CITY COUNCIL MEETING

MUNICIPAL CENTER COUNCIL CHAMBERS

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118

MONDAY, FEBRUARY 24, 2020
6:30 P.M.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Adopt the Agenda**
5. **OCWS Briefing**
6. **Citizen Comments**
   Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium, state their name and address for the Clerk's record. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.
7. **Council Comments**
8. **Proclamations, Presentations and Recognitions**

   A. Proclamation - Rose Slomba Day

   Documents:

   2-29-20 ROSE SLOMBA DAY.PDF

   B. Introduction and Oath of Office for New Police Officer

   Documents:

   OFFICIAL COUNCIL REPORT - OATH OF OFFICE FOR NEW POLICE OFFICER ARON STONE.PDF
   OATH OF OFFICE AND CODE OF ETHICS.PDF

   C. Open to Business Presentation

   D. Donations to the City

   Documents:

   COUNCIL REPORT - DONATIONS TO THE CITY.PDF
   RESOLUTION - DONATIONS TO THE CITY.PDF

9. **Consent Agenda**

All items on the Consent Agenda are considered to be routine and have been made available to the City Council at least two days prior to the meeting; these items will be enacted by one motion. There will be no separate discussion of these items unless a Council member or citizen so requests, in which event the item will be removed from this agenda and considered under separate motion.

A. List of Claims for February 24, 2020

Documents:

LIST OF CLAIMS 02.24.20.PDF

B. Financial Reports for January

Documents:

JANUARY FINANCIAL REPORT.PDF
01 JANUARY 2020- BANK REC.PDF
JANUARY 2020 GENERAL FUND BUDGET TO ACTUAL.PDF
UBS JANUARY.PDF

C. Declaration of Surplus Property

Documents:

COUNCIL REPORT - DECLARATION OF SURPLUS MOTOR VEHICLE.PDF
RESOLUTION - DECLARATION OF SURPLUS MOTOR VEHICLE.PDF

D. Rental Licensing

Documents:

COUNCIL REPORT - RENTAL LICENSING.PDF

E. Additional Judges for 2020 Elections

Documents:

RESOLUTION - APPOINTING ADDITIONAL ELECTION JUDGES FOR 2020 ELECTIONS.PDF

F. Bird City USA Resolution

Documents:

COUNCIL REPORT - BIRD CITY USA RESOLUTION.PDF
RESOLUTION - BIRD CITY USA.PDF

G. Sanitary Sewer Inflow and Infiltration Services Agreement with City of Newport

Documents:

COUNCIL REPORT - INFLOW AND INFILTRATION INSPECTION SERVICES AGREEMENT NEWPORT.PDF
ATTACHMENT - SANITARY SEWER INFLOW AND INFILTRATION INSPECTION SERVICES AGREEMENT.PDF

H. Coordinated Mental Health Response Pilot Memorandum of Understanding Extension

Documents:

COUNCIL REPORT - MOU BETWEEN CITY OF WEST ST PAUL AND DAKOTA COUNTY SOCIAL SERVICES.PDF
MOU BETWEEN DCSS AND WEST ST PAUL.PDF
RESOLUTION - DCSS AND WEST ST PAUL POLICE MOU.PDF

10. **Public Hearing**

A. Final Reading of Ordinance No. 20-002 Approving the Sale of the Thompson Oaks Golf Course to the EDA for Redevelopment Purposes

Documents:

COUNCIL REPORT FOR PUBLIC HEARING AND SECOND READING ON 2-24-2020 (003).PDF
ORDINANCE 20-002 APPROVING THE SALE OF PROPERTY TO THE EDA.PDF
QUIT CLAIM DEED - CITY TO EDA FOR ALL OF GOLF COURSE PROPERTY - 2-19-2020.PDF

11. **New Business**

A. Award Dome Safety Entrance Construction Bid

Documents:

COUNCIL REPORT - DOME BID AWARD 022420.1.PDF
ATT. - CLIENT BID RESULTS LETTER.PDF

B. Alcohol Compliance Failures - License Sanction Hearings

Documents:

COUNCIL REPORT - ALCOHOL COMPLIANCE FAILURES 2-24-20.PDF
INCIDENT AND SANCTION HEARING NOTICE - EL NUEVO MEXICAN RESTAURANT.PDF
RESOLUTION ALCOHOL LICENSE SANCTIONS, EL NUEVO MORELOS MEXICAN RESTAURANT.PDF
INCIDENT AND SANCTION HEARING NOTICE - SMITH LIQUORS.PDF
RESOLUTION ALCOHOL LICENSE SANCTIONS, SMITH LIQUORS.PDF
INCIDENT AND SANCTION HEARING NOTICE - R AND B LIQUORS.PDF
RESOLUTION ALCOHOL LICENSE SANCTIONS, R AND B LIQUOR.PDF

C. Tobacco Compliance Failures - License Sanction Hearings

Documents:

COUNCIL REPORT - TOABCCO COMPLIANCE FAILURE SANCTION HEARINGS.PDF
TOBACCO COMPLIANCE FAILURE PACKET - CUB FOODS.PDF
RESOLUTION - CUB FOODS TOBACCO SANCTIONS.PDF
TOBACCO COMPLIANCE FAILURE PACKET - STEVENS TOBACCO.PDF
RESOLUTION - STEVENS TOBACCO SANCTIONS.PDF

12. **Old Business**

13. **Adjourn**

PROCLAMATION

ROSE SLOMBA DAY
FEBRUARY 29, 2020

WHEREAS, Rose Slomba was born Rose Mary Sessanna in New York on February 29th, 1920, a leap day; and

WHEREAS, Rose married her husband Frank in 1943 and they moved to St. Paul after his service in World War II where they raised two daughters, Judy and Rosemary; and

WHEREAS, Rose and Frank were members and active golfers at the Mendakota Country Club; and

WHEREAS, Rose and Frank lived in Florida for many years until Frank's passing in 2002; and

WHEREAS, Rose continued to actively golf, winning tournaments into her 90's, she moved to West St. Paul in 2016 to be closer to her daughter Judy and son-in-law Bob where she continues to reside.

NOW THEREFORE BE IT RESOLVED, that the Honorable Mayor David Napier and the members of the City Council of the City of West St. Paul recognize Rose Slomba's 100 years of life and congratulate Rose on her 25th leap day birthday!

_____

David J. Napier, Mayor

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Brian Sturgeon, Chief of Police**

Date: **February 24, 2020**

Introduction of New Police Officer and Administration the Oath of Office

BACKGROUND INFORMATION:

Tonight the Police Department will be introducing our newest member to the Council and to the community of West St. Paul.

Officer Aaron Stone was recently hired as a police officer after a very lengthy hiring process. We are pleased to bring him in front of the community to take his Oath of Office which is commonly administered by the Mayor.

This is a formal presentation which includes:

- Officer Aaron Stone reciting the Police Officer Code of Ethics.
- Administration of the Oath of Office.
- An individual of Officer Stone's choosing to pin his badge to his uniform.

FISCAL IMPACT:

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Welcome Officer Stone to the West St. Paul community and administer the Oath of Office.

LAW ENFORCEMENT CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against abuse or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or abuse and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

Copyright Lexipol, LLC 2019/12/09, All Rights Reserved.
Published with permission by West St. Paul Police Department

WEST ST. PAUL POLICE DEPARTMENT

1616 Humboldt Avenue, West St. Paul, MN 55118-3972
Police Administration: 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

OATH OF OFFICE

I, *Aaron Alexandre Stone*, do solemnly swear [or affirm] to support the Constitution of the United States and of this State and to discharge faithfully the duties of my office as POLICE OFFICER of the City of West Saint Paul to the best of my judgement and ability.

_____
Signature

Subscribed and sworn before me on this
_____ day of _____, 2020.

_____

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **City Staff**

Date: **February 24, 2020**

Donations to the City

BACKGROUND INFORMATION:

The below described individuals and/or organizations have donated to the City:

St. George Antiochian Orthodox Church has graciously donated $1,000 to the West St Paul Police Department's Crime Prevention / Community Outreach efforts. A representative from St. George will be an attendance at this evening's Council meeting.

FISCAL IMPACT:

		Amount
Fund:	101	$1,000.00
Department:		
Account:	30000-36230	

STAFF RECOMMENDATION:

Publically thank the above listed individuals and organizations and accept their generous donations by adopting the attached resolution.

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

RESOLUTION ACCEPTING DONATIONS TO THE CITY

WHEREAS, the below listed individuals/organizations have donated funds to the City:

St. George Antiochian Orthodox Church has graciously donated $1,000.00 to the Police Department's Crime Prevention and Community Outreach efforts.

AND WHEREAS, the donors may indicate a particular use for their funds; and

WHEREAS, the Mayor and City Council acknowledge the generosity of these individuals/organizations and extend their appreciation to them for their consideration and generous donations.

NOW, THEREFORE, BE IT RESOLVED that the West St. Paul Mayor and City Council accept these donations on behalf of the City and authorize City Staff to expend these funds in the manner described therein.

Adopted by the City Council of the City of West St. Paul, Minnesota, this 24th day of February 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Char Stark, Finance Director**

Date: February 24, 2020

List of Claims

BACKGROUND INFORMATION:

Invoices to be paid

FISCAL IMPACT:

$1,518,452.84

STAFF RECOMMENDATION:

Approve payment of the attached

CITY OF WEST ST PAUL

Summary of List of Claims

Council Meeting of February 24, 2020

PAYROLL CHECK REGISTER:

Payroll Period	1/27/20 - 2/09/20	
Date Paid	2/14/2020	
Direct Deposit		$159,584.48
Payroll Period		
Date Paid		
Direct Deposit		
TOTAL NET PAYROLL		$159,584.48

DISBURSEMENT CHECK REGISTER:

Checks	131787 - 131904	$1,105,513.40
EFTS	755 - 770	$253,354.96
TOTAL DISBURSEMENT CHECKS		$1,358,868.36
TOTAL PAYROLL, DISBURSEMENTS, ACH AND WIRE TRANSFERS		$1,518,452.84

CITY OF W.S.P

Payment Register

From Payment Date: 2/11/2020 - To Payment Date: 2/24/2020

Number	Date	Payee Name	Transaction Amount
AP-1 - Accounts Payable			
Check			
131787	02/20/2020	A B C RENTAL	$142.75
131788	02/20/2020	A P W A	$208.00
131789	02/20/2020	ALLIANCE MECHANICAL SERVICES	$761.00
131790	02/20/2020	ARROW MOWER	$20.94
131791	02/20/2020	ATEC LLC	$4,083.72
131792	02/20/2020	BATTERIES PLUS BULBS	$259.95
131793	02/20/2020	BGMN, INC	$117.24
131794	02/20/2020	BOLTON & MENK INC	$3,225.00
131795	02/20/2020	BOUND TREE MEDICAL LLC	$67.28
131796	02/20/2020	BOYER FORD TRUCKS INC	$209.64
131797	02/20/2020	BRAUN INTERTEC CORPORATION	$893.00
131798	02/20/2020	CAR WASH PARTNERS, INC	$141.21
131799	02/20/2020	CARGILL INCORPORATED	$15,489.48
131800	02/20/2020	CENTURYLINK	$396.70
131801	02/20/2020	CHLIC-BLOOMFIELD EASC	$3,226.35
131802	02/20/2020	CINTAS CORPORATION	$112.60
131803	02/20/2020	COMCAST	$229.44
131804	02/20/2020	CONTINENTAL SAFETY EQUIPMENT	$265.43
131805	02/20/2020	CORPORATE MARK INC	$176.00
131806	02/20/2020	CORVAL CONSTRUCTORS, INC	$575.00
131807	02/20/2020	CTM SERVICES, INC	$14.82
131808	02/20/2020	CUB FOODS - WEST ST PAUL	$23.42
131809	02/20/2020	DAKOTA COMMUNICATIONS CENTER	$52,283.00
131810	02/20/2020	DAKOTA COUNTY FINANCIAL SERV	$1,423.13
131811	02/20/2020	DAKOTA COUNTY WARRANTS	$200.00
131812	02/20/2020	DAVIS EQUIPMENT CORP	$149.55
131813	02/20/2020	DELL MARKETING	$4,958.47
131814	02/20/2020	DVS RENEWAL	$22.00
131815	02/20/2020	EHLERS & ASSOCIATES	$2,485.00
131816	02/20/2020	EMERGENCY AUTOMOTIVE TECH	$409.36
131817	02/20/2020	FIDELITY SECURITY LIFE	$215.08
131818	02/20/2020	GALLS INC	$527.60
131819	02/20/2020	GENERAL SECURITY SERVICES	$462.89
131820	02/20/2020	GOPHER STATE ONE-CALL	$85.05
131821	02/20/2020	GRAFIX SHOPPE	$1,050.00
131822	02/20/2020	GRANT ACQUISITION LLC	$4,920.00
131823	02/20/2020	GREGOR, GEORGE	$64.00
131824	02/20/2020	GUARDIAN SUPPLY LLC	$3,669.56
131825	02/20/2020	HOLIDAY STATION STORES	$117.00
131826	02/20/2020	INSIDE THE TAPE	$250.00
131827	02/20/2020	INVER GROVE FORD	$857.21
131828	02/20/2020	KIMLEY-HORN & ASSOCIATES, INC	$1,608.55

131829	02/20/2020	KROGH'S INC	$4,255.54
131830	02/20/2020	LAW ENFORCEMENT LABOR SERVICES	$1,798.00
131831	02/20/2020	LEAGUE OF MN CITIES	$2,200.00
131832	02/20/2020	LEVANDER, GILLEN & MILLER	$30,431.00
131833	02/20/2020	LMCIT	$1,664.31
131834	02/20/2020	LMCIT	$64,463.50
131835	02/20/2020	LMCIT- INS PREMIUMS	$53,902.00
131836	02/20/2020	LOGIS	$4,295.00
131837	02/20/2020	M & B SERVICES	$10,500.00
131838	02/20/2020	M & L DISTRIBUTING, INC	$320.55
131839	02/20/2020	MACIA	$50.00
131840	02/20/2020	MARCO TECHNOLOGIES LLC- LEASE PAYMENT	$1,245.09
131841	02/20/2020	MAUER BUICK GMC	$139.30
131842	02/20/2020	MCAA	$22.00
131843	02/20/2020	MCMULLEN INSPECTIONS, INC	$4,210.00
131844	02/20/2020	MENARDS	$674.18
131845	02/20/2020	METROPOLITAN COUNCIL	$181,986.26
131846	02/20/2020	MIKE BROTHERS LLC	$99.00
131847	02/20/2020	MINDFUL MUSIC & ARTS LLC	$836.00
131848	02/20/2020	MN BENEFIT ASSOCIATION	$1,081.99
131849	02/20/2020	MN GLOVE	$439.88
131850	02/20/2020	MN LOCKS	$184.44
131851	02/20/2020	MN NCPERS LIFE INSURANCE	$208.00
131852	02/20/2020	MN TEAMSTERS LOCAL #320	$1,266.00
131853	02/20/2020	MUSKA PLUMBING	$66.00
131854	02/20/2020	NAPA AUTO PARTS	$630.04
131855	02/20/2020	NATURE CALLS	$175.50
131856	02/20/2020	NORTHDALE CONSTRUCTION COMPANY INC	$268,343.46
131857	02/20/2020	NORTHERN SAFETY CO., INC	$563.96
131858	02/20/2020	O'REILLY AUTOMOTIVE, INC	$832.87
131859	02/20/2020	OFFICE DEPOT	$65.09
131860	02/20/2020	OFFICE OF MNIT SERIVICES	$1,550.00
131861	02/20/2020	OLSON POWER	$479.33
131862	02/20/2020	ORKIN COMMERCIAL SERVICES	$192.79
131863	02/20/2020	PARKOS CONSTRUCTION CO INC	$174,032.97
131864	02/20/2020	PLUNKETT'S PEST CONTROL	$94.00
131865	02/20/2020	POSTMASTER	$10,240.00
131866	02/20/2020	POWERPLAN/R D O EQUIPMENT	$2,952.73
131867	02/20/2020	R & R SPECIALTIES	$37.50
131868	02/20/2020	RED WING BUSINESS ADVANTAGE ACCOUNT	$179.99
131869	02/20/2020	ROADKILL ANIMAL CONTROL	$30.00
131870	02/20/2020	S ST PAUL, CITY OF	$442.20
131871	02/20/2020	SAFETY KLEEN CORPORATION	$198.99
131872	02/20/2020	SAM'S CLUB DIRECT	$287.65
131873	02/20/2020	SFDMG, LLC	$6,627.92
131874	02/20/2020	SHARROW LIFTING PRODUCTS	$42.37

131875	02/20/2020	SHERMAN ASSOCIATES	$10,864.29
131876	02/20/2020	SHERWIN WILLIAMS	$425.34
131877	02/20/2020	SOUTH METRO SWAT	$8,300.00
131878	02/20/2020	SPARTAN PROMOTIONAL GROUP	$459.25
131879	02/20/2020	SPRWS	$1,494.36
131880	02/20/2020	ST PAUL/CITY OF	$30.00
131881	02/20/2020	STREICHER'S	$134.99
131882	02/20/2020	SUBURBAN TIRE WHOLESALE INC	$384.52
131883	02/20/2020	SUMMIT FIRE PROTECTION	$4,200.00
131884	02/20/2020	SUN LIFE FINANCIAL	$2,798.35
131885	02/20/2020	SUPERION	$1,280.00
131886	02/20/2020	SUPERIOR TECH PRODUCTS	$152.00
131887	02/20/2020	T - MOBILE	$2,320.06
131888	02/20/2020	T A SCHIFSKY & SONS	$1,218.85
131889	02/20/2020	THOMAS TESTING INC	$900.00
131890	02/20/2020	TOWMASTER	$157.71
131891	02/20/2020	TRANSUNION RISK & ALTERNATIVE	$64.60
131892	02/20/2020	TRI STATE BOBCAT INC	$879.36
131893	02/20/2020	TRIPLE S INVESTMENT LLP	$16,199.39
131894	02/20/2020	TWIN CITY GARAGE DOOR CO	$1,556.00
131895	02/20/2020	TWIN CITY JANITOR SUPPLY	$427.15
131896	02/20/2020	TWIN CITY SAW	$579.95
131897	02/20/2020	TYLER TECHNOLOGIES INC	$43,990.91
131898	02/20/2020	VISU-SEWER , INC	$4,068.75
131899	02/20/2020	WASTE MANAGEMENT	$3,022.90
131900	02/20/2020	WOLD ARCHITECTS & ENGINEERS	$4,489.46
131901	02/20/2020	WORLD FUEL SERVICES, INC	$157.93
131902	02/20/2020	XCEL ENERGY	$49,270.05
131903	02/20/2020	ZIEGLER INC	$4,833.41
131904	02/20/2020	ZOLL MEDICAL CORPORATION	$120.00
Type Check Totals:			$1,105,513.40
EFT			
755	02/18/2020	FURTHER	$5,850.00
756	02/18/2020	I C M A	$250.00
757	02/18/2020	I C M A RETIREMENT TRUST - ROTH	$300.00
758	02/18/2020	I C M A RETIREMENT TRUST-457	$8,218.34
759	02/18/2020	MII LIFE --- VEBA	$3,479.02
760	02/18/2020	MN DEPT OF REVENUE - PR TAXES	$10,917.26
761	02/18/2020	MSRS - 457	$2,984.51
762	02/18/2020	MSRS HCSP	$3,497.31
763	02/18/2020	PUBLIC EMPLOYEES RETIRMNT ASSN	$55,460.74
764	02/18/2020	IRS - PR TAXES	$52,353.16
765	02/18/2020	DEARBORN NATIONAL	$833.41
766	02/24/2020	BLUECROSS BLUESHIELD	$100,061.30
767	02/24/2020	FURTHER	$651.32
768	02/24/2020	AUTHNET GATEWAY	$31.90

769	02/24/2020	HIGHER STANDARDS INC	$1,265.69
770	02/24/2020	MN STATE TREASURER	$7,201.00
Type EFT Totals:			$253,354.96

TOTAL CHECKS & EFTS	$1,358,868.36

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Charlene Stark, Finance Director**

Date: **February 19, 2020**

Financial Information-January

BACKGROUND INFORMATION:

Attached for Council review the January financial reports:

Bank statement reconciliation-January
Investment statement-January
General Fund-Budget to Actual report for January 2020

FISCAL IMPACT:

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Accept the January financial reports as presented.

CITY OF WEST ST. PAUL
BANK RECONCILIATION
January 31, 2020

Old National BANK BALANCE:			
Ending Balance - Checking Account	**1,826,068.83**		
Deposits in Transit	6,113.56		
Outstanding Disbursements & Checks	(1,219,319.54)		
Petty Cash	1,900.00		
RECONCILED BALANCE	**614,762.85**	**BANK & TREASURER**	**BANK & ACCOUNT**
		-	-
			-

CITY TREASURER'S BALANCE:	
Previous Month's **Reconciled** Balance	**916,633.54**
Daily Receipts Posted	2,622,566.15
Disbursement Checks Issued	(7,783,627.83)
Payroll Direct Deposits	(377,828.12)
Cash Journal Entries (net)	5,237,085.11
Reverse Prior Months	(66.00)
RECONCILED BALANCE	**614,762.85**

CASH ACCOUNT BALANCE:	**614,762.85**
Adjustments:	
RECONCILED BALANCE	**614,762.85**

General Fund Income Statement

Through 1/31/20
Summary Listing

Organization	Organization Description	Adopted Budget Amount	January Actual Amount	2020-YTD Actual Amount	Remaining YTD Actual	% of Budget-Spent
	REVENUE					
30000	Revenues	15,083,361.00	1,546,847.43	1,546,847.43	13,536,513.57	10%
	REVENUE TOTALS	$15,083,361.00	$1,546,847.43	$1,546,847.43	$13,536,513.57	10%
	EXPENSE					
41110	Mayor and Council	152,054.00	22,880.03	22,880.03	129,173.97	15%
41120	Charter Commission	1,500.00	.00	.00	1,500.00	0%
41320	City Manager / City Clerk	705,932.00	46,389.35	46,389.35	659,542.65	7%
41350	Marketing and Communications	159,927.00	10,761.14	10,761.14	149,165.86	7%
41410	Elections	60,348.00	366.86	366.86	59,981.14	1%
41520	Finance	374,936.00	29,782.03	29,782.03	345,153.97	8%
41610	Legal	362,000.00	.00	.00	362,000.00	0%
41910	Planning & Community Development	437,560.00	21,342.81	21,342.81	416,217.19	5%
41915	Recycling Dept.	67,701.00	3,406.47	3,406.47	64,294.53	5%
41920	Information Technology	474,124.00	35,439.28	35,439.28	438,684.72	7%
41940	City Hall Building	229,910.00	6,344.73	6,344.73	223,565.27	3%
41945	PW Facility	73,745.00	4,183.08	4,183.08	69,561.92	6%
42100	Police	6,068,118.00	476,013.29	476,013.29	5,592,104.71	8%
42200	Fire	2,582,003.00	783,778.85	783,778.85	1,798,224.15	30%
42401	Building Inspections	397,525.00	25,961.95	25,961.95	371,563.05	7%
42500	Civil Defense	18,580.00	.00	.00	18,580.00	0%
43000	Engineering	196,089.00	15,704.68	15,704.68	180,384.32	8%
43100	Streets	1,397,597.00	95,427.85	95,427.85	1,302,169.15	7%
43160	Street Lighting	143,125.00	.00	.00	143,125.00	0%
44140	Human Resources	137,003.00	73.11	73.11	136,929.89	0%
45000	Parks and Recreation	1,043,584.00	61,042.51	61,042.51	982,541.49	6%
49200	Unallocated	.00	.00	.00	.00	0%
	EXPENSE TOTALS	$15,083,361.00	$1,638,898.02	$1,638,898.02	$13,444,462.98	11%
	Fund **101 - General Fund** Totals					
	REVENUE TOTALS	15,083,361.00	1,546,847.43	1,546,847.43	13,536,513.57	10%
	EXPENSE TOTALS	15,083,361.00	1,638,898.02	1,638,898.02	13,444,462.98	11%
	Fund **101 - General Fund** Net Gain (Loss)	$0.00	($92,050.59)	($92,050.59)	$92,050.59	

UBS

UBS Financial Services Inc.
681 Lake Street E.
Suite 354
Wayzata MN 55391-1758

CNQ7003508159 0120 RP 0

Business Services Account

January 2020

CITY OF WEST SAINT PAUL
CUSTODY ACCOUNT
ATTN: CHARLENE STARK
1616 HUMBOLDT AVE
WEST SAINT PAUL MN 55118-3905

Account name: CITY OF WEST SAINT PAUL CUSTODY ACCOUNT

Friendly account name: Custody Acct

Account number: RP 34592 SH

Your Financial Advisor:
HARNETT/SORLEY
Phone: 952-475-9440/800-627-2463

Questions about your statement?
Call your Financial Advisor or the ResourceLine at 800-762-1000, account 712034592.

