



**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 14, 2020, 7:00p.m.  
MEETING HELD VIA TELECONFERENCE DUE TO COVID-19,  
ALSO HELD IN PERSON AT 30955 FOREST BOULEVARD,  
STACY MN**

**Call to Order**

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

**Roll Call**

The following members were present at City Hall:

**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, Michelle Hayes, Dennis Oberloh, Steven Kramer, John Dobbs, Dan Vierling, Matt Thompson, Mike Casiday, Kathy Casiday, and Matt Silver

**Additions to the Agenda**

Additions to the agenda:

- CARES Fund Update
- Vacation Request – Tanner Jones
- Additional Vacation Request – Sharon Payne

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

**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.



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**Consent Agenda**

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Motion by Ness to approve the consent agenda as amended.  
Second by Thieling.

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.

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**Staff Reports**

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**City Auditor**

**Dennis Oberloh**

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**2019 Audit**

The city auditor, Dennis Oberloh, presented the 2019 audit to the council and addressed questions.

Motion by Ness to approve the 2019 audit as presented. 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 passed unanimously.

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**City Attorney**  
**James Mongé**

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**Chisago County – Short  
Term Rental Agreement Air  
BnB**

Attorney Mongé said that the county's ordinance does not place the City in a compromised position. It does mean the County will be licensing short term rentals within the City.

**Access Request to CSAH  
30**

The City asked the County Engineer to allow access to CSAH 30 (Forest Boulevard) and the request was denied. The council asked Attorney Mongé to explore how the city could pursue access. Attorney Mongé said the city has two options:



1. Appeal the County Engineer’s decision to the County Board.
2. The property owner could apply for a variance; noting that criteria exists for the granting of a variance.

Mayor Utecht stated that the County Commissioner, Ben Montzka, said he would bring this to the County Board for consideration. The Mayor will follow-up with Commissioner Montzka.

Motion by Ness to apply the County Engineer’s opinion regarding access to CSAH 30. 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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Mayor Utecht declared the motion passed 4-1.

**Joint Powers Hiring/Firing Employees**

At the Council’s June 9, 2020, meeting the council asked the city attorney to review the hiring/firing of fire department employees.

Attorney Mongé reported that per the Joint Powers Agreement “Any and all volunteer firefighters and first responders are considered employees of the Joint Power Board established herein.” Since the firefighters and first responders are employees of the Joint Powers Board, the Joint Powers Board is the entity with the power to hire and fire under the Joint Powers Agreement.

The clerk was asked to contact the Lent Township clerk to have this item placed on the next Joint Powers agenda.

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**City Engineer**  
**Dan Boyum**

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

- **Wheelhouse Commons** – Reviewing proposed drawings and information and prepared memos and comments. Discussed drainage and utility easement comments with the developer. Looked at options for alternative routes for future sewer and water utilities and prepared memo for discussions with developer and council.
- **Stacy Ponds Mini Storage** – General discussions with the County Engineer on access.
- **Fox Valley Metrology** – Responded to hydrant location questions.



- **30931 Finch Avenue** – City Planner responded to questions on this property.
- **5755 Stacy Trail - Finch Avenue Drainage** – Met on site with property owner to discuss concerns. Prepared memo discussing options.
- **307<sup>th</sup> Utility Extensions** – A public information meeting was delayed due to COVID-19 in March. Forterra has asked for an update. We recommend the Council discuss setting another date to discuss the utility extension and options.
- **General Public Works Items** – Met with public works staff. Looked at street conditions. Discussed class 5 limestone gravel and repairs to Foster Avenue apron.

Member Ness asked the engineer about the \$30,000 budget for street maintenance; the Maintenance Supervisor is asking for the council's direction if the budget should be cut or if he should spend the money. Does Mr. Boyum now about how much the street projects will be? Mr. Boyum said that he can get costs for the council; the seal coating may be able to be pushed off for a year.

**Wheelhouse Commons**

Mr. Boyum presented information regarding a drainage and utility easement on the property (Wheelhouse Commons, property ID 19.0004.20). Mr. Boyum's report is attached to these minutes.

The council preferred option 1 and 2; with parking encroaching on the easement.

Mr. Kramer asked if he could build a drain field on the easement until the sewer and water were installed; the council said that may be an option.

