



Richfield City Council Agenda

April 14, 2026 -- 5:00 PM

**Richfield Municipal Center
Bartholomew Conference Room
6700 Portland Avenue South**

- 1. Call to Order**
- 2. Item Discussion**
 - a. City Council Policy Proposals.**
- 3. Adjournment**

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9739.

Includes Materials - Materials relating to these agenda items can be found in the Council Chambers Agenda Packet book located by the entrance. The complete Council Agenda Packet is available electronically on the City of Richfield website.



Report Prepared By:

Courtney DesCamps, Senior Analyst

Department Director:

Katie Rodriguez, City Manager

Item for Consideration:

City Council Policy Proposals.

EXECUTIVE SUMMARY

To effectively prioritize City work plans within limited financial and staff resources, the City Council submits additional policy requests for consideration before the annual budget process. This process helps determine whether a policy will be included in the following year's work plan alongside the budget. Staff have already begun assembling work plans for the 2027 budget, which will be presented to Council later this year. If a policy request is for 2026, staff may need to adjust current work plans accordingly.

Once Council submits a request, staff provide key details, including implementation challenges, estimated costs and anticipated staff time, next steps, and potential impacts on existing work plans and the Strategic Plan.

Council members submitted four policy topics for consideration, with additional staff analysis attached to this report. For the purposes of discussion, the items will be discussed in the following order, with approximate time allotments noted.

1. Kratom Policy (10 minutes)
2. Sidewalk Policy (40 minutes)
3. Gun Safety Policy (15 minutes)
4. Section 8 Discrimination Prohibition Policy (40 minutes)

RECOMMENDED ACTION

HISTORICAL CONTEXT

The City Council adopted the 2023-2026 Strategic Plan in September 2022. The Plan includes 5 priorities and 15 desired outcomes. In order to make progress on the outcomes, the City Council and staff leadership meet quarterly to review progress on the Strategic Plan, team building, long-term financial plans and budgets, and work plans.

EQUITABLE OR STRATEGIC CONSIDERATIONS OR IMPACTS

The policy topics may advance desired equity outcomes; details will be included on the individual request forms.

The policy request process is a comprehensive and transparent consideration of adding to or changing work plans and should result in more focused City leadership. The more formal approach to considering additional projects should also result in a more sustainable workload, which builds healthy Council-staff relationships. Both goals are desired outcomes in the Strategic Plan.

POLICIES (RESOLUTIONS, ORDINANCES, REGULATIONS, STATUTES, ETC.)

CRITICAL TIMING ISSUES

Staff is creating 2027 work plans in preparation for the 2026-27 budget process, which begins in May 2026.

FINANCIAL IMPACT

Estimated financial impacts may be included in the individual policy requests, and would be finalized if the policy is prioritized and added to future budgets.

LEGAL CONSIDERATIONS

Legal consideration may be included in the individual policy requests.

ALTERNATIVE RECOMMENDATION(S)

ATTACHMENTS

- 1. Policy Proposal - Kratom
- 2. Policy Proposal - Kratom attachment
- 3. Policy Proposal - Prohibit Section 8 Discrimination
- 4. Policy Proposal - Sidewalks
- 5. Policy Proposal - Gun Safety
- 6. Policy Proposal - Gun Safety attachment 1
- 7. Policy Proposal - Gun Safety attachment 2

Council Policy Topic Request

Date: February 24, 2026

Submitted by: Mary Supple

Brief description of the topic (less than 200 words):

There has been increasing concern about kratom, a stimulant which is not regulated by the state or federal governments. I would like the Advisory Board of Health to work with Bloomington Public Health to make recommendations as to whether municipal regulations are merited. I am attaching a Public Health Law Center bulletin shared with me by Jennifer Anderson when I brought up the subject to her that explains the background information about kratom.

How does this topic align with city strategic priorities (less than 200 words)?

Public health services have been part of our core services as a city for decades. We have worked with Bloomington Public Health to provide those services. This policy topic is similar to past and ongoing issues like tobacco and opioid use/prevention as well as current efforts in cannabis education.

Staff information:

The Advisory Board of Health is looking at this issue and will be working with The Public Health Law Center to discuss a possible ordinance regulating the use of Kratom in early 2027. There is discussion this session in the Senate regarding the discussion of Kratom. On Wednesday, March 25th, the Senate Judiciary and Public Safety Committee heard [SF 3704](#), a bill that raises the legal purchase age of kratom from 18 to 21. Supporters framed the bill as a harm-reduction step like tobacco regulations while broader policies are still being developed. Testimony emphasized that natural, unaltered kratom appears to have relatively low risk, with most concerns tied to synthetic additives and inconsistent product quality, underscoring the need for clearer standards and labeling. Discussion among members reflected tension between restricting access and regulating safety with some questioning whether raising the age alone is sufficient or if stronger labeling and consumer protections should come first. Others raised concerns about potential risks and youth exposure. The bill was advanced to the Senate floor. We are monitoring this bill.

KRATOM IN MINNESOTA

Frequently Asked Questions



Kratom, an herbal extract marketed as a mood and energy lifter, has been gaining in popularity in recent years in Minnesota and across the country.

A 2023 federal survey estimated that 1.6 million Americans ages 12 and older used kratom in the previous year.¹ However, there are significant health and safety concerns associated with kratom use and how it is marketed to the public. This fact sheet addresses frequently asked questions about kratom and the current regulatory landscape surrounding these products.

Q: What is kratom?

A: Kratom is an herbal extract derived from the leaves of the *Mitragyna speciosa* tree, a tropical evergreen native to Southeast Asia. Kratom is used as a form of herbal medicine and can be ingested by chewing, smoking, brewing into tea,



or by swallowing powder-filled capsules.² It is used both recreationally, as a stimulant, and for self-medication to treat a variety of ailments,³ although it has *not* been proven to be effective or safe as a treatment for any condition⁴

Q: What are the effects of kratom use?

A: At low doses, kratom acts as a stimulant, with users reporting that it can make them feel more



energetic and alert. At higher doses, users report alleviation of pain, reduction in anxiety, and feelings of calm.⁵ Kratom, traditionally associated with treating symptoms of opioid addiction⁶ but now more broadly used as a mood or energy enhancer, can itself be addictive, with those attempting to reduce or quit use experiencing substance use withdrawal symptoms⁷ Known side effects include weight loss, insomnia, nausea, and vomiting. In addition, individuals addicted to kratom have reported instances of psychosis, including hallucinations, delusions, and confusion.⁸

Q: Is kratom subject to federal regulation?

A: Kratom is not lawfully marketed in the United States as a drug product, a dietary supplement, or a food additive. Nor is it federally regulated as a controlled substance. The U.S. Food & Drug Administration (FDA), however, continues to study kratom and monitor emerging use trends to better understand how it interacts with and affects humans.⁹ Until more conclusive data are released or kratom becomes subject to federal regulation, the FDA has issued health warnings about serious adverse outcomes associated with use, including seizures, liver toxicity, and substance use disorder.¹⁰ The FDA has also sent warning letters to several companies that sell food and beverage products containing the concentrated alkaloid 7-hydroxymitragynine (7-OH)—which is derived from kratom—for illegally marketing these

products to consumers, as these concentrates cannot be lawfully added to conventional foods.¹¹

Q: Is kratom legal in Minnesota?

