



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 – SEPTEMBER 19, 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, and Michele McLane
Absent: Telise Schroeder

Agenda

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

Approval of Minutes

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

City Council Update

T. Sawatzky provided an update from the City Council. Several items from the City Council meetings were discussed in depth as listed below:

- Ordinance 2023-8-1 Amending Kennels was passed by the Council with the amendment that the Agriculture (A) zone removed from the ordinance language. The city needs to implement code and a process for applying for kennel licenses now that it is allowed in our Agriculture zone. It will be put into Chapter 92: Animals. Member M. McLane will review Lent Township's kennel application process for the Joint Planning Commission meeting next week.
- The current stormwater drainage fee charged to the residents of the city was discussed at the City Council meeting due to the annexation, and a motion was passed to bill only city water utility customers the fee as of January 2024. This was brought to the Planning Commission because there will need to be updates to the city code to reflect this change prior to it becoming effective. The Commission would like clarification on if the fee would only be charged to residents currently hooked up to city water, or if that includes customers that have the ability to hook up to city water and haven't yet, and if those

customers are not to be charged, why. The clarification will affect the language of the code amendment. The health of the stormwater drain fund was also discussed, as well as the items that are paid out of the fund. The Township covers similar items out of their general fund and budgets for them in their annual levy rather than charging the residents directly. Member T. Sawatzky asked the clerks department to add this onto the agenda for the October City Council meeting for further discussion.

- Member M. McLane asked about Resolution 2023-9-5 Limiting Water Sprinkling and why the language lists air conditioning as part of the prohibited activities. She feels that if we are in a drought because it has been so hot, we shouldn't be prohibiting people from utilizing air conditioning. It was understood that only certain types of air conditioning requires the use of water resources. The language came directly from the city code §51.07, which was cited in the resolution. Motion by M. McLane to recommend to the City Council to remove air conditioning from the resolution restricting water use in the interest of public health. After further discussion, M. McLane moved to remove the motion and J. Ness seconded. Motion removed from the table. Motion by M. McLane to strike air conditioning from §51.07 Restricted Hours. Second by T. Sawatzky. Discussion on the motion included that leaving it as is could potentially adversely affect businesses as well as residents and that a public hearing would not be necessary as it isn't a part of Chapter 15. They also discussed whether the resolution would need to be updated as well, and decided to have the clerks' department check with the city attorney and leave it up to the Council to make the determination. Members T. Sawatzky, J. Ness, and M. McLane voted yes. Chair J. Ness declared the motion carried.
- The members discussed the passing of Ordinance 2023-9-1 Prohibiting Cannabis Business in Stacy. The Commission will wait for guidance from the state and City Council before starting to write code this. Items that need to be discussed with the Council are where they want to allow consumption, sales, manufacturing, packaging and distribution. The consensus is to wait until closer to spring and see if the state comes out with any guidance related to cannabis.

New Business

Annexation Update

In communications with Chisago County regarding the liquor licenses they issue for Lent Township that the city will be taking over in 2024, the County also asked that the city start doing its own tobacco licensing post annexation. The County has been issuing tobacco licenses for both entities up to this point. The licensing period runs May 1-April 30. Code needs to be implemented for tobacco licensing prior to May 2024 so the existing tobacco renewals can be processed by the city. The clerks' department was directed to add it to the working list for the Joint Planning Commission, and provide any existing examples from neighboring cities and the county to the Commission for review.

J. Ness asked about the liquor licenses that were coming over from the Township, and pointed out that if any of them have off sale licenses, that may be a problem, due to the fact that we have a municipal off sale and per state statute there can only be one in city limits. The clerks' department will check in with AGE on that.

Old Business

Continue Review of the City Code at §153.045

The Commission will continue the review of the city code at §153.045 at their next meeting.

Open Discussion

M. McLane asked about the fireworks countdown at Stacy Daze. The clerks' department sent a letter to the Lions Club regarding the countdown formally asking them to restrict the fireworks to the main show. The code does not have anything about fireworks beyond that they are prohibited unless allowed by City Council. There was discussion about steps that could be taken to ensure that there are no more countdowns in the future.

Adjourned at 7:58 p.m.

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

Angie Comstock, Deputy City Clerk