



**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 19, 2021, 7:00p.m.  
30955 FOREST BOULEVARD, STACY MN**

**Call to Order**

Chair M. Ness called the meeting to order at 7:04p.m.

**Roll Call**

The following is the roll of attendees:

**Planning Commission:**

M. Ness      Present      Absent  
J. Ness      Present      Absent  
T. Sawatzky Present      Absent

**Others Present:** Dan and Liz Vierling

**Agenda**

Additions to the Agenda:

- None

Motion by J. Ness to approve the agenda as presented. Second by T. Sawatzky.

**Roll Call Vote:**

M. Ness      Yes No      J. Ness      Yes No  
T. Sawatzky Yes No

Chair M. Ness declared the motion carried.

**Approval of Minutes**

Motion by J. Ness to approve the minutes as presented. Second by T. Sawatzky.

**Roll Call Vote:**

M. Ness      Yes No      J. Ness      Yes No  
T. Sawatzky Yes No

Chair M. Ness declared the motion carried.

Planning Commission

---

**Old Business**

---

---

**Review of the City Code –  
Alcoholic Beverages**

---

The commission recommends that the city follow the state guidelines for licensing of brew pubs and distilleries, Minnesota Statute 340A.

Add the following definitions to the city code:

**TAPROOM.** Location where on-sale malt liquor produced by a brewer is available for consumption on the premises of or adjacent to one brewer location owned by the brewer.

**MICRO DISTILLERY.** A distillery located within the city producing premium distilled spirits in total quantity not to exceed 40,000 proof gallons per calendar year.

**BREWERY.** A location where malt liquor is produced.

Discussion that Micro Distillery or Brewery be located in Light Industrial; and in General Business for Taprooms.

---

**Commission Membership**

---

From the September 21, 2021, meeting:

Member J. Ness asked Attorney Mongé if the city has a problem getting members for the Planning Commission, what our options are?

The City Attorney response:

- The Council as a whole could be the Planning Commission.
- The city could permit non-residents to sit on the Planning Commission. This is a policy decision that the Council may or may not be interested in.
- The city could increase the compensation for Planning Commission Members.

---

**Certification Dates**

---

The city attorney reviewed the certification dates on the following items and confirmed they meet with the new dates for certification set forth in Minnesota Statute; below is his report:

Planning Commission

Under City Code § 53.12, storm water drainage fees in excess of 90 days past due on October 1 of any year may be certified to County Auditor for collection with real estate. This section has no requirement that fees be certified on any specific date after October 1.

Under City Code § 93.09, the City Clerk must list total unpaid special charges on or before September 1 of each year and the Council may spread the charges against the property benefitted as a special assessment for certification to the County Auditor for collection with property taxes. This section has no specific date after September 1 that the charges must be certified to the County Auditor.

Under City Code § 50.05, unpaid utility bills must be certified for collection with taxes on or before October 25 of each year. The City's utility shut-off policy notice period was changed because the state changed the cold weather rule so that the cold weather period begins on October 1. Notice must be given 30 days prior to shut-off. So, the City's utility shut-off policy requires notice of shut-off to be sent by September 1. There is nothing in City Code § 50.05 that is inconsistent with the shut-off policy. The only date in City Code § 50.05 is the date for certifying unpaid charges for collection with taxes, October 25.

Minn. Stat. § 429.101 (certification of special charges – City Code § 93.09) and Minn. Stat. § 444.075 (water; storm and sanitary sewer system charges – City Code §§ 50.05, 53.13) do not have any timing requirements. The charges could be certified for collection with taxes at any time. So, the city could change the certification dates so all are consistent. Or, under the existing City Code provisions all of the charges could be certified to the County Auditor sometime after October 1 in any year and before November 1, which I understand to be the last date the County will accept unpaid charges for certification with taxes.

The clerk's department was directed to review the city attorney's report.

Planning Commission

**City Code Review**

The members will review Chapter 150 for the next meeting.

**Open Discussion**

None

**Adjourned at 7:48p.m.**

Chair M. Ness declared the meeting adjourned at 7:48p.m.

---

Michelle N. Hayes, Finance Director