



**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  
AUGUST 11, 2015, 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, Tony Olivolo, Chuck Lucia, and Samantha Denney

**Absent:** None

**Others Present:** Anne Thom, Mark Statz, Paul Vogel, Cindy Vogel, Ted Alliegro, Dustin Brakemeier, Kelly Brakemeier, Kerry Olson, Kris Nelson, Joey Bistodeau, and Nolan Berg

**Additions to the Agenda**

Additions to the Agenda:

- Stacy Lent Fire Relief Resolution
- Stacy Sports Grill Manager
- ATM Access Liquor Operations

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 amended. Second by Olivolo. Lucia, Ness, Olivolo, Denney, and Utecht voted yes. Mayor Utecht declared the motion carried.

**Staff Reports**

**City Attorney**

**Ted Alliegro**

**North Branch Hockey  
Association**

The Purchase Agreement has been signed.

Motion by Ness to authorized the appropriate people to sign the closing documentation on the Hockey Arena Property. Second by Olivolo. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

**Royal Concrete Wells**

A draft of a code update was presented regulating the use of private wells in the Agricultural District and business operations using in excess of 100,000 gallons of water per month.



Member Ness said that technically the city code does not require a public hearing for this section of the code; does the council want the Planning Commission to hold a public hearing anyway? The consensus was yes as this is an important change in the city code.

**Frontage Avenue Quiet Title Action**

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

Attorney Alliegro reported that he had met with the county engineer, and two surveyors – they are moving forward with creating the legal description for the property. Once the legal is received; he anticipates the action to be complete in a couple of months.

**Sunrise Auto Quiet Title Action**

Attorney Alliegro spoke with the surveyors and as a result of that conversation he will be working with the property owner directly.

**Midcontinent Communications**

Attorney Alliegro talked with the attorney for Midcontinent regarding the community “bulletin board” feature; it is his understanding that this is becoming obsolete, things are going to a web based system.

The council directed him to tell Midcontinent that they want an access channel like what Linwood has or something similar. They also want the automatic renewal clause taken out and free service to city buildings.

**SESAC**

SESAC is a music licensing organization; the Sports Grill needs to have the license to have music by certain artists associated with SESAC. There are three organizations that handle various artists, therefore multiple licenses are required. The council directed to go ahead and complete the paperwork and pay the fee.

**Planning Commission Meeting**

Previously the city attorney attended all the Planning Commission meetings; is this necessary? Member Ness, as Chair of the Planning Commission, said that it wasn't necessary as the items before the commission have changed; it would be appropriate to have the attorney attend when requested.

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**City Engineer**  
**Mark Statz**

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**Water Treatment Plant and City Hall Update**

The only update reported is that the city hall updates are being reviewed by the state architect not the state engineer who is reviewing the water treatment plant plans.

**Royal Concrete Ditch**

Mr. Statz said that Mr. Jones has addressed this stormwater issue.

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**City Clerk**  
**Sharon Payne**

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**Utility Billing Report**

The council asked that the water usage report be changed:

- Rather than having the total at the bottom; change that to difference
- Is flushing included in the percentage?
- The mobile home park should be included in the chart as billed

**Sunrise Mobile Home Park**

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

Mr. Brakemeier received an invoice for \$78,610.28; this was calculated using an average of 500,000 gallons per month for the period September 2013 – July 2015. He does not have the money to pay the invoice. He did confirm that the 500,000 gallons/month was appropriate. Some months were higher and others lower.

He said that they had not received a bill since May 2015 and were told their account was being worked on. The clerk was directed to follow-up on this with the Utility Billing Clerk.

Mr. Brakemeier asked if they could enter into a two year payment plan. The city has allowed payment plans in the past to citizens; they have always been one year. Member Ness would prefer that.

Mr. Brakemeier stated that he would be willing to have the city take over the meters in the mobile home park and handle the billing. This will require further discussion by the council.

Mayor Utecht said that the two years would be appropriate in this circumstance as the problem has occurred over the last two years; every circumstance is different.

Motion by Ness to give Sunrises Estates Mobile Home Park two years from today to pay back the \$78,610.28 for water and sewer; based on the unique circumstance of this situation, it took two years to rectify. Second by Olivolo. Ness, Olivolo, Denney and Utecht voted yes. Lucia voted no. Mayor Utecht declared the motion carried four to one.

The new meter install was briefly discussed.

**Springsted Attendance at Budget Meeting**

The clerk asked if the council wanted Doug Green from Springsted to attend the next budget meeting; yes they do. Ask him to be prepared to discuss the overall levy and interim financing for the water treatment plant project.

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**Committees Commissions**

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**Chisago Lakes Joint Sewage Treatment Commission (CLJSTC)**

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**Personnel Committee**

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**Exit Interview with Ms. Dahle**

Member Olivolo stated it was a short meeting; not much to report.

The two council members that sit on the committee would like to conduct an exit interview with Ms. Dahle if she is able.

**Employee Review Forms**

The On-Sale review forms were completed by Ms. Dahle – the clerk was directed to “plug in” the information into the forms. The other departments still need to submit their scoring criteria. The clerk will also “plug in” the council rating criteria into the review forms.



