



**Approved**  
**1/9/24**

**MEETING MINUTES**  
**CITY COUNCIL**  
**December 12, 2023**

**Present:** Mayor Gustafson, Council Member Rivers, Battles, and Meyers, Dresel

**Absent:** None

**Staff:** City Administrator Pechman, City Attorney Doran, Associate Planner Nelson, City Engineer Guzik, Chief Police Schlumbohm, Finance Director Gemuenden

**Public Attendance:** Leilani Freeman, Micheal Cathcart, Alisa Ridler

**REGULAR MEETING-CALL TO ORDER 6:30**

Mayor Gustafson called the meeting to order at 6:30 p.m.

**1a. "Pledge of Allegiance"**

The Pledge of Allegiance was recited.

**Action**

**1b. Roll Call**

All members present.

**Action**

**AGENDA**

Mayor Gustafson asked for approval of the agenda.

Administrator Pechman would like to add item 7d. CLJSTC Authorizing General Obligation bond.

Council Member Rivers made the motion to approve the agenda, Council Member Battles seconded, all in favor, all ayes, motion carried.

**CONSENT AGENDA**

**3a. Minutes of November 28, 2023**

**Action**

**3b. Committee Reports**

**Discussion**

Mayor Gustafson asked for a motion to approve the consent agenda.

Council Member Dresel made the motion to approve the consent agenda, Council Member Rivers seconded, all in favor, all ayes, motion carried.

Council Member Dresel stated at the Cable Commission meeting Jack Doepke is retiring from the Cable Commission and a new representative for it has been appointed.

**PUBLIC COMMENT/AGENDA PLACEMENT**

None.

**PETITIONS, REQUESTS, COMMUNICATION**

**5a. City Council 1<sup>st</sup> Meeting 2024 – January 9**

Administrator Pechman stated the organization meeting on January 9, 2024.

Council Member Rivers made the motion to change the meeting, Council Member Meyer seconded.

Council Member Dresel stated he will be out of town and unable to attend.

Mayor Gustafson said there is a motion on the table all in favor, all ayes, motion carried.

**PUBLIC HEARING**

None.

**NEW BUSINESS**

**7a. Adoption of 2024 Final Tax Levy – 23-12-01 & Adoption of 2023 Final Budget – 23-12-02 Action**

Finance Director Gemuenden stated the City Council had approved the property tax levy for payable 2024. It was certified to the County Auditor on September 30, 2023. Tonight, a public meeting is being held in accordance with State Law, at which time the proposed levy and budget are to be presented for public review and comment. The Final 2024 Levy must be approved by Resolution. The 2024 Budget must also be approved. Upon approval, the Final Levy for 2024 must be certified to the County Auditor on or before December 28, 2023. Staff recommends approval of 2024 Levy and Budget. The preliminary levy was \$3,751,982. The amount of the final levy has slightly decreased based on a \$3,995 abatement term that came due in 2023, making the final tax rate 33.688% (a decrease in tax rate of approximately 5.77% from the 2023 Budget). The abatement should not be levied for 2024.

Council Member Dresel made the motion to approve resolution 23-12-01, Council Member Rivers seconded, all in favor, all ayes, motion carried.

Council Member Dresel made the motion to approve resolution 23-12-02, Council Member Meyers seconded, all in favor, all ayes, motion carried.

**7b. Tobacco License – 29575 Sportsman Drive**

**Action**

Administrator Pechman stated staff was contacted by Courtney Kjala inquiring about a tobacco license at 29575 Sportsman Drive, the strip mall on Sportsman and Highway 8. She has submitted her application along with fees. Lakes Area Police Department completed a background. Per City Ordinance Chapter 175 no sale of tobacco, tobacco products or tobacco related devices without first obtaining a license to do so from the city. Lakes Area Police has expressed concern with the approval of a tobacco license with the main concern being – duration of time to get background information, misleading information on the application and ties to other license holders who have had similar licenses suspended or revoked.

CITY COUNCIL MINUTES

December 12, 2023

Page 3 of 4

Council Member Dresel made the motion to deny the application, Council Member Rivers seconded, all in favor, all ayes, motion carried.

