

MEMORANDUM

DATE: August 4, 2025

To: Honorable Mayor & City Council

CC: Dave Bennett, Director of Public Works/City Engineer; Jeff Schroepfer, Police Chief; Jake Reilly, Community Development Director; Lynette Peterson, City Clerk; Michelle Mahowald, Communications & Human Resources Director; Natalie Draper, Director of Library; Brenda Angelstad, Finance Director; Chris Hood, City Attorney

From: Ben Martig, City Administrator

RE: "Supplemental Agenda Background Memo" for August 4, 2025 No. 1.

Summary Report:

The following is an update on agenda items as supplemental background agenda information made available for Monday, August 4, 2025:

13. 25-427. Consider Approval of Extension of and Second Amendment to Personal Communications Services (PCS) Site Agreement for the cell tower located at 10353 Hall Avenue on the water tower and future water treatment plant site Dated September 15, 1999.

The City has received a signed copy of this agreement from the leasee. There are no modifications from the agreement in the packet. This is just an update that the signed copy has been received pending Council approval.

16. Resolution 2025-080. Consider Resolution Declaring the City of Northfield, Minnesota, as an LGBTQIA+ Sanctuary City.

The following is a proposed amendment to Article 4 of the resolution provided to add clarity:

4. Limitation of Cooperation with Discriminatory Actions.

To the extent permitted by law, the City of Northfield will limit its cooperation with any federal or state actions that are primarily aimed at discriminating against LGBTQIA+ individuals or hindering their access to essential services, including but not limited to gender-affirming healthcare. However, this provision shall not be interpreted to require the City of Northfield, or its affiliated entities such as Northfield Hospital + Clinics (NH+C), to violate

mandatory federal laws or regulations that govern participation in Medicare, Medicaid, or other federal healthcare programs. Compliance by NH+C with federal eligibility requirements necessary to maintain participation in these programs, including adherence to any federally imposed conditions or prohibitions, shall not be deemed a violation of this resolution.

A couple of points related to the clarifications are as follows:

- Legal and Practical Limitations: The amendment recognizes that the City cannot act in violation of federal law, particularly when compliance is a condition of participation in critical healthcare programs.
- Maintaining City's Commitment: The amendment preserves the City's overall intent to declare itself a Sanctuary City for LGBTQIA+ individuals and oppose discriminatory actions within the boundaries of legal and practical feasibility.

Please see attached new Resolution 2025-080. The motion can simply state a motion to approve "Resolution 2025-080 as amended in the supplemental memo."

18. Consider Ordinance Amending Northfield City Code, Chapter 30 – Health and Sanitation, Article II. – Tobacco (First Reading).

Meleah Follen, Senior Program Director for Healthy Community Initiative, and administrative support for the Northfield Alliance for Substance Abuse Prevention via a contract with the City is recommending to add some additional language at the second reading of the ordinance (assuming the first reading passes). After further consultation from the Campaign for Tobacco Free Kids (CTFK) and the Public Health Law Center who has assisted in some legal guidance they are advising to add language on "cooling" flavored products definition. Recent data has suggested a 1:1 switch from menthol to cooling products and this addition would clarify specifically that language

Flavored products means any licensed products that contains a taste or smell, other than the taste or smell of tobacco, that is distinguishable by an ordinary consumer either prior to or during consumption or use of the product or device, including, but not limited to, any taste or smell relating to menthol, mint, wintergreen, chocolate, cocoa, vanilla, honey, fruit, or any candy, dessert, alcoholic beverage, herb or spice, or a cooling or numbing sensation distinguishable by an ordinary consumer either prior to or during the consumption of such licensed product. A public statement or claim, whether express or implied, made or disseminated by the manufacturer or retailer of a licensed product, or by any person authorized or permitted by the manufacturer or retailer to make or disseminate public statements concerning such products, that a product has or produces a taste or smell

CITY OF NORTHFIELD, MN
CITY COUNCIL RESOLUTION 2025-080

DECLARING THE CITY OF NORTHFIELD, MINNESOTA AS AN LGBTQIA+
SANCTUARY CITY

WHEREAS, the City of Northfield is committed to fostering a welcoming, inclusive, and safe environment for all residents and visitors, regardless of sexual orientation, gender identity, or gender expression; and

