



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 11, 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, Peter Grundhoefer, Cindi Vogel, Paul Vogel, and Jerry Schroeder

Additions to the Agenda

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- Emergency Management Plan

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

Public Comment

Jerry Schroeder:

Mr. Schroeder thanked Anne Thom for her nice article about the Stacy Lions Club.

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

Liquor Operations

Lori Dahle

Ms. Dahle was not present at the meeting.

Tree Carving

The council commented that the tree carving turned out nice; and commended Ms. Dahle.

Maintenance Department

Tanner Jones

Hot Pressure Washer

Mr. Jones presented the council with a report that detailed the cost (\$4,186) of the hot pressure washer and cost distribution between the funds where it would be utilized.

Comments regarding the potential purchase:

- Member Ness can't see the justification of the expense.
- We have a small cold pressure washer.
- What is the cost of a used one? Mr. Jones said about \$3,000-\$3,800.



- Mr. Jones estimated he would use it 100-120 hours per year.
- A cold pressure washer can do most of the same things as the hot pressure washer can do.
- Could rent a hot pressure washer when necessary.

The council concurred to not purchase a new hot pressure washer; they asked Mr. Jones to review the costs for a used one.

Project List

Mr. Jones was asked to put borders around his project list to make it more easily readable.

He needs to add to the project list: Water/Sewer Certification for both him and Robert to include anticipated time lines.

Member Lucia commended Mr. Jones on his reports.

Member Ness asked if the city had a cutoff saw; yes, Mr. Jones has used it when filling pot holes but the pothole patches do not hold up as well as he would like.

The council said that 311th (by Tim's) is in extreme need of repair; at the latest should be done next year. Place this item on the next council agenda for discussion.

City Attorney – Peter Grundhoefer

Doyle Field Building Improvements

Mr. Schroeder presented a list of bids for the Doyle Building improvements; the total is \$60,052.14; he would like to include the anticipated \$5,000 in bond attorney fees in the bond for a total bond issuance of \$65,000.

Mr. Grundhoefer will prepare the documents for signature, similar to those that were done for the lighting project.

Mr. Schroeder asked if they didn't need the entire \$65,000 can it be applied to the principal; the clerk will communicate to bond counsel that the bond documents not have an early pay penalty.

Beer and Wine Coolers

Mr. Schroeder said that the Lions Club would like to serve hard beer and wine coolers; no hard liquor.

Could the city research if they are able to do this? The clerk said that she had looked at the state regulations and believed this was not possible due to food sale requirement; an option may be a club license. Mr. Schroeder stated that other Lions Clubs sell beer and wine coolers.

Mayor Utecht said that he supports this on the surface; the council would have to review the \$2,500 liquor license fee. We have to be fair to all liquor licenses in Stacy.

Mr. Schroeder was directed to contact Mike Polla at the state directly to see how the Lions Club can serve both beer and wine.

City Engineer

Radium Removal Project Update

Mr. Schwartz reported that the environmental assessment has been placed for publication. He also reported that Rural Development would like to commit funding in July.

Sunrise River Watershed Survey

Mr. Schwartz reviewed the Sunrise River Watershed Total Maximum Daily Load Study; it has little impact on Stacy.

City Clerk**Sharon Payne**

Computer Network

The clerk presented a memo to the council; no further action taken.

Possible Sale of City Land

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

Cindi and Paul Vogel were present to discuss the possible purchase of city owned land that abuts their property; a portion of PID 19.00104.00.

Mayor Utecht said that a lot split would need to be done and then the lot purchased by the Vogel's would need to be rezoned; basically, this won't happen overnight. The Vogel's understood and didn't expect that it would.

Mr. Schwartz thought that a sewer line may exist on the land; this will need to be verified. This wouldn't necessarily prevent the sale but an easement would need to be obtained. No issue was expressed by the Vogel's regarding this. However, they would like to have the original easement removed (using their driveway to access the property). The city owned parcel has access from the Frontage Road.

The Mayor asked the council if they knew if a plan existed for use of the property. Member Carlson said that a portion of the property was included in the park plan but splitting of the lot would not hinder that plan.

It was proposed to sell the property based on a square footage cost using the value established by the County Assessor and adding on the costs incurred by the city in the process of the sale. Mr. Vogel said the council should also consider that the portion they propose to purchase would then be put on the tax rolls where now it is tax exempt.

The council concurred that it was worthwhile to research the property sale. Unique conditions exist in this circumstance and do not set precedence for other possible city land sales.

Next steps:

- Mr. Jones will review the access from the Frontage Road.
- It will be determined if a sewer line exist on the property to be purchased.
- The original easement will be reviewed by the city attorney.
- The clerk will contact the County Assessor to review the value of the property.