A: Since 2018, individuals ages 18 and older may legally purchase and use kratom in Minnesota.¹² State law prohibits the sale of kratom to anyone under 18, a violation of which constitutes a gross misdemeanor offense.¹³ Underage possession of kratom is also prohibited and is considered a misdemeanor offense under state law.¹⁴

In January 2023, HF1066, known as the Minnesota Kratom Consumer Protection Act, was introduced in the state legislature. That bill would have expanded state consumer protection laws by establishing kratom product labeling requirements, as well as administrative penalties for the sale of products containing certain residual solvents, synthetic alkaloids, and any adulterated or contaminated products.¹⁵ The bill died in committee, however, and did not become law in Minnesota.

Q: Can local jurisdictions in Minnesota prohibit or more stringently regulate the sale of kratom products?

A: Local units of government in Minnesota enjoy broad police powers to regulate the public health, safety, and welfare of its citizens, unless such acts are preempted by, in conflict with, or less restrictive than state law.¹⁶ Because there is no statewide regulatory scheme for kratom—beyond the prohibition and criminalization of sales to, and possession by, people under 18—local units of government could consider more stringently regulating or prohibiting the sale of kratom products in their jurisdictions. Such restrictions could include zoning retailers, imposing product sales restrictions to individuals ages 21 years or older, establishing a licensing scheme, or prohibiting all product sales, if doing so is rationally related to the government’s goal in protecting public health and safety.

To date, there are no known local ordinances in Minnesota that regulate or prohibit the sale of kratom. On its webpage for businesses, the City of Minneapolis has listed kratom as an “unapproved food additive” for food and beverage retailers but does not otherwise regulate kratom product sales.¹⁷ Cities and counties looking to further regulate kratom should consult with their attorney’s office to ensure any ordinance is in accordance with state law.

Q: Beyond Minnesota, what should public health professionals and advocates be aware of when it comes to the marketing and sale of kratom?

A: The lack of a robust regulatory scheme surrounding kratom at both the federal and state levels remains concerning, especially given the addictive nature of kratom and the adverse health effects associated with its use.

Other states have begun to act. For instance, the California Department of Public Health recently issued a consumer warning on October 24, 2025, stating that foods, dietary supplements, and drugs containing kratom are illegal for manufacture or sale in the state.¹⁸ And in September 2025, the Florida Attorney General issued an emergency rule classifying concentrated alkaloid 7-hydroxymitragynine (7-OH) as a schedule I controlled substance under state law.¹⁹ In Colorado, the legislature passed a law this year prohibiting the sale of kratom to individuals under 21, and requiring certain labeling and disclosures about the potential negative health effects of kratom.²⁰

There has also been private litigation, including class action lawsuits, against kratom manufacturers, distributors, and retailers alleging deceptive and misleading marketing tactics in the sale of kratom products. Such tactics include unsubstantiated health claims and failure to disclose the addictive nature of these products, in violation of state consumer protection laws.

Conclusion

With rising popularity and accessibility, kratom continues to pose a threat to public health. In the absence of comprehensive laws at the federal and state level, local communities in Minnesota could consider regulating kratom products to better protect public health against the harms associated with these products.

This fact sheet was prepared by the Public Health Law Center, located at the Mitchell Hamline School of Law in Saint Paul, Minnesota, and made possible by the financial support of the Minnesota Department of Health's Cannabis and Substance Use Prevention Program. The Public Health Law Center is a nonprofit organization that provides information and legal technical assistance on issues related to public health law and policy. The Center does not provide legal representation or advice. The information contained in this document should not be considered legal advice.

Endnotes

- 1 Substance Abuse & Mental Health Servs. Admin., *Data Analysis System*, https://datatools.samhsa.gov/das/nsduh/2023/nsduh-2023-ds0001/crosstab?row=KRATOMYR&column=CATAGE&weight=ANALWT2_C.
- 2 Marc T. Swogger et al., *Understanding Kratom Use: A Guide for Healthcare Providers*, 13 FRONTIERS IN PHARMACOLOGY 1 (2022), <https://www.frontiersin.org/journals/pharmacology/articles/10.3389/fphar.2022.801855/full>.
- 3 *Id.*
- 4 Mayo Clinic, *Kratom: Unsafe and Ineffective* (2024), <https://www.mayoclinic.org/diseases-conditions/prescription-drug-abuse/in-depth/kratom/art-20402171>.
- 5 Drug Enf't Admin., *Drug Fact Sheet: Kratom* (2024), <https://www.dea.gov/factsheets/kratom>.
- 6 Brenda Sokup & Micah M. Pippin, *Kratom*, in STATPEARLS (2025), <https://www.ncbi.nlm.nih.gov/books/NBK585120/>.
- 7 Food & Drug Admin., *FDA and Kratom* (2025), <https://www.fda.gov/news-events/public-health-focus/fda-and-kratom>.
- 8 *Drug Fact Sheet*, *supra* note 5.
- 9 *See FDA & Kratom*, *supra* note 7.
- 10 *Id.*
- 11 Food & Drug Admin., *FDA Issues Warning Letters to Firms Marketing Products Containing 7-Hydroxymitragynine* (2025), <https://www.fda.gov/news-events/press-announcements/fda-issues-warning-letters-firms-marketing-products-containing-7-hydroxymitragynine>.
- 12 MINN. STAT. § 152.027, subd. 7(a).
- 13 *Id.*
- 14 MINN. STAT. § 152.027, subd. 7(b).
- 15 H.F. 1066, 93rd Leg., 2023 Reg. Sess. (Minn. 2023), <https://www.revisor.mn.gov/bills/93/2023/0/HF/1066/versions/0/pdf>.
- 16 MINN. STAT. § 145A.05 (county boards); MINN. STAT. § 412.221, subd. 32 (city councils).
- 17 City of Minneapolis, *Unapproved Food Additives* (2025), <https://www.minneapolismn.gov/business-services/business-assistance/run/food-safety/unapproved-additives/#d.en.173486>.
- 18 California Dept't of Pub. Health, *CDPH Advises Consumers to Avoid Using Kratom or 7-OH Products, Continues to Remove Kratom from Manufacturers and Retailers* (2025), <https://www.cdph.ca.gov/Programs/OPA/Pages/NR25-016.aspx>.
- 19 Office of Attorney Gen. James Uthmeier, *Attorney General James Uthmeier Announces Seizure of Nearly 18,700 7-OH Products Statewide* (2025), <https://www.myfloridalegal.com/newsrelease/attorney-general-james-uthmeier-announces-seizure-nearly-18000-7-oh-products-statewide#:~:text=%E2%80%9CThanks%20to%20our%20emergency%20rule,said-%20Attorney%20General%20James%20Uthmeier>.
- 20 S.B. 25-072, 75th Gen. Assem., 2025 Reg. Sess. (Colo. 2025), <https://leg.colorado.gov/bills/sb25-072>.

