



**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 12, 2023, 7:00 p.m.  
30955 FOREST BOULEVARD, STACY MN 55079**

**Call to Order**

The meeting was called to order by Mayor Utecht at 7:00 p.m.

**Attendance**

**Present City Council:** Mark Utecht, Tim Sawatzky, Marie Lawrence, Jennie Carlson, and Dennis Thieling

**Absent:** None

**Others Present:** Dan Boyum, James Monge, Rick Keller, Stephanie Acker, Ben Montzka, and Matt Silver

**Additions to the Agenda**

No additions to the agenda. Motion by M. Utecht to approve the agenda as presented. Second by T. Sawatzky. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Public Hearing - Interim  
Ordinance 2023-9-1  
Prohibition on Cannabis  
Business (7:02-7:20 p.m.)**

Mayor Utecht opened the public hearing at 7:02 p.m. No members of the public were present to speak. Member T. Sawatzky asked what the point of passing the moratorium was if the state was not issuing cannabis licenses until January 2025. M. Utecht explained that by passing the moratorium, it allows the city time to put ordinances, policies, and procedures in place regarding cannabis business, should the timeline be shortened by the state. The moratorium can be lifted or extended as things progress. Motion by M. Utecht to close the public hearing at 7:20 p.m. Second by T. Sawatzky. Motion carried.

**Public Comment**

Chisago County Commissioner Ben Montzka provided an update on the County Board budget and the five-year plan. He gave an update on where the County budget process was at in terms of the tentative tax levy. He also provided an update on the road projects included in the five-year plan. The County Road 19 bridge interchange in Stacy is included in the plan, but has not been funded. The County Road 17 expansion is not included in the plan currently, and is not funded, but Commissioner Montzka indicated that it is a priority for him, and he will continue to try to have it included. He feels it is only a matter of time before both projects come to fruition as both are related to safety issues, and will keep the City Council and Township Board updated. The City Council requested that he bring up the purchase of ghost marked squad cars for the Sheriff's Department during the county budget discussions. The Council feels that while ghost marked cars may help catch criminals, they don't help prevent crime. They also believe fully marked squads provide a higher level of resident comfort. Commissioner Montzka agreed to the request.

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**Consent Agenda**

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Motion by T. Sawatzky to approve the consent agenda as presented. Second by D. Thieling. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

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**Staff Reports**

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**City Attorney**

**James Mongé**

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**Action on Public Hearing:  
Ordinance 2023-9-1  
Prohibiting Cannabis  
Business in Stacy**

Motion by D. Thieling to adopt Interim Ordinance 2023-9-1 Prohibiting Cannabis Business as presented. Second by M. Lawrence. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Ordinance 2023-9-2  
Prohibiting Cannabis in  
Public Places**

The proposed ordinance was discussed by the council members. The consensus was to wait and see if cannabis consumption in public places becomes an issue before putting code in place restricting it. Motion by M. Lawrence to table the ordinance until the April 2024 Council meeting. Second by T. Sawatzky. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Chisago County Sheriff's  
Office Contract**

Motion by M. Utecht sign the contract as presented. Second by T. Sawatzky. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

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**City Engineer**

**Dan Boyum**

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**Monthly Report**

**1. 2021 Street and Utility Improvements (307<sup>th</sup> Street and 311<sup>th</sup> Street – 193805157 and 193805158)**

- We met with the contractor to review quantity items. They will be reviewing our quantity calculations with their subcontractors. We have not received additional information on dewatering and remobilization costs on 311<sup>th</sup> Street, but that may come from further discussions with the contractor's discussions with their subcontractors.
- The contractor needs to seed areas curb replacement areas on Stacy Trail. We received a question from one of the residents on their gravel driveway restoration.

**2. Stacy General (193804175)**

- **Miscellaneous Permit Items/Questions**
  - i. **31085 Foley Avenue** - We reviewed concrete driveway recently placed and provided comments to staff.
  - ii. **30524 Fernwood Circle** – We prepared an easement drawing and legal description for processing related to their lot combination.
  - iii. **30283 Fox Run Road** – We provided comments on a fence recently placed.
  - iv. **Budget Session – Street Improvements** – We prepared planning costs for the August 23, 2023 budget session related to mill and overlay, reclamation, or gravel placement on streets identified by staff.
  - v. **Water Plant Operators** – We forwarded phone and email information on operators in the area that were part of discussions in 2022.
  - vi. **Well 2 gate valve locations** – We reviewed with public works staff on gate valve locations around Well 2 and forwarded record plan information.
  - vii. **Water Sprinkling Restrictions** – Reviewed information from staff and city attorney on upcoming sprinkling restrictions.