WHEREAS, the LGBTQIA+ community, including lesbian, gay, bisexual, transgender, queer, intersex, and asexual individuals, are valued members of our society and contribute significantly to the richness and diversity of Northfield; and

WHEREAS, discrimination and prejudice based on sexual orientation, gender identity, and gender expression persist in various forms, leading to marginalization, fear, and inequitable access to resources and opportunities; and

WHEREAS, numerous cities within the State of Minnesota, including Minneapolis, St. Paul, Duluth, and others, have previously adopted ordinances and resolutions affirming their commitment to protecting the rights and well-being of their LGBTQIA+ residents; and

WHEREAS, the State of Minnesota has enacted legislation establishing itself as a "Trans Refuge" state, demonstrating a commitment to protecting access to gender-affirming healthcare; and

WHEREAS, it is the desire of the City of Northfield to explicitly affirm its solidarity with the LGBTQIA+ community and to ensure that all individuals feel safe, respected, and supported within our city limits; and

WHEREAS, declaring Northfield as an LGBTQIA+ Sanctuary City will send a clear message of welcome and protection to LGBTQIA+ individuals and families, both within and beyond our community;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

1. Declaration of LGBTQIA+ Sanctuary City Status. The City of Northfield hereby declares itself to be an LGBTQIA+ Sanctuary City, committed to creating a safe and inclusive environment for all LGBTQIA+ individuals; and
2. Commitment to Non-Discrimination. The City of Northfield reaffirms its commitment to non-discrimination on the basis of sexual orientation, gender identity, and gender expression in all city policies, practices, and services, consistent with applicable state and local laws.

3. Commitment to Safety and Well-being. The City of Northfield is committed to promoting the safety and well-being of its LGBTQIA+ residents and visitors. The City will strive to ensure that LGBTQIA+ individuals have equitable access to public services, accommodations, and opportunities without fear of harassment or discrimination.
4. Limitation of Cooperation with Discriminatory Actions. To the extent permitted by law, the City of Northfield will limit its cooperation with any federal or state actions that are primarily aimed at discriminating against LGBTQIA+ individuals or hindering their access to essential services, including but not limited to gender-affirming healthcare. However, this provision shall not be interpreted to require the City of Northfield, or its affiliated entities such as Northfield Hospital + Clinics (NH+C), to violate mandatory federal laws or regulations that govern participation in Medicare, Medicaid, or other federal healthcare programs. Compliance by NH+C with federal eligibility requirements necessary to maintain participation in these programs, including adherence to any federally imposed conditions or prohibitions, shall not be deemed a violation of this resolution.
5. Public Awareness and Education. The City of Northfield encourages and supports efforts to raise public awareness and promote understanding and acceptance of the LGBTQIA+ community within the city.
6. Review and Implementation. The City Administrator, in consultation with relevant city departments and community stakeholders, is directed to review existing city policies and practices and to recommend any necessary updates or new initiatives to further support the goals of this resolution.
7. Severability. If any provision of this resolution is held to be invalid, the remaining provisions shall remain in full force and effect.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to transmit a copy of this resolution to the Governor of the State of Minnesota, the Minnesota State Legislature, and other relevant entities to express Northfield's commitment to the LGBTQIA+ community.

PASSED by the City Council of the City of Northfield on this 4th day of August, 2025.

ATTEST

City Clerk

Mayor

VOTE: ___ ZWEIFEL ___ BEUMER ___ DAHLEN ___ HOLMES
 ___ NESS ___ SOKUP ___ PETERSON WHITE

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other than a taste or smell of tobacco, or a cooling or numbing sensation, shall
constitute presumptive evidence that the product is a flavored product.
Presumptive evidence may include but is not limited to the use of terms such
as “cool,” “chill,” “ice,” “fresh,” “arctic,” or “frost” to describe the product.

City Attorney David Assaf has reviewed and is comfortable with the language as prepared. However, this language was not provided in the original draft. Therefore, this is not being recommended to be included in the first reading but will be added for consideration upon the second reading should a first reading be introduced this evening. Council is encouraged to request feedback or clarity to this issue at the meeting this evening. Again we are not recommending to include this language in the first reading consideration.