



**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  
MAY 14, 2013, 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, Mark Utecht, Charles Lucia, Michael Carlson, and Cindy Bruss

**Absent:** None

**Others Present:** Chuck Schwartz, Anne Thom, Tanner Jones, Lori Dahle, Tony Janu, Peter Grundhoefer, Jeff Alan, Tim Friberg, Brad Schroeder, and Kevin Grote

**Additions to the Agenda**

Additions to the Agenda:

- Liquor Operations – Lori Dahle
- AgStar – Rural Feasibility Study Grant Program
- Stacy Sports Complex
- Keys to the City – Seminar
- Remove Infraseek from the Agenda
- Jack Kramer’s Building Inspector Report

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

**Public Comment**

**Tim Friberg:** 5880-307<sup>th</sup> Street, Mr. Friberg expressed concern regarding noise from Royal Concrete. The Mayor will contact Royal Concrete to see what they can do as a “good neighbor;” he’s not sure if there is anything we can do to force them as the building inspector found them in compliance with the city code. Mayor Utecht will meet with Mr. Friberg to discuss his concerns.

**Consent Agenda**

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

**Staff Reports**

**Maintenance Department  
Tanner Jones**

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

**Mobile Home Park Lift  
Station**

Member Bruss asked what was up with the Sunrise Estates lift station. Mr. Jones said that Olson’s came out to clean it out, as the build-up of gunk was impacting the pumps.

**Hot Pressure Washer**

Mr. Jones would like to purchase a hot water pressure washer. He would utilize it in all the departments in the city: well houses, lift stations,



buildings, parks, and liquor operations. He verified with the clerk that the funds are available for the purchase.

The council asked Mr. Jones to bring back an actual true cost of the compressor and water tank, as well as a breakdown of the percentages for fund distribution of costs.

**Plow Truck**

Member Ness asked where the plow truck broke down; Mr. Jones stated in Foxtail Woods. Member Ness was concerned that the truck was left on the street possibly causing a safety issue. Mr. Jones had pulled the truck into a cul-de-sac out of the way of traffic and left it there over the weekend. The truck could not be driven back to the shop as the issue was a hydraulic failure; the maintenance staff was able to conduct the repair, saving the city money.

**Project List**

Member Ness referred to Mr. Jones project list saying it hadn't changed since the first time he saw it. It should contain all of the ongoing projects; he is aware that one is missing; and asked Mr. Jones if he knew what that was. Mr. Jones asked Member Ness for clarification. Member Ness said at the last meeting Mr. Jones was directed to paint the cross walks and no parking areas. That should be added to the project list. Mr. Jones apologized and said he had misunderstood.

Member Ness also asked Mr. Jones via an email to check on proposed water rate increases payable to the state. He didn't receive a response from Mr. Jones; when he asks for information Mr. Jones needs to respond and at least confirm that he received the email. Mr. Jones was instructed to get the information regarding the proposed change to the council by the end of the week.

**Chevy**

Mr. Jones brought the Chevy truck, as directed by the council. The safety of the truck is a concern. The council has not received a recommendation from Mr. Jones indicating if he wants to replace or repair the vehicle and the reasoning behind his recommendation.

**Community Service Workers**

Member Ness asked that the council be notified when the Maintenance Department is utilizing community service workers.

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**Liquor Operations**

**Lori Dahle**

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

**Patio**

Ms. Dahle presented a plan for a patio that would be ADA compliant which would be located on the east side of the building. The patio would be fenced with a locked exit gate (easily opened in case of a fire).

She did speak with the city's building inspector; his only input is that it has to be ADA compliant. She also contacted Minnesota Alcohol and Gaming their only requirement is that the patio be contiguous to the building and be included on the insurance.

She told the contractor the cost to not exceed \$15,000; the amount previously discussed for the deck. She did not receive a bid in time for this meeting.

Member Ness asked how long it would take to pay off the patio? Ms.

Dahle said that she checked with Ms. Hill who indicated the funds are available. Member Ness clarified what he wanted – how long will it take to pay off the investment in the patio through revenue gained from putting the patio in. Because, we have money doesn't mean we have to spend it. Mayor Utecht said that clearly having the patio will increase revenues; Member Lucia said it's kind of hard to project that revenue.

Ms. Dahle was directed to bring the project back to the council with the firm bid and anticipated financial gain of having the patio.