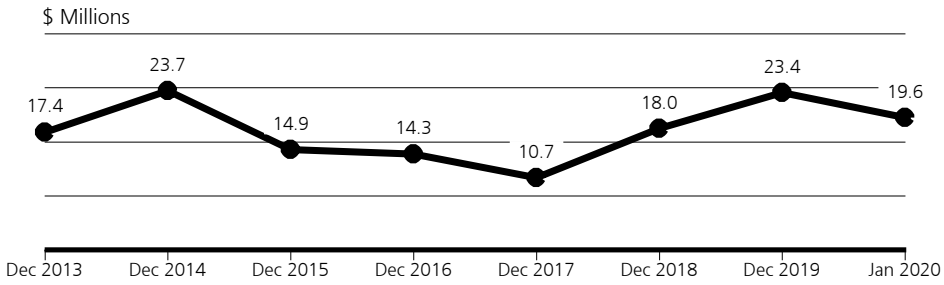
Visit our website:
www.ubs.com/financialservices

Value of your account

	on December 31 ($)	on January 31 ($)
Your assets	23,380,918.65	19,641,783.58
Your liabilities	0.00	0.00
Value of your account	**$23,380,918.65**	**$19,641,783.58**
Accrued interest in value above	$54,144.64	$69,024.11

As a service to you, your portfolio value of $19,641,783.58 includes accrued interest.

Tracking the value of your account



Sources of your account growth during 2020

Value of your account at year end 2019	$23,380,918.65
Net deposits and withdrawals	-$3,900,000.00
Your investment return:	
Dividend and interest income	$21,090.14
Change in value of accrued interest	$14,879.47
Change in market value	$124,895.32
Value of your account on Jan 31, 2020	**$19,641,783.58**

Your account balance sheet

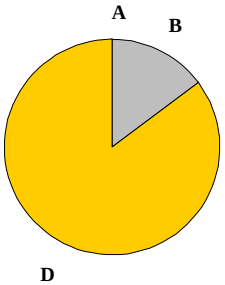
The value of your account includes assets held at UBS and certain assets held away from UBS. See page 1 for more information.

Summary of your assets

		Value on January 31 ($)	Percentage of your account
A	Cash and money balances	1,373.34	0.01%
B	Cash alternatives	2,900,621.03	14.77%
C	Equities	0.00	0.00%
D	Fixed income	16,739,789.21	85.22%
E	Non-traditional	0.00	0.00%
F	Commodities	0.00	0.00%
G	Other	0.00	0.00%
Total assets		**$19,641,783.58**	**100.00%**

Value of your account **$19,641,783.58**

Your current asset allocation



- *Cash and money balances* may include available cash balances, UBS Bank USA deposit account, UBS FDIC Insured Deposit Program Bank accounts, UBS AG Stamford Branch deposit account balances and money market mutual fund sweep balances. See the *Important information about your statement* on the last two pages of this statement for details about those balances.

Eye on the markets

Index	Percentage change January 2020	Percentage change Year to date
S&P 500	-0.04%	-0.04%
Russell 3000	-0.11%	-0.11%
MSCI - Europe, Australia & Far East	-2.08%	-2.08%
Barclays Capital U.S. Aggregate Bond Index	1.92%	1.92%

Interest rates on January 31, 2020

3-month Treasury bills: 1.50%

One-month LIBOR: 1.66%

Change in the value of your account

	January 2020 ($)	Year to date ($)
Opening account value	**$23,380,918.65**	**$23,380,918.65**
Withdrawals and fees, including investments transferred out	-3,900,000.00	-3,900,000.00
Dividend and interest income	21,090.14	21,090.14
Change in value of accrued interest	14,879.47	14,879.47
Change in market value	124,895.32	124,895.32
Closing account value	**$19,641,783.58**	**$19,641,783.58**

Dividend and interest income earned

For purposes of this statement, taxability of interest and dividend income has been determined from a US tax reporting perspective. Based upon the residence of the account holder, account type, or product type, some interest and/or dividend payments may not be subject to United States (US) and/or Puerto Rico (PR) income taxes. The client monthly statement is not intended to be used and cannot be relied upon for tax purposes. Clients should refer to the applicable tax reporting forms they receive from UBS annually, such as the Forms 1099 and the Forms 480, for tax reporting information. It is the practice of UBS to file the applicable tax reporting forms with the US Internal Revenue Service and PR Treasury Department, and in such forms accurately classify dividends and/or interest as tax exempt or taxable income. Please consult your individual tax preparer.

	January 2020 ($)	Year to date ($)
Taxable dividends	3,858.44	3,858.44
Taxable interest	20,205.72	20,205.72
Taxable accrued interest paid	-3,010.42	-3,010.42
Total current year	**$21,053.74**	**$21,053.74**
Prior year adjustment	36.40	36.40
Total dividend & interest	**$21,090.14**	**$21,090.14**

Summary of gains and losses

Values reported below exclude products for which gains and losses are not classified.

	Realized gains and losses		Unrealized
	January 2020 ($)	Year to date ($)	gains and losses ($)
Short term	7,420.00	7,420.00	53,394.02
Long term	36,000.00	36,000.00	233,219.73
Total	**$43,420.00**	**$43,420.00**	**$286,613.75**

Cash activity summary

See *Account activity this month* for details. Balances in your Sweep Options are included in the opening and closing balances value. FDIC insurance applies to deposits at UBS Bank USA and all banks participating in the UBS FDIC Insured Deposit Program. It does not apply to deposits at UBS AG, Stamford Branch. SIPC protection applies to money market sweep fund holdings but not bank deposits. See *Important information about your statement* on the last two pages of this document for details.

	January 2020 ($)	Year to date ($)
Opening balances	**$302,480.34**	**$302,480.34**
Additions		
Dividend and interest income	21,090.14	21,090.14
Proceeds from investment transactions	4,828,217.30	4,828,217.30
Total additions	**$4,849,307.44**	**$4,849,307.44**
Subtractions		
Other funds debited	-3,900,000.00	-3,900,000.00
Funds withdrawn for investments bought	-1,250,414.44	-1,250,414.44
Total subtractions	**-$5,150,414.44**	**-$5,150,414.44**
Net cash flow	**-$301,107.00**	**-$301,107.00**
Closing balances	**$1,373.34**	**$1,373.34**

UBS Bank USA Deposit Account APY

Interest period Dec 6 - Jan 7

Opening UBS Bank USA Deposit balance Dec 6	$4,360.68
Closing UBS Bank USA Deposit balance Jan 7	$840.33
Number of days in interest period	33
Average daily balance	$61,406.16
Interest earned	$2.77
Annual percentage yield earned	0.05%

UBS Bank USA MMF Yield Account APY

Interest period Dec 6 - Jan 7

Opening UBS Bank USA MMF Yield balance Dec 6	$0.00
Closing UBS Bank USA MMF Yield balance Jan 7	$0.00
Number of days in interest period	33
Average daily balance	$41,383.93
Interest earned	$38.14
Annual percentage yield earned	1.02%

Your investment objectives:

You have identified the following investment objectives for this account. If you have questions about these objectives, disagree with them, or wish to change them, please contact your Financial Advisor or Branch Manager. You can find a full description of the alternative investment objectives in *Important information about your statement* at the end of this document.

Your return objective:
Current income
Your risk profile:
Primary - Conservative
Investment eligibility consideration - None selected

Your account instructions

- Your account cost basis default closing method is FIFO, First In, First Out.

Your assets

Some prices, income and current values shown may be approximate. As a result, gains and losses may not be accurately reflected. See *Important information about your statement* at the end of this document for more information.

Cash

Cash and money balances

Cash and money balances may include available cash balances, UBS Bank USA deposit account balances, UBS FDIC Insured Program Bank Balances, UBS AG Stamford Branch deposit account balances and money market mutual fund sweep balances.

See the *Important information about your statement* at the end of this document for details about those balances.

UBS Bank USA and all UBS FDIC Insured Program Bank deposit account balances are insured by the FDIC within applicable limits, but are not protected by SIPC. UBS AG Stamford Branch deposit account balances are not insured by FDIC and are not protected by SIPC. Money market sweep balances are protected by SIPC but are not insured by the FDIC.

Holding	Opening balance on Jan 1 ($)	Closing balance on Jan 31 ($)	Price per share on Jan 31 ($)	Average rate	Dividend/Interest period	Days in period	Cap amount ($)
Cash	-1,059,403.96	0.00					
UBS BANK USA DEP ACCT	250,000.00	1,373.34					250,000.00
UBS BANK USA MMF YIELD	1,111,884.30	0.00					
Total	**$302,480.34**	**$1,373.34**					

Cash alternatives

Money market instruments

Holding	Trade date	Quantity	Purchase price ($)	Cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
BANCO SANTANDER SA/NY MATURES 03/23/20	Dec 10, 19	2,000,000.000	99.482	1,989,652.00	99.768	1,995,360.00	5,708.00	ST

Your assets ‣ **Cash alternatives** (continued)

Money market funds

Money market funds are neither insured nor guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Institutional prime and institutional municipal funds must float their net asset values (NAV) per share to the nearest 1/100th of a cent (e.g., $1.0000). Government and retail money market funds will continue to transact at a stable $1.00 net asset value. Although money market funds seek to preserve the value of your investment at $1.00 per share, it is possible to lose money by investing in these funds.

Total reinvested is the total of all reinvested dividends. It does not include any cash dividends. It is not a tax lot for the purposes of determining holding periods or cost basis. The shares you receive each time you reinvest dividends become a separate tax lot.

Cost basis is the total purchase cost of the security, including reinvested dividends. The cost basis may need to be adjusted for return of capital payments in order to determine the adjusted cost basis for tax reporting purposes.

Unrealized (tax) gain or loss is the difference between the current value and the cost basis and would generally be your taxable gain or loss if the security was sold on this date. The unrealized (tax) gain or loss may need to be adjusted for return of capital payments in order to determine the realized gain or loss for tax reporting purposes.

Investment return is the current value minus the amount you invested. It does not include shares that are not reflected on your statement, including shares that have been realized as either a gain or a loss. It also does not include cash dividends that were not reinvested.

Holding	Number of shares	Purchase price/ Average price per share ($)	Client investment ($)	Cost basis ($)	Price per share on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Investment return ($)	Holding period
UBS SELECT PRIME									
INSTITUTIONAL FUND									
	904,989.543				1.0003	905,261.03			
EAI: $14,932 Current yield: 1.65%									

Fixed income

Certificates of deposit and share certificates

Cost basis has been adjusted for accreted original issue discount (OID) on long-term (more than 1 year) CDs and share certificates. Cost basis has been adjusted automatically for amortization of premium using the constant yield method on long-term (more than 1 year) CDs and share certificates.

CDs are FDIC insured up to $250,000 in principal and accrued interest per depositor and per depository institution, in accordance with FDIC rules. Share certificates are NCUA insured up to $250,000 in principal and accrued interest per qualifying account and per credit union, in accordance with NCUA rules.

Holding	Trade date	Total face value at maturity ($)	Purchase price ($)	Adjusted cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
SANTANDER BK NA DE US RATE 01.8000% MAT 03/18/2020 FIXED RATE CD ACCRUED INTEREST $1,631.08 CUSIP 80280JSR3 EAI: $2,199 Current yield: 1.80%		245,000.000	---This information was unavailable---		100.039	245,095.55		
NEEDHAM CO-OPERATI MA US RATE 01.8500% MAT 03/26/2020 FIXED RATE CD ACCRUED INTEREST $1,577.06 CUSIP 63983RBH1 EAI: $2,260 Current yield: 1.85%		245,000.000	---This information was unavailable---		100.052	245,127.40		

continued next page

Your assets › **Fixed income** › **Certificates of deposit and share certificates** (continued)

Holding	Trade date	Total face value at maturity ($)	Purchase price ($)	Adjusted cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
WEBBANK UT US RATE 01.8500% MAT 06/29/2020 FIXED RATE CD CALLABLE 02/28/2020 @ 100.0000 ACCRUED INTEREST $37.26 CUSIP 947547JP1 EAI: $1,889 Current yield: 1.85%	Jun 19, 17	245,000.000	100.000	245,000.00	100.027	245,066.15	66.15	LT
FLAGSTAR BK FSB MI US RATE 01.7500% MAT 07/21/2020 FIXED RATE CD ACCRUED INTEREST $117.47 CUSIP 33847EY76 EAI: $2,144 Current yield: 1.75%	Jul 11, 17	245,000.000	100.000	245,000.00	100.067	245,164.15	164.15	LT
WORLD'S FOREMOST B NE US RATE 02.3000% MAT 08/06/2020 FIXED RATE JUMBO CD ACCRUED INTEREST $315.06 CUSIP 9159919E5 EAI: $2,683 Current yield: 2.29%	Jul 28, 15	200,000.000	100.000	200,000.00	100.272	200,544.00	544.00	LT
CAPITAL ONE NA VA US RATE 02.0500% MAT 12/29/2020 FIXED RATE CD ACCRUED INTEREST $454.08 CUSIP 14042RFE6 EAI: $5,023 Current yield: 2.04%	Dec 22, 16	245,000.000	100.000	245,000.00	100.380	245,931.00	931.00	LT
CAPITAL ONE BANK N VA US RATE 02.0500% MAT 12/29/2020 FIXED RATE CD ACCRUED INTEREST $454.08 CUSIP 140420S43 EAI: $5,023 Current yield: 2.04%	Dec 22, 16	245,000.000	100.000	245,000.00	100.380	245,931.00	931.00	LT

continued next page

Your assets › **Fixed income** › **Certificates of deposit and share certificates** (continued)

Holding	Trade date	Total face value at maturity ($)	Purchase price ($)	Adjusted cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
SYNCHRONY BK UT US RATE 02.1000% MAT 12/09/2021 FIXED RATE CD ACCRUED INTEREST $747.07 CUSIP 87164XPB6 EAI: $5,145 Current yield: 2.08%	Dec 06, 16	245,000.000	100.000	245,000.00	100.737	246,805.65	1,805.65	LT
SALLIE MAE BK UT US RATE 02.3500% MAT 03/22/2022 FIXED RATE CD ACCRUED INTEREST $2,024.20 CUSIP 795450ZW8 EAI: $5,640 Current yield: 2.32%	Mar 15, 17	240,000.000	100.000	240,000.00	101.345	243,228.00	3,228.00	LT
PRIVATEBANK & TR IL US RATE 02.0000% MAT 05/05/2022 FIXED RATE CD ACCRUED INTEREST $1,167.93 CUSIP 74267GVX2 EAI: $4,900 Current yield: 1.99%	Dec 10, 18	245,000.000	96.000	235,200.00	100.645	246,580.25	11,380.25	LT
COMENITY BANK DE US RATE 02.4000% MAT 06/21/2022 FIXED RATE JUMBO CD ACCRUED INTEREST $368.22 CUSIP 981996RH6 EAI: $4,800 Current yield: 2.38%	Jun 16, 17	200,000.000	100.000	200,000.00	100.724	201,448.00	1,448.00	LT
BARCLAYS BK DE US RATE 02.2000% MAT 07/19/2022 FIXED RATE CD ACCRUED INTEREST $177.20 CUSIP 06740KKJ5 EAI: $5,390 Current yield: 2.17%	Jul 11, 17	245,000.000	100.000	245,000.00	101.182	247,895.90	2,895.90	LT
ALLY BK SANDY UT US RATE 01.8500% MAT 08/29/2022 FIXED RATE CD ACCRUED INTEREST $1,924.76 CUSIP 02007GLJ0 EAI: $4,533 Current yield: 1.84%	Aug 27, 19	245,000.000	100.000	245,000.00	100.350	245,857.50	857.50	ST

continued next page

Your assets › **Fixed income** › **Certificates of deposit and share certificates** (continued)

Holding	Trade date	Total face value at maturity ($)	Purchase price ($)	Adjusted cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
BMW BK OF NA NA UT US RATE 01.8000% MAT 11/22/2022 FIXED RATE CD ACCRUED INTEREST $845.76 CUSIP 05580ATC8 EAI: $4,410 Current yield: 1.80%	Nov 19, 19	245,000.000	100.000	245,000.00	100.238	245,583.10	583.10	ST
WELLS FARGO NATL B NV US RATE 01.8000% MAT 12/13/2022 FIXED RATE CD ACCRUED INTEREST $217.48 CUSIP 949495AA3 EAI: $4,410 Current yield: 1.80%		245,000.000	---This information was unavailable---		100.244	245,597.80		
MERCANTIL COMM BAN NJ US RATE 02.3000% MAT 12/16/2022 FIXED RATE CD ACCRUED INTEREST $710.15 CUSIP 58733ADQ9 EAI: $5,635 Current yield: 2.26%	Dec 06, 16	245,000.000	100.000	245,000.00	101.642	249,022.90	4,022.90	LT
MEDALLION BK UT US RATE 03.3000% MAT 12/19/2022 FIXED RATE CD ACCRUED INTEREST $287.94 CUSIP 58404DCZ2 EAI: $8,085 Current yield: 3.16%	Dec 04, 18	245,000.000	100.000	245,000.00	104.466	255,941.70	10,941.70	LT
MERRICK BK UT US RATE 03.4000% MAT 01/20/2023 FIXED RATE CD ACCRUED INTEREST $251.05 CUSIP 59013J4X4 EAI: $8,330 Current yield: 3.24%	Nov 15, 18	245,000.000	100.000	245,000.00	104.883	256,963.35	11,963.35	LT
DISCOVER BANK DE US RATE 03.3000% MAT 10/03/2023 FIXED RATE CD ACCRUED INTEREST $2,658.07 CUSIP 254673UL8 EAI: $8,085 Current yield: 3.13%	Sep 25, 18	245,000.000	100.000	245,000.00	105.400	258,230.00	13,230.00	LT

continued next page

Your assets ‣ **Fixed income** ‣ **Certificates of deposit and share certificates** (continued)

Holding	Trade date	Total face value at maturity ($)	Purchase price ($)	Adjusted cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
GOLDMAN SACHS BANK NY US RATE 03.5500% MAT 11/21/2023 FIXED RATE CD ACCRUED INTEREST $1,691.84 CUSIP 38148P2H9 EAI: $8,698 Current yield: 3.33%	Nov 15, 18	245,000.000	100.000	245,000.00	106.460	260,827.00	15,827.00	LT
CITIBANK, NA DE US RATE 03.5500% MAT 11/24/2023 FIXED RATE CD ACCRUED INTEREST $1,644.19 CUSIP 17312QW47 EAI: $8,698 Current yield: 3.33%	Nov 15, 18	245,000.000	100.000	245,000.00	106.471	260,853.95	15,853.95	LT
MORGAN STANLEY PRV NY US RATE 03.5500% MAT 11/24/2023 FIXED RATE CD ACCRUED INTEREST $1,644.19 CUSIP 61760ASL4 EAI: $8,698 Current yield: 3.33%	Nov 15, 18	245,000.000	100.000	245,000.00	106.471	260,853.95	15,853.95	LT
MORGAN STANLEY BK UT US RATE 03.5500% MAT 11/24/2023 FIXED RATE CD ACCRUED INTEREST $1,644.19 CUSIP 61690UBN9 EAI: $8,698 Current yield: 3.33%	Nov 15, 18	245,000.000	100.000	245,000.00	106.471	260,853.95	15,853.95	LT
AMER EXPRESS NATL UT US RATE 03.5500% MAT 12/04/2023 FIXED RATE CD ACCRUED INTEREST $1,382.06 CUSIP 02589AA28 EAI: $8,698 Current yield: 3.33%	Nov 26, 18	245,000.000	100.000	245,000.00	106.511	260,951.95	15,951.95	LT
WELLS FARGO BK NA SD US RATE 03.5500% MAT 12/14/2023 FIXED RATE CD ACCRUED INTEREST $405.08 CUSIP 949763VU7 EAI: $8,698 Current yield: 3.36%	Dec 04, 18	245,000.000	100.000	245,000.00	105.732	259,043.40	14,043.40	LT

continued next page

Your assets › **Fixed income** › **Certificates of deposit and share certificates** (continued)

Holding	Trade date	Total face value at maturity ($)	Purchase price ($)	Adjusted cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
JPMORGAN CHASE BK OH US RATE 02.5500% MAT 06/28/2024 FIXED RATE CD CALLABLE 06/28/2020 @ 100.0000 ACCRUED INTEREST $581.94 CUSIP 48128HG77 EAI: $6,248 Current yield: 2.54%	Jun 17, 19	245,000.000	100.000	245,000.00	100.376	245,921.20	921.20	ST
SILVERGATE BANK CA US RATE 02.3000% MAT 07/31/2024 FIXED RATE CD CALLABLE 01/31/2020 @ 100.0000 CUSIP 828373GX2 EAI: $5,635 Current yield: 2.30%	Jul 03, 19	245,000.000	100.000	245,000.00	100.066	245,161.70	161.70	ST
FIRST NATL BK TX US RATE 01.9500% MAT 08/29/2024 FIXED RATE CD ACCRUED INTEREST $26.16 CUSIP 32112UDB4 EAI: $4,778 Current yield: 1.95%	Aug 21, 19	245,000.000	100.000	245,000.00	100.038	245,093.10	93.10	ST
JONESBORO ST BK LA US RATE 02.0500% MAT 09/16/2024 FIXED RATE CD CALLABLE 02/16/2020 @ 100.0000 ACCRUED INTEREST $206.41 CUSIP 48040PFB6 EAI: $5,023 Current yield: 2.05%	Aug 29, 19	245,000.000	100.000	245,000.00	100.023	245,056.35	56.35	ST
WYOMING BK & TR WY US RATE 01.9000% MAT 09/18/2024 FIXED RATE CD CALLABLE 02/18/2020 @ 100.0000 ACCRUED INTEREST $165.79 CUSIP 98321PAF7 EAI: $4,655 Current yield: 1.90%	Aug 28, 19	245,000.000	100.000	245,000.00	100.019	245,046.55	46.55	ST

continued next page

Your assets ‣ **Fixed income** ‣ **Certificates of deposit and share certificates** (continued)

Holding	Trade date	Total face value at maturity ($)	Purchase price ($)	Adjusted cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
HSBC BANK USA NA VA US RATE 02.0000% MAT 09/23/2024 FIXED RATE CD CALLABLE 09/23/2020 @ 100.0000 ACCRUED INTEREST $1,745.20 CUSIP 44329MAX1 EAI: $4,900 Current yield: 1.99%	Sep 16, 19	245,000.000	100.000	245,000.00	100.251	245,614.95	614.95	ST
ENERBANK UT US RATE 02.0000% MAT 09/27/2024 FIXED RATE CD ACCRUED INTEREST $53.70 CUSIP 29278TLX6 EAI: $4,900 Current yield: 1.99%	Sep 17, 19	245,000.000	100.000	245,000.00	100.715	246,751.75	1,751.75	ST
STATE BK INDIA NY US RATE 02.0500% MAT 11/27/2024 FIXED RATE CD ACCRUED INTEREST $894.42 CUSIP 856285RS2 EAI: $5,023 Current yield: 2.03%	Nov 12, 19	245,000.000	100.000	245,000.00	100.925	247,266.25	2,266.25	ST
FIRST UTD BK & TR NY US RATE 02.3500% MAT 08/31/2026 FIXED RATE CD CALLABLE 02/28/2020 @ 100.0000 CUSIP 33742CAP2 EAI: $5,758 Current yield: 2.35%	Aug 16, 19	245,000.000	100.000	245,000.00	100.076	245,186.20	186.20	ST
Total		**$8,235,000.000**		**$7,490,200.00**		**$8,390,495.65**	**$164,474.90**	

Total accrued interest: $28,051.09

Total estimated annual income: $189,692

Your assets ‣ **Fixed income** (continued)

Municipal securities

Prices are obtained from independent quotation bureaus that use computerized valuation formulas to calculate current values. Actual market values may vary and thus gains/losses may not be accurately reflected. Cost basis has been automatically adjusted for mandatory amortization of bond premium on coupon tax-exempt municipal securities using the constant yield method and for accreted original issue discount for securities issued at a discount. When original cost basis is displayed, amortization has been done using the constant yield method, otherwise amortization has been done using the straight line method.