Mayor Utecht said that the city will be incurring some expense in reviewing the possible land sale, what if the Vogel's then decide not to purchase the property?

It was decided to get "ball park" figures for the costs; which will include:

- Proposed sale price of the land
- City Attorney Costs
- Engineering Costs

The cost will then be discussed at the next meeting.

Hockey Arena Project Cost Recap

Motion by Ness to authorize the city clerk to get the \$607 that was invoiced to the association and not paid from the fund balance held by the city. Second by Carlson. Ness, Carlson, Bruss, Lucia, and Utecht voted yes. Mayor Utecht declared the motion carried.

To clarify: \$407 in attorney fees, and \$200 Planning Commission Special Meeting fees.

Committees Commissions

Chisago Lakes Joint Sewage Treatment Commission (CLJSTC)

Member Lucia said that the council needs to approve or reject the proposal. He then will go back to the commission with the council's decision.

Mayor Utecht said that he did not want to approve the budget only because of the land purchase price; the price that Member Lucia proposes is less than what is included in the budget; if the land purchase price goes under what Member Lucia supports than he would approve the budget.

Member Lucia recommends the council approve the budget; the stuff has to be done.

Motion by Ness to approve the bonding with the land purchase money being included only if the land is purchased. Second by Lucia. Ness, Lucia, Bruss, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Park and Recreation Committee

Member Bruss said that the committee met on Monday; however, most of the members did not attend. Also, it was reported that some members are talking about quitting but no letters of resignation have been submitted. She said that members had asked the clerk for information but were not in attendance to receive it.

Their priority now is planning the Sunrise Ball Field Twins Project dedication on Stacy Daze.

Planning Commission

- **Ordinance Prohibiting Outdoor Boiler Systems**

Motion by Ness to approve ordinance number 2013-6-1, "An Ordinance Establishing Section 153.081 of the Stacy City Code Prohibiting Outdoor Wood Boiler Systems;" and summary publication. Second by Carlson. Ness, Carlson, Lucia, Bruss, and Utecht voted yes. Mayor Utecht

declared the motion carried.

Old Business

Ordinance Parking in Residential Zoning Districts

Member Ness checked with the Minnesota Department of Transportation; they define 1 ton as 16,000 gross vehicle weight.

To recap changes:

- Line 29 and 32: change 1 ton reference to not exceed 16,000 gross vehicle weight.
- Line 35 and 44: drop R-3A and R-3B
- Lines 77-129 remove entirely; this is covered in the engineering design standards for the most part.

Mayor Utecht said that our county roads have a lot of heavy traffic; it doesn't make sense to prohibit them from a residence. How does it make sense you have trucks in and out of Royal Concrete all day but a property owner on the east side of 30 would be prohibited from parking his truck.

The same issues remain because it is residentially zoned. Noise, odor, etc.

Change ordinance to state one acre or larger parcel with primary access onto a county road is not prohibited.

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

The original motion from the May 14th meeting:

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.

Motion by Ness to vote on the original motion with amendments discussed. Second by Utecht. Ness, Utecht, Lucia, Bruss, and Carlson voted yes. Mayor Utecht declared the motion carried.

The city attorney will revise the ordinance.

New Business

County Highway Prioritization

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

All of the below items are safety concerns expressed by the council:

1. Installation of red flashing lights at the intersection of County Road 30 and County Road 19.
2. Freeway Bridge



3. Fix County Road 30 between Stacy and Wyoming
4. Install sidewalks on the Southside of County Road 19 from County Road 30.
5. Fix ditch between Frontage Road and County Road 30.

Mayor/Council

**Liquor Store Bookkeeper
Contract Renewal**

Motion by Utecht to allow the mayor to sign the independent contractor agreement with the increase to \$1,150 per month with the requirement that the address and name be corrected. Second by Ness. Utecht, Ness, Carlson, Lucia, and Bruss voted yes. Mayor Utecht declared the motion carried.

**Board of Appeal and
Equalization Training**

Members Carlson, Ness, and Bruss will attend the training in North Branch on September 17th.

Place this item on the Planning Commission agenda to assure we will still have a quorum that night.

**Emergency Management
Plan Update**

Joe Myer contacted that mayor with an update, he has completed the inventory list; the county's plan has been submitted to the state waiting for approval. Once it is approved then he will work off that plan to get Stacy's finalized.

Cummings – Enforcement

Motion by Ness that the Building Inspector follows the procedure including legal action on the Cummings property due to their history of noncompliance. Second by Carlson. Ness, Carlson, Bruss, Lucia, and Utecht voted yes. Mayor Utecht declared the motion carried.

Adjourned at 9:37pm

Mayor Utecht declared the meeting adjourned at 9:37pm.

Sharon MT Payne