



**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 12, 2020, 7:00p.m.
MEETING HELD VIA TELECONFERENCE DUE TO COVID-19**

Call to Order

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

Roll Call

Roll Call:

Utecht	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Ness	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Olivolo	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Authier	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Thieling	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent

Others Present: James Mongé, Dan Boyum, and Matt Silver

Additions to the Agenda

Additions to the agenda:

- Purchase Agreement – Northstar Insulation
- Financing Documents for SCBA
- Time Off Request – Rod Olson
- Stacy Daze, Lions Club Email

Motion by Ness to approve the agenda as amended. Second by Olivolo.

Roll Call Vote:

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Authier	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Thieling	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Mayor Utecht declared the motion passed unanimously.



Consent Agenda

Motion by Ness to approve the consent agenda as amended. removing Kramer Mechanical from the claims in the amount of \$384.56 Second by Utecht.

Roll Call Vote:

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Authier	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Thieling	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Mayor Utecht declared the motion passed unanimously.

Motion by Utecht to approve the line item taken out of the consent agenda (Kramer Mechanical invoice). Second by Olivolo.

Roll Call Vote:

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Authier	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Thieling	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Mayor Utecht declared the motion passed 4-1.

Staff Reports

**City Attorney
James Mongé**

**Midcontinent Contract
Review**

Attorney Mongé presented a memo regarding our contract with Midcontinent; regarding the conditions of the contract.

The clerk was directed to draft a letter to Midcontinent asking them what can the city do to assist them in providing service to the entire city.

Stacy Retail Center

Attorney Mongé addressed the questions from the last meeting:

1. Can an expiration date, or a condition be placed on a Conditional Use Permit to remove the permit with change of ownership? Attorney Mongé said that the law laid out in Minnesota Statutes is clear; the permit stays with the land.



2. Setback from the high-water mark; Attorney Mongé said it is clear that the storage containers meet the setback for the Shoreland District.

Dollar General

Attorney Mongé reported that the City can install a stop sign in the right-of-way at its own cost, or see if Dollar General will agree to pay for the work. There is no authority that would permit the City to certify the cost of this work for collection with taxes.

Motion by Utecht to direct the Maintenance Department to install a stop sign at the location discussed for Dollar General. Second by Thieling.

Roll Call Vote:

Utecht	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Ness	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Authier	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Thieling	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Mayor Utecht declared the motion carried 3-2.

Northstar Insulation – Purchase Agreement

Mayor Utecht said that he had two obvious issues with the purchase agreement:

1. Item (8) Seller’s Improvements. Buyer’s obligations under this Agreement are conditioned on Seller constructing or causing to be constructed the following improvements (the “Seller Improvements”) on or before the Closing Date: (a) “rough grade” the site to within +/- six inches in accordance with the grading plans approved by the City and to perform such soils correction work as may be necessary for the Property to be “pad ready” and buildable for the New Building and parking lot without additional soils correction or pilings; and (b) cause all water, sanitary sewer, storm sewer, gas, electric, and telecommunications utilities be available for connection to the Property from adjacent streets or easements, and be responsible for stubbing such utilities to each lot comprising the Property.
2. The purchase price for the property.

The city attorney will prepare a written report on the Purchase Agreement.



City Engineer
Dan Boyum

The clerk was requested to put numbers together that would show the asking price for those three lots; and what we owe on those three lots.

Those two items will then provide direction to the council.

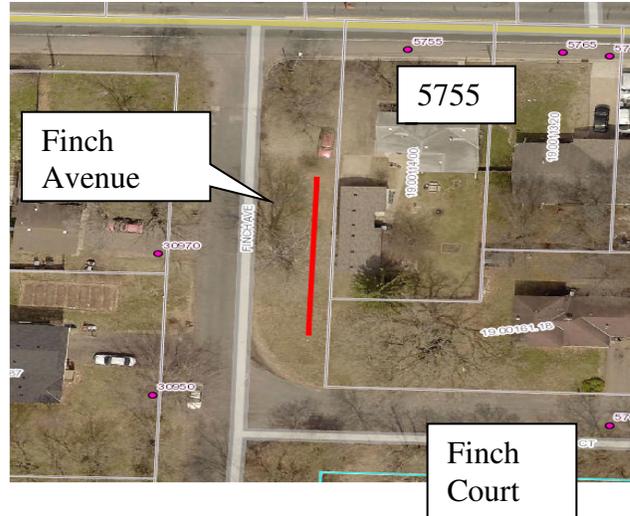
Mr. Boyum reviewed his report with the council and addressed their questions. The report included:

- Dollar General – Reviewed proposed stop sign with City Attorney. Contacted Dollar General to review past correspondence on installing a stop sign. Reached the store manager who said it was not something that her or the district manager could address. It had to go to corporate, and she has not heard back from them.
- Stacy Retail Center – Storage Container Conditional Use Permit (CUP) – Discussed shoreland requirements and setback with City Attorney, Staff, and water resource specialists. Prepared a revised memo on CUP application for May 19 Planning Commission discussions.
- Forterra Service – Forterra forwarded some comments back on options sent to them previously. We anticipate once stay at home order is lifted, a public information meeting on the options will be held.

The council wants to wait on the project until the informational public meeting can occur.

- Stacy Ponds Mini Storage –Received an update from the property owner’s architect on their discussions with the County on access from Forest Boulevard. Reviewed this update with the City Planner and Staff. Discussed the property owner will need to submit an application and fees as part of next steps.
- Finch Avenue Drainage – The property owner at the SE corner of Stacy Trail and Finch Avenue (5755 Stacy Trail) discussed concerns on drainage in the area shown in red below. A catch basin was added near Stacy Trail in 2006. We will review with public works and forward comments.