Holding	Trade date	Total face value at maturity ($)	Purchase price($)	Adjusted cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
BERKELEY CNTY SC SCH TAX SR C BE/R/ RATE 02.350% MATURES 03/01/23 ACCRUED INTEREST $2,350.00 CUSIP 084203WV6 Moody: Aa1 S&P: AA EAI: $5,640 Current yield: 2.30% Original cost basis: $242,767.20	Oct 02, 17	240,000.000	100.672	241,614.37	102.020	244,848.00	3,233.63	LT
NEW YORK NY CITY TRANSI TAX A-2 RV BE/R/ RATE 01.850% MATURES 05/01/23 ACCRUED INTEREST $2,312.50 CUSIP 64971WJ43 Moody: Aa1 S&P: AAA EAI: $9,250 Current yield: 1.84%	Jun 16, 17	500,000.000	97.814	489,070.00	100.592	502,960.00	13,890.00	LT
UNIV KY GEN RCPTS RV TAX SR B OID99.123 BE/R/ RATE 02.500% MATURES 04/01/24 ACCRUED INTEREST $3,333.32 CUSIP 914378KW3 Moody: Aa2 S&P: AA EAI: $10,000 Current yield: 2.44%	Feb 23, 17	400,000.000	99.505	398,020.00	102.572	410,288.00	12,268.00	LT
LEXINGTON-FAYETTE URBAN TAX SR B BE/R/ RATE 02.500% MATURES 06/01/25 ACCRUED INTEREST $1,000.00 CUSIP 52908EM83 Moody: Aa2 S&P: AA EAI: $6,000 Current yield: 2.41% Original cost basis: $241,231.20	Sep 21, 17	240,000.000	100.366	240,878.95	103.637	248,728.80	7,849.85	LT

continued next page

Your assets ‣ **Fixed income** ‣ **Municipal securities** (continued)

Holding	Trade date	Total face value at maturity ($)	Purchase price($)	Adjusted cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
NEW YORK NY CITY TRANSI TAX B-2 RV BE/R/ RATE 02.400% MATURES 08/01/25 ACCRUED INTEREST $5,100.00 CUSIP 64971WP61 Moody: Aa1 S&P: AAA EAI: $10,200 Current yield: 2.32% Original cost basis: $432,097.50	Nov 04, 19	425,000.000	101.603	431,814.81	103.448	439,654.00	7,839.19	ST
NEW YORK NY GO BDS TAX BE/R/ RATE 01.890% MATURES 10/01/25 DATED DATE 10/22/19 ACCRUED INTEREST $2,001.03 CUSIP 64966QEH9 Moody: Aa1 S&P: AA EAI: $7,277 Current yield: 1.89%	Nov 04, 19	385,000.000	99.260	382,151.00	99.799	384,226.15	2,075.15	ST
PHILADELPHIA PA AUTH FOR ASSUR TAX RV BE/R/ RATE 00.000% MATURES 04/15/26 DATED DATE 02/03/99 CUSIP 71781LBU2 Moody: A2 S&P: AA Original cost basis: $431,885.00	Jan 07, 20	500,000.000	86.494	432,470.87	86.699	433,495.00	1,024.13	ST
WISC ST GEN FD APP 2003 TAX SR A RV BE/R/ RATE 02.383% MATURES 05/01/26 ACCRUED INTEREST $3,276.62 CUSIP 977100DC7 Moody: Aa2 S&P: AA- EAI: $13,107 Current yield: 2.30%	Aug 17, 17	550,000.000	97.600	536,800.00	103.674	570,207.00	33,407.00	LT

continued next page

Your assets ‣ **Fixed income** ‣ **Municipal securities** (continued)

Holding	Trade date	Total face value at maturity ($)	Purchase price($)	Adjusted cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
CALIFORNIA ST FOR PREVIO TAX BE/R/ RATE 02.375% MATURES 10/01/26 DATED DATE 10/24/19 ACCRUED INTEREST $3,199.65 CUSIP 13063DRD2 Moody: Aa2 S&P: AA- EAI: $11,875 Current yield: 2.30% Original cost basis: $512,625.00	Jan 22, 20	500,000.000	102.516	512,580.65	103.140	515,700.00	3,119.35	ST
PEMBROKE RESOURCES CORP TAX RV BE/R/ RATE 02.500% MATURES 07/01/27 ACCRUED INTEREST $624.99 CUSIP 70643QHA9 S&P: AA EAI: $7,500 Current yield: 2.44% Original cost basis: $302,046.00	Dec 31, 19	300,000.000	100.674	302,024.43	102.419	307,257.00	5,232.57	ST
NEW YORK N Y TAX B-2 BE/R/ RATE 02.090% MATURES 10/01/27 DATED DATE 10/22/19 ACCRUED INTEREST $1,436.87 CUSIP 64966QEK2 Moody: Aa1 S&P: AA EAI: $5,225 Current yield: 2.09%	Nov 04, 19	250,000.000	98.846	247,115.00	99.969	249,922.50	2,807.50	ST
TEXAS A&M UNIV PERM FD TAX RV BE/R/ RATE 02.260% MATURES 07/01/28 DATED DATE 12/17/19 ACCRUED INTEREST $1,381.10 CUSIP 8821176F6 Moody: Aaa S&P: AAA EAI: $11,300 Current yield: 2.22%	Dec 18, 19	500,000.000	99.691	498,455.00	101.789	508,945.00	10,490.00	ST

continued next page

Your assets ‣ **Fixed income** ‣ **Municipal securities** (continued)

Holding	Trade date	Total face value at maturity ($)	Purchase price($)	Adjusted cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
UNIV OF AL AT BIR MINGHA TAX SR D RV BE/R/ RATE 02.350% MATURES 10/01/28 DATED DATE 11/06/19 ACCRUED INTEREST $3,329.16 CUSIP 914745GC2 Moody: Aa2 S&P: AA EAI: $14,100 Current yield: 2.31% Original cost basis: $602,382.00	Dec 11, 19	600,000.000	100.391	602,347.89	101.619	609,714.00	7,366.11	ST
Total		**$5,390,000.000**		**$5,315,342.97**		**$5,425,945.45**	**$110,602.48**	

Total accrued interest: $29,345.24

Total estimated annual income: $111,474

Government securities

Prices are obtained from independent quotation bureaus that use computerized valuation formulas to calculate current values. Actual market values may vary and thus gains/losses may not be accurately reflected. Cost basis has been adjusted for accreted original issue discount (OID). Cost basis has been automatically adjusted for amortization of bond premium using the constant yield method. If you have made a tax election to deduct the premium amortization on taxable debt securities, you may request that UBS adjust cost basis for the bond premium amortization.

Holding	Trade date	Quantity	Purchase price ($)	Adjusted cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
FNMA NTS STEP-UP RATE 1.6250% MATURES 07/27/21 ACCRUED INTEREST $90.30 CUSIP 3136G3XT7 EAI: $8,125 Current yield: 1.63%	Jul 27, 16	500,000.000	100.000	500,000.00	99.930	499,650.00	-350.00	LT
FHLB BOND STEP-UP RATE 1.5000% MATURES 11/23/21 ACCRUED INTEREST $1,416.65 CUSIP 3130A9Z95 EAI: $7,500 Current yield: 1.50% Original cost basis: $495,760.00	Jun 19, 17	500,000.000	98.652	493,260.00	99.849	499,245.00	5,985.00	LT
FFCB BOND RATE 2.0500% MATURES 12/26/24 INTEREST EARNED FROM 12/26/19 1ST INTEREST PAYMENT 06/26/20 ACCRUED INTEREST $1,694.13 CUSIP 3133ELFB5 EAI: $17,425 Current yield: 2.05%		850,000.000	---This information was unavailable---		100.054	850,459.00		

continued next page

Your assets ‣ **Fixed income** ‣ **Government securities** (continued)

Holding	Trade date	Quantity	Purchase price ($)	Adjusted cost basis ($)	Price on Jan 31 ($)	Value on Jan 31 ($)	Unrealized gain or loss ($)	Holding period
FFCB BOND RATE 2.3700% MATURES 09/23/26 INTEREST EARNED FROM 09/23/19 1ST INTEREST PAYMENT 03/23/20 ACCRUED INTEREST $8,426.70 CUSIP 3133EKR24 EAI: $23,700 Current yield: 2.36% Original cost basis: $1,005,000.00	Sep 30, 19	1,000,000.000	100.477	1,004,776.63	100.497	1,004,970.00	193.37	ST
Total		**2,850,000.000**		**$1,998,036.63**		**$2,854,324.00**	**$5,828.37**	

Total accrued interest: $11,627.78

Total estimated annual income: $56,750

Your total assets

		Value on Jan 31 ($)	Percentage of your account	Cost basis ($)	Estimated annual income ($)	Unrealized gain or loss ($)
Cash	**Cash and money balances**	**1,373.34**	**0.01%**	**1,373.34**		
Cash alternatives	Money market instruments	1,995,360.00		1,989,652.00		5,708.00
	* Money market funds	905,261.03			14,932.00	
	Total cash alternatives	**2,900,621.03**	**14.77%**	**1,989,652.00**	**14,932.00**	**5,708.00**
Fixed income	* Certificates of deposits and share certificates	8,390,495.65		7,490,200.00	189,692.00	164,474.90
	Municipal securities	5,425,945.45		5,315,342.97	111,474.00	110,602.48
	* Government securities	2,854,324.00		1,998,036.63	56,750.00	5,828.37
	Total accrued interest	69,024.11				
	Total fixed income	**16,739,789.21**	**85.22%**	**14,803,579.60**	**357,916.00**	**280,905.75**
Total		**$19,641,783.58**	**100.00%**	**$16,794,604.94**	**$372,848.00**	**$286,613.75**

* Missing cost basis information.

Account activity this month

	Date	Activity	Description	Amount ($)
Dividend and interest income				
Taxable dividends	Jan 31	Dividend	UBS SELECT PRIME INSTITUTIONAL FUND SYMBOL: SELXX	3,858.44
	Total taxable dividends			**$3,858.44**
Taxable interest	Jan 3	Interest	UBS BANK USA MMF YIELD ACCOUNT	2.91
	Jan 3	Interest	COMENITY BANK DE US RT 02.4000% MAT 06/21/22FIXED RATE JUMBO CD PAID ON 200000 CUSIP: 981996RH6	407.67
	Jan 7	Interest	WORLD'S FOREMOST B NE US RT 02.3000% MAT 08/06/20FIXED RATE JUMBO CD PAID ON 200000AS OF 01/06/20 CUSIP: 9159919E5	390.69
	Jan 8	Interest	UBS BANK USA DEPOSIT ACCOUNT AS OF 01/07/20	0.68
	Jan 9	Interest	UBS BANK USA DEPOSIT ACCOUNT	0.01
	Jan 13	Interest	WELLS FARGO NATL B NV US RT 01.8000% MAT 12/13/22FIXED RATE CD PAID ON 245000 CUSIP: 949495AA3	374.55
	Jan 14	Interest	WELLS FARGO BK NA SD US RT 03.5500% MAT 12/14/23FIXED RATE CD PAID ON 245000 CUSIP: 949763VU7	738.69
	Jan 16	Interest	JONESBORO ST BK LA US RT 02.0500% MAT 09/16/24FIXED RATE CD PAID ON 245000 CUSIP: 48040PFB6	426.57
	Jan 21	Interest	MERRICK BK UT US RT 03.4000% MAT 01/20/23FIXED RATE CD PAID ON 245000 AS OF 01/20/20 CUSIP: 59013J4X4	707.48
	Jan 21	Interest	MEDALLION BK UT US RT 03.3000% MAT 12/19/22FIXED RATE CD PAID ON 245000 AS OF 01/18/20 CUSIP: 58404DCZ2	686.67
	Jan 21	Interest	FLAGSTAR BK FSB MI US RT 01.7500% MAT 07/21/20FIXED RATE CD PAID ON 245000 CUSIP: 33847EY76	2,161.37
	Jan 21	Interest	NEW YORK CMNTY BK NY US RT 01.9000% MAT 01/21/20FIXED RATE CD PAID ON 245000 CUSIP: 649447SW0	1,594.18
	Jan 21	Interest	BARCLAYS BK DE US RT 02.2000% MAT 07/19/22FIXED RATE CD PAID ON 245000 CUSIP: 06740KKJ5	2,746.68

continued next page

Account activity this month (continued)

	Date	Activity	Description	Amount ($)
Dividend and interest income (continued)				
Taxable interest (continued)	Jan 22	Interest	WYOMING BK & TR WY US RT 01.9000% MAT 09/18/24FIXED RATE CD PAID ON 245000 AS OF 01/18/20 CUSIP: 98321PAF7	395.36
	Jan 24	Interest	UBS BANK USA MMF YIELD ACCOUNT	0.19
	Jan 24	Interest	UBS BANK USA DEPOSIT ACCOUNT	2.74
	Jan 27	Interest	FNMA NTS STEP-UP 1.5000% DUE 072721DTD 072716 FC 01272017PAID ON 500000 CUSIP: 3136G3XT7	3,750.00
	Jan 27	Interest	FHLMC MED TERM NTS STEP 2.2500% DUE 102728DTD 102716 FC 04272017 CUSIP: 3134GARR7	2,812.50
	Jan 27	Interest	NATIONAL BK WI US RT 02.1500% MAT 06/27/22FIXED RATE CD PAID ON 245000 CUSIP: 633368EK7	447.38
	Jan 27	Interest	ENERBANK UT US RT 02.0000% MAT 09/27/24FIXED RATE CD PAID ON 245000 CUSIP: 29278TLX6	416.16
	Jan 27	Interest	FIRST US BANK AL US RT 01.8500% MAT 01/27/20FIXED RATE CD PAID ON 245000 CUSIP: 33744AAM1	384.95
	Jan 28	Interest	WEBBANK UT US RT 01.8500% MAT 06/29/20FIXED RATE CD PAID ON 245000 CUSIP: 947547JP1	384.95
	Jan 29	Interest	FIRST NATL BK TX US RT 01.9500% MAT 08/29/24FIXED RATE CD PAID ON 245000 CUSIP: 32112UDB4	405.76
	Jan 30	Interest	FIRST UTD BK & TR NY US RT 02.3500% MAT 08/31/26FIXED RATE CD PAID ON 245000 CUSIP: 33742CAP2	488.99
	Jan 30	Interest	SILVERGATE BANK CA US RT 02.3000% MAT 07/31/24FIXED RATE CD PAID ON 245000 CUSIP: 828373GX2	478.59
	Total accrued interest paid			**-$3,010.42**
	Total taxable interest			**$17,195.30**

Account activity this month (continued)

	Date	Activity	Description	Amount ($)
Dividend and interest income (continued)				
Miscellaneous	Jan 2	Interest	UBS BANK USA MMF YIELD ACCOUNT AS OF 12/31/19	35.04
	Jan 2	Interest	UBS BANK USA DEPOSIT ACCOUNT AS OF 12/31/19	1.36
	Total miscellaneous			**$36.40**
	Total dividend and interest income			**$21,090.14**

	Date	Activity	Description	Amount ($)
Other funds debited	Jan 15	Withdrawal	FEDERAL FUNDS TO City of West Saint Paul AT OLD NATIONAL BANK	-400,000.00
	Jan 29	Withdrawal	FEDERAL FUNDS TO City of West Saint Paul AT OLD NATIONAL BANK	-3,500,000.00
	Total other funds debited			**-$3,900,000.00**

Investment transactions

For more information about the price/value shown for restricted securities, see *Important information about your statement* at the end of this document.

Date	Activity	Description	Quantity	Value ($)	Price ($)	Proceeds from investment transactions ($)	Funds withdrawn for investments bought ($)	Accrued interest ($)
Jan 3	Bought	PEMBROKE RESOURCES CORP TAX RV BE/R/ 2.500 070127 DTD 110719 2.400% YIELD TO MATURITY CUSIP: 70643QHA9	300,000.000		100.6820000		-302,046.00	-41.67
Jan 9	Sold	UBS SELECT PRIME INSTITUTIONAL FUND SYMBOL: SELXX	-430,567.866			430,653.98		
Jan 9	Bought	PHILADELPHIA PA AUTH FOR ASSUR TAX RV BE/R/ .000 041526 DTD 020399 2.351% YIELD TO MATURITY CUSIP: 71781LBU2	500,000.000		86.3770000		-431,885.00	
Jan 15	Sold	UBS SELECT PRIME INSTITUTIONAL FUND SYMBOL: SELXX	-398,806.989			398,886.75		
Jan 21	Call Redemption	NEW YORK CMNTY BK NY US RT 01.9000% MAT 01/21/20 FIXED RATE CD CUSIP: 649447SW0	-245,000.000			245,000.00		
Jan 24	Sold	UBS SELECT PRIME INSTITUTIONAL FUND SYMBOL: SELXX	-261,823.075			261,875.44		
Jan 24	Bought	CALIFORNIA ST FOR PREVIO TAX BE/R/ 2.375 100126 DTD 102419 1.970% YIELD TO MATURITY CUSIP: 13063DRD2	500,000.000		102.5250000		-512,625.00	-2,968.75

continued next page

Account activity this month (continued)

Investment transactions (continued)

Date	Activity	Description	Quantity	Value ($)	Price ($)	Proceeds from investment transactions ($)	Funds withdrawn for investments bought ($)	Accrued interest ($)
Jan 27	Call Redemption	FHLMC MED TERM NTS STEP 2.2500% DUE 102728 DTD 102716 FC 04272017 CUSIP: 3134GARR7	-500,000.000			500,000.00		
Jan 27	Call Redemption	KOREA DEVELOPMENT BK NY DUE 01/27/20 CUSIP: 5006E0AT3	-1,000,000.000			1,000,000.00		
Jan 27	Call Redemption	NATIONAL BK WI US RT 02.1500% MAT 06/27/22 FIXED RATE CD CUSIP: 633368EK7	-245,000.000			245,000.00		
Jan 27	Call Redemption	FIRST US BANK AL US RT 01.8500% MAT 01/27/20 FIXED RATE CD CUSIP: 33744AAM1	-245,000.000			245,000.00		
Jan 29	Sold	UBS SELECT PRIME INSTITUTIONAL FUND SYMBOL: SELXX	-1,501,350.725			1,501,801.13		
Jan 31	Reinvestment	UBS SELECT PRIME INSTITUTIONAL FUND DIVIDEND REINVESTED AT 1.00 NAV ON 01/31/20 SYMBOL: SELXX	3,857.283				-3,858.44	
Total						**$4,828,217.30**	**-$1,250,414.44**	**-$3,010.42**

	Date	Activity	Description	Amount ($)
Money balance activities	**Dec 31**	**Balance forward**		**$250,000.00**
	Jan 2	Deposit	UBS BANK USA DEPOSIT ACCOUNT AS OF 12/31/19	1.36
	Jan 3	Withdrawal	UBS BANK USA DEPOSIT ACCOUNT	-249,572.29
	Jan 6	Deposit	UBS BANK USA DEPOSIT ACCOUNT	410.58
	Jan 8	Deposit	UBS BANK USA DEPOSIT ACCOUNT AS OF 01/07/20	0.68
	Jan 8	Deposit	UBS BANK USA DEPOSIT ACCOUNT	390.69
	Jan 9	Withdrawal	UBS BANK USA DEPOSIT ACCOUNT	-1,231.02
	Jan 14	Deposit	UBS BANK USA DEPOSIT ACCOUNT	374.56
	Jan 15	Deposit	UBS BANK USA DEPOSIT ACCOUNT	738.69
	Jan 16	Withdrawal	UBS BANK USA DEPOSIT ACCOUNT AS OF 01/15/20	-1,113.25
	Jan 17	Deposit	UBS BANK USA DEPOSIT ACCOUNT	426.57
	Jan 22	Deposit	UBS BANK USA DEPOSIT ACCOUNT	249,573.43

continued next page

Account activity this month (continued)

	Date	Activity	Description	Amount ($)
Money balance activities (continued)	Jan 24	Withdrawal	UBS BANK USA DEPOSIT ACCOUNT	-250,000.00
	Jan 27	Deposit	UBS BANK USA DEPOSIT ACCOUNT	2.93
	Jan 28	Deposit	UBS BANK USA DEPOSIT ACCOUNT	249,997.07
	Jan 30	Withdrawal	UBS BANK USA DEPOSIT ACCOUNT AS OF 01/29/20	-249,594.24
	Jan 31	Deposit	UBS BANK USA DEPOSIT ACCOUNT	967.58
	Jan 31	**Closing UBS Bank USA Deposit Account**		**$1,373.34**
	Dec 31	**Balance forward**		**$1,111,884.30**
	Jan 2	Withdrawal	UBS BANK USA MMF YIELD ACCOUNT AS OF 12/31/19	-1,059,403.96
	Jan 2	Deposit	UBS BANK USA MMF YIELD ACCOUNT AS OF 12/31/19	35.04
	Jan 3	Withdrawal	UBS BANK USA MMF YIELD ACCOUNT	-52,515.38
	Jan 22	Deposit	UBS BANK USA MMF YIELD ACCOUNT	3,322.95
	Jan 23	Deposit	UBS BANK USA MMF YIELD ACCOUNT	395.36
	Jan 24	Withdrawal	UBS BANK USA MMF YIELD ACCOUNT	-3,718.31
	Jan 28	Deposit	UBS BANK USA MMF YIELD ACCOUNT	1,747,813.92
	Jan 29	Deposit	UBS BANK USA MMF YIELD ACCOUNT	384.95
	Jan 30	Withdrawal	UBS BANK USA MMF YIELD ACCOUNT AS OF 01/29/20	-1,748,198.87
	Jan 31	**Closing UBS Bank USA MMF Yield Account**		**$0.00**

Realized gains and losses

The estimated realized gains and losses shown below are not for tax purposes. Please note that gain or loss recognized on the sale or redemption of certain Structured Products, like Contingent Debt Securities, may be ordinary, and not capital, gain or loss. Please check with your tax advisor. To calculate gains and losses, we liquidate the oldest security lot first. This is known as the first-in, first-out or FIFO accounting method. We use this method unless you specified which tax lot to close when you placed your order. This is known as a versus purchases or VSP order. See *Important information about your statement* at the end of this document for more information. We may not adjust gains and losses for all capital changes. We automatically adjust cost basis for tax-exempt and AMT coupon municipal securities for estimated amortization of bond premiums and for accreted OID for securities issued at a discount. If you requested that UBS adjust cost basis for the bond premium amortization on taxable debt securities then cost basis reflected for these securities has been adjusted. Estimates in the *Unclassified* section can not be classified as short term or long term because information is missing, or the product is one in which the gain/loss calculation is not provided.