Council Policy Topic Request

Date: March 2, 2026

Submitted by: Walter Burk

A. Brief description of the topic (less than 200 words):

It is proposed that the City of Richfield create a new ordinance that would prohibit landlords from discriminating against prospective tenants who receive Section 8 support.

B. How does this topic align with city strategic priorities (less than 200 words)?

Community Development, in particular maintaining Richfield as an affordable place to live, is a Richfield strategic priority. This proposed ordinance would make more rental properties available for tenants who depend on Section 8 support. This is done by preventing landlords from keeping prospective Section 8 tenants out of their buildings. This topic may also have implications for another Richfield strategic priority: Equity and Inclusion, by reducing racial inequities and barriers for traditionally excluded groups. A greater range of rental properties would become available to all Section 8 tenants, in a wider number of areas of Richfield.

The legality of this proposed ordinance has already been upheld by the Minnesota Supreme Court. In July 2025, the Court decided in *Fletcher Properties v. City of Minneapolis* that Minneapolis' ordinance prohibiting landlords from discriminating against applicants on the basis of receiving Section 8 support is constitutionally supported. Minneapolis enacted its ordinance in 2017. Richfield should do the same.

C. Staff information:

Staff would propose an exploration of this policy during Winter 2026-27 when we research and engage on the previous policy proposal to extend the eviction notification period.

Here are some things to keep in mind:

- Staff believes this issue is most appropriately addressed at the state level, and it is currently part of our legislative platform.
- The HRA's Section 8 staff identify the following factors as the primary reasons they believe that vouchers are underutilized in Richfield: competition from new affordable units in adjacent communities, lack of large units, lack of accessible units, turnover and retention of property management staff who know how to work with vouchers, insufficient income to qualify for available units, and rental background barriers.
- If the goal is to expand housing opportunities for voucher holders, there may be other, more effective tools to consider, e.g., offering incentives instead of

penalties, building relationships with owners, constructing new affordable units, and offering support to small owners to relieve the administrative burden.

- There are several housing-related efforts already planned for 2026, several of which are time-sensitive, including completing the 4d policy, creating a new HRA rehab program using LAHA funding, addressing any latent impacts from Operation Metro Surge (e.g., foreclosure prevention), and launching the new Bring It Home Minnesota voucher program.
- In the case of the Bring It Home voucher program, HRA staff is in the process of communicating with property owners and managers about the new program and encouraging cooperation. We believe the program's success depends on partnerships with owners and property managers. The program may act as a gateway to convincing them to accept Section 8 vouchers as well.

While staff is open to exploring this tool, we don't know that we would end up recommending it. We may discover more effective solutions and ask you to be open to other options for expanding units available to voucher holders.

Council Policy Topic Request — Sidewalk Policy

Date: March 1, 2026

Submitted by: Sean Hayford Oleary

Brief description of the topic (less than 200 words):

This is a modified resubmission of my 2025 topic. This reflects new information learned in the last year, and is refocused on policy development, not ongoing funding.

Richfield is a leader in pedestrian-friendly major streets. Our new 66th Street, Lyndale Avenue, and others have vastly improved pedestrian safety and dignity. However, our approach to our side streets has not changed since the 1970s — leaving streets that provide no dedicated pedestrian space, and physically encourage high vehicle speeds.

***Did you know?** The new Nicollet Avenue will be a foot narrower than our typical side street, despite carrying about 50x as much traffic.*

There are interrelated issues that would be best addressed as a package:

1. Sidewalk inclusion policy

Our [current sidewalk standards policy](#) (2016) does not reflect actual practice, and it is inconsistent with the more recent [2018 Pedestrian Master Plan](#). It also does not address land use, which creates conflict — for example, it's harder for pedestrians to share the road where on-street parking is heavily used. I propose we update this with a policy that provides a framework for including sidewalks on any street.

2. Sidewalk plowing policy

Since the 1990s, Richfield has been plowing its sidewalks. However, even with our existing sidewalk network, this approach is financially unsustainable. Every time we add a new sidewalk, we create an annual operational cost. We should focus on a limited network of plow routes we can commit to, and clear them well.

3. Tree planting policy

Currently, our approach to boulevard tree installations is inconsistent, with new trees planted anywhere from 3' to 10' behind the curb. This reduces boulevard trees' effectiveness at traffic calming, and adds needless expense and harm to any future sidewalk installation.

Policies 1 and 2 could be initially studied by the Transportation Commission, with opportunities to collect public input through the Comprehensive Plan process.

These three problems and example solutions are discussed in Appendix A. Hypothetical “future Richfield streets” are shown in Appendix B.

How does this topic align with city strategic priorities (less than 200 words)?

Pedestrian infrastructure was not a priority area directly in the 2023-2026 plan — it is an ongoing need and priority.

However, I believe this still relates to the following areas:

Operational Excellence — Financial capacity

The example policies shown in Appendix A would limit the growing cost of City sidewalk plowing, and would allow for lower-cost sidewalk installations.

Community Development – A vibrant downtown

The example policies shown in Appendix A would allow infill of sidewalks in higher-density areas adjoining local/side streets. This would particularly help to resolve pedestrian safety concerns downtown (64th & Harriet neighborhood).

Sustainable Infrastructure

By modifying boulevard tree planting practices, we can help make Richfield’s neighborhood grid of streets more climate-resilient, by providing shade to streets sooner, and minimizing the need to remove trees if/when sidewalk installation occurs. The hypothetical reconstructed Richfield streets shown in Appendix B could also reduce impervious surface, even as we add sidewalks.

Staff information:

2026 Work Plan

Since these items were discussed as part of last year's policy proposals, staff have identified two upcoming City Council Work Sessions to discuss the following:

- May 26 – Sidewalks and Forestry – discussion with CC about the complexities of sidewalks on residential streets and tree plantings.
- October 27 – Winter Maintenance of Sidewalks – discussion around tightening up ordinance language for more focused property owner clean up after the city’s first pass.

Q – is the intention to create a policy where adjacent property owners are responsible for all residential sidewalks OR is the intention to not have City Staff responsible for snow removal from all future sidewalks?

2050 Comprehensive Plan Process

As Councilmember Hayford Oleary suggested in his policy proposal, any proposed sidewalk policy as well as proposed snow clearing policy changes could be included in the outreach efforts to collect public input on the proposed changes. Staff feel that demonstrated public support is crucial and necessary to inform the initiative prior to putting a lot of staff time into this effort. Feedback on these ideas could be collected as survey questions and or posed as potential policy changes as part of the process. Public input on the 2028 Comprehensive Plan is scheduled to begin late 2026 through 2027.

