign and date this Acknowledgment/Settlement Agreement and waive your appearance at a hearing, this document, properly signed and dated as well as a check in the amount \$300.00 made payable to City of Muscatine should be returned to: Assistant County Attorney Dan Williamson  
Muscatine County Attorney's Office  
420 E. Third St., Muscatine, IA 52761

and the upper and lower extremities. The patient has been unable to walk for the past 10 days, and has been confined to bed. He has been unable to urinate for the past 2 days, and has been incontinent of stool for the past 3 days.

He has been unable to eat for the past 2 days, and has been receiving parenteral nutrition. He has been receiving parenteral fluids for the past 2 days.

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BEFORE THE MUSCATINE CITY COUNCIL

In RE:	No. MUSTA0070943
Casey's Marketing Company P.O. Box 3001 Ankeny, IA 50021, Permit Holder	ORDER ACCEPTING ACKNOWLEDGMENT/SETTLEMENT AGREEMENT—FIRST VIOLATION
Casey's Marketing Company d/b/a Casey's General Store #2906 3509 Steamboat Way Muscatine, IA 52761, Retailer	

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, the Muscatine City Council has before it an Acknowledgment/Settlement Agreement signed by the above-captioned permit holder. The City FINDS that the permit holder acknowledged in the Agreement that a first violation of Iowa Code section 453A.2 occurred on November 30, 2016, and that the mandatory sanction for this violation is a \$300.00 civil penalty. The permit holder has submitted a check in the amount of \$300.00 with the Agreement.

IT IS THEREFORE ORDERED that the Acknowledgement/Settlement Agreement be approved. This sanction is consistent with Iowa Code section 453A.22(2)(a) for a first violation of Iowa Code section 453A.2(1).

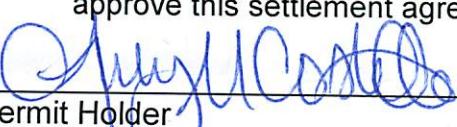
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Mayor

BEFORE THE MUSCATINE CITY COUNCIL

In RE: Casey's Marketing Company P.O. Box 3001 Ankeny, IA 50021, Permit Holder	No. MUSTA0070943
Casey's Marketing Company d/b/a Casey's General Store #2906 3509 Steamboat Way Muscatine, IA 52761, Retailer	ACKNOWLEDGMENT/SETTLEMENT AGREEMENT

1. The undersigned hereby knowingly and voluntarily acknowledge the following:
  - a. Retailer and Permit Holder have received the Complaint in the above case.
  - b. The facts and allegations contained in the Complaint, attached hereto and incorporated herein by reference, are true and correct.
  - c. Permit Holder has the right to a hearing and voluntarily waives same and submits to the statutory penalties prescribed by Iowa law.
  - d. Marissa Aurora Castillo, an employee of Casey's Marketing Co. d/b/a Casey's General Store #2906, sold tobacco to a minor on November 30, 2016, in violation of Iowa Code section 453A.2.
  - e. The violation noted in paragraph "d" herein, will count as an official first violation of Iowa Code section 453A.2 pursuant to Iowa Code section 453A.22.
2. Enclosed with this Acknowledgment/Settlement Agreement is a check in the amount of \$300.00 made payable to City of Muscatine to settle the above-referenced Complaint.
3. Permit Holder acknowledges that in order to conclude this matter the mayor must approve this settlement agreement.

  
\_\_\_\_\_  
Permit Holder

February 16, 2017  
\_\_\_\_\_  
Date

Amy M. Costello, Legal Counsel  
\_\_\_\_\_  
printed name of signator

NOTE: This must be signed by an individual cigarette permittee, or in the case of another business entity, by the individual(s) who has (have) authority to bind the entity. If you decide to sign and date this Acknowledgment/Settlement Agreement and waive your appearance at a hearing, this document, properly signed and dated as well as a check in the amount \$300.00 made payable to City of Muscatine should be returned to: Assistant County Attorney Dan Williamson  
Muscatine County Attorney's Office  
420 E. Third St., Muscatine, IA 52761

BEFORE THE MUSCATINE CITY COUNCIL

In RE:	No. MUSTA0070939
Hyink's Standard Service 1206 E. 2 <sup>nd</sup> St. Muscatine, IA 52761, Permit Holder	ORDER ACCEPTING ACKNOWLEDGMENT/SETTLEMENT AGREEMENT—FIRST VIOLATION
Hyink's Standard Service 1206 E. 2 <sup>nd</sup> St. Muscatine, IA 52761, Retailer	

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, the Muscatine City Council has before it an Acknowledgment/Settlement Agreement signed by the above-captioned permit holder. The City FINDS that the permit holder acknowledged in the Agreement that a first violation of Iowa Code section 453A.2 occurred on November 30, 2016, and that the mandatory sanction for this violation is a \$300.00 civil penalty. The permit holder has submitted a check in the amount of \$300.00 with the Agreement.

IT IS THEREFORE ORDERED that the Acknowledgement/Settlement Agreement be approved. This sanction is consistent with Iowa Code section 453A.22(2)(a) for a first violation of Iowa Code section 453A.2(1).