Short-term capital gains and losses

Security description	Method	Quantity or face value	Purchase date	Sale date	Sale amount ($)	Cost basis ($)	Wash sale cost basis adjustment($)	Loss ($)	Gain ($)
KOREA DEVELOPMENT BK NY DUE 01/27/20	FIFO	1,000,000.000	Sep 23, 19	Jan 27, 20	1,000,000.00	992,580.00			7,420.00

continued next page

Realized gains and losses (continued)

Long-term capital gains and losses

Security description	Method	Quantity or face value	Purchase date	Sale date	Sale amount ($)	Cost basis ($)	Wash sale cost basis adjustment($)	Loss ($)	Gain ($)
FHLMC MED TERM NTS STEP 2.2500% DUE 102728 DTD 102716 FC 04272017	FIFO	500,000.000	Nov 19, 18	Jan 27, 20	500,000.00	464,000.00			36,000.00
NATIONAL BK WI US RT 02.1500% MAT 06/27/22 FIXED RATE CD	FIFO	245,000.000	Jun 21, 17	Jan 27, 20	245,000.00	245,000.00			
Total					**$745,000.00**	**$709,000.00**			**$36,000.00**
Net long-term capital gains or losses									**$36,000.00**
Net capital gains/losses:									**$43,420.00**

Gains and losses not calculated

Security description	Method	Quantity or face value	Purchase date	Sale date	Sale amount ($)	Cost basis ($)	Wash sale cost basis adjustment($)	Loss ($)	Gain ($)
FIRST US BANK AL US RT 01.8500% MAT 01/27/20 FIXED RATE CD	FIFO	245,000.000		Jan 27, 20	245,000.00	0.00		---This information was unavailable---	
NEW YORK CMNTY BK NY US RT 01.9000% MAT 01/21/20 FIXED RATE CD	FIFO	245,000.000		Jan 21, 20	245,000.00	0.00		---This information was unavailable---	
Total					**$490,000.00**				

UBS

Your notes

Important information about your statement

UBS Financial Services Inc. (the Firm or UBS Financial Services), is a member of all principal security, commodity and options exchanges. UBS Financial Services and UBS Bank USA are indirect subsidiaries of UBS AG and affiliates of UBS Securities LLC. The Firm's financial statement is available upon request. The Firm's executive offices are at:

UBS Financial Services Inc.
1200 Harbor Boulevard
Weehawken, NJ 07086

This statement represents the only official record of your UBS Financial Services account. Other records, except official tax documents, containing conflicting data should not be relied upon. If you believe there is an error or omission, please report it immediately in writing to the Branch Manager of the office serving your account.

Although all figures shown are intended to be accurate, statement data should not be used for tax purposes. Rely solely on year-end tax forms, (i.e., Form 1099, 5498, 1042S, etc.) when preparing your tax return. The Firm is required by law to report to the IRS all taxable dividends, reportable non-taxable dividends and taxable interest earned on securities held in your account, net proceeds on sale transactions, and cost basis on certain covered securities.

Communications with the Firm

- Please re-confirm any oral communications in writing to further protect your rights, including your rights under the Securities Investor Protection Act (SIPA).
- If the financial institution on the top left of the front of this statement is not UBS Financial Services, UBS Financial Services carries your account as clearing broker by arrangement with the indicated institution. We informed you of this relationship when you opened this account. In this case, your funds and securities are located at UBS Financial Services and not the introducing broker, and you must make a report of any error or omission to **both** firms.
- As described in the account agreements, you must notify us of any errors or fraud involving checks reflected on your statement within 30 days after it was mailed or made available.
- Please direct customer complaints or inquiries to the Firm's Client Relations Department at 201-352-1699 or toll-free at 800-354-9103, 8:00 A.M. to 6:00 P.M. ET Monday through Friday, or in writing to UBS Financial Services Inc., Client Relations Department, P.O. Box 766 Union City, NJ 07087.
- All statements shall be deemed complete and accurate if not objected to in writing within 60 days.
- For TTY services: Call 844-612-0986 or from outside the U.S.: Call 201-352-1495
- In case of errors or questions about an electronic funds transfer (EFT), bill payment or UBS Visa® debit card transactions, call 800-762-1000, or write to UBS Financial Services Inc., 1000 Harbor Blvd., 6th floor, Weehawken, NJ 07086, Attn: RMA/BSA Services.

  Call or write as soon as you can, if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. The Firm or Card Issuer (as applicable) must hear from you no later than 60 days after the Firm sent you the first statement on which the error or problem appeared.
  - Provide your name and account number (if any).
  - Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information.
  - Provide the dollar amount of the suspected error.

The Firm or Card Issuer will investigate your complaint and will correct any error promptly. For alleged errors involving UBS Visa® debit card transactions, if we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation.

Please make all checks payable to the Firm or the financial institution indicated on the front of this statement. In addition to regular account fees, accounts may be subject to maintenance fees, charges for late payment for securities purchases and charges for unpaid amounts in cash accounts. Accounts that are transferred to other institutions may be subject to a transfer fee.

UBS Sweep Options

UBS offers options for sweeping cash balances to bank deposit accounts at non-affiliated banks and affiliated banks and money market mutual funds (Money Funds). Deposit accounts at UBS Bank USA and non-affiliated banks participating in the UBS FDIC-Insured Deposit Program are FDIC-insured in accordance with FDIC rules. For more information, please visit www.fdic.gov. Deposit accounts at UBS AG Stamford Branch and shares of Money Funds are not insured by the FDIC.

Bank deposits are not protected by SIPC. Money Fund shares are protected by SIPC. See "UBS Financial Services Account Protection" below.

Upon your request, balances in the bank deposits may be withdrawn, and shares of a Money Fund may be liquidated, and the proceeds returned to you or your securities account.

Further information about available sweep options, including current interest rates and yields, is available at www.ubs.com/sweepyields, from your Financial Advisor or by calling 800-762-1000.

UBS Financial Services account protection

The Firm is a member of the Securities Investor Protection Corporation (SIPC), which protects securities customers of its members up to $500,000 (including $250,000 for claims for cash). Explanatory brochure available upon request or at *www.sipc.org*. The SIPC asset protection limits apply to all accounts that you hold in a particular capacity.
The Firm, together with certain affiliates, has also purchased supplemental insurance. The maximum amount payable to all eligible clients, collectively under this protection is $500 million as of December 10, 2016. Subject to the policy conditions and limitations, cash at the Firm is further protected for up to $1.9 million in the aggregate for all your accounts held in a particular capacity. A full copy of the policy wording is available upon request.

Neither the SIPC protection nor the supplemental protection apply to:

- Certain financial assets controlled by (and included in your account value) but held away from UBS Financial Services. For example certain (i) insurance products, including variable annuities, and (ii) shares of mutual funds registered in the name of the account holder on the books of the issuer or transfer agent);
- Investment contracts or investment interests (e.g., limited partnerships and private placements) that are not registered under the Securities Act of 1933;
- Commodities contracts (e.g., foreign exchange and precious metal contracts), including futures contracts and commodity option contracts; and
- Deposit accounts (except certificates of deposit) at UBS Bank USA, UBS AG U.S. branches and banks in the FDIC Insured Deposit Program.

The SIPC protection and the supplemental protection do not apply to these assets even if they otherwise appear on your statements. The SIPC protection and the supplemental protection do not protect against changes in the market value of your investments (whether as a result of market movement, issuer bankruptcy or otherwise).

Dividend Reinvestment Program (DRIP)

The price reflected is an average price. You may obtain the actual price from your Financial Advisor. Only whole shares are purchased under DRIP; partial shares will be sold and the cash will be deposited in your account. The dividend reinvestment price supplied by the issuer may differ from the market price at which the partial shares are sold.

Cash-in-lieu

Only whole units may be held in your account. If you are entitled to a partial unit as a result of a dividend payment or otherwise, the Firm will either sell partial units at market price or accept an amount determined by a registered clearing agency, and credit your account.

Investment objectives

The investment objectives and risk profile are specific to each account and may vary between your accounts. Please advise the Firm promptly in writing of any significant change in your financial situation or investment objectives. For each account held, you choose one of the following investment objectives:

- *Produce Current Income*: Investments seeking the generation of income only.
- *Achieve Capital Appreciation*: Investments seeking growth of principal rather than the generation of income.
- *Produce Combination of Income and Capital Appreciation*: Investments seeking both the generation of income and growth of principal.

Overall risk profiles

- *Conservative*: Seeks to maintain initial principal, with low risk and volatility to the account overall, even if that means the account does not generate significant income or returns and may not keep pace with inflation.
- *Moderate*: Willing to accept some risk to principal and tolerate some volatility to seek higher returns.
- *Aggressive*: Willing to accept high risk to principal and high volatility to seek high returns over time.
- *Investment Eligibility Consideration*: If selected, a portion of the portfolio for that account may include complex strategies, limited liquidity and greater volatility.

Statement "householding"

We may consolidate all related account statements with the same address in the same envelope, e.g. because they have owners who also maintain joint account relationships with other clients at the same address. If you prefer to receive individual statements mailed in separate envelopes, you may decline householding by calling your Financial Advisor.

Friendly account name

The Friendly account name is a customizable "nickname" chosen by you to assist you with your recordkeeping. It has no legal effect on your account, is not intended to reflect any strategy, product, recommendation, investment objective or risk profile associated with your accounts, and is not a promise or guarantee that wealth, or any financial results, can or will be achieved. All investments involve the risk of loss, including the risk of loss of the entire investment. You can change your Friendly account names through Online Services or by contacting your Financial Advisor.

Account overview

- *Value of your account/portfolio.* Net of assets and liabilities.
- *Assets.* Includes available cash balances, values for restricted security (est.), and Global Time Deposits, unrealized marks to market, and certain assets not held by the Firm. Does not include unpriced securities/assets at the end of the prior and current statement periods, or private investments, unvested stock options and exercisable stock options.
- *Liabilities.* Includes debit balances, outstanding margin loans, credit line, short account balances.
- *Cash/money balances.* Total of uninvested available cash balances, plus deposit balances at affiliated and non-affiliated banks, and money market mutual fund sweep balances, at the close of the statement period. Non-commodity free credit balances in your account are not segregated from other balances and the Firm may use any of these funds in the ordinary course of its business. These funds are payable upon your demand. This total is included in the current period closing value.

Lending information

For detailed information on the Firm's lending practices and disclosures, refer to your Client Relationship Agreement or Account Agreement and the General Terms and Conditions. UBS Statement of Credit Practices available in *Agreements and Disclosures* at *www.ubs.com/accountdisclosures*.

Your assets
Your statement itemizes securities and other assets held in the account at the end of the statement period. You may ask for delivery of fully paid securities at any time. You may receive securities used as loan collateral after paying any balance due on them. Any securities transferred to the Firm during the statement period are listed at market value as of the end of the statement period.

- **Cost basis.** In determining the cost basis of the securities included in this statement, where indicated with the number "1," UBS Financial Services has relied on information obtained from sources other than UBS Financial Services, including information from another firm or that you may have provided to your Financial Advisor. The Firm does not independently verify or guarantee the accuracy or validity of any information provided by sources other than UBS Financial Services. In addition, although UBS Financial Services generally updates this information as it is received, the Firm does not provide any assurances that the information under "Cost basis" and "Unrealized gain/loss" is accurate as of the date of this statement. As such, please do not rely on this information to make purchase or sale decisions, for tax purposes or otherwise. Accounts transferred to the Firm may reflect gain/loss information only for the period of time they are held at the Firm. More historical information can be added by your Financial Advisor.
- **Unrealized gains/losses**. When data is available, estimated unrealized gains/losses are calculated for individual security lots. The transaction data for individual lots may or may not reflect commissions, charges and/or security reorganization events. Dividend and other reinvestment lots and systematic purchase lots are each combined to display one averaged lot. The "Trade date" column presents the original transaction trade date.
- **Callable securities**. Bonds and preferred stock that the issuer calls for early redemption will be selected impartially by lot from among all securities of that issue held in our name or in nominee name for our clients. Call feature information is obtained from third parties and its accuracy is not guaranteed. Other call features may exist which could affect yield; complete information will be provided upon request.
- **Price/value**. Prices displayed for securities and other products may be higher or lower than the price that you would actually receive in the market. Prices are obtained from various third party sources which we believe to be reliable, but we do not guarantee their accuracy.
  - We generally use the closing price when available or the mean of the bid and ask prices for listed securities and options or only bid prices for OTC securities.
  - Less actively traded securities may be priced using a valuation model or the most recent price we obtained and may not reflect an actual market price or value.
  - Certain positions may appear without a price and will show as "price was not available" if we are unable to obtain a price for a security.
  - Deposits or securities denominated in currencies other than U.S. dollars are reflected at the exchange rate as of the statement date.
  - For certain securities trading in non-conforming denominations, price and quantity (face value) may have been adjusted to facilitate proper valuation.

  To obtain current quotations, when available, contact your Financial Advisor.

- **Private investments and structured products.** Private investment securities (including direct participation program and real estate investment trust securities) and structured products are generally highly illiquid. Certain structured products have not been registered with the Securities and Exchange Commission or under any state securities laws. We provide estimated values for private investment securities and structured products for informational purposes only. Accuracy is not guaranteed.
  - These values may differ substantially from prices, if any, at which a private investment security or structured product may be bought or sold and do not necessarily represent the value you may receive upon liquidation.
  - Third party estimates of value are as of a certain date and are supplied to UBS Financial Services on a regular basis by an independent valuation firm.
  - Issuer, general partner or sponsor estimated values, if any, are supplied to the Firm by the issuer, general partner or sponsor and may be calculated based on different information from that used by third parties to derive their estimated values.
  - You can obtain additional information regarding the methodology used to determine the estimate of value and the date of the information that is the basis for the estimate by contacting your Financial Advisor.
  - Third party estimated values may be reflected as "Not priced" in several situations: when an independent valuation firm has not supplied or is unable to assign a value, when we become aware that a material event has occurred that may call a previously reported value into question, or when a value would be highly speculative due to the nature of the security.
  - When neither an issuer, general partner or sponsor estimated value nor a third-party estimated value is provided, the value of the security will be different from its purchase price.
  - "Distributions to date" may include return of capital, income or both.
  - "Original unit size" represents the initial offering price per unit and may not reflect your cost basis.
  - DPP and unlisted REIT securities are not listed on a national securities exchange, and are generally illiquid and even if they can be sold, the price received may be less than the per share estimated value provided in the account statement.

- **Restricted securities**. Restricted securities generally are not currently eligible for public sale. UBS Financial Services uses the market price of the unrestricted stock of the same issuer as an imputed value for the restricted stock *for purposes of this statement only*. To the extent that restricted securities are eligible for sale, the value received may be substantially less than the imputed value shown.

- **Est. (estimated) income, current yields and rates.** An estimate of annual income is based on current dividend and interest rates, assuming the securities will be held for one year from statement date or until maturity. This estimate is only a guideline; accuracy and continued income are not guaranteed.
  - Estimated annual income and current yield for certain types of securities could include a return of principal or capital gains in which case the est. income (and current yield) would be overstated.
  - Estimated annual income and current yield and the actual income and yield might be lower or higher than the estimated amounts.
  - An estimate of annualized income (dividend and/or interest) divided by the current market value/average balance is based on the last dividend or interest payment made by the issuer and assumes the securities/deposits will be held for one year from the statement date or until maturity. Accuracy and continued yield are not guaranteed.

- **Assets not held by UBS Financial Services.** Certain assets are not held by the Firm and not within the Firm's possession or control. These assets are displayed on your statement for informational purposes only. Positions and values presented are provided by the issuing firm. UBS Financial Services is not responsible for this information and does not guarantee its accuracy. These assets are not protected by SIPC or the Firm's supplemental SIPC coverage.

- **Revenue sharing and additional compensation.**
  - In addition to commissions on sales and 12b-1 fees received in connection with the distribution of mutual funds to our clients we and/or our affiliate receive revenue sharing payments from distributors and/or advisors of the mutual funds that we sell. These amounts are based on two different components: (i) the amount of sales by UBS of a particular mutual fund family to our clients; and (ii) the asset value of a particular mutual fund family's shares held at the firm.
  - We and our affiliate also receive networking and omnibus processing fees in consideration for transfer agent services that we provide to the mutual funds. These fees generally are paid from investor assets in the mutual fund and are a fixed dollar amount based on the number of accounts at the broker-dealer holding mutual funds of that fund family.
  - In addition to commissions received in connection with the sale or distribution of annuity contracts and unit investment trust units to our clients, we and/or our affiliate receive revenue sharing compensation from many of the insurance companies underwriting the annuity contracts, affiliates of the insurance companies or sponsors of the unit investment trusts we distribute.
  - In addition to commissions received from the purchase and sale of NextShares funds, we and/or our affiliate receive an asset-based revenue sharing payment from NextShares distributors, as well as funding for technology development, training and education.
  - Our affiliates also receive trading commissions and other compensation from mutual funds and insurance companies whose products we distribute.
  - We receive compensation from UBS Bank USA, UBS AG Stamford Branch and non-affiliated banks through our cash sweep programs. This compensation may be a monthly per account fee or may be a percentage of average daily deposit balances.

Activity
Information regarding commissions and other charges incurred in connection with the execution of trades, including option transactions has been included on confirmations previously furnished to you, and will be provided to you promptly on request.

Short selling
If you are engaged in short selling a security, you may incur a charge due to certain borrowing costs for that particular security.

Open orders
Regarding open or "good-till-cancelled" orders that were not executed by the statement date, open buy and sell stop orders are reduced by the amount of dividends or rights on an ex-dividends or ex-rights date unless instructed otherwise by you. You are responsible for orders that are executed due to your failure to cancel existing open orders.

Privacy
To obtain a copy of our current Client Privacy Notice, please contact your Financial Advisor or visit our website at *www.ubs.com/privacypolicy*.

- UBS Financial Services is not a bank. The RMA, Business Services Account BSA and IRMA are brokerage accounts which provide access to banking services and products through arrangements with affiliated banks and other third-party banks, and provides access to insurance and annuity products issued by unaffiliated third-party insurance companies through insurance agency subsidiaries of UBS Financial Services Inc.
- Investment, insurance, and annuity products:
- Not FDIC insured • No bank guarantee• May lose value
- RMA. Resource Management Account, Business Services Account BSA, IRMA and international Resource Management Account are registered service marks of UBS Financial Services Inc.
- VISA is a registered trademark owned by Visa International Service Association and used under license. The UBS Visa credit cards and the UBS Visa debit cards are issued by UBS Bank USA with permission from Visa U.S.A. Incorporated. All other trademarks, registered trademarks, service marks and registered service marks are of their respective companies.

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Police Department**

Date: **February 24, 2020**

Declaration of Surplus Motor Vehicles

BACKGROUND INFORMATION:

Through the Police Departments DUI and Drug enforcement efforts the below described motor vehicle came into possession of our department. Through the civil forfeiture proceedings the owner of the motor vehicle lost their claim of ownership to the motor vehicles and their ownership was then transferred to the City of West St. Paul.

Due to the condition of the motor vehicles, the city has no use for them; thus, pursuant to state statute and city code the motor vehicles will be sold at a public auction upon approval.

The vehicle is:

2005	Dodge Caravan	VIN/2D4GP44LX5R431564

FISCAL IMPACT:

Pursuant to Minnesota state statute all proceeds from the sale of the above motor vehicles will be placed into the Police Department's forfeiture account to be utilized for DUI enforcement efforts.

STAFF RECOMMENDATION:

By approving of the proposed resolution, declare the above listed vehicle as surplus and authorize the sale, with any proceeds placed into the appropriate fund.

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

RESOLUTION DECLARING CERTAIN PROPERTY
SURPLUS AND AUTHORIZING SALE AND/OR DISPOSAL THEREOF

WHEREAS, certain City property is no longer needed and has no practical use for public service; as such, the below listed property should be offered for sale and/or disposal:

Vehicle:

2005 Dodge Caravan VIN/2D4GP44LX5R431564

NOW, THEREFORE, BE IT RESOLVED by the West St. Paul City Council that the above listed vehicle is declared surplus and City Staff is authorized to dispose of said property by auction, with the proceeds of such sale being disbursed according to law.

Adopted by the City Council of the City of West St. Paul, Minnesota, this 24th day of February 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Melissa Sonnek, City Planner**

Date: **February 24, 2020**

Rental Licensing

BACKGROUND INFORMATION:

2020 rental licenses – background required

According to the rental dwelling ordinance, the city requires a background investigation for each new rental property applicant. In addition, the Police Department and Code Enforcement reviews calls for service to the properties to help identify potential problem properties.

The Community Development Department reviewed the application, inspection report, rental density, and code compliance requirements.

The background investigation, inspection report, and code compliance review on the properties listed below did not identify any incidents that would result in a denial of the rental license.

APPLICATIONS FOR APPROVAL:

460 Stanley Street East (Apartment – New Owner)
937 Humboldt Avenue (Apartment – Renewal)
237 Bernard Street West (Apartment – Renewal)
264/266 Annapolis Street East (Apartment – Renewal)
40 Annapolis Street West (Apartment – Renewal)

188 Curtice Street West (Duplex – Renewal)
110 Bernard Street West (Duplex – Renewal)
921 Hall Avenue (Duplex – Renewal)
235 Dakota Street (Duplex – Renewal)
989 Smith Avenue (Duplex – Renewal)
1087 Stryker Avenue (Duplex – Renewal)
884/886 Cherokee Avenue (Duplex – Renewal)
1116 Humboldt Avenue (Duplex – Renewal)
174/176 Annapolis Street West (Duplex – Renewal)

1109 Harmon Avenue (Single Family – Renewal)
930 Humboldt Avenue (Single Family – Renewal)
225 Thompson Avenue East (Single Family – Renewal)
1096 Stryker Avenue (Single Family – Renewal)
1146 Stryker Avenue (Single Family – Renewal)
962 Livingston Avenue (Single Family – Renewal)

FISCAL IMPACT:

		Amount
Fund:	**101**	
Department:	**30000**	
Account:	**32170**	**$ 2,409**

STAFF RECOMMENDATION:

Staff recommends City Council approve the rental license applications.

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

RESOLUTION APPOINTING ADDITIONAL ELECTION JUDGES FOR THE MARCH 3, 2020 PRESIDENTIAL NOMINATION PRIMARY, AUGUST 11, 2020 PRIMARY AND THE NOVEMBER 3, 2020 GENERAL ELECTION

WHEREAS, pursuant to Minnesota Statute 204B.21 Subd. 2, the City Council must appoint Election Judges to serve in upcoming elections at least 25 days prior to the election, with the exception of appointing additional Election Judges within the 25 days before the election if it is determined that additional Election Judges will be required; and

WHEREAS, elections to be held in the City of West St. Paul, County of Dakota, State of Minnesota, include the Presidential Nomination Primary scheduled for March 3, 2020, the State Primary scheduled for August 11, 2020, and the General Election scheduled for November 3, 2020; and

NOW, THEREFORE, BE IT RESOLVED, that the West St. Paul City Council appoints the persons listed below to position of Election Judge, Health Care Facility Judge, and/or Absentee Ballot Board Judge to serve at any and all elections in the capacity given by the City Clerk and conducted by the City of West St. Paul, subject to change as needed in order to maintain major political party balance, pursuant to Minnesota Statute 204B.19 Subd. 5.

