

**City of Gem Lake
Planning Commission Meeting – May 14, 2024
Meeting Minutes**

Planning Commission Chair Joshua Patrick called the meeting to order at 7:00 p.m. Commission Members Art Pratt, Derek Wippich were present. Not present were Don Cummings and Stephanie Farrell. Also present: City Planner Evan Monson, Graduate Community Planner CJ Sycks, City Attorney Kevin Beck, and Acting City Clerk Melissa Lawrence.

May 14, 2024

A motion was made by Commissioner Pratt to accept the agenda, seconded by Commissioner Wippich. Voice vote taken, all voted yes, motion carried, agenda accepted.

Minutes

A motion was made by Commissioner Pratt to approve the March 12, 2024, Planning Commission Meeting minutes, seconded by Commission Chair Patrick. Voice vote taken, 2 in favor, Commissioner Wippich abstained because he was not present at the March Council meeting, motion carried, minutes are approved.

Public Hearings

None

Old Business

None

New Business

Ordinance No. 68 and 115 Tobacco Discussion

City Planner Evan Monson presented the Commission with a draft revision of Ordinance No. 68 Tobacco that included the incorporation of Ordinance No. 115 Penalties for Violation of Tobacco Ordinance. Ordinance No. 68 was adopted in 1998. The 2010 amendment, Ordinance No. 115, has been incorporated into Ordinance No. 68 and has been reformatted to be consistent with other city ordinances. This ordinance regulates the sale, distribution, possession, and use of tobacco and tobacco related devices, and the penalties for violation.

In 2019, the former President signed legislation to change the minimum age for tobacco and nicotine sales and use from 18 years old to 21 years old. The legislation is referred to as “Tobacco 21” or “T21”. In August 2020, Minnesota strengthened T21 by allowing local governments to conduct compliance checks. The proposed Ordinance No. 68, including the T21 State legislation and changes, are listed in Table 1 of the TKDA May 14, 2024, Gem Lake Planning Commission Memorandum attached.

The Commission discussed the suggested ordinance revisions and would like to forward the document along to the City Council for approval based on the edits made by the City Planner and staff with the reference of “minor(s)” being removed all together and the suggestions of City Lawyer Kevin Beck.

Commissioner Pratt introduced a motion, seconded by Commissioner Wippich. Voice vote taken, all in favor, motion carried.

Ordinance No. 09, 65, and 116 Liquor Discussion

City Planner Evan Monson suggested that the Commission table the discussion on the liquor ordinances until the June meeting to give himself and Graduate Community Planner CJ Sycks a chance to make the requested additional changes and consolidation of the existing liquor ordinances by the Acting City Clerk Melissa Lawrence.

Commissioner Pratt introduced a motion to table the discussion on liquor ordinances, seconded by Commissioner Wippich. Voice vote taken, all in favor, motion carried.

Ordinance No. 60 and 117 Charitable Gambling Discussion

City Planner Evan Monson presented the Commission with a draft version of Ordinance No. 60 Charitable Gambling that included the incorporation of Ordinance No. 117 Increase of Charitable Giving. Ordinance No. 60 was adopted in 1991. The 2010 amendment, Ordinance No. 117, has been incorporated into Ordinance No. 60 and has been reformatted to be consistent with other city ordinances. The amendments are shown in the proposed Ordinance. This ordinance regulates the operation and sale of gambling devices in on-sale liquor establishments.

The Commission discussed the suggested ordinance revisions / incorporations and would like to forward the document along to the City Council for approval based on the edits made by the City Planner.

Commissioner Wippich introduced a motion, seconded by Commissioner Pratt. Voice vote taken, all in favor, motion carried.

Fee Schedule Suggested Changes

Acting City Clerk Melissa Lawrence summarized to the Commission the reason for fee schedule updates. While at the time this was added to the agenda it was to incorporate fees listed within the ordinances discussed during the meeting, but Mrs. Lawrence spoke to Ms. Sycks prior to the meeting earlier in the day about the suggested changes and provided her with an updated fee schedule. The changes suggested by TKDA staff regarding fees was no longer relevant as the City looks to the City of White Bear Lake for administrative offenses pertaining to liquor and tobacco as they are the ones to issue the penalties and conduct the compliance checks. The one suggested change by TKDA staff that was kept was the change to the investigation fee for a new on-sale liquor license, which was changed to actual cost. All ordinances discussed earlier will include a reference to the most recent fee schedule for fees.

The Commission discussed the suggested fee schedule updates and would like to forward the document along to the City Council for approval based on the edits made by the City Planner.

Commissioner Pratt introduced a motion, seconded by Commissioner Wippich. Voice vote taken, all in favor, motion carried.

Open Items for Commission Members to Bring Up

Graduate Community Planner CJ Sycks asked if the Commission had any other ordinances that they would like to go over throughout the year. Commission Chair Patrick stated that he would like to see Ordinance No. 124B Hunting & Discharge of Weapons to be reviewed at a future meeting. Mr. Patrick would like to look at adding language regarding archery turkey hunting within the city. Mr. Patrick shared that at this time the state only allows one (1) bearded turkey to be taken in the spring.

Future Meetings

City Council Meeting, Tuesday, May 21, 2024, at Heritage Hall, and Planning Commission Meeting, Tuesday, June 11, 2024 at Heritage Hall.

Attendance Inquiry

Commissioner Chair Patrick surveyed the Commission to see if any of the members would have any issues attending the June 11, 2024, meeting. At this time those in attendance will all be at the next meeting.

Adjournment

Being there no further business, following a motion from Commissioner Pratt, seconded by Commissioner Wippich, the meeting adjourned at 7:40 p.m.

Respectfully submitted, Melissa Lawrence