



City Council Memorandum

To: Mayor Fasbender & City Councilmembers
From: Emily King, Deputy City Clerk
Date: August 19, 2024
Item: Consider New Cannabis Product Retail License for Westview Smokes, 1355 South Frontage Road, Suite 420

Council Action Requested:

Consider the attached resolution approving a new Cannabis Product Retail License for Westview Smokes, 1355 South Frontage Road, Suite 420.

Background Information:

The City has received and reviewed an application for a new Cannabis Product Retail License for Westview Smokes, 1355 South Frontage Road, Suite 420. Currently, this license allows for the sale of adult-use cannabinoid or cannabis products containing 0.3% or less of THC.

Approval and issuance of the license are contingent upon the submittal of all required documents, fees, successful completion of a criminal history background investigation by the Hastings Police Department, and a security plan approved by the Police Chief.

Compliance Overview:

Westview Smokes - 1355 South Frontage Rd, 420 Hastings MN

- 6/18/2024 - Violation of Hastings City Ord 117.03 Misdemeanor Sell THC Product without a City License
- In May of 2023, the Minnesota Department of Revenue notified the City that they had recently seized cigarette and/or tobacco products as contraband under Minnesota Statute 297F.21. Please see attached letter for additional information.

Financial Impact:

The associated fees have been paid.

Advisory Commission Discussion:

N/A

Council Committee Discussion:

N/A

Attachments:

- Minnesota Department of Revenue Seized Cigarette/Tobacco Product Notification
- Resolution

**CITY OF HASTINGS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION _____

**APPROVING A NEW CANNABIS PRODUCT RETAIL LICENSE
FOR WESTVIEW SMOKES, 1355 SOUTH FRONTAGE ROAD, SUITE 420**

WHEREAS, the City has received and reviewed an application for a new Westview Smokes, 1355 South Frontage Road, Suite 420; and

WHEREAS, approval and issuance of the license are contingent upon the submittal of all required documents, fees, successful completion of a criminal history background investigation by the Hastings Police Department, and a security plan approved by the Police Chief.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hastings that the Cannabis Product Retail License for Westview Smokes, 1355 South Frontage Road, Suite 420 is approved, unless revoked by City Council.

ADOPTED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA THIS 19TH DAY OF AUGUST, 2024.

ATTEST:

Kelly Murtaugh, City Clerk

Mary D. Fasbender, Mayor

May 16, 2023

Tobacco Licensing Division
101 EAST 4TH ST
HASTINGS, MN 550331955

Seized Cigarette/Tobacco Product

The Minnesota Department of Revenue recently seized cigarette and/or tobacco products as contraband under Minnesota Statute 297F.21 from a business located in your jurisdiction. Because all time periods for judicially challenging the seizure have expired, the property has been forfeited to the State.

Attached you will find a copy of our Notice of Seized Contraband. The notice lists the products we seized.

Why are you contacting me?

We are providing you information about our seizure of tobacco contraband so you may take any action against the city/county license as appropriate.

Contact me if you have any questions.

Sincerely,

Steve Johnson
Compliance Coordinator
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Email: steve.johnson@state.mn.us

Supervisor Contact Information:
Dan Hughes
651-556-4750
dan.hughes@state.mn.us

February 15, 2023

ID: XX-XXX8921 X-E-02
Letter ID: L2125939360
Notice Date: February 15, 2023WESTVIEW SMOKES INC
1355 S FRONTAGE RD
STE 420
HASTINGS MN 55033-2491

Notice of Seized Contraband

Seized Date and Time: 13-Feb-2023 415PM
Seized by: TOM & BECKY
Seizure Location: 1355 S FRONTAGE RD STE 420
HASTINGS MN 55033-2491
Seized From: WESTVIEW SMOKES INC

The Minnesota Department of Revenue seized the following property as contraband under the authority granted to the commissioner of revenue (Minnesota Statutes Chapter 297F)

Quantity	Unit	Product Description
17	Stick	Crux Epicure Robusta Extra Cigar
73	Stick	Crux Epicure Corona Gordo
75	Stick	Crux Epicure Robosto
89	Stick	Crux Epicure Toro
37	Stick	Crux Epicure Gordo
17	Stick	Crux Epicure Maduro Corona Gorda
63	Stick	Crux Epicure Maduro Robusto
32	Stick	Crux Epicure Maduro Robusto Extra
37	Stick	Crux Epicure Maduro Short Salomone
20	Stick	Crux Epicure Maduro Gordo
4	Stick	Crux Du Connoisseur No 2
9	Stick	Crux Du Connoisseur No 3
8	Stick	Crux Du Connoisseur No 4
28	Stick	Crux Bull & Bear Robusto Extra
38	Stick	Crux Bull & Bear Toro
66	Stick	Crux Bull & Bear Marblehead Gordo
38	Stick	Crux Limitada Box Press Marblehead
5	Stick	Crux Limitada Box Press Cuban
4	Stick	Crux Guild Corona's

55 Stick Crux Guild Robusto's
86 Stick Crux Guild Toro

The property listed was seized as contraband under the authority granted in M.S. 297F. The specific section of the law under which this property is declared to be contraband is M.S. 297F.21, which state(s).

Subdivision 1. Contraband defined. The following are declared to be contraband and therefore subject to civil and criminal penalties under this chapter

Cigarette/Tobacco 297F.21

(g) Cigarette packages or tobacco products obtained from an unlicensed seller.

(i) Tobacco products on which the tax has not been paid by a licensed distributor.

What must I do?

You must request a judicial review of this seized property within 60 days of the Notice Date. If you do not, the property that we seized will become property of the state of Minnesota.

How do I demand a judicial review?

1. File a civil complaint with the court administrator in the county where the seizure occurred.
2. Include proof that you served a copy of the complaint on the Department of Revenue.
3. List your name as "plaintiff" and the seized property as "defendant" in the title of the complaint.
4. State the grounds on which you allege the property was improperly seized and what your ownership interest is in the property.

You do not have to pay the court filing fee if it is determined you cannot afford the fee. If the value of the seized property is \$15,000 or less, you can file an action in conciliation court to recover the property. If the value of the seized property is less than \$500, you do not have to pay the conciliation court filing fee.

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