Ward 2 Precinct 2 – Municipal Center Council Chambers	
Election Judge	Nora Schletty

Adopted by the City Council of the City of West St. Paul, Minnesota, this 24th day of February 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Dave Schletty, Assistant Parks & Recreation Director**

Date: **February 24, 2020**

Bird City USA Resolution

BACKGROUND INFORMATION:

The West St Paul Environmental Committee continues to work on best practice action steps for the Minnesota GreenStep Cities program. One action that it has researched over the past year, and recommending approval by the City Council, is becoming a Bird City USA. This recognition is very similar to the Tree City USA designation that West St Paul has held for nearly 20 years. It is a way for the City to increase public education and awareness of birds in our community, improve bird habitat, and ensure the best management of our urban forest and waterways. Marthaler Park will be designated as the official site of bird friendly habitat. Being a Bird City USA will include an annual celebration recognizing International Migratory Bird Day. This celebration will be held in conjunction with the annual Arbor Day Celebration. The Bird City USA designation will help the City fulfill multiple action steps in the GreenStep Cities program.

FISCAL IMPACT:

There is a one-time application fee of $200 to join the program. Members of the Environmental Committee plan to gather donations to cover the cost of joining the program. There could be additional minimal costs if the City decides to use any signage at parks regarding birds.

STAFF RECOMMENDATION:

Approve the resolution to declare West St Paul a Bird City USA.

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

RESOLUTION ESTABLISHING WEST SAINT PAUL AS A BIRD CITY, USA

WHEREAS, improving wildlife habitat for birds helps countless other species including plants and pollinators; and

WHEREAS, wild birds pollinate flowers, disseminate seeds, and help keep insect populations under control. Robust, diverse bird populations reflect the underlying health of the ecosystem in which they, and we, live; and

WHEREAS, we grow our community's environmental reputation by participating in this statewide conservation program and displaying our Bird City status proudly; and

WHEREAS, adoption of Bird City USA status supports Green Step City advancement in the Best Practice area of "Design for Natural Resource Conservation"; and

WHEREAS, the city has many existing bird friendly habitats, such as Marthaler Park, which will be designated as the official city site; and

WHEREAS, International Migratory Bird Day will be recognized annually during West Saint Paul Days, or May 18.

NOW, THEREFORE, BE IT RESOLVED, by the West St. Paul City Council that the City of West Saint Paul adopt the title of Bird City USA.

Adopted by the City Council of the City of West St. Paul, Minnesota, this 24th day of February 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Ross Beckwith, Public Works & Parks Director/City Engineer**

Date: **February 24, 2020**

Sanitary Sewer Inflow and Infiltration Services Agreement with City of Newport

BACKGROUND INFORMATION:

The City of Newport reached out to West St. Paul about contracting for Inflow and Infiltration (I&I) inspection services. Newport is adopting a very similar I&I point of sale program to their city. Based on the size of Newport, it is not anticipated that the additional workload will interfere with West St. Paul I&I inspections. Attached is a contract between the two cities, signed by the City of Newport.

FISCAL IMPACT:

Engineering staff has determined costs for a typical I&I inspection in the City of Newport to be $200 per inspection. This will cover staff time setting up appointments, performing the physical inspection, office review, drive time and equipment/vehicle expenses. There is also a rate of $100 per hour established should the City of Newport need additional I&I services outside of the typical inspection.

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the attached Sanitary Sewer I&I Inspection Services Agreement with the City of Newport.

Attachment: Sanitary Sewer I&I Inspection Services Agreement

SANITARY SEWER I&I INSPECTION SERVICES AGREEMENT

This Agreement is made this _____ day of _____, 2020, by and between the City of Newport (hereinafter referred to as "Newport") and the City of West St. Paul (hereinafter referred to as "WSP") for the utilization of WSP employees to provide services to Newport within the boundaries of Newport.

WHEREAS, Newport has adopted ordinance(s) requiring point of sale I&I inspections and repair; and

WHEREAS, WSP maintains qualified full-time staffing and personnel for the provision of these same services within its own municipal boundaries; and

WHEREAS, by purchasing these services from WSP, Newport can effect cost savings to its citizens while, at the same time, providing support for those same services by WSP to its citizens; and

WHEREAS, it is the desire of the parties and the purpose of this Agreement that certain of the aforesaid inspection services be performed by qualified personnel of WSP on behalf of Newport.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth below, the above parties hereto agree as follows:

1. The term of this agreement shall be perpetuating, unless either party to the Agreement provides notice to the other party that they shall terminate the contract at the end of the current term, and further subject to termination as provided in paragraph 8.

2. For the term of this Agreement, WSP, through use of its personnel, shall provide Newport with the following services, in and on behalf of Newport and at the direction of Newport's City Administrator:

   a. Point of Sale I&I inspections, as necessary.

   b. Information to the City of Inspections determination.

   c. Verification to City of compliance of property with City ordinance requirements upon completion of any necessary repairs.

   d. Database of property inspections.

3. WSP shall consult with and abide by the manner in which the inspections, and activities are conducted and over the determination of what enforcement action is appropriate and consistent with Newport City Code. Newport shall have a duty to inform WSP of any and all updates or changes to the Newport Code.

4. WSP personnel are not required to maintain office hours at Newport's City Hall. However, if WSP providing these services finds it necessary to meet with citizens at Newport's City

Hall, Newport will arrange for a work area for such meetings. WSP's main contact at Newport shall be Newport's City Administrator and WSP shall take direction from Newport's City Administrator for all work performed under this Agreement.

5. WSP shall assume the expense of performing the inspections and related duties.

6. Newport will pay WSP $200 per inspection. Such fees shall be separate from, and in addition to, the payment provided for by Paragraph 7 of this Agreement. All other provisions of this agreement shall remain applicable with respect to the inspection services being provided. WSP will invoice Newport every six months.

7. In addition to the above fees Newport will pay WSP for services perfomed by WSP personnel outside those contemplated by this agreement but only as specifically requested by Newport. These additional fees will be invoiced every six months to Newport for Services Performed by the WSP Inspector at the rate of $100 per hour.

8. This agreement shall terminate as follows:

   a. Upon the expiration of the 90 days after service of written notice upon the other party; or

   b. At any time, upon agreement of the parties.

9. WSP agrees to defend, indemnify, and hold harmless Newport, and its officials, agents, and employees, from and against all claims, actions, damages, losses, and expenses arising out of or resulting from WSP's performance of the duties required under this Agreement, provided that any such claim, action, damage, loss, or expense is attributable to bodily injury, sickness, disease, or death or to the injury to or destruction of property including the loss of use resulting therefrom and is caused in whole or in part by any negligent act or omission or willful misconduct of WSP. This provision shall not be construed as a waiver by either party of any defenses, immunities, or limitators on liability with respect to claims made by third parties.

10. Newport agrees to defend, indemnify, and hold harmless WSP, and its officials, agents, and employees from and against all claims, actions, damages, losses, and expenses arising out of or resulting from Newport's performance of the duties required under this Agreement, provided that any such claim, action, damage, loss, or expense is attributable to bodily injury, sickness, disease, or death or to the injury to or destruction of property including the loss of use resulting therefrom and is caused in whole or in part by any negligent act or omission or willful misconduct of Newport. This provision shall not be construed as a waiver by either party of any defenses, immunities, or limitators on liability with respect to claims made by third parties.

11. WSP shall carry liability insurance in the amount of at least $1,000,000 per occurrence and $2,000,000 in the aggregate for both Bodily Injury and Property Damage. Newport shall be named as an additional insured, and a certificate of said insurance shall be provided to Newport. WSP shall carry Worker's Compensation Insurance as required by Minnesota

Statutes, Section 176.181, Subd. 2 and further agrees to provide a certificate of said insurance to Newport.

12. Any employee assigned by WSP to perform its obligations hereunder shall remain the exclusive employee of WSP for all purposes including, but not limited to, wages, salary, and employee benefits.

13. In addition to the services listed in Paragraph 2 above, WSP shall, upon request, also provide for and on behalf of Newport:

    a. Statistical data regarding total inspections, percentages of compliant and non-compliant properties, average repair costs, and other associated data - MCES reporting will not be included with these services.

14. It is agreed that nothing herein contained is intended or should be construed in any manner as creating or establishing the relationship of co-partners, joint parties to any joint powers agreement or similar legal relationship between the parties hereto or as constituting the persons employed by WSP as the agent, representative, or employee of Newport for any purpose or in any manner whatsoever except as expressly otherwise provided herein. WSP is to be and shall remain an independent contractor with respect to all services performed under this contract. WSP represents that it has, or will secure at its own expense, all personnel and equipment required in performing services under this contract. Any and all personnel of WSP or other persons, while engaged in the performance of any work or services required by WSP under this contract, and shall not be considered employees of Newport and any and all claims that may or might arise under the Workers' Compensation Act of the State of Minnesota on behalf of said personnel or other persons while so engaged, and any and all claims whatsoever on behalf of any such person or personnel arising out of employment or alleged employment including, without limitation, claims of discrimination against WSP, its officers, agents, contracts, or employees shall in no way be the responsibility of Newport; and WSP shall defend, indemnify, and hold Newport, its officers, agents, and employees harmless from any and all such claims regardless of any determination of any pertinent tribunal, agency, board, commission, or court. Such personnel or other persons shall not require nor be entitled to any compensation, rights, or benefits of any kind whatsoever from Newport, including, without limitation, tenure rights, medical and hospital care, sick and vacation leave, Workers' Compensations, Unemployment Compensation, disability, severance pay, and PERA.

15. The books, records, documents, and accounting procedures of WSP relevant to this Agreement, are subject to examination by Newport and either the legislative or state auditor as appropriate, pursuant to Minnesota Statutes, Section 16C.05, Subd. 5.

16. This Agreement represents the entire Agreement between WSP and Newport and supersedes and cancels any and all prior agreements or proposals, written or oral, between the parties relating to the subject matter hereof, any amendments, addenda, alterations, or modifications to the terms and conditions of this Agreement shall be in writing and signed by both parties.

17. WSP and Newport agree to comply with the American with Disabilities Act and not to discriminate on the basis of disability in the admission or access to, or treatment of employment in its services, programs, or activities. Upon request, accommodation will be provided to allow individuals with disabilities to participate in all services, programs, and activities. WSP has designated coordinators to facilitate compliance with the Americans with Disabilities Act of 1990 (ADA), as required by Section 35.107 of the U.S. Department of Justice regulations, and to coordinate compliance with Section 504 of the Rehabilitation Act of 1973, as mandated by Section 8.53 of the U.S. Department of Housing and Urban Development regulations. For information contact the HR Director, WSP., Newport agrees to hold harmless and indemnify WSP from costs, including but not limited to damages, attorney's fees, and staff time, in any action or proceeding brought alleging a violation of ADA by WSP.

18. Both parties agree to comply with all applicable state, federal, and local laws, rules, and regulations.

IN WITNESS WHEREOF, the parties have set forth their hands on the day and year first written above.

CITY OF WEST ST. PAUL

By:_____
Its Mayor

_____
Date

By:_____
Its City Manager

_____
Date

CITY OF NEWPORT

By: Dave Pt. [illegible]
Its Mayor

FEBRUARY 12, 2020
Date

By: Debra [illegible]
Its City Administrator

February 12, 2020
Date

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Brian Sturgeon, Chief of Police**

Date: **February 24, 2020**

Coordinated Mental Health Response Pilot Program MOU

BACKGROUND INFORMATION:

In 2019 West St. Paul Police Department entered into a Memorandum of Understanding (MOU) agreement with Dakota County Social Services to participate in a Coordinated Mental Health Response Pilot Program for one year.

The purpose for the Pilot Program is to explore and implement a more coordinated response to address increased law enforcement calls for service involving mental health crises in our community. With our officers working in conjunction with a dedicated social worker, we can provide more dedicated services to those in need.

In 2019 we had several success stories and this program has proven to be a very effective program. Dakota County has approved funding for this program for one more year, hence an extension of this Pilot Program.

Attached to this packet is the 2020 Memorandum of Understanding between Dakota County Social Services and the City of West St Paul to continue this effective program.

FISCAL IMPACT:

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Authorize the Chief of Police to sign the attached MOU between the City of West St. Paul and Dakota County Social Services.

DocuSign Envelope ID: DAB10602-5405-4D9C-884A-AFAD31662E9A

MEMORANDUM OF UNDERSTANDING
BETWEEN
DAKOTA COUNTY SOCIAL SERVICES AND
CITY OF WEST ST. PAUL
FOR
COORDINATED MENTAL HEALTH RESPONSE PILOT

I. PARTIES

This Memorandum of Understanding (MOU) is between Dakota County, by and through its Social Services Department, 1 Mendota Road W. West St. Paul, MN 55118 (DCSS) and the City of West St. Paul, 1616 Humboldt Avenue, West St. Paul, MN 55118, by and through its Police Department (law enforcement).

II. TERM

This MOU is for the period January 1, 2020 through July 31, 2020. Contingent on funding, the Coordinated Mental Health Response Pilot (Pilot), may extend beyond July 31, 2020 by agreement of all parties. Any party may provide the other party notice of discontinuation of participation in the Pilot by giving thirty (30) days' written notice.

III. PURPOSE

The purpose of the Pilot is to explore and implement a more coordinated response by the parties to address increased law enforcement calls involving mental health crises and emergencies in the community. Throughout the Pilot, the parties will continue to develop and evaluate effective and timely service models. The goal of the Pilot is to transition to a permanent service model(s) memorialized between the parties in a Joint Powers Agreement.

V. TARGET POPULATION FOR THE PILOT

Individuals residing in the city of West St. Paul experiencing mental health challenges, with a focus on those with the most complex needs who have persistent law enforcement involvement.

VI. PARTIES ROLES AND RESPONSIBILITIES

This MOU shall not result in the transfer of funds from one party to the other and each party shall be responsible for the cost associated with their employees and the activities and responsibilities outline in this MOU.

In order to effectively administer the Pilot, the parties to this MOU each have roles and responsibilities as stated below.

A. DCSS will:

1. Hire and supervise a Pilot Coordinator (Coordinator) who is licensed as a Mental Health Professional (Minn. Stat. § 245.462, subd. 18) to:
    a. Provide over-all Pilot administration, coordination and assessment;
    b. Educate and train law enforcement on crisis and emergency services offered by DCSS, including the roles and responsibilities of the CRU;
    c. Respond, when available and assistance is requested, with law enforcement to a mental health crisis or emergency, consistent with roles and responsibilities defined in Minn. Stat. §§ 256B.0624 and 256B.0944, and in coordination with the DCSS's 24 hours, seven days a week, Crisis Response Unit (CRU);
    d. Coordinate, with the assigned law enforcement officer(s) and/or CRU staff, a timely follow-up contact with the individual/household after a crisis/emergency service call or crisis intervention, as defined and in compliance with Minn. Stat. §§ 256B.0624 and 256B.0944;
    e. Outreach to determine if the individual/household is interested in voluntarily working with DCSS and law enforcement to develop a crisis response plan that is accessible through the CRU 24/7 in an emergency situation pursuant to Minn. Stat. § 13.46, subd. 2(a)(10);
    f. Outreach to determine if the individual/household is interested in and eligible for other DCSS or community-based services (housing, employment, etc.), including networking outreach to potential community resources and service providers;
    g. Outreach visits to licensed and registered residential services providers to develop a coordinated site plan for mental health crises and emergencies;
    h. Create procedures to guide work for the duration of the Pilot;
    i. Coordinate the Pilot evaluation pursuant to Section IX;
    j. Coordinate with other Pilot jurisdictions; and
    k. Continue problem solving with law enforcement and other stakeholders to identify proposed solutions with the goal of creating a permanent service model that may be replicated in other jurisdictions.

2. In support of the pilot, DCSS will:

    a. Provide necessary resources to support the Coordinator with equipment and training to facilitate Pilot activities;
    b. Supervise the Coordinator;

c. Facilitate connection and "warm handoffs" to the various programs within Dakota County Community Services and to community resources and service providers; and
d. Maintain a database of evaluation data and report summary data to all partners.

B. Law enforcement will:
1. Identify and dedicate one or more officers to:
a. Work with the Coordinator for Pilot administration, coordination and assessment;
b. Coordinate education of officers and staff about the Pilot and County crisis services, including the roles and responsibilities of the CRU;
c. Educate and train the Coordinator and any other participating DCSS staff on law enforcement response to crisis and emergency mental health service calls, including the roles and responsibilities of law enforcement.
d. Identify individuals/households to the Coordinator who may benefit from the Pilot;
e. Work with the Coordinator and/or CRU staff, to provide timely follow-up with the individual/household as provided in Section VI.A.1.d.;
f. Work with the Coordinator and/or other County staff to develop the crisis response plan as provided in Section IV.A.1.e.;
g. Work with the Coordinator and/or other County staff to develop site plans as provided in Section IV.A.1.g.;
h. Work with the Coordinator to create procedures to guide work for the duration of the Pilot;
i. Work with the Coordinator in the Pilot evaluation pursuant to Section IX; and
j. Continue problem solving with the Coordinator and other stakeholders to identify proposed solutions with the goal of creating a permanent service model that may be replicated in other jurisdictions.

2. Provide a work space and necessary internet and other connections in the City Hall building.

C. The parties will jointly:
1. Meet regularly during the term of the Pilot to review program performance and provide guidance to staff as outlined in Section VII.
2. Facilitate relationship-building with community agencies, treatment providers, Community Corrections, hospitals and community-based

service providers to enhance understanding and reduce barriers to providing services to individuals with complex service needs.
3. Attend and/or organize relevant trainings.
4. Commit to training on policy and procedures for the Pilot and for use of the CRU.
5. Develop and execute a Joint Powers Agreement prior to the expiration of the MOU.

VII. OVERSIGHT, IMPLEMENTATION AND EVALUATION

A. Steering Committee

The Pilot will be overseen by a Steering Team comprised of the DCSS Director, Deputy Director, and chiefs of police from the cities of South St. Paul and West St. Paul. Additional team members, as designated by the Steering Team, may be invited to attend meetings and assist with collaborative planning, implementation, and evaluation activities. The role of the Steering Team is to provide strategic vision, structure and oversight of the Pilot. The responsibilities of the Steering Team include:

1. To provide strategic oversight for the Pilot, including defining scope, priority, desired results and key deliverables;
2. To serve as "champions" for the Pilot, garnering support, removing obstacles, and resolving escalated issues;
3. To obtain and allocate resources to support the design, implementation and evaluation of the Pilot throughout its duration;
4. To provide feedback and decisions in response to recommendations from the system stakeholders;
5. To monitor and evaluate Pilot progress;
6. To designate key subject matter experts, as needed, to support specific components of the Pilot planning, design or operations;
7. To designate staff to oversee and manage day-to-day activities and implement the strategic operations of the Pilot; and
8. To ensure strategic alignment and support Pilot success.

VIII. CONFIDENTIALITY OF RECORDS AND DATA PRACTICES

A. Data Privacy and Security

The parties will comply with all applicable data practices laws, including but not limited to the Minnesota Government Data Practices Act (MGDPA), Minn. Stat. Ch. 13 and the Minnesota Rules implementing the MGDPA, as amended, as well as any applicable state or federal laws on data privacy and security. The parties are mindful that when exchanging private data only the minimum necessary will be provided. The exchange, use and protection of private data must be in compliance with the signed Dakota County Informed Consent to Release Private Data.

All data created, collected, received, stored, used, maintained, or disseminated by the parties in the performance of their roles and responsibilities are subject to the requirements of the MGDPA, the Minnesota Rules implementing the MGDPA, as amended, as well as any applicable state or federal laws on data privacy and security. This paragraph is required by the MGDPA and includes the remedies set forth in Minn. Stat. § 13.08.

B. Health Information and Chemical Dependency Data

If applicable, the parties agree to comply with the requirements of the Health Insurance Portability and Accountability Act ("HIPAA") and the Health Information Technology for Economic and Clinical Health Act ("HITECH") and any other applicable state or federal law. This includes health data laws, including the Minnesota Health Records Act, Minn. Stat. §§ 144.291-.298, and 42 CFR Part 2 Confidentiality of Alcohol and Drug Abuse Patient Records.

C. Records

Each party is responsible for maintaining, securing, and managing its own records. The records will be maintained in accordance with each party's applicable record retention schedule. The parties will work cooperatively to ensure any reporting requirements under this MOU are fulfilled.

D. Obtaining and Sharing Information

All necessary Tennessen Warning notices, consents, releases, and authorizations shall be obtained prior to the release, exchange, or discussion of not public data, as that term is defined in Minn. Stat. § 13.02, subd. 8a, unless such release, exchange, or discussion is otherwise permitted by law or court order.

E. Data Storage

As part of the roles and responsibilities of the Coordinator, data related to DCSS functions as defined by statute, will be documented in the Social Services Information System (SSIS). Data collected for the purpose of the Pilot evaluation will be recorded in password protected data base or spreadsheet within the DCSS network.

The terms of this Section shall survive the termination or expiration of the MOU or Pilot.

IX. PILOT EVALUATION

The Pilot will be evaluated according to an evaluation design, led by the Dakota County Office of Performance and Analysis, that is collaboratively developed by the parties. DCSS will have the lead role in collecting and analyzing data and will present summary data to the parties, along with a summary of Pilot activities due on the last day of the month following the end of the quarter (April 30th, 2020; July 31st, 2020; October 31st, 2020 and January 31st, 2021). All Pilot evaluation data will be reported as summary data.

X. LIABLE FOR OWN ACTS

Each party to this MOU shall be liable for the acts of their own officers, employees, and/or agents and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other party, its officers, employees, and/or agents. It is understood and agreed that the provisions of the Municipal Tort Claims Act, Minn. Stat. Ch. 466, and other applicable laws govern liability arising from the parties' acts or omissions. Each party warrants they are able to comply with the aforementioned indemnity requirements through an insurance or self-insurance program and each has minimum coverage consistent with the liability limits contained in Minn. Stat. Ch. 466.

XI. Signatures

CITY OF WEST ST. PAUL POLICE DEPARTMENT

_____ Date:_____

Brian Sturgeon, Chief of Police
West St. Paul Police Department
1616 Humboldt Avenue
West St. Paul, MN 55118

DAKOTA COUNTY COMMUNITY SERVICES

DocuSigned by:
Evan Henspeter
_____ Date: 02/07/2020 | 8:08 AM CST

Evan Henspeter, Director
Dakota County Social Services
1 Mendota Rd West
West St Paul, MN 55118

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

WHEREAS, West St Paul Police Department and Dakota County Social Services entered into a one year Coordinated Mental Health Response Pilot Program in 2019 through an approval of a Memorandum of Understanding; and

WHEREAS, the Parties desire to operate this program for an additional year because of the success of the program; and

NOW, THEREFORE, BE IT RESOLVED by the West St. Paul City Council, authorizing the Chief of Police to enter into an agreement by the Parties to continue the Coordinated Mental Health Response Pilot Program through the year 2020 as outlined in the attached Memorandum of Understanding.

Adopted by the City Council of the City of West St. Paul, Minnesota, this 24th day of February 2020.

Attest:

_____	_____
David J. Napier, Mayor	Shirley R Buecksler, City Clerk

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Kori Land, City Attorney**

Date: **February 24, 2020**

Ordinance Approving the Sale of the Thompson Oaks Golf Course to the EDA for Redevelopment Purposes

BACKGROUND INFORMATION:

The City is the fee owner of the Thompson Oaks Golf Course (the "Property"). The Property is located in an area that is suited for economic development by the EDA. The EDA has entered into a Development Agreement with a Developer for part of the Property. In order to advance the future economic development of the Property in furtherance of the City's Comprehensive Plan and economic goals, the Property must be conveyed to the EDA. Pursuant to West St. Paul City Charter § 12.05, the City Council may dispose of real property within the City by Ordinance. On February 10, 2020, the City Council approved the Ordinance for its First Reading. Staff recommends holding the Public Hearing and approving the conveyance to the EDA.

FISCAL IMPACT:

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Hold Public Hearing and approve the Ordinance for its Second Reading.

