

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 West Larpenteur Avenue

MINUTES
May 9, 2018 at 7:00 P.M.

- A. CALL TO ORDER: 7:00 pm
- B. ROLL CALL: LINDSTROM X LEEHY X BROWN THUNDER X
 MIAZGA X GUSTAFSON X
- STAFF PRESENT: THONGVANH X
- C. PRESENTATION:

1. League of Women Voters-Roseville Area Housing Study Correction

Rita Mills – President of Roseville Area League of Women Voters:

In 2016, the League of Women Voters and three students from Humphrey School of Public Affairs at the University of Minnesota did a study on affordable housing and its availability in five cities (Lauderdale, Falcon Heights, Roseville, Little Canada, and Maplewood). In 2017, the research summary was presented to the five cities but it had some concerns from City Councils. The report showed that the city of Falcon Heights did not have any Black household residing in owner-occupied housing in Falcon Heights. Rita stated that when it was published, reports did not show any margins of error for the data and documents. Rita clarified that there are Black household residing in owner-occupied Falcon Heights homes.

Council Member Gustafson:

Thank Rita for the clarifications because the City Council did show some concerns when it was presented last year.

Council Member Leehy:

Thank and appreciate Rita for the clarifications. Leehy expressed that she is a homeowner in Falcon Heights and would gladly pass the communication along to previous and current homeowners that are African American and African.

2. 2017 Year-End Audit Presentation

Matt Meyer:

Presented the 2017 Audit Reports and Financial Statements. For 27th years in a row, the city has received a certificate of achievement for excellence for financial reporting. This means the city is providing the most comprehensive and transparent report on the city's finances year after year.

The general fund and budget for \$2.22 million for revenue, and \$1.98 million for expenditures. Revenue is higher than anticipated at \$31 thousand better than the called for at \$2.22 million. The Actual Revenue came at \$2.05 million and this was due to licenses, permits, and charges for services. Expenditures for 2017 was less than the budgeted at 1.89 million and saved \$87 thousand. All

functions came in under the budget and Public Works is a little higher due to the snow removal cost.

The City of Falcon Heights fund balance has grown gradually over the last five years, brought in more revenue, and built the fund up. On April 20, 2017, the revenue was up 4.5% in the general fund and most came from property tax levy, license, and permit. Spending from the general fund went up 6%. Public Safety makes up about 50% of the budget, 35% for General Government. 10% for Public Works and 5% for Parks and Recreation.

The Sanitary Sewer Fund has been positive in the last five years. In 2016, the fund was a bit off due to expenses that went up because of additional repairs and televising the lines; however, the city is back on track. Storm Drainage Fund, revenue also went up and expenses were up because of repairs.

Mayor Lindstrom:

Thank Matt for the presentation and is happy to hear that the city received a certificate of achievement for excellence for financial reporting. Lindstrom also thank Roland and his interns for their hard work.

D. APPROVAL OF MINUTES:

1. April 25th, 2018 City Council Meeting Minutes

Council Member Leehy Moved, Approved 5-0

E. PUBLIC HEARINGS:

1. Tobacco Ordinance Amendment

City Administrator Thongvanh

On February 7, 2018, during the City Council workshop, Katie Engman provided a PowerPoint on the effects of tobacco on underage youth. 260 communities and 18 states had adopted Tobacco 21 (T21) such as California, Oregon and more. In Minnesota, Edina was the first city to adopt T21 then other cities began to follow Edina's footsteps. Shoreview recently passed the Tobacco Ordinance on Tuesday and their Ordinance will be effective in July.

The proposal for the City of Falcon Heights is to raise the age to purchase tobacco to 21 and restrict the sales of flavor tobacco, including Menthol. Ordinance 18.03 Amendment chapter 14 pertaining the tobacco regulation and Ordinance 18-03 is an official summary of 18-03 03 Amendment chapter 14.

Katie Engman

There has been an increase in tobacco use between the ages 18 to 21. Katie expressed that tobacco is the cause of death to youth and future generations. For the first time in 17 years, the youth percentage has increased and the main demographics are African Americans, women, low-income families and the LGBT community.

In 2009, the federal government announced that they will ban fruit and candy flavors from cigarettes. This plan did not go through completely and the federal government decided to place it on local governments to address the problem. Tobacco businesses are getting more creative and designing e-cigarettes tools.

In Minnesota, about 19% of students used tobacco in the past 30 days and high school students are now using e-cigarettes more than regular cigarettes. About 59% of 18-19-year-olds have been asked to

buy cigarettes for underage children, in Minnesota, \$262.7 million annually are spent on medical costs that relate to tobacco. Increasing the purchase age from 18 to 21 could prevent 30,000 youth from becoming smokers in the next 15 years.

Tony Reamer

Owner of the BP gas station located on Snelling Ave and Larpenteur Ave. in Falcon Heights. Tony opposed the ordinance in some parts. He opposed the flavored tobacco; however, stands in neutral on the T21. Reamer attended the Shoreview City Council meeting and states that the Shoreview is more concerned about E-cigarettes. He also states that the Ordinance will not change people from buying other tobacco and asked "Is it a state or city problem to change it to T21?" before ending his speech.

