



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

**REGULAR MEETING – OCTOBER 17, 2023 7:00 p.m.  
30955 FOREST BOULEVARD, STACY MN**

**Call to Order**

Chair J. Ness called the meeting to order at 7:00 p.m.

**Attendance**

**Present:** Tim Sawatzky, Jim Ness, Telise Schroeder, and Michele McLane

**Absent:** None

**Others Present:** Carlos Tresos, Nick Simpson and another member of the public

**Agenda**

No additions to the agenda.

**Approval of Minutes**

Motion by T. Sawatzky to approve the minutes as presented. Second by M. McLane. Members T. Sawatzky, J. Ness, T. Schroeder, and M. McLane voted yes. Chair J. Ness declared the motion carried.

**City Council Update**

T. Sawatzky provided an update from the City Council meeting, including:

- The code amendment for §51.07 Restricted Hours passed, with direction from the Council to further clarify in the code the types of air conditioning permitted during a drought status.
- One of the Lent Planning Commission members was appointed to the Stacy Commission at the October Council meeting. Member T. Schroeder asked if current Commission members would need to resubmit letters of interest in order to stay on the commission through the annexation and after. Chair Ness verified that ideally, Commission members are on a staggered four-year cycle, but there haven't been enough people interested in the past to really need to enforce that. If there is a full Commission and additional interest, members will have to establish staggered terms to give everyone who wants to participate a chance to do so. It is possible the new council could ask everyone on the Commission to reapply, however, the anticipation is that with the Stacy Commission

composed of both Stacy and Lent residents, it would not be necessary.

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**New Business**

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**Fence Permit Application-  
Renova Services**

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The Commission reviewed the permit application. In the Central Business District (CBD), property owners are able to place their fence on their property line without permission from neighboring businesses. The Commission asked Mr. Tresco to place his fence posts close to the neighbor's fence without connecting to it, rather than running another line of fencing alongside of it. Mr. Tresco agreed. The Commission directed the clerks' department to issue the fence permit.

**Stacy Do It Best Hardware  
Parking Complaint**

The Commission reviewed the hardware store parking complaint submitted to the city. Specifically, the concern is the fire lane/easement that allows access to the apartment complex behind the bank. Mr. Simpson and another member of the public were present to discuss the issue. Per state statute, the fire lane must be kept open, with no storage or other things blocking the lane. Mr. Simpson stated that they do use the lane to access the rear portion of the store and bring products in/out, but they aren't blocking the lane for long periods of time, and he is making efforts to communicate with his customers that there is no parking there. The Commission felt it is acceptable to use the lane to bring things in/out as long as the lane is not blocked for long periods of time. The fence that was put in place by the apartment complex was brought up, and the fact that if the fence was not there, the residents of the complex would be able to exit from the opposite side of the bank as well as via the fire lane/easement. The Commission asked if the fence installed by the complex had been permitted by the city, the clerks' department will look into that. Members of the Commission felt it would be best for the clerks' department to work with the Mayor, Mr. Simpson, and the resident who submitted the complaint to find a compromise or solution to the issue for the time being.

**Ducks**

The Commission reviewed the information provided by the clerks' department regarding ducks being kept in the city residential areas. One particular resident has stated that the ducks are there for emotional support, and the Commission agreed that if appropriate documentation was supplied, they would be allowed to keep their ducks. Currently, the code classifies ducks as farm animals, and therefore not allowed in residential zones. The code does allow chickens in the R-1 with a license. The commission discussed potentially rewording the chicken ordinance to fowl. The clerk advised that other cities' ordinances related to keeping fowl in residential areas generally only apply to chickens, ducks, and geese. Turkeys

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are not generally allowed. Chair Ness proposed that §92.19 Domesticated Chickens be revised to Domesticated Chickens & Ducks, and rest of the ordinance wording be updated to include ducks for now. If other residents come to the city wanting to have other small fowl, they could be handled on a case-by-case basis, or the ordinance could be further revised. The other members were in agreement. The clerks' department was asked to make the requested changes to the ordinance and post for a public hearing on the matter next month.

## **Kennels**

The Commission reviewed the proposed kennel license draft. There were questions about how Lent Township handles its kennel licensing because the draft was based on their application. The following questions were asked:

- Does the Township require both the interim use permit and license be applied for at the same time for kennels?
- Is the IUP process more for a commercial kennel and the license for residential, or vice versa? Member T. Schroeder thought the IUP process was for both, but the IUP process allows for adjustments and additional conditions dependent on the type of kennel. She felt that the license process was geared more towards a commercial kennel.
- Is the kennel license offered by the Township a one-time charge?

Member T. Schroeder will follow up with the Township clerk with these questions. The discussion around kennels last month was that Stacy would implement a process similar to Lent's to start with, and re-evaluate after the annexation. The Commission discussed making it a conditional use permit versus an interim use permit. The consensus was to keep it the same as the Township's for now, using the interim use permit process but put the kennel application process on the project list to be looked at again post-annexation. A draft of the amendment was composed and the clerks' department was directed to include it in the public hearing for the November meeting.

## **Annexation Discussion**

Chair Ness proposed keeping the Joint Planning meetings going after the annexation is effective as a working meeting for the Stacy Commission to continue working on the new comprehensive plan and other annexation-related items until April. This would be scheduled for the fourth Tuesday of the month. The other members were in agreement.

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## **Old Business**

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**Continue Review of the City Code at §153.045**

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Motion by T. Sawatzky to table the review of the city code at §153.045 until the next Stacy Planning Commission meeting. Second by M. McLane. Members T. Sawatzky, J. Ness, T. Schroeder, and M. McLane voted yes. Chair J. Ness declared the motion carried.

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**Open Discussion**

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The clerk advised that two more letters of interest have been submitted for the Stacy Planning Commission. The members discussed having a Council member as a non-voting liaison to the commission rather than as a voting full member. That way all interested members of the Lent Planning Commission could be appointed to the Stacy Commission if the Council chose to do so. The Commission agreed this was a good idea.

Typically, the Chair and Co-Chair of the Commission are established in January. Chair Ness asked if that should be moved up in light of the fact that the new members would be appointed prior to that time. The other members agreed that they should wait until January to re-appoint the Commission Chair and Co-Chair.

The clerk asked how the determination is made as to who is an alternate and who is a full member of the Commission. The Council appoints those positions. The understanding is that all members attend meetings, and if a full member is absent, then an alternate would vote in their place. The Commission discussed increasing the size of the Commission but determined they would wait and see if there was that much interest post-election.

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**Adjourned at 8:59 p.m.**

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Chair J. Ness declared the meeting adjourned at 7:58 p.m.

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Angie Comstock, Deputy City Clerk