

**MINUTES
CITY OF LONSDALE
REGULAR PLANNING & ZONING COMMISSION MEETING
FEBRUARY 26, 2024**

1. CALL TO ORDER

J. Kodada called the meeting to order at 6:49 pm in the Council Chambers at 415 Central Street West.

2. PLEDGE OF ALLEGIANCE

Everyone stood and recited the pledge of allegiance.

3. ROLL CALL

Members Present: Jim Fried, Jeremy Brainerd, Joe Kodada, Mark Ward, Lance Benninghoff, and Council Member Kevin Kodada

Members Absent: None

City Staff Present: City Administrator Joel Erickson, Public Works Director Joe Dornfeld, and Community Development Planner Cory Hinz-Ibarra

4. APPROVAL OF AGENDA

J. Kodada asked if anyone had any additions, deletions, or corrections to the agenda. A motion was made by Fried and seconded by Ward to approve the agenda as presented. Vote for: Fried, Brainerd, J. Kodada, Benninghoff, and Ward; Against: None. Vote: 5-0. Motion carried.

5. APPROVAL OF MINUTES FROM THE JANUARY 22, 2024 REGULAR MEETING

J. Kodada asked if anyone had any additions, deletion, or corrections to the minutes. A motion was made by Ward and seconded by Benninghoff to approve the minutes from the January 22, 2024 Regular Meeting. Vote for: Fried, Brainerd, J. Kodada, Benninghoff, and Ward; Against: None. Vote: 5-0. Motion carried.

6. PUBLIC HEARINGS

- a. Ordinance 2024-325, an Ordinance Enacting & Adopting a Supplement (S-12) to the Code of Ordinances for the City of Lonsdale, Minnesota and Declaring an Emergency
J. Kodada opened the Public Hearing for Ordinance 2024-325, an Ordinance Enacting & Adopting a Supplement (S-12) to the Code of Ordinances for the City of Lonsdale, Minnesota and Declaring an Emergency. No public comments were received prior to or at the Public Hearing.

J. Kodada recommended closing the Public Hearing. A motion was made by Brainerd and seconded by Ward to close the Public Hearing for Ordinance 2024-325. Vote for: Fried, J. Kodada, Ward, Benninghoff, and Brainerd; Against: None. Vote: 5-0. Motion carried.

7. PRESENTATION OF CITIZEN PETITIONS AND COMMENTS

None

8. APPROVAL OF CONSENT AGENDA

None

9. OLD BUSINESS

None

10. NEW BUSINESS

- a. Consider Approval of Ordinance 2024-325, an Ordinance Enacting & Adopting a Supplement (S-12) to the Code of Ordinances for the City of Lonsdale, Minnesota and Declaring an Emergency

Hinz-Ibarra said based upon the Public Hearing from earlier in the meeting, Staff is requesting the Planning & Zoning Commission recommend approval of Ordinance 2024-325 to the City Council for their consideration at the February 29, 2024 meeting. Hinz-Ibarra informed the Commission that no public feedback was received prior to or at the February 26, 2024 Planning & Zoning Meeting.

A motion was made by Fried and seconded by Benninghoff to approve Ordinance 2024-325. Vote for: Fried, J. Kodada, Ward, Brainerd, and Benninghoff; Against: None. Vote: 5-0. Motion carried.

- b. Discuss and Approve Ordinance Amendments to Chapter 112: Tobacco Regulations and City of Lonsdale Tobacco / Tobacco Related Devices / Electronic Delivery Devices and the City of Lonsdale Tobacco / Tobacco Related Devices / Electronic Delivery Devices Application

Erickson said the proposed updates to City Code Chapter 112: Tobacco Regulations include complying with the Minnesota State Statute legal age to purchase tobacco, tobacco related devices, and delivery devices to 21. Erickson said the proposed amendments included the addition of tobacco related devices, delivery devices, and updates to Section 112.07 Self Service Sales. Erickson summarized Section 112.09 Compliance Checks and Inspections and clarified to the Commission that the legal age to purchase tobacco, tobacco related devices, and electronic delivery devices is 21 years of age. Erickson said the City of Lonsdale issues four tobacco licenses annually to repeat businesses within City limits. Ward questioned why the ordinance needs to be approved when the State already has the regulations in statute. Erickson said the City should have an ordinance due to sales and enforcement.

A motion was made by Fried and seconded by Benninghoff to recommend approval of Ordinance 2024-326 and the City of Lonsdale Tobacco / Tobacco Related Devices / Electronic Delivery Devices Application to the City Council. Vote for: Fried, J. Kodada, Brainerd and Benninghoff; Against: None. Abstained: Ward; Vote: 4-0-1. Motion carried.

- c. Consider Approval to Schedule a Public Hearing on March 18, 2024 at 6:45 pm or Shortly Thereafter for Ordinance 2024-326, Amending City Code Chapter 112: Tobacco Regulations

Erickson said after reviewing and approving recommend changes to City Code Chapter 112: Tobacco Regulations earlier in the meeting, the next step is to schedule a Public Hearing on March 18, 2024 at 6:45 pm or shortly thereafter for Ordinance 2024-326, Amending City Code Chapter 112: Tobacco Regulations.

A motion was made by Benninghoff and seconded by Brainerd to approve to schedule a Public Hearing on March 18, 2024 at 6:45 or Shortly Thereafter for Ordinance 2024-326. Vote for: Fried, J. Kodada, Brainerd, Ward, and Benninghoff; Against: None. Vote: 5-0. Motion carried.

- d. Project Updates – Minnesota Department of Transportation TH 19 Corridor Study

Erickson summarized the Minnesota Department of Transportation (MnDOT) TH 19 Corridor Study and informed the Commission that the report will be presented to the City Council at the February 29, 2024 meeting by representatives from MnDOT and WSB. Erickson said the proposed parking, trail /sidewalk locations, and connectivity points can be adjusted. Erickson said the TH 19 Project is in the final planning phases and construction is proposed for 2030. Erickson said incorporating a trail connection from 8th Ave NE to 15th Ave SE to account for the new City Hall/library will need to be discussed.

11. OTHER BUSINESS

None

12. ADJOURNMENT

A motion was made by Fried and seconded by Benninghoff to adjourn the meeting at 7:28 p.m. Vote for: Fried, J. Kodada, Ward, Brainerd, and Benninghoff; Against: None. Vote: 5-0. Motion carried.

Respectfully Submitted:

Cory Hinz-Ibarra, Community Development Planner