Jacob Stall

Stall attended Falcon Heights Elementary and Roseville Area High School. Stall is currently a student at the U of M and would like the Tobacco Ordinance to pass. Stall states that social media plays a big influence on youth and will motivate them to do it. He wants convenient stores to stop selling flavor tobacco in order to prevent health problems.

Jean Nickles

An African American leadership forum representative and serves under the Ramsey County Health Community Health Services Advisory Committee agrees to the Tobacco Ordinance. Nickles declared that tobacco leads to health issues especially menthol. Tobacco targets African American, women, LGBT, low-income families and young teens. Menthol ads have increased over the last few years and it influences about 60-90% viewers, especially African Americans. The African American population and organization supports the Tobacco Ordinance Amendment to prevent health issues and save more lives.

Javi Monardez

A student at the U of M, Hennepin Healthcare employee, and a board member of the Commonwealth. Javi expressed that in order to reduce future health problems they need the support from the community. She is happy that Falcon Heights issue the Tobacco Ordinance and hopes that they pass it.

Roseville Area High School Student

A junior at Roseville Area High School and supports the Tobacco Ordinance. Students at the school are influenced and pressured to use tobacco and e-cigarettes by tobacco businesses who market it as a safe and cool by using bright colors and flavor such as mango, strawberry and more to disguise the effects it will have on health. Tobacco businesses are also creating vape sweaters so that it will be easier for students to vape at school without teachers noticing it. She expressed that smoking is a big impact on students because it affects their education and attendance. In addition, students who are 18 years old sell tobacco to underage students at school and advertise it as 'cool'. She also stated that if the Tobacco Ordinance Amendment is passed it will make it harder for students who are 18 years old to sell it to underage students at a school.

Susan Sindt

Owner of Simply Vapour in Maplewood and does not support the Tobacco Ordinance. Susan explained that vape and flavor tobacco helps people get out of deadly tobacco. She also stated that vape liquid does not contain any dangerous tobacco in it but it has nicotine. Vape is safe because fresh air is going into our lungs and has safe chemicals. Cent expressed that changing the age will not help and will create a bigger black market.

Jay Colond (1953 Summer Street)

Proud to call Falcon Heights home and raise a family in the community. Mother spoke menthols for many years. Is here to support the ordinance because the most vulnerable people smoke at high rates. My mother quit smoking and started vaping and it was because of the flavored tobacco. "It breaks my kid's heart that she cannot put that vape pipe down". We do not know what the health effects are and how long we have her for. I take it personally that these products held up as not harmful. I support our local businesses and want them to thrive, I want them to thrive in a way that does not harm our community. Please support the ordinance.

Scott Wilson

Wilson is a former smoker and supports the Tobacco Ordinance. He does not want his daughters and other teenagers to have any smoking challenge with nicotine. Currently, works at Minnesota Medical Association, the largest physician members (10,000) in the state. Although he is not a doctor, he works with many doctors. Although doctors hardly agree on one thing, they all agree with keeping nicotine and tobacco away from kids. Vape looks like it does not harm our health by creating flavors but it contains nicotine. Nicotine is bad and creates health problems.

Esha Sac

Supports the Ordinance and it will help create a better and healthy community. You are taking a stand against the tobacco industry and making health a priority.

Tony Fischer (1493 Hoyt Ave)

Mr. Fischer reference to a research study that 2-4% are youth smokers, but account for 18-24% tobacco sales. Mr. Fischer supports the Tobacco Ordinance because the city is in the position to save lives and use this impact to build more resource for youth to stay out of tobacco.

Council Member Miazga

Financial plays a major part and \$3 billion per year is an unacceptable cost. It is important to stop it. Smoking causes addiction and tobacco targets African American population and vulnerable people and needs to protect them from tobacco and addiction. "I will happily vote yes today and I am done talking about it".

Council Member Leehy

Had an uncle that died from cancer in the lungs, and if you know anything about that, you are slowly drowning, that's how you die was lung cancer. He could have been here today if he did not smoke when he was young. We do not know how many years it takes or how many packs for them to end up with a related medical conditions, why risk it in our youth. One thing I communicate when I am working in urban settings and among African Americans, I speak to them long life. Not about freedom, but it is about greed.

I would rather see our doctors lose business because we do not have cancer, asthma and obesity. Smoking causes risk to the youth communities and make their living hood hard and life expectancy short. Tobacco 21 will help them live longer and let them breath free. Age 21 is still a young age but it prevents the youth generation to not smoke. I know we pride ourselves for taking care of the environment and keeping it healthy. That starts with our community and the people.

Council Member Brown Thunder

It is not that I do not understand the health risk with young people being exposed to it. Always thought in 2009, the State should have regulated it and push the age to 21 when it was

issued by the federal government but it did not. Council Member Brown Thunder stated that he understands the risk and health issues that come with tobacco but it is all about the principle. At age 18, you are considered an adult and has the choice to smoke or not smoke, go to college or not go to college. We have to trust that they will make the right choices, because these choices are going to happen to them over and over again. Again, it comes down to principle and I am not willing to take that right away and I will not take that right away. For that, I cannot be in favor of this ordinance.

