



**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
OCTOBER 11, 2022, 7:00p.m.
30955 FOREST BOULEVARD, STACY MN 55079**

Call to Order

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

Attendance

Present: Mark Utecht, Mark Ness, Tim Sawatzky, Marie Lawrence, and Jennie Carlson

Absent: None

Others Present: Dan Boyum, Jim Ness, James Mongé, Jess Eischens, Carolyn Cagle, Troy Nelson, Dennis Thieling, Sean McClane, Michelle McClane, George Radke, Tom Germain, and Matt Silver

Additions to the Agenda

Additions to the agenda:

1. Additional Vacation Request – City Clerk
2. Chisago County Transportation Plan Meeting
3. Remove Stacy Sports Grill Staffing Proposal
4. Remove Pay Increase for Michael Kroll

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

Public Comment

None

Consent Agenda

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

Staff Reports

City Attorney

James Mongé

Annexation Agreement

Motion by Utecht to temporarily table items 5A1 (Annexation Agreement) and 5A2 (Proposal for Classification and Compensation Study) to address other agenda items first.

Second by Ness. Members Sawatzky, Ness, Lawrence, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Motion by Utecht to take off the table items 5A1 and 5A2. Second by Ness. Members Sawatzky, Ness, Lawrence, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Employees:

Mayor Utecht said that we knew last month that we could bring the Lent Township employees in at their current pay rate.

We now know that the township employees will need to enroll in our benefits; we can review our plans at our plan renewal in June.

Member Ness questioned the wording in the resolution: "Employment. The City of Stacy, post annexation, will employ all employees from the Township, and will ensure no positions are eliminated for one calendar year of the effective date of the annexation. Nothing about the forgoing shall prevent the City of Stacy from terminating an employee for cause. But during the 12-month period, no employee will be eliminated for redundancy or based on a determination that their job is no longer necessary." The protection on employment should also apply to City of Stacy employees; the two Lent board members present concurred that this should apply to all post annexation employees.

Mayor Utecht asked if this wording is needed in the resolution; thinking this guarantee may not be beneficial for the township or the city due to the rise in "quiet quitting."

Ms. Cagle said that she would like to place items in the resolution that the new council will need to follow. The amount of due diligence that the Lent Board and the Stacy City Council have put into their communities; the new regime may not understand. It will take them time to learn and grow in their positions. Ms. Eischens said that the newly elected council may not have the experience sitting at Lent or Stacy's table. Mayor Utecht said we need to trust the voters.

We may not be able to make every employee happy; that is not saying that any employee is expendable.

Member Sawatzky said that we are not far off from what Lent is paying and what Stacy is; however, after further discussion it was determined that there have been increases in wages since

the wages we were provided. There will be two employees coming in greater than the matrix. Mayor Utecht asked if the increases recently given to the Lent employees were included in their budget? Ms. Cagle said yes, they are included in the general fund. Member Ness asked for a copy of their budget that includes these wage increases. Ms. Eischens said that the level of detail in the budget may no be what we are looking for.

Member Sawatzky said that our employees may need wage adjustments, based on the compensation of Lent's employees. Mayor Utecht stated at the employee meeting the employees stated they are willing to wait out the findings of the compensation study. Member Sawatzky also asked about how on-call will be considered in wages; our employees receive on call \$1.50 per hour.

Member Ness said, as he has in the past, he is not in favor of changing employee wages and other items; this is something for the newly seated post annexation council to decide.

Resolution:

Motion by Ness to rescind Resolution Number 2022-9-7, "A Joint Resolution for Orderly Annexation;" approved on September 13, 2022. Second by Utecht. Members Sawatzky, Ness, Lawrence, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

The city attorney will make revisions to the resolution as discussed:

- Change the position guarantee to December 31, 2023; to align with the city's budgeting cycle.
- Employees will come in at their current wage.
- The Lent employees will take our insurance or prove they have their own group coverage.
- The employees coming in from the township will stay under the township's on-call policy. Stacy's will follow the city on-call policy. All maintenance employees will be expected to be on-call.

Proposal for Position Classification and Compensation Study

Motion by Utecht that the city contract with Abdo for the position classification and compensation study as proposed for a cost of \$20,900 to be split 50/50 with the Township of Lent. Second by Sawatzky. Members Sawatzky, Ness, Lawrence, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Purchase Agreement – Equipment Transport

Motion by Utecht to authorize the mayor to sign the Vacant Land Purchase Agreement with KFI, LLC, as presented for a land sale

price of \$380,775.80 for PID's 19.00133.16, 19.00133.17, 19.00133.18, 19.00133.19, 19.00133.20, 19.00133.21, 19.00133.22, and 19.00133.23. Second by Sawatzky. Members Sawatzky, Ness, Lawrence, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Rise Contract

Motion by Ness to authorize the mayor to sign the contract with Rise Inc., for cleaning services at the Stacy Sports Grill as presented. Second by Utecht. Members Sawatzky, Ness, Lawrence, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

City Engineer

Dan Boyum

Monthly Report

Engineer Boyum's memo contained the following:

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

- I met with the resident at 5900 311th Street that was asking about being added to the saw cut list. They decided on September 14 that they did not want to proceed with that work.
- Saw cutting of the curbs at seven (7) driveways was done on September 14 and 15. An invoice for the work has been forwarded to the City for payment.
- Paving of the final lift of wear on 307th was done on September 21, 2022. Shouldering work has also been completed.
- We have prepared a Payment Request No. 4 that the contractor is reviewing. It covers restoration work, paving, and shouldering work done since the last payment request. We will plan to forward as soon as they complete their review and anticipate it will be an item for approval on October 11, 2022.

