

On Tuesday, July 11, 2023, Mayor Dave Johannes called to order the public hearing for the variance request of having ducks. The meeting started at 6:00 PM at Stockton City Hall with council members Brian Koetz, Mark Potter and Carissa Blagborne in attendance. Lisa Gibbs was not in attendance.

Doug & Amanda Kelley had requested the variance to allow 2 ducks on their property.

Residents discussed that since they got the ducks first and asked for second, people can get any animal and ask for forgiveness later. And if the Council does give the variance, how far will the council go for the next person that requests a different non-domestic animal. Discussion was held on which cities do allow ducks, and why the city decided to disallow other non-domestic animals.

Since a variance needs to pass by an undue hardship (reasonableness, uniqueness of space and not alter the essential character of the area), which the Kelley's do not have.

Mayor Johannes pointed out that complaints are confidential for fear of reprisal or retaliation.

A resident asked that the Chicken Ordinance be changed to allow ducks but have the animal count stay the same.

Since their backyard faces John Bronk's property he is willing to allow them to house the ducks there.

Carissa Blagborne made a motion to close the public hearing; with a second from Mark Potter. Motion passed; public hearing was closed at 6:30 PM.

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On Tuesday, July 11, 2023, Mayor Dave Johannes called to order the Stockton City Council meeting at Stockton City Hall at 6:30 PM. Council members in attendance were Brian Koetz, Carissa Blagborne and Mark Potter. Lisa Gibbs was not in attendance.

The Pledge of allegiance was said.

Public Voice Forum: Dave Mueller asked to have a culvert extension to park his camper on, Mark Potter made a motion to extend it by 10-feet and to discuss it with Chad. Brian Koetz seconded the motion; motion passed.

- Bill Tesky stated that Ron Palmer has moved out of 8530 Garvin Brook Drive and there is no maintenance being done on the property, Council requested a certified letter be given.
- Willie Wehlage asked about the cemetery gate, some people cannot open the gate because it's too hard to open, and it's usually open all summer.

Brian Koetz made a motion to accept the agenda; seconded by Mark Potter. Motion passed.

Dave Johannes made a motion to accept the financial report and to pay all bills. Motion seconded by Mark Potter; motion passed.

Brian Koetz made a motion to accept the June 13, 2023, public hearing, and council meeting minutes. Motion seconded by Carissa Blagborne; motion passed.

#### **OLD BUSINESS**

- **Variance Request for ducks:** Mark Potter asked if John Bronk gave permission to move the ducks onto his property, and if he did then the Council wouldn't need to make a decision since they would be out of the City limits. Mark Potter made a motion to deny the variance since no there is no hardship; Carissa Blagborne seconded the motion. Motion passed unanimously. Mark Potter asked to have the Chicken Ordinance amended to include ducks for the next council meeting to discuss. The council agreed that since the Kelley's are in violation, they will need to move the ducks to John Bronk's property once a letter from the City about

the denial has been received. They also felt that moving the duck enclosure would be enough of a violation fee.

#### **NEW BUSINESS**

- **Girl Scout Project:** Girl scout Troop #44647 presented a silver award project of 2 movable benches for the volleyball, basketball or ice rink areas and a wooden tree bench to go around the shade umbrella at Hinton Park. Total cost would be around \$980. Mark Potter made the motion to accept the donation of benches; seconded by Carissa Blagborne. Motion passed.
- **Donate \$1500:** SAPG donated \$15,000 to the city, which needs to give away 10%. Dave Johannes made a motion to donate \$500 to Girl Scout Troop #44647; motion seconded by Carissa Blagborne. Motion passed. The council will still need to give away \$1000 at the next council meeting.
- **Racetrack complaint:** A complaint was received about the remote-control car racetrack at 8810 E. 9<sup>th</sup> Street. PA loudspeaker can be heard houses away, there are 50 or more people going through other's people yards with dogs not on leashes, and excess materials laying the yard. Brian Kugel is the next-door neighbor that helped with making the racetrack at Trevor Daily's house. They did change the PA system to make it quieter, and lowered the volume, they don't have 50 people coming but about 39 total and are trying to make it a family affair to have a good time. The Council will need to look at the ordinances and see if the Clerk can consult the LMC to discuss the problem. Pinter's were in attendance (4 houses away) and said that since the volume and PA has changed, they can't hear anything anymore.
- **Change the August meeting:** Because the Special commissioner election is being held on Tuesday, August 8<sup>th</sup>. Dave Johannes made the motion to move the Council meeting to Wednesday, August 9, 2023. Motion seconded by Brian Koetz; motion passed.

#### **CITY MAINTENANCE**

- The new pumps are in on the main lift station and generators are close by, it's been located by Gopher State one call to have them installed.
- Rip Rap at ponds will begin at the end of July.
- MHP flushing won't be done since MHP does their own, but Chad will notify Dave McCorquodale when he does the one, he needs to do.
- Dave discussed having the culvert redone between 81010 and 81030 E. 9<sup>th</sup> Street, as it needs to be dug out of silt and more rock laid.
- Chad stated that down below the dam a tree fell on the electric line since the beaver is starting to wreak havoc, power company will not do anything but would be willing to cut the electric if the city wants to cut the tree. Since the tree is not on City property, the property owner would need to have it taken down.

Mark Potter made a motion to close the Stockton City Council meeting, with a second from Brian Koetz. Motion passed unanimously; meeting adjourned at 7:30 PM.