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. 20-002

AN ORDINANCE APPROVING THE SALE OF PROPERTY LOCATED WITHIN THE CITY OF WEST ST. PAUL, MINNESOTA TO THE WEST ST. PAUL ECONOMIC DEVELOPMENT AUTHORITY

The City of West St. Paul does ordain:

SECTION 1. Pursuant to West St. Paul City Charter § 12.05, the City Council may dispose of real property within the City by Ordinance; and

WHEREAS, the City desires to sell real property to the West St. Paul Economic Development Authority ("EDA"), situated in Dakota County, Minnesota, legally described as follows:

Parcel 1 (42-02000-13-012)

That part of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section Twenty (20), Township Twenty-eight (28), Range Twenty-two (22), Dakota County, Minnesota, lying westerly of the center of Oakdale Avenue and Northerly of the following described line: Commencing at the Southwest corner of the said Southeast Quarter (SE ¼), thence North, assumed bearing, along the west line of said Southeast Quarter (SE ¼) a distance of 384.62 feet to the point of beginning of said line, thence 83 degrees 04 minutes East a distance of 434.22 feet to the center line of Oakdale Avenue and there terminating.

Parcel 2 (42-02000-08-014)

The North Half of the Southwest Quarter of the Northeast Quarter of the Section 20, Township 28, Range 22, according to the Government Survey thereof, Dakota County, Minnesota.

Except that part lying easterly of the center line of Oakdale Avenue.

Except the South 100.00 feet of the West 300.00 feet.

Except that part described as follows:

Commencing at the northwest corner of said North Half of the Southwest Quarter of the Northeast Quarter; thence on an assumed bearing of North 89 degrees 39 minutes 45 seconds East, along the north line of said North Half of the Southwest Quarter of the Northeast Quarter, a distance of 170.43 feet to the point of beginning thence continuing North 89 degrees 39 minutes 45 seconds East, a distance of 130.00 feet; thence South 0

degrees 44 minutes 10 seconds East, a distance of 197.51 feet; thence South 89 degrees 15 minutes 50 seconds West, a distance of 130.00 feet; thence North 0 degrees 44 minutes 10 seconds West, a distance of 198.41 feet to the point of beginning.

And except the North 198.41 feet of the West 170.43 feet.

Parcel 3 (42-02000-09-010)

The South 100 feet of the West 300 feet of the North one-half (N ½) of the Southwest one-quarter (SW ¼) of the Northeast one-quarter (NE ¼) of Section 20, Township 28, Range 22.

Parcel 4 (42-02000-39-012)

The South 170 feet of the East 3 acres of the Northeast ¼ of the Southeast ¼ of the Northwest ¼, Section 20, Township 28, Range 22, Dakota County, Minnesota.

Parcel 5 (42-02000-47-010)

The North 280 feet of the East one-half of the South one-half of the Southeast Quarter of the Northwest Quarter of Section 20, Township 28, Range 22, except the East 486 feet.

And

The North 310 feet of the West 243 feet of the East 486 feet of the South Half of the Southeast Quarter of the Northwest Quarter (S ½-SE ¼-NW ¼) Section 20, Township 28 North, Range 22, West, City of West St. Paul, Dakota County, Minnesota.

Parcel 6 (42-02000-11-010)

The Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW ¼ of SW ¼ of NE ¼) of Section Twenty (20), Township Twenty-eight (28), Range Twenty-two (22), except the East 265 feet of the South 360 feet.

("Property"); and

WHEREAS, the Property is located in an area that is suited for economic development by the EDA; and

WHEREAS, to advance the future economic development of the Property in furtherance of the City's Comprehensive Plan and economic goals, the Property must be conveyed to the EDA; and

WHEREAS, upon conveyance of the Property to the EDA, the EDA shall initiate negotiations with a suitable developer for the sale of the Property; and

WHEREAS, on February 24, 2020, the City held a public hearing on the sale of the Property and the City considered all of the information presented at the public hearing.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of West St. Paul that the Property shall be conveyed to the EDA and the City and its representatives are authorized execute all documents necessary to effectuate such conveyance.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

> **The ordinance allows the City to convey the former Thompson Oaks Golf Course property to the West St. Paul Economic Development Authority for redevelopment purposes.**

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the City Council of the City of West St. Paul, Minnesota, this 24th day of February 2020.

Attest:

David J. Napier, Mayor	Shirley R Buecksler, City Clerk

(Top 3 inches reserved for recording data)

QUIT CLAIM DEED
Business Entity to Business Entity

DEED TAX DUE: $1.65 DATE: _____

FOR VALUABLE CONSIDERATION, City of West St. Paul, a Minnesota municipal corporation ("Grantor"), hereby conveys and quitclaims to West St. Paul Economic Development Authority, a Minnesota public body corporate and politic ("Grantee"), real property in Dakota County, Minnesota, legally described as follows:

See attached Exhibit A.

Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto.

TOTAL CONSIDERATION IS LESS THAN $500.00.

Check applicable box:

☒ The Seller certifies that the Seller does not know of any wells on the described real property.

☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: **[…]**.)

☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

City of West St. Paul

By: _____
David J. Napier
Its: Mayor

By: _____
Ryan Schroeder
Its: City Manager

State of Minnesota, County of Dakota

This instrument was acknowledged before me on _____, 2020, by David J. Napier as Mayor and by Ryan Schroeder as City Manager of City of West St. Paul, a Minnesota municipal corporation.

(Stamp)

_____
(signature of notarial officer)

Title (and Rank): Notary Public

My commission expires: _____
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:

Korine L. Land, #262432
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, MN 55075
TITLE NOT EXAMINED

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

West St. Paul Economic Development Authority
1616 Humboldt Avenue
West St. Paul, MN 55118

EXHIBIT A

Parcel 1 (42-02000-13-012)

That part of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section Twenty (20), Township Twenty-eight (28), Range Twenty-two (22), Dakota County, Minnesota, lying westerly of the center of Oakdale Avenue and Northerly of the following described line: Commencing at the Southwest corner of the said Southeast Quarter (SE ¼), thence North, assumed bearing, along the west line of said Southeast Quarter (SE ¼) a distance of 384.62 feet to the point of beginning of said line, thence 83 degrees 04 minutes East a distance of 434.22 feet to the center line of Oakdale Avenue and there terminating.

Parcel 2 (42-02000-08-014)

The North Half of the Southwest Quarter of the Northeast Quarter of the Section 20, Township 28, Range 22, according to the Government Survey thereof, Dakota County, Minnesota.

Except that part lying easterly of the center line of Oakdale Avenue.

Except the South 100.00 feet of the West 300.00 feet.

Except that part described as follows:

Commencing at the northwest corner of said North Half of the Southwest Quarter of the Northeast Quarter; thence on an assumed bearing of North 89 degrees 39 minutes 45 seconds East, along the north line of said North Half of the Southwest Quarter of the Northeast Quarter, a distance of 170.43 feet to the point of beginning thence continuing North 89 degrees 39 minutes 45 seconds East, a distance of 130.00 feet; thence South 0 degrees 44 minutes 10 seconds East, a distance of 197.51 feet; thence South 89 degrees 15 minutes 50 seconds West, a distance of 130.00 feet; thence North 0 degrees 44 minutes 10 seconds West, a distance of 198.41 feet to the point of beginning.

And except the North 198.41 feet of the West 170.43 feet.

Parcel 3 (42-02000-09-010)

The South 100 feet of the West 300 feet of the North one-half (N ½) of the Southwest one-quarter (SW ¼) of the Northeast one-quarter (NE ¼) of Section 20, Township 28, Range 22.

Parcel 4 (42-02000-39-012)

The South 170 feet of the East 3 acres of the Northeast ¼ of the Southeast ¼ of the Northwest ¼, Section 20, Township 28, Range 22, Dakota County, Minnesota.

Parcel 5 (42-02000-47-010)

The North 280 feet of the East one-half of the South one-half of the Southeast Quarter of the Northwest Quarter of Section 20, Township 28, Range 22, except the East 486 feet.

And

The North 310 feet of the West 243 feet of the East 486 feet of the South Half of the Southeast Quarter of the Northwest Quarter (S ½-SE ¼-NW ¼) Section 20, Township 28 North, Range 22, West, City of West St. Paul, Dakota County, Minnesota.

Parcel 6 (42-02000-11-010)

The Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW ¼ of SW ¼ of NE ¼) of Section Twenty (20), Township Twenty-eight (28), Range Twenty-two (22), except the East 265 feet of the South 360 feet.

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

From: **Ryan Schroeder, City Manager**

Date: **February 24, 2020**

Award Dome Safety Entrance Construction Bid

BACKGROUND INFORMATION:

When the Sports Dome was originally constructed in 2012, the decision was made to construct the six western emergency exit stairwells in the current configurations in order to provide for more parking than would have resulted from differing configurations. However, the City has struggled with the stairwells since the first snowfall. A significant snowpack occurs within the stairwells due to the force of the snow sliding off the roof and into these emergency exits, which must be maintained as passable. In the past, the City constructed the current roof structures over the exits in an attempt to reduce this level of packing which makes snow removal extremely difficult. However, what has resulted from the snow impacts is that the structural elements are failing.

Last fall we had received a $500,000 cost estimate on reconstruction of the stairwell structures. Subsequently, the engineering firm that designed the dome (Stantec) provided a differing view. On November 25, 2019, Council authorized plans and specifications from that firm at a cost of $13,500 to replace the four interior stairwells at a cost estimate of $50,000 each. On January 27, 2020, Council approved the plans and specs and authorized bids. Bids were opened on February 18, 2020 and the low bid, with alternate is for $372,885.

The 2012 Dome construction was funded by $1,850,000 in cash and debt issuance of $5,080,000. The debt included a taxable abatement issue that will be retired in 2026. Currently that issue has a principal balance of $1,485,000. Interest is at 2-2.75%. The other issue is a non-taxable abatement issuance at 2.125-2.75%. The City intent has been to begin payments toward principal upon retirement of the taxable debt. Current principal balance of this issue is $2,560,000 with an expected pay off date of 2034.

2020 budgeted revenues are at $1,087,929, which includes an infusion of tax levy revenue of $236,329. The budget is essentially balanced including debt of $313,819 and additional contribution to the debt fund of $50,000. Our cash target for this operation is $3,000,000 with year-end 2018 cash at $1,648,681 and un-audited 2019 cash balance of $2,022,596. Absent this project, we have been projecting fund reserves of $2.4 MM by 2022 and $3.0 MM by 2030. The primary need for cash is for $1,000,000 in turf replacement in 2023 and $600,000 for Dome fabric replacement in 2030. In January 2018, the current facility operator projected a 30-year life for the dome fabric (which would be 2042) and 15-20 life for the turf (2027-2032). However, taking a more conservative approach we have not adjusted our replacement schedule. The net of all of the above is that we have the fiscal capacity to conduct the proposed project.

The project recommendation is more than just a financial discussion. Of utmost importance, these safety exits must be maintained to ensure the security of users, contractors, and employees within the Dome facility. Further, snow events represent a significant burden upon City forces to conduct snow removal from the stairwell structures and, at times, an additional safety hazard as well. In other words, we believe we are compelled to address the stair structures. We believe the approach of reconstructing the structures is the appropriate approach.

The low bidder for this project is TMG Construction. The low bid is $366,200 and the bid alternate is $6,685. We are recommending the alternate as well which is reconstructing the roof structures on the two perimeter exits.

FISCAL IMPACT: $372,885

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:
Award reconstruction of the Dome safety exits to TMG Construction for $372,885

.

Stantec Architecture Inc.
733 Marquette Avenue, Suite 1000, Minneapolis, MN 55402

February 18, 2020

City Council Members
City of West St. Paul
1616 Humboldt Avenue
West St. Paul, Minnesota 55118

Re: West St. Paul Regional Athletics Center West Stairs Modifications Project
Stantec Project No. 193804935
Bid Results

Dear City Council Members:

Bids were opened for the **West St. Paul Regional Athletics Center West Stairs Modifications Project** on February 18, 2020. Transmitted herewith is a copy of the Bid Tabulation for your information and file. Copies will also be distributed to each Bidder once the Project has been awarded.

There was a total of 8 Bids. The following summarizes the results of the Bids received:

	Contractor	***Total Base Bid***	***Total Alt. #1***
Low	TMG Construction Inc.	$366,200.00	$6,685.00
#2	Construction Results Corporation	$434,700.00	$12,000.00
#3	Maertens-Brenny Construction Company	$533,000.00	$22,000.00
#4	Versacon, Inc.	$540,000.00	$24,700.00
#5	Meisinger Construction Company, Inc.	$546,500.00	$12,678.00
#6	Langer Construction Company	$568,000.00	$28,500.00
#7	Derau Construction	$622,500.00	$21,500.00
#8	Iyawe & Associates	$677,000.00	$169,000.00

Alternate No. 1 includes Materials and labor necessary to enclose the north and west sides of the north and south exit stairs.

The low Bidder on the Project was TMG Construction Inc. with a Total Base Bid Amount of $366,200.00. The Bids have been reviewed and found to be in order.

It is recommended that the City of West St. Paul award the Project to the low bidder **TMG Construction Inc.,** based on the Total Base Bid plus Alternate No. 1, in the amount of **$372,885.00**.

Should you have any questions, please feel free to contact me.

Sincerely,

STANTEC ARCHITECTURE INC.

Bruce P. Paulson, RA
Senior Project Manager/Architect
Phone: (612) 712-2108
Cell: (651) 492-9089

Enclosure

copy: Ryan Schroeder, Ross Beckwith, Dennis Schilling, Dave Schletty, Mike Sanders

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Brian Sturgeon, Chief of Police**

Date: **February 24, 2020**

Alcohol Compliance Failures – Sanction Hearings

BACKGROUND INFORMATION:

Each year the Police Department conducts alcohol compliance checks on City licensed establishments. In addition, there may be license violations that occur throughout the year due to the result of a different type of activity such as assaults, disorderly persons or loud music complaints.

In performing compliance checks, the Police Department utilizes age appropriate individuals who are under police supervision. These individuals will enter an establishment and either request to be served alcohol or attempt to purchase an alcoholic beverage.

Alcohol underage buyers look younger than 21 and their appearance is not altered. All underage buyers are searched by the officers prior to going into an establishment and possess "marked" money in which to make the purchase. They also possess their government issued identification card which is not altered. They will not lie about their age if asked and will be fully truthful. If the underage buyer is served alcohol or purchases alcohol, the officers are made aware of the situation and confronts the seller for violating Minnesota statute 340A.503(2)1 – Sell/furnish/give alcohol to a person under the age of 21.

In addition to the individual criminal charge to the store employee, by City Ordinance licensed establishments that fail a compliance check or commits other types of license violations are subject to a civil sanction. For alcohol sanctions, the Council has developed and adopted through resolution an Alcohol Sanction Grid in order to encapsulate all factors surrounding the specific license violation(s). A copy of this Alcohol Sanction Grid is attached to the packet.

During the past alcohol compliance checks in November of 2019 the establishments listed below failed the compliance check:

- El Nuevo Morelos located at 360 Bernard Street W
- Smith Ave Liquor located at 977 Smith Ave S
- R & B Liquors located at 1111 Robert St S

Tonight is the sanction hearings on the license violations. All license holders have been made aware of the sanction hearing this evening pursuant to state statute. Each license holder will have a separate hearing and imposition of sanctions that will be enforced through adoption of a resolution.

FISCAL IMPACT:

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Review and discuss the recommended sanctions. Allow for the licensee to provide testimony, bring forth witnesses and/or evidence for your review which is required by city ordinance. Adopt the proper civil sanctions for the particular license violation through adoption of the resolution.

Alcohol-related Civil Penalties Grid

Level 3 – HFLS $500-1,000 fine And/or 5-10 day suspension revocation	**Level 4 – HFHS or 3 or More Aggravating Factors** $1,000 -2,000 fine And/or 10-60 days suspension revocation
Level 1 - LFLS Training, Installation of Alcohol devices, Video surveillance, security, etc $0-500 fine	**Level 2 – LFHS** $500-1,000 fine And/or 3-5 day suspension

Key:

Level 1 – LFLS: Low Severity, Low Frequency
Level 2 – LFHS: Low Frequency, High Severity
Level 3 – HFLS: High Frequency, Low Severity
Level 4 – HFHS: High Frequency, High Severity

1. Incident Severity and Frequency – The city department reporting the violation to the City Council will substantiate the severity and frequency of the incident in a report based on the number of incidents occurring at the licensed location under the same licensee for the previous five years. Incident severity and frequency will take into consideration the totality of the circumstances and the potential or actual impact on a specific neighborhood or to the overall community.

2. Aggravating Factors – Aggravating Factors in a single incident may cause a move in the grid to the next level (either up or sideways). Examples of Aggravating Factors include, but are not limited to:

   - Any prior violation of alcohol-related incidents in the last 5 years of the new incident (each prior shall be counted as on Aggravating Factor);
   - *Felony or gross misdemeanor charges were issued out of the new incident;
   - Any weapons, drugs or violence involved in the new incident;
   - The act endangered the public;
   - *The act involved a juvenile;
   - The act involved bias or discrimination;
   - The act lead to other crimes (i.e. over-serving then involved in a car accident) *(gross misdemeanor charges or incidents involving a juvenile stemming from a routine alcohol compliance check conducted by the Police Department shall not be counted as an Aggravating Factor in a single incident)

3. Penalties may include a Fine, Suspension, or Revocation or any combination thereof.

INCIDENT

West St. Paul
1616 Humboldt Ave.
West St. Paul, MN 55118
Telephone: 651-552-4200

Case Number: 19004510
Title: Alcohol Compliance Failure

INCIDENT INFORMATION

Charges/Citation:	340A.503.2(1)	Address:	360 Bernard Street W Bldg Name/Num: El Nuevo Morelos West St. Paul, MN 55118; Dakota US
Incident Type:	Other	Parties Involved:	
Start Date:	2019-11-11 12:22	**Cruz Martinez, Saul Ivan** 1999-11-18 Suspect	
End Date:	2019-11-11 12:45		
Reported Date:	2019-11-11 12:29		

OFFICER INFORMATION

Name	Agency	Badge	Role
Jose Marrero	**West St. Paul**	**2630**	**Assisting**
G Altman	**West St. Paul**	**2643**	**Primary**

SYNOPSIS OF EVENTS

Alcohol compliance check failure.

NARRATIVE

On 2019-11-11 at 1222 hours Officer Marrero and I conducted required checks of every business holding an alcohol license in the City of West St Paul. A 20 year old female was used who shall be referred to as KAS in this report.

KAS did/was not personally known by any employee in any of the establishments checked. All the money used during the alcohol compliance checks was provided by the City of West St Paul. During the checks, KAS was only in possession of her MN drivers license, her cell phone and a $20 bill I provided her. KAS was instructed to present her drivers license if asked and not to lie about her age if questioned. KAS was advised if she was served alcohol to text me on my work issued cell phone and we would come inside.

At 1222 hours we arrived at El Nuevo Morelos, 360 Bernard Street W. KAS entered the restaurant alone. A couple of minutes later KAS texted me that she had been served alcohol.

Officer Marrero and I entered the restaurant and located KAS sitting at a table next to the bar and she had a bottle of Corona sitting in front of her. There was no one else inside the restaurant other than a server and cook. KAS stated that the server did not even ask to see her identification and that she had not yet paid for the bottle of Corona. The server was identified by his MN drivers license as; Saul Ivan Cruz Martinez DOB/1999-11-18. I explained to Cruz Martinez that he had just sold alcohol to a minor. When asked, Cruz Martinez stated that he thought KAS looked way older than 21 and that is why he didn't ask for identification.

I confirmed Cruz Martinez's information.

I took a digital photograph of the bottle of Corona and later downloaded it to the case file.

I provided Cruz Martinez my business card with case number.

A criminal history check of Cruz Martinez was ran to ensure that he had no prior offenses that would enhance this charge. Nothing was found.

I am requesting Cruz Martinez be formally charged with:

340A.503.2(1) - Liquor, Purchase/Sell/Barter/Furnish alcohol to someone under 21 years of age

PARTIES INVOLVED

PERSON 1

Role(s): Suspect

Last: Cruz Martinez | **First:** Saul | **Middle:** Ivan | **Date of Birth:** 1999-11-18 (20)

Sex: Male | **Race:** White | **Height:** 504 -504 | **Weight:** 145 -145 lbs | **Hair:** Black

Eyes: Brown | **Is Juvenile?:** No | **Ethnicity:** Hispanic/Latino | **Build:** Small | **Complexion:** Light Brown

Residence: 212 Thompson Avenue W APT 210; West Saint Paul, MN 55118-2165; Dakota US

Residence Type: APARTMENT

Cell Phone: (651)497-8898 **Description:**

EMPLOYMENT INFORMATION

Name: El Nuevo Morelos **Type:** RESTAURANT/BAR/CLUB

Occupation: Server **Shift:**

Address: 360 Bernard Street W Bldg Name/Num: El Nuevo Morelos; West St. Paul, MN 55118; Dakota US

Address Type
RESTAURANT

Work Phone: (651)552-5693 **Description:**

CHARGES/ORDINANCES

Type: Statute **Charge:** 340A.503.2(1)

Level: Gross Misdemeanor **UOC:** **Enh. Factor:**

Description: Liquor-Purchase/Sell/Barter/Furnish/Give to u/21yr

WEST ST. PAUL POLICE DEPARTMENT
1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

January 23, 2020

Mr. Oscar Martinez
El Nuevo Morelos Mexican Restaurant
360 Bernard Street West
West St Paul, Minnesota 55118

Subject: Alcohol License Violation and Notice of Hearing

Dear Mr. Martinez,

On November 11, 2019 the Police Department conducted multiple alcohol compliance checks throughout the City of West St Paul. Unfortunately, a few establishments failed these checks including yours.

In following the procedure for an alcohol license violation, a review of the violation was conducted and a sanction recommendation has been developed. A copy of the recommendation is enclosed.

This recommendation will be presented to the City Council during the required sanction hearing which will take place on February 24, 2020 during the regular Council meeting. The meeting starts at 6:30 PM and is located at City Hall, 1616 Humboldt Avenue, West Saint Paul Minnesota. This letter serves as your official notice of this hearing which you have the right to be present at. You may address the Council, provide testimony, present evidence or bring witnesses on your behalf if you desire.

You may also wish to review the City's alcohol and licensing codes by visiting the City's website, www.wspmn.gov ; Intoxicating Liquor – 112 or Licensing – 110.

If you have any questions or concerns, please do not hesitate to contact me at 651-552-4202.

Sincerely,

Brian Sturgeon

Brian Sturgeon, Chief of Police

WEST ST. PAUL POLICE DEPARTMENT
1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

City Issued License Sanction Hearing

Type of Violation: Alcohol

Name of Establishment: El Nuevo Morelos Mexican Restaurant

Address: 360 Bernard Street W

Police Case File: 19004510

Date of Violation: November 11, 2019

Summary:

On November 11, 2019 at about 12:22 PM, Officers Marrero and Altman along with an underage decoy conducted an alcohol compliance check at El Nuevo Morelos Mexican Restaurant. The officers provided the decoy with marked money and she had her unaltered Minnesota identification card and cell phone with her. The decoy was told not to lie about her age if asked. If provided alcohol, the decoy was to text the officers using her cell phone.

During the compliance check, the underage decoy was served a bottle of Corona beer and subsequently called the officers who were waiting outside. The employee stated the decoy looked way older than 21 and that is why he did not ask for identification.

Other Information:

- This is the first year under new ownership that the establishment held a liquor license which is a beer and wine license.
- There have been no police issues with the establishment under the new ownership.

Recommendation:

- A $500 civil penalty, $200 of which is stayed for a period of one year. If there are other alcohol license violations within the one year period, the stayed penalty of $200 will be imposed in addition to any new sanctions;
- The licensee or employee(s) must attend the City sponsored alcohol compliance training when notified; and
- While holding a City issued license, the license holder must document and maintain the signatures and dates of any alcohol training their employee's receive. This list must be kept current and made available for inspection by a police department representative upon a reasonable request.

