

**Watertown City Council**

December 26, 2018

**Agenda Item: Watertown Fuel & Food Tobacco Sales License****Request for Action: Adopt Resolution #2018-166, Approving or Denying Tobacco Sales License****Department: Shane Fineran, City Administrator****Background:**

In February of 2018 the City Council revoked the retail license for tobacco of Watertown Fuel & Food issued by the City to Jennifer Hoese-Kielbasa. This was done at the direction of the Minnesota Department of Revenue. As of December 18<sup>th</sup>, 2018, the Minnesota Department Revenue has issued a certificate of clearance of retail tobacco sales for Watertown Fuel & Food. This clears the way for the City Council to consider re-instatement of the 2018 retail license.

Additionally, Watertown Fuel & Food have submitted a completed application and fee per municipal code section for Section 34 for a retail tobacco license for 2019. Mrs. Hoese-Kielbasa is requesting that the City reinstate the 2018 license and approve a new retail license effective January 1<sup>st</sup>, 2019.

Earlier this fall, the applicant was charged in district court on a count of selling tobacco without a license in addition to other charges related to various types of tax evasion. As conveyed by the County Attorney and a matter of public record, the case continues to progress through the legal process with a settlement hearing scheduled for Mrs. Hoese-Kielbasa on January 30<sup>th</sup>.

The City Council should either approve or deny the reinstatement and new license request. City Code section 34-4, subd. (e) provides that the City may deny a license for:

(2) *The applicant has been convicted within the past five years of any violation of a federal, state or local law, ordinance provision or other regulation relating to tobacco or tobacco products or tobacco-related devices, or nicotine or lobella delivery devices.*

OR

(3) *The applicant has had a license to sell tobacco, tobacco products, tobacco-related devices, or nicotine or lobella delivery devices revoked within the preceding 12 months of the date of application.*

Municipal code further states that "the existence of any particular ground for denial does not mean that the city must deny the license" (*emphasis added*). Therefore, the City Council does have the authority to reinstate and approve a retail license in this circumstance even though a revocation has occurred in the past 12 months.

If the Council wishes to deny the license request, it is recommended that it do so under the provision stated in Section 34-4, subd. (e)(3) as no conviction is on record subject Section 34-4, subd.(e)(2).

**Attachments:**

Clearance Certificate from Mn DOR

Municipal Code Section 34-4

Approving Resolution

Denial Resolution

December 18, 2018

ID: XX-XXX1429  
Letter ID: L0635642560

WATERTOWN FUEL & FOOD LLC  
617 JEFFERSON AVE SW  
WATERTOWN MN 55388-9278

## License Clearance Certificate

Name: WATERTOWN FUEL & FOOD LLC  
ID: XX-XXX1429

The Minnesota Department of Revenue issued a license clearance certificate to the following licensing authority:

License authority: WATERTOWN, CITY OF  
License holder: Watertown Fuel & Food, LLC  
License type: Cigarette Retail  
License expiration: December 31, 2017

Please contact us if you have any questions.

### Contact information

Collection Division  
Phone: 651-556-3003 or 1-800-657-3909 (toll-free)  
Email: [mdor.collection@state.mn.us](mailto:mdor.collection@state.mn.us)  
Fax: 651-556-5116

#### Sec. 34-4. - Regulation of tobacco products.

- (a) *Purpose.* Because the city recognizes that many persons under the age of 18 years purchase or otherwise obtain, possess and use tobacco, tobacco products and tobacco-related devices, and such sales, possession and use are violations of both state and federal laws, and because studies, which the city hereby accepts and adopts, have shown that most smokers begin smoking before they have reached the age of 18 years and that those persons who reach the age of 18 years without having started smoking are significantly less likely to begin smoking, and because smoking has been shown to be the cause of several serious health problems which subsequently place a financial burden on all levels of government, this section shall be intended to regulate the sale, possession and use of tobacco, tobacco products, tobacco-related devices, and nicotine or lobelia delivery devices for the purpose of enforcing and furthering existing laws, to protect minors against the serious effects associated with the illegal use of tobacco, tobacco products, tobacco-related devices, and nicotine or lobelia delivery devices and to further the official public policy of the State of Minnesota in regard to preventing young people from starting to smoke as stated in M.S.A. § 144.391, as it may be amended from time to time. In making these findings, the city council accepts the conclusions and recommendations for Center for Disease Control in their study "Selected Cigarette Smoking Initiation and Quitting Behaviors Among High School Students, United States, 1997," and of the following medical professionals in these medical journals: Khuder SA, et al., "Age of Smoking Onset and its Effect on Smoking Cessation," *Addictive Behavior* 24(5): 673-7, September-October 1999; D'Avanzo B, et al., "Age at Starting Smoking and Number of Cigarettes Smoked," *Annals of Epidemiology* 4(6):455-59, November 1994; Chen, J & Miller, WJ, "Age of Smoking Initiation: Implications for Quitting," *Health Reports* 9(4): 39-46, Spring 1998; Everett SA, et al., "Initiation of Cigarette Smoking and Subsequent Smoking Behavior Among U.S. High School Students," *Preventive Medicine* , 29(5): 327-33, November 1999, copies of which are adopted by reference.
- (b) *Definitions and interpretations.* Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