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Mayor

BEFORE THE MUSCATINE CITY COUNCIL

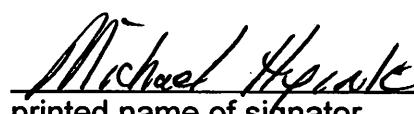
In RE: Hyink's Standard Service 1206 E. 2nd St. Muscatine, IA 52761, Permit Holder	No. MUSTA0070939
Hyink's Standard Service 1206 E. 2nd St. Muscatine, IA 52761, Retailer	ACKNOWLEDGMENT/SETTLEMENT AGREEMENT

1. The undersigned hereby knowingly and voluntarily acknowledge the following:
  - a. Retailer and Permit Holder have received the Complaint in the above case.
  - b. The facts and allegations contained in the Complaint, attached hereto and incorporated herein by reference, are true and correct.
  - c. Permit Holder has the right to a hearing and voluntarily waives same and submits to the statutory penalties prescribed by Iowa law.
  - d. Randall Allen Tomasson, an employee of Hyink's Standard Service, sold tobacco to a minor on November 30, 2016, in violation of Iowa Code section 453A.2.
  - e. The violation noted in paragraph "d" herein, will count as an official first violation of Iowa Code section 453A.2 pursuant to Iowa Code section 453A.22.
2. Enclosed with this Acknowledgment/Settlement Agreement is a check in the amount of \$300.00 made payable to City of Muscatine to settle the above-referenced Complaint.
3. Permit Holder acknowledges that in order to conclude this matter the mayor must approve this settlement agreement.



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Permit Holder



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Michael Hyink  
printed name of signator

1-31-17  
Date

NOTE: This must be signed by an individual cigarette permittee, or in the case of another business entity, by the individual(s) who has (have) authority to bind the entity. If you decide to sign and date this Acknowledgment/Settlement Agreement and waive your appearance at a hearing, this document, properly signed and dated as well as a check in the amount \$300.00 made payable to City of Muscatine should be returned to: Assistant County Attorney Dan Williamson  
Muscatine County Attorney's Office  
420 E. Third St., Muscatine, IA 52761

BEFORE THE MUSCATINE CITY COUNCIL

In RE:	No. MUSTA0070941
Aviya LLC 4804 S. Highway 61 Muscatine, IA 52761, Permit Holder	ORDER ACCEPTING ACKNOWLEDGMENT/SETTLEMENT AGREEMENT—FIRST VIOLATION
Aviya LLC d/b/a Express Mart 4804 S. Highway 61 Muscatine, IA 52761, Retailer	

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, the Muscatine City Council has before it an Acknowledgment/Settlement Agreement signed by the above-captioned permit holder. The City FINDS that the permit holder acknowledged in the Agreement that a first violation of Iowa Code section 453A.2 occurred on November 30, 2016, and that the mandatory sanction for this violation is a \$300.00 civil penalty. The permit holder has submitted a check in the amount of \$300.00 with the Agreement.

IT IS THEREFORE ORDERED that the Acknowledgement/Settlement Agreement be approved. This sanction is consistent with Iowa Code section 453A.22(2)(a) for a first violation of Iowa Code section 453A.2(1).

\_\_\_\_\_  
Mayor

BEFORE THE MUSCATINE CITY COUNCIL

In RE: Aviya LLC 4804 S. Highway 61 Muscatine, IA 52761, Permit Holder	No. MUSTA0070941
Aviya LLC d/b/a Express Mart 4804 S. Highway 61 Muscatine, IA 52761, Retailer	ACKNOWLEDGMENT/SETTLEMENT AGREEMENT

1. The undersigned hereby knowingly and voluntarily acknowledge the following:
  - a. Retailer and Permit Holder have received the Complaint in the above case.
  - b. The facts and allegations contained in the Complaint, attached hereto and incorporated herein by reference, are true and correct.
  - c. Permit Holder has the right to a hearing and voluntarily waives same and submits to the statutory penalties prescribed by Iowa law.
  - d. Samantha Renea Brewer, an employee of Aviya LLC d/b/a Express Mart, sold tobacco to a minor on November 30, 2016, in violation of Iowa Code section 453A.2.
  - e. The violation noted in paragraph "d" herein, will count as an official first violation of Iowa Code section 453A.2 pursuant to Iowa Code section 453A.22.
2. Enclosed with this Acknowledgment/Settlement Agreement is a check in the amount of \$300.00 made payable to City of Muscatine to settle the above-referenced Complaint.
3. Permit Holder acknowledges that in order to conclude this matter the mayor must approve this settlement agreement.

Ajay K. Kshetge  
Permit Holder

  
printed name of signator

01/29/17  
Date

NOTE: This must be signed by an individual cigarette permittee, or in the case of another business entity, by the individual(s) who has (have) authority to bind the entity. If you decide to sign and date this Acknowledgment/Settlement Agreement and waive your appearance at a hearing, this document, properly signed and dated as well as a check in the amount \$300.00 made payable to City of Muscatine should be returned to: Assistant County Attorney Dan Williamson  
Muscatine County Attorney's Office  
420 E. Third St., Muscatine, IA 52761

