



**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  
NOVEMBER 12, 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 Michael Carlson  
**Absent:** Cindy Bruss  
**Others Present:** Anne Thom, Ted Alliegro, Phil Gravel, Paul Vogel, Cindy Vogel, Brad Schroeder, Tony Olivolo, and Bob Still

**Additions to the Agenda**

Additions to the Agenda:

- Annexation
- Stacy Self Storage – Storm Water Drainage
- Plow Repair
- Sidewalk at Sports Grill

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

**Public Comment**

None

**Consent Agenda**

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

**Staff Reports**

**City Attorney**

**Ted Alliegro**

**Frontage Avenue Gap**

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

Mr. Alliegro stated there is no update on this item.

**Water & Sewer Billing  
Delinquency Ordinance**

Motion by Ness to approve:

1. Ordinance Number 2014-11-1, "An Ordinance Amending Subsection 50.05 (C) of Chapter 50 of the City Code of the City of Stacy Amending Delinquent Accounts."
2. Ordinance Number 2014-11-2, "An Ordinance Amending Subsection 53.23(D) of Chapter 52 of the City Code of the City of Stacy Amending Late Payments."



3. Ordinance Number 2014-11-3, "An Ordinance Vacating Subsection 51.59 of Chapter 51 of the City Code of the City of Stacy and Establishing 50.08, Carrying Charge in its Entirety."

Second by Carlson. Ness, Carlson, Lucia, and Utecht voted yes. Mayor Utecht declared the motion carried.

**Sunrise Auto Quit Title Action**

The council directed Mr. Alliegro to move forward with quit title action.

**Speed Limits in Residential**

Mr. Alliegro stated that he reviewed statute and determined that a city can designate residential roadways in the city, which does not have to be on all roads. He forwarded this information on to the City Engineer for review. Mr. Gravel concurred with Mr. Alliegro's findings. The city could then designate these roads at a 25mph speed limit.

Mayor Utecht asked the council if they had an opportunity to review Captain Hoppe's report regarding the traffic observations in Foxtail Woods; they indicated they had. Mayor Utecht said that he doesn't feel that reducing the speed to 25mph from 30mph will accomplish what the residents want. Many of the speed limits on Mr. Hoppe's report were under 25mph.

Member Carlson said that in Sherman Oaks the speed is not necessarily the issue but what is being done at that speed, such as sliding sideways, or kicking up dirt that is the concern.

The portable speed bumps may be an option to address the concerns expressed by the residents in Foxtail Woods. They need to provide the city with a commitment as to what they can provide financially for the project. Then the city will review further.

The clerk was directed to send Mr. Hoppe's report to the residents (those who expressed concern).

**Storm Water Drainage – Stacy Self Storage**

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

Mayor Utecht expressed concern discussing this item in an open meeting as there is possible threat of litigation. Mr. Alliegro concurred.

Mr. Alliegro recommends sending this to the firm being sub-contracted by his office, due to time constraints. The council concurred.

Bob Still of Royal Concrete asked for interpretation of City Code Section 153.053 (B)(4); he was not given an interpretation by the council.

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**City Engineer**

**Phil Gravel**

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**Bridge Removal Funding  
Application, Frontage Road  
Bridge**

The removal of the bridge over the Sunrise River on Frontage Road may be eligible for funding from the state for its removal.

Mayor Utecht indicated that the funding would pay for the removal of the bridge \$125,000 but not the engineering \$40,000.

Member Ness asked Mr. Gravel why the engineering is so high, typically those costs are 5-15% of a project. Mr. Gravel said that the requirements of the State and DNR are the same for a million dollar bridge construction or a bridge removal.

The County doesn't like the way we closed the bridge off, cars currently can get on the bridge as the barrier is in the middle of the bridge. Something different can be done on both sides of the bridge.

Motion by Ness to request the county submit the application to the state and include the engineering cost. Second by Carlson.

Member Lucia said why we don't just put a barrier on each side of the bridge.

Member Carlson said that as part of the comprehensive park plan the bridge was included in the trail system as a pedestrian bridge. Why don't we repurpose the bridge and block vehicular traffic?

Mayor Utecht said that he would like to keep the bridge accessible to snow mobiles.

Vote on the motion. Member Lucia, Ness, Utecht, and Carlson voted no. Mayor Utecht declared the motion fails.

The council would like for Mr. Jones to research the placement of barriers at each side of the bridge; for action in the Spring.

**Request for Payment  
Dressel Contracting**

Motion by Ness to approve Payment Number 1 to Dressel Contracting for the 2014 Street Improvement Project in the amount of \$100,554.76. Second by Carlson. Ness, Carlson, Lucia, and Utecht voted yes. Mayor Utecht declared the motion carried.

**USDA Meeting**

Mr. Gravel reported that Stantec, Minnesota Department of Health and USDA had met to discuss the schedule of compliance, a memo was provided to the council.

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**City Clerk**

**Sharon Payne**

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**Final Delinquency Utility  
Account Certification**

Motion by Utecht to approve the final list of delinquent assessments. Second by Ness. Utecht, Ness, Lucia, and Carlson voted yes. Mayor Utecht declared the motion carried.

## Utility Report

### Information Sheet:

The council does not want the information sheet sent; this is too invasive.