Note: Updates to the Pedestrian and Bicycle Master Plans will be conducted either as part of the Comprehensive Planning efforts or immediately following the completion, ideally as part of those efforts.

Special Assessments for Sidewalks

We do not want to eliminate the option of assessing for sidewalks; however, we do have significant equity concerns if projects are only/mostly funded through assessments. Assessing for right-of-way improvements (as opposed to simple assessments like a tree removal) are far more complex, often adversarial and can become litigious, and will require a significant staff effort.

Q – should staff include the intention of residential assessments for the implementation of the policy as part of outreach efforts?

Redevelopment Projects

When it is foreseeable that a redevelopment project may trigger localized sidewalk needs, staff feel that could be identified and discussed as part of the project approvals and included in the public input phase of the project. The sidewalk needs identified could be built by the development’s contractor or contracted by the city and constructed proactively when the development construction is underway. A funding source would need to be identified for these sidewalks.

Tree Planting Policy

On residential streets that currently do not have sidewalks this is a complicated issue which will be discussed at an upcoming work session. Staff believe the sidewalk inclusion policy must be settled before we can best make a blanket policy regarding where to site trees on residential blocks. If the policy is to add sidewalks behind the existing curb, there may not be a good place to plant trees in the interim. If the policy dictates moving the curb to add sidewalks, then that provides more guidance. In any case, the policy development should consider either dictating which side of the street sidewalks may go (allowing trees to be planted on the opposite side of the street) or acknowledging that sidewalk projects will require tree clearing. The process of constructing a sidewalk in the existing spaces behind the curb will be disruptive to any established trees within the right-of-way and realistically there may not be a good place to plant trees in the interim. The city should also set a standard practice for when a block is identified for a sidewalk, but no timeline or

funding exists.

Food for thought – Would a blanket prohibition on tree planting on these blocks best serve the community if the sidewalk might not be built for 15 or 20 years, or never at all? Is a tree enjoyed for 10 years and removed at the time of sidewalk construction a worse option than no trees at all for 10 years? Is a tree planting prohibition wise to implement when a sidewalk inclusion policy is subject to political, financial, or other headwinds that could change the City’s priorities in relation to sidewalk construction?

Appendix A: Example Policies

Note: These are example policies, intended to show the breadth and approach I envision. We would develop any specific policies in partnership with the community and the Transportation Commission. These are initial suggestions for discussion.

A1. Sidewalk inclusion policy

Problem: Our current [sidewalk standards policy](#) (2016) is inconsistent with actual practice — for example, it specifies only one sidewalk on the side of collector streets, while general practice has been to do both sides in most projects since 2000. In addition, it fails to address land-use concerns that may cause a need for sidewalks (e.g., adjacent to apartment buildings). Finally, it fails to provide any direction for sidewalks on local streets, even when specifically sought after by neighbors.

Example solution: The current sidewalk policy could be updated to better reflect the recommendations of the 2018 Pedestrian Master Plan. This is an example of a table that both reflects those recommendations, as well as a possible plowing policy (see item A2).

Street type	Desired sidewalk coverage	Sidewalk width	Plowing policy	Trigger to install sidewalks
Arterial (e.g., 66th, Lyndale)	Both sides	Min. 6', wider where land use requires	City clears all sidewalks, in some cases collaborating w/ owner	Existing arterials all have full sidewalk coverage. Maintain during reconstruction.
Collector (e.g., 70th, 73rd)	Both sides, or one side if both are unfeasible	Min. 6', wider where land use requires	City clears all sidewalks, in some cases collaborating w/ owner	During reconstruction, or as-needed if an existing safety challenge is identified.
Local streets (where land use is denser than LDR)	Both sides or one side	Min 4', or 6' if on an identified city sidewalk plow route	Adjacent property owners clear, unless on an identified plow route.	During reconstruction, as-needed, or in conjunction with a redevelopment project
Local streets (all-LDR blocks)	Both sides or one side	Min 4', or 6' if on an identified city sidewalk plow route	Adjacent property owners clear, unless on an identified plow route.	During reconstruction as a standard feature or by resident petition at any time.

A2. Address sidewalk plowing policy

Problem: Clearing our sidewalks by plow is a convenience for residents that Richfield has offered since the 1990s. However, the results are imperfect: virtually none of our sidewalk network is accessible to people with disabilities during the winter. In addition, its financial sustainability is predicated on Richfield having very few sidewalks. Plowing all sidewalks creates an annual "operational" cost to every foot we add. And because sidewalks must fit a plow, it means building them wider than many streets require, increasing cost, impervious surface, and impact to trees.

Example solution: We should instead shift to have a city plowed-sidewalk map, that we extend only where need justifies (such as a collector or arterial route, or a school route). The vast majority of existing sidewalks would qualify for inclusion on this map. [See the example from the City of Edina showing their hybrid approach](#), that would be similar to this. Sidewalks not covered by this map could be cleared by adjacent property owners, as they do in the vast majority of Minnesota cities. Were this to be implemented, I'd suggest a generous grace period for property owners.



A2 Illustrations: Although a sidewalk plow has serviced both of these sidewalks, neither is accessible to wheelchair users or pedestrians with balance issues. Conditions like this are typical results on older sidewalks. We cannot improve on this without more funding, better equipment, and/or limiting the obligation we take on.

A3. Tree planting policy

Problem: Currently, street trees are planted in various locations, ranging from 3' behind the curb to 10' behind the curb. Although there are conveniences to placing trees further from the curb, this means future sidewalks must cut down trees, or must be immediately adjacent to the curb — creating ADA challenges, and making snow clearing difficult. In addition to impeding sidewalks, boulevard trees planted far from the curb simply do not perform as street trees: they take a decade or more longer to provide shade to the street, and they fail to provide a sense of enclosure to [help calm traffic](#).

Proposed solution based on 2025 discussion: On typical streets where there is a 12' boulevard, I propose 3-6' from curb. Where the boulevard is wider, a greater distance could be considered if it reduces cost or complexity.

Additional comments: Due to utility conflicts, this may require hand-digging rather than machine digging. This would either reduce the number of trees planted per year, or require an increase in our budget. However, the cost difference in install is very minor compared to the cost of removing a mature tree that is planted in the wrong place in the future.

A3 Illustrations



On this block of 16th Avenue, a new boulevard tree was planted in 2018, in the obvious path of an existing sidewalk. The tree was removed in 2024 when the sidewalk was extended to the corner.



