



**MINUTES OF THE PROCEEDINGS OF THE PLANNING  
COMMISSION OF THE CITY OF STACY IN THE COUNTY  
OF CHISAGO AND THE STATE OF MINNESOTA  
PURSUANT TO DUE CALL AND NOTICE THEREOF**

**REGULAR MEETING  
AUGUST 20, 2013, 7:00p.m.  
STACY CITY HALL**

**Call to Order**

The Planning Commission was called to order by Chair Ness at 7:00pm.

**Roll Call**

**Present:** Dan Winberg, Jim Ness, Jim Clay, and Tony Olivolo  
**Present Alternates:** Mark Utecht  
**Absent:** None  
**Absent Alternates:** None  
**Others Present:** Peter Grundhoefer

**Additions to the Agenda**

Additions to the agenda:  
Action on Alternative Energy System Ordinance  
Nuisance Ordinance Revisions  
Motion by Utecht to approve the agenda as amended. Second by Clay. Utecht, Ness, Clay, Olivolo, and Winberg voted yes. Chair Ness declared the motion carried.

**Approval of Minutes**

Motion by Ness to approve the minutes as presented. Second by Clay. Ness, Clay, Olivolo, and Winberg voted yes. Utecht abstained. Chair Ness declared the motion carried.

**Council Update**

Chair Ness updated the members of the actions taken by the City Council:

- Mr. Ness thanked the commission for their willingness to attend a Special Meeting which has been cancelled.
- The council would like the commission to move forward with the Fire Inspection Program.
- The council also directed the commission review the nuisance ordinance relative to noise.

**Public Hearing –  
Alternative Energy  
Systems 7:05-7:20pm**

Chair Ness recessed the Planning Commission meeting and opened the public hearing on alternative energy systems. The members discussed the ordinance; there was no public present.

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**New Business**

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**Action on the Public  
Hearing – Alternative  
Energy Systems**

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Motion by Olivolo to recommend that the council approve the Alternative Energy Ordinance. Second by Utecht. Olivolo, Utecht, Winberg, Clay, and Ness voted yes. Chair Ness declared the motion carried.

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**Private Wells**

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Motion by Ness to recommend that the council approve the changes to the ordinance prohibiting new private wells in the city. Second by Olivolo. Ness, Olivolo, Clay, Winberg, and Utecht voted yes. Chair Ness declared the motion carried.

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**Online Training**

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As part of our insurance it is required that at least a quorum of the commission take the on-line land use class. The members were encouraged to take the class; and contact the clerk shall they need the use of a computer.

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**Nuisance Ordinance**

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Mr. Grundhoefer presented a code update to the nuisance ordinance. He will prepare a "clean" copy for the council. The clerk was directed to have the sheriff's office review and comment.

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**Old Business**

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**Fire Inspection Program**

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Chair Ness asked what the city's liability is if we miss something in our inspection? The clerk will contact the League insurance regarding; also the fact that an independent contractor will be doing the inspections.

Several changes were made to the draft policy; once they are made Kerry Olson and Jack Kramer review. Also, notice will be sent to all the businesses to attend a Public Hearing.

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**Garage 30101 Forest  
Boulevard**

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Member Ness and Attorney Grundhoefer vacated their seats and Jim Clay took over the meeting.

The commission reviewed the memo prepared by George Hoff; they would like to explore passing an ordinance that allows the expansion of nonconforming uses.

The commission had several questions for Mr. Hoff:

1. Can each property be reviewed on a case by case basis?
2. Can surrounding property use influence the council's decision?
3. What are the criteria?
4. Can we have different standards based on a parcel's location?
5. What is allowed or not allowed in processing nonconforming uses?
6. Does he have a sample ordinance?

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**Snowmobiles**

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Motion by Ness to forward to the city council for approval with the noted changes. Second by Clay. Ness, Clay, Winberg, Olivolo, and Utecht voted yes. Chair Ness declared the motion carried.

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**Open Discussion**

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Remember the September meeting is on September 16<sup>th</sup>.

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**Adjourn 9:07pm**

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Chair Ness declared the meeting adjourned at 9:07pm.

  
Sharon MT Payne