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**City Attorney – Peter Grundhoefer**

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**Foxtail Woods Plat 4**

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

Mr. Janu, the developer of Foxtail Woods Plat 4, would like to have the relocation of the utility boxes removed from the development agreement; he stated that the costs made the project prohibitive. The quotes he received to relocate three electrical boxes is \$22,281 and the four phone boxes is about \$14,000. That is about \$2,800 per lot.

Mr. Janu presented pictures of homes already built or under construction and the location of the boxes; he thinks that the development can accommodate driveway access without moving the boxes. Member Ness disagrees. Mayor Utecht said that he has a tough time asking the boxes be moved when in the same development they are accommodating the electrical boxes. The proximity of the electrical boxes to the driveway is the concern; would Mr. Janu be willing to accommodate a minimum distance from the driveway – Mr. Janu said this wouldn't be an issue.

The development agreement has not been signed and would need to be revised for signatures. Mayor Utecht said that he doesn't want to add this to the development agreement as it's not typically in other development agreements; Member Ness disagrees, this is a unique situation.

Motion by Carlson to require that the electrical/telephone boxes be located at least ten (10) feet from the paved portion of the driveway; the private service line shall run within the city's easement on the front of the line; and remove the requirement to relocate the utility boxes from the development agreement. Second by Bruss. Carlson, Bruss, Lucia, and Utecht voted yes. Ness voted no. Mayor Utecht declared the motion carries four to one.

The city attorney will prepare the revised development agreement; the clerk and mayor can sign the agreement as long as it is found satisfactory by the city attorney.

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**City Engineer**

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**Chisago County Seal Coating CSAH 19**

Mr. Schwartz indicated that Chisago County will be seal coating CSAH 19 through Stacy this year. He included the proposed striping plan which was found appropriate by the council.

**Sanitary Sewer Televising and Cleaning Update**

The council would like for the sheriff's office to enforce the no passing on the shoulder and no parking areas in preparation of the new plan.

Mr. Schwartz reported that the city had established a Sanitary Sewer Policy which established a televising and cleaning schedule to occur over a three year period. The council approved the work be approved at staff level as it has been included in the budget.

**Water Project**

Member Ness asked the status of the water treatment project; Mr. Schwartz said that the plan is currently under review by MN Rural Development and DEED.

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**City Clerk**  
**Sharon Payne**

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**EAP Program**

The cost for the city to offer and Employee Assistance Program (EAP) is \$25 to \$40 per month for all employees; this will be included in the proposed budget for 2014.

**Active Shooter – How to Respond Action Items**

The clerk indicated how valuable this class was; the council directed her to find out when this class will be available again. They would like all staff to be able to attend.

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**Committees Commissions**

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**Personnel Committee**

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The council was provided a memo regarding the Affordable Care Act.

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**Park and Recreation Committee**

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Mayor Utecht addressed a couple of items on the minutes from the Park and Recreation Committee:

1. First he is going to strike Tony and Mel as Co-chairs for the balance of 2013; they don't have the authority to do this. He then announced that Cindy Bruss would remain the Chair for the balance of 2013.
2. Secondly, under theft of stuffed rabbits; there is no evidence of theft; to call this a theft is inappropriate. They can discuss they are missing, not a theft.

Discussion about co-chair or should it be vice-chair. Vice-Chair was decided; Member Bruss would like for Member Lucia to be vice-chair, he declined. It was then decided the committee would decide on the vice-chair in her absence.

Member Lucia said that the last meeting was held in the parking lot because no one had a key to the building; Member Bruss was absent.

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**EDA**

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The clerk was directed to forward the "Keys to the City" seminar information to the EDA; and to check with Mr. Schwartz regarding the AG Star information.

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**Planning Commission**

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- **Ordinance Parking in**

This item handled out of order by motion of Ness. Second by Carlson



**Residential Zoning  
Districts**

and carried.

The clerk indicated that the mobile home park owner would like the ordinance to apply to his property. Member Ness said that the Planning Commission had discussed this and did not include them in the ordinance as they have their own regulations.

Mayor Utecht would like the term 1 Ton changed to a specified weight, for clarification. Someone could argue that a 2,000 pound car is 1 ton. Member Ness said the 1 Ton regulation came about from a Planning Commission member who is familiar with trucks.

Member Lucia said that the size of a lot should be considered. Member Ness disagrees.

Motion by Ness to approve Ordinance Number 2013-5-1, "An Ordinance Amending Chapter 153 of the City Code to Adopt Section 153.121 Regarding Parking in Residential Districts; Section 153.122 Regarding Off-Street Parking, Design and Maintenance; and Section 153.004 Regarding Definitions of Recreational Vehicles and Trailers;" with summary publication. Second by Utecht.

