



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
SEPTEMBER 8, 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 type="checkbox"/> Present	<input checked="" type="checkbox"/> Absent, see below resigned.
Thieling	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent

Others Present:

In person:

James Mongé, Dan Boyum, Jim Ness, Michelle Hayes, Tim Sawatzky, and Brandon Thyen

Webex: Jim Ness, Dan/Liz Vierling, and Matt Silver

Additions to the Agenda

Additions to the agenda:

- Tomatoe’s Wine License Application
- Permanent Speed Sign (Dynamic Display) Installation on Stacy Trail
- Computer Training for Council
- CLJSTC – Appoint Stacy Representative

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
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.



Public Comment

None

Consent Agenda

Motion by Ness to approve the consent agenda 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
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.

Staff Reports

City Attorney

James Mongé

**Purchase Agreement –
M & B Services**

Motion by Utecht to authorize the signing of the Purchase Agreement with M & B Services, LLC, for the purchase of two lots in the Stacy Ponds Business Park (19.00133.19 and 19.00133.20).
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
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.

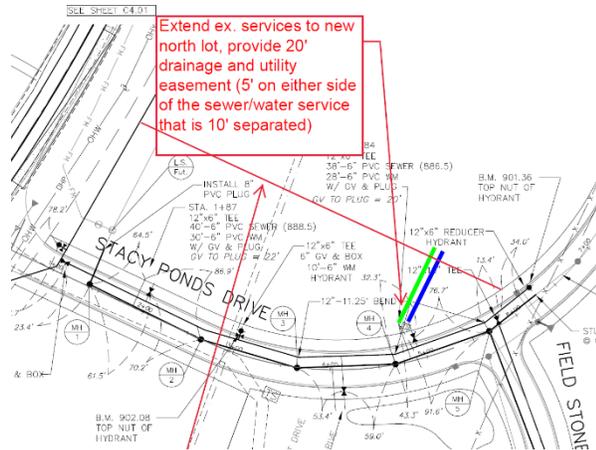
City Engineer

Dan Boyum

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

- **Revived Iron – Sewer and Water Service Extension to Adjusted Lot** – We checked in with the owner on the status of the sewer and water service installation as shown below. The owner indicated the contractor they worked with last fall had not responded. Since then, they received a price of \$9,000 to do the work. They forwarded the estimate to the City for approval since the City will pay ½ of the costs (\$4,500).





We anticipate doing the work last fall when they were mobilized for the service extension to the new building would have allowed for the best pricing. The owner indicated the pricing is higher than what was estimated last fall.

- **307th Utility Extensions** – The Council authorized proceeding with the feasibility report. We are working on that report.
- **Northstar Insulation – Stacy Business Park** – We reviewed correspondence from the Department of Labor and Industry forwarded to the City. There were discussions on the applicant preparing the new plat. We responded to the developer’s engineer on some storm water questions.
- **311th Street Public Information Meeting** – We contacted the County related to capacity of the county storm sewer in the area. We are preparing for the Public Informational Meeting set for September 10 at 7:00 pm.
- **Gravel Street Maintenance** – Discussed with Public Works on their desire to use 100% crushed limestone class 5 aggregate base for existing gravel roads. Both Public Works and our office have heard Townships in the area have been having good luck with that product. We received some pricing information and prepared an opinion of estimated construction costs of \$30,000.
- **Foster Avenue Concrete Apron** – We contacted Chisago County Engineering / Public Works about cost participation in replacing this concrete apron based upon past cost sharing. They indicated they would not participate. We prepared an opinion of estimated cost to:
 - replace the north part of the existing concrete apron with bituminous
 - replace the south part with new concrete due to the flatter grades



The opinion of estimate construction costs was \$42,575.50 (includes 10% contingencies) and \$48,575.50 Project Costs.

The County is not planning to do their overlay of Stacy Trail in 2021. It may be in 2022, but a final date has not been set. The County mentioned they will be doing a project in North Branch in 2021. The bid opening is planned for January 2021. We could contact the concrete subcontractor that gets that bid and get a price to do this work in 2021 since they will be in the area.