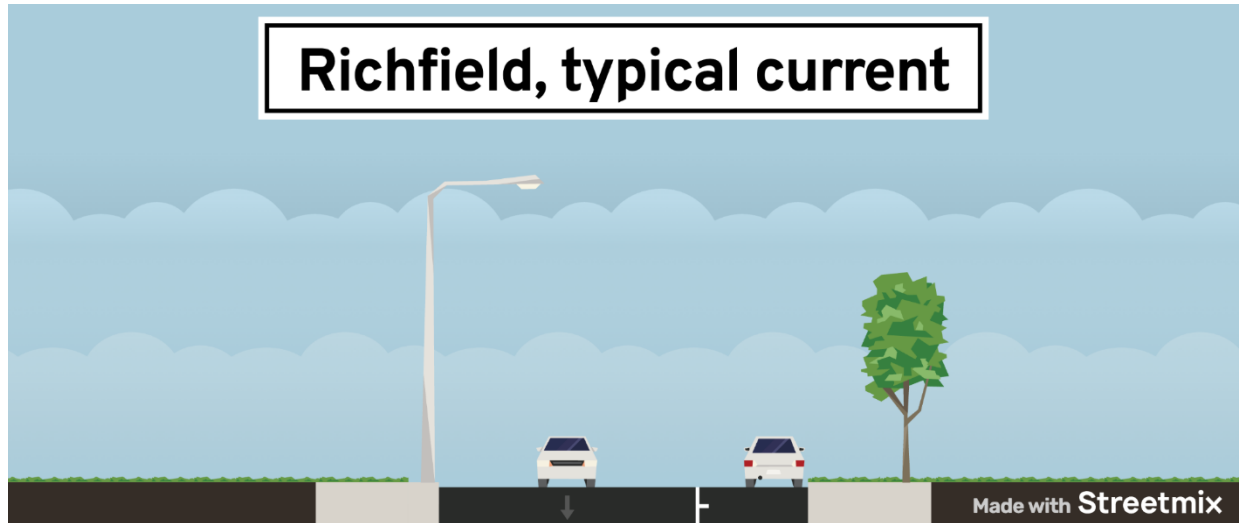
Current typical conditions: inconsistent from street to street, and tree to tree. Sometimes trees are planted nearly at the property line, others are close to the curb. This impedes sidewalks, and prevents a consistent sense of enclosure that would calm traffic.



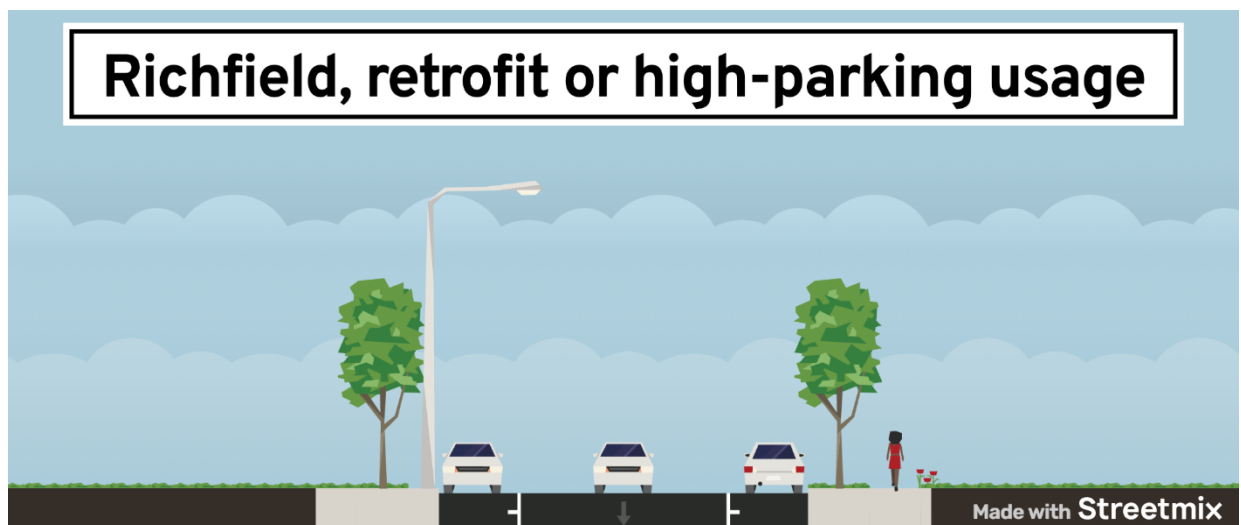
Proposed conditions for new trees: plant sufficiently close to curb to allow sidewalk installation in boulevard, and to shade and enclose the street more quickly.

Appendix B: Potential future streets

These are examples to show ways sidewalks could be addressed in new or retrofitted streets. This is just to give ideas of how sidewalks would work within our existing context, or how we could use reconstruction to make room for sidewalks, calm traffic, and increase green space.



B1: **Current norm.** This is the typical current side street in Richfield. 36' curb-to-curb, with parking permitted on both sides but used sporadically. There are 12' boulevards on each side, which has intermittent boulevard trees. This has 36' of impervious surface.



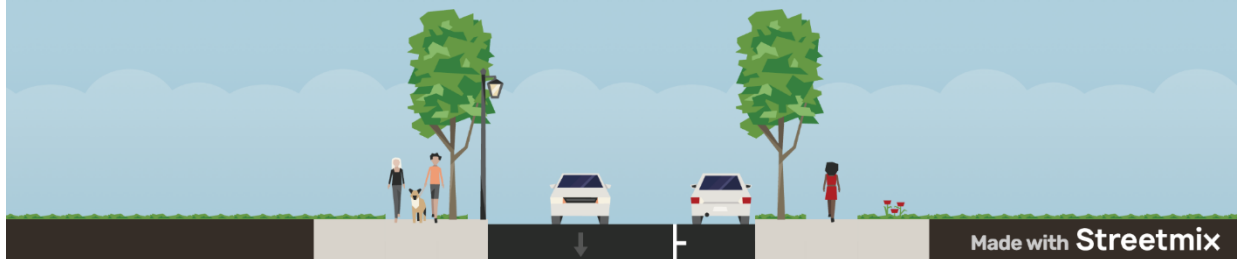
B2: **Retrofitted without moving curbs.** This is how a sidewalk could be added on one side within the existing 12' boulevard. This shows a 6' boulevard, 5' sidewalk, and 1' buffer. This has 36' of impervious surface.

Richfield, rebuilt (1-side walk)



B3: Rebuilt street with one-side sidewalk. Because Richfield's streets are so wide, it is possible to install a sidewalk within the existing curb-to-curb footprint, by installing a 26-28' wide street, already common in some other suburbs (Maplewood, Edina). This reduces traffic speeds, reduces impervious surface, and avoids impact to landscaping or existing trees. Impervious surface would be **31'** (14% reduction).

Richfield, rebuilt (2-side walk)



B3: Rebuilt street with sidewalks on both sides. This keeps the narrowed roadway idea of B3, but keeps the roadway centered and includes 5' walks on both sides. This still reduces traffic speeds, and creates a more pedestrian-friendly environment. However, it would encroach slightly on existing boulevards, potentially impacting landscaping. There is no change in impervious surface from the existing norm (36').

