



**MINUTES OF THE PROCEEDINGS OF THE CITY
COUNCIL OF THE CITY OF STACY IN THE COUNTY OF
CHISAGO AND THE STATE OF MINNESOTA PURSUANT
TO DUE CALL AND NOTICE THEREOF**

**REGULAR MEETING
OCTOBER 14, 2014, 7:00p.m.
STACY CITY HALL**

Call to Order

The Stacy City Council met in regular session and was called to order by Mayor Utecht at 7:00p.m.

Roll Call

Present: Jim Ness, Charles Lucia, Mark Utecht, and Cindy Bruss
Absent: Michael Carlson
Others Present: Anne Thom, Ted Alliegro, Mark Statz, Nancy Grossman, Michelle Kok, Paul Vogel, Cindy Vogel, and public not identified.

Additions to the Agenda

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- Swimming Pool Ordinance
- Utility Account Delinquency and Late Fees
- Update on Water Treatment Facility
- Sunrise Mobile Home Park Ditch on Fir Trail

Motion by Ness to approve the agenda as amended. Second by Utecht. Ness, Utecht, Lucia, and Bruss voted yes. Mayor Utecht declared the motion carried.

Public Comment

Michelle Kok:

Ms. Kok reported that having the speed sign did help with the speeding on 302nd Street; however, since the removal of the sign the speeding has increased. She and other neighbors are still working on funding of speed bumps. She would like to see the speed limit reduced to 15-20mph.

Consent Agenda

Motion by Ness to approve the consent agenda. Second by Utecht. Ness, Utecht, Lucia, and Bruss voted yes. Mayor Utecht declared the motion carried.

Staff Reports

City Attorney

Ted Alliegro

**Sub-Contractor Agreement
for Legal Services**

Motion by Ness to authorize the city clerk to sign the sub-contractor agreement for legal services. Second by Lucia. Ness, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

Speed Limits in Residential

Minnesota State Statute establishes speed limits. The city can, if certain criteria are met, reduce the speed to 25mph from 30mph.



The state would conduct a speed study to determine if a reduction in the speed is warranted; they control speed to maintain consistency throughout the state.

Mr. Statz said that most cities rely on enforcement; studies show that speed bumps and signage do not work. However the signs that show your speed have shown to work.

Mayor Utecht said that as he understands it there is no way under Minnesota law to reduce the speed limit under 25mph.

Member Ness said that the city has attempted to have the speed reduced by the Doyle Building and have been denied 4-5 times over the years.

The maintenance department will assure that the speed limits signs are properly posted; then contact the sheriff's office to enforce.

No Parking on County Road 19 and CSAH 30

Motion by Ness to table until next month and have the maintenance supervisor measure distances for the no parking areas and talk with the county regarding no parking signs. Second by Utecht. Ness, Utecht, Lucia, and Bruss voted yes. Mayor Utecht declared the motion carried.

Schauer's Assessment Role

Property located at 30683 Forest Boulevard, PID 19.00091.00, entered into an agreement, dated August 14, 2012, with the city for payment of improvements related to city water and sewer connection. No payments have been made as part of the agreement.

Motion by Utecht to approve Resolution Number 2014-10-1, Resolution Approving Proposed Assessment," and authorize the Mayor and City Clerk to sign. Second by Ness. Utecht, Ness, Lucia, and Bruss voted yes. Mayor Utecht declared the motion carried.

Foxtail Woods Plat 5 – PUD Agreement

No further action is required until June 10, 2015, at that time if no action is taken the council should consider voiding the final plat.

Joint Powers Agreement

Motion by Utecht to authorize the clerk and mayor to sign the Joint Powers Agreement. Second by Ness. Utecht, Ness, Lucia, and Bruss voted yes. Mayor Utecht declared the motion carried.

