



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, 2019, 7:00p.m.
STACY CITY HALL**

Call to Order

The Stacy City Council met in regular session and was called to order by Mayor M. Utecht at 7:00p.m.

Roll Call

Present: Chuck Lucia, Mark Utecht, Tony Olivolo, and Mark Ness

Absent: None

Others Present: Amy Schutt, Dan Boyum, Jim Ness, Dennis Thieling, Kristy Nelson, Jerry Schroeder, Jeff Selvog, Steve Burvee, Matt Silver, Jim Kultala, and Paul Authier

Additions to the Agenda

Additions to the Agenda:

1. Online Correspondence from Paul Authier
2. Letter from Dennis Thieling
3. Management Guideline Update
4. Change Order of Agenda to Address Council Vacancy and Election prior to Newsletter

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

Public Hearing on City Code Changes 7:03-7:07p.m.

The purpose of the public hearing is to gather public input on a proposed ordinance which amends City Code by: changing all references from "Maintenance Officer" to "Maintenance Department"; making the Utility Billing clerk responsible for keeping council meeting minutes in the Clerk's absence; changing "unfinished business" to "old business", with respect to business conducted at council meetings; removing the requirement that ordinances be received for reading before final adoption; giving committees the power to appoint their own chairperson; deleting the section regarding special elections; allowing the city clerk's designee to prepare the assessment roll; setting the amount of the monthly carrying charge for overdue water and sewer bills by fee schedule; setting the amount of the fee for shutoff of water due to unrepaired leaks by fee schedule; stating that water meters will be furnished by the city and allowing the city to set a fee for them; deleting the section regarding a sewer service fund; deleting the section regarding administration of the treatment works accounts; allowing the amount of the penalty for late payment of stormwater drainage fees to be set by fee schedule; allowing firefighters to assist with

directing traffic; deleting the section regarding leaving a vehicle running or keys in the ignition; and by making minor grammatical and formatting changes.

Public Comment

None

Consent Agenda

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

Staff Reports

City Attorney

Amy Schutt

Resolution for Hearing on Proposed Assessment

Motion by Ness to approve Resolution Number 2019-5-1, "Resolution for Hearing on Proposed Assessment." Second by Utecht. Ness, Utecht, Lucia, and Olivolo voted yes. Mayor Utecht declared the motion carried.

Ms. Schutt said that Mr. Kultala has obtained legal counsel and have filed an order with the court requesting an appeal of their determination. However, she said this does not change her recommendation to the council.

Resolution Ordering Special Election to Fill Vacancy

Motion by Utecht to take the agenda out of order and address Item 10A-Council Vacancy, concurrently with this agenda item. Second by Ness. Utecht, Ness, Lucia, and Olivolo voted yes. Mayor Utecht declared the motion carried.

The council received a letter from Paul Authier stating in summary to not hold a special election due to the cost and to appoint Dennis Thieling to fill the vacancy.

The council members concurred that the costs of holding a Special Election, about \$4,000 was to high; and soliciting letters of interest to fill the vacancy is a better option at this time. The Special Election will be held concurrently with the General Election in 2020.

The Letters of Interest to fill the vacancy until the General Election in 2020 will be due June 5, 2019, at 5:00p.m. The notice will be posted, published, in the newsletter, and posted on the reader board outside city hall. The applicant may be chosen and take their seat at the June 11th meeting. This item will be handled on that agenda before Public Comment.

City Engineer
Dan Boyum

Mr. Boyum went over his engineering report and addressed questions from the council. Only items that have been changed since the last meeting have been noted:

Forterra Service. We are laying out proposed sanitary sewer and watermain along the north side of 307th based on the feedback at the April Council Meeting. Patching of 307th is needed to get the watermain from the south to north side of the street. Construction easements are anticipated to be needed at manhole locations. We will plan to forward information on the layout to Forterra in the next few weeks.

Fox Valley Metrology (30447 Stacy Ponds Drive). We responded to various questions and information requests from the applicant's consultant. We reviewed the site plan with staff and presented comments at the special planning commission/council meeting on April 30, 2019. We have responded to follow-up questions and information requests from the applicant's consultant and County Staff working on tax abatement.

Asset Management System. Information stored by City Staff on the Cleerio site has been obtained and we have linked it to Infraseek. Training is being coordinated with Staff.

Revived Iron Lot Line Adjustment and Site Plan – Industrial Park. We have responded to next step questions from the applicant and site plan questions from the applicant's consultant as they work on the site plan. We are geared up to prepare the legal description information and drawing upon some final confirmations from the applicant's consultant.