**Casiday Property**

The council is generally in support of the driveway as proposed, and three lots. They would require some type of maintenance agreement be recorded regarding this.

**Drainage Concerns**

Mr. Boyum stated what the issue with drainage on the property is in his memo, excerpt below:



I met with the property owner at 5755 Stacy Trail on June 17, 2020. They contacted the City about drainage issues at their garage, especially in winter months. The property owner indicated:

1. They moved into the property in 1986.
2. The existing concrete retaining wall to the west of their garage existed when they moved in. I did not see any history on this retaining wall in our files, but there is probably a reason why it was placed or not removed in the past based on conversations at the time between developers, landowners, etc.
3. The ground between the retaining wall and the garage is lower than the retaining wall.
4. Water disappears in the summer between the garage and retaining wall due to the sandy soils, but water gets into the garage in the wintertime when the ground is frozen.
5. The property owner blows/shovels the snow between the garage and the retaining wall throughout the winter to help reduce water issues.

The council said that the property line needs to be determined.

Do we need to have the property surveyed, whose expense? Mr. Boyum will get costs on having the property line surveyed.

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**City Clerk**

**Sharon Payne**

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**Review Form – Finance Director**

Motion by Utecht to approve the performance review form for the Finance Director as presented. 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.

**August Council Meeting**

The August council meeting will be held on August 12, 2020, due to the Primary Election being held on August 11<sup>th</sup>.

**Vacation Request**

Motion by Utecht to approve the vacation requests as submitted by the City Clerk. Second by Thieling.

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.



**Cares Act Update**

Michelle gave the council an update on the cares act funding process and amounts that we are at today.

The city will receive a disbursement in the amount of \$114,819; so far, we have used \$32,407.

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**Maintenance**

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**Vacation Request**

Motion by Utecht to approve the vacation request as submitted by the Maintenance Supervisor. Second by Thieling.

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.

**Graffiti in Stacy Lions Park**

The Mayor just received an email stating there was graffiti in Stacy Lions Park; he will contact Mr. Jones to address the issue.

**2020 Street Projects**

The council should provide direction to Mr. Jones regarding the use of the budgeted \$30,000 for street repairs. This item was discussed above under engineer. This item will be placed on the August council agenda.

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**Liquor Operations**

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**Liquor Committee  
Resignation and Letter of  
Interest**

Council member Authier submitted his letter of resignation from the Liquor Committee.

Motion by Utecht to appoint Council member Thieling to the Liquor Committee. Second by Olivolo.

Letter of resignation from Paul Authier and letter of interest from council member Thieling.

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.

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**Committees/Commissions**

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**Chisago Lakes Joint  
Sewage Treatment  
Commission (CLJSTC)**

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Member Authier reported that the commission received four applications for the Plant Supervisor; they also have two other positions to fill.

They also approved the Resolution for PFA funding.

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**EDA**

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**Resignation and  
Appointment**

Motion by Utecht to appoint Brad Davis to the EDA. 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.

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**Old Business**

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None

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**New Business**

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**311<sup>th</sup> Street Road  
Resurfacing**

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This item handled out of order by motion of Utecht. 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 passed unanimously.

Mayor Utecht received an email from a citizen requesting the city look at the poor condition of 311<sup>th</sup> Street (West of CSAH 30).



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**Forterra Utility Project**

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This item will be placed on the August council agenda.

The council will hold a Special Meeting on August 3, 2020, at 7:00p.m. at the Doyle Building, the purpose of the meeting is to discuss Forterra hooking up their offices to city utilities running a line down 307<sup>th</sup> Street for future connections.

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**Graffiti on Building on NE Corner of the Freeway**

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Motion by Ness to place item 10A back on the agenda and take 10B out of order. 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 passed unanimously.

Member Ness said in issuing a violation for this property the Building Inspector sited city code §153.071:

**§ 153.071 MAINTENANCE STANDARDS.**

In all districts, all structures, required landscaping and fences shall be maintained so as not to be unsightly or present harmful health or safety conditions.

That section of the city code requires a different enforcement procedure than the normal nuisance section of the code; the process is laid out in §153.999

The clerk will notify Mr. Kramer to follow the procedure laid out in city code §153.999.

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**Mayor/Council Business**

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**Conference Room Phone**

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Motion by Utecht to authorize the clerk to purchase a conference room speaker phone system. 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       Yes       No

Mayor Utecht declared the motion passed unanimously.

