



**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 14, 2016, 7:00p.m.
RICK DOYLE MEMORIAL BUILDING**

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: Mark Utecht, Jim Ness, Chuck Lucia, Tony Olivolo, and Samantha Denney

Absent: None

Others Present: Anne Thom, Ted Alliegro, Mark Statz, and Greg Oden,

Additions to the Agenda

Additions to the agenda:

- iPad for Council Members
- Minnesota Association of Small Cities – Membership Renewal

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

Staff Reports

City Attorney

Ted Alliegro

**Sunrise Auto Quiet Title
Action**

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

Mayor Utecht spoke with Mr. Oden on June 13th and suggested that he come to the council with a dollar amount he wants for the property located on the west side of Forest Boulevard (a portion of the Sports Grill parking lot).

Mr. Oden said he would like to be able to settle this out of court; he would like between \$9,000 and \$18,000 dollars for the property.

Attorney Alliegro said that he feels the city has a strong case for adverse possession; however, he cannot guarantee a judge would see it that way.



If the judge determines adverse possession is not appropriate then it moves to a condemnation process.

We currently committed to the quiet title action for a cost of \$2,500, if a judge disagrees then it would cost the city an additional \$2,500.

Attorney Alliegro said that the delinquent tax and judgement against the property need to be addressed.

Member Olivolo stepped down for discussion on this item.

Mayor Utecht said that he is not inclined to meet Mr. Oden's request of \$9,000-\$18,000. Member Ness said that as a goodwill gesture he would offer \$2,000; Member Lucia said he would offer \$4,500 as it would probably cost the city that much anyway; and Member Denney concurred with Member Ness at \$2,000.

Motion by Lucia to offer \$3,000 for the property only because this would be handled finally; subject to the city receiving the property without encumbrances including taxes and judgements. Second by Utecht. Lucia, Utecht, and Denney voted yes. Ness voted no. Olivolo abstained. Mayor Utecht declared the motion carried three to one.

If the offer is not accepted then the city will move forward with the quiet title action as planned.

Resident Refusing Entry

This item has been resolved.

Consider Zoning Amendment

Attorney Alliegro said he was contacted regarding a parcel of property (Stacy Commons) that currently has three property identification numbers; which are described using metes and bounds. What they are proposing is to combine the three lots into two; again by using metes and bounds. Our zoning ordinance requires this be done by plat or subdivision. It is allowed with lot block but not metes and bonds; is there any interest in changing the code?

We have a provision that says they can ask for an exemption to the platting requirements. The council decided not to change the code but to address this by situation.

Mr. Statz said that even though the full subdivision application may not need to be followed there are documents that will be necessary such as the certificate of survey and title work.

It was determined that they would need to apply for a subdivision and the city engineer and planning commission will determine which sections of the ordinance can be exempt. The city attorney will determine if a public hearing is required.

City Engineer
Mark Statz

Seal Coat Bids

Motion by Ness to award the bid to Allied Blacktop Company in the amount of \$29,875; for the seal coat project. Second by Denney. Denney,

311th Street – West of Forest Boulevard

Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Mr. Statz said that the drainage can be addressed without a road project. Mayor Utecht said that to address the stormwater without addressing the road condition was irresponsible; there will be overlap between the two.

The memo from Mr. Statz indicated a couple options in dealing with the stormwater: installation of a storm sewer or installation of rain gardens.

The council will not be doing anything with this project anytime soon.

City Hall ADA Upgrades

Motion by Utecht to approve the stump removal for the cost presented in the change order in the amount of \$1,356.63. Second by Denney. Utecht, Denney, Lucia, and Ness voted yes. Olivolo voted no. Mayor Utecht declared the motion carried four to one.

City Clerk
Sharon Payne

Employee Reviews and Budget Work Session

The employee reviews will be held on July 26th beginning at 6:00p.m. The budget work session will begin at 8:15p.m.

Committees Commissions

History Committee

Member Denney conducted interviews of Mark Ness, and Jim Ness and will be interviewing Doug and Linda Miller. She will also be conducting interviews of the rest of the council.

Public Information

The newsletter was approved for mailing with the noted changes.

Park and Recreation

Member Olivolo said the committee is working on Stacy Daze with the Lions Club; Wyoming Machine will be sponsoring movies in the park.

Planning Commission

Member Ness said that Jim Clay had to miss several meetings; should he be moved to an alternate? It was decided to keep things as they currently are. Member Olivolo however was moved to co-chair by the Planning Commission.

Old Business

Supervisor Review Forms

The members thanked Member Ness for pulling this information together. They decided to use these ratings this year. The review forms will be distributed to the managers and due back to the clerk by July 1st; to the council and then the council return by the 19th to the clerk; back to the manager's for their review on July 26th.

New Business

Initiative Foundation – Paths to Civic Engagement

Motion by Utecht that we pay mileage expense if either Mark Ness or Michelle Boeck want to attend. Second by Denney. Utecht, Denney,



**Chisago County – Tax
Forfeited Properties**

Lucia, and Olivolo voted yes. Ness abstained. Mayor Utecht declared the motion carried four to two with one abstention.

The council approved the parcels for auction.

**Liquor Store Bookkeeper
Contract**

Motion by Utecht to approve the contract as presented. Second by Olivolo. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Mayor/Council

Google Conversion

The conversion to Google is complete; the clerk has set up the Google calendar for the council's reference.

**MN Association of Small
Cities**

The council approved continued membership in the association; the check was approved under the consent agenda.

IPad for CC

The use of IPad's by the council was discussed; this would allow the meeting packets to be placed on the device; some documents saved for reference, placing the city code and comprehensive plan on the device.

The concept sounds good, but further research needs to be done: costs, what size of device is necessary, what size router to accommodate access to the internet? And which would be better an IPad or a Tablet?

Mayor Utecht declared the meeting adjourned at 9:20p.m.

Adjourned at 9:20p.m.

Sharon MT Payne