



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
MARCH 16, 2015, 7:00p.m.
STACY CITY HALL**

Call to Order

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

Roll Call

Present: Jim Ness, Mark Utecht, Tony Olivolo, and Samantha Denney
Absent: None
Others Present: Anne Thom, Ryan Capelle, Ted Alliegro, Rick Duncan, Chuck Lucia, Steve Thorp, Craig Moline, Cindy Vogel, Paul Vogel, and Michael Carlson

Council Letters of Interest and Administration of Oath of Office

The city received three letters of interest to serve on the city council until such a time as Cindy Bruss is able to return. The letters were from: Mel Aslakson, Chuck Lucia, and Michael Carlson. Applicant's Lucia and Carlson were present at the meeting; Mr. Aslakson had a prior commitment and was unable to attend.

The council heard statements from each applicant, and then the applicants answered questions from the council.

The council member's agreed this is a difficult decision to make; all members are qualified and have served on the council in the past. All the applicants were thanked for their interest to serve the city again.

Motion by Olivolo to appoint Chuck Lucia to the council. Second by Denney. Olivolo, Denney, and Ness voted yes. Utecht voted no. Mayor Utecht declared the motion carried.

Motion by Utecht to approve Resolution Number 2015-3-4, "Resolution Appointing Council Member to Fill the Vacancy on the Stacy City Council." Second by Ness. Utecht, Ness, Denney, and Olivolo voted yes. Mayor Utecht declared the motion carried.

The city clerk administered the oath of office to Chuck Lucia who then took his seat at the council table.

Additions to the Agenda

Additions to the Agenda:

- Stacy Sports Grill Report
- Department Head Time Off

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

Public Comment

None



Consent Agenda

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

Staff Reports

City Attorney

Ted Alliegro

Mr. Alliegro did not prepare a report for the council; items he addressed are covered elsewhere on the agenda.

City Engineer

Ryan Capelle

Water Treatment Plant Update

Water Plant:

Mr. Capelle presented the plans for the water treatment plant; he stated that the plans had been submitted to USDA by the deadline established with the Minnesota Department of Health (MDH). However, in talking with USDA they anticipate the review to take 4-8 weeks; this may prohibit the city from staying with the timeline established with MDH. Mr. Capelle did speak with a representative from MDH who said there would most likely not be an issue with revising the timeline. With that said the city still does not want to miss this year's construction season.

The water treatment plant easement for the well will extend into DNR property; he has spoken with the DNR and they don't have an issue with this as the goal is to protect the land. The cost associated with the easement is \$50/month; or \$12,000 for 20 years. This cost is eligible for USDA funding.

Motion by Ness to approve the plans as presented and all the details included therein. Second by Denney. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Motion by Ness to approve another \$30,000 toward engineering for the water treatment plant. Second by Olivolo. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

City Hall Project:

Motion by Ness to go with M.A.A.C, Inc. for the hazardous material assessment for \$2,200 utilizing funds from the Liquor Operations Loan repayment. Second by Utecht. Denney, Ness, Olivolo, and Utecht voted yes. Lucia voted no. Mayor Utecht declared the motion carried.

Bruce Paulson, from Stantec, said that the hazardous material should be abated prior to the bidding of the project to remodel.

Mr. Capelle asked if the council wanted to bid the city hall project separate from the water treatment project; he cited the Mayor's previous request to get the city hall work done quickly. He said that the project could be bid separately and that USDA would still commit \$85,000 towards the improvements.

The items to consider are:

- Savings of bidding with the water treatment plant project, if bid separately possible additional \$5,000-\$10,000.
- If bid with water treatment project the contractor most likely will “sub” out the city hall portion and charge an “up” charge from what they will be charged by their sub for administrative costs.
- The city hall project could move forward and not wait on the water treatment project.
- The city would have more control over the city hall project by directly contracting.

This item will be discussed at the next meeting once we know what the hazardous material assessment shows.

**Water Treatment Plant -
Loan Resolution**

Motion by Ness to approve Resolution of the City of Stacy Authorizing and Providing for the Incurrence of Indebtedness for the Purpose of Providing a Portion of the Cost of Acquiring, Constructing, Enlarging, Improving, and/or Extending its Water System Improvements Facility to Serve an Area Lawfully within its Jurisdiction to Serve. Second by Denney. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Stacy Sports Grill Sidewalk

Mr. Capelle will remind Mr. Statz to start this project now that it’s Spring.

City Clerk

Sharon Payne

**City Clerk Department Dress
Code**

The council reviewed the dress code and one recommended change will be made.

Committees Commissions

CLJSTC

Member Olivolo reported that a lift station was built on property that someone else owns; this is being investigated.

Personnel Committee

Merit Based Pay Policy

The council will review the policy at their next meeting.

Park & Recreation

**Easter Festival – Budget
Request**

Member Olivolo stated he is getting overwhelming support for the Easter Festival; the council asked that he make sure that everyone is thanked. This also can be included in the June newsletter.

Deputy Carroll would like to have a National Night Out event in Stacy; he will be working with the committee.