Sincerely,

Brian Sturgeon, Chief of Police

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

RESOLUTION IMPOSING SANCTIONS UPON
RETAIL INTOXICATING LIQUOR LICENSE HOLDER
EL NUEVO MORELOS MEXICAN RESTAURANT

WHEREAS, state law authorizes a city council to impose sanctions upon the holder of a retail intoxicating liquor license who has failed to comply with an applicable statute, upon a hearing duly noticed, and the opportunity for the license holder to be heard;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West St. Paul, Minnesota, as follows:

FINDINGS

Notice of a hearing for the imposition of a sanction for a liquor violation was duly given to the intoxication license holder for the premises at 360 Bernard Street West, West St. Paul, Minnesota on January 23, 2020, pursuant to Minnesota Statutes, sections 14.57 to 14.69.

1.01 The hearing was held on Monday, February 24, 2020, in the Council Chambers in City Hall, located at 1616 Humboldt Avenue, West St. Paul, MN.

1.02 At the hearing all persons who appeared and desired to be heard, were heard.

CONCLUSION

2.01 Based upon the evidence presented at the hearing, the City Council concludes that the retail license holder for the premises at 360 Bernard Street West, (El Nuevo Morelos Mexican Restaurant) failed to comply with an applicable statute in that an alcoholic beverage was sold to an underage person on November 11, 2019 in the licensed establishment.

2.02 The following sanctions are imposed for the violation:

a) A $500 civil penalty is imposed against the license holder of which $200 is stayed for a one-year period. However, if there are other alcohol license violations within the one year period, the stayed penalty shall be imposed in addition to any new sanctions;

b) While holding a City issued alcohol license, a representative from this establishment will attend any future City sponsored alcohol compliance training when notified; and

c) While holding a City issued alcohol license, the license holder must document and maintain the signatures and dates of any alcohol training their employee's receive. This list must be up kept to date and made available to the police department upon a reasonable request.

Adopted by the City Council of the City of West St. Paul, Minnesota, this 24th day of February 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

INCIDENT

West St. Paul
1616 Humboldt Ave.
West St. Paul, MN 55118
Telephone: 651-552-4200

Case Number: 19004511
Title: Alcohol Compliance Check Failure

INCIDENT INFORMATION

Charges/Citation:	340A.503.2(1)	Address:	977 Smith Avenue S Bldg Name/Num: Smith Ave. Liquor West St. Paul, MN 55118
Incident Type:	Other	Parties Involved:	
Start Date:	2019-11-11 12:37	**White, Kathryn Pantera** 1998-07-06 Suspect	
End Date:	2019-11-11 12:45		
Reported Date:	2019-11-11 12:37		

OFFICER INFORMATION

Name	Agency	Badge	Role
Jose Marrero	**West St. Paul**	**2630**	**Primary**

SYNOPSIS OF EVENTS

Alcohol compliance check failure.

NARRATIVE

On 2019-11-11 Officer G. Altman and I conducted required alcohol compliance checks of all businesses holding a license for alcohol in the City of West St. Paul. A 20 year old female was used to assist in the checks who shall be referred to as KAS in this report.

KAS did not personally know any of the employees of the establishments checked. All money used during the checks was provided by the City of West St. Paul. During the checks KAS was only in possession of her Mn drivers license, cell phone and a recorded $20 bill. KAS was instructed to present her drivers license if asked to do so and advised not to lie or misrepresent her age if questioned during the checks. KAS was instructed for bars/restaurants to enter and text us on our work cell phone if she was served by staff, so we could enter the business and make contact. For liquor stores she instructed to return to our vehicle with what ever she had purchased.

The business checked for this report was Smith Ave. Liquors, 977 Smith Avenue S. KAS entered the business alone. A short time later KAS exited and returned to our vehicle with a bottle of alcohol. KAS stated there was only one female employee at the counter that sold her the alcohol. KAS was asked to wait in the vehicle while officers made contact with the employee.

The employee was identified as, Kathryn Pantera White DOB/1998-07-06. Kathryn was advised that she had sold to an under age person. Kathryn stated she thought KAS was over 30 years so she did not check her identification. Kathryn was asked if she has had any age verification sales training, she said, she did an online review but she has only been working here for about three weeks. Kathryn stated she was told by an employee that trained her that anyone who does not look over 31 should be carded. The change and bottle from the purchase were returned to Kathryn and the original $20 used was returned to us.

Kathryn's information was confirmed and photos of the purchased alcohol and receipt were placed into the case file. Kathryn was advised that she should contact her supervisor and that she would receive more information through the mail. Kathryn was given a business card for contact information and a case number.

A criminal history was also obtained on Kathryn.

Forwarded for a review on formal charges to include - 340A.503.2(1) Liquor, Purchase/sell/Barter/Furnish alcohol to someone under 21 years of age.

PARTIES INVOLVED

PERSON 1

Role(s): Suspect

Last: White | **First:** Kathryn | **Middle:** Pantera | **Date of Birth:** 1998-07-06 (21)

Sex: Female | **Race:** White | **Height:** 500 -500 | **Weight:** 130 -130 lbs | **Hair:**

Eyes: Blue | **Is Juvenile?:** No | **Ethnicity:** Not Hispanic/Latino | **Build:** | **Complexion:**

Residence: 213 Annapolis Street W APT 202; West St. Paul, MN 55118; US

Residence Type: RESIDENCE/HOME

Cell Phone: (651)357-4078 **Description:**

EMPLOYMENT INFORMATION

Name: Smith Ave. Liquor **Type:**

Occupation: Cashier **Shift:**

Address: 977 Smith Avenue S Bldg Name/Num: Smith Ave. Liquor; West St. Paul, MN 55118; US

Address Type
LIQUOR STORE

Work Phone: (651)457-4567 **Description:**

CHARGES/ORDINANCES

Type: Statute **Charge:** 340A.503.2(1)

Level: Gross Misdemeanor **UOC:** **Enh. Factor:**

Description: Liquor-Purchase/Sell/Barter/Furnish/Give to u/21yr

WEST ST. PAUL POLICE DEPARTMENT

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

January 23, 2020

Mr. Carlos Lares
Smith Liquors
977 Smith Avenue S
West St Paul, Minnesota 55118

Subject: Alcohol License Violation and Notice of Hearing

Dear Mr. Lares,

On November 11, 2019 the Police Department conducted multiple alcohol compliance checks throughout the City of West St Paul. Unfortunately, a few establishments failed these checks including yours.

In following the procedure for an alcohol license violation, a review of the violation was conducted and a sanction recommendation has been developed. A copy of the recommendation is enclosed.

This recommendation will be presented to the City Council during the required sanction hearing which will take place on February 24, 2020 during the regular Council meeting. The meeting starts at 6:30 PM and is located at City Hall, 1616 Humboldt Avenue, West Saint Paul Minnesota. This letter serves as your official notice of this hearing which you have the right to be present at. You may address the Council, provide testimony, present evidence or bring witnesses on your behalf if you desire.

You may also wish to review the City's alcohol and licensing codes by visiting the City's website, www.wspmn.gov ; Intoxicating Liquor – 112 or Licensing – 110.

If you have any questions or concerns, please do not hesitate to contact me at 651-552-4202.

Sincerely,

Brian Sturgeon

Brian Sturgeon, Chief of Police

WEST ST. PAUL POLICE DEPARTMENT

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

City Issued License Sanction Hearing

Date: February 24, 2020

Type of Violation: Alcohol

Name of Establishment: Smith Liquors

Address: 977 Smith Avenue South

Police Case File: 19004511

Date of Violation: November 11, 2019

Summary:

On November 11, 2019 at about 12:37 PM, Officers Marrero and Altman along with an underage decoy conducted an alcohol compliance check at Smith Liquors. The officers provided the decoy with marked money and she had her unaltered Minnesota identification card and cell phone with her. The decoy was told not to lie about her age if asked.

During the compliance check, the underage decoy was sold a bottle of Vodka. The decoy exited the store and turned the bottle over to the officers. There was only one employee working at the store. The employee stated that the decoy looked over 30 years old and that is why she did not ask to see any identification.

Other Information:

- New ownership took over the store in 2015 and this is the first compliance check failure.
- There was no representatives from the store that attended the city sponsored alcohol compliance training in 2019.
- There have been no police issues with the establishment under the new ownership.

Recommendation:

- A $500 civil penalty, $200 of which is stayed for a period of one year. If there are other alcohol license violations within the one year period, the stayed penalty of $200 will be imposed in addition to any new sanctions;
- The licensee or employee(s) must attend the City sponsored alcohol compliance training when notified; and

WEST ST. PAUL POLICE DEPARTMENT

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

- While holding a City issued license, the license holder must document and maintain the signatures and dates of any alcohol training their employee's receive. This list must be kept current and made available for inspection by a police department representative upon a reasonable request.

Sincerely,

Brian Sturgeon, Chief of Police

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

RESOLUTION IMPOSING SANCTIONS UPON
RETAIL INTOXICATING LIQUOR LICENSE HOLDER
SMITH LIQUORS

WHEREAS, state law authorizes a city council to impose sanctions upon the holder of a retail intoxicating liquor license who has failed to comply with an applicable statute, upon a hearing duly noticed, and the opportunity for the license holder to be heard;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West St. Paul, Minnesota, as follows:

FINDINGS

Notice of a hearing for the imposition of a sanction for a liquor violation was duly given to the intoxication license holder for the premises at 977 Smith Avenue South, West St. Paul, Minnesota on January 23, 2020, pursuant to Minnesota Statutes, sections 14.57 to 14.69.

1.01 The hearing was held on Monday, February 24, 2020, in the Council Chambers in City Hall, located at 1616 Humboldt Avenue, West St. Paul, MN.

1.02 At the hearing all persons who appeared and desired to be heard, were heard.

CONCLUSION

2.01 Based upon the evidence presented at the hearing, the City Council concludes that the retail license holder for the premises at 977 Smith Avenue South, (Smith Liquors) failed to comply with an applicable statute in that an alcoholic beverage was sold to an underage person on November 11, 2019 in the licensed establishment.

2.02 The following sanctions are imposed for the violation:

a) A $500 civil penalty is imposed against the license holder of which $200 is stayed for a one-year period. However, if there are other alcohol license violations within the one year period, the stayed penalty shall be imposed in addition to any new sanctions;

b) While holding a City issued alcohol license, a representative from this establishment will attend any future City sponsored alcohol compliance training when notified; and

c) While holding a City issued alcohol license, the license holder must document and maintain the signatures and dates of any alcohol training their employee's receive. This list must be up kept to date and made available to the police department upon a reasonable request.

Adopted by the City Council of the City of West St. Paul, Minnesota, this 24th day of February 2020.

Attest:

_____	_____
David J. Napier, Mayor	Shirley R Buecksler, City Clerk

INCIDENT

West St. Paul
1616 Humboldt Ave.
West St. Paul, MN 55118
Telephone: 651-552-4200

Case Number: 19004514
Title: Alcohol Complinace CHeck Failure

INCIDENT INFORMATION

Charges/Citation:	340A.503.2(1)	Address:	1111 Robert Street S Bldg Name/Num: R & B Liquors West St. Paul, MN 55118
Incident Type:	Other	Parties Involved:	
Start Date:	2019-11-11 13:43	**Faust, Mark Thomas**	1960-08-01 Suspect
End Date:	2019-11-11 13:50		
Reported Date:	2019-11-11 13:43		

OFFICER INFORMATION

Name	Agency	Badge	Role
Jose Marrero	**West St. Paul**	**2630**	**Primary**

SYNOPSIS OF EVENTS

Alcohol compliance check failure.

NARRATIVE

On 2019-11-11 Officer G. Altman and I conducted required alcohol compliance checks of all businesses holding a license for alcohol in the City of West St. Paul. A 20 year old female was used to assist in the checks who shall be referred to as KAS in this report.

KAS did not personally know any of the employees of the establishments checked. All money used during the checks was provided by the City of West St. Paul. During the checks KAS was only in possession of her Mn drivers license, cell phone and a recorded $20 bill. KAS was instructed to present her drivers license if asked to do so and advised not to lie or misrepresent her age if questioned during the checks. KAS was instructed for bars/restaurants to enter and text us on our work cell phone if she was served by staff, so we could enter the business and make contact. For liquor stores she instructed to return to our vehicle with what ever she had purchased.

The business checked for this report was R&B Liquors, 1111 Robert Street S. KAS entered the business alone. A short time later KAS exited and returned to our vehicle with a bottle of alcohol. KAS stated the male behind the counter sold her the alcohol. KAS was asked to wait in the vehicle while officers made contact with the employee.

The employee was identified as, Mark Thomas Faust DOB/1960-08-01. Mark was advised that he had sold to an under age person. Mark stated he did not check the identification of KAS. Mark is the owner of the business and was upset with himself for failing. The change and bottle from the purchase were returned to Mark and the original $20 used was returned to us.

Mark's information was confirmed and photos of the purchased alcohol and receipt were placed into the case file. Mark was advised that he would receive more information through the mail. Mark was given a business card for contact information and a case number.

A criminal history was also obtained on Mark.

Forwarded for a review on formal charges to include - 340A.503.2(1) Liquor, Purchase/sell/Barter/Furnish alcohol to someone under 21 years of age.

PARTIES INVOLVED

PERSON 1

Role(s): Suspect

Last: Faust **First:** Mark **Middle:** Thomas **Date of Birth:** 1960-08-01 (59)

Sex: Male **Race:** White **Height:** 511 -511 **Weight:** 230 -230 lbs **Hair:**

Eyes: Hazel **Is Juvenile?:** No **Ethnicity:** Not Hispanic/Latino **Build:** **Complexion:**

Residence: 1111 Robert Street S Bldg Name/Num: R & B Liquors; West St. Paul, MN 55118; US

Residence Type: LIQUOR STORE

Cell Phone: (952)924-0334 **Description:**

EMPLOYMENT INFORMATION

Name: R & B Liquor **Type:**

Occupation: Owner **Shift:**

Address: 1111 Robert Street S Bldg Name/Num: R & B Liquors; West St. Paul, MN 55118; US

Address Type
LIQUOR STORE

Work Phone: (651)457-4347 **Description:**

CHARGES/ORDINANCES

Type: Statute **Charge:** 340A.503.2(1)

Level: Gross Misdemeanor **UOC:** **Enh. Factor:**

Description: Liquor-Purchase/Sell/Barter/Furnish/Give to u/21yr

WEST ST. PAUL POLICE DEPARTMENT

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

January 23, 2020

Mr. Mark Faust
R & B Liquor
1111 Robert St S
West St Paul, Minnesota 55118

Subject: Alcohol License Violation and Notice of Hearing

Dear Mr. Faust,

On November 11, 2019 the Police Department conducted multiple alcohol compliance checks throughout the City of West St Paul. Unfortunately, a few establishments failed these checks including yours.

In following the procedure for an alcohol license violation, a review of the violation was conducted and a sanction recommendation has been developed. A copy of the recommendation is enclosed.

This recommendation will be presented to the City Council during the required sanction hearing which will take place on February 24, 2020 during the regular Council meeting. The meeting starts at 6:30 PM and is located at City Hall, 1616 Humboldt Avenue, West Saint Paul Minnesota. This letter serves as your official notice of this hearing which you have the right to be present at. You may address the Council, provide testimony, present evidence or bring witnesses on your behalf if you desire.

You may also wish to review the City's alcohol and licensing codes by visiting the City's website, www.wspmn.gov ; Intoxicating Liquor – 112 or Licensing – 110.

If you have any questions or concerns, please do not hesitate to contact me at 651-552-4202.

Sincerely,

Brian Sturgeon

Brian Sturgeon, Chief of Police

WEST ST. PAUL POLICE DEPARTMENT

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

City Issued License Sanction Hearing

Date: February 24, 2020

Type of Violation: Alcohol

Name of Establishment: Faust Co. LLC, dba R & B Liquor

Address: 1111 Robert St S

Police Case File: 19004514

Date of Violation: November 11, 2019

Summary:

On November 11, 2019 at about 1:43 PM, Officers Marrero and Altman along with an underage decoy conducted an alcohol compliance check at R & B Liquor. The officers provided the decoy with marked money and she had her unaltered Minnesota identification card and cell phone with her. The decoy was told not to lie about her age if asked.

During the compliance check, the underage decoy was sold a bottle of Whiskey and subsequently exited the store and gave the bottle to the officers. The officers went into the store and identified the individual who sold the alcohol. The individual, who is the owner, confirmed he did not check her identification.

Other Information:

- The license holder has one previous compliance check failure and that was in 2015.
- The license hold has sent representatives to the City sponsored alcohol compliance training.
- There have been no police issues with the establishment.

Recommendation:

- A $500 civil penalty, $200 of which is stayed for a period of one year. If there are other alcohol license violations within the one year period, the stayed penalty of $200 will be imposed in addition to any new sanctions;
- The licensee or employee(s) must attend the City sponsored alcohol compliance training when notified; and
- While holding a City issued license, the license holder must document and maintain the signatures and dates of any alcohol training their employee's receive. This list must be kept current and made available for inspection by a police department representative upon a reasonable request.

WEST ST. PAUL POLICE DEPARTMENT

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

Sincerely,

Brian Sturgeon, Chief of Police

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

RESOLUTION IMPOSING SANCTIONS UPON
RETAIL INTOXICATING LIQUOR LICENSE HOLDER
FAUST CO. LLC, DBA R & B LIQUOR

WHEREAS, state law authorizes a city council to impose sanctions upon the holder of a retail intoxicating liquor license who has failed to comply with an applicable statute, upon a hearing duly noticed, and the opportunity for the license holder to be heard;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West St. Paul, Minnesota, as follows:

FINDINGS

Notice of a hearing for the imposition of a sanction for a liquor violation was duly given to the intoxication license holder for the premises at 1111 Robert Street South, West St. Paul, Minnesota on January 23, 2020, pursuant to Minnesota Statutes, sections 14.57 to 14.69.

1.01 The hearing was held on Monday, February 24, 2020, in the Council Chambers in City Hall, located at 1616 Humboldt Avenue, West St. Paul, MN.

1.02 At the hearing all persons who appeared and desired to be heard, were heard.

CONCLUSION

2.01 Based upon the evidence presented at the hearing, the City Council concludes that the retail license holder for the premises at 1111 Robert Street South, (R & B Liquor) failed to comply with an applicable statute in that an alcoholic beverage was sold to an underage person on November 11, 2019 in the licensed establishment.

2.02 The following sanctions are imposed for the violation:

a) A $500 civil penalty is imposed against the license holder of which $200 is stayed for a one-year period. However, if there are other alcohol license violations within the one year period, the stayed penalty shall be imposed in addition to any new sanctions;

b) While holding a City issued alcohol license, a representative from this establishment will attend any future City sponsored alcohol compliance training when notified; and

c) While holding a City issued alcohol license, the license holder must document and maintain the signatures and dates of any alcohol training their employee's receive. This list must be up kept to date and made available to the police department upon a reasonable request.

Adopted by the City Council of the City of West St. Paul, Minnesota, this 24th day of February 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Brian Sturgeon, Chief of Police**

Date: **February 24, 2020**

Tobacco Compliance Check Failures, Sanction Hearings

BACKGROUND INFORMATION:

Each year the police department conducts tobacco compliance checks on City-licensed establishments. In addition, there may be license violations that occur throughout the year due to the result of a different type of activity such as the police encountering a juvenile who possesses tobacco and they provide a statement saying they purchased the product at the licensed establishment.

In performing compliance checks, the police department utilizes age appropriate individuals who are under police supervision. The individual is a juvenile participant with their parent or guardian's consent. The individual's appearance is not altered.

The underage buyer is searched by the officers prior to going into an establishment to ensure they do not possess any tobacco products and possess recorded currency and their Minnesota Identification Card or Driver's License. These individuals will enter an establishment and attempt to purchase a tobacco product. The individuals will not lie about their age and will provide their ID upon request of the seller. If the officers observe or are alerted to a prohibited sale, they confront the seller for violating Minnesota State Statute 609.685 sub. 1a(a) – Sale of Tobacco to Children.

In addition to the individual criminal charge to the store employee, by City Code, licensed establishments that fail a compliance check or commit another type of license violation are subject to civil sanctions. Tobacco sanctions have reduced flexibility as they are articulated in state statute and city code.

During the past tobacco compliance check on November 20, 2019 the below establishment(s) failed:

- Steven's Tobacco
- Jerry's Enterprises, dba Cub Foods

Tonight is the sanction hearing for the license holders and store clerks that sold tobacco to an underage individual. Each license holder and store clerk has been duly notified of this hearing pursuant to state statute. Each individual has a right to provide testimony, evidence, and/or witnesses. There will be two separate hearings, one for Steven's Tobacco and one for Jerry's Enterprises.

FISCAL IMPACT:

		Amount
Fund:	**101**	**$375.00**
Department:	**3000**	
Account:	**3220**	

STAFF RECOMMENDATION:

Hold a sanction hearing, review and discuss the recommended sanctions and if appropriate pass the applicable resolution adopting the proper civil sanctions for the particular license violation. Finally, directed staff to send a letter and invoice to those establishments and individuals where a fee was imposed and/or follow-up with any other imposed sanctions.

WEST ST. PAUL POLICE DEPARTMENT

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

Type of Violation: **Tobacco**

Name of establishment: **Jerrys Enterprises Inc, dba Cub Foods**

Address: **2001 Robert Street South**

Police Case Number: **19004621**

Date of Violation: **November 20, 2019**

Summary:

On November 20, 2019 Officers Greg Altman and Jose Marrero along with an underage decoy, conducted a tobacco compliance check at Cub Foods located at 2001 Robert St S. The underage decoy was provided recorded money by the officers and instructed to attempt to purchase a tobacco product. The decoy possessed her unaltered Minnesota driver's license, which indicated her age was 17. She was told not to lie about her age and if denied tobacco or asked her age, the decoy was to return to the officers.

The underage decoy entered Cub Foods and purchases a package of cigarettes. The employee did ask to see the decoy's identification, reviewed the drivers' license, and sold the cigarettes to her. When later questions by the officers, the employee stated she must have entered the wrong date of birth into the age verification system. The officers were able to retrieve the marked money the decoy used to purchase a pack of cigarettes from the establishment's cash register.

Other information:

- The licensee at Cub Foods has had a city issued tobacco license for over seven years;
- The licensee has had no tobacco compliance check failures in over six years;
- The licensee does have an age verification system in place;
- The licensee did not send anyone to the city sponsored tobacco compliance training in March 2019.

Recommendations:

1. $75 fine for the license holder (Minimum statutory / city code requirement);
2. $50 fine for the employee (Minimum statutory / city code requirement);
3. While holding a city issued tobacco license, a representative from this establishment will attend any future city sponsored tobacco compliance training when notified; and
4. While holding a city issued tobacco license, the license holder must documented and maintain the signatures and dates of any tobacco training their employees receive. This list must be kept up to date and made available to the police department upon a reasonable request.

WEST ST. PAUL POLICE DEPARTMENT

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

January 14, 2020

Jerry's Enterprises Inc, dba Cub Foods
Attn: Kent Dixon
2001 Robert St S
West St Paul MN 55118

Dear Mr. Kent Dixon,

On November 20, 2019 the police department conducted required multiple tobacco compliance checks throughout the City of West St Paul. Unfortunately two establishments failed these checks, including yours.

In following the procedure for tobacco license violations there was a review of the violation and subsequent sanction recommendations developed. This recommendation will be presented to the City Council in the form of a hearing at the February 24, 2020 Council meeting for their consideration.

City Council meetings start at 6:30 pm and are held at City Hall, located at 1616 Humboldt Ave in West St Paul. This letter serves as official notice of this hearing, which you have the right to be present at. You may address the Council, provide testimony, evidence or bring witnesses on your behalf if you wish.

Attached is my sanction recommendations to the Council and an excerpt from State Statute 461.12, which mandates specific penalties for certain offenses. You may also wish to review the City's Tobacco Ordinance by visiting the City's website (www.wspmn.gov) and click on "city ordinances", then go to Tobacco – 113.

