

CITY OF BLAINE
ANOKA COUNTY, MINNESOTA
CITY COUNCIL WORKSHOP
Monday, August 15, 2022

6:00PM
Cloverleaf Farm Room A
10801 Town Square Drive

CALL TO ORDER

The meeting was called to order by Mayor Sanders at 6:00PM.

ROLL CALL

PRESENT: Mayor Tim Sanders, Councilmembers Wes Hovland, Julie Jeppson, Chris Massoglia, Tom Newland, Richard Paul, and Jess Robertson.

ABSENT: None.

Quorum Present.

ALSO PRESENT: City Manager Michelle Wolfe; Community Development Director Erik Thorvig; City Planner Sheila Sellman; Safety Services Manager/Police Chief Brian Podany; City Fire Chief Dan Retka, City Deputy Finance Director Alison Bong; City Parks & Recreation Manager; City Engineer Dan Schluender; City Attorney Chris Nelson; City Communications Manager Ben Hayle; and City Clerk Catherine Sorensen.

3.1 SBM Fire Quarterly Update.

Fire Chief Retka provided the Council with an update from the SBM Fire Department. He discussed the departments recruiting efforts and work on identifying additional training opportunities as a controlled burn led to new recruits for the department. He stated fire incidents were on the decline while medical calls were on the rise. He described how the duty crew model could positively impact the SBM Fire Department given the challenges he was facing with recruitment. He discussed how the training programs taught at Spring Lake Park High School was benefiting the department.

Councilmember Hovland asked if the fire department has an explorer post. Fire Chief Retka reported in 2014 there were 12 explorers and currently there were four. He anticipated this drop was due to COVID then explained work on a joint venture with Fridley to pull in more explorers. He commented on all the requirements that were placed on volunteer firefighters

and reported he was looking at ways to make these volunteer positions work with people's busy schedules.

Councilmember Massoglia encouraged Chief Retka to utilize online advertising with Google to communicate these positions.

Councilmember Newland questioned when the department would be moving to duty crews. Chief Retka reported the department was already there based on upcoming retirements. He anticipated the departments staffing levels would be fine through 2023, however in five years the department could look different.

Mayor Sanders encouraged Chief Retka to let the Council know if he needs help with the Joint Law Enforcement Council and Anoka County dispatch.

Councilmember Hovland questioned volunteer numbers from Mounds View and Spring Lake Park. Chief Retka discussed the members of the department who would be retiring or aging out and stated he was having good luck recruiting first-time homebuyers from Mounds View and Spring Lake Park and these recruits were doing well.

Councilmember Newland commended the fire department on the fine work they have done with the City of Centennial. Chief Retka updated the Council on the three-year contract the department had with the Centennial Fire Department noting revenues allowed SBM Fire Department to cut costs by 3.5%. He reported SBM Fire Department has a great working relationship with Centennial which was helping with auto-aid and recruiting.

3.2 Residential Development Concept for 80 Acres East of The Lakes Development Along Future Lakes Parkway Extension.

This item was removed by the applicant prior to the meeting.

3.3 An Ordinance Amending Chapter 42, Health and Sanitation, Article II, Tobacco, Division 1 and 2, Article X. - Licenses for Rental Dwellings, and Consideration of Adding Article IV, Edible Cannabinoid Products of the Municipal Code of the City of Blaine.

City Clerk Sorensen stated over various workshops staff has reviewed the League of Minnesota Cities' model ordinance was drafted in collaboration with the Public Health Law Center at Mitchell Hamline School of Law to ensure compliance with State Statute. Staff reviewed the proposed changes to the ordinance in detail with the Council. It was noted the proposed ordinance clearly defines flavored tobacco products, bans indoor smoking or sampling, restricts the sale of flavored tobacco products to licensed tobacco product shops only, increases administrative fines for licensees, and eliminates criminal penalties for tobacco-related offenses for people under the age of 21, all which work towards the overall

goal of limiting the exposure and appeal of tobacco and flavored tobacco products to youth. The City already has a policy in place that limits tobacco use in City parks.

