



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
FEBRUARY 9, 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: Mark Utecht, Jim Ness, Chuck Lucia, Tony Olivolo, and Samantha Denney

Absent: None

Others Present: Anne Thom, Ted Alliegro, Cindy Vogel, and Paul Vogel

Additions to the Agenda

Additions to the agenda:

- Greenstep Cities Resolution

Motion by Ness to approve the agenda as amended. Second by Lucia. 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

Frontage Avenue Quiet Title Action, Frontage Avenue Quiet Title Action, and Resident Refusing Entry

Motion by Ness to authorize the clerk and mayor to sign the Verification to Complaint for Frontage Avenue, Sunrise Auto and Resident Refusing Entry. Second by Denney. Denney, Lucia, Ness, and Utecht voted yes. Olivolo abstained. Mayor Utecht declared the motion carried.

The resident refusing entry may be handled on Saturday (February 13), as the resident has agreed to allow access by the Maintenance Department to install the meter. If this installation does not occur, then immediate action to proceed with court action will occur.

North Branch Area Hockey Association (NBAHA)

Attorney Alliegro said that the city has done everything they need to do; a cost breakdown has been supplied to the attorney for NBAHA. The association needs to pay the costs prior to recording of the deed.

Midwest Hospitality Solutions

Attorney Alliegro spoke with the representative from Midwest Hospitality Solutions, the vendor for the point of sale system at the Sports Grill; the



representative prepared a proposal for a return of the system. The proposal was forwarded to the Sports Grill manager.

Advertising in City Newsletter

Attorney Alliegro addressed the following question in his memo: Can the City accept money from a business to put an advertisement in the city newsletter?

His opinion states, in part; "As the bar and liquor store are owned and operated by the City, it appears to be a proper expenditure of the City funds/resources for the City to promote (advertise) them, including in the City newsletter. I don't believe this means the City has to allow other non-city owned businesses to advertise, even for a fee. However, if the City does allow it, then it has to allow it for all other businesses that may be interested. If other businesses are allowed, then I believe that would open the door for having to allow groups and organizations to advertise as well.

I think a more important issue may be whether the City wants to allow this and possibly have to deal with First Amendment freedom of speech and freedom of religion issues; discrimination issues; value issues; etc. that may present when advertisers appear. The potential problems in this area may be significant."

The council consensus was not to "open that can of worms" in advertising other business in city publications; the question that remains is does the city want to continue to advertise the Sports Grill and Liquor Store in their publications/mailings?

This item will be discussed again at the February 23, 2016, meeting.

City Clerk

Sharon Payne

Vacation Request

Motion by Utecht to approve the vacation request for the city clerk as amended. Second by Ness. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

City Hall Relocation

The clerk indicated the need for the city offices to relocate during the reconstruction of city hall; it is something the council may want to start thinking about. The clerk will research the cost for rental of a mobile office.

City Code Link

Ms. Payne said that the recent listing added to the on-line version of the city code with American Legal simply lists the name of the ordinance change and does not provide a link to the ordinance. These are the ordinances since the last code update. However, the clerk does list the code changes on the city's website. To have a link placed to the ordinance on the American Legal website is \$10/ordinance or \$300/year unlimited. The council decided not to pay for the link because the ordinance revisions are already on the city's website.

Utility Billing Report

The council expressed concern that the gallons billed vs. pumped was off by a million gallons; they prefer an update on this discrepancy within a week but under no circumstance later than the February 23, 2016.

Committees Commissions

Chisago Lakes Joint Sewage Treatment Commission

Member Olivolo reported that the commission continues to research solar farms.

History Committee

The committee is working on developing interview questions, and release forms for gathering personal history. Member Denney also said that she will be interviewing the council and staff.

Public Information Committee

The committee is working on updates to the city's website and will be bringing some ideas to the council.

The committee was directed to research other resources for hosting our website.

Park and Recreation Committee

Member Olivolo updated the council on the Easter Festival which will be held on March 26th.

Planning Commission

Member Ness said that as chair of the commission he will be running the meetings a little differently; he will have the co-chair run several meetings. He will also step aside and allow the alternates the opportunity to vote.

Old Business

Water Tower Cleaning

Mr. Jones reported that he is waiting on one additional bid. No further action.

Snow on Sidewalks – Ordinance Revision

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

Attorney Alliegro was asked if the city does not enforce an ordinance does that open the city up to liability. Attorney Alliegro said that there is a difference in deciding not to enforce an ordinance and not being able to "catch" everyone.

Motion by Olivolo to change the 12 hours in both §93.02 (A) and (B) to 24 hours; the rest of the ordinance is to remain unchanged. Second by Ness. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Greenstep Cities – Resolution

Motion by Ness to approve Resolution Number 2016-2-3, "A Resolution Authorizing the City of Stacy to Participate in the Minnesota Greenstep Cities Program." Second by Olivolo. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Member Denney would like to look for an intern to help with Greenstep cities, the position would be an unpaid position. The Personnel Committee will review if an unpaid intern is considered a volunteer.

New Business

Ordinance – Accessory Buildings

Motion by Ness to approve Ordinance 2016-2-1, “An Ordinance Amending the Stacy City Code Chapter 153 Zoning Code, Amending Subsection 153.031 Accessory Buildings and Structures.” Second by Olivolo. Ness, Olivolo, Denney and Lucia voted yes. Utecht voted no. Mayor Utecht declared the motion carried.

Ordinance – Truck Restrictions

Motion by Olivolo to approve Ordinance 2016-2-2, “An Ordinance Amending Chapter 71, Section 71.01 of the Stacy City Code Truck Restrictions.” Second by Denney. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Mayor/Council

311th Street Call List

The council members were each assigned a section of the call list for properties West of Forest Boulevard on 311th Street; the meeting is to discuss the possibility of a substantial road project in that area. The property owners were mailed notice about the meeting in early February.

Email Accounts

The clerk was directed to research a mail server that could accommodate a storage capacity of more than 200meg per member.

Adjourned at 8:55p.m.

Mayor Utecht declared the meeting adjourned at 8:55p.m.

Sharon MT Payne