



**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
NOVEMBER 10, 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: Mark Utecht, Tony Olivolo, Jim Ness, Chuck Lucia, and Samantha Denney

Absent: None

Others Present: Mark Statz, Ted Alliegro, Perry Schneller, Luella Schneller, Russell Helling, Pat Mastell, and Anne Thom

Additions to the Agenda

Additions to the agenda:

- Letter of Credit – Kwik Trip, and Dollar General
- Snowmobiling – Sunrise Trail
- Values on Council Section of Management Employee Review Forms.

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

Public Comment

There was no public comment.

Consent Agenda

Motion by Ness to approve the consent agenda as presented. Second by Olivolo. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Staff Reports

City Attorney

Ted Alliegro

**Midcontinent
Communications**

Pat Mastel was present to discuss the renewal of the Midcontinent Contract with the City.

Motion by Ness to approve Ordinance Number 2015-11-1, "An Ordinance Granting a Franchise to Midcontinent Communications to Maintain a Cable Communications System in the City of Stacy, Minnesota; Setting Forth Conditions Accompanying the Grant of the Franchise; Providing for Regulation and Use of the System; and Prescribing Penalties for the Violation of its Provisions;" with summary publication. Second by Denney. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.



**Tax Imposed on Water Bill –
Sunrise Mobile Home Park**

Member Lucia said that the mobile home park owner should be here to discuss this item; he collected the taxes – where did they go? We need to look out for the rights of our citizens. Mayor Utecht said that Mr. Lucia could certainly call Mr. Brakemeier to discuss.

The city attorney's opinion stated that if the city desired they could have the county attorney investigate – is this something the council wants to do? The council will not move forward further; however, Member Lucia stated this just isn't right.

City Engineer
Mark Statz

**Owner/Engineer Agreement –
Water Treatment Plant**

Motion by Ness to approve the Owner-Engineer agreement for the water treatment plant. Second by Denney. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

**Water Treatment Plant and
City Hall Upgrades**

Mr. Statz reported there isn't any update on either to report.

**Letter of Credit –
Kwik Trip and Dollar General**

Mr. Statz has action items that need to be completed by both Kwik Trip and Dollar General; he does not recommend releasing either letter of credit at this time.

Street Improvements

A possible street project for 2016 was discussed which would include improvements to Genesis and Gable and possibly 311th and 312th Street (east of County Road 30).

The estimated costs are:

Genesis and Gable Avenue \$310,650.42
To add 312th and 311th and additional \$71,052.44

Discussion regarding 311th street from County Road 30 to Foster was also discussed. The council directed Mr. Statz to prepare a cost estimate for 311th Street from County Road 30 to Foster; to include storm sewer.

If the road improvements are done the council concurred that weight restrictions would be put into place on these roads.

City Clerk
Sharon Payne

**Delinquent Utility Accounts
to Certify to Property Taxes**

Motion by Ness to approve the delinquent utility certification of \$12,183.16. Second by Olivolo. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

**Liquor License Renewal –
Rustic Inn**

The premise as presented for the renewal needs to be revised to include only the building, the premise needs to identify where the alcohol will be served all the time. Do not include special event areas with this application. For special events a temporary permit will need to be obtained and then the premise for the temporary permit will be defined.

Christmas Eve

The council approved the closing of city hall for Christmas Eve.

Dog Licensing

The clerk was directed to prepare a report of the number of dog licenses that have been issued to determine if the license fees are appropriate. The fee for dog licenses can be adjusted based on the number of licenses actually issued. What does the fee need to be to cover the annual cost from Banyon?

Code Red Update

The clerk reported that the training on the Code Red system for both her and the Maintenance Supervisor is being coordinated with Scott Sellman.

Online Options for City Code

The council discussed optional services to the city's code online.

Motion by Utecht to choose option one, list of new ordinances, dates and a summary on the web until the code is updated; contingent upon the city clerk verifying there is money in the budget for 2016. Second by Olivolo. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Budget Report

The clerk was directed to have Springsted review the water and sewer funds; inform them about the mobile home park additional amount due.

Committees Commissions

Park and Recreation

Member Olivolo stated that the Lions Club had donated funds to Lent Township for playground equipment; they may have enough funds to purchase the handicap/senior glider for the city.

Planning Commission

- **Tiny Houses**

- **Accessory Buildings**

- **Building Inspector Report**

The council discussed tiny houses; should they be allowed? The council overall thought yes, with conditions; such as their own hookup to water and sewer, non-rental units, setbacks, etc.

Does the council want to follow the state which does not require a building permit for an accessory building under 200 square feet, this is a change from the 120 square feet.

The consensus was to stay with 120 square feet; Mayor Utecht would like to follow the state's 200 square feet.

The council would like for Mr. Kramer to include the breakdown of the permit fees on his report.

Old Business

Values on Reviews

The values on the council section of the manager review forms was not done, the council decided to just use the 1-5 rating this year and deal with the values for next year.

Off-Sale Assistant Manager Review Form

Motion by Utecht to approve the Off-Sale Assistant Manager review form as presented. Second by Ness. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

New Business

**Perry Schneller – Invoice
Payment Request**

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

Mr. Schneller said that Mr. Kramer required a second survey be done; this was not the understanding of the council; the council thought that Mr. Kramer asked for a copy of the original survey.

The surveyor, Russel Helling, stated that Mr. Kramer said he needed proof that the fence was not on the property line.

Attorney Alliegro said that the council needs to follow up with Mr. Kramer to see what he requested.

After further conversation it was determined that a paper document had not been generated by the surveyor for the initial survey.

The building inspector was directed to write a report of what happened and attend the next council meeting. The report to specifically address the timeline regarding the request for the survey, did he ask for an initial one, did he receive it? When he received the survey was the fence already built? Do we require a paper copy or just a statement from the surveyor saying they placed stakes to show property lines?

The city's building permit form may need to be revised to state when a survey needs to be done.

Safety Committee

The city will need to form a safety committee. The clerk was directed to research if the Personnel Committee can be the safety committee.

Mayor/Council

Council Member Shirts

The council decided it would be appropriate for each of them to have a city shirt provided by the city as long as the cost does not exceed \$40/shirt. Each council member will be allowed one shirt per year at the city's expense.

Each member will contact Strikke Knits to order their shirt; the clerk will contact her to hold the order until all five shirts orders have been placed.

**Snowmobiling – Sunrise
Trail**

Mayor Utecht said he had been contacted by Ben Montzka regarding snowmobile use on the Sunrise Trail. Should traction devices (studs) be allowed?

The council discussed the use of the trail and how the snowmobiles could use the side (grassy area) of the trail. A concern was expressed regarding the enforcement to assure they stay off the trail. The council would like to keep the policy as it currently is, they cannot use Sunrise Trail.

Midcontinent

Member Ness said he had been corresponding with Mr. Hachey regarding the use of Midcontinent internet and phone services at the Stacy Wine and Spirits; the council directed the department manager's to discuss any citywide cost savings to "bundle."

Adjourned at 9:51p.m.

Mayor Utecht declared the meeting adjourned at 9:51p.m.

Sharon MT Payne