



**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  
MARCH 9, 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 (virtual), Elizabeth Vierling, and Jim Ness

**Additions to the Agenda**

Additions to the Agenda:

1. Vacation Request Aerica Benson
2. Sports Grill Refrigerator
3. Zoning Enforcement - Old Business

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

**Public Comment**

None

**Consent Agenda**

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

**Staff Reports**

**City Clerk/Finance**

**Sewer Rate Study Report**

The Sewer Rate Study reported that the sewer fund is healthy at this time and no increase is recommended.

**Resolution Establishing  
Precincts and Polling  
Places**

Motion by Ness to approve Resolution Number 2022-3-1, "Resolution Reestablishing Precincts and Polling Places in the City of Stacy." Second by Carlson. Members Ness, Carlson, Lawrence, Sawatzky, and Utecht voted yes. Mayor Utecht declared the motion carried.

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**Liquor Operations**

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

**Vacation Request**

Motion by Ness to approve the vacation request for Aerica Benson as presented. Second by Sawatzky. Member Ness, Sawatzky, Lawrence, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

**Sports Grill Refrigerator**

Motion by Utecht to authorize Manager Benson to replace the refrigerator at the Sports Grill for a cost not to exceed \$5,500 including installation after she reviews other options. Second by Ness. Members Utecht, Ness, Sawatzky, Lawrence, and Carlson voted yes. Mayor Utecht declared the motion carried.

**Sports Grill Update**

Manager Benson reported:

- Things are going well; they are busy.
- The storm drain backed up into the banquet room; the Maintenance Supervisor will have the line jetted.
- The council asked Manager Benson to work with the Maintenance Supervisor to have the roof replaced this year; as this has been an ongoing issue.

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**Committee/Commissions**

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**Park and Recreation Committee**

Mayor Utecht reported that the committee talked about the city attorney's email regarding the sale of city park land; it appears that we would not be able to sell park land because of the manner in which it was acquired.

The committee talked about the various parks in the city and would like the council's input on the use of Richland Meadows Park. The council concurred that a good use of the property would be a rain garden type park.

They are beginning the process of reviewing the Park Plan.

**History Committee**

The council was asked to consider a celebration in 2023 celebrating the Stacy's centennial.

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**Notices and Communications**

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**Board of Review**

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The Board of Review will be held on April 14, 2022, at 7p.m.

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**New Business**

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**Ordinance 2022-3-2  
Plumbing Plan Review**

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Motion by Ness to approve Ordinance Number 2022-3-2, “An Ordinance Amending Section 150.01 – Building Code, of the Stacy City Code Concerning Plumbing Plan Review and Inspections and Repealing Section 150.08 – of the Stacy City Code Concerning Plumbing Permits, Plans and Specification Review, and Inspections of Plumbing Systems;” with summary publication. Second by Sawatzky. Members Ness, Sawatzky, Lawrence, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

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**Employee Reviews**

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The employee reviews are coming up in July, the mayor recalls some concerns last year regarding the assessment of employees.

The review forms will be uploaded to TEAMS to have the council research if any revisions need to be made. The grading points for those items stated they did or didn't do a job function will be adjusted in the total points available for the review. The employees will be asked to review their performance review forms also to see if revisions are necessary.

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**Old Business**

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**Review City Park Land**

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This item previously discussed above; this is the city attorney's response regarding the sale of park land:

Whether the City can sell park land depends on the City's ownership interest in the park land it wants to sell.

If the City owns the park land because it purchased the land outright (a fee simple interest), then the city could sell the park land.

If the park land was dedicated to the City through the subdivision regulations for park purposes, then it is held by the City in trust for the public. The city cannot sell the park land. If it tried to sell the park land it would revert back to the underlying owner. Just like when a dedicated street is vacated.

If the park land came to the City through tax forfeiture, then there may be a deed restriction that limits the land to a particular use. If the land is not used for that use or the city attempts to sell the land it reverts to the State.

If the park land came to the City as a gift, then there may be conditions on the grant of land that would prohibit the City from selling the land.

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**Mayor/Council Business**

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**Lent Annexation**

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The council discussed the potential merger of the city and the Township of Lent. A few items that will be considered:

- Employees
- Property Taxes
- Land Use

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**Zoning Enforcement**

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The council reviewed the correspondence from Scott Qualle at MNSPECT, the council is not willing to exclude entire chapters; but would like them detailed out similar to item one in Mr. Qualle memo. Mr. Qualle will be present at the April meeting.

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**Adjourned at 8:45p.m.**

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Mayor Utecht declared the meeting adjourned at 8:45p.m.

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Sharon MT Payne, City Clerk