



**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
SEPTEMBER 13, 2016, 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, Chuck Lucia, Tony Olivolo, Mark Ness, and Mark Utecht

Absent: None

Others Present: Anne Thom, Mark Statz, Ted Alliegro, Cindy Vogel, Paul Vogel, Melissa Archer, Tracy Lach, Paul Deuth, Tim Friberg, Brad Schroeder, Sarah Vazquez, Ruben Lopez, Enrique Cabrera, and Dustin Brakemeier

Additions to the Agenda

Additions to the agenda:

- GreenStep Cities
- Stacy Sports Grill – Kitchen Consultant
- Off Sale Manager Position
- Roderic Olson Requests
- Resolution Setting Public Hearing on Vacation

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

Public Comment

Tim Friberg:

Mr. Friberg expressed concerns regarding Royal Concrete. Noise from a new loader; trucks loading at night, dust on 307th Street.

Member Lucia said that we need to do something, frankly he's sick of hearing complaints and something needs to be done. The council discussed this item further under Council Business.

Consent Agenda

Motion by J. Ness to approve the consent agenda as presented. Second by T. Olivolo. J. Ness, T. Olivolo, M. Ness, C. Lucia, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Staff Reports

City Attorney



Frontage Avenue

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

Attorney Alliegro recommended the city vacate the right of way over the Vogel's property.

Motion by J. Ness to approve Resolution Number 2016-9-3, "Resolution Setting a Public Hearing on a Vacation;" as amended setting a public hearing on October 11, 2016, at 6:30p.m.. Second by T. Olivolo. J. Ness, C. Lucia, M. Ness, T. Olivolo, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Off Sale Manager Position

Mr. Alliegro clarified that an exempt employee cannot be required to work a set amount of hours each week, however, they can be given expectations.

Motion by M. Utecht to strike the reference "based on a 48 hour week;" from motion offering the position to Roderick Olson made at the September 6, 2016, Special Meeting. Second by J. Ness. J. Ness, C. Lucia, M. Ness, T. Olivolo, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

5709 Stacy Trail Easement

Mr. Alliegro reported that he recently has been contacted by a property owner regarding swapping easements. This was worked on several years ago but no agreement was reached. The council approved the city engineer and city attorney to work with the property owner to come to an agreement.

City Engineer
Mark Statz

Stantec Contribution for Drywall Expense

Mr. Statz presented a report stating that Stantec is giving a credit to Stacy for \$1,736.30:

Gypsum Board Cost, Change Order \$1,230.30
Improperly Measured Door \$506.00

The council accepted the credit.

City Hall Pay Request

Mayor Utecht said that he is not paying a penny for the bullet proof glass install; Member Olivolo concurred.

The council said they would not pay anything until the project is done. The contractor is 4 weeks past the extension for the project and the city is incurring additional costs.

Mr. Statz said the city may be able to pay the invoices short due to lack of workmanship and delay with costs being incurred. At this time the city does not know an end date of costs being incurred.

The council made it clear that it's not the city's intention to not pay for the project but to not to pay until we can fully occupy the building.

Mr. Statz said that Ebert should reimburse the city the cost to replace the broken glass.

The council thanked Mr. Statz and Mr. Paulson for "going to bat" for Stacy.

City Clerk

Sharon Payne

Certify 2017 Proposed Budget

Employee Pay Increases:

Member M. Ness thinks that a 2.61% increase in the levy is too high; he believes from past discussions this is for employee pay increases. He disagrees with the pay increases proposed; members C. Lucia and J. Ness concur. It has nothing to do with what the employee deserves but what we can afford.

J. Ness would support a 6% increase for the Clerk and Maintenance Supervisor. This would save approximately \$4,700 in the General Fund.

The council concurred with J. Ness' proposal except for Mayor Utecht; he thinks the work we get from these two individuals deserve the increase proposed. He wants to keep good employees, he doesn't want to think they will just stay because they like working for Stacy.

Member Lucia said what is being proposed is a good raise.

Member M. Ness said that the proposed increase of 6% is double than what the standard proposed for 2017. Mayor Utecht said that he agrees that a 3% increase is appropriate assuming that the salaries were where they should be prior to a raise being given.

Member Olivolo said that comparing what the new Off-Sale Manager will be paid and what the council is proposing for an increase for Mr. Jones. The new employee hasn't proven his performance yet; Mr. Jones has demonstrated and proven his ability and he would support a 20% increase for Mr. Jones.

Approval of 2017 Budget:

Motion by J. Ness to approve the levy with a 6% increase for the Maintenance Supervisor, and City Clerk for a total levy of \$449,030. Second by C. Lucia. C. Lucia, J. Ness, and M. Ness

voted yes. T. Olivolo and M. Utecht voted no. Mayor Utecht declared the motion carries 3-2.

Set Truth-in-Taxation Date

Motion by M. Utecht to set the Truth-in-Taxation date for December 13, 2016, at 6:30p.m. Second by M. Ness. J. Ness, C. Lucia, M. Ness, T. Olivolo, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Utility Billing Report

Ms. Schmidt would like to move the payment due date to the 25th of the month; this would allow her to enter the receipts prior to the mailing out of the bills. She states that half the city pays after the 31st of the month. This would cut down on phone calls regarding why a receipt is not shown on a current bill.

The council said no but would like to review the process for charging late fees; what does the code say. The council said the late fee should apply beginning the day after the payment is due.

**Committees
Commissions**

**Public Information
Committee**

History Committee

**Park and Recreation
Committee**

Planning Commission

The council approved the mailing of the newsletter.