Revived Iron Sewer and Water Extension

Motion by Utecht to agree to pay half or up to \$4,500 for the sewer and water extension. 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
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.

City Clerk

Sharon Payne

Resolution Appointing General Election Judges

Motion by Ness to approve Resolution Number 2020-9-2, "Resolution Appointing Election Judges for the November 3, 2020, General Election" 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
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 Funding Subrecipient Agreement

Motion by Utecht to approve the 2020 Cares Act County – Municipality Grant Elections Funding Subrecipient Agreement, as presented. 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
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.

**Resolution – Stacy Lent
Fire Department Raffle**

Motion by Ness to approve Resolution Number 2020-9-3, Approving the Stacy Lent Volunteer Fire Department Relief Association to Conduct Off-Site Lawful Gambling in the City of Stacy, 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
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.

**Tomatoe’s Restaurant –
Wine License**

Motion by Utecht to approve the wine liquor license as presented to Tomatoe’s Restaurant. 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
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.

**Finance Director
Michelle Hayes**

**Preliminary Certification of
Unpaid Utility Bills**

Motion by Utecht to approve the Preliminary Certification of Unpaid Utility Bills, 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
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.

**Resolution Approving the
Preliminary Levy for 2021
and Setting the Truth-in-
Taxation Date**

Motion by Ness to approve Resolution Number 2020-9-1, Resolution Approving the Preliminary City Levy for 2021, and setting the Truth-in-Taxation date; of December 8, 2020, at 6:30p.m.; as presented. 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
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.

Computer Software and Server

Motion by Utecht to approve the purchase of the server and associated work from Computer Wrangler in the amount of \$5,700.00. 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
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.

Invoice Cloud Contract

Motion by Utecht to approve the contract with InvoiceCloud 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
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.

Increase Internet Access

Ms. Hayes will request the rates in writing from Nextera, that they will not increase each year.

Motion Utecht to purchase bandwidth at 50 Mbps for \$175 per month from Nextera, 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
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 Resolution

Motion by Utecht authorizing the Mayor and Clerk to sign Resolution Number 2020-9-4, Resolution Allocating Caronavirus Aid, Relief and Economic Security Act Funds (Known as the CARES Act Funds) to Local Activities, as presented. Second by Ness

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<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.

Maintenance

**Doyle Building
Maintenance Update**

Mayor Utecht said that Mr. Jones reported that he was waiting until the repair work from the fire is complete prior to cleaning the building. It was made clear to Mr. Jones that the council would like the building cleaned-up and he is to work with the Lions Club to address the clutter. The building should be in good condition all the time.

2020 Street Projects

The Maintenance Committee met and decided that no street projects would occur this year.

The budgeted funds for 2020 will be designated through Resolution for street projects.

Proposed projects should be presented to the council by June of each year, to include project and cost. The council can then decide how to proceed.

Committees/Commissions

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

Member Ness attended the meeting on behalf of Stacy, he reported that discussion items at the meeting were: Union Contract Negotiations, Agreement for Services with Veolia Water North America – Central, LLC, Chlorine Gas License, and Severance Package with representative from Auditor.

Motion by Ness to appoint Member Olivolo to the CLJSTC Commission. Second by Utecht.

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<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.

Personnel Committee

This item handled out of order by motion of Ness. Second by Olivolo.

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<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.

Safety Committee

Attorney Mongé reported:

Under the Stacy-Lent Area Fire Department Joint Powers Agreement firefighters are employees of the Joint Powers Board. They would not be members of the City's safety committee because they are not City employees. The firefighters could be part of a fire department's safety committee.

The City is required to have employees on the safety committee. The number of employees on the City's safety committee must equal or exceed the number of management representatives on the committee. Employee members of the safety committee must be selected by the employee's collective bargaining agent if one exists. If there is no collective bargaining agent, the employee representatives shall be selected by their peers. In the absence of volunteers, the employer may select the employee representatives.

Council members serving on the safety committee would be considered management.