Motion by Utecht to approve Pay Request Number 4 for the 2021 Street and Utility Improvements in the amount of \$41,404.09 to Dresel Contracting. Second by Sawatzky. Members Sawatzky, Ness, Lawrence, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

- We met with the concrete subcontractor on October 6, 2022 to review items they need to

complete. They plan to be in on October 7 to do remaining concrete work. We will give an update on the project schedule at the October 11, 2022 meeting.

- Sanitary Sewer Claim Update – We responded to Dresel representatives on a question on the pipe progress analysis below. We will plan to share the numbers on negotiations at an upcoming meeting.

The council directed Engineer Boyum to work with Dresel to come up with the closest agreement; then the council would like to meet with Engineer Boyum and a representative from Dresel Contracting.

- We are reviewing drainage questions on the east side of Finch Avenue, south of Stacy Trail.

2. Stacy General (193804175)

- **Truck Terminal in Industrial Park** – We responded to some questions. We have recently received some zoning and storm water management questions from representatives of the purchaser of the property.
- **Miscellaneous Zoning and Property Questions** – We have responded to miscellaneous zoning and property owner questions.
- **Stacy Outdoor/Indoor Storage** – We prepared a memo on our site visit looking at lighting and site conditions. The property owner's representative has sent a response back on October 5, 2022 and is addressing items identified in the memo. The city will need to consider the paving delay on the final lift of bituminous that is being requested.
- **All-Mac** – We discussed with All-Mac the lights on their shop and parking lot as it relates to all lighting will be downcast, cutoff fixtures. They are researching purchase of a shield. The City Planner also has made a visual for future reference of property owners on lighting. The visual is attached and can be updated based on any comments from the Planning Commission or Council.

The council liked the visual that was presented, it was forwarded to the Planning Commission to consider adding it to our city code.

- **Finch Court** – Residents have contacted the city on the condition of pavement on Finch Court. Allen has done some pothole repairs. We will review with Allen on the condition of this road and others as planning for any proposed 2023 Street improvements.

Stacy Trail Structure Adjustments

Member Sawatzky said that the structure adjustments on Stacy Trail are like driving through potholes; he is not sure if these are county structures (storm sewer) or ours. Engineer Boyum will discuss with Chisago County.

Rupp Mini-Storage Site Issues

The following issues still are of concern:

- Trash and weeds on the property; they are responsible for the entire property not just what is in the fence.
- The screening does not meet the city code.
- Trash that was already on the site when they purchased the property needs to be removed.

Engineer Boyum said that the developer would like to hold off on the second layer of asphalt until buildings five and six are built.

Motion by Utecht to grant an extension for twelve months from the original building time frame with the condition that they erect an appropriate screening fence inside the property. Second by Sawatzky. Members Sawatzky, Ness, Lawrence, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

All Mac Lighting Update

Engineer Boyum reported positive communication with the property owner. Ms. McClain was present and said she was not aware of issues with the site until she was contacted by the city planner. She said they would address any issues.

City Clerk/Finance Department

Code Enforcement Services

This item will need to be investigated further.

Meeting Regarding Building Permit Issuance

A meeting will need to occur between the city, engineer, attorney, and county to identify exactly who is responsible for what. The clerk will contact the county once it is confirmed they will be taking on our building permit processing.

Time Off Request - Payne

Motion by Utecht to approve both vacation requests as presented. Second by Sawatzky. Members Sawatzky, Ness,

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

Set Date to Canvas Election Results

The date to canvas the general election results is November 15, 2022, at 6:30p.m.

November Council Meeting

The November council meeting will be held on Wednesday, November 9, 2022, due to the general election being held on November 8, 2022.

Liquor Operations

Time Off Request - Benson

Motion by Utecht to approve both vacation requests as presented. Second by Ness. Members Sawatzky, Ness, Lawrence, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Time Off Request - Olson

Motion by Utecht to approve both vacation requests as presented. Second by Lawrence. Members Sawatzky, Ness, Lawrence, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Maintenance Department

Slide in Stacy Lions Park

The council directed that the maintenance supervisor either repair or remove the slide; making it safe.

Committee/Commissions

Public Information Committee

A newsletter will need to be mailed in December notifying the public about the change in building inspector.

The mayor volunteered to write the letter from the council for this edition.

Personnel Committee

Member Ness said he had an overall concern regarding discussion of the staffing at the sports grill; the position was discussed at the Personnel Committee, Council, and Liquor Committee. Concern to a possible open meeting violation. The mayor did not attend the last Personnel Committee meeting.

Old Business

Centennial Celebration

Member Ness said this was discussed at the History Committee meeting; they thought it would be beneficial to see if the Lions

Club could add something to the Stacy Daze shirts saying something in celebration of the 100 years. The also discussed contributing additional funds for fireworks. The council liked the idea of the shirts.

New Business

**Kiwi Snow ATV Club –
George Radke**

Mr. Radke would like to change the official route for snowmobile traffic through Stacy. He presented a proposed map to the council. The council directed the city attorney to prepare an agreement.

**Transportation Plan
Meeting**

The council expressed their frustration that these meetings are held during the day; when they work and are unable to attend. The city engineer will be attending.

Mayor/Council

Street Tracking Software

Member Ness said he was talking with the council member from Lindstrom after the last CLJSTC meeting and he indicated that they had purchased a street maintenance software program. Member Ness will research further.

Adjourned at 9:40p.m.

Mayor Utecht declared the meeting adjourned at 9:40p.m.

Sharon MT Payne, City Clerk