

CITY OF FALCON HEIGHTS  
City Council Workshop  
City Hall  
2077 West Larpenteur Avenue

MINUTES  
February 1, 2023  
6:30 P.M.

A. CALL TO ORDER: 6:37 p.m.

B. ROLL CALL: GUSTAFSON   X   LEEHY       
MEYER   X   WASSENBERG   X   WEHYEE   X  

STAFF PRESENT: LINEHAN   X   SORENSEN   X  

C. POLICY ITEMS:

1. State Fair Policies Task Force Discussion

Jack Linehan, the City Administrator, states the September public forum and online survey - October workshop discussed a task force with residents and having the state fair and the University of Minnesota on the task force. The Council decided to hold off on the task force until 2023. Linehan states that if the Council wants to change or create an Ordinance, there will have to be public hearings. Linehan asks what the procedure should be for the applications.

Council Member Wassenberg states that the Council wants applicants that want to do this and needs a diverse pool of applicants.

Council Member Wehyee states that the task force needs a spot reserved for the University of Minnesota.

Council Member Meyer asks whether the Council would want the Sheriff's Office in attendance.

Mayor Gustafson states we should offer a spot to the Sheriff's office and state fair police. Limit law enforcement to one spot on the task force.

Council Member Wassenberg says the task force should be around ten people.

Linehan states we can always have organizations come in as guest speakers.

Council Member Wehyee states to keep in mind the power dynamic of the panel. Talking about the voting powers of the panel and each group.

Linehan states that organizations don't have to have a vote on the task force, just a voice in the discussion.

Mayor Gustafson states that any recommendation or policy change must go to the Planning Commission and the Council.

Council Member Meyer asks if there would have to be an agreement or a memorandum of understanding.

Linehan states yes, there would be a memorandum of understanding and that a few administrative policies talk about the State Fair, such as all of the State Fair guidelines. All State Fair policies are not ordinances, so they do not have many teeth. The attorneys recommended adopting the administrative manual as an Ordinance.

Mayor Gustafson suggests making clearer on the parking Ordinance on paved surfaces.

Linehan states survey data revealed majority support for not being able to park cars in people's yards.

Council Member Wassenberg says parking tickets should be more than they are.

Mayor Gustafson states we should make certain expectations for the task force. The Council will implement the policies that the task force recommends then we will see how they work. The task force expires at the end of 2023.

Council Member Wehyee states the Council is busy around that time with other City businesses, such as the budget.

Linehan states that Council should formally create this task force and create a sunset clause to extend the task force for another six months to implement more changes if needed.

Council Member Wehyee states we need to set a goal that we are looking for so we know if we have met them or not.

Linehan states the task will have to meet twice a month and a time commitment if a council member is on there.

Council Member Meyer states that a few council members could be on the task force.

Mayor Gustafson states that the task force could discuss the different categories that residents have submitted to the City.

Council Member Wassenberg suggests the structure of the task force, such as having a chair and the task force's goals.

Mayor Gustafson asks would the task force elect a chair or should the Council appoint a chair. He thinks they should elect a chair.

Council Member Wassenberg, maybe we should elect a chair or ask if they want to be the chair, vice chair, and secretary on the application.

Linehan states these will be public meetings and that timing will be difficult. The Council will have to approve this task force, send out applications next Thursday, and hopefully have applicants on the 22nd.

Council Member Meyer states there should be an option for availability for people to put on the application.

Council Member Wassenberg says the time and day of the meetings should be on the application also that it is good for more people from the community to be in the task force than from organizations that will be a part of the organization.

Linehan states the benefit of having seven members is that a quorum is easier to achieve than five.

Council Member, Wassenberg's other option is that the State Fair, University of Minnesota, and the Ramsey County Sheriff's Office won't be members of the task force, just expert voices that the task force calls in to speak.

Linehan states that if the task force suggests a temporary policy, wait until 2024 for a permanent solution.

The Council decides that if a resident wants to be an officer on the task force, they will have the option of that on the interest form. Also, there will be no more than seven task force members. The task force will meet every week for six weeks and sunset on December 31, 2023, unless extended by the city council. The task force will address the question of life that Falcon Heights residents as impacted by the state of Minnesota fairgrounds events. Recommended topics include parking, safety, and commerce.

