



**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
JUNE 9, 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, Chuck Lucia, and Samantha Denney

Absent: None

Others Present: Anne Thom, Ted Alliegro, Jack Kramer, Mark Statz, Cindy Vogel, Paul Vogel, Paul Witkowski, Steve Thorp, and Craig Moline

Additions to the Agenda

Additions to the Agenda:

- Jack Kramer

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 Denney. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Staff Reports

City Attorney

Ted Alliegro

Royal Concrete Well

Attorney Alliegro asked if he is finished with this. Member Ness said that the council would like him to review the city code to determine what changes would need to occur to allow Royal Concrete to expand. This does not mean the code will be changed; this is exploratory at this point. Further action will be determined based on the attorney's report. The decision will be based on the review of the information.

Item forwarded to Planning Commission for their review.

Hockey Association Parcel

Motion by Ness for the Mayor to sign the Purchase Agreement contingent upon attorney and engineer review. Second by Olivolo. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.



Frontage Avenue Quiet Title Action

Attorney Alliegro reported he is trying to schedule a meeting with the County Engineer and hasn't been able to do so.

Sunrise Auto Quiet Title Action

Attorney Alliegro reported he is trying to schedule a meeting with the County Engineer and hasn't been able to do so.

Midcontinent Franchise

Attorney Alliegro will review for next month's meeting.

Attorney Memo

The council requested that Attorney Alliegro include additional information on his report to the council; the bullets are fine but if he could give an update or summary on each it would be helpful.

Emergency Meeting

Attorney Alliegro read from the League of Minnesota Cities publication:

An emergency meeting is a special meeting called by the council due to circumstances that, in its judgment, require immediate council consideration. The procedure for notifying councilmembers of an emergency meeting is the same as that for a special meeting. The public-notice requirements, however, are different. The council must make good faith efforts to provide notice of the emergency meeting to all media that has filed a written request for notice. Notice must be by telephone or by another method used to notify councilmembers. The notice must include the subject of the meeting. A published or posted notice is not necessary.

Marijuana Moratorium

Attorney Alliegro reviewed the issuance of a moratorium on marijuana. He said that he didn't think the city needs to do anything; the current law is fairly restrictive. The people allowed to dispense had to apply to the state and have already been chosen. He doesn't see any impact on Stacy for the foreseeable future; a law change would need to occur.

City Engineer

Mark Statz

Stacy Sports Grill Sidewalk

The reconfiguration of the Stacy Sports Grill sidewalk is underway.

Water Treatment Project

The plan is still under review at the state. No further update.

City Hall Update

Mr. Statz reported that Stantec's mechanical and electrical engineers have reviewed the building and found no "surprises." He has directed his staff to prepare a cost estimate for the updates; at this point no solid number is known. The council agreed that they need to know what the "true" costs may be for this update.

Utility Line

Mr. Statz has been contacted several times regarding the placement of fiber optic cables. Most cities have a utility permit system for work done in the city's right of way. He doesn't want to add red tape but would like to see some type of utility permit process in Stacy.

The clerk will review if the city has any type of right of way permit in place. Mr. Statz will provide sample ordinances and permit forms.

This item forwarded to the Planning Commission for review.

City Clerk
Sharon Payne

Utility Billing Report

Ms. Schmidt stated on her report to the council that the six inch meter in the mobile home park has not been reading properly for quite some time. She will be preparing a spreadsheet to include 2014 and 2015 readings.

The council discussed that once the meter is repaired we see how much they are using; then look at the last “good” reading, how many months in between and then consider issuing an estimated bill for the period the meter was not working properly.

The council stressed the importance of the monthly reconciliation of what is pumped vs. billed. This has to be 15% or under; if greater than the 15% than a statement shall explain the difference.

Code Red Update

The clerk provided a status update on the “Code Red” system; she and Mr. Jones will be taking training from Mr. Sellman.

Committees Commissions

Chisago Lakes Joint Sewage Treatment Commission (CLJSTC)

Based on the information received for solar energy at the CLJSTC facility the council was not in favor of the project. However, they are open to alternative energy systems.

Personnel Committee

A draft of the new performance review forms were presented; these will be discussed at the continuation of this meeting on Tuesday, June 23, 2015, at 7:00p.m.

History Committee

The committee is still gathering and organizing data.

Public Information Committee

The council approved the newsletter for mailing. The Social Media Policy will be presented to the council at the July meeting for their review.

Park and Recreation Committee

Member Olivolo said that he was contacted by Family Pathways; they are interested in organizing events in Lions Park. The council asked Mr. Olivolo to notify Family Pathways that Stacy is interested in getting a teen center back in Stacy.

Old Business

Merit Based Compensation Policy

This item will be discussed at the meeting on June 23rd. Does this policy impact the City’s Personnel Policy? The Merit Based Compensation Policy should be added to the Personnel Policy once approved.

Royal Noise Complaint

The council discussed if additional sound readings should be taken; the person filing the complaint has not submitted data to the clerk indicating the hours that the noise is occurring.

The council determined that new sound readings would most likely not give any different result than the previous readings taken.

They discussed the noise at length and the following points should be noted:

- There is not much the city can do as the readings indicate they are operating within Rule 7030
- The previous city attorney determined that the noise is a private nuisance not a public nuisance
- The perception that the citizens have that the city protects Royal Concrete
- The city does not support businesses over citizens
- The business has expanded substantially since it began

New Business

**MDH Wellhead Protection
Plan Part 2**

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

Motion by Utecht to adopt the Wellhead Protection Plan as previously approved and implement. Second by Denney. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Mayor/Council

**Stacy Sports Grill – Tony
Olivolo**

Member Olivolo said that the bar used to have a suggestion box, what happened to it? Should a box put back in? The Liquor Operations Committee will discuss.

**Building Inspector
Jack Kramer**

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

Mr. Kramer discussed zoning enforcement with the Council.

The process to have a zoning violation abated was discussed; the frustration to how long it takes also discussed. The main reason for the delay is at the court level; zoning violations are a low priority when it comes to scheduling court time.

Infraseek

The council concurred with Mr. Erickson's email regarding the council's access to Infraseek.

The Maintenance Committee talked about Infraseek and requested Mr. Jones to notify them when he's ready to go with Infraseek 100%. However, sooner would be better. Anything two-three months is too long. Mr. Jones asked about hiring a part-time administrative assistant to do data entry into the system. This would not be appropriate at this time, Mr. Jones needs to know what kind of time he'll be putting into the system first. Wait until at least three months of using the system and then reassess.

Water Main Break

Mr. Jones presented a cost estimate for the water main break repair; \$19,054. The council thanked Mr. Jones for his research.

**Mobile Home Park
Expansion**

Member Ness said that part of the mobile home park expansion includes access on to Falcon Avenue. The Planning Commission reviewed Lent's

application and directed Mr. Brakemeier to follow that process. Is this direction acceptable to the council? The council concurred with the Planning Commission's recommendation.

Recessed at 9:37p.m.

Motion by Olivolo to recess until June 23, 2015, at 7:00p.m. Second by Denney. Denney, Lucia, Ness, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Sharon MT Payne