

STATE OF MINNESOTA)  
) ss.

**AFFIDAVIT OF SERVICE BY U.S. MAIL**

COUNTY OF RAMSEY)

Riddhi Mistry, being first duly sworn, deposes and says that on the third day of March she served the attached **NOTICE OF COUNCIL HEARING** and a correct copy thereof in an envelope addressed as follows:

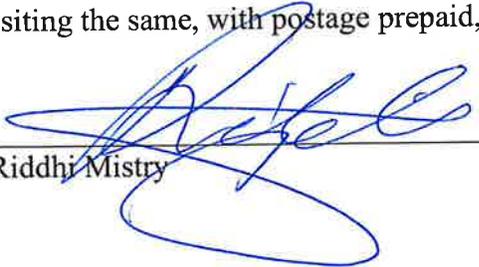
White Bear Tobacco Market Place Inc  
d/b/a White Bear Tobacco  
1662 White Bear Avenue North  
Saint Paul, MN 55106  
Attn: Anan Barbarawi

Anan Barbarawi  
1320 Conservatory Court  
Saint Paul, MN 55117

Hillcrest Center Llc  
375 Jackson Street Ste 700w  
Saint Paul, MN 55101-1810

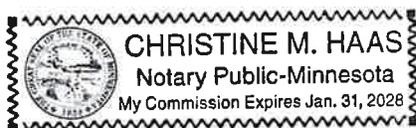
Lisa Theis, Executive Director  
Greater East Side Community Council  
1365 Prosperity Avenue  
Saint Paul, MN 55106

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.

  
Riddhi Mistry

Subscribed and sworn to before me  
This 3<sup>rd</sup> day of March 2026

  
Notary Public





March 3, 2026

## NOTICE OF COUNCIL HEARING

White Bear Tobacco Market Place Inc  
d/b/a White Bear Tobacco  
1662 White Bear Avenue North  
Saint Paul, MN 55106  
**Attn: Anan Barbarawi**

RE: Tobacco Products Shop license held by White Bear Tobacco Market Place Inc d/b/a White Bear Tobacco for the premises located at 1662 White Bear Avenue North in Saint Paul.  
License ID #140001994

Dear Mr. Barbarawi:

Please take notice that this matter has been set on the agenda for a City Council meeting on **Wednesday, March 25, 2026, at 3:30 p.m.** in the City Council Chambers, Third Floor, Saint Paul City Hall and Ramsey County Courthouse, 15 West Kellogg Boulevard, St. Paul, MN 55102. You will have the opportunity to present to City Council. If you wish to speak at the hearing remotely, please call 612-315-7905 to Pre-register. If you wish to provide your comments in writing, or provide other written materials, they can be submitted to [Contact-Council@ci.stpaul.mn.us](mailto:Contact-Council@ci.stpaul.mn.us) and [CouncilHearing@ci.stpaul.mn.us](mailto:CouncilHearing@ci.stpaul.mn.us). If you wish to leave your comments by voicemail, please do so by calling 651-266-6805. Comments and materials must be submitted by 12:00 p.m. on the day before the meeting. If you have any questions regarding this Notice of Council Hearing, please call me at 651-266-8548. You may view City Council meetings on local cable 18 or view online at <https://stpaul.legistar.com/Calendar.aspx>. If this date does not work for you, please let me know immediately.

At the hearing before the Administrative Law Judge in December, it was explained that the Findings of Fact, Conclusions of Law, and Recommendation ("Report and Recommendation") from the Administrative Law Judge is not the final decision on this matter. Only the City Council can impose a penalty in this case.<sup>1</sup> All parties to this case are allowed to file exceptions with and make arguments to the City Council.<sup>2</sup> That is the purpose of this agenda item—to allow both you and the Department of Safety and Inspections ("Department") to address the Report and Recommendation from the Administrative Law Judge with the City Council. At the City Council meeting, the councilmembers will consider the evidence received during the December hearing

<sup>1</sup> Saint Paul, Minn. Leg. Code (SPLC) § 310.03.