**7c. Continuation - 8920 275<sup>th</sup> St. – Solar Farm IUP**

**Action**

Associate Planner Nelson stated Michael Cathcart of Sunrise Energy Ventures has applied for an Interim Use Permit (IUP) at the address 8920 275<sup>th</sup> Street Chisago City, MN 55013 PID # 13.10238.00. The IUP is for a period of 25 years. He is requesting to install and operate a 5 megawatt (MW) community solar grade. The plan is showing the CSES that is asking for three variances. One of the variances requested is to not install an 8-foot berm around the entire perimeter of the solar system. The applicant is proposing to install an 8-foot berm with plant screening near the southwest corner of the property, which is approximately 1,920 linear feet. It is showing roughly 1,400 feet to the north and 520 feet along the south property line. The applicant is proposing to install an 8-foot berm with plant screening near the east side of the property, which is approximately 1,400 linear feet. They are proposing plant screening along the north property line. The plant screening would include planting one row of coniferous. The spruce trees are 6 to 8-feet high at planting and will mature to 12 ft high or higher and planted in a staggered row 8-feet on center. The dogwood would mature to 4-feet high and planted at 15-feet apart on center. The height of the ground mounted solar system is 12 feet high at maximum tilt. In addition to screening the proposed solar the applicant would also screen the existing solar from the public roadway. This screening would include 6-8-foot-tall spruce trees, that will mature to 12 feet or taller in a single row creating 1,400 feet of screening additional screening.

Michael Cathcart stated a small portion at the very northern will be a little narrower; the rest will be the 8 foot.

Alisa Ridler 8758 275<sup>th</sup> Street the berm should extend to the end of the property line on the west side of the proposed project.

Mayor Gustafson stated he is requesting denying the solar.

Council Member Dresel stated there are no engineered plans which is why this had been tabled. Staff had requested this and it has not been completed.

Council Member Rivers stated how long would it be to get the engineers drainage plan.

Michael Cathcart stated the full plans are not completed at this point because there is a large amount that goes into it.

Mayor Gustafson stated there is a motion on the table; Council Member Dresel seconded for discussion.

Council Member Rivers asked what happens when this is approved, and the plans don't come back to the specifications of the council. Rivers stated we need to have something to see to approve it.

Michael Cathcart said when a building permit is applied for all the engineering will be completed.

Council Member Battles asked when does the water flow go from this project?

Associate Planner Nelson stated yes it would be with the building plans.

Council Member Dresel asked when we would see this.

Attorney Doran stated before them tonight there is an IUP and when it is approved there is nothing that requires the building permit and engineering to come back to the city council.

Council Member Rivers said we would like to have the engineering done prior to approval is her understanding.

CITY COUNCIL MINUTES

December 12, 2023

Page 4 of 4

Council Member Dresel said we had gone through this before and this was one of the requirements we had said before we would approve it. Because if we approve the IUP before the requirements are meet, we are setting staff up for a fight with the requirements being meet.

Council Member Rivers asked if there is any way they can do a preliminary engineering plan.

Michael Cathcart said he is unsure because he is not an engineer and they typically have not been required to have this before the IUP being granted.

Council Member Rivers asked if there is money set aside for the project if needed.

Council Member Dresel said there is an escrow for the project.

Michael Cathcart said there is the berms in the plan but the storm water management plans are not included. They typically can get the engineering plans done in approximately 4 weeks but he cannot commit to anything.

Mayor Gustafson stated he wants to make sure the screening does make the solar garden not be seen.

Mayor Gustafson asked for a vote on the motion, being one for and four against the motion has died.

Council Member Meyer made the motion to approve, Council Member Rivers seconded.

Council Member Dresel would like to see double row of trees plus shrubs on the berming north end and the back corner done as well and added to the approval. Dresel shows on the plan where it is to be done. If there are any discrepancies with the plans and the engineering drawing it will follow what the staff says is to be changed; staff will have authority.

Attorney Doran stated once the engineering plans are received, they can come back to the council for review.

Mayor Gustafson said there is a motion on table, all in favor, all ayes, motion carried.

**7d. CLJSTC Authorizing General Obligation Bond**

Administrator Pechman stated the Sewer Commission under the renewal water plan for capital improvement plan. to issue its general obligation bonds or notes for the purpose of financing the cost of capital improvements to the Issuer's sewer system.

Council Member Dresel made the motion to approve resolution 23-12-03, Council Member Rivers seconded, all in favor, all ayes, motion carried.

**UNFINISHED BUSINESS**

None.

**ADJOURN**

Council Member Meyer made the motion to adjourn, Council Member Rivers seconded, all in favor, all ayes, motion carried.

Respectfully Submitted by:  
Paula Oehme,  
Deputy City Clerk