Blue tooth would be nice.

**Adjourned at 9:09p.m.**

Mayor Utecht declared the meeting adjourned at 9:09p.m.

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Sharon MT Payne  
City Clerk



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To:	Mayor and Council, City Clerk City of Stacy	From:	Dan D. Boyum City Engineer
File:	193804175	Date:	July 9, 2020

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**Reference: Wheelhouse Commons – Drainage and Utility Easement**

In reviewing the above referenced planned unit development (PUD), we recommended a 30' drainage and utility easement be placed along the north side of the parcel for future sanitary sewer and watermain extensions. This location has been part of past discussions on extending public utilities to improve fire flow and serve developing properties on the west side of I-35. The most recent discussion was in January 2019 when the city reviewed capacity questions on the west side of I-35. The location is also where MNDOT ROW narrows up, and thus requires a shorter distance and cost for jacking under the interstate highway.

If the city allowed the parking lot to encroach on the 30' drainage and utility easement in this location, the proposed development would need to eliminate one of the Hobby Center units. The developer asked if there were some options for other locations of the utility. We identified the following options shown on the attached two figures. We have provided a description of each option as well as some pros/cons for consideration.

**Option 1 - Obtain 30' drainage and utility easement with this PUD. Allow encroachment of parking lot and put utilities in at a later date.**

**Pros** – This location provides for the least expensive option by around +/- \$13,000. It is located along the border of the parcel, which is beneficial to connections for the property to the north. It also is located in an area of the parcel that, when maintenance or repairs are needed on the utility lines, it has the least amount of disruption to the Wheelhouse development. Delaying the timing of the installation can provide additional time to review possible funding to help pay for the future utilities as well as identify the status of other development on the west side of I-35.

**Cons** – This location requires one of the Hobby Center units to be removed. Placing the utilities at a later date can be more expensive (may need to be directionally drilled to minimize disturbance to the parking lot).

**Option 2 - Obtain 30' drainage and utility easement with this PUD. Allow encroachment of parking lot and put utilities in prior to Phase 2 and Phase 3 encroachment of the parking lot onto the easement.**

**Pros** – This location provides for the least expensive option by around +/- \$13,000. It is located along the border of the parcel, which is beneficial to connections for the property to the north. It also is located in an area of the parcel that, when maintenance or repairs are needed on the utility lines, it has the least amount of disruption to the Wheelhouse development. Placing the utilities prior to Phase 2 and 3 will avoid disturbance to the parking lot and avoid needing to directional drill the lines.

**Cons** – This location requires one of the Hobby Center units to be removed. The City will need to identify funding for the utility improvements if done prior to Phase 2 and 3, and some unknown timing may still exist for other development in the area.

**Option 3 –Shift the location of the future utility crossing to the south to line up with the Wheelhouse Commons utilities, north of the apartments. A drainage and utility easement would be needed over those proposed utilities, and the easement would need to include room for future force main. The watermain would need to be increased to 12" diameter and be extended to the east parcel line.**

*Design with community in mind*

**Reference: Wheelhouse Commons – Drainage and Utility Easement**

**Pros** – This location allows the developer to not eliminate one of the Hobby Center units.

**Cons** – This location is the most expensive option. It is around +/- \$172,000 more than Option 1 or 2, mainly due to a longer crossing of I-35. It also is in a location where future maintenance or repairs on the utilities will affect the main entrances to the Wheelhouse Development and apartments.

**Option 4** – Leave the future utility crossing of I-35 in the same location as Option 1 and 2, but then run the utilities down the east property line and cross the development in the same location as Option 3. A 30' drainage and utility easement would be needed along the east property line. A drainage and utility easement would be needed over those proposed utilities, and this easement would need to include room for a future force main. The watermain would need to be increased to 12" diameter. Extend Wheelhouse utilities to the east parcel line. Run utilities in the future or prior to Phase 4 down the east side of the parcel between the Hobby Center buildings and the freeway ROW to the proposed utility line extensions.