<sup>2</sup> Minn. Stat. § 14.61, subd. 1; SPLC § 310.03(c-1).



before the Administrative Law Judge, but the councilmembers will not receive or consider new evidence or testimony that was not previously presented to and considered by the Administrative Law Judge.<sup>3</sup> During your statement to City Council, you may argue that the Administrative Law Judge erred in their application of the law, interpretation of the facts, or recommendation of the penalty.<sup>4</sup> The City Council may then accept, reject, or modify the Report and Recommendation of the Administrative Law Judge.<sup>5</sup>

At the City Council meeting, the Department will present the Report and Recommendation submitted by the Administrative Law Judge concerning the Tobacco Products Shop license held by White Bear Tobacco Market Place Inc d/b/a White Bear Tobacco for the premises located at 1662 White Bear Avenue in Saint Paul. The Department has proposed two minor changes to the Report and Recommendation and will recommend the passage of the Resolution that is attached to this Notice. In addition to asking the City Council to impose the recommended penalty, the Department will ask the City Council to impose upon you the costs and fees of the hearing before the Administrative Law Judge.<sup>6</sup>

After the City Council passes its resolution for this matter, and if you disagree with the resolution, you may appeal the resolution to the Minnesota Court of Appeals.<sup>7</sup>

Sincerely,

Monica Shaffer  
Assistant City Attorney  
License No.: 0504708

CC: Anan Barbarawi, 1320 Conservatory Court, Saint Paul, MN 55117  
Hillcrest Center Llc, 375 Jackson Street Ste 700w, Saint Paul, MN 55101-1810

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<sup>3</sup> SPLC § 310.03(c-1).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> See SPLC § 310.03(k) (explaining that the Council may impose the costs of the administrative hearing upon the licensee).

<sup>7</sup> Minn. Stat. § 14.63.



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Lisa Theis, Executive Director, Greater East Side Community Council, 1365 Prosperity Avenue, Saint Paul, MN 55106

Enclosures:

Affidavit of Notice of Council Hearing– 03/03/2026  
Resolution Master Copy (RES 26-412) 03/25/2026  
Tobacco Underage Buyer Compliance Check Inspection Form – 04/22/2025  
Letter from Inspector, Joseph Voyda to White Bear Tobacco – 04/25/2025  
Letter from Inspector, Joseph Voyda to White Bear Tobacco Market Place Inc – 04/25/2025  
Letter from Inspector, Joseph Voyda to Hillcrest Center LLC – 04/25/2025  
License Group Comments Text – 05/09/2025  
Photo Evidence  
Saint Paul Legislative Code §310.01  
Saint Paul Legislative Code §310.03 (m) 3 (1) (a),  
Saint Paul Legislative Code §310.14  
Saint Paul Legislative Code §324.07(i)  
Minnesota Statute §461.12 Subd. 2



# City of Saint Paul

City Hall and Court House  
15 West Kellogg  
Boulevard  
Phone: 651-266-8560

## Master

**File Number: RES 26-412**

**File ID:** RES 26-412

**Type:** Resolution

**Status:** Draft

**Version:** 1

**Contact Number:** 2668548

**In Control:** City Council

**File Created:** 03/03/2026

**File Name:** White Bear Tobacco - Council Hearing

**Final Action:**

**Title:**

Adopting the Findings of Fact, Conclusions of Law, and Recommendation submitted by the Administrative Law Judge, with exceptions, concerning the Tobacco Products Shop license (License ID #140001994) held by White Bear Tobacco Market Place Inc d/b/a White Bear Tobacco for the premises located at 1662 White Bear Avenue North and imposing the recommended presumptive matrix penalty and the costs of the contested case hearing before the Administrative Law Judge. (Licensee will speak to Council on their own behalf.)

**Notes:**

**Agenda Date:** 03/25/2026

**Sponsors:** Yang

**Enactment Date:**

**Attachments:** Exhibit #1, Exhibit #2, Exhibit #3, Exhibit #4, Exhibit #6

**Financials Included?:**

**Contact Name:** Monica Shaffer

**Hearing Date:**

**Entered by:** riddhi.mistry@ci.stpaul.mn.us

**Ord Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File RES 26-412

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Licensee: WHITE BEAR TOBACCO MARKET PLACE INC

DBA: WHITE BEAR TOBACCO

License #: 20140001994

4/25/2025 youth compliance check: fail letter sent. LSP

4/22/2025 tobacco compliance check - fail. LSP/ayv

11/27/2024 2024 youth tobacco compliance pass letter sent. LSP

9/17/2024 Tobacco compliance check- Pass. AYV

1/8/2024 Hand delivered letter and employee Mohamed Omer accepted. AYV

12/05/2023 \$500 FINE PAID. SLH

10/18/2023 CF 23-1597 imposes \$500 penalty to be paid no later than 12.22.2023. SLH