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**Public Information  
Committee**

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**Social Media Policy**

Motion by Ness to approve the Social Media Policy with noted corrections. Second by Denney. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

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**Park and Recreation  
Committee**

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**National Night Out**

Member Olivolo reported that National Night Out was a great success.

They gave away 19 bikes; someone on the committee worked on the bikes and wants to be compensated for the work. What does the council think? They asked if this was something arranged ahead of time? It is not appropriate to ask after the fact.

**Stacy Daze**

Mayor Utecht said that he was disappointed that the flush toilets in Lions Park were not working for Stacy Daze; he asked that the committee work with the Maintenance Supervisor to see what needs to be done to have them operational for special events. The members also said that some type of procedure needs to be in place for use of the facilities.

Rave reviews were received regarding Stacy Daze, in particular the fireworks. The council extended a thank you to the Lions Club.

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**Stacy Economic  
Development Authority  
(SEDA)**

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The EDA will be touring Royal Concrete as part of their next meeting on August 19<sup>th</sup>.

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**Planning Commission**

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The commission is looking into tiny houses; they are becoming quite popular.

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**Old Business**

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**Merit Based Compensation  
Policy**

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No action. August 25, 2015, agenda item.

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**New Business**

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**Stacy Lent Cemetery**

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

Kerry Olson and Kris Nelson were present representing the Stacy Lent Cemetery Association. They oversee the maintenance and operation of the cemetery.

Mr. Olson said they would like to increase the size of the cemetery, to do this they will need to put in a retaining wall on the SE corner of the property. The cemetery land is jointly owned by the township and the city.

The cost of the retaining wall is about \$10,000 they have gone to the Township, Stacy Lent Fire Relief Association, and Lions Club to help with the cost of the expansion. So far they have received \$6,000; they are asking Stacy to contribute to the project.

Motion by Olivolo that we spend \$2,000 for maintenance of the Stacy/Lent Cemetery. Second by Lucia. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

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**GreenStep Cities**

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No action. August 25, 2015, agenda item

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**Royal Concrete Noise**

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

Mayor Utecht spoke with Jennifer Carlson from MPCA who said that because Royal Concrete does not require state permitting to operate the MPCA has no power to enforce. She indicated the city needs to take additional sound readings.

The sound readings need to be taken differently; when the plant is operating and then background noise readings taken when Royal is not operating at all during that time (the city will have to request they shut-down during the background noise readings).

If they are in violation of Rule 7030 then the city will need to enforce. The new sound readings will be taken.

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**Stacy Sports Grill Manager**

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

Ms. Dahle had to resign quickly due to medical reasons her position as Manager of the Stacy Sports Grill.

The Assistant Manager, Joey Bistodeau (hired to replace Mr. Berg) was present at the meeting; and Mr. Berg joined later, also Assistant Manager (will be leaving the end of August). The council will need to decide who the interim manager will be.

A new manager will need to be hired; the two members of the Personnel Committee will review the applications and the entire council will then interview those selected. However, the entire council can review the applications if they desire.

The clerk will prepare the ad for publication; the ad will be placed on internet job seeking sights, the Post Review, state, and city website. The Star Tribune and St. Paul Pioneer press websites to be included if the cost does not exceed \$200 each. The application deadline is September 2, 2015, at 5p.m.

Mr. Bistodeau said he is pretty lost right now (been on the job 2.5 weeks); he does not know the computer systems but with other staff's help should be able to get up to speed. He was encouraged to reach out to other staff and the council if he needs.

Motion by Ness to appoint Mr. Bistodeau as the interim manager until a replacement has been selected. Second by Denney. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Should Mr. Bistodeau's pay be adjusted for being interim manager? Not at this time, it will be discussed in the future.

The Mayor thanked staff for their willingness to help out during this transition time. He also said that he appreciates all Ms. Dahle has done for the city.

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**Stacy Lent Fire Relief Association**

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Motion by Ness to approve Resolution Number 2015-8-1, Resolution Approving the Stacy Lent Volunteer Fire Department Relief Association to Conduct Off-Site Lawful Gambling in the City of Stacy." Second by Denney. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

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**ATM Liquor Operations**

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Motion by Utecht to add Brian Hachey to the Stacy Sports Grill ATM Account; add Jed Thompson to the Stacy Wine and Spirits ATM account and remove Lori Dahle from all Liquor accounts. Second by Denney. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

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**Mayor/Council**

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**Discover Fun Hwy 61**

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

Member Denney is able to attend this month's meeting; she will let the council know if she is unable to attend upcoming meetings.

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**Stacy Ponds Business Park Trail**

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Mayor Utecht asked if the council wanted the trail to have the "rustic" feel or should it be groomed. The consensus was to groom the trail.

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**Water Meters Sunrise Mobile Home Park**

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Member Ness requested an upfront cost estimate from Mr. Jones for our water meter's to be installed in the mobile home park (replacing all individual meters) if the city were to take over the billing.

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**Adjourned at 9:59p.m.**

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Mayor Utecht declared the meeting adjourned at 9:59p.m.

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Sharon MT Payne