*Compliance checks* shall mean the system the city uses to investigate and ensure that those authorized to sell tobacco, tobacco products, tobacco-related devices, and nicotine or lobelia delivery devices are following and complying with the requirements of this section. Compliance checks shall involve the use of minors as authorized by this section. Compliance checks shall also mean the use of minors who attempt to purchase tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices for educational, research and training purposes as authorized by state and federal laws. Compliance checks may also be conducted by other units of government for the purpose of enforcing appropriate federal, state or local laws and regulations relating to tobacco, tobacco products, tobacco related devices, and nicotine or lobelia delivery devices.

*Individually packaged* shall mean the practice of selling any tobacco or tobacco product wrapped individually for sale. Individually wrapped tobacco and tobacco products shall include, but not be limited to, single cigarette packs, single bags or cans of loose tobacco in any form, and single cans or other packaging of snuff or chewing tobacco. Cartons or other packaging containing more than a single pack or other container as described in this subsection shall not be considered individually packaged.

*Indoor area* shall mean all the space between a floor and ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent.

*Loosies* shall mean the common term used to refer to a single or individually packaged cigarette.

*Minor* shall mean any natural person who has not yet reached the age of 18 years.

*Moveable place of business* shall refer to any form of business operated out of a truck, van, automobile or other type of vehicle or transportable shelter and not a fixed address store front or other permanent type of structure authorized for sales transactions.

*Nicotine or lobelia delivery devices* shall mean any product containing or delivering nicotine or lobelia intended for human consumption, or any part of such a product, that is not tobacco as defined in this section, not including any product that has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for tobacco use cessation, harm reduction, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

*Retail establishment* shall mean any place of business where tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices are available for sale to the general public. Retail establishments shall include, but not be limited to, grocery stores, convenience stores and restaurants.

*Sale* shall mean any transfer of goods for money, trade, barter or other consideration.

*Self-service merchandising* shall mean open displays of tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices in any manner where any person shall have access to the tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices without the assistance or intervention of the licensee or the licensee's employee. The assistance or intervention shall entail the actual physical exchange of the tobacco, tobacco product or tobacco-related device between the customer and the licensee or employee. Self-service merchandising shall not include vending machines.

*Smoking* shall mean inhaling or exhaling smoke from any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product. Smoking also includes carrying a lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation.

*Tobacco or tobacco products* shall include cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product; cigars, cheroots, stogies, perique, granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco, snuff, snuff flour, cavendish, shorts, plug and twist tobaccos, fine cut and other chewing tobaccos, refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco. Tobacco excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

*Tobacco related devices* shall mean any tobacco product as well as a pipe, rolling papers, ashtray, or other device intentionally designed or intended to be used in a manner which enables the chewing, sniffing, or smoking of tobacco or tobacco products.

*Vending machine* shall mean any mechanical, electric or electronic or other type of device which dispenses tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices upon the insertion of money, tokens or other form of payment directly into the machine by the person seeking to purchase the tobacco, tobacco product or tobacco-related device.

(c) *License required.* No person shall sell or offer to sell any tobacco, tobacco products, tobacco-related device, or nicotine or lobelia delivery devices without first having obtained a license to do so from the City of Watertown.

(1) *Application.* An application for a license to sell tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices shall be made by a person at least 21 years of age on a form provided by the city. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought and any additional information the city deems necessary. Upon receipt of a completed application and the required fee, the city administrator shall forward the application to the city council for consideration. If the city administrator shall determine that an application is incomplete, he or she shall return the application to the applicant with notice of the information necessary to make the application complete.

(2) *Action.* The council may either approve or deny the license, or it may delay action for such reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the council shall approve the license, the city administrator shall

issue the license to the applicant. If the council denies the license, notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal the council's decision.

