



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 15, 2019, 7:00p.m.
30955 FOREST BOULEVARD STACY MN**

Call to Order

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

Roll Call

Present: Mark Ness, Jim Ness, Steve Kveton, Tony Olivolo, and Tim Sawatzky

Absent: None

Others Present: Jack Kramer

Agenda

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

Approval of Minutes

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

New Business

American Legal Correspondence

The member's reviewed the concern from American Legal regarding the recent update to the code; they do not see an issue but would like the city attorney to review.

Septic Inspection Charge

Note this change cannot be made; per Minn. Rules 7080.2450

The commission discussed changing the septic inspection section of the code because of how it applies to low septic users. The commission recommended changing the code:

§ 52.56 PRIVATE WASTEWATER DISPOSAL, Section (E)(5)A:

A. Mandatory maintenance required. The city hereby establishes a plan for review of each on-site sewage system within the city over a period of 3 years beginning in 2009.

1. The Plan. Pursuant to the established plan, the city shall mail a maintenance report form by April 1 of each year to properties containing on-site sewage disposal systems due to have maintenance checks. All systems shall have maintenance checks triennially or as recommended by their septic provider; in such case the property owner is to supply to the city the recommendation of their provider in writing. Those on-site sewage disposal systems found to have permitted, through misuse or abuse, sludge and/or scum to exit past the last septic tanks outlet baffle shall have biennial maintenance checks until such time that it has been

demonstrated that such misuse or abuse has been abated.

Old Business

Building Permit Fees

This item handled out of order by motion of J. Ness. Second by M. Ness and carried.

Motion by J. Ness to recommend to the council that they work with the building inspector to set up flat rate building permit fees for roofing, siding, windows, and decks. Second by S. Kveton. J. Ness, S. Kveton, T. Sawatzky, T. Olivolo, and M. Ness voted yes. Chair M. Ness declared the motion carried.

Pet Licensing

The commission agreed with the city code change regarding pet licensing; the public hearing will occur concurrently with other code changes:

The proposed change to the city code:
§92.02(B)(3)

(3) Upon payment of the license fee as established by ordinance, the Clerk shall issue to the owner a license certificate and metallic tag for each dog licensed. The tag shall have stamped on it *the number corresponding with the number on the certificate. The license shall be valid for the same period as that of the vaccination; (however, in case of a puppy the vaccine administered is for a one-year period and then moved to 3 years the next vaccination period).* Every owner shall be required to provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a duplicate shall be issued by the City Clerk. A charge shall be made for each duplicate tag in an amount established by ordinance. Dog tags shall not be transferable from 1 dog to another and no refunds shall be made on any dog license fee or tag because of death of a dog or the owner's leaving the city before the expiration of the license period.

Add Definitions to §92.01 Definitions:

Service Dogs: Service dogs (also known as “assistance dogs”) are trained to perform quantifiable tasks that directly ease the challenges associated with their owner’s physical, psychiatric, sensory, and/or developmental disability. The most common types of service dogs include guide, hearing, medical alert, mobility, autism service, and psychiatric service dogs (such as those who assist veterans with post-traumatic stress). Having a service dog provides handlers with greater independence, as well as enriched confidence to leave their home, foster social relationships, and enter or re-enter the workforce.

Emotional Support Animals: Emotional support animals are companion animals who help their owners cope with the challenges associated with emotional and mental health conditions (such as depression and anxiety) by providing comfort with their presence.

Unlike service and therapy dogs, emotional support animals are not expected to perform specific tasks related to their owner's condition, nor must they adhere to any behavior standards or training. Their presence alone is what is thought to provide their owner with solace and therapeutic benefit. Emotional support animals are not allowed in public places, with the exception of air travel, which requires special documentation. The Fair Housing Act requires that most housing units accommodate emotional support animals with appropriate documentation.

Therapy Dogs: Together with their owners, therapy dogs are certified or registered to visit hospitals, long-term care facilities, treatment centers, schools, and other settings to benefit people in need. While typically trained in basic obedience skills, therapy dogs (or "comfort dogs") are not required to perform essential tasks for those they serve or specialize in any particular area of service. Therapy dogs do not have public access rights under the ADA and are only allowed in facilities by invitation/agreement.

Continue Review of the City Code

Motion by J. Ness to recommend to the council to eliminate city code section §92.02(B) and §95.04(A). Second by S. Kveton. J. Ness, S. Kveton, T. Olivolo, T. Sawatzky, and M. Ness voted yes. Chair M. Ness declared the motion carried.

§ 93.02 SNOW, ICE, DIRT AND RUBBISH.

~~(A) Duty of owners and occupants. The owner and the occupant of any property adjacent to a public sidewalk shall use diligence to keep such walk safe for pedestrians. No such owner or occupant shall allow snow, ice, dirt, or rubbish to remain on the walk longer than 24 hours after its deposit thereon.~~

(B) Removal by city. The City Maintenance Department shall remove from all public sidewalks all snow, ice, dirt, and rubbish as soon as possible. ~~beginning 24 hours after any such matter has been deposited thereon or after the snow has ceased to fall. He or she shall keep a record showing the cost of such removal adjacent to each separate lot and parcel and shall deliver such information to the City Clerk.~~

§ 95.04 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY.

The following are declared to be public nuisances affecting public peace and safety:

~~(A) Any snow and ice not removed from public sidewalks 24 hours after the snow or other precipitation causing the condition has ceased to fall;~~

Open Discussion

None

Adjourned at 8:48p.m.

Chair M. Ness declared the meeting adjourned at 8:48p.m.

Sharon MT Payne