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MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JOSHUA TETZLAFF, CITY ADMINISTRATOR
SUBJECT: TOBACCO LICENSE DENIAL APPEAL – ANNA TOBACCO
DATE: OCTOBER 2, 2025

On August 20, 2025, Steve Binstock submitted an application for a tobacco license at 410 Main Street, for Anna Tobacco & Smoke Shop. Following a comprehensive review and background check, on September 26, 2025, I denied the application on City Code Section 117.03(J)(2), which states:

(J) The following shall be grounds for denying the issuance or renewal of a license under this section. The following list is not exhaustive or exclusive:

(2) The applicant has been convicted within the past five years of a violation of any provisions of this chapter or a violation of a federal, state, or local law, ordinance provision, or other regulation relating to tobacco, tobacco related devices, or electronic delivery devices.

The applicant is a 50% owner in a business that had a violation with the Office of Cannabis Management in 2023. I have included a copy of the denial letter sent to Mr. Binstock, a copy of the Administrative Order sent by the MnOCM, and a copy of Chapter 117: Tobacco Regulations.

Also of note, this application was the second application for a tobacco license at this address for Anna Tobacco. Previously, Mr. Mohibullah Zahed had submitted for the license. Mr. Zahed is also a 50% owner of the business that had the violation in 2023. I had sent a denial letter to Mr. Zahed on August 19, 2025 on the same grounds of not meeting Section 117.03(J)(2) of City Code.

Per 117.03(C), an applicant who receives a denial may appeal that denial directly to the City Council. On October 1, 2025, Mr. Binstock requested an appeal of my denial.

Recommendation

Due to my denial of the application, and this being an appeal to my decision, I do not have a formal recommendation.