Motion by Utecht to remove Samantha Denney from the Park and Recreation Committee. Second by Ness. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Planning Commission

Planned Unit Development Ordinance

Motion by Utecht to approve Ordinance Number 2015-3-2. "An Ordinance Amending Chapter 151 of the City Code of the City of Stacy Vacating and Amending Section 153.055, Amending Section 151.05, Amending Section 153.004, Amending Section 153.025(H), and Amending 153.121(B)(3)(a) and (b);" and approve summary publication. Second by Ness. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Nonconforming Use Ordinance

Motion by Utecht to approve Ordinance Number 2015-3-3, "An Ordinance Amending Chapter 153 of the City Code of the City of Stacy Amending 153.050(D), 153.051(B), and 153.056(B) to Allow Expansion of Residential Nonconforming Uses." Second by Olivolo. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Building Design Standards in Central Business District

Motion by Utecht to approve Ordinance Number 2015-3-1, "An Ordinance Amending Chapter 153 of the City Code of the City of Stacy Adding Subsection 153.050(H) to Establish Building Design Standards in the Central Business District," incorporating attorney changes and summary publication. Second by Ness. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Medical Marijuana Moratorium

It needs to be determined what a city can and can't do regarding medical marijuana; the council directed the city attorney to review if a moratorium is appropriate and what a city can/can't do regarding medical marijuana.

Winberg Meeting Attendance

Motion by Utecht to remove Dan Winberg from the Planning Commission due to lack of attendance. Second by Olivolo. Motion withdrawn.

Motion by Olivolo to move Dan Winberg to an alternate Planning Commission member and Shirley Hockensmith to a regular member status. Second by Ness. Olivolo, Ness, and Denney voted yes. Lucia abstained. Utecht voted no. Mayor Utecht declared the motion carried.

Mayor Utecht stated he voted no because he did not feel Mr. Winberg should be on the commission due to lack of attendance; not because of Ms. Hockensmith's status change.

Old Business

Annexation – Lyle Johnson

Mayor Utecht said he spoke with Mr. Johnson regarding the annexation; Mr. Johnson does not want to pursue discussion on this item for the foreseeable future.

Security Cameras

This item will be removed from the agenda. Money spent on cameras would be better used for increase in sheriff protection hours.

McKay LED Sign

The clerk, in coordination with Mr. Jones, was directed to find a company that would install the sign.

**Midcontinent
Communications**

Motion by Utecht to table. Second by Ness. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Chisago County Sheriff

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

Sheriff Duncan was present to discuss the city's contract for services with the sheriff's department. He would like to see the city increase the number of contract hours due to the higher call volume than other areas in the county. He also said that if we had a 40/week deputy then we would have greater control over what hours they would work. However, with the set-up now there are three deputies that work the south contract and hours split between several cities. This makes it difficult to accommodate coverage requests, but not impossible.

The council asked if Sheriff Duncan could have the contract deputies track their hours and activities for a two week period; noting what they did with the contract hours over that period. Sheriff Duncan said he would request this but warned that the data may be skewed.

**Special Meeting
Requirements**

Motion by Utecht to table. Second by Olivolo. Denney, Lucia, Olivolo, and Utecht voted yes. Ness voted no. Mayor Utecht declared the motion carried.

Hockey Arena Project

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

Steve Thorp and Craig Moline were present from the North Branch Hockey Association.

There are several items to be worked out with the city's engineer; they will work together to address the details.

Does the developer agreement need to be redone? Does it still make sense?

Attorney Alliegro said that in reviewing the file it looks like a subdivision was proposed and not processed; is it his understanding now that the association is proposing a legal description verses subdivision?

The Easement Agreement and Purchase Agreement were presented but no action taken.

There was a verbal agreement between the association and the city to work out the details to get this project completed.

New Business

Sports Grill Reports

Member Ness said that in reading Ms. Dahle's report she indicated she had stopped the employee discounts as the council directed; he doesn't remember the council requesting this. He does remember requesting the dollar amount of the discounts for the previous year. Member Ness asked do we want to direct her.

Mayor Utecht said this would be “micro-managing” she should determine what discounts are appropriate; the council should look at the bigger scope of things. Member Lucia disagrees and said that employee discounts can be abused and personally would not allow it.

As it stands now employee discounts are not allowed; no further action.

**League of MN Cities –
Transportation Resolution**

Motion by Utecht to authorize the mayor to sign the resolution proposed by the League of Minnesota Cities. Second by Lucia. Utecht voted yes. Lucia, Denney, Ness, and Olivolo voted no. Mayor Utecht declared the motion fails.

**Liquor Operations
Bookkeeper Contract
Renewal**

Motion by Utecht to table. Second by Olivolo. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

**Fire Relief Association
Contribution for 2016**

No increase at this time.

Mayor/Council

**Time Reporting by
Department Heads**

Mayor Utecht said that he doesn't think that department heads are reporting time off as requested by the council. Does the council want them to do as requested? All member's said definitely yes.

Anytime there is a planned absence there should be advance notice, any emergency absence to report as soon as possible.

The department heads are to review the Personnel Policy regarding time away from work.

To be clear any deviation from “normal” work hours need to notify the council accordingly.

Adjourned at 10:05p.m.

Mayor Utecht declared the meeting adjourned at 10:05p.m.

Sharon MT Payne