9/19/2023 Sent to the CAO for tobacco underage failure for a 1st violations within 3 years for a \$500 to the LH & \$50 fine to the clerk JNV

9/11/2023 AA sent to JNV for review. AYV

8/23/2023 Tobacco compliance check-Failed. AYV

11/08/22 Youth compliance check passed. AYV

07/27/2021 Youth compliance check pass KY

4/06/2020 Sent letter dated 3-3-2020 in email from licensing manager and a follow up phone call for closure of product shop for executive order 20-20 Covid-19 JNV

6/19/19 Youth tobacco compliance check, pass. ARM

4/22/19 Tobacco compliance check, passed. ARM

8/31/18 Re-inspection of price violation's / no violations found / pass JNV

8/15/18 Tobacco Youth compliance check -Pass JNV

08/09/2018 No response to dlngt. ltr., to KS for CA adverse action. JWF

07/16/2018 Sent delinquent letter. Response deadline date is August 06, 2018. Max

6/27/18 To CAO for adverse JNV.

4/23/18 Menthol education / inspection Fail, Price issues. JNV

08/07/2017 passed tobacco compliance check BLB

8/12/2016 Passed Tobacco Compliance Check BLB

08/13/2015 Passed Tobacco compliance check TPF



April 25, 2025

WHITE BEAR TOBACCO  
1662 WHITE BEAR AVE N  
ST PAUL, MN 55106-1610

**Underage Buyer Tobacco Compliance Check**  
**RE: 1662 WHITE BEAR AVE N - DBA: WHITE BEAR TOBACCO License ID 20140001994**

WHITE BEAR TOBACCO,

This letter is to inform you that the Department of Safety and Inspections (DSI) recently conducted a State mandated annual inspection in the attempt to purchase of tobacco products to persons under the age of 21 hired by DSI in accordance with State Statutes 461.12.

As a result, your tobacco licensed location has **Failed** the underage buyer attempted purchase of tobacco.

These mandated inspections consist of an underage buyer between the ages of 17 and 20 entering licensed establishments in attempting to purchase tobacco products or tobacco related devices as defined in State Statutes Section 609.685 and in the City of Saint Paul Legislative Code Section 324.

Details of the attempted purchase:

On 4/22/2025 at 1:44 P.M., a pack of Camel Crush Menthol Cigarettes was successfully purchased from the clerk on duty. The clerk on duty was a White male who was described as wearing a black hat, shirt, pants, and sweatshirt. The clerk also had blond hair.

In the weeks to come, you should expect a Notice of Violation mailed to you by the City of Saint Paul Attorney's Office with options. Typically, violations for the sale of tobacco products to an underage buyer is a \$500 for the first offence, \$1,000 for the Second, \$2,000 with a seven (7) day suspension and up to revocation of tobacco license within the three (3) years of the first offense.

Questions or regulatory information regarding annual underage tobacco compliance checks, you may contact me directly at phone number 651-266-9014.

Joseph Voyda  
DSI Licensing Inspector

**C: HILLCREST CENTER LLC - 375 JACKSON ST STE 700W SAINT PAUL MN 55101-1810**  
**White Bear Tobacco Market Place INC Attn: Anan Barbarawi - 1662 WHITE BEAR AVE N ST PAUL, MN 55106-1610**



April 25, 2025

White Bear Tobacco Market Place INC  
Attn: Anan Barbarawi  
1662 WHITE BEAR AVE N  
ST PAUL, MN 55106-1610

**Underage Buyer Tobacco Compliance Check**  
**RE: 1662 WHITE BEAR AVE N – DBA: WHITE BEAR TOBACCO License ID 20140001994**

Anan Barbarawi,

This letter is to inform you that the Department of Safety and Inspections (DSI) recently conducted a State mandated annual inspection in the attempt to purchase of tobacco products to persons under the age of 21 hired by DSI in accordance with State Statutes 461.12.

