



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
FEBRUARY 10, 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: Cindy Bruss
Others Present: Anne Thom, Mark Statz, Amy Hill, Brett Repulske, Lori Dahle, Ted Alliegro, Greg Oden, Cynthia Vogel, and Paul Vogel

Additions to the Agenda

Additions to the Agenda:

- Board of Review
- Checking Account Water Treatment Project

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

Public Comment

Greg Odden (owner of Sunrise Auto): stated he does not understand what a Quiet Title Action is; Attorney Alliegro explained that it is action seeking to get title to property in your name – can be used when an agreement between parties cannot be reached. Mr. Odden said he does not have a problem with selling the property (West of County Road 30, in front of the Sports Grill) to the city; he just wants fair market value. He would like to avoid going to court on the matter and come to an agreement with the city. Mr. Odden was directed to present a proposal to the city regarding what he would like for the land.

Consent Agenda

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

Staff Reports

City Attorney

Frontage Avenue Gap

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

Mr. Alliegro stated he is working on the legal description for the property, one issue they are having is locating an owner of record.

Mr. Vogel asked if the city had a timeframe for the action, 3 months; then another month or so to remove the city's easement from the Vogel's property.



Sunrise Auto Quiet Title Action

Mr. Alliegro is working on the Quiet Title action.

USDA Rural Development Contract

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

Mr. Brett Repulske from USDA was present for discussion and action on this item. Mr. Repulske discussed the contract and addressed questions.

Motion by Utecht to agree with the letter of conditions as part of the letter of intent to meet conditions and authorize the signing of the request to obligate funds. Second by Ness. Utecht, Ness, Denney, and Olivolo voted yes. Mayor Utecht declared the motion carried.

Midcontinent Communications Contract

The council made it clear their intent that Midcontinent be able to serve the entire city with internet service; they want the citizens to have an option. Mr. Alliegro will research for the work session on February 24th.

City Engineer

Mark Statz

Infraseek

Mr. Statz reported that the programming changes to Infraseek are almost complete; once done the council members can be trained.

Street Projects

Mr. Statz spoke with Mr. Jones about street projects for 2015; the council asked that Mr. Statz work with Mr. Jones to update the five year plan.

Water Treatment Plant

Stantec is working on the design for the treatment plant; they are talking with the DNR to gain an easement into Carlos Avery.

He asked about going past the city's setback requirements; the council said that the variance process would need to be followed. The preference would be to encroach on the city hall property rather than a variance.

Mr. Statz said that at this time there is no engineering agreement in place for the project; this item will be added to the February 24th meeting.

Liquor Operations

Amy Hill, and Lori Dahle were present to discuss items relating to Liquor Operations.

Liquor Financials:

Ms. Hill went over the monthly reports she presents to the council and addressed questions.

She will add information to her monthly report to include the net profit, bond payment, and yearly transfer to the city. The council wants to know what the business is doing with everything being considered.

Salary Analysis:

Ms. Dahle presented an analysis of the Sports Grill payroll, what the percentage of increase could be of 1.12% accommodating minimum wage increase, and pay matrix adjustment.

Cook Position:

Ms. Dahle reported that the full-time cook resigned; she will not be replacing this position in the foreseeable future. She will be hiring part-time cooks.

Report from MMBA:

Paul Kaspszak from the Minnesota Municipal Beverage Association prepared a report regarding the operations of the Sports Grill. The council directed Ms. Dahle to prepare a report addressing Mr. Kaspszak's comments to include: Why or why not she agrees, will she be making any changes how? What is her action plan? The report should be ready for the council for their March meeting.

City Clerk
Sharon Payne

Utility Billing Report

The council discussed the utility billing report. They questioned the city's practice of contractor's access to fire hydrants.

Contractor Water Use:

What is the practice of contractor's use of city water? The clerk said that sometimes the water is metered other times the contractor is invoiced based on the capacity of their truck. Mr. Jones notifies the clerk's office.

The council wants to change the practice of who pulls water from the system:

- The water is to be metered; the meter to include a back-flow preventer.
- The meter is installed/removed by maintenance staff and readings provided to the clerk's department.
- The meter rental fee will be determined (see below direction to Mr. Jones)
- Fee for water use as set by the city's fee schedule
- Fine for tampering, installing or removing a water meter \$5,000

The council directed Mr. Jones to establish the meter rental fee to include maintenance time to install, remove, and read the meter; in addition depreciation of the meter and valve.

Utility Shut-Off:

The council stated this is an example of an account that went too far; once the first payment plan is not followed the account should be shut-off. We need to follow the policy – no exceptions.

