

CITY OF FALCON HEIGHTS
City Council Special Workshop
City Hall
2077 West Larpentour Avenue

MINUTES

Wednesday, October 22 2025
7:30 P.M.

- A. CALL TO ORDER: 7:57 PM
- B. ROLL CALL: GUSTAFSON_X_ LEEHY_X_
 MEYER_X_ MIELKE_X_ WASSENBERG_X_
- STAFF PRESENT: LINEHAN_X_ MCDOWELL POEHLER_X_
- C. POLICY ITEMS:
1. Minnesota Cities Gun Violence Prevention Discussion

Linehan explains St. Paul Mayor Melvin Carter has reached out to elected leaders in metro cities asking municipalities to join St. Paul in an ordinance aimed at reducing gun violence. St. Paul will introduce an ordinance at their October 22nd meeting with five stipulations:

- Ban the public possession of assault weapons, large-capacity magazines, and binary triggers within city limits
- Prohibit untraceable “ghost guns,” by requiring all firearms to have serial numbers
- Restrict firearms in sensitive public spaces, such as parks, libraries, recreation centers, and city buildings
- Require clear signage in public facilities to inform residents of restrictions and encourage compliance
- Define enforcement authority and penalties—to take effect only if the state repeals or amends preemption law

Surrounding cities have indicated they will join St. Paul in advocating for similar ordinances.

Wassenberg recognizes that this is more of a voice of support. Many legal hurdles to proposed items actually becoming enforceable, but that does not mean we should not raise our voice on this issue. As a gun owner he does not see the need for assault style weapons.

Mielke notes that actions started at the city level have become state laws, such as banning smoking in restaurants started at the city level.

Leehy comments that while policies are happening, everyone involved with the recent shooting at Annunciation Catholic School is still grieving, and she extends her thoughts and prayers. She expresses her concerns and believes it would be helpful if the types of weapons were spelled out more clearly. Additionally, Falcon Heights is impacted by surrounding municipalities and St. Anthony Police Department, and they all would need to be on board to prevent confusion around enforcement. Wassenberg noted that defining "assault weapons" has historically been challenging, and the term is often used as a broad catch-all category.

Meyer expressed sympathy for the issue and frustration over the lack of local control. He stated his support for taking action. Leehy indicated she would support a letter or resolution of support but not an ordinance at this time, as she feels such action would be premature. Gustafson stated that, as a gun owner, he does not see a need for assault-style weapons. He supports measures to prevent gun misuse and supports an assault weapon ban but believes this issue is more appropriately addressed at the state or federal level. He supports showing support similar to the approach taken by West St. Paul.

City Attorney McDowell Poehler described the legal challenges. Even if the state were to lift preemption, any local ordinance may not be fully enforceable. If preemption is removed in the future, a similar ordinance could then be adopted. She added that bans on assault weapons and large-capacity magazines may currently be enforceable, but the U.S. Supreme Court would likely find assault-weapon bans unconstitutional.

The Council discussed the potential legal risks and costs associated with adopting such an ordinance. McDowell Poehler confirmed that the city could face litigation, including claims brought by individuals alleging they were improperly charged under an invalid ordinance.

Gustafson asked how adopting the ordinance would improve the lives of Falcon Heights residents, noting that it would restrict assault weapons for most individuals except those authorized to carry them. Mielke stated that the ordinance would ban assault weapons in public places. Gustafson noted that residents could still own and use these firearms in their homes, meaning the weapons would not be removed from the community. He added that discharge of firearms is already prohibited under city code, and he believes efforts should focus on removing assault weapons entirely. McDowell Poehler clarified that it prohibits the use, possession, and transport of ghost guns and assault weapons, and restricts firearms in sensitive locations

Mielke reiterated that the intent is to prohibit bringing assault-style weapons into public spaces. Wassenberg observed that the ordinance appears to ban possession of these types of weapons within Falcon Heights. He noted that there are multiple avenues for purchasing such weapons. Gustafson asked whether the city could enter a private home to remove prohibited weapons. McDowell Poehler stated that doing so would require probable cause and a search warrant, and would only be possible if the legislature amends the state preemption law. She suggested the city focus on supporting state-level change

Meyer said that adopting an ordinance could signal the city's desire for such laws, even though local action is not currently available. He believes adopting an ordinance is a strong statement. Wassenberg added that statements alone have been ineffective and that adopting an ordinance would send a stronger message urging state action. Leehy asked whether the city could still be sued if it passed the ordinance. McDowell Poehler confirmed that litigation is still possible, as the contingent-effective clause remains too vague regarding when preemption might be repealed.

Linehan stated that all actions carry risk. While the city has some protections, there are examples of cities facing challenges or significant legal costs, including potential Supreme Court cases, when taking the lead on similar issues. The response of the League of Minnesota Cities in such cases is uncertain.

Wassenberg asked what actions other cities listed as supporting St. Paul's ordinance have taken. Linehan reported that, according to the City Prosecutor, some cities were listed as supporters simply by completing a form, without formal council action. Gustafson said he currently views the ordinance primarily as a political statement intended to influence the legislature. Leehy referenced the resolution of support adopted by West St. Paul and noted that both ordinances and resolutions are options. Mielke stated a preference for gathering additional information on actions taken by other cities before continuing the discussion. Linehan noted that Chief Spiess has been informed about the ongoing conversation.

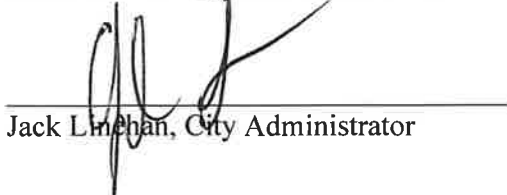
D. ADJOURNMENT: 9:09 PM

Councilmember Meyer motions to adjourn the meeting;
Approved 5-0

DISCLAIMER: City Council Workshops are held monthly as an opportunity for Council Members to discuss policy topics in greater detail prior to a formal meeting where a public hearing may be held and/or action may be taken. Members of the public that would like to make a comment or ask questions about an item on the agenda for an upcoming workshop should send them to mail@falconheights.org prior to the meeting. Alternatively, time is regularly allotted for public comment during Regular City Council Meetings (typically 2nd and 4th Wednesdays) during the Community Forum.


Randall C. Gustafson, Mayor

Dated this 10th day of December, 2025


Jack Linehan, City Administrator