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Joseph Voyda  
DSI Licensing Inspector

C: **WHITE BEAR TOBACCO - 1662 WHITE BEAR AVE N ST PAUL, MN 55106-1610**

**HILLCREST CENTER LLC - 375 JACKSON ST STE 700W SAINT PAUL MN 55101-1810**



April 25, 2025

HILLCREST CENTER LLC  
375 JACKSON ST STE 700W  
SAINT PAUL MN 55101-1810

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Joseph Voyda  
DSI Licensing Inspector

C: **WHITE BEAR TOBACCO - 1662 WHITE BEAR AVE N ST PAUL, MN 55106-1610**

**White Bear Tobacco Market Place INC Attn: Anan Barbarawi - 1662 WHITE BEAR AVE N ST PAUL, MN 55106-1610**



**Tobacco Underage Buyers Compliance Check Inspection Form**

Pass  Fail

Route Order: 12

20140001994  
WHITE BEAR TOBACCO  
1662 WHITE BEAR AVE N  
ST PAUL, MN 55106-1610

License Type: Tobacco Products Shop

**Business Type:**

- Convenience
- Convenience/Gas
- Gas Station
- Drug Store / Pharmacy
- Tobacco Products Shop
- Supermarket/Grocery
- General Merchant
- Liquor Store/Bar Restaurant
- Other (private club, bowling, etc.)

Inspector: **Allan Vang**  
Name

Date: 4/22/2025  
MM DD YY

Time: 1 : 44  am  pm

**Was purchase attempted?**

Yes  No

**If NO, check reason:**

- Does not sell tobacco
- After business hours
- Not applicable
- Unsatisfactory/unsafe conditions
- Out of business
- Other \_\_\_\_\_

Underage Buyer: [REDACTED] 18 Male  
Name Age Gender

Did the Inspector or Officer view transaction?  
 Yes  No

Was sale made?  
 Yes  No

Was age asked?  
 Yes  No

Was ID requested?  
 Yes  No

Was ID shown?  
 Yes  No

**Type of product:**

Amount spent: \$13.50

- Cigarettes: Camel Crush Mentrol
- Smokeless: \_\_\_\_\_
- Cigars: \_\_\_\_\_
- Shisha: \_\_\_\_\_
- E-juice: \_\_\_\_\_
- THC/Delta: \_\_\_\_\_
- Other (cigarette papers, lighter, etc.): \_\_\_\_\_

Clerk Information: Gender: Male Approximate Age:  18 or  Under 18 Actual age if known \_\_\_\_\_

Name of Clerk if known: N/A Description/Notes: White - Black hat, shirt, pant, and sweatshirt - blond hair



Tobacco Underage Buyers Compliance Check Inspection Form

Pass  Fail

Route Order: 12

20140001994  
WHITE BEAR TOBACCO  
1662 WHITE BEAR AVE N  
ST PAUL, MN 55106-1610

Licenses

Business

- Convenience
- Supermarket

Inspector:

Was purchase

Yes  No

Underage Buyer:

Was sale made?

Yes  No

Type of product:

- Cigarettes: Camel
- Shisha:
- Other (cigarette paper)