Ms. Sorensen reported a new law was enacted at the end of the 2022 legislative session that allows certain edible and beverage products infused with tetrahydrocannabinol (THC) to be sold. Since enactment of the law, staff has been working with the City Attorney on how the City could potentially regulate the sale of these products, if the Council so chooses, while ensuring measures are in place to restrict access of these products to youth, protect the health, safety, and welfare of the public, and ensure that edible cannabinoid products are sold in accordance with State Law. After review, staff is bringing forward draft language that would license the sale of edible cannabinoids but limit the sale to licensed exclusive tobacco shops only. Licensing in this manner would provide regulation by restricting youth access, allow for compliance checks and product verification, confirm qualifications for license holders through an application and background process, establish inspection/testing requirements, and potentially limit the number of licenses if the Council chose.

Councilmember Jeppson stated she believed it was reasonable to make the THC ordinance similar to the tobacco ordinance but was having a difficult time making this exclusive to tobacco shops only since they were two different products. She stated she would like to advocate for edible-only retail shops and that edibles not be sold in tobacco shops. She indicated she supported the City limiting the number of licenses in the City.

City Attorney Nelson commented how many tobacco shops were already selling edibles. He reported because these establishments already have an age restriction (21+), it would be easy for these stores to also sell edibles. He discussed how a licensing model would assist the City with monitoring the sales within these establishments.

Mayor Sanders questioned if edibles could be included within a drink at restaurants. Mr. Nelson stated this was not being proposed at this time.

Councilmember Hovland asked if self-serve edibles should be considered, as was done for the self-serve beer taps. Mr. Nelson commented the ordinance would address the distribution and sale of edibles. He reported it would be difficult to allow self-serve for edibles based on the strict packaging requirements for these products.

Councilmember Paul anticipated this could become an issue in the community as there would be many retailers looking to sell edibles.

Councilmember Newland stated after speaking with one of his customers, this customer fully supported a licensing process for the sale of edibles. He explained this industry was concerned about sales being done correctly.

Mayor Sanders commented that while edibles were now legal in Minnesota, there would be implications from people using them on the job or while driving or operating machinery.

Councilmember Jeppson reported the sale of edibles was new to Minnesota but was not new to other states. She encouraged staff to research how other states and cities were regulating the sale of edibles.

Councilmember Hovland questioned if K9s were trained to identify marijuana. Police Chief Podany reported K9s were not trained to alert for marijuana.

Further discussion ensued regarding how edible sales should be regulated in the City of Blaine.

Councilmember Massoglia stated he supported the City implementing a moratorium on the sales of edibles in Blaine to allow the City more time to research how the sales should be conducted and to allow the legislature time to consider how to better regulate this matter.

Mr. Nelson indicated some cities were putting moratoriums in place. He reported if products were already being sold, this could continue as a legal-nonconforming use if a moratorium was put in place.

Councilmember Robertson explained it would be difficult to draft regulation for the sales of edibles given the fact the legislature would be addressing this matter again in 2023. She stated her inclination would be to wait to see what other cities were doing.

Councilmember Jeppson indicated she would rather see the City take some action to ensure edibles are not sold at locations such as Walmart, Target, and gas/convenience stores in Blaine. She recommended the City pursue a licensing or permitting process for edible sales.

Councilmember Hovland stated he believed a licensing process would address many of the concerns the Council was raising.

Mayor Sanders commented on how the legislature had work to do to clean this matter up. He indicated a licensure process may be the best route for the City to pursue at this time.

Councilmember Jeppson asked what type of burden would be placed on the police department if a licensure process was put in place for the sale of edibles. Police Chief Podany explained this would lead to additional compliance checks for his officers and supported the City pursuing a licensure process for edible sales.

Council consensus was to direct staff to research ordinances in other states and then create a cannabinoid-exclusive license in addition to tobacco-exclusive license for further review at a future workshop meeting.

Mayor Sanders stated due to technical difficulties the Council meeting would be held in the Cloverleaf Farm Room A. He noted the Council would be holding a closed session meeting after the workshop meeting and prior to the Council meeting in the Council chambers.

The workshop was adjourned at 7:15PM.

Tim Sanders, Mayor

ATTEST:

Catherine Sorensen, CMC, City Clerk
Submitted by Minute Maker Secretarial