Frontage Avenue Gap

Mr. Alliegro reported that Mr. Grundhoefer met with Gary Anderson, Assistant County Surveyor, and Joe Triplett, Assistant County Highway Engineer. Further research will be conducted; Mr. Triplett did express interest in taking over some part of the project.

The council would like the city engineer to be part of the process.

Mr. Vogel asked where does it proceed from here?

Mayor Utecht indicated that the ownership of the gap needs to be determined; and then the city can pursue use or purchase of the property. No clear records exist as to who owns the property it was once owned by the state as part of old Highway 61.

City Engineer

Mark Statz

Sidewalk at the Stacy Sports Grill

Mr. Statz reported that he received a response from the County Engineer who concurred with the city's recommendation, determined at the last council meeting, to repair the sidewalk at the Stacy Sports Grill. However, the work may not be able to be done until the Spring.

Letter of Credit Reduction – Kwik Trip and Dollar General

Mr. Statz said that no formal request from either Kwik Trip or Dollar General have been received requesting a reduction in their letter of credit. He has reviewed both sites and determined that a reduction to \$50,000 of both letter of credits would be appropriate as both are substantially complete.

Motion by Utecht to reduce the letter of credit for both the Kwik Trip and Dollar General to \$50,000, once the city receives an official request; based on the city engineer's recommendation. Second by Ness. Utecht, Lucia, Ness, and Bruss voted yes. Mayor Utecht declared the motion carried.

Water Treatment Facility

Mayor Utecht expressed his disappointment in reference to receipt of a letter from USDA regarding the PER Review for the water improvement project; he feels that it's just engineers drawing out the process. Stantec is the expert – now there is another round of "what if's" and "what not's".

Mr. Statz indicated he was also disheartened by the letter; however indicated they have responded to all the comments and received a verbal agreement with USDA. No official concurrence has been received though. He assured the council that Stantec is also anxious to get this project moving forward.

Sunrise Mobile Home Park Fir Trail

The installation of a culvert and ditch work on Fir Trail (road located south of the mobile home park); created concern if it is being done properly. The city engineer and building inspector were directed to address.

Kwik Trip

Member Ness expressed concern that the sewer line at the Kwik Trip already needed to be jetted; he would like this reviewed to make sure that it is not a recurring thing.

Mr. Statz noticed that there were lights on the south side of the canopy, per agreement are not allowed; he addressed with the Kwik Trip and they have handled.

City Clerk

Sharon Payne

Rustic Inn – Liquor License Renewal

Motion by Ness to approve the renewal of the Rustic Inn liquor license contingent upon receiving all the necessary documents. Second by Lucia. Ness, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

The clerk was also directed to have Ms. Pavek provide a map indicating the consumption area; assure all areas identified such as deck and tent event area.

Utility Report

Delinquent Accounts:

The city code indicates:

§ 50.05 ACCOUNTING, BILLING AND COLLECTING.

(C) Delinquent accounts. All charges for water and sewer service shall be due on the monthly due date specified by the city for the respective account and shall be delinquent 30 days thereafter.

§ 51.59 CARRYING CHARGE.

All accounts which remain unpaid 30 days after they become due shall be subject to a 10% monthly carrying charge, along with a monthly administrative fee in the amount set forth in the city fee schedule.

§ 52.23 ADMINISTRATION.

(D) Bills for sewer service charges shall be rendered on a monthly basis succeeding the period for which the service was rendered and shall be due by the end of the month in which they are billed.

The clerk explained this means that the bills are due the end of the month they are billed and late fees don't apply for another 30 days. For example due October 31 late fees apply November 30; utility customers are saying then they do not have to pay for 60 days before late fees apply.

Motion by Utecht to direct the city attorney to amend the ordinance to accomplish the goal of having 30 days to pay and then late fees apply immediately after they are due. Second by Ness. Utecht, Ness, Lucia, and Bruss voted yes. Mayor Utecht declared the motion carried.

To summarize bills are due on the last day of the month in which they are billed. Late fees apply the next day or in essence the first of the month.

