

CITY OF WACONIA
May 22, 2023

1) **CALL MEETING TO ORDER AND ROLL CALL**

Pursuant to due call and notice thereof, the special meeting of the City Council of the City of Waconia was called to order by Mayor Waldron at 5:30 p.m. The following members were present: Nicole Waldron, Randy Sorensen, Steve Yetzer, Nick Gleason, Jeff Grengs

Staff Present: Shane Fineran, Jackie Schulze, Ann Meyerhoff, Lane Braaten, Mike Melchert, Christophe Morschen.

2) **PLEDGE OF ALLEGIANCE**

3) **ADOPT AGENDA**

Motion by Sorensen, by Gleason 3) ADOPT AGENDA

MOTION carried

4) **COUNCIL BUSINESS**

4.1 **Violation of Tobacco Ordinance Hearing - Cloud X**

[Cover Page](#)

[Cloud X citations for hearing.pdf](#)

[ICR 23006548.pdf](#)

[23129res_Suspending_and_Admonishing_Cloud_X_TX6RWN2TNU6F-560593110-1819.pdf](#)

Shane Fineran stated that this meeting has been called because of alleged violations of the city of Waconia's Code of Ordinances, as it applies to a license to sell tobacco and related products held by Tobacco City LLC. which does business as Cloud X Vapes. Within the past three years, Licensee and its owner, Cade Chouinard, have received three citations for alleged violations of the City's Code of Ordinances by selling licensed products to individuals who were underage. City Staff are concerned that repeated citations have not prompted Licensee to diligently comply with the City's ordinances and Minnesota law. Therefore, because of a recent compliance check failure, Staff are recommending that the City Council suspend Licensee's License for a period of 7 days.

Fineran turned the matter over to Attorney Christophe Morschen. Morschen called Deputy Ben Sinko to the podium and asked if he was the one who issued the citations and what was the basis for issuing them.

Deputy Sinko replied that the citations were for civil violations on the business for breaking the ordinance for selling underage individuals. The violations occurred on 11/15/21, 2/11, 2022 and 3/12/2023. The citations were mailed to licensee, Cade Chouinard.

Morschen asked Sargent Dewitt Meier to recall the incident on March 12, 2023. Deputy Meier stated that he is in charge of tobacco compliance. On March 12th he used a decoy that is under the age of 21.

Courtney Kujala, 144 depot drive, informed Council of the store policies and measures that have been taken since the sting. Since the sting all employees have had identification retraining. Sargent Stahn has been a resource for helping keep them on the straight and narrow.

Mayor Waldron asked if there are any other locations and are there any online sales in Waconia.

Kujala replied that they have stores in Minnetonka and Ramsey. Online sales stopped during COVID.

Sargent Stahn stated that he had been a point of contact for Cloud X about what they can do better to avoid another failed sting.

Council Member Sorensen asked how often the stings are conducted.

Deputy Meier responded that they are done at least once a year.

Kujala added that they are getting at least 3 compliance checks in a year either from law enforcement or the county.

Christoph gave a closing statement summarizing everything that was said in the hearing.

Council Member Yetzer asked why was the owner was not present?

Kujala said that he has another job and was unavailable.

Motion by Grengs, seconded by Sorensen Adopt Resolution 2023-129, Suspending and Admonishing Cloud X starting on May 28, 2023 and ending at close of business on June 3, 2023.

MOTION carried

5) **ADJOURN MEETING**

Motion by Yetzer, seconded by Sorensen 5) ADJOURN REGULAR MEETING at 6:01 p.m.

MOTION carried

Nicole Waldron, Mayor

ATTEST: _____

Ann Meyerhoff, Office Assistant