Council Policy Topic Request

Date: Feb. 24, 2026

Submitted by: Mary Supple

Brief description of the topic (less than 200 words):

Residents have expressed concerns about the need for common sense gun safety rules. The need for these changes came into focus even more sharply after the horrific shooting at Annunciation Catholic Church/School. Ideally the state legislature should enact these changes. I believe that we should have ordinances in place if they do not and the local pre-emption is lifted. I will attach the ordinance from St. Paul that we can model our language on, knowing that we may need to adjust some wording to our local government structure:

- Designed to protect public safety by regulating dangerous weapons within city limits.
- Can only take effect if state preemption laws are repealed or if state law authorizes local firearm regulations.
- Ordinance prohibits:
 - Assault weapons
 - Binary triggers and large-capacity magazines
 - Ghost guns—possession, assembly, and sale of unserialized firearms and unfinished parts, targets untraceable weapons often used in violent crimes
 - Firearms in sensitive public spaces—prohibited in city-owned buildings, parks, libraries, and civic spaces, signage required at entrances

How does this topic align with city strategic priorities (less than 200 words)?

While not in alignment with one of the current strategic priorities, this proposal aligns with two of our stated core values: Being **Responsive** and **Community Centered**.
Responsive: The City of Richfield listens and responds to feedback from residents. New projects undertaken by the city will reflect the needs of residents... **Community Centered:** ...The city is resident focused and makes tailored decisions based on what is best for current and future residents. Richfield is constantly seeking opportunities to collaborate with residents to set goals and accomplish objectives.

Staff information:

A lot of the gun bills currently at the legislature are being heavily debated in both the Senate and the House. A gun bill early in the session did not make it out of committee in the House. I have provided an update on where the bills are at. I also do not believe that the preemption is going to be lifted by the legislature at this time. I have included an analysis from a legal and technical prospective from our prosecutors, Holly and Joseph,

where attorney Greg Holly and Katrina Joseph have reviewed the St. Paul ordinance and the memo is attached.

Ghost Guns:

[SF3661](#) (Latz)/[HF3407](#) (Pinto) Sale and possession of ghost guns prohibited, 3D printing of guns limited to federally licensed firearms manufacturers, distribution of 3D printer firearm design files prohibited, firearm serial numbers required, public notice required, and limits on assembling firearms without license provided.

- Senate: 3/16/2026 in Judiciary and Public Safety. Recommended to pass and re-referred to Senate floor

Binary Trigger:

[HF4359](#) (Berg) 2024 amendment to definition of trigger activator reenacted, 2024 changes to crime of transferring a firearm to an ineligible person reenacted with amendments, and affirmative defense repealed for transfers of a firearm to an ineligible person by family or household members.

[SF4200](#) (Gustafson)/[HF3368](#) (Berg) 2024 amendment to the definition of trigger activator reenacted.

- Senate: 03/13/2026 in Judiciary and Public Safety. Recommended to pass and re-referred to Senate floor

Assault Weapons:

[SF3654](#) (Mohamed)/[HF3433](#) (Greenman) Possession of semiautomatic military-style assault weapons banned, and criminal penalties provided.

- Not heard in the Senate

[SF3681](#)(Mohamed)/[HF3434](#) (Greenman) Possession of semiautomatic military-style assault weapons and large-capacity ammunition magazines banned, and criminal penalties provided.

- Not heard in the Senate

[SF3655](#) (Mohamed)/[HF4170](#) (Greenman) Possession of semiautomatic military-style assault weapons and large-capacity ammunition magazines banned, and criminal penalties provided.

- Senate: 03/13/2026 in Judiciary and Public Safety. Amended, recommended to pass and re-referred to the Committee on Finance

Large Capacity Magazines:

[SF3714](#) (Mann) / [HF3402](#) (Tabke) Possession of large-capacity ammunition magazines banned.

- Not heard in the Senate

CHAPTER XX: Firearms Regulations

Section 1. Definitions.

For purposes of this Chapter, the following definitions must apply:

(a) **Assault weapon** has the same meaning as a “Semiautomatic military-style assault weapon” as defined in Minnesota Statutes section 624.712, subd. 7, as amended, and as referenced in 624.712, subd. 8, as amended.

(b) **Assemble, Assembles, Assembled** means to join, fit together, convert, restore, manufacture, construct, or otherwise complete parts or components so that they become or could become a functional Firearm.

(c) **Binary trigger** means any device, mechanism, or part designed, marketed, or intended to cause a Firearm to discharge one round when the trigger is pulled and to discharge an additional round when the trigger is released, including devices commonly known as Binary triggers, “two-stage” firing devices that produce this effect, and any conversion kit, component, or accessory that enables such functionality.

(d) **City** means the City of Saint Paul, Minnesota.

(e) **Conspicuous** means lettering in black, Arial typeface, at least one to one-half (1-1½) inches in height, against a bright contrasting background that is at least 187 square inches in area.

(f) **Firearm** has the same meaning provided for under Minnesota law.

(g) **Frame or Receiver** has the same meaning as in Minnesota law and includes any part that provides housing for the hammer, bolt, or breechblock and is designed to be readily completed, converted, or Assembled into a functional Firearm.

(h) **Ghost gun** means:

(1) A Firearm that does not bear a serial number; or

(2) A Firearm manufactured, Assembled, or constructed from parts, kits, or partial Receivers that are Unserialized and that are designed, marketed, or intended to be completed into a functional Firearm; or

(3) A Frame or Receiver that is not marked with a serial number by a manufacturer that is otherwise designed or marketed to be readily completed, Assembled, or converted into a functional Firearm (including but not limited to unfinished, partially machined, or 80% Frames/Receivers and similar items); or

(4) A Firearm manufactured, Assembled, or constructed from 3D-printed parts, kits, or partial Receivers that are Unserialized and that are designed, marketed, or intended to be completed into a functional Firearm.

(5) "Ghost gun" does not include firearms manufactured prior to 1968, antique firearms as defined in 18 U.S.C. 921(a)(16), or firearms rendered "permanently inoperable." For the purpose of this section, a firearm is rendered "permanently inoperable" if it is incapable of discharging a shot by means of an explosive and incapable of being readily restored to a firing condition. The determination of whether restoration is "readily" possible shall consider the time, ease, expertise, equipment, parts availability, expense, scope of change required, and feasibility of restoration.

(i) **Large-capacity magazine** means:

(1) Any ammunition feeding device that can accept more than twenty (20) rounds, including any device that can be readily restored or converted to accept more than twenty (20) rounds.

(2) This does not include

- (i) a tubular magazine that is contained in a lever-action Firearm; or
- (ii) a .22 caliber fixed tubular magazine.

(j) **Person** means any individual, partnership, corporation, association, or other legal entity.

(k) **Possess, Possessed, or Possession** means actual physical possession or constructive Possession of the item referenced in the Ordinance in which the term is used. Both "actual Possession" and "constructive Possession" shall have the same meaning provided for under Minnesota law.

(l) **Prominently** means readily visible and within four (4) feet laterally of the public entrance and affixed to the building or attached to a post for outdoor locations, with the bottom of the sign at a height of four (4) to six (6) feet above the floor.