Mayor Utecht would still like to see an amendment to the 1 Ton description to a gross vehicle weight. He also asked how this impacts those already parking these types of vehicles on their property.

The members were reading the ordinance and coming up with additional questions; should they continue to read and discuss tonight or table to the next meeting. The city attorney encouraged the members to be really clear on the ordinance – to answer questions prior to adoption.

Motion by Bruss to table. Second by Carlson. Members Bruss, Carlson, and Lucia voted yes. Members Ness and Utecht voted no. Mayor Utecht declared the motion passes three to two.

- **Ordinance  
Garages/Mini-storage  
in the Mobile Home  
Park District**

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

Motion by Ness to approve Ordinance 2013-5-2, "An Ordinance Adopting Amendments to the Stacy City Code Under Chapter 153.049 to Allow Private Garages as a Permitted Use and Mini-Storage Units as a Conditional Use in the R-M Manufactured Home Park District;" and summary publication. Second by Carlson. Ness, Carlson, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

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**Old Business**

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None

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**New Business**

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**Stacy Lions Club – Jerry  
Schroeder**

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

Lions Member Jerry Schroeder presented a cost breakdown of the

improvements to the Doyle Building as required by the Minnesota Department of Health.

The Lions would like to set up a loan program like they did for the lighting project for Doyle.

Mayor Utecht said he is not opposed to the concept as long as we can get the details worked out; what we can do to help the Lions without costing the city anything he's all for it.

The next step is for the Lions to do the leg work with the banks, the city will hold the bond for a five year period.

Motion by Carlson to allow the city clerk, city attorney, and the Lions Club to see how it was done before. Second by Ness. Carlson, Ness, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

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**Chisago County Sheriff –  
Contract for Services**

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Motion by Ness to approve the Mayor and City Clerk to sign the contract with the Chisago County Sheriff's Office for 2014 at \$52.28 hours for 20 hours per week. Second by Lucia. Ness, Lucia, Carlson, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

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**Stacy Daze 5K Run – Tim  
Cosgrove, Tony Olivolo**

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This needs to be coordinated with the sheriff; on the surface it sounds great need to make sure of citizen safety. Who is coordinating?

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**Stacy Lent Fire Department –  
Contract for Aid with North  
Branch**

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

Stacy Lent Fire Department Assistant Chief, Brad Schroeder, and North Branch Fire Chief, Kevin Grote asked to have an Automatic Aid agreement signed. The coverage areas have been developed using mileage criteria and in the best interest of the residents. The signing of the agreement will help all entities ISO ratings.

Motion by Ness to authorize the Mayor and City Clerk to sign the agreement. Second by Bruss. Ness, Bruss, Lucia, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Mr. Schroeder said he's going to purchase a ranger, to replace outdated equipment.

Mr. Schroeder reported that new ISO regulations are going to be made; once they are instated an ISO analysis of Stacy will be done, in about two years.

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**Building Inspector's Report**

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Motion by Ness to authorize the Building Inspector to move on to legal actions with Mr. Nelson if required. Second by Carlson. Ness, Carlson, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

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**Stacy Sports Complex**

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The North Branch Area Hockey Association would like to schedule a work session with the City Council to discuss the Stacy Sports Complex. A tentative date is set for May 28<sup>th</sup> at 7:00pm. The clerk will coordinate.

Member Ness said by moving forward with the project the Park Zoning District will need to be changed regarding ownership of park land.

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**Mayor/Council**

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**Kultala Property**

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Member Bruss wants the building inspector to review the Kultala property; it's a mess. The clerk will inform Mr. Kramer.

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**Maintenance Worker**

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Motion by Ness for the new Maintenance Worker One to go through and get his Class C Water License and Class SD Sewer License as soon as possible, even if it falls within the probationary period. Second by Carlson. Ness, Carlson, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

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**Liquor Operations – Pay Increase**

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Motion by Ness due to the fact that Ms. Dahle and Mr. Hachey have continued to grow the sales and profits for the bar and liquor store over the last two years; he would like to give them each a two-step merit increase effective the first pay period in June. Second by Carlson.

Member Ness said that it's important to show them appreciation for what they've done; the bar has gone from losing money to making money. Member Lucia said he would like to wait until January 2014, as raises were just given in January 2013.

Vote on the motion: Members Ness, Carlson, Bruss, and Utecht voted yes. Lucia voted no. Mayor Utecht declared the motion carries four to one.

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**Adjourned at 9:45 pm**

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Mayor Utecht declared the meeting adjourned at 9:45pm.

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Sharon MT Payne