



**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  
JUNE 10, 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, Cindy Bruss, Mark Utecht, and Michael Carlson

**Absent:** None

**Others Present:** Anne Thom, Mark Statz, Peter Grundhoefer, Ben Montzka, and Brian Kalio

**Additions to the Agenda**

Additions to the Agenda:

Water main replacement at Kwik Trip

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

**Public Comment**

None

**Consent Agenda**

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

**Staff Reports**

**City Attorney**

**Peter Grundhoefer**

**Second Water Meter Ordinance**

Motion by Ness to approve Ordinance Number 2014-6-1, "An Ordinance Amending Subsection 51.27(A)(5) of Chapter 51 of the City Code of the City of Stacy Requiring that Water Use Through Second Water Meter Shall be Combined with Water Use from First Water Meter to Calculate Total Monthly Usage." Second by Carlson. Ness, Carlson, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

**Foxtail Woods Plat 5**

Motion by Ness to approve Resolution Number 2014-6-2, "A Resolution Approving the Preliminary Plat and Planned Unit Development Known as Foxtail Woods;" contingent upon the emergency paved driveway access, also the approval of the resolution approving the plat and signed Developer's Agreement. Second by Lucia. Ness, Lucia, Bruss, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Member Ness clarified the Resolution is approving the Conditional Use Permit for a Planned Unit Development.



Motion by Ness to approve Resolution Number 2014-6-3, "A Resolution Approving the Preliminary and Final Plat and Planned Unit Development Known as Foxtail Woods Plat 5;" as amended. Second by Bruss. Ness, Bruss, Lucia, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

A draft of the Developer's Agreement was present, however, no action necessary by the council tonight.

## **Personnel Policy**

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

Motion by Ness to take the Personnel Policy off the table. Second by Utecht. Ness, Utecht, Bruss, Carlson, and Lucia voted yes. Mayor Utecht declared the motion carried.

Motion by Ness to approve the Personnel Policy with the changes discussed. Second by Carlson. Ness, Carlson, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

The draft Drug and Alcohol Testing and Drug Free Workplace Policy for Non-Commercial Drivers was sent on to the Personnel Committee for review.

## **Dollar General Store**

Motion by Utecht to approve the Site Development Contract with RSBR Investments, LLC (Dollar General); as amended, contingent upon the city attorney and city engineer's approval; on the contingency that the Planning Commission agrees with the City Council's opinion.

The main issues are storm water drainage and screening.

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## **City Engineer**

**Mark Statz**

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## **Contractor's Request for Payment – Utility Improvements**

Motion by Ness to approve the pay request to C & L Excavating, Inc., less \$500 for storage of the excavator for a total payment of \$21,472.80. Second by Utecht. Ness voted yes. Utecht, Lucia, Bruss, and Carlson voted no. Mayor Utecht declared motion fails 4-1.

Motion by Carlson to approve pay request to C & L Excavating, Inc., in the amount of \$21,972.80, and invoice \$500 for storage of the excavator if it is proven that permission was not given to leave the equipment by someone from the city. Second by Utecht. Carlson, Utecht, Lucia, and Bruss voted yes. Ness voted no. Mayor Utecht declared the motion carried 4-1.

## **Kwik Trip**

Mr. Statz reported that Kwik Trip was dealing with additional water on the site; which is now improved.

When they were installing the water piping it was discovered that the existing line from the main to A1-Tire is of an allowed thickness but not a preferred thickness. Mr. Statz asked if the council would consider contributing about 1/3 of the anticipated \$10,000 to replace the pipe.

**Feasibility Report – 2014  
Street Improvements**

The council discussed the pros/cons and the following motion was made.

Motion by Ness to allow Kwik Trip to replace the line if they so choose at their expense. Second by Utecht. Ness, Utecht, Lucia, Bruss, and Carlson voted yes. Mayor Utecht declared the motion carried.

Mr. Statz presented the Feasibility Report for the 2014 Street Improvements; the council discussed the options. They also discussed reconfiguration of Frontage Road to accommodate angle parking.

If the angle parking on Frontage is to be done; shouldn't the Sports Grill pay for the upgrade? Not the taxpayers? It was determined this would be appropriate, once costs for the upgrade are known discussion with the Sports Grill Manager and Liquor Store Bookkeeper will need to take place.

The engineer was asked to design the bid to include the additional parking; to be listed as a separate item.

Mr. Statz asked the council if they would be assessing the project. The council discussed and determined that the benefit to most of the properties would not equal the assessed amount. The council decided not to assess the improvements.

The clerk will contact Springstead regarding financing of the project.

The council decided on the following options for the road work:

**311<sup>th</sup> Street**

– Full Reconstruction, Bituminous Pavement \$61,500

**Frontage Avenue**

– Reclaim, Shape & Pave and Mill/Overlay \$38,500

Motion by Ness to order the Plans and Specifications. Second by Carlson. Ness, Carlson, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

Motion by Ness to move forward and bid the project. Second by Carlson. Ness, Carlson, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

**Update Water System Pilot  
Plant**

We are currently waiting on test results from the plant.

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**City Clerk**

**Sharon Payne**

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**Set Date for Employee  
Reviews**

The date for the employee reviews is set for July 22, 2014, beginning at 5:00pm.

**Set Budget Work Session  
Date**

The first budget Work Session will be held on August 6, 2014, at 6:00pm.

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**Committees Commissions**

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**Planning Commission**

Member Ness informed the council that two public hearings will be held this month: Update to the Central Business District; and changes to the Accessory Building requirements.

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**Old Business**

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**Ordinance – Council Compensation**

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Motion by Carlson to approve Ordinance Number 2014-6-4, “An Ordinance Amending Chapter 34 of the City Code of the City of Stacy – Fee Schedule.” Second by Ness. Carlson, Bruss, Lucia, and Utecht voted yes. Ness voted no. Mayor Utecht declared the motion carries 4-1.

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**New Business**

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**Population Estimate**

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Not public at this time, presented for council for their information.

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**Mayor/Council**

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**Test Plant**

Member Ness would like for Mr. Jones to prepare a report regarding working on the pilot plant; what does he think it will take to run the “real” plant as far as staffing. He would like the report for next month’s meeting.

**Letter to Council**

Mayor Utecht said that part of the letter he shared with the council regarding a supervisor is not appropriate to discuss in an open meeting; and thinks it’s appropriate to wait until the employee review to discuss. The council concurred.

The other part of the letter was regarding noise from Royal Concrete; because the letter was addressed to the Mayor he contacted the complainant and asked to meet with him. The council concurred this was appropriate.

There have been no new readings taken since the last council meeting; as it was slow to get letters of permission to enter property. The maintenance department was instructed to take readings.

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**Adjourned at 9:57pm**

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Mayor Utecht declared the meeting adjourned at 9:57pm.

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Sharon MT Payne