(n) **Sensitive place** means any City-owned, -leased, or -controlled building or property that is open to the public for governmental, educational, recreational, cultural, or civic purposes, including but not limited to City Hall and City offices, libraries, recreation centers, indoor and outdoor park spaces and park buildings, playgrounds, athletic facilities, arenas, and zoos.

(o) **Unserialized** means lacking a serial number imprinted by: (1) a federal Firearms manufacturer, federal Firearms importer, federal Firearms dealer, or other federal licensee authorized to provide marking services, pursuant to a requirement under federal law; or (2) a federal Firearms dealer or other federal licensee authorized to provide marking services.

Section 2. Chapter Effective Upon Contingent Events.

Pursuant to Minnesota Statutes § 471.633 (state preemption of local Firearms regulation), this Chapter and its constituent Ordinances are contingent and shall **not** take effect, nor be enforced, unless and until the earliest of the following occurs:

(a) The repeal of Minn. Stat. § 471.633; **or**

(b) The passage of any Minnesota law that is substantially the same as any part of this ordinance or otherwise affirmatively authorizes municipalities to enact and enforce substantially similar regulations.

Upon the occurrence of either condition, this Chapter and its constituent Ordinances shall be effective immediately, without further action by the City Council, and any language herein must be deemed conformed to the substantially similar state law to the extent required for consistency.

Section 3. Severability.

If any clause, sentence, section, or provision of this Chapter, or any ordinance contained herein, is held to be invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, such holding must not affect the remaining provisions of this Chapter and the ordinances contained herein, which must remain in full force and effect.

Section 4. Enforcement.

The Chief of the Saint Paul Police Department, or the Chief's designee, is authorized to enforce this Chapter and its constituent Ordinances. In addition, any duly appointed federal law enforcement officer, or other individual sworn as a peace officer under Minnesota law, is authorized to enforce this Chapter. Enforcement shall be by criminal prosecution as authorized by law.

Section 5. No Private Right of Action. Nothing in this Chapter creates a private right of action.

Section 6. Forfeiture. In the event of a violation of any provision of the Chapter and its constituent Ordinances, the City retains the legal right to take Possession of any and all items prohibited by this Chapter as contraband, in addition to all criminal prosecution, and any other rights and remedies available to the City under applicable law.

Section 7. Prohibition on Assault Weapons and Large-Capacity Magazines.

(a) **Assault Weapons and Large-Capacity Magazines Prohibited.** Except as provided in section 7(d), it shall be unlawful for any Person to:

- (1) Possess, transport, store, keep, or carry within the City any Assault weapon;
- (2) Possess, transport, store, keep, or carry within the City any Large-Capacity magazine;
- (3) Manufacture, import, sell, offer for sale, transfer, or otherwise cause the sale or transfer of any Assault weapon within the City; and
- (4) Manufacture, import, sell, offer for sale, transfer, or otherwise cause the sale or transfer of any Large-Capacity magazine within the City.

(c) **Penalties.** Any Person who violates Section 7(a) is guilty of a misdemeanor and subject to a fine not to exceed \$1,000, imprisonment not to exceed 90 days, or both. Each day a violation continues must be counted as a separate offense. Nothing in this section shall preclude the City from seeking injunctive or other equitable relief to prevent or abate violations.

(d) **Exceptions.** The prohibitions in Section 7(a) must not apply to:

- (1) Active or reserve, federal, state, county, or municipal law enforcement officers, or members of the armed forces of the United States (including National Guard and reserves), if the officer or member is qualified and acting within the scope of their official duties;
- (2) Firearms owned and Possessed by the City or other duly authorized law enforcement or military governmental entities for official use;
- (3) A Person who is licensed as a federal Firearms curator or who holds such a license or permit under federal law and is engaged in an activity authorized under such license or permit, provided that the activity is conducted in compliance with federal law and this Chapter and its constituent Ordinances;
- (4) A Person who is transporting an Assault weapon or Large-Capacity magazine through the City provided that the weapon is unloaded and in a locked container, and the transport complies with all applicable state and federal laws;
- (5) A Person engaged in the transfer of Possession of an Assault weapon or Large-Capacity magazine to a law-enforcement agency, the military, or a federal Firearms licensee for lawful disposal, resale outside of the City, or other transfer in compliance with state and federal law.

Section 8. Prohibition on Binary Triggers.

(a) **Binary Triggers Prohibited.** Except as provided in Section 8(c), it shall be unlawful for any Person to:

- (1) Possess, transport, store, keep, or carry within the City any Binary trigger;
- (2) Manufacture, import into the City, sell, offer for sale, transfer, or otherwise cause the sale or transfer of any Binary trigger within the City.

A Person who installs, Assembles, or uses a Binary trigger on a Firearm within the City must be deemed to Possess the Binary trigger for purposes of this Chapter and the ordinances contained herein.

(b) **Penalties.** Any Person who violates section 8(a) is guilty of a misdemeanor and subject to a fine not to exceed \$1,000, imprisonment not to exceed 90 days or both. Each day a violation continues must constitute a separate offense. Nothing in this section shall preclude the City from seeking injunctive or other equitable relief to prevent or abate violations.

(c) **Exceptions.** The prohibitions in section 8(a) shall not apply to:

- (1) Active or reserve, federal, state, county, or municipal law enforcement officers, or members of the armed forces of the United States (including National Guard and reserves), if the officer or member is qualified and acting within the scope of their official duties;
- (2) Firearms owned and Possessed by the City or other duly authorized law enforcement or military governmental entities for official use;
- (3) A Person who is licensed as a federal Firearms curator or who holds such a license or permit under federal law and is engaged in an activity authorized under such license or permit, provided that the activity is conducted in compliance with federal law and this Chapter and its constituent Ordinances;
- (4) A Person who is transporting a Binary trigger through the City provided that any Firearm equipped with such a Binary trigger is unloaded and in a locked container, and the transport complies with all applicable state and federal laws;
- (5) A Person engaged in the transfer of Possession of a Binary trigger to a law-enforcement agency, the military, or a federal Firearms licensee for lawful disposal, resale outside of the City, or other transfer in compliance with state and federal law.

Section 9. Prohibition on Ghost Guns.

(a) **Ghost Guns Prohibited.** Except as provided in section 9(c), it shall be unlawful for any Person to:

- (1) Possess, transport, store, keep, or carry within the City any Ghost Gun;
- (2) Manufacture, Assemble, import, sell, offer for sale, transfer, or otherwise cause the sale or transfer of any Ghost Gun within the City;
- (3) Assemble an unfinished or partially made Frame or Receiver that is Unserialized into a Firearm within the City.

A Person who installs, Assembles, or uses an Unserialized Frame, Receiver, or kit on or in a Firearm within the City must be deemed to Possess that Ghost Gun for purposes of this Chapter and the ordinances contained herein.