Linehan asks how we approve these members.

Mayor Gustafson says the Staff can start recruiting members for the task force in the newsletter for this next week.

Council Member Wassenberg states if Linehan gets more than seven, send it to the Council. Then the Council will rank the applicants for the task force.

Council Member Wehyee says it would be safer for the Council to review the applicants.

Linehan states that Staff will send out the form Thursday of next week by the Wednesday of the following week. Initial appointments will be the Feb 22nd.

Mayor Gustafson asks if the Council can put the applications out before establishing the task force because it would give us five more days to gather applications.

Linehan says that he thinks that the City can do that. Sending out the application is okay because we don't have an obligation if the task force isn't approved.

## 2. THC Licensing Discussion

Linehan states that the City of Falcon Heights currently has a moratorium for THC stores and sales. The moratorium is in place to allow the City time to review the potential effects of THC stores and to put regulations in place to mitigate any potential effects. The sale of THC only recently became allowed, and most cities do not have regulations. At the December meeting of the Planning Commission, a subcommittee was formed to review the new state regulations and draft an ordinance. The subcommittee met in January and prepared the attached draft relating to licensing businesses selling cannabinoid products. This draft is based on the subcommittee's recommendation to model the provisions on the City of Elk River's ordinance and the City of Falcon Heights' current requirements for licensing establishments selling tobacco. At their January meeting, the Planning Commission reviewed this draft and voted to move forward with a recommendation to the City Council.

Council Member Wassenberg suggests rewording the Ordinance in a few areas.

Linehan states that the City would not license CBD but would license THC because there is a societal impact with THC.

Council Member Wehyee asks for the denial of getting a license in state law reference number 2.

Linehan states what the City is licensing would be grounds to deny them getting a license.

Council Member Wehyee says it seems counterproductive to penalize people who sold marijuana before the laws changed. Could the City put an exception for marijuana in the Ordinance?

Linehan states that the City could take away that whole part of the Ordinance.

Mayor Gustafson states the City put a fine into this to penalize if they don't get a license.

Linehan states the City can deny if they have outstanding property tax to the City and is not sure they can deny if they have an outstanding balance with another agency.

Council Member Wassenberg states we should define employee.

Council Member Wehyee was wondering if the City does compliance checks.

Linehan says a group through Ramsey County does tobacco compliance checks. However, there isn't a plan for THC yet through Ramsey County.

Linehan states, generally, the City spells out who exactly will be doing it, but sometimes we just say City because it is an entity that the City hires to carries it out.

Council Member Wassenberg asks if we are obligating ourselves to compliance checks.

Linehan states that he believes there is a carryover from the tobacco Ordinance. Sometimes things may seem redundant, but the City has to spell them out because of due process. Staff can also expand the definition of cannabinoids.

Council Member Wassenberg asks if their license is revoked would they get a refund of some kind.

Linehan states that is a question for the attorneys, and there is an appeal process.

Mayor Gustafson says in the Ordinance for tobacco licensing if they get revoked, they don't get their money back.

Council Member Wehyee asks if they can reapply if revoked.

Mayor Gustafson says they would have to wait a year.

Council Member Meyer asks if we should change the distance to how close it can be to the school is 1,000 feet.

Linehan states they would need a business license and a cannabinoid license. Linehan asks the Council if they want staff to look at it and bring it back to a workshop or have the Planning Commission review it again.

Mayor Gustafson states that staff can clean it up, and the Council can review it.

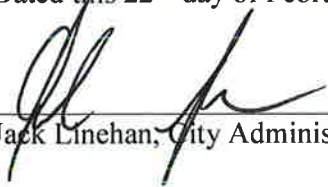
D. ADJOURNMENT: 9:35 p.m.

Council Member Meyer  
motions to adjourn the  
meeting; approved 4-0.

*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](mailto: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 22<sup>nd</sup> day of February, 2023

  
\_\_\_\_\_  
Jack Linehan, City Administrator