Motion by Utecht to shut-off service to 31165 Ferris Trail immediately. Second by Ness. Utecht, Ness, Olivolo, and Denney voted yes. Mayor Utecht declared the motion carried.

Parking in Residential Districts

Motion by Ness to establish the permit fee for Section 153.121 (B)(3)(b)(1) at \$50. Second by Olivolo. Ness, Olivolo, Denney, and Utecht voted yes. Mayor Utecht declared the motion carried.

Committees Commissions

Liquor Operations Committee

Motion by Ness to remove the Utility Billing Clerk from the Liquor Operations Committee. Second by Denney. Ness, Denney, Olivolo, and Utecht voted yes. Mayor Utecht declared the motion carried.

Liquor Operations should reimburse the city for council member attendance at their meetings.

Chisago Lakes Joint Sewage Treatment Commission (CLJSTC)

Member Olivolo updated the council on the events of the CLJSTC and presented information requiring no action.

Personnel Committee

Member Ness asked when the council can expect a report on the merit based pay system. The committee is working on updating the performance appraisals specific to job description. The committee will work on having a report to the council for their April meeting.

History Committee

The committee is excited to have a new member Mary Schmitz, she is continuing to interview area residents and will be research access to Post Review past editions.

Park and Recreation Committee

Member Olivolo said that planning for the Easter Festival is moving forward, he has been busy seeking donations from area businesses. The budget is the same for 2015 as set for 2014.

EDA

The EDA met and are happy that Mr. Houdek is interested in continuing to serve on the board. Also, there is interest in a lot purchase in the business park of about six acres – no further update at this time.

Planning Commission

Member Ness updated the council on the Planning Commission: Public Hearings have been set for February 17th for the Planned Unit Development, Central Business District, and Non-conforming uses.

He asked the council for direction regarding the fire inspection for rental housing; this was brought up last summer, at that time the city attorney indicated that city's that have this type of inspection are those that have a "full blown" housing inspection program. The attorney was going to conduct further research.

Mayor Utecht, stated based on his recollection the city does not have the resources to administer this program. The council consensus was not to pursue any further at this point due to the lack of resources.

Old Business

Security Cameras

Motion by Utecht to table until March's meeting. Second by Denney. Utecht, Denney, Olivolo, and Ness voted yes. Mayor Utecht declared the motion carried.

LED Sign

The clerk was directed to contact Metro LED Signs for the following information:

- Installation costs
- Can they use existing wiring
- If the wiring is used, can wireless be installed in the future
- Cost to remove current sign

Special Meeting Requirements

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

New Business

Land Use Training

Member's Denney and Olivolo will take the training.

North Branch Hockey Association Project

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

The first item that needs to be addressed is the association's purchase of the land; the cost is \$1.09/square foot.

Member Ness said that he has, on multiple occasions given direction to the association on what needs to occur:

1. Have the property surveyed to establish boundaries which then the land sale price can be determined.
2. Re-platting
3. Rezoning
4. Rezone Light Industrial Park District to allow use.

The council agreed to the work session with the association at the association's expense.

Checking account

Motion by Ness to authorize the city clerk to open a checking account at the First State Bank of Wyoming in the amount of \$250,000 for the Water Treatment Plant Project. Second by Olivolo. Ness, Olivolo, Denney, and Utecht voted yes. Mayor Utecht declared the motion carried.

Board of Review

The Board of Review meeting is scheduled for April 15, 2015, at 6p.m.

Mayor/Council

Council Member Attendance

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

Mayor Utecht stated that Member Bruss has missed a number of meetings, which resulted in a number of days being missed over those established in Minnesota State Statute 412.02, Subdivision 2b. In the past a temporary appointment occurred, he would like this to happen again. He is not trying to remove Member Bruss but would like to have a "full" council until she is able to return.

Motion by Ness to approve Resolution Number 2015-2-1, "Resolution Declaring a Vacancy on the City Council." Second by Olivolo. Ness, Olivolo, Denney and Utecht voted yes. Mayor Utecht declared the motion carried.

The clerk was directed to solicit letters of interest for the temporary appointment to the city council. She will publish and post the notice

March Council Meeting

The March regular council meeting has been moved to Monday, March 16th, at 7:00p.m.

Committee Written Reports

The council consensus was verbal reports are fine, if a written report is preferred that is ok too.

Adjourned at 9:57p.m.

Mayor Utecht declared the meeting adjourned at 9:57p.m.

Sharon MT Payne