



**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
JANUARY 8, 2013, 7:00p.m.
STACY CITY HALL**

**Call to Order, Administration
of Oath of Office**

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

Roll Call

The clerk administered the Oath of Office to Mayor Utecht, Member Bruss, and Member Ness.

Present: Jim Ness, Mark Utecht, Cindy Bruss, Michael Carlson, and Charles Lucia

Absent: None

Others Present: Peter Grundhoefer, Anne Thom, Chuck Schwartz, Tanner Jones, JerrySchroeder, Dave Cook, and Sam Cook

Additions to the Agenda

Additions to the Agenda:

- Maintenance Department, Tanner Jones
Hennepin Technical Contract
Collection System Operators Conference
- Voting on Motions

Motion by Carlson to accept the agenda as amended. Second by Ness. Carlson, Ness, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

Public Comment

None

Consent Agenda

Motion by Ness to approve the consent agenda. Second by Carlson. Ness, Carlson, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

Staff Reports

**City Attorney – Peter
Grundhoefer**

**Water Supply System
Supervisory Contract**

The council asked if Mr. Grundhoefer had any concerns regarding the contract, the only concern expressed is if Mr. Prickett has insurance for this type of work.

Because of the anticipated short term and the city's current need it was decided to move forward with the contract.

Motion by Ness to authorize the Mayor to sign the "Water System and Wastewater System Operation and Maintenance Supervision Agreement," with Mr. Prickett. Second by Carlson. Ness, Carlson,



Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

Foxtail Woods Default Notice

Motion by Ness for the City Attorney to proceed with the Notice of Default for Foxtail Woods and for the Mayor to sign. Second by Carlson. Ness, Carlson, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

Title Opinions for Water System Properties

Motion by Utecht to precede with the title opinions as listed including the full abstract for the water treatment site parcel. Second by Ness. Utecht, Ness, Lucia, Carlson, and Bruss voted yes. Mayor Utecht declared the motion carried.

Doyle Field Building Lions Lease

There was one change to the lease; removed the automatic renewal after 10 years; need to renegotiate the lease at that time.

Member Ness reiterated his concern of the City not having an out; he doesn't think this is best for the city.

Motion by Carlson to approve the Doyle Field Building Lease with the Stacy Lions Club. Second by Bruss. Carlson, Bruss, Lucia, and Utecht voted yes. Ness voted no. Mayor Utecht declared the motion carried.

Employee Pay Matrix Changes

Mr. Grundhoefer said that there isn't any issue in changing the steps from 3% to 1%; the change is applied uniformly across the board.

Rural Development Legal Services Agreement

Motion by Ness to authorize the Mayor to sign the "United States Department of Agriculture Rural Utilities Service Legal Services Agreement." Second by Bruss. Ness, Bruss, Lucia, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

**Maintenance Department
Tanner Jones**

Temporary Compensation Increase

Mayor Utecht stated that because Mr. Jones is currently filling the role of Maintenance Supervisor we may want to consider a temporary compensation increase. This was done previously when the Maintenance Supervisor became ill the Worker 1 position was awarded a temporary increase in compensation.

The council consensus was that a temporary increase would be appropriate at this time due to the increased duties. Mayor Utecht stated this is not something Mr. Jones brought up.

Motion by Utecht to increase Mr. Jones wages to a Grade 2, Step 1; \$17.91/hour while he is filling the Maintenance Supervisor role until a supervisor is working. Second by Ness. Utecht, Ness, Lucia, Bruss, and Carlson voted yes. Mayor Utecht declared the motion carried.

Hennepin Technical Contract

Motion by Ness to authorize the Mayor to sign the contract with Hennepin Technical College for ongoing OSHA training compliance. Second by Carlson. Ness, Carlson, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

Collection System Operators

Motion by Utecht to authorize Mr. Jones to attend the Collection System

Conference

Operators Conference. Second by Ness. Utecht, Ness, Lucia, Carlson, and Bruss voted yes. Mayor Utecht declared the motion carried.

City Engineer

Adopt a Citizen Participation Plan for DEED Application

Motion by Utecht to authorize the Mayor to sign the "Citizen Participation Plan," as presented. Second by Ness. Utecht, Ness, Lucia, Carlson, and Bruss voted yes. Mayor Utecht declared the motion carried.

Pass Local Government Application Resolution

Motion by Ness to approve Resolution Number 2013-1-1, "Local Government Application Resolution." Second by Carlson. Ness, Carlson, Bruss, Lucia, and Utecht voted yes. Mayor Utecht declared the motion carried.

Set Public Hearing Date for Rural Development DEED

The public hearing will be included as part of the February 12, 2013, regular council meeting that will be held at 6:00pm.

City Clerk

Sharon Payne

Oberloh Contract

Motion by Ness to authorize the Mayor to sign the contract with Oberloh and Associates to conduct the 2012 audit. Second by Carlson. Ness, Carlson, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

Neinow Water Meter

The clerk was directed to put the follow up of this meter on the next agenda; the clerk stated that she believed the new meter was not reading properly and will follow up with the utility billing clerk.