Council Member Gustafson

There are compelling arguments to the evils of tobacco smoking. I personally have battled nicotine addiction, and I freely share that experience with the hope others will not have to. However, the issue before us is not about tobacco – it is about the reach and role of city government.

At present, legal age limits are the responsibility of state and federal governments. Should we decide that in this city, for this product, that 21 is the right age because the brain development of 20-year-old adults is not sufficient to resist the evil temptations of smoking? What does that mean?

If brain development is our benchmark to make informed decisions, what does that mean for those that currently have legal rights to live on their own at the age of 18? Do we next say the residents of our city cannot enlist in the Army until they reach 21? What about the keys to 2,000-pound machines that we give to 16-year-old adolescents to drive down our streets unsupervised?

It soon becomes a slippery slope when our city creates ordinances to show support for special causes. I believe the issue of establishing age limits on the activities of individuals, or the sale of legal products is the responsibility of the state or federal government. It is not a municipal issue.

If we create a 2.23 square mile island, here in the 170 square miles of Ramsey County, and the 86,943 square miles of Minnesota – is there a benefit to those who live, work, recreate, or visit Falcon Heights?
I will be voting no.

Mayor Lindstrom

Thank all the audience and their opinions. Ninety-five percent are adult smokers who did it before the age of 18, 26% high school students smoke tobacco products in the last 30 days, 62% high school and 57% middle school students smoke e-cigarettes and purchase it from friends at school who are 18.

The city of Falcon Heights has received many letters who supports the Tobacco Ordinance Amendment to limit the access to purchase tobacco. Ordinance 18-03 amending Chapter 14 Article 9 pertaining to tobacco regulation, motion officially, the official summary of Ordinance 18-03 amending Chapter 14 Article 9. Asked City Administrator Thongvanh if he can combine the two Ordinance in one motion.

City Administrator Thongvanh

Verified that Mayor Lindstrom can combine both Ordinance because one is the Ordinance and the other one is a summary of the Ordinance for the publication.

F. CONSENT AGENDA:

1. General Disbursements through: 05/01/18 \$58,963.56
Payroll through: 04/30/18 \$18,515.31
2. City Hall Summer Hours

Approved

G. POLICY ITEMS:

H. INFORMATION/ANNOUNCEMENTS:

Council Member Miazga

- Planning Commission meets in two weeks on May 29 and would discuss the Comp Plan at the next City Council meeting.

Council Member Leehy

- Spring Together is on May 12 from 11am to 2pm at Curtis Field. The arrival date of the Piano "Play Your Part" over at Community Park is approaching fast.

Council Member Thunder

- Leadership lunch was a success with good numbers of attendees and people enjoyed it. The fundraiser for NYFS merit challenge at Kelly Golf course on June 11 from 11am to 7pm.

Council Member Gustafson

- Spring Together 11 am to the 2 pm potluck event at Curtis Park. It is a great chance to meet current and new neighbors from different backgrounds.
- The Community Engagement Commission official meeting will be on June 18 at 7 pm.
- Upcoming community events are Ice Cream Social on July 19 at the Community Park from 5 pm to 7 pm with Ramsey County Sheriff.

Mayor Lindstrom

- Bike and Walk event to school was a great success. The City had the fire department and police to help with traffic and many students enjoyed the walk to school.
- Two weeks ago, was the Sustainability Fair and had good outcome and numbers of attendees.

City Administrator Thongvanh

- Introduce a Ramsey County Sheriff to the City Council Members and Mayor Lindstrom. Henry has lived in the U.S. for 20 years. He moved to Ramsey County about 5 ½ years ago and is in charge of Shoreview and Falcon Heights area. The 2017 PMP letters have been sent to residents. Adding on would like to encourage the residents and the general public to stay off the intersection that is barricaded with value gutters to deal with Stormwater issues in the Grove. Staying off the intersection will be beneficial and finically help the City of Falcon Heights.
- The new Administrative Coordinator, Amanda Lor just started her first week and happy to have her in the City.

- The workshop will in on May 23rd, following the City Council regular meeting and guest Ken Morris will be attending and will walk thru the process of the recommendation of the Task Force.
- The Bush Foundation Grant to be submitted is for \$200,000, which includes training for elected officials, appointed officials, staffs, and toolkits for the community who are going through critical incidents. A way to bring the community together.
- The 2040 Comprehensive Plan will have a public hearing on May 22. It will review the comp plan and on June 13 the City Council members will review the recommendation from the Plan Commission and more information can be found at Falcon Heights homepage. The final adoption of the 2040 Comprehensive Plan will be in mid-2019.

I. COMMUNITY FORUM:

J. ADJOURNMENT: 8:26 pm


Peter Lindstrom, Mayor

Dated this 9th day of May, 2018


Sack Thongvanh, City Administrator