The council appointed M. Ness to the committee.

Member Olivolo reported that the sandbox in Lions park will measure 16x24 sandbox; he will be meeting with the Lions Club.

Member J. Ness reported the Public Hearing for an amendment to Kwik Trip's Conditional Use Permit for a car wash will be held at next week's meeting. What kind of queue space do we want for cars waiting for service?

**Findings of Fact &
Decision – Sunrise Mobile
Home Park Mini-Storage**

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

Conditional Use Permit:

The clerk was directed to change “No hobby or business type work to be done in the units;” to “No automotive repair, hobby or business type work in the unit or around the storage area.”

Motion by J. Ness to approve the Findings of Fact and Decision for Brakemeier Properties/Dustin Brakemeier for a Conditional Use Permit to allow Mini-Storage in the Manufactured Home Park;” as amended. Second by T. Olivolo. J. Ness, C. Lucia, M. Ness,

T. Olivolo, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Mobile Home Park Expansion:

The driveway accesses to the property were briefly discussed. Dustin is working with Chisago County 911 to come up with appropriate lot descriptions.

The engineer will continue to work with Mr. Brakemeier on the expansion.

Old Business

GreenStep Cities

GreenStep Cities has several workshops and webinars being offered; is anyone interested in attending. There was interest however, scheduling will not allow attendance.

**Roderic Olson: Off-Sale
Manager Position**

Mr. Olson accepted the position at \$56,000, he would like the council to consider \$57,000 per year. The council declined this request but will review a possible increase at the end of the probationary period.

Mr. Olson also requested time off in October, which was approved.

The council is very excited to have him work for the city.

New Business

**Stacy Sports Grill –
Professional Kitchen
Consultant**

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

Ms. Archer would like to hire a professional kitchen consultant, her request is:

I would like to recommend the City of Stacy hire a professional kitchen consultant. This idea was briefly visited in previous liquor operations meeting. I believe the fee for services should come from the city general fund as he is here to help correct issues directly related to the construction and design of the Sports Grill's kitchen. I recommend Paul Deuth for this temporary position. His consultant fee is \$25 per hour. He believes he can accomplish my 3 major goals in two weeks working 5-6 hours a day. Please see attached resume for qualifications and experience. I have 3 major items we need to address.

1. Kitchen functionality. Primarily the layout and design. Possible additional equipment, suggestions to improve operations and profitability in our food sales. Possible modifications to add a waitress station to ensure prompt food delivery.
2. Further training for Tracy and myself on inventory, proper food cost, and pricing. Purchasing product and ensure our food costs are at a profitable percentage.
3. Revise and make suggestions on current menu increase profits, properly manage our cook times, over all product quality, create consistency, and decrease food waste and improve over-all customer satisfaction.

There is another option to that should be opened for discussion. Paul has mentioned the possibility of leasing the kitchen from the city. This could be addressed at a special meeting as it will very likely be a lengthy discussion.

Mayor Utecht said if we do this he doesn't want any "sacred cows:" we need to listen to and evaluate what the consultant has to say.

It was determined that this is not a general fund expense. The kitchen was built, at the time, for its intended purpose; however the purpose may have changed.

Ms. Archer can incur this expense as it is under her \$2,000 spending limit; however, if need be the council approved an expense up to \$3,000 for the professional kitchen consultant's evaluation.

Lions Club – Liquor License for Fire Bash

Motion by J. Ness to approve the one day liquor license to the Stacy Lions Club for the Stacy Lent Area Fire Department event on October 1, 2016. Second by C. Lucia. J. Ness, C. Lucia, M. Ness, T. Olivolo, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Resolution Appointing Primary Election Judges

Motion by M. Ness to approve Resolution Number 2016-9-1 "Resolution Appointing Election Judges for the November 8, 2016, General Election." Second by M. Utecht. M.J. Ness, C. Lucia, M. Ness, T. Olivolo, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Sunrise Estates Mobile Home Park Employee Thank You

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

From Brakemeier Properties Letter: "On Saturday, August 27, 2016, the Beartown Fire Department from Baraga, Michigan had a vehicle accident on Highway 35 in the City of Blaine. The Beartown Fire Department suffered a great amount of casualties and loss of life. One of the first people on the scene your neighbors and friends. The effort these individuals did to save lives and to help was completely amazing."

The heroes who helped were: Enrique Cabrera, Kelly Patzner, Ruben Lopez, and Sara Vazquez.

Mayor Utecht said that these people are a great example of how people take care of each other, obviously in a bad situation and their actions helped it from getting worse. Everyone stood and applauded Mr. Cabrera, Mr. Lopez, and Sara Vazquez. (Ms. Patzner was unable to attend). Mayor Utecht then said we are proud to have them as part of our community.

Mayor/Council

Royal Concrete

Mayor Utecht said he understands Member Lucia's frustration, would Member Lucia like to contact Royal Concrete to address Mr. Friberg's concerns? Member Lucia said he would like to do this.

Special Joint Powers Meeting

This item handled out of order by motion of J. Ness. Second by C. Lucia and carried.

Motion by M. Utecht to approve the purchase of the rescue truck as discussed in previous Joint Power's meetings; utilizing the state purchase program as investigated. Second by J. Ness. J. Ness, C. Lucia, M. Ness, T. Olivolo, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Adjourned at 9:56p.m.

Mayor Utecht declared the meeting adjourned at 9:56p.m.

Sharon MT Payne