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**City Clerk/Finance  
Department**

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**Resolution                    2023-9-4  
Approving 2024 Preliminary  
Budget**

The Finance Director advised that the Resolution included the date for the Truth in Taxation hearing. Motion by T. Sawatzky to approve the 2024 Preliminary Budget as presented. Second by D. Thieling. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Agenda Memo-Stormwater  
Drainage Fee**

This item was discussed with Lent Township during the preliminary annexation process, and it was agreed at that time that township residents would not be subject to the drainage fee. Motion by M. Utecht that effective January of 2024, no properties within the city without city water utility services will pay a stormwater drainage fee. Second by T. Sawatzky. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Agenda Memo-Pay Matrix  
Position Additions**

Members discussed positions that be needed to be added to the pay matrix. The fire department positions will wait until January 2024 council meeting. The Township Treasurer will be brought in under the same title as the current person, as Finance Director, until such a time that job descriptions and titles for all departments can be reviewed.

**Finance Director Time Off Request**

Motion by M. Utecht to approve the time off request as presented. Second by T. Sawatzky. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

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**Maintenance Department**

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**Maintenance Supervisor Time Off Request**

Motion by T. Sawatzky to approve the time off request as presented. Second by J. Carlson. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Resolution 2023-9-5 Limiting Lawn Sprinkling**

Item handled out of order by motion of M. Utecht. Second by T. Sawatzky. Motion carried. The members reviewed the resolution and determined it applies to both residents that have wells and city water utility customers. Motion by M. Utecht to adopt Resolution 2023-9-5 limiting lawn sprinkling with the amendment that the hours be increased from 11:00 a.m. to 5:00 p.m. to 9:00 a.m. to 5:00 p.m. Second by T. Sawatzky. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Additional Maintenance Department Discussion**

As members of the maintenance committee, members T. Sawatzky and D. Thieling stated that they would like to fast track the new maintenance employee’s training, particularly his commercial driver’s license. Motion by M. Utecht to authorize up to \$4500 for the new maintenance employee’s CDL training. Second by T. Sawatzky. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

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**Liquor Operations**

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**Liquor Store Manager Time Off Request**

Motion by M. Utecht to accept the time off request as presented. Second by D. Thieling. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Wine & Spirits Point of Sale Replacement Request**

Motion by M. Utecht to approve the new Point of Sale system purchase as presented. Second by T. Sawatzky. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Sports Grill Water Heater Replacement Request**

Motion by M. Utecht to approve the replacement of the Sports Grill water heater as presented in the quote by Kramer Mechanical. Second by D. Thieling. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried. Motion by M. Utecht to utilize ARPA funds to pay for the replacement of the Sports Grill water heater. Second by T. Sawatzky. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Sports Grill Entrance Doors Repair**

Motion by M. Utecht to approve the repair of the Sports Grill Entrance doors as presented in the quote by Rivard Paint & Stain. Second by D. Thieling. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Committee/Commissions**

**CLJSTC**

Member T. Sawatzky was unable to attend the last CLJSTC meeting. The clerks' department will reach out for the minutes from the meeting for the Council to review.

**Personnel**

This agenda item taken out of order by motion of M. Utecht. Second by T. Sawatzky. Motion carried. Mayor Utecht provided the personnel committee update and asked the City Attorney about the earned sick and safe leave that recently passed through state legislature and becomes effective January 2024. There has been questions about incorporating it into our current paid time off structure, as well as how to handle its application to the City Council members and the fire department. The attorney was asked to look into it and work with the clerks' department to generate a policy. This will be on the October Council meeting agenda for discussion and review.

**Public Info**

The Deputy Clerk provided the public information committee update.

**Parks & Recreation**

The Parks & Recreation Committee has not met. Member D. Thieling brought up two oak trees in the northwest corner of the Lions Park that need attention.

**Planning Commission**

Member T. Sawatzky provided the update from the last Planning Commission meeting.

**Notices & Communications**

None.

**Old Business**

None.

**Ordinance 2023-8-1 Amending Kennels**

Motion by M. Utecht to approve Ordinance 2023-8-1 Amending Kennels with the amendment that the agricultural (AG) zone be removed from the list of prohibited zones. Second by D. Thieling. Members T. Sawatzky, D. Thieling, M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**New Business**

**Ordinance 2023-9-3 Amending Fences**

Motion by M. Utecht to approve Ordinance 2023-9-3 Amending Fences. Second by T. Sawatzky. Members T. Sawatzky, D. Thieling,

M. Lawrence, J. Carlson, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

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**Mayor/Council**

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**Mayor/Council Pay Analysis**

The members reviewed the council pay analysis provided by the Finance Director. The Mayor reminded the members that any changes made would not take effect until after the special election and asked them to think about it and come to the October meeting with proposed numbers for discussion.

**Election Polling Location**

In the pre-annexation discussions, the Township's expectation was that they would continue to vote at the Town Hall. The annexation agreement calls for two wards made up of the current township territory and the current city territory. The proposed solution is to establish two precincts made up of the two wards, and have one polling place at the Town Hall. The clerks' department was asked to follow up on this with the County Auditors Office and report back.

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**Adjourned at 8:54 p.m.**

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Mayor Utecht declared the meeting adjourned at 8:54 p.m.

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Angie Comstock, Deputy City Clerk