Motion by Ness to take the agenda out of order and address Item 10B-Letter from Dennis Thieling, concurrently with this agenda item. Second by Ness. Utecht, Ness, Lucia, and Olivolo voted yes. Mayor Utecht declared the motion carried.

Dennis Thieling wrote a letter to the city stating that he was opposed to the city paying for the cost of the survey for this project; typically, the survey is always paid for by the buyer. The council said they had committed to pay this cost in this instance and will review for further projects.

Foster Avenue Apron

Mayor Utecht indicated that the apron at Foster Avenue and Stacy trail is falling apart; it appears that a total replacement will need to occur.

City Clerk
Sharon Payne

**League of MN Cities –
Liability Coverage Waiver
Form**

Motion by Utecht the city does not waive the monetary limits on municipal tort liability. Second by Ness. Members Ness, Lucia, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

**Management Guidelines
Regarding Termination of
Employees**

Rod Olson brought to the clerk’s attention that the Management Guidelines still reflect that they cannot terminate employment; in fact, they can during the probationary period 30 or 60 days. The clerk was directed to prepare an update to the Personnel Policy.

Maintenance

**Flagpole Light – Lions
Park**

Currently there is no lighting to the flag; we can’t fly a flag at night without it being lit. The Maintenance Staff will be directed to raise the flag for the upcoming holidays until the lighting has been restored. They will not be posting the flag daily.

Liquor Operations

Pay Increase Request

What is management’s authority in awarding pay increases or setting pay for new hires? It is the manager’s discretion in both situations; however, if they go beyond their budget, they need to notify the council of their actions.

**Vacation Request – Rod
Olson**

Motion by Ness to approve Mr. Olson’s vacation request as presented. Second by Olivolo. Ness, Olivolo, Lucia, and Utecht voted yes. Mayor Utecht declared the motion carried.

**Committees
Commissions**

**Chisago Lakes Joint
Sewage Treatment
Commission**

**Long Term Capital Fund –
Increase in Rate**

Member Lucia will confirm with the clerk at the CLJSTC what exactly does this letter mean. Agenda Item for June 2019.

Personnel Committee

Pay Matrix

Proposed changes to the pay matrix were discussed. The council directed that Manager’s prepare a minimum and maximum pay for the positions that report to them including their own. What the market is and how it applies to Stacy; they will use the current matrix as reference.

**Public Information
Committee**

**Approve Newsletter for
Mailing**

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

Planning Commission

**Approve Ordinance –
Permitted Uses in the
Light Industrial Zoning
District**

Motion by Utecht to approve Ordinance Number 2019-5-3, “An Ordinance Amending the Stacy City Code Chapter 153 Section 153.053 (B) Regarding Permitted Uses in the Light Industrial District.” Second by Ness. Utecht, Ness, Olivolo, and Lucia voted yes. Mayor Utecht declared the motion carried.

**Emergency Plan
Committee**

Set Closed Meeting

The meeting was set for June 4, 2019, at 7:00p.m.

The City is in need of any Emergency Management Director, preferably not a fire department member or city maintenance personnel (they would most likely be involved in other areas of an emergency).

**Notices and
Communications**

Ragnar Relay Race

The clerk was directed to notify Ragnar Relay that the city received their correspondence.

Old Business

None

New Business

Stacy Lions Club

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

Stacy Lions Park Bandshell:

Plans were presented to the council for review; the council approved the project as presented and thanked the Lions Club for everything they do. (plan attached).

Ribfest, Monster Jam, and Fireworks:

Jeff Selvog, owner of A1 Tire, said in coordination with the Lions Club an event will be held on September 21st at Rick Doyle

Memorial Park which will include a Rib BBQ competition, monster truck, and fireworks. Is it ok to proceed? The council said it sounds like a great idea.

Action on Public Hearing

Motion by Ness to approve Ordinance Number 2019-5-4, An Ordinance Amending the City Code;" with summary publication. Second by Olivolo. Ness, Olivolo, Lucia, and Utecht voted yes. Mayor Utecht declared the motion carried.

Mayor/Council

**Reminder May 28th
Meeting**

Mayor Utecht spoke with Pam at the League, the person who will be doing the training. He asked her if the council should wait until the vacancy was filled before meeting with her. She said that if we are having problems now that is preventing us from doing our jobs we should meet now; if we're just looking for help to improve, then wait until the vacancy is filled. The council concurred to wait until the vacancy was filled.

Adjourn at 9:19 p.m.

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

Sharon MT Payne

Stacy Lions Park Bandshell



Dimensions:

- The front of the stage is roughly 12" tall.
- The concrete slab is 36' X 36'
- The Building is roughly 28' 6" wide X 12' deep.
- There is 4' of sidewalk at the back of the building.
- Stage Area is roughly 28'6" wide x 18' deep.