Motion by Ness to appoint the Personnel Committee plus employees as the Safety Committee, employees will be appointed or recommended by the managers. Second by Thieling.

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<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.

Personnel Data Release Requests

Attorney Mongé said that the city is obligated to release the data when requested; in the current instance the employee signed a broad release form to release his data to a perspective employer.



The council then considered if the city wanted to adopt a similar form for use in the hiring process; after discussion by consensus the city will not be utilizing this type of form.

**Park and Recreation
Committee**

**Surveillance at Stacy Lions
Park**

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

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<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.

Attorney Mongé said that the city could post security cameras, they can choose to also post signage indicating the area is under surveillance.

Ms. Hayes will work with Mr. Jones to explore options and costs for surveillance at Stacy Lions Park.

Old Business

**Chisago County Sheriff
Contract**

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

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<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 Contract with the Chisago County Sheriff's Office, 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
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.



CSAH 30 Access by Foxtail Woods

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

Utecht	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ness	<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.

Can the city apply for the variance? No, it has to be the owner of the property. The city can support the application through adoption of a resolution.

The clerk will notify the developer that the city is willing to support the access should they seek a variance.

Midcontinent Communications

The email from Jason Sachs, the Midco Representative, stated:

From previous discussions you are aware that this area does not fall under the current Franchise agreement as an area Midco must build based on home density. We will still look at building an area that doesn't meet franchise requirements but, in most cases, we need some type of a contribution to make it work for us financially. I heard back from our construction department and they were able to give me some costs to extend to the homes that currently can't get Midco services in the City of Stacy.

We identified 21 homes/lots that do not currently have access to Midco service. The total cost to extend to those 21 homes/lots is \$91,336. Midco will cover \$1,500 per home/lot passed to extend service so Midco would cover \$31,500 for this project. We would need a contribution of \$59,836(\$2,850 per home owner) to extend service to this area. Those numbers are to cover all 21 homes/lots. If we were to service the 17 homes located in the area titled "already designed area" the total project cost would reduce to \$60,281. Midco would then cover \$25,500(17 homes/lots at \$1500 each). We would need a contribution of \$34,781(\$2,045 per home owner) to extend service to the 17 homes(17 homes includes the #1 circled below and the "already designed area")

The council did not take action on the expansion of services; they would like to see if grant funds are available for this type of work. They are also exploring the use of CARES Act Funds.



New Business

Coalition of Greater MN Cities

The city will not become members of the Coalition of Greater MN Cities; they are well served by the League of MN Cities.

Candidate Forum

Motion by Utecht to allow somebody who wants to conduct a candidate forum to use the council chambers, conference phone, and Webex. 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
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.

Elected Official Out-of-State Travel Policy

The council will review for the next meeting.

Smell from Pretty Bird

The council would like the building inspector to review compliance with the city code; the smell is apparent from 5-7am. The city council would like the odor from Pretty Bird investigated.

Permanent Speed Sign on Stacy Trail

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
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

Concern regarding speeding by Kwik Trip and on Stacy Trail (5900 Stacy Trail). Sheriff Thyen said that he can have radar trailers placed at both locations and gather traffic data for presentation to the clerk who will then distribute the data to the council.

The County decides where these signs will be installed; Sheriff Thyen said that he could support the installation of a permanent dynamic reader sign.



Mayor/Council Business

Hockey Arena Building

This item handled out of order by motion of Ness. 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
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 Olivolo asked what is going on with the project?

The city does not have power over the property other than require abatement of any city code violation.

The clerk will research who to contact for the property.

Resignation of Paul Authier

This item handled out of order by motion of Ness. Second by Thieling.

Motion by Ness to approve Resolution Number 2020-9-5, Resolution Declaring a Vacancy on the City Council, 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
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 that unless the clerk finds differently, Mr. Authier' s resignation is from all the committees he serves on. 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
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.



Adjourned at 9:35p.m.

Mayor Utecht declared the meeting adjourned at 9:35p.m.

Sharon MT Payne
City Clerk