- (3) *Term.* All licenses issued under this section shall expire at the end of the calendar year for which the license is issued.
  - (4) *Revocation or suspension.* Any license issued under this section may be revoked or suspended as provided in the violations and penalties [subsections (m) and (n)] of this section.
  - (5) *Transfers.* All licenses issued under this section shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued. No transfer of any license to another location or person shall be valid without the prior approval of the council.
  - (6) *Moveable place of business.* No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this section.
  - (7) *Display.* All licenses shall be posted and displayed in plain view of the general public on the licensed premise.
  - (8) *Renewals.* The renewal of a license issued under this section shall be handled in the same manner as the original application. The request for renewal shall be made at least 30 days but no more than 60 days before the expiration of the current license. The issuance of a license issued under this section shall be considered a privilege and not an absolute right of the applicant and shall not entitle the holder to an automatic renewal of the license.
  - (9) *Training program.* Every licensee requesting a license under this section shall implement a training program for employees regarding laws relating to the sale of tobacco products. Every licensee shall certify on his or her annual tobacco license application that all employees have been trained to comply with state laws regarding the sale of tobacco products.
  - (10) *Issuance as privilege and not a right.* The issuance of a license issued under this section shall be considered a privilege and not an absolute right of the applicant and shall not entitle the holder to an automatic renewal of the license.
  - (11) *Smoking.* Smoking shall not be permitted and no person shall smoke within the indoor area of any establishment with a retail tobacco license. Smoking for the purposes of sampling tobacco and tobacco related products is prohibited.
- (d) *Fees.* No license shall be issued under this section until the appropriate license fee shall be paid in full. No license fee shall be refunded. The fee for a license under this section shall be established by resolution of the city council and may be made a part of a general fee schedule adopted from time to time by the city.
- (e) *Basis for denial of license.* The following shall be grounds for denying the issuance or renewal of a license under this section; however, except as may otherwise be provided by law, the existence of any particular ground for denial does not mean that the city must deny the license. If a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this section:
- (1) The applicant is under the age of 18 years.
  - (2) The applicant has been convicted within the past five years of any violation of a federal, state or local law, ordinance provision or other regulation relating to tobacco or tobacco products or tobacco-related devices, or nicotine or lobelia delivery devices.
  - (3) The applicant has had a license to sell tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices revoked within the preceding 12 months of the date of application.
  - (4) The applicant fails to provide all information required on the application or provides false or misleading information.
  - (5) The applicant is prohibited by federal, state or other local law, ordinance or other regulation from holding such a license.

- (f) *Prohibited sales.* It shall be a violation of this section for any person to sell or offer to sell any tobacco, tobacco product, tobacco-related device, or nicotine or lobelia delivery devices:
- (1) To any person under the age of 18 years.
  - (2) By means of any type of vending machine, except as may otherwise be provided in this section.
  - (3) By means of self-service methods whereby the customer does not need to make a verbal or written request to an employee of the licensed premise in order to receive the tobacco, tobacco product or tobacco-related device and whereby there is not a physical exchange of the tobacco, tobacco product, tobacco-related device, or nicotine or lobelia delivery devices between the licensee or the licensee's employee and the customer.
  - (4) By means of loosies as defined in subsection (b) of this section.
  - (5) Containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana or other deleterious, hallucinogenic, toxic or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process.
  - (6) By any other means, to any other person or in any other manner or form prohibited by federal, state or other local law, ordinance provision or other regulation.
- (g) *Vending machines.* It shall be unlawful for any person licensed under this section to allow the sale of tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices by the means of a vending machine unless minors are at all times prohibited from entering the licensed establishment.
- (h) *Self-service sales.* It shall be unlawful for a licensee under this section to allow the sale of tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices by any means whereby the customer may have access to such items without having to request the item from the licensee or the licensee's employee and whereby there is not a physical exchange of the tobacco, tobacco product, tobacco-related device, or nicotine or lobelia delivery devices between the licensee or his or her clerk and the customer. All tobacco, tobacco products, tobacco-related devices, and nicotine or lobelia delivery devices shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public. Any retailer selling tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices at the time this section is adopted shall comply with this section within 90 days following the effective date of this section.
- (i) *Reserved.*
- (j) *Responsibility.* All licensees under this section shall be responsible for the actions of their employees in regard to the sale of tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices on the licensed premises, and the sale of such an item by an employee shall be considered a sale by the license holder. Nothing in this section shall be construed as prohibiting the city from also subjecting the employee to whatever penalties are appropriate under this section, state or federal law or other applicable law or regulation.
- (k) *Compliance checks and inspections.* All licensed premises shall be open to inspection by the city police or Carver County Sheriff's Department or other authorized city official during regular business hours. From time to time, but at least once per year, the city shall conduct compliance checks by engaging, with the written consent of their parents or guardians, minors over the age of 15 years, but less than 18 years, to enter the licensed premises to attempt to purchase tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices. Minors used for the purpose of compliance checks shall be supervised by designated law enforcement officers or other designated city personnel. Minors used for compliance checks shall not be guilty of the unlawful purchase or attempted purchase, nor the unlawful possession of tobacco, tobacco products or tobacco-related devices when such items are obtained or attempted to be obtained as part of the compliance check. No minor used in compliance checks shall attempt to use a false identification misrepresenting the minor's age and all minors lawfully engaged in a compliance check shall answer all questions about