Committees Commissions

Committee Appointments

Motion by Utecht to approve the committee appointments as amended. Second by Ness. Utecht, Ness, Bruss, Lucia, and Carlson voted yes. Mayor Utecht declared the motion carried.

Personnel Committee

Meeting scheduled for January 17, 2013, at 1:00pm.

Park and Recreation Committee

Member Bruss reported that the committee met last week; they reviewed the Park Plan.

They will be meeting soon to start planning the Easter Egg Hunt.

The Sunrise Ball Field dedication is planned for Stacy Daze.

Planning Commission

There was no quorum for the November meeting, and the December meeting was cancelled.

Old Business

Lions Club Liquor License

Motion by Utecht to approve the renewal of the annual liquor license for the Stacy Lions Club for Doyle Ball Fields. Second by Carlson. Utecht, Carlson, Bruss, Lucia, and Ness voted yes. Mayor Utecht declared the motion carried.



Curb Stop Ordinance

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

Motion by Ness to approve Ordinance Number 2013-1-4, "An Ordinance Adopting, Amendments to the Stacy City Code Under Section 153.080, Removing Subsection (l) Curb Stops, and Amending Section 51.42 Location of Stop Boxes." Second by Carlson. Ness, Carlson, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

Motion by Utecht to approve summary publication of the ordinance. Second by Ness. Utecht, Ness, Lucia, Bruss, and Carlson voted yes. Mayor Utecht declared the motion carried.

New Business

Resolution Establishing Appointments for 2013

Motion by Carlson to approve Resolution Number 2013-1-2, "Resolution Establishing Appointments for 2013;" with the aforementioned changes. Second by Ness. Carlson, Ness, Lucia, Bruss, and Utecht voted yes. Mayor Utecht declared the motion carried.

Minnesota Rural Water – Request for Support

No council action. Individual members may contact their federal legislature requesting support of MRWA.

Minnesota Public Utilities Commission – Re: Northern States Power Company

No action.

Ordinance Amending Chapter 34 – Fee Schedule

The clerk asked if the Storm Sewer Utility rate should be increased; the council said not for 2013, review for 2014.

Motion by Utecht to approve Ordinance Number 2013-1-3, "An Ordinance Amending Chapter 34 of the Stacy City Code Fee Schedule." Second by Ness. Utecht, Ness, Bruss, Lucia, and Carlson voted yes. Mayor Utecht declared the motion carried.

Motion by Utecht to amend motion to include approval of summary publication. Second by Ness. Storm Utility Rate increase? Review for next year. Utecht, Ness, Bruss, Lucia, and Carlson voted yes. Mayor Utecht declared the motion carried.

Aslakson Letter

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

Mr. Aslakson's letter stated that it's the city's responsibility to remove trees in the right of way.

Property owners' are responsible for trees in the right of way. If they do not take care of the trees the city will and then charges the property owner.

Discussion if a letter should be sent to the property owner; finally decided that the city attorney and city clerk will prepare a response to Mr. Aslakson.



Mayor/Council

**Maintenance Public Works
Supervisor Position**

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

The changes as recommended by Todd Orlander to the job description will be included.

Mr. Grundhoefer recommends keeping in the age 18 requirement; approved to leave in.

Places to post:

- Career Builder.com
- Job Search MN
- MN Unemployment
- Post Review
- City Website
- Peach
- League of Minnesota Cities
- City Website
- Craig's List

Motion by Utecht to amend the job description as noted and post in all the ways discussed and set the application period for two weeks from its original publication in the city's official newspaper. Second by Carlson. Utecht, Carlson, Bruss, Lucia, and Ness voted yes. Mayor Utecht declared the motion carried.

The clerk asked if the response time of 30 minutes should be added to the posting; yes.

**Experienced Officials
Conference – Cindy Bruss**

Member Bruss will attend the conference; Mayor Utecht stated why he had preapproved Member Bruss' attendance due to time constraints. He agreed for Member Bruss to attend with the stipulation if she did not attend she would be responsible for all costs incurred by the city. The rest of the council did not have an issue with Member Bruss' attendance at the conference.

Motion by Utecht to leave it up to Member Bruss and the city clerk to determine if the seminar would be beneficial for the clerk to attend. Second by Ness. Utecht, Ness, Bruss, Lucia, and Carlson voted yes. Mayor Utecht declared the motion carried.

Voting on Motions

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

Mayor Utecht researched what occurs when a member does not voice a vote on a motion:

While it is the duty of every member who has an opinion on the question to express it by his vote, yet he cannot be compelled to do so. He may prefer to abstain from voting, though he knows the effect is the same as if he voted on the prevailing side.

The council understood that this means, if they don't vote it will be counted as going with the majority.

City Vehicles

Mayor Utecht stated that in the past the city has allowed the Maintenance Department to take the city trucks home because they are on call 24/7. Now is the time to consider revising the policy if they want to. No action tonight; just something to consider in the near future.

Community involvement

Mayor Utecht brought an idea on getting the community involved: a community Christmas display where a business or person could sponsor a portion of the display. The Stacy Ponds Business Park trail may be a good location.

Adjourned at 9:15pm

Mayor Utecht declared the meeting adjourned at 9:15pm.

Sharon MT Payne