### Water Bills in Envelopes:

Motion by Ness to start putting water bills in envelopes based on the information provided by Ms. Schmidt. Second by Carlson.

Member Lucia said why not only mail post cards in envelopes to those customers who expressed concern?

Mayor Utecht said that he wants to see an apples to apples comparison; he feels the data presented was intentionally unclear. This will be presented at the next meeting.

Vote on the motion. Members Ness and Utecht voted yes. Lucia and Carlson voted no. Mayor Utecht declared the motion fails for lack of a majority vote.

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## Committees Commissions

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### Planning Commission

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#### Letter of Interest

Motion by Carlson to appoint Shirley Hockensmith as an alternate to the Planning Commission. Second by Ness. Carlson, Ness, Lucia, and Utecht voted yes. Mayor Utecht declared the motion carried.

Member Ness reported that the commission is working on the swimming pool ordinance and holding a public hearing next week. He also reported there will be no December meeting unless necessary.

#### Park and Recreation

Mr. Olivolo said that the committee is reviewing purchase of handicap equipment for possible installation at Richland Meadows Park; their intention is to seek donations for the equipment and solicit Target and Walmart as this type of equipment meets their grant criteria.

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## Old Business

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### No Parking on County Road 19 and CSAH 30

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

The no parking resolutions will be combined.

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### Security Cameras

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Mayor Utecht communicated to Captain Hoppe the city's research and possible purchase of security cameras – he applauds the city for looking into this and thinks it is a good idea. He would like to see a week of recordings rather than 24 hours.

Mayor Utecht spoke with Al Sayouri about what amount he thinks he could raise towards the costs and has not heard back.

The council would like to continue with researching the project; the sheriff's office should provide input as to the camera placements.

Member Ness said we should just start with one by the freeway to see if there is truly a benefit in doing this.

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**New Business**

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**Grass Rig Proposal, Stacy  
Lent Fire Department**

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

Motion by Ness to concur with Lent Township and approve \$40,750 for the grass rig from Foreman Fire out of Osceola, Wisconsin. Second by Utecht. Ness, Utecht, Lucia, and Carlson voted yes. Mayor Utecht declared the motion carried.

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**Canvass Election**

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Motion by Ness to approve the Abstract of Votes Cast in the City of Stacy at the 2014 State General Election held on November 4, 2014. Second by Carlson. Ness, Carlson, Lucia, and Utecht voted yes. Mayor Utecht declared the motion carried.

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**McKay LED Sign**

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The clerk was directed to forward the quote to the Stacy Lent Area Fire Department, Lent Township, and St. John's Church to see if they would be interested in participating in the purchase of new sign. The quote was already provided to the Lions Club.

The clerk was directed to get quotes from two other companies.

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**Mayor/Council**

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**Expenses at Sports Grill**

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Member Lucia said that the plastic pipe that vents the water heater "blew out" and was replaced for a cost of \$1,200 that seems excessive. Member Ness said most likely it was the fan that caused the "blow out" and also had to be replaced. Member Lucia spoke with Ms. Dahle and she said it was because of labor.

Member Lucia then said that the hot water tank is 10 years old and Ms. Dahle suggested replacement for a cost of \$8,000. He thinks the heater could make it another 5 years.

Member Lucia would like Ms. Dahle to work with Mr. Jones when obtaining quotes/repairs; this would provide a "second look."

The annual winter gathering will be on December 16, 2014, at 6:30pm.

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**Winter Gathering**

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**Plow Repair**

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Mayor Utecht said that the International plow's hydraulic pump broke and is not repairable. He gave Mr. Jones approval for the estimated \$5,000 repair even though it is over his approval limit of \$3,000. He felt that in this situation it was warranted as an emergency. The council concurred.

The Maintenance Supervisor was directed to analyze the budget to accommodate this repair.

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**Annexation**

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Mayor Utecht was contacted by a Lent Township Supervisor regarding the annexation agreement from 2008; he would like to revisit the length of agreement with conditions.

A Work Session was set for December 2, 2014, at 7p.m. However, if there is no proposal received by November 18<sup>th</sup> the Work Session will be cancelled.

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**Sports Grill Sidewalk**

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Member Ness stated he is fed up with “babysitting” the Sports Grill Manager and Maintenance Supervisor when it comes to removing the snow from the Sports Grill sidewalk; this happens every snowfall – the snow is not removed. Mayor Utecht will speak with both supervisors. Member Ness stated again there is no excuse for it not getting done!

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**No Snowmobile Signs**

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Member Ness asked if he has to remind Mr. Jones again about the no snowmobiling signs. The ones posted last year were temporary. They should be permanently installed.

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**Staff Reports**

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Mayor Utecht asked if in the past the staff reports were due in time to be included in the Council packets. The clerk said yes; also the claims were to be included as well. The packets should be as complete as possible, except for any “surprise” items.

Member Ness applauded Ms. Dahle for her three year plan. However, in the past council took away entertainment which had a negative impact on revenue. Mayor Utecht clarified that Ms. Dahle does not intend on getting rid of all entertainment.

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**Adjourned at 9:02p.m.**

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Mayor Utecht declared the meeting adjourned at 9:02p.m.

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Sharon MT Payne