the minor's age asked by the licensee or his or her employee and shall produce any identification, if any exists, for which he or she is asked. Nothing in this section shall prohibit compliance checks authorized by state or federal laws for educational, research or training purposes or required for the enforcement of a particular state or federal law.

- (l) *Other illegal acts.* Unless otherwise provided, the following acts shall be a violation of this section:
- (1) *Illegal sales.* It shall be a violation of this section for any person to sell or otherwise provide any tobacco, tobacco product or tobacco-related device to any minor.
  - (2) *Illegal possession.* It shall be a violation of this section for any minor to have in his or her possession any tobacco, tobacco product or tobacco-related device. This subdivision shall not apply to minors lawfully involved in a compliance check.
  - (3) *Illegal use.* It shall be a violation of this section for any minor to smoke, chew, sniff or otherwise use any tobacco, tobacco product or tobacco-related device.
  - (4) *Illegal procurement.* It shall be a violation of this section for any minor to purchase or attempt to purchase or otherwise obtain any tobacco, tobacco product or tobacco-related device and it shall be a violation of this section for any person to purchase or otherwise obtain such items on behalf of a minor. It shall further be a violation for any person to coerce or attempt to coerce a minor to illegally purchase or otherwise obtain or use any tobacco, tobacco product or tobacco-related device. This subdivision shall not apply to minors lawfully involved in a compliance check.
  - (5) *Use of false identification.* It shall be a violation [of] this section for any minor to attempt to disguise his or her true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.
- (m) *Violations.*
- (1) *Notice.* A person violating this chapter may be issued, either personally or by mail, a notice or citation that sets forth the alleged violation and proposed penalty and which shall inform the alleged violator of his or her right to request a hearing on the alleged violation. The citation shall provide notice that a hearing must be requested within ten business days of receipt and that hearing rights shall be terminated if a hearing is not promptly requested. The citation shall provide information on how and where a hearing may be requested, including a contact address and phone number.
  - (2) *Hearings.* A person denied a license or accused of violating this section may request a hearing. A request for hearing shall be made in writing and delivered to the city administrator within ten days of receipt of a denial of an application for a license or notice of violation of this section. Upon receipt of a request for a hearing, the city council may hold the hearing, appoint a committee of the council to hold the hearing or designate a hearing officer to hear the matter. Written notice of the hearing time and place shall be mailed or delivered to the accused violator at least ten business days prior to the hearing. Failure to request a hearing within ten business days of the issuance of the citation will terminate the person's right to a hearing.
  - (3) *Decision and findings.* If, after the hearing, the applicant is found ineligible for a license or the alleged violator is found to be in violation of this section, that decision, along with the hearing officer's reasons for the decision and the penalty to be imposed, shall be recorded in writing and a copy provided to the applicant or accused violator.
  - (4) *Judicial review.* Any person aggrieved by a decision under this section may have the decision reviewed in the First Judicial District Court as provided by law.
  - (5) *Default.* If the applicant has been issued written notice of the denial of an application for a license or a person has been issued a citation for an alleged violation of this section and if no request for a hearing is filed with the city administrator within ten days of such notice or citation, then the denial, penalty, suspension and/or revocation imposed pursuant to this section shall

take effect by default. The Carver County Sheriff's Office shall investigate compliance with the suspension or revocation.

