



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
JULY 10, 2018, 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: Jim Ness, Chuck Lucia, Mark Ness, Tony Olivolo, and Mark M. Utecht

Absent: None

Others Present: Amy Schutt, Jeremy Hauser, Ron Rollins, Kristy Nelson, Jerry Schroeder, Peggy Korlath, Dennis Thieling, Steve Burvee, Denise Levasseur, Paul Authier, and Rebecca Lamotte

Additions to the Agenda

Additions to the agenda:

- Stacy Daze Booth
- Employee Review Forms
- Maintenance Truck
- Respectful Workplace Policy
- Temporary Serving Area for Stacy Daze
- Calling Closed Personnel Meetings

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

Public Comment

Ron Rollins:

Mr. Rollins introduced himself as a candidate for Chisago County Sherriff and gave an overview of his history in law enforcement and a brief statement of his vision for the community.

Consent Agenda

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

Staff Reports

City Attorney

Amy Schutt

Attorney Schutt said she didn't have much to report; nothing has changed since the last meeting regarding the Sports Grill Band Issue or the Kultala property.



City Engineer
Jeremy Hauser

Water Treatment Plant Project

Magney continues to work on a “punch list” of items. The level of radium in the water has passed the test. The council asked that Ryan Capelle provide updates on the progress of the plant. The council will tour the plant at 6:30p.m. on August 15, 2018.

2018 Street Project

Mr. Hauser updated the council on the progress of the street project and city hall parking lot updates.

Pay Request Number 2:

Motion by M. Ness to approve Pay Request Number 2 in the amount of \$129,044.86 to Valley Paving Inc., for the 2018 Street Improvement Project; contingent upon receipt of the bond proceeds. Second by T. Olivolo. Members M. Ness, T. Olivolo, J. Ness, C. Lucia, and M. Utecht voted yes. Mayor M. Utecht declared the motion carried.

County Project – CSAH 30

The project is almost complete; it should be open to traffic by the end of this week.

County Project - CSAH 19

The tree clearing portions are completed; the construction should begin in early August and wrapping up at the end of September.

Lift Stations

Mr. Hauser said we are waiting on parts for this project to move forward.

DNR Water Supply Plan

Member M. Ness said he is slightly upset that this expense was not preplanned and just coming up now and not during the budgeting process last year.

Motion by M. Utecht that we authorize the proposal to update the “Local Water Supply Plan Template” at the cost estimate (\$9,070) presented by Stantec. Second by J. Ness. J. Ness, M. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. Mayor M. Utecht declared the motion carried.

Maintenance

MN Department of Health Reports

This item handled out of order by J. Ness. Second by M. Ness and carried.

Mr. Hauser said that “all is fine” with the water testing reports; they do not show any items requiring action.

City’s Truck

Mayor M. Utecht reported that the City’s truck (2013 Silverado) was hit while parked on Stacy Trail with the lights flashing. The truck is damaged to the point that it cannot be used and is being assessed for repairs.

Mr. Jones indicated that the Maintenance Department needs to have two trucks; Mayor M. Utecht said that we can rent a truck until we know what's going to happen. The council discussed this option at length and also utilizing the international in the interim.

Motion by J. Ness that the Maintenance Department utilize the two trucks (550 and International) we have. Second by M. Ness. Members J. Ness, M. Ness, and C. Lucia voted yes. Members T. Olivolo, and M. Utecht voted no. Mayor M. Utecht declared the motion carried 3-2.

Liquor Operations

Bid for Patio Door

The council did not approve the quote presented; they would like Ms. Schneider to obtain multiple quotes for a door with half glass.

Temporary Service Area

Member M. Ness thought he remembered from conversations last year that the Sports Grill was to abide by the same requirements regulating special events as other establishments in Stacy. He does not think they should receive special treatment.

Ms. Schneider will be asked to provide the information in the city code regulating alcohol and special events.

Liquor Committee Meeting Update

Member M. Ness said the committee met on July 9th with the Liquor Operations Bookkeeper, Amy Hill, and went over the profit and loss report.

There was an issue with how Ms. Schneider was entering information into the point of sale system and how that system recognized her entry. For example: she was putting in bottles of beer where the system recognizes cases. Because of this discrepancy an inventory adjustment will be necessary. The council will see this adjustment on the May financials and then moving forward it will be accurate.

Mayor M. Utecht said the inventory discrepancy could explain why the big profit numbers in March, and profit in April; in fact, February to May will show about zero after adding the pluses and minuses. About where they were performing before.

In September they will be revisiting items that they are depreciating; if they are taken off the list it will make the numbers look bad that month.