Post Card Bills:

Member Ness said that people are unhappy with the post card bills; that everyone can see their information. The clerk indicated that the data on the bill is all public.

The clerk was directed to prepare a cost analysis of envelope mailings vs. post card mailings; show both on a monthly and an annual basis.

The city's credit rating went from an A+ to an AA-; Doug Green of Springsted noted "Congratulations on this affirmation of the City's strong financial condition and management practices." The AA- places Stacy in the Very Strong Creditworthiness category. Mr. Green's report also indicated that cities with an AA- credit rating typically have a population of 4,960. Stacy's population is 1,436.

**Springsted Memo –
Standard & Poor's Credit
Rating Memo**

Committees Commissions

Planning Commission

Swimming Pool Ordinance

This item handled out of order by motion of Ness. Second by Utecht and carried.



Motion by Ness to table until the next meeting for clarification by the Planning Commission. Second by Utecht. Ness, Utecht, Lucia, and Bruss voted yes. Mayor Utecht declared the motion carried.

Old Business

Foxtail Woods – Portable Speed Bumps

This item handled out of order by motion of Utecht. Second by Ness and carried.

Mayor Utecht said that it doesn't sound like the temporary speed bumps is something the residents want to pursue at this time; they indicated that was true, they are trying to come up with fund-raising ideas.

The city engineer will provide a study regarding speed bump effectiveness at the next meeting. Mr. Statz also recommends consultation with the fire department. Also he cautioned that some residents may not want the speed bumps. The council indicated that everyone in the neighborhood would be notified about the intended project and given an opportunity to attend a meeting to discuss.

Security Cameras – Quote SC Plus

Mayor Utecht would like to thank Brice for providing the quotes that meet the goals set by the council.

Mayor Utecht would like to continue investigating; see if the sheriff's department thinks this will work; also Mr. Sayouri will be contacted to see what he can come up with financially. Ultimately, the council can then act based upon the facts and proposed city cuts.

Sunrise Auto

Sunrise Auto claims ownership in a portion of the Stacy Sports Grill property. The city offered the owner of the Sunrise Auto \$2,500 for the property; he did not reply to the offer.

Motion by Ness if Sunrise Auto does not accept the \$2,500 offer by November 1, 2014, then begin the quiet title proceedings. Second by Utecht. Ness, Lucia, and Bruss voted yes. Utecht voted no. Mayor Utecht declared the motion carried.

New Business

A Brush with Kindness

This item handled out of order by motion of Utecht. Second by Ness and carried.

Ms. Nancy Grossman was present representing "A Brush with Kindness." The organization partners with low-income families who need assistance with minor repairs, painting, and other home maintenance. It is an offshoot of Habitat for Humanity. They are funded by grants and church contributions. The funds are used for materials and the work is done by volunteers.

Ms. Grossman asked if the city would consider waiving the building permit fee on a case by case basis; some property owners don't have the funds for the permit. The City of Taylors Falls waived the permit fee for a property; so she thought it would be beneficial to find out if this something

that can be considered. The council agreed to review on a case by case basis based on need.

Mayor/Council

**Glass Washer – Stacy
Sports Grill**

The glass washer at the Sports Grill was repaired for a cost of \$1,200; Ms. Dahle contacted the Mayor regarding the purchase of a new washer. Mayor Utecht directed her to find out the life of the washer; It is ten years. The council would like to see additional quotes. Member Lucia would like to look at the glass washer.

Sports Grill Security

Ms. Dahle reviewed the security at the Sports Grill; Mayor Utecht told her not to prepare a report for the council but to speak with her directly. This will assure information does not end up out in the public.

302nd Street

Member Ness said that law enforcement needs to enforce the speed limit on 302nd street; the fact that we have to tell them frustrates him.

Adjourned at 9:40m

Mayor Utecht declared the meeting adjourned at 9:40p.m.

Sharon MT Payne