- (6) *Misdemeanor prosecution.* Nothing in this section shall prohibit the city from seeking prosecution as a misdemeanor for any alleged violation of this section. The city shall also have the right to seek prosecution as set forth in M.S.A. ch. 609 and any other applicable state criminal statutes.
  - (7) *Continued violation.* Each violation and every day in which a violation occurs or continues shall constitute a separate offense.
  - (8) *Failure to pay fine.* Failure to pay a duly imposed fine within ten days of issuance of the citation or within ten days after notice of a decision has been issued when a hearing was requested shall result in a suspension of the license until such fine is paid.
- (n) *Penalties.*
- (1) *Licensees.* If a licensee or employee of a licensee violates any provision of this section, the licensee shall be charged an administrative fine of \$100.00 for a first violation of this section, \$200.00 for a second offense at the same licensed premises within a 24-hour month period and \$300.00 for a third or subsequent offense at the same location within a 24-hour month period. In addition, after the third offense, the license shall be suspended for not less than seven days. A fourth offense at the same licensed premises within a 24-month period shall require revocation of the license for a period not to exceed one year.
  - (2) *Other individuals.* Other individuals, other than minors regulated by subsection (n)(3) [below], found to be in violation of this section shall be charged an administrative fee of \$50.00.
  - (3) *Minors.* Minors found in unlawful possession of, or who unlawfully purchase or attempt to purchase, tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices shall be issued an administrative fine, or may be subject to tobacco-related education classes, diversion programs, community services, or another penalty that the city believes will be appropriate and effective. The administrative fine or other penalty may also be established from time to time by the Ordinance Establishing Fees and Charges, as it may be amended from time to time.
  - (4) *Misdemeanor.* Nothing in this section shall prohibit the city from seeking prosecution as a misdemeanor for any violation of this section.
  - (5) *Statutory penalties.* If the administrative penalties authorized to be imposed by M.S.A. § 461.12, as may be amended from time to time, are greater than those established in this section, the statutory penalties shall prevail.
- (o) *Exceptions and defenses.* Nothing in this section shall prevent the providing of tobacco, tobacco products, tobacco-related devices, or nicotine or lobelia delivery devices to a minor as part of a lawfully recognized religious, spiritual or cultural ceremony. It shall be an affirmative defense to the violation of this section for a person to have reasonably relied on proof of age as described by state law.
- (p) *Severability.* If any section or provision of this section is held invalid, such invalidity shall not affect other sections or provisions which can be given force and effect without the invalidated section or provision.

(Ord. No. 202, §§ 1—7, 4-25-95; Ord. No. 213, § 1, 6-9-98; Ord. No. 367, § 1, 1-24-12)

**Editor's note**— Ord. No. 202, § 8, adopted Mar. 25, 1995, repealed Ord. No. 199, adopted Aug. 23, 1994, from which the original tobacco products provisions had derived.

**CITY OF WATERTOWN  
RESOLUTION NO. 2018-66**

**DENYING CIGARETTE LICENSES REINSTATEMENT AND RENEWAL**

**WHEREAS**, the City of Watertown (the “City”) allows for the sale of cigarettes and other tobacco products within the city limits, and

**WHEREAS**, Watertown Fuel & Food LLC has requested reinstatement of their 2018 retail license and have submitted a completed application for a retail license in 2019; and

**WHEREAS**, the City revoked the 2018 license for Watertown Fuel & Food LLC on February 27<sup>th</sup>, 2019 via Resolution #2018-31.

**WHEREAS**, the City has determined that grounds for denial exist as noted in code Section 34-4, subd (e); and

**WHEREAS**, the revocation of a license in the previous twelve months is a basis for denial; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Watertown, Minnesota, hereby denies the reinstatement of the 2018 retail license and the 2019 cigarette license application for Watertown Fuel & Food LLC.

Adopted by the City Council of the City of Watertown this 26<sup>th</sup> day of December, 2018.

\_\_\_\_\_  
Steve Washburn, Mayor

ATTEST: \_\_\_\_\_  
Lynn Tschudi, Clerk/Treasurer

**CITY OF WATERTOWN  
RESOLUTION NO. 2018-66**

**APPROVING CIGARETTE LICENSES REINSTATEMENT AND RENEWAL**

**WHEREAS**, the City of Watertown (the “City”) allows for the sale of cigarettes and other tobacco products within the city limits, and

**WHEREAS**, Watertown Fuel & Food has requested reinstatement of their 2018 retail license and have submitted a completed application for a retail license in 2019; and

**WHEREAS**, the City has the authority to approve a retail license for tobacco regardless of the existence of any particular ground for denial as noted in code Section 34-4, subd (e); and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Watertown, Minnesota, hereby approves the reinstatement of the 2018 retail license and the 2019 cigarette license application for Watertown Fuel & Food.

Adopted by the City Council of the City of Watertown this 26<sup>th</sup> day of December, 2018.

---

Steve Washburn, Mayor

ATTEST: \_\_\_\_\_  
Lynn Tschudi, Clerk/Treasurer