Cigars: \_\_\_\_\_

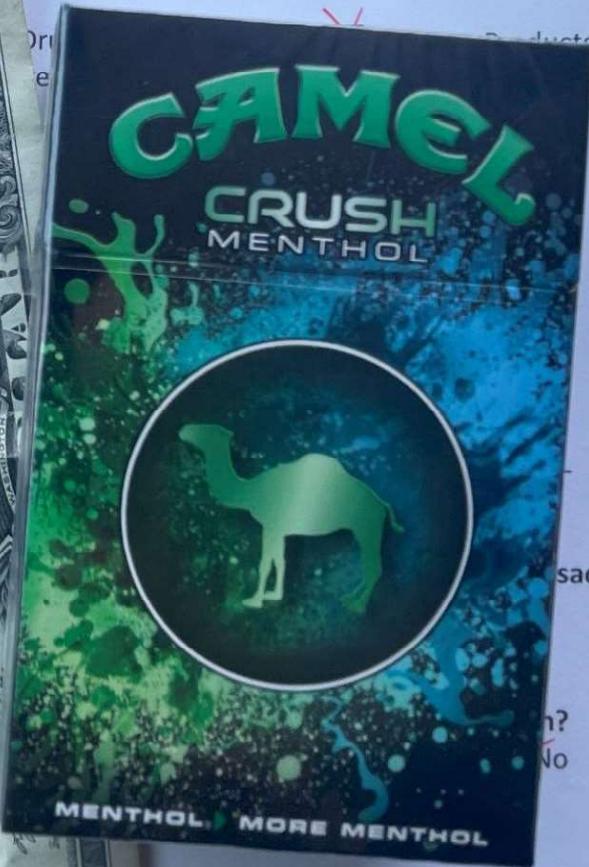
THC/Delta: \_\_\_\_\_

Clerk Information: Gender \_\_\_\_\_

Age  18 or  Under 18 Actual age if known \_\_\_\_\_

Name of Clerk if known: N/A  
pant, and sweatshirt - blond hair

Description/Notes: White - Black hat, shirt,



## Ordinance & State Statutes Violations

### **Sec. 324.07. Sales prohibited.**

- (i) No holder of a license issued under this chapter, nor any employee or agent of same may sell tobacco products to a person under the age of twenty-one (21) years. Sale to persons under the age of twenty-one (21) years prohibited.

### **Sec. 310.03. Hearing procedures.**

(m) *Presumptive penalties for certain violations.* The purpose of this section is to establish a standard by which the city council determines the amount of fines, the length of license suspensions and the propriety of revocations, the general presumptive penalty matrix applies to all license types, except that in the case of a violation involving a liquor license the penalty matrix for intoxicating liquor; nonintoxicating malt liquor applies and for a violations involving tobacco, the penalty matrix for tobacco applies. These penalties are presumed to be appropriate for every case; however the council may deviate therefrom in an individual case where the council finds and determines that there exist substantial and compelling reasons making it more appropriate to do so. When deviating from these standards, the council must provide written reasons that specify why the penalty selected was more appropriate.

#### **3. Tobacco presumptive penalties matrix.**

*Tobacco presumptive penalties.* Penalties for convictions or violations are presumed to be appropriate for every case; however, the council may deviate therefrom in an individual case where the council finds and determines that there exist substantial and compelling reasons making it more appropriate to do so. When deviating from these standards, the council must provide written reasons that specify why the penalty selected was more appropriate (unless specified, numbers below indicate consecutive days' suspension):

Type of Violation	Appearance			
	1st	2nd	3rd	4th
(1) Sale to a person under twenty-one (21) years of age	\$500.00 fine	\$1000.00 fine	\$2,000.00 fine and 7-day suspension	Revocation

(a) *Computation of time for violations under the tobacco presumptive penalties matrix.* If a violation is not covered under this penalty matrix, the general presumptive penalty matrix should be used. Except as otherwise provided by Minn. Stats. § 461.12, subd. 2, subsequent tobacco violations are subject to the following:

## **Sec. 310.14. Licensee's responsibility.**

Any act or conduct by any clerk, employee, manager or agent of a licensee, or by any person providing entertainment or working for or on behalf of a licensee, whether compensated or not, which act or conduct takes place either on the licensed premises or in any parking lot or other area adjacent to (or under the lease or control of) the licensed premises, and which act or conduct violates any state or federal statutes or regulations, or any city ordinance, must be considered to be and treated as the act or conduct of the licensee for the purpose of adverse action against all or any of the licenses held by such licensee. To the extent this section is in conflict with sections 409.14 and 410.09 of the Legislative Code, this section must be controlling and prevail; but must not otherwise amend, alter or affect such sections.

### **State Statutes Violations**

#### **461.12 MUNICIPAL LICENSE OF TOBACCO, TOBACCO-RELATED DEVICES, AND SIMILAR PRODUCTS.**

Subd. 2. Administrative penalties for sales and furnishing; licensees. If a licensee or employee of a licensee sells, gives, or otherwise furnishes tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products to a person under the age of 21 years, or violates any other provision of this chapter, the licensee shall be charged an administrative penalty of \$300 for the first violation. An administrative penalty of \$600 must be imposed for a second violation at the **same location within 36 month** after the initial violation. For a third or any subsequent violation at the **same location within 36 months** after the initial violation, an administrative penalty of \$1,000 must be imposed, and the licensee's authority to sell tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products at that location must be suspended for not less than seven days and may be revoked. No suspension, revocation, or other penalty may take effect until the licensee has received notice, served personally or by mail, of the alleged violation and an opportunity for a hearing before a person authorized by the licensing authority to conduct the hearing. A decision that a violation has occurred must be in writing.