- Northstar Insulation – Stacy Ponds Business Park – We forwarded information to the engineer working for Northstar Insulation related to standard detail plates, storm water requirements, etc.
- Peterson Companies Gravel Pit – Forwarded property information we received to staff.

Mayor Utecht said that he received a call from a resident expressing concern, can we figure out when the CUP was issued, was a public hearing held. Is the home on the corner of County Rd 30 and 36 part of the same parcel that is being mined? The clerk will send the CUP information to the council.

- Revived Iron – Future Water/Sewer Service Extension – As discussed previously, this sewer and water extension was not done last fall. We checked on the schedule with the property owner. Due to COVID-19, they have not got this scheduled but will provide an update soon.

Stacy Ponds Mini-Storage

The Stacy Ponds Mini-Storage project is having difficulty obtaining access onto Count Road 30. The city is wanting this access and has always wanted this access.

The clerk was directed to issue a letter to Ben Montzka, Chase Burnham, and Joe Triplett, requesting the access, why can't the access be granted? What are the requirements? A flat out no is not an acceptable answer. The City Engineer and Council will be cc'd on the correspondence.

City Clerk

Sharon Payne



LMC – Liability Coverage Waiver

Motion by Utecht that the city does not waive the monetary limits of municipal tort liability. Second by Ness.

Roll Call Vote:

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Authier	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Thieling	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Mayor Utecht declare the motion passed unanimously.

LMC – Cyber Security

The city is covered up to \$250,000 for cyber security; do we want a quote for \$500,000?

The clerk will get a quote from our representative; if it is a huge time investment for the clerk then do not get the quote. The \$250,000 seems sufficient.

Job Description – City Clerk

Motion by Utecht to approve the City Clerk’s job description as presented. Second by Ness.

Roll Call Vote:

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Authier	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Thieling	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

The Mayor declared the motion carried unanimously.

Job Description - Receptionist

The job description for a receptionist was not approved and will await approval once it is deemed that the position is necessary.

Liquor Operations

**Stacy Wine & Spirits
Rod Olson**

Security System

Motion by Ness to accept the proposal for the security system at the Stacy Wine and Spirits as presented with addition of the ninth camera for an additional cost not to exceed \$1,000. Second by Authier.

Roll Call Vote:



Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Authier	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Thieling	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Mayor Utecht declared the motion carried unanimously.

Time Off Request

Motion by Utecht to approve the time off request as presented.
Second by Ness.

Roll Call Vote:

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Authier	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Thieling	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Mayor Utecht declared the motion carried unanimously.

Stacy Sports Grill
John Wicklander

Security System

The council would like to see at least two quotes. Mayor Utecht will communicate this to Mr. Wicklander.

Sealcoating

No action was taken on the proposals.

Point of Sale

Mayor Utecht said that we should go ahead with Microsale now that they can serve us directly.

Member Ness said that it is good we can have support right now, however this system has been an issue with all the manager's since it was installed. He thinks it's a good time to switch. The other members concurred.

The council thinks it's a good time to switch, however, left the decision up to the Manager.

Stacy Daze

Many community events have been cancelled due to COVID-19. The council left the decision up to the Manager if he chooses to participate in Stacy Daze, keeping social distancing guidelines in mind.



Stacy Daze – Lions Club

The council did not make a decision if Stacy Daze should occur or not; this is a Stacy Lions Club event. They can decide to hold the event keeping social distancing in mind.

TV’s

Motion by Utecht to approve the purchase of the TV’s as laid out in Mr. Wicklander’ s email. Second by Olivolo.

Roll Call Vote:

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Authier	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Thieling	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Mayor Utecht declared the motion carried unanimously.

Committees/Commissions

Park and Recreation Committee

Resignation

Motion by Utecht to accept the resignation of Tim Sawatzky as submitted from the Park and Recreation Committee. Second by Authier.

Roll Call Vote:

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Authier	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Thieling	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Mayor Utecht declared the motion carried unanimously.

Old Business

SCBA and Equipment Quote

Mayor Utecht expressed concern that the agreement indicates a penalty for early payoff; he does not support anything that has an early payoff penalty. The council concurred.

New Business



Mayor/Council Business

**Review Ballfield Use –
During COVID-19**

Motion by Ness to have signs posted, like those at Lions Park, on the backstops at the Doyle Ballfield, and Twins Ballfield. Second by Authier.

Roll Call Vote:

Utecht	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Authier	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Thieling	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Mayor Utecht declared the motion carried 4-1.

**Status of Tax Payments
Due to COVID-19**

We may not receive our entire tax payment when due; however, an additional payment will be issued in August.

**Unemployment Insurance
Impact Due to COVID-19**

Mayor Utecht said that the last he heard the state would be covering unemployment during COVID-19. Hopefully this has no changed.

**COVID-19 Impact on Local
Government Aid**

At this time, it is not known if Local Government Aid (LGA) will be impacted due to COVID-19.

In order for the city to be prepared should a reduction or removal of LGA be made; the council directed that the department heads review their budgets to see how they can help the city through the possible change in LGA being reduced or removed in 2020.

LGA proceeds directly impact the General Fund budget. The clerk will ask for the city engineer and attorney for possible rate reductions to help the budget if necessary.

**Meeting with League
Regarding Social Media**

The council decided that this is a low priority item with everything going on right now and would like to wait until sometime later in the future when things come back to normal after COVID-19.

Adjourned at 9:19p.m.

Mayor Utecht declared the meeting adjourned at 9:19 p.m.

Sharon MT Payne
City Clerk



Regular Meeting – May 12, 2020