If you have any questions or concerns please do not hesitate to contact me at 651-552-4202.

Sincerely,

Brian Sturgeon

Brian Sturgeon, Chief of Police

WEST ST. PAUL POLICE DEPARTMENT

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

January 14, 2020

Ashley Amber Contreras
212 Emerson Ave W
West Saint Paul MN 55118

Dear Ms. Contreras,

On November 20, 2019 the police department conducted required multiple tobacco compliance checks throughout the City of West St Paul. Unfortunately two establishments failed these checks and you were identified as the employee conducting the sale at one of these failed establishments.

Selling tobacco products to a minor is a violation of state statute and a violation of a City-issued tobacco license. Section 113 of the West St Paul City Code articulates the requirements for licensees and employees and the civil penalties which may be imposed for license violations. For your reference I have enclosed the portion of the City Code articulating the possible civil penalties you may be subjected to. You may also wish to review the City's Tobacco Ordinance by visiting the City's website (www.wspmn.gov) and click on "city ordinances", then go to Tobacco – 113.

In following the procedure for tobacco license violations there was a review of the violation and subsequent sanction recommendations developed. This recommendation will be presented to the City Council in the form of a hearing at the February 24, 2020 Council meeting for their consideration. Attached is my recommendation to the Council and an excerpt from State Statute 461.12, which mandates specific penalties for certain offenses.

City Council meetings start at 6:30 pm and are held at City Hall, located at 1616 Humboldt Ave in West St Paul. This letter serves as official notice of this hearing, which you have the right to be present at. You may address the Council, provide testimony, evidence or bring witnesses on your behalf if you wish.

If you have any questions or concerns please do not hesitate to contact me at 651-552-4202.

Sincerely,

Brian Sturgeon

Brian Sturgeon, Chief of Police

INCIDENT

West St. Paul
1616 Humboldt Ave.
West St. Paul, MN 55118
Telephone: 651-552-4200

Case Number: 19004618
Title: Tobacco Compliance Check Failure

INCIDENT INFORMATION

Charges/Citation:	609.685.1a(a) (citation# 190719901971)	Address:	1113 Robert Street S Bldg Name/Num: Stevens Tobacco West St. Paul, MN 55118
Incident Type:	Other	Parties Involved:	
Start Date:	2019-11-20 17:28	**Nieves, Brandon Jose** 2000-01-08 Suspect	
End Date:	2019-11-20 17:30		
Reported Date:	2019-11-20 17:28		

OFFICER INFORMATION

Name	Agency	Badge	Role
Jose Marrero	**West St. Paul**	**2630**	**Primary**

SYNOPSIS OF EVENTS

Tobacco compliance check failure.

NARRATIVE

On 2019-11-20 Officer G. Altman and I conducted required yearly tobacco compliance checks on all businesses in the City of West St. Paul issued current tobacco licenses. A 17 year old female assisted in conducting the checks with us. This female will be referred to as [redacted] for the rest of this report. Prior to conducting these checks [redacted] was not aware of any personal connections to any employee in any of the businesses checked.

All the money used during the compliance checks was provided by the City of West St. Paul. [redacted] was instructed on how to conduct herself during the checks as such. [redacted] was instructed to provide her drivers license if asked. [redacted] was instructed to not lie or misrepresent her age if questioned. [redacted] was instructed to return to our vehicle if a purchase was made. [redacted] was only allowed to have her Drivers license, the supplied $20 bill and her cell phone while doing the checks. The business that failed for this report was at 1113 Robert St. S. (Steven's Tobacco).

[redacted] entered the business alone and a short time later returned with a purchased package of cigarettes. [redacted] stated the black male behind the counter had sold her the cigarettes. [redacted] advised that the male did not ask for her I.D. at any time. [redacted] handed me the change and cigarettes from the purchase. Officer G. Altman and I entered the store and spoke with the employee involved. This employee was identified using his MN state drivers license as Brandon Jose Nieves DOB/2000-01-08.

CASE #: 19004618

INCIDENT REPORT

Brandon was advised that he had sold tobacco to an under aged person. When asked why he did not ask for or check her identification, he stated that she looked way older. Brandon stated that he has only been employed for about two weeks at this place. A copy of the sales receipt was collected, and the cigarettes and change were returned to the store for a refund. We collected our $20 bill and explained to Brandon that he would receive a citation in the mail, along with instructions and a court date to follow.

Brandon was handed a business card with the case number on it for this incident. A second card was left for the businesses owner. Brandon stated he had no questions for us. A criminal history was requested for Brandon before any charges made. I reviewed the history for Brandon and seeing no previous related infractions, I issued a citation to Brandon for the sale of tobacco to a persons under the age of 18 years old. Citation #190719901971 was completed and placed in the mail for delivery on 11/22/2019.

Cleared by citation.

PARTIES INVOLVED

PERSON 1

Role(s): Suspect

Last: Nieves **First:** Brandon **Middle:** Jose **Date of Birth:** 2000-01-08 (19)

Sex: Male **Race:** Black/African American **Height:** 511 -511 **Weight:** 167 -167 lbs **Hair:**

Eyes: Brown **Is Juvenile?:** No **Ethnicity:** Not Hispanic/Latino **Build:** **Complexion:**

Residence: 1550 Charlton Street APT 206; West Saint Paul, MN 55118-2005; US

Residence Type: RESIDENCE/HOME

Cell Phone: (612)508-7399 **Description:**

EMPLOYMENT INFORMATION

Name: Steven's Tobacco **Type:** RETAIL

Occupation: Cashier **Shift:**

Address: 1113 Robert Street S Bldg Name/Num: Stevens Tobacco; West St. Paul, MN 55118; US

Address Type
OTHER RETAIL

Work Phone: (651)451-4468 **Description:**

CHARGES/ORDINANCES

Type: Statute **Charge:** 609.685.1a(a)
Level: Misdemeanor **UOC:** **Enh. Factor:**
Citation #: 190719901971
Description: Sale of Tobacco/Tobacco Related Device to Children-Under 18 Years Old; Misd; Subsequent offense GM

INCIDENT

West St. Paul
1616 Humboldt Ave.
West St. Paul, MN 55118
Telephone: 651-552-4200

Case Number: 19004621
Title: Tobacco Compliance Check Failure

INCIDENT INFORMATION

Charges/Citation:	609.685.1a(a) (citation# 190719901972)	Address:	2001 Robert Street S Bldg Name/Num: Cub Foods West St. Paul, MN 55118
Incident Type:	Other	Parties Involved:	
Start Date:	2019-11-20 18:21	**Contreras, Ashley Amber** 1990-02-13 Suspect	
End Date:	2019-11-20 18:30		
Reported Date:	2019-11-20 18:21		

OFFICER INFORMATION

Name	Agency	Badge	Role
Jose Marrero	**West St. Paul**	**2630**	**Primary**

SYNOPSIS OF EVENTS

Tobacco compliance check failure.

NARRATIVE

On 2019-11-20 Officer G. Altman and I conducted required yearly tobacco compliance checks on all businesses in the City of West St. Paul issued current tobacco licenses. A 17 year old female assisted in conducting the checks with us. This female will be referred to as [redacted] for the rest of this report. Prior to conducting these checks [redacted] was not aware of any personal connections to any employee in any of the businesses checked.

All the money used during the compliance checks was provided by the City of West St. Paul. [redacted] was instructed on how to conduct herself during the checks as such. [redacted] was instructed told to provide her drivers license if asked. [redacted] was instructed to not lie or misrepresent her age if questioned. AMM was instructed to return to our vehicle if a purchase was made. [redacted] was only allowed to have her Drivers license, the supplied $20 bill and her cell phone while doing the checks. The business that failed for this report was at 2001 Robert St. S. (Cub Foods).

[redacted] entered the business alone and a short time later returned with a purchased package of cigarettes. [redacted] stated the white female named Ashley behind the counter had sold her the cigarettes. [redacted] advised that the female did ask for her I.D. and she looked at before handing her the cigarettes. [redacted] handed me the change and cigarettes from the purchase. Officer G. Altman and I entered the store and spoke with the employee

involved. This employee was identified using her MN state drivers license as Ashley Amber Contreras DOB/1990-02-13.

Ashley was advised that she had sold tobacco to an under aged person. When asked what happened, Ashley replied, "I looked at her license but I may have entered it incorrectly into the register. A copy of the sales receipt was collected, and the cigarettes and change were returned to the store for a refund. We collected our $20 bill and explained to Ashley that she would receive a citation in the mail, along with instructions and a court date to follow.

Ashley was handed a business card with the case number on it for this incident. A second card was left with the working manager, Jose. Ashley stated he had no questions for us. A criminal history was requested for Ashley before any charges were completed. I reviewed the history and found no related previous offenses. I issued citation #190719901972 for a sale to persons under the age of 18 years old. This citation was placed in the mail for delivery on 11/22/2019.

No further action taken, cleared by citation.

PARTIES INVOLVED

PERSON 1

Role(s): Suspect

Last: Contreras **First:** Ashley **Middle:** Amber **Date of Birth:** 1990-02-13 (29)

Sex: Female **Race:** White **Height:** 503 -503 **Weight:** 180 -180 lbs **Hair:**

Eyes: Blue **Is Juvenile?:** No **Ethnicity:** Not Hispanic/Latino **Build:** **Complexion:**

Residence: 212 Emerson Avenue W; West Saint Paul, MN 55118-2127; US

Residence Type: RESIDENCE/HOME

Cell Phone: (612)964-4274 **Description:**

EMPLOYMENT INFORMATION

Name: Cub Foods **Type:** GROCERY

Occupation: Cashier **Shift:**

Address: 2001 Robert Street S Bldg Name/Num: Cub Foods; West St. Paul, MN 55118; US

Address Type
GROCERY/SUPERMARKET

Work Phone: (651)451-2877 **Description:**

CHARGES/ORDINANCES

Type: Statute **Charge:** 609.685.1a(a)
Level: Misdemeanor **UOC:** **Enh. Factor:**
Citation #: 190719901972
Description: Sale of Tobacco/Tobacco Related Device to Children-Under 18 Years Old; Misd; Subsequent offense GM

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

RESOLUTION IMPOSING SANCTIONS UPON
RETAIL TOBACCO LICENSE HOLDER
JERRY'S ENTERPRISES INC

WHEREAS, state law authorizes a City Council to impose sanctions upon the holder of a Retail Tobacco License who has failed to comply with an applicable statute, upon a hearing duly noticed, and the opportunity for the license holder to be heard;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West St. Paul, Minnesota, as follows:

FINDINGS

Notice of a hearing for the imposition of a sanction for a tobacco violation was duly given to the tobacco license holder for the premises at 2001 Robert St S, West St. Paul, Minnesota on January 14, 2020 pursuant to Minnesota Statutes, sections 14.57 to 14.69; and

Notice of a hearing for the imposition of a sanction for a tobacco violation was duly given to the store clerk, Ashley Contreras, residing at 212 Emerson Ave W, West St Paul, Minnesota on January 14, 2020, pursuant to Minnesota Statutes, sections 14.57 to 14.69.

1.01 The hearing was held on Monday, February 24, 2020, in the Council Chambers in City Hall, located at 1616 Humboldt Avenue, West St. Paul, MN.

1.02 At the hearing all persons who appeared and desired to be heard, were heard.

CONCLUSION

2.01 Based upon the evidence presented at the hearing, the City Council concludes that the Tobacco License holder for the premises at 2001 Robert Street S (Jerrys Enterprises, dba Cub Foods) failed to comply with an applicable statute in that a tobacco product was sold to an underage person on November 20, 2020 in the licensed establishment; and

2.02 The clerk at the time, Ashley Contreras, residing at 212 Emerson Ave W, West St Paul, Minnesota, conducted the illegal sale of the tobacco product;

2.03 The following sanctions are imposed for the violation:

a) $75 fine for the license holder (Minimum statutory/City Code requirement - $75);

b) $50 fine for the employee (Minimum statutory/City Code requirement - $50);

c) The Licensee must pay the civil sanction ($75) within 30 days of being invoiced;

d) The store clerk, Ashley Contreras, must pay the civil sanction ($50) within 30 days of being invoiced;

e) While holding a City-issued Tobacco License, a representative from this establishment will attend any future City-sponsored tobacco compliance training when notified; and

f) While holding a City-issued Tobacco License, the license holder must document and maintain the signatures and dates of any tobacco training their employee's receive. This list must be up kept to date and made available to the Police Department upon a reasonable request.

Adopted by the City Council of the City of West St. Paul, Minnesota, this 24nd day of February, 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

WEST ST. PAUL POLICE DEPARTMENT

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

Type of Violation: **Tobacco**

Name of establishment: **Steven's Tobacco Inc**

Address: **1113 Robert Street South**

Police Case Number: **19004618**

Date of Violation: **November 20, 2019**

Summary:

On November 20, 2019 Officers Greg Altman and Jose Marrero along with an underage decoy, conducted a tobacco compliance check at Steven's Tobacco located at 1113 Robert Street South. The underage decoy was provided recorded money by the officers and instructed to attempt to purchase a tobacco product. The decoy possessed her unaltered Minnesota driver's license, which indicated her age was 17. She was told not to lie about her age and if denied tobacco or asked her age, the decoy was to return to the officers.

The underage decoy entered Steven's Tobacco and purchases a package of cigarettes. The employee did not ask to see the decoy's identification and told officers that the decoy looked "way older". The officers were able to retrieve the marked money the decoy used to purchase a pack of cigarettes from the establishment's cash register.

Other information:

- The licensee at Steven's Tobacco has had a city issued tobacco license for over five years;
- This is the licensee second tobacco compliance failure in the past 12 months;
- The licensee does have an age verification system in place;
- The licensee did not send anyone to the city sponsored tobacco compliance training in March 2019.

Recommendations:

1. $200 fine for the license holder (Minimum statutory / city code requirement);
2. $50 fine for the employee (Minimum statutory / city code requirement);
3. 3-day license suspension within 60 days (Minimum statutory / city code requirement). The specific days of suspension will be determined by the Licensing Department;
4. While holding a city issued tobacco license, a representative from this establishment will attend any future city sponsored tobacco compliance training when notified; and
5. While holding a city issued tobacco license, the license holder must documented and maintain the signatures and dates of any tobacco training their employees receive. This list must be kept up to date and made available to the police department upon a reasonable request.

WEST ST. PAUL POLICE DEPARTMENT

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

December 23, 2019

Steven's Tobacco
Stefan Majeed, Owner
1113 Robert St S
West St Paul MN 55118

Dear Mr. Stefan Majeed,

On November 20, 2019 the police department conducted required multiple tobacco compliance checks throughout the City of West St Paul. Unfortunately two establishments failed these checks, including yours.

In following the procedure for tobacco license violations there was a review of the violation and subsequent sanction recommendations developed. This recommendation will be presented to the City Council in the form of a hearing at the February 24, 2020 Council meeting for their consideration.

City Council meetings start at 6:30 pm and are held at City Hall, located at 1616 Humboldt Ave in West St Paul. This letter serves as official notice of this hearing, which you have the right to be present at. You may address the Council, provide testimony, evidence or bring witnesses on your behalf if you wish.

Attached is my sanction recommendations to the Council and an excerpt from State Statute 461.12, which mandates specific penalties for certain offenses. You may also wish to review the City's Tobacco Ordinance by visiting the City's website (www.wspmn.gov) and click on "city ordinances", then go to Tobacco – 113.

If you have any questions or concerns please do not hesitate to contact me at 651-552-4202.

Sincerely,

Brian Sturgeon

Brian Sturgeon, Chief of Police

WEST ST. PAUL POLICE DEPARTMENT

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972
Police Administration 651-552-4200 Fax: 651-552-4199
www.wspmn.gov

December 23, 2019

Brandon Nieves
1550 Charlton Street #206
West St Paul MN 55118

Dear Mr. Nieves,

On November 20, 2019 the police department conducted required multiple tobacco compliance checks throughout the City of West St Paul. Unfortunately two establishments failed these checks and you were identified as the employee conducting the sale at one of these failed establishments.

Selling tobacco products to a minor is a violation of state statute and a violation of a City-issued tobacco license. Section 113 of the West St Paul City Code articulates the requirements for licensees and employees and the civil penalties which may be imposed for license violations. For your reference I have enclosed the portion of the City Code articulating the possible civil penalties you may be subjected to. You may also wish to review the City's Tobacco Ordinance by visiting the City's website (www.wspmn.gov) and click on "city ordinances", then go to Tobacco – 113.

In following the procedure for tobacco license violations there was a review of the violation and subsequent sanction recommendations developed. This recommendation will be presented to the City Council in the form of a hearing at the February 24, 2020 Council meeting for their consideration. Attached is my recommendation to the Council and an excerpt from State Statute 461.12, which mandates specific penalties for certain offenses.

City Council meetings start at 6:30 pm and are held at City Hall, located at 1616 Humboldt Ave in West St Paul. This letter serves as official notice of this hearing, which you have the right to be present at. You may address the Council, provide testimony, evidence or bring witnesses on your behalf if you wish.

If you have any questions or concerns please do not hesitate to contact me at 651-552-4202.

Sincerely,

Brian Sturgeon

Brian Sturgeon, Chief of Police

INCIDENT

West St. Paul
1616 Humboldt Ave.
West St. Paul, MN 55118
Telephone: 651-552-4200

Case Number: 19004618
Title: Tobacco Compliance Check Failure

INCIDENT INFORMATION

Charges/Citation:	609.685.1a(a) (citation# 190719901971)	Address:	1113 Robert Street S Bldg Name/Num: Stevens Tobacco West St. Paul, MN 55118
Incident Type:	Other	Parties Involved:	
Start Date:	2019-11-20 17:28	**Nieves, Brandon Jose** 2000-01-08 Suspect	
End Date:	2019-11-20 17:30		
Reported Date:	2019-11-20 17:28		

OFFICER INFORMATION

Name	Agency	Badge	Role
Jose Marrero	**West St. Paul**	**2630**	**Primary**

SYNOPSIS OF EVENTS

Tobacco compliance check failure.

NARRATIVE

On 2019-11-20 Officer G. Altman and I conducted required yearly tobacco compliance checks on all businesses in the City of West St. Paul issued current tobacco licenses. A 17 year old female assisted in conducting the checks with us. This female will be referred to as [redacted] for the rest of this report. Prior to conducting these checks [redacted] was not aware of any personal connections to any employee in any of the businesses checked.

All the money used during the compliance checks was provided by the City of West St. Paul. [redacted] was instructed on how to conduct herself during the checks as such. [redacted] was instructed to provide her drivers license if asked. [redacted] was instructed to not lie or misrepresent her age if questioned. [redacted] was instructed to return to our vehicle if a purchase was made. [redacted] was only allowed to have her Drivers license, the supplied $20 bill and her cell phone while doing the checks. The business that failed for this report was at 1113 Robert St. S. (Steven's Tobacco).

[redacted] entered the business alone and a short time later returned with a purchased package of cigarettes. [redacted] stated the black male behind the counter had sold her the cigarettes. [redacted] advised that the male did not ask for her I.D. at any time. [redacted] handed me the change and cigarettes from the purchase. Officer G. Altman and I entered the store and spoke with the employee involved. This employee was identified using his MN state drivers license as Brandon Jose Nieves DOB/2000-01-08.

CASE #: 19004618

INCIDENT REPORT

Brandon was advised that he had sold tobacco to an under aged person. When asked why he did not ask for or check her identification, he stated that she looked way older. Brandon stated that he has only been employed for about two weeks at this place. A copy of the sales receipt was collected, and the cigarettes and change were returned to the store for a refund. We collected our $20 bill and explained to Brandon that he would receive a citation in the mail, along with instructions and a court date to follow.

Brandon was handed a business card with the case number on it for this incident. A second card was left for the businesses owner. Brandon stated he had no questions for us. A criminal history was requested for Brandon before any charges made. I reviewed the history for Brandon and seeing no previous related infractions, I issued a citation to Brandon for the sale of tobacco to a persons under the age of 18 years old. Citation #190719901971 was completed and placed in the mail for delivery on 11/22/2019.

Cleared by citation.

PARTIES INVOLVED

PERSON 1

Role(s): Suspect

Last: Nieves **First:** Brandon **Middle:** Jose **Date of Birth:** 2000-01-08 (19)

Sex: Male **Race:** Black/African American **Height:** 511 -511 **Weight:** 167 -167 lbs **Hair:**

Eyes: Brown **Is Juvenile?:** No **Ethnicity:** Not Hispanic/Latino **Build:** **Complexion:**

Residence: 1550 Charlton Street APT 206; West Saint Paul, MN 55118-2005; US

Residence Type: RESIDENCE/HOME

Cell Phone: (612)508-7399 **Description:**

EMPLOYMENT INFORMATION

Name: Steven's Tobacco **Type:** RETAIL

Occupation: Cashier **Shift:**

Address: 1113 Robert Street S Bldg Name/Num: Stevens Tobacco; West St. Paul, MN 55118; US

Address Type
OTHER RETAIL

Work Phone: (651)451-4468 **Description:**

CHARGES/ORDINANCES

Type: Statute **Charge:** 609.685.1a(a)
Level: Misdemeanor **UOC:** **Enh. Factor:**
Citation #: 190719901971
Description: Sale of Tobacco/Tobacco Related Device to Children-Under 18 Years Old; Misd; Subsequent offense GM

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

RESOLUTION IMPOSING SANCTIONS UPON
RETAIL TOBACCO LICENSE HOLDER
STEVEN'S TOBACCO INC

WHEREAS, state law authorizes a City Council to impose sanctions upon the holder of a Retail Tobacco License who has failed to comply with an applicable statute, upon a hearing duly noticed, and the opportunity for the license holder to be heard;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West St. Paul, Minnesota, as follows:

FINDINGS

Notice of a hearing for the imposition of a sanction for a tobacco violation was duly given to the tobacco license holder for the premises at 1113 Robert St S, West St. Paul, Minnesota on January 14, 2020 pursuant to Minnesota Statutes, sections 14.57 to 14.69; and

Notice of a hearing for the imposition of a sanction for a tobacco violation was duly given to the store clerk, Brandon Nieves, residing at 1550 Charlton Street, Apt 206, West St Paul, Minnesota on January 14, 2020, pursuant to Minnesota Statutes, sections 14.57 to 14.69.

1.01 The hearing was held on Monday, February 24, 2020, in the Council Chambers in City Hall, located at 1616 Humboldt Avenue, West St. Paul, MN.

1.02 At the hearing all persons who appeared and desired to be heard, were heard.

CONCLUSION

2.01 Based upon the evidence presented at the hearing, the City Council concludes that the Tobacco License holder for the premises at 1113 Robert Street S (Steven's Tobacco) failed to comply with an applicable statute in that a tobacco product was sold to an underage person on November 20, 2020 in the licensed establishment; and

2.02 The clerk at the time, Brandon Nieves, residing at 1550 Charlton Street, Apt 206, West St Paul, Minnesota, conducted the illegal sale of the tobacco product;

2.03 The following sanctions are imposed for the violation:

a) $200 fine for the license holder (Minimum statutory/City Code requirement - $75);

b) $50 fine for the employee (Minimum statutory/City Code requirement - $50);

c) The Licensee must pay the civil sanction ($200) within 30 days of being invoiced;

d) The store clerk, Brandon Nieves, must pay the civil sanction ($50) within 30 days of being invoiced;

e) The Tobacco License shall be suspended for a period of 3 days, within 60 days of the hearing; as determined by the City Licensing Department;

f) While holding a City-issued Tobacco License, a representative from this establishment will attend any future City-sponsored tobacco compliance training when notified; and

g) While holding a City-issued Tobacco License, the license holder must document and maintain the signatures and dates of any tobacco training their employee's receive. This list must be up kept to date and made available to the Police Department upon a reasonable request.

Adopted by the City Council of the City of West St. Paul, Minnesota, this 24nd day of February, 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk