



**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  
May 14, 2024 7:00 p.m.  
33155 HEMINGWAY AVENUE, 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, Jeff Barrett, Carolyn Cagle, and Dennis Thieling

**Absent:** None

**Others Present:** Dan Boyum, Phil Carlson, James Monge, Tanya Smolke, Angie Comstock, and Troy Nelson

**Public:** Dick Stiers, Michele McLane, Tim Abress, Rick Keller, Brian Seekon, Matt Silver, Mike Hubner, Dave Milles, John Klow, Ben Montzka, Telise Schroeder, Jeff Selvog, and additional members of the public.

**Additions to the Agenda**

A counteroffer for the Sports Grill Manager was added under Liquor Operations as item 1 and Rod Olson's Vacation Request was added as item 2. Under the Maintenance Department, Part Time Maintenance Worker was added as item 6 and Dust Control as item 7. Motion by M. Utecht to approve the agenda as amended. Second by T. Sawatzky. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Public Comment**

Chisago County Commissioner Ben Montzka reported on county doings. They voted 4-1 on the new logo that was introduced. It will be discussed further at the Chisago County Collaborative Initiative on May 22<sup>nd</sup>. County Road 19 was discussed and is still a priority. The county has budgeted \$100,000 for a scoping study on the interchange and is lobbying for additional funds to assist with work on the bridge. The county is trying to keep taxes low again, hopefully in the single digits.

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**Consent Agenda**

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Member T. Sawatzky questioned the payroll check for the Lent Hall Custodian and why it was indicated that he only worked eight hours. C. Cagle said he was scheduled for contracted events. He operates the floor cleaner and other things beyond the scope of what is expected from the renter. The Clerk voiced that the eight hours most likely indicated the number of days, and not hours. T. Sawatzky questioned the fund it was coming from and the clerk clarified the council wanted the custodian to be under Maintenance. He is currently paid three different flat rates for the three different duties he performs. J. Barrett questioned the payments made to the City of Stacy and if that was a funds transfer. The Clerk's Department will follow up with the council as to why the consent agenda indicated he only worked eight hours and the payments made to the city. Motion by M. Utecht to approve the consent agenda as presented. Second by J. Barrett. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, 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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**Oxford Township Road Agreement**

J. Barrett asked what the interjections were and the Deputy Clerk said they were from the Township Attorney and were included in the email thread. They had to do with other maintenance duties that were approved by the City's Public Works Supervisor. Motion by M. Utecht to accept and sign the contract as presented. Second by T. Sawatzky. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Rough House Rox Contract for Stacy Daze**

The City Attorney addressed copyright concerns and explained the band is responsible for all permissions and licenses needed. Motion by T. Sawatzky to approve the Rough House Rox contract to be signed by Rod Olson as presented. Second by M. Utecht. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Chisago County Board of Aging Request**

The mayor questioned if this is a Chisago County program and Ben Montzka explained that is it not. C. Cagle said the township took similar requests and presented them at their annual meeting. They did not support the Chisago County Board of Aging for the last couple of years and focused on more local charities, such as Family Pathways and Youth Ball. The mayor believes the city has not supported them in a decade. A few complaints on not supporting this organization came to the township and none to the city.

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**City Engineer**

**Dan Boyum**

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## Monthly Engineering Report

The MDH grant will be paid to the engineer and will cover finding out what sort of material has been used. This is a federal requirement. T. Sawatzky asked the city engineer why the city paid DSG a large amount for the work to investigate the type of materials used. The grant should have covered this and the engineer should have preformed the work. The city engineer explained the between the grant application deadline and the timing of the meter replacement project, it did not work out. The Deputy Clerk reiterated, when setting up the timeline, the city did not know if they would get the grant. The mayor would like to know the cost of the pictures, but point is moot, as the work begins in six days and the council cannot take action in that time. The clerks' department was directed to determine the costs from DSG to perform the work and report back to the Council.

D. Theiling informed the council that there is no movement with the Indoor/ Outdoor Storage.

### 1. Stacy General (193804175)

#### Miscellaneous Items

##### i. Miscellaneous Operations and Public Works Items

1. Reviewed questions by property owner on sawcut joint on Foster Avenue.
2. Lead Service Inventory – The engagement request from the Minnesota Department of Health (MDH) was submitted. The MDH has approved the grant contract, so we will begin work on the inventory and coordinate updating information from the meter replacement work that will begin on or around May 20. We are working on some next steps that we will discuss soon with staff. MDH wants items submitted by cities who receive grants by July 15, 2024.
  - ii. **Indoor and Outdoor Storage Facility** – We met with the Mayor and Property Owner to discuss the items included in the February 7, 2024 memo as well as the items discussed at the April 10 Council Meeting. The property owner will begin work on various items.
  - iii. **Rinker Materials Sewer and Water Extension** – Provided feedback on SAC/WAC costs to staff and future service inspection related costs.
  - iv. **Midco ROW Permits for Cable (320<sup>th</sup>, Iris, Floral, and Foxhill)** – We reviewed permits and submitted information for permit pricing to staff.
  - v. **Simpson Motorsports at Wheelhouse Commons Site** – met with the potential land purchaser, their consultant, and city staff to discuss options related to construction of a motorsport's facility at the Wheelhouse Commons Site. Some information will be coming to a future planning commission meeting.
  - vi. **5985 301<sup>st</sup> Court – Garage and Driveway Permit** – the city planner and engineer provided comments on these permits.
  - vii. **33942 Falcon Ave** – the city planner provided feedback on zoning questions for future development in this area.
  - viii. **Athens Trail Storage** – The city engineer responded to stormwater questions from an engineer working on this project.
  - ix. **Xcel IUP application** – the city planner worked on a resolution.
  - x. **5475 320<sup>th</sup> Street – Preliminary Plat** – The city planner confirmed the application was complete. A hearing will be held at the May Planning Commission Meeting.

xi. **7505 – 339<sup>th</sup> Street – Pole Barn** – The city planner reviewed the application.

xii. **Stacy Hardware CUP Application** – the city planner worked on a resolution.

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**City Clerk/Finance  
Department**

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**ARPA Resolution for Town  
Hall Key Fobs-Resolution  
2024-5-2**

Motion by M. Utecht to pass Resolution 2024-5-2 for the Town Hall Key Fobs as presented. Second by D. Thieling. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**ARPA Funds Balances &  
Discussion**

Mayor Utecht said he believes the first step to unite the city and township was to join the ARPA funds from the city and township, then asked if there were any objections from the council, and there were none. There was approximately \$1,000 in funds designated to the flooring at the Town Hall. M. Utecht would like as much of the funds as possible to be used toward the meter project for the city water meter project. C. Cagle asked that the balances be read aloud for the public record. The city of Stacy has \$59,552.98 and the township has \$33,492.81 in ARPA funds still available.

**Review Form Draft for  
Accounting Clerk Position**

Motion by M. Utecht to adopt the review form as presented. Second by D. Thieling. J. Barrett pointed out some formatting errors on the draft. M. Utecht amended his motion contingent on formatting changes. Second by D. Thieling. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Athens Trail Market Liquor  
License Renewal  
Stacy Lions Club Liquor  
License Renewal  
Falcon Ridge Golf Course  
Liquor License Renewal**

Motion by M. Utecht to approve the liquor license renewals for Athens Trail Market, Stacy Lions Club, and Falcon Ridge Golf Course as presented. Second by T. Sawatzky. M. Utecht made an amendment to his motion to reflect the Stacy Lions Club Liquor License to have a fee of \$100. Second by T. Sawatzky. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Stacy Daze Temporary  
Amended Premises  
Application for The Hideout**

Mayor Utecht explained that a diagram is needed for this and if a parking lot is blocked to extend the premises, it must be fenced in and not used for parking during the event. Motion by M. Utecht to approve the Temporary Amended Premises Application. Second by T. Sawatzky. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Pheasants Forever  
Gambling Permit**

Motion by M. Utecht to approve the Pheasants Forever Gambling Permit as presented. Second by T. Sawatzky. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Stacy Daze Gambling  
Permit Stacy Lions Club**

Motion by C. Cagle to approve the Stacy Daze Gambling Permit for the Stacy Lions Club for off-site gambling to take place on August 3, 2024, in the Stacy Lions Park addressed at 5891 Stacy Trail. Second by T. Sawatzky. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

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**Maintenance Department**

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Mayor Utecht read though the bullet points provided by the Public Works Supervisor and he said the repetition made it confusing. He would like to schedule a special meeting with council and the Public Works Supervisor so they are able to focus on agenda items tonight. This special meeting will take place on May 28<sup>th</sup> at 5 p.m. and with the possibility of other items being added to the agenda.

**Advanced Utility Solutions  
Additional Contract  
Proposal-Mike Hubner**

This item was handled out of order by motion of M. Utecht. Second by T. Sawatzky. Motion carried. Mike Hubner from Advanced Utility Solutions explained how he came to be contracted with the city after they lost an operator. The new proposal would free up the Public Works staff for other duties. The total cost to the city would be \$8,000 per month versus the current contract being \$4,000 per month. Mike's staff would flush hydrants, exercise gate valves, and make vendor calls. T. Sawatzky said \$96,000 per year is too spendy for system that only covers three square miles with one plant. The Public Works supervisor admitted concerns about licensing and staffing issues but did not indicate his support of the new contract. Mike is currently working with all three Public Works staff members to become licensed operators. In general, it takes three years to get a Class C Water License, but a Class D must be obtained first and held for one year. Continuing education is needed thereafter, at 16 hours per year. Mayor Utecht explained the original contract was needed for plant operation and staff training, but the new contract does not seem to have support from the council. J. Barrett confirmed with Mike that this secondary contract can be visited at a later date.

**City of Stacy Signs**

The council would like to move forward with this and ask the county for signs at the proposed locations with the addition of both city limit locations on Lincoln Trail. The Clerk's department was directed to obtain the new population number for said signs.

**Crack Repair Quote for  
302nd, Fox Rd., Fox Run &  
301st**

The Public Works Supervisor said these roads need crack repair and flex patching, but if a mill and overlay was in the future, it wouldn't be worth doing both. T. Sawatzky asked where this recommendation came from and was informed the city engineer did an inspection. They discussed the condition of said roads and what sort of approach to take. This agenda item will be discussed in detail at the special meeting on May 28<sup>th</sup>. T. Sawatzky reiterated to the Public Works Director that if the project is within budget, it does not need to come to council. J. Barrett would like to see road budget numbers and the Clerk believed the budgets for Lent and Stacy to be \$400,000 and \$15,000, respectively. Mayor Utecht directed that the crack repair be done as quoted, but to skip the flex patching. He also directed the clerks'

department to work with the maintenance supervisor to provide a map of the roads that need work to the Council members.

**Fox Rd. Patching Quote**

Mayor Utecht directed that the maintenance supervisor move forward with this quote.

**Quote for Additional Outdoor Pickleball Court**

The mayor believes this should be put on hold and there was discussion of other locations that might be more feasible within the city.

**Part-Time Maintenance Worker**

The Public Works Supervisor would like to add a Part-Time Maintenance Worker position that would also serve on the on-call rotation as other maintenance workers do. This will not be a benefited position.

**Dust Control**

The Public Works Supervisor had presented a quote that seemed high in the council's opinion. T. Sawatzky would like the Public Works Supervisor to reach back out to the company and specify the city's budget so the saturation rate could be adjusted. The mayor requested assistance from the city's engineer on this as well.

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**Liquor Operations**

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**Vacation Request - Rod Olson**

Motion by M. Utecht to approve the vacation request for Rod Olson as presented. Second by D. Thieling. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Sports Grill General Manager Counteroffer**

Mayor Utecht would like to meet with another member of the Personnel Committee and the final applicant to agree upon a salary within the current pay matrix.

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**Committee/Commissions**

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**Committee Appointments**

C. Cagle is already a member of the Parks and Rec Committee and she knows another member of the public that would possibly like to join. Former councilperson M. Lawrence would like to remain on Parks & Rec as well as EDA. Motion by M. Utecht to appoint Marie Lawrence as a private member of Parks & Rec and EDA. Second by T. Sawatzky. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried. C. Cagle will join the EDA and J. Barrett will join the Personnel Committee. Council members were instructed to call those on their committees to set up a meeting schedule.

**CLJSTC**

Member T. Sawatzky updated the council on the approval of jetting and televising in two stages versus three over the next couple of years. The investment policy was moved to May for a final read. They would also like to review the bylaws to change the meetings to every three months.

<b>Personnel</b>	The Personnel committee did not meet.
<b>Public Info</b>	The Public Info committee has not met.
<b>Potential Website Domain Change</b>	Motion by M. Utecht to approve the website domain change as presented. Second by D. Thieling. The mayor will be the authorized individual for this. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.
<b>Parks &amp; Recreation</b>	The Parks & Recreation has not met.
<b>History Committee</b>	The History Committee has not met.
<b>EDA</b>	The EDA has not met.
<b>Planning Commission</b>	Member T. Sawatzky provided an update from the last regular planning commission meeting including a discussion on proposed land use for the lot north of the Post Office, flood plains, and shoreland.
<b>Unapproved Minutes</b>	No questions from council on the draft Planning Commission minutes.
<b>Agenda Memo-Planning Commission Work Session Request</b>	Motion by M. Utecht to approve the Planning Commission work sessions request as presented. Second by J. Barrett. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.
<b>Xcel Laydown Yard IUP-Resolution 2024-5-1</b>	This item was handled out of order by motion of M. Utecht. Second by D. Thieling. Motion carried. Motion by M. Utecht to adopt Resolution 2024-5-1 with the amendment that item #2 on page 2 of the resolution referencing the Township be replaced with City. Second by T. Sawatzky. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.
<b>Stacy Hardware CUP-Resolution 2024-5-3</b>	This item was handled out of order by motion of M. Utecht. Second by T. Sawatzky. Motion carried. The City Planner explained the applicant is applying for a CUP for the site next to him, but is also looking at Wheelhouse Commons, since the uncertainty that goes along with this. As a formality, the applicant would like to continue with this. The City Planner recommends passing the CUP. Motion by M. Utecht to adopt Resolution 2024-5-3 as presented. Second by T. Sawatzky. J. Barrett asked how the council verifies the conditions are being met and the mayor gave a brief overview of the city's process. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.
<b>Emergency Plan</b>	The Emergency Plan committee hasn't met.

**Lent Town Hall Rental Committee**

The Lent Town Hall Rental committee hasn't met.

**Notices & Communications**

None.

**New Business**

**Complaint Regarding Intersection of Falcon Ave South & County Rd 19**

This item was handled out of order by motion of M. Utecht. Second by D. Thieling. Motion carried. Local resident to this area, Dave Milles, voiced his opinion on the safety hazard here. Mayor Utecht would like the trees investigated as they block vision from the west before the curve and might possibly be in the Right of Way. Motion by M. Utecht to make north of 30670, and the rear entrance of the Mobile Home Park, no parking on both sides of the road to County Road 19. Second by T. Sawatzky. Resident John Klow said the township used to trim branches in this area. There is a small park in the MHP that does not seem to have ample parking. J. Barrett said the city should explain to the manager or association that access and parking is needed. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried. The mayor directed the Public Works Supervisor to work with the City Engineer to establish the right of way to determine what trees and brush could be cleared.

**Old Business**

**Cannabis in Public Space**

Motion by M. Utecht to table this discussion until next month's meeting. Second by D. Thieling. Members T. Sawatzky, J. Barrett, C. Cagle, D. Thieling, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Mayor/Council**

**Prioritized List of Agenda Items**

The mayor reviewed the list and all items appear to be appropriate.

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

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

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Tanya Smolke, City Clerk