(b) **Penalties.** Any Person who violates section 9(a) is guilty of a misdemeanor and subject to a fine not to exceed \$1,000, imprisonment not to exceed 90 days, or both. Each day a violation continues shall constitute a separate offense. Nothing in this section shall preclude the City from seeking injunctive or other equitable relief to prevent or abate violations.

(c) **Exceptions.** The prohibitions in Section 9(a) shall not apply to:

- (1) Firearms owned and Possessed by the City or other duly authorized law enforcement or military governmental entities for official use;
- (2) A Person who is licensed as a federal Firearms curator or who holds such a license or permit under federal law and is engaged in an activity authorized under such license or permit, provided that the activity is conducted in compliance with federal law and this Chapter and its constituent Ordinances;
- (3) A Person who is transporting a Ghost Gun through the City provided that any such Ghost Gun is unloaded, in a locked container, and the transport complies with all applicable state and federal laws;
- (4) A Person engaged in the transfer of Possession of a Ghost Gun to a law-enforcement agency, the military, or a federal Firearms licensee for lawful disposal, resale outside of the City, or other transfer in compliance with state and federal law.

Section 10. Prohibition on Firearms in Sensitive Places.

(a) **Firearms prohibited in Sensitive places.** Possession of any Firearm in any Sensitive place within the City is prohibited.

(b) **Penalties.** Any Person who violates section 11(a) is guilty of a misdemeanor and subject to a fine not to exceed \$1,000, imprisonment not to exceed 90 days, or both. Each day a violation continues must be counted as a separate offense. Nothing in this

section shall preclude the City from seeking injunctive or other equitable relief to prevent or abate violations.

(c) **Exceptions.** The prohibition shall not apply to:

(1) Firearms carried by authorized City personnel in the course of their official duties;

(2) Persons who are otherwise expressly authorized by state law to Possess Firearms on premises notwithstanding municipal prohibition (e.g., as provided by state or federal law); or

(3) Situations where Possession of a Firearm is necessary to render medical aid or address another imminent emergency, provided the Person notifies facility staff or law enforcement as soon as practicable.

Section 11. Signage; notice.

(a) The City shall Prominently post a Conspicuous sign at each public entrance to Sensitive places providing notice of all applicable Firearm prohibitions. Additional signs must be posted in important interior locations, as determined by the City, including customer service desks, gymnasium entry points, and additional activity entry points.

(b) **Sign Content.** Each sign shall state: "THE CITY OF SAINT PAUL BANS FIREARMS ON THESE PREMISES" and include a citation to the applicable section of the Saint Paul Legislative Code. The City may include graphic symbols (e.g., a Firearm silhouette with a strike-through) and multilingual translations as appropriate.

(c) Enforcement and Penalties.

(1) The purpose of this section is to require signage and promote voluntary compliance; it is not intended to create new criminal prohibitions beyond those established by state or federal law. Violations of Possession prohibitions shall be enforced under this Chapter and the ordinances contained herein as well as applicable state and federal law.

(2) Nothing in this ordinance limits the authority of the Saint Paul Police Department to enforce applicable state or local laws concerning Firearms Possession.

March 27, 2026

Richfield Police Chief Jay Henthorne
Richfield Department of Public Safety
6700 Portland Avenue South
Richfield, MN 55423

Re: CONSTITUTIONALITY OF PROPOSED FIREARM ORDINANCE

Dear Richfield Police Chief Jay Henthorne:

Below is my analysis regarding the constitutionality of the proposed Saint Paul ordinance, which requires analysis under both Minnesota state preemption law and the federal Second Amendment.

1. State Preemption in Minnesota

The most immediate legal issue is state preemption. Under Minnesota Statutes §471.633 and §624.717, the legislature has declared that it “occupies the whole field of regulation of the inventory, ownership, possession, and use of firearms.” As a result, local governments are generally prohibited from enacting firearm regulations that are more restrictive than state law.

Several provisions of the proposed ordinance—particularly those addressing “assault weapons,” “binary triggers,” and “large-capacity magazines”—would regulate the types of firearms and accessories that may be possessed. These provisions would likely be challenged as preempted by state law. Minnesota courts have historically enforced this preemption strictly in favor of uniform, statewide firearm regulation.

2. Second Amendment Standards

If the ordinance were not preempted, it would be evaluated under the Second Amendment using the “history and tradition” framework established in *NYSRPA v. Bruen*.

- **Ghost Guns and Serialization Requirements:** Regulations requiring serialization generally align with existing federal efforts to ensure traceability. Courts typically assess whether such requirements unduly burden the right of law-abiding citizens to possess firearms for self-defense or instead serve legitimate law enforcement interests.
- **Assault Weapons and Magazine Capacity Limits:** Restrictions on specific firearm categories and magazine capacities remain the subject of active litigation across federal circuits. There is currently no national consensus on whether such bans satisfy the historical-analogue test required by *Bruen*.
- **Sensitive Places:** The ordinance’s definition of “sensitive places” appears broad. While the Supreme Court has recognized certain locations—such as schools and government buildings—as sensitive, lower courts have scrutinized expansive designations (e.g., all parks or public spaces) where historical analogues are lacking.

3. Eighth Circuit Considerations

Any enacted ordinance would likely face immediate federal litigation within the Eighth Circuit, which has jurisdiction over the City of Richfield.

- **Broad Interpretation of Protected Arms:** In *Worth v. Jacobson* (2024), the Eighth Circuit held that 18-to-20-year-olds are part of “the people” protected by the Second Amendment. The decision also treated commonly owned semi-automatic firearms as falling within the Amendment’s plain text.
- **Application of the “Common Use” Test:** The Eighth Circuit has demonstrated a strong adherence to the *Bruen* framework and is likely to view widely owned firearms—such as AR-15-style rifles—as protected “arms” in common use.
- **Distinction from Military Weapons:** In *United States v. Charles* (2025), the court upheld the federal machine gun ban, emphasizing that such weapons fall outside Second Amendment protection. This distinction reinforces the court’s view that portable, commonly owned semi-automatic firearms differ from prohibited military-grade weapons.
- **Judicial Composition:** The Eighth Circuit’s current composition suggests a more skeptical view of broad firearm prohibitions compared to other circuits that have upheld similar bans.

5. Legal Conclusion

- **High Likelihood of Preemption:** The proposed ordinance is likely preempted by Minnesota law, which occupies the field of firearm regulation.
- **Significant Constitutional Risk:** Even if preemption were overcome, key provisions—particularly those regulating commonly owned firearms and broadly defining sensitive places—would face substantial constitutional challenges under *Bruen*.
- **Adverse Eighth Circuit Outlook:** Given the Eighth Circuit’s recent jurisprudence, there is a meaningful likelihood that core aspects of the ordinance would be struck down if litigated.

6. Other Considerations

This ordinance will likely expose the city to significant litigation costs due to the complex legal issues involved. Additionally, most cases that could be charged under this ordinance would likely qualify as felonies under existing statutes. As a result, it is expected that relatively few cases would ultimately be prosecuted under this ordinance.

Gregory P. Holly

HOLLY LAW, LLC