**Pros** – This location is within +/- \$13,000 of Option 1 and 2. It avoids the loss of one of the Hobby Center units.

**Cons** – The east Hobby Center units would need to be shifted an additional 5' to get 30' along the east parcel line. Maintenance and digging up the utilities for repairs would be more difficult along the east parcel line since a line of buildings will be close to the utility lines. The utilities are also in a location where future maintenance or repairs on the utilities will affect the main entrances to the Wheelhouse Development and apartments.

We can review and address any questions on these options at the July 14, 2020 Council Meeting. The developer is interested in getting feedback so he can address other comments on the PUD.

**Stantec Consulting Services Inc.**



**Dan Boyum**  
City Engineer

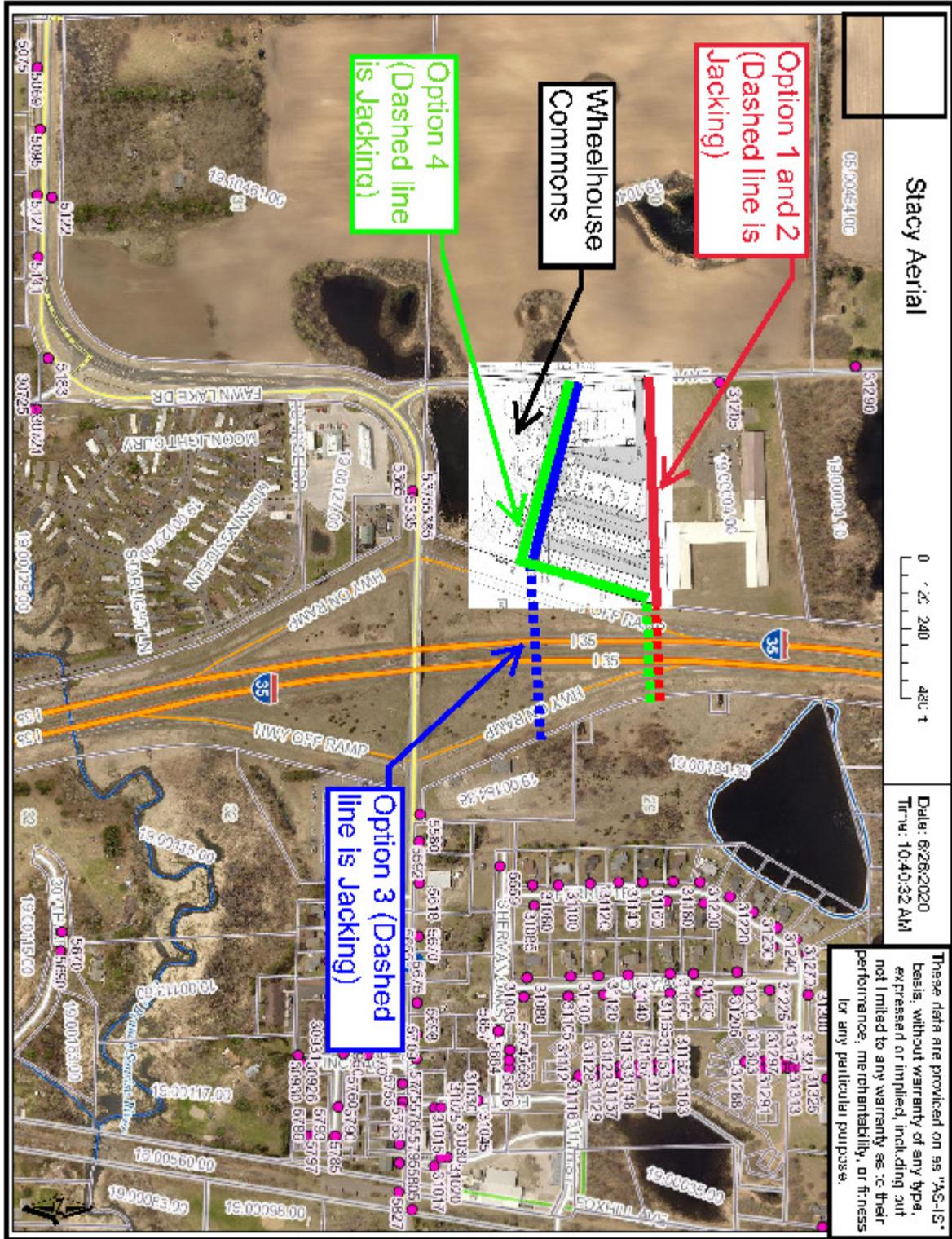
Phone: 612 712 2021  
Dan.Boyum@stantec.com