City Clerk**Sharon Payne**

Gallons Billed vs. Pumped

Member J. Ness asked why there was over 500,000 in estimated gallons; the clerk was directed to research.

CLJSTC Capital Improvement Plan

No action.

Resolution Appointing Election Judges

Motion by M. Ness to approve Resolution Number 2018-7-1, "A Resolution Appointing Election Judges for the August 14, 2018, Primary Election, Revision of Original Resolution Number 2018-6-1;" with the typo correction. Second by J. Ness. J. Ness, M. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. Mayor M. Utecht declared the motion carried.

**Committees
Commissions**

Personnel Committee

Respectful Workplace Policy

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

The council would like time to review the policy; agenda item for August.

Review Forms

Utilize the review forms as presented. The clerk was directed to distribute the review forms to the employees; they need to be to the council July 24, back to the employee July 31, and the review August 6. In the case of the On-Sale Manager – use the old form.

Park and Recreation

Mr. Thieling said that Lions Park is looking better now that the weeding has been done; there are several oak trees that need to be removed from the park as they are dead. He also said that the monument is falling apart and should be replaced at some point. He will contact the Maintenance Department regarding the trees.

EDA

The EDA met in joint session to discuss the "old BP" property (see minutes from June 28, 2018, Work Session).

Mr. Thieling reviewed the questions on the City's Action Plan; no action necessary.

Planning Commission

Member M. Ness said the sign ordinance is progressing; two sign people came to the last meeting and gave us some good data for reader type signs. They will also be preparing a design (free of charge) to replace our reader sign outside city hall.

Old Business

**Approve Sports Grill
Review Forms**

Ms. Schneider will be reminded to provide the update.

New Business

**Rustic Inn – Permit for
Stacy Daze**

Motion by T. Olivolo to approve the permit for the Rustic Inn for Stacy Daze as presented in her application. Second by C. Lucia. J. Ness, M. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. Mayor M. Utecht declared the motion carried.

Stacy Lions

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

Stacy Daze Liquor License:

Member M. Ness said he stands by his prior comments regarding the consumption area being the entire park – he does not support it.

Motion by M. Utecht to grant the application for a one-day liquor license to the Lions Club as described in their application. Second by T. Olivolo. Members M. Utecht, T. Olivolo, C. Lucia, and J. Ness voted yes. Member M. Ness voted no. Mayor M. Utecht declared the motion carried 4-1.

Building in Lions Park:

Ms. Nelson said they have signed an auction form with JJ's for the building; the sale is in July and the building to be removed after Stacy Daze.

Doyle Parking Lot Paving:

The Lion's Club was directed to work with Mr. Jones.

Mayor/Council

**Firearms in the
Agricultural Zoning
District**

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

Mayor M. Utecht said that he was informed by law enforcement that there is a state statute that prohibits discharge of a firearm within city limits; and a city can put in procedures to allow it. When the city annexed land the property owners were told they could continue what they were doing before they were annexed; which included hunting in the Agricultural Zoning District. He would like the council to consider allowing it through a permitting process.

Ms. Schutt brought up the city code which stated:

§ 130.01 REGULATION OF FIREARMS AND OTHER WEAPONS.

(A) Definition. FIREARMS, within the meaning of this section, shall be deemed to include shotguns of whatever size, and any rifle, revolver, or pistol of size 22 caliber or larger. OTHER WEAPONS shall be deemed to include air guns, spring guns, BB guns, pellet guns, bows and arrows, compound bows, cross bows, or any similar devices.

(Prior Code, § 803.01)

(B) Regulation of discharge. It is unlawful for any person to fire or discharge any firearm or other weapon within the corporate limits of the city except for those areas zoned Agricultural, provided that no firearm or other weapon is discharged on another person's private land within 500 feet of a building occupied by humans or animals without written permission of the owner, or from or across the right-of-way of a road.

Our code currently allows discharge of a firearm in the Agricultural District, no further action required.

Board of Review Training

The council members can take the online training if they desire; the item will be placed on the January 2019 agenda also.

Stacy Daze Booth

The clerk informed the council that they are given a space and they provide any booth type setup.

Mayor M. Utecht will prepare a schedule for distribution to the council to sign-up.

The clerk will prepare something to tape to the booth indicating Stacy City Council.

Calling Closed Personnel Meetings

Member M. Ness would like to see a change that calling closed meetings for employee performance requires two council members to call them; when it comes to this having only one person call the meeting is an issue.

The clerk was directed to research who can call closed meetings. Agenda item for August 15, 2018, meeting.

Adjourn at 9:06p.m.

Mayor M. Utecht declared the meeting adjourned at 9:06p.m.

Sharon MT Payne