



**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
OCTOBER 16, 2018, 7:00p.m.
30955 FOREST BOULEVARD STACY MN**

Call to Order

The meeting was called to order by Chair M. Ness at 7:00pm.

Roll Call

Present: Jim Ness, Michelle Boeck, and Mark Ness

Absent: None

Others Present: Jeanne Aslakson, Cindy Johnson, Paul Vogel,
and Cindi Vogel

Agenda

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

Approval of Minutes

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

New Business

Vogel Property

Mr. and Mrs. Vogel were present regarding having two structures on their property. The property is zoned R2; per the Planning Commission the two structures can remain on the property.

**Conditional Use Permit (CUP)
Removal**

Cindy Johnson was present representing her mother, Jeanne Aslakson; regarding the removal of the CUP from property owned by her for a CPA Office. She wanted to make sure that the current zoning would still allow this type of business. The commission said yes, it is now zoned commercial; they do not see it changing in the foreseeable future.

The Planning Commission followed the procedure as laid out in §153.189(B)(5):

(5) Revocation. The Planning Commission may recommend, and the City Council may direct, the revocation of any conditional use permit for cause upon determination that the authorized conditional use is not in conformance with the conditions of the permit or is in continued violation of this title, city codes, or other applicable regulations. The City Council or Planning Commission shall initiate an application and the City Clerk shall notify the responsible person that they have an opportunity to show why the permit should not be revoked¹. The application shall be processed and considered pursuant to this section. The City Clerk shall provide the responsible person a copy of the proceedings and findings of the Planning Commission and City Council.

1The clerk mailed notice to the following properties on September 25, 2018. The Notice stated:

The city is in the process of “cleaning up” the conditional use permit (CUP) files. We show that a property owned by you has a conditional use permit:

Issued to:

Property Description:

Date Issued:

Purpose of the CUP:

Status of the CUP:

The Planning Commission will be acting at their next meeting on October 16, 2018, on removing the conditional use permit from your property. Should you want the use to remain please contact the city clerk or attend the meeting on the 16th.

Sunrise Mobile Home Park:

5385 Stacy Trail, 19.00129.00
July 21, 2016, Mini-Storage, Expired

Marvin Lorge dba Safety Features (current owner Productive Machine):

30570 Forest Blvd, 19.00073.40 and 19.00094.00
June 8, 2004, Automobile sales business specifically motorcycles, Inactive

Sacred Grounds Espresso Café (current owner Sacred Grounds ECig and Tobacco):

30962 Fenway Ave, Suite 500, 19.00125.00
July 25, 2006, Allow a drive-thru CBD, Inactive

Dave and Wendy Cook and Stacy Commons (current owner Jim Degendorfer):

31100 Forest Blvd, 19.000161.00
October 26, 2004, Operate Daycare Center in CBD, Inactive

Stacy Commons Day Care (current owner Jim Degendorfer):

CUP Amendment, 31100 Forest Blvd, 19.000161.00
April 11, 2006, Amend Daycare CUP, Inactive

Mel Aslakson (current owner Jeanne Aslakson):

5795 Stacy Trail, 19.00123.00
September 13, 1983, CPA Office, Inactive

AMW - Mel Aslakson (current owner Chisago County Tax Forfeiture):

Sherman Oaks III Outlot A, 5580 Stacy Trail, 19.0184.38
March 18, 1999, Gas Station and Car wash, Inactive

Leibke's Transmission (current owner Marks Prop Shop):

31055 Forest Blvd, 19.00139.00
October 12, 1988, Operate Transmission Repair, Inactive

The Planning Commission met on said date and considered revocation of the above CUP's and made the following motion:

Motion by J. Ness to recommend the council remove inactive CUP's and for Mark's Prop Shop transmission repair only; because they have not been used for longer than a year. Second by M. Boeck. Members J. Ness, M. Boeck, and M. Ness voted yes. Chair M. Ness declared the motion carried.

Review City Code

The members began the review of the city code and the following were questions/comments:

§30.03

(A) Who keeps. Minutes of each Council meeting shall be kept by the Clerk or, in his or her absence, by the ~~Deputy~~ Clerk. Change to Utility Billing.

§30.04

(A) Order of Business.

Utilize Item (8) Notices and Communications. This will be used to provide the council with information that requires no action. (we haven't used it in the past).

Change (9) Unfinished Business to Old Business.

(B) Varying order. The order of business may be varied by the presiding officer, but all public hearings shall be held at the time specified in the notice of hearing. (does this mean the mayor can change the order of the agenda without a motion?)

§30.05

(B) Voting. The votes of the members on any question may be taken in any manner which signifies the intention of the individual members, and the votes of the members on any action taken shall be recorded in the minutes. The vote of each member shall be recorded on each appropriation of money, except for payment of judgments, claims and amounts fixed by statute. If any member is present but does not vote, the minutes, as to his or her name, shall be marked "**Present - Not Voting.**" (We will start using this).

§30.06

(A) Readings. Unless approved by a unanimous vote of the Council, every ordinance shall receive at least 1 reading before the Council prior to final adoption. An ordinance or resolution need not be read in full unless a member of the Council requests such a reading. (The clerk will contact the League for definition of at least 1 reading).

(D) Motions, petitions, communications.

(1) Every motion shall be stated in full before it is submitted to a vote by the presiding officer and shall be recorded in the minutes. (start doing this).

§30.07

(A) Committees. The Council may create such committees, standing or special, as it deems necessary. The ~~Mayor~~ (change to council) shall appoint the members ~~and Chairperson~~ (committee shall appoint chairperson) of any committee created by the Council.

Chapter 33: Emergency Management (entire Chapter needs to be reviewed).

Chapter 35: Elections

§Special Election. (this is governed by the state does it need to be in our code? Consult the city attorney).

§50.04

(C) Certification. No permit shall be issued to connect with any water or sanitary main without approval of Council. (should this state building inspector? Council decision).

§50.05

(C) Delinquent accounts. Indicates the city clerk shall prepare the assessment roll (change to or her designee).

§50.06 Protection of Public and City. (reference this section in connection section of the code also §50.03, and §50.04).

§50.07 Sewer/Water Availability Charge. (have the city engineer review).

§50.08 Carrying Charge (change the 10% to say as set forth in city fee schedule Chapter 34).

§52.21 Determination of Sewer Services Charges. (ask engineer to see if there is a statute that can be referenced instead of all the technical).

The commission will continue review of the code, they will review through Chapter 73.

Old Business

None

Open Discussion

Member M. Boeck asked if we credit the water bill for customers who have a rain garden or other structures that address water run off? We do not. She is going to forward information regarding this, the City of Minneapolis has a program.

Adjourn at 8:42p.m.

Chair M. Ness declared the meeting adjourned at 8:42p.m.

Sharon MT Payne