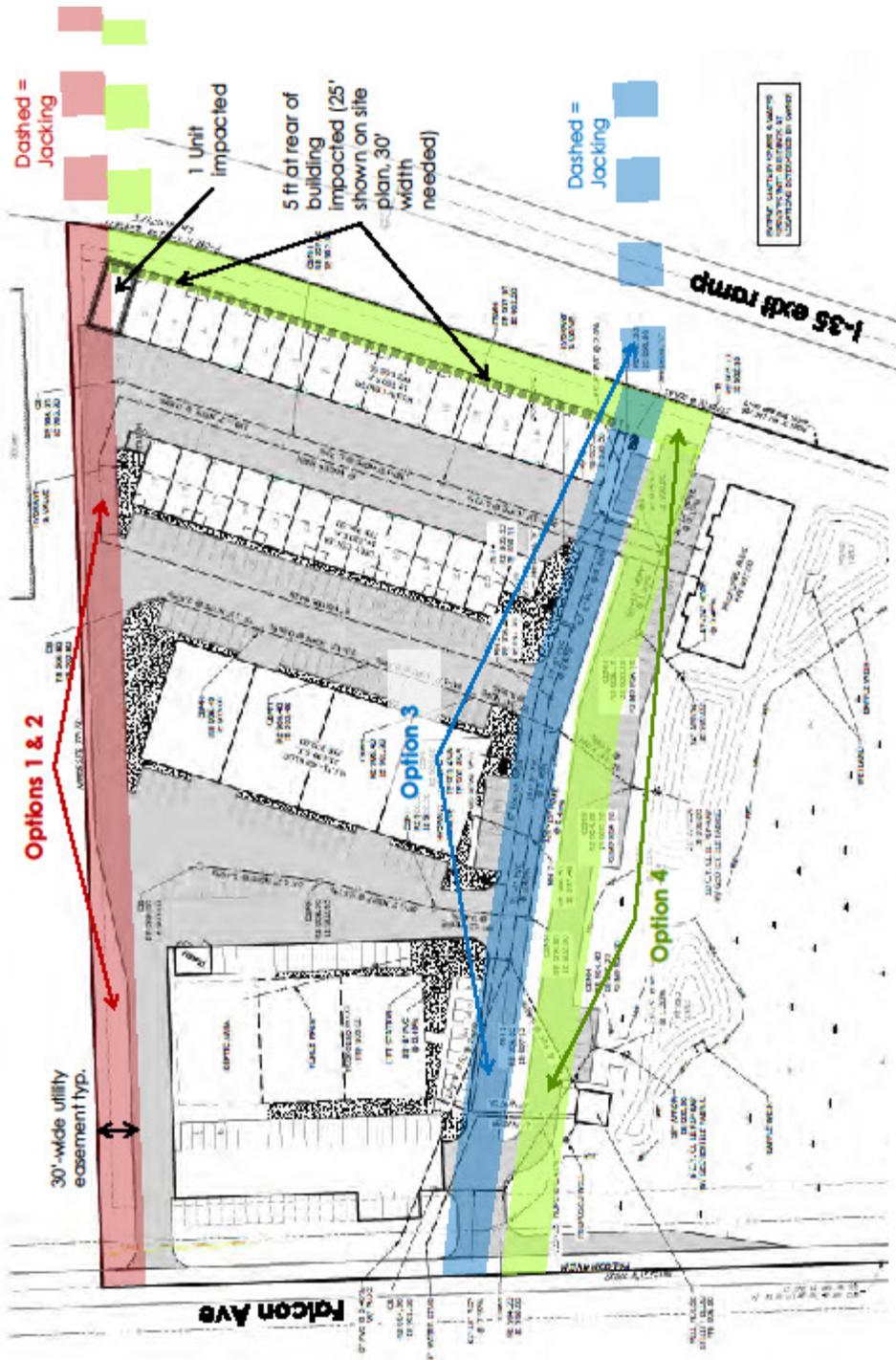
Attachment: 2 Figure Maps

c. Phil Carlson (City Planner), Steve Kramer (Developer)

Design with community in mind







Utility Easement Options – Kramer PUD/Stacy MN  
For discussion only

