



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
DECEMBER 9, 2014, 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, and Michael Carlson
Absent: Cindy Bruss, and Charles Lucia
Others Present: Anne Thom, Ted Alliegro, Mark Statz, Tony Olivolo, Samantha Denney, Jerry Schroeder, Cindy Vogel, Paul Vogel, and Jason Klar

Additions to the Agenda

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- Foxtail Woods Plat 5, Invoice Reduction Request
- Pay Matrix Approval
- Approval of Closed Meeting Minutes
- Payment Information for Repair of International Truck
- Clarification for Ms. Dahle Regarding Maintenance Items at the Sports Grill

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

Public Comment

None

Consent Agenda

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

Staff Reports

City Attorney

Ted Alliegro

Frontage Avenue Gap

Mr. Alliegro stated that the County has no interest in getting involved with the process. The city has two options: do nothing or move forward to acquire the access.

Mr. Alliegro was asked if the city has legal access to the property using the "gap", or do we have to acquire access through quiet title action? Mr. Alliegro said we have access until someone says we don't. He said that it would be fairly simple for the city to acquire it.



Motion by Utecht to proceed with quiet title action to acquire the “gap” described as: West Side of County Road 30 to East Side of Frontage Avenue and South of the apron. Property that is West of Frontage Avenue but South of a line that is parallel with the South property line of the southern-most home that is on Frontage Avenue North of Sunrise River; subject to mapping and legal descriptions. Second by Ness. Utecht, Ness, and Carlson voted yes. Mayor Utecht declared the motion carried.

Sunrise Auto Quiet Title Action

Mr. Alliegro is working on the quiet title action.

No Parking Areas on County Road 19 and CSAH 30

Mr. Alliegro will consolidate all the no parking areas in the city into one resolution.

City Engineer

Mark Statz

2014 Street Improvements

Motion by Ness to approve the second and final pay request for the 2014 Street Improvements in the amount of \$10,083.21 to Dresel Contracting contingent upon receipt of lien waivers and IC134 forms. Second by Utecht. Ness, Utecht, and Carlson voted yes. Mayor Utecht declared the motion carried.

Lift Station Upgrade

Motion by Utecht to direct the Maintenance Department to replace the pumps in the Richland Meadows Lift Station and have the city engineer continue to work with PFA to utilize WIF. Second by Carlson. Utecht, Carlson, and Ness voted yes. Mayor Utecht declared the motion carried.

The bid received from Tri-State Pump and Control is \$17,447.66.

Water Plant

Mr. Statz contacted USDA for a status update, they did not have any at this time. He did state to them that any further delays may cause the project to be pushed out. He anticipates having a decision from them by the January 2015 meeting.

City Clerk

Sharon Payne

Approve 2015 Budget

Motion by Ness to approve Resolution Number 2014-12-1, “Resolution Approving the 2015 Levy Certification.” Second by Carlson. Ness, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Utility Account Disconnections

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

Mr. Klar was present regarding his rental property’s past due utility account. He stated that the renter had been behind since June. He addressed with staff, who said they could not shut-off the water to the property as they have made a payment. Mr. Klar is concerned that he will be stuck with the bill. He said that the city should follow their shut-off policy.

Mr. Alliegro was asked if the owner could request shut-off to the property, no they cannot. The city needs to follow their process as it applies to occupant.

Motion

Motion by Ness to start the shut-off process to the property. Second by Carlson.

Mr. Statz cautioned shutting off the water to the property at this time of year, the pipes may freeze. Mr. Klar said if this happens he will seek damages from the tenant.

Mr. Alliegro said that makes the property uninhabitable per state; as verified with the city's building inspector.

Mr. Alliegro asked if Mr. Klar had a lease with the tenant, and if that lease includes utility payments. Mr. Klar said he did. Mr. Alliegro said that he could handle it as a violation of the lease and begin eviction proceedings.

Mr. Alliegro cautioned the council of the importance of following the city's policy.

Vote on the motion. Ness, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

The clerk will direct staff of the importance of following the city's shut-off policy.

**Oberloh Contract for 2014
Audit Services**

Motion by Ness to approve the contract for services with Dennis Oberloh for the 2015 audit. Second by Carlson. Ness, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Laptop Purchase

The clerk did not have an update, the council said that it would not be necessary to purchase "tough book."

**Analysis of Post Card vs.
Envelope Mailing**

Motion by Ness to change the utility billing mailing to using envelopes. Second by Utecht. Ness, Utecht, and Carlson voted yes. Mayor Utecht declared the motion carried.

**Consider Approval of Pay
Increase for 2015**

Mayor Utecht would like to address the merit based pay increases with the new council. Member Ness said that he sees that as a lengthy process and could be put in place next year.

The city budgeted 2% increase for 2015; however, it is still at the council's discretion to award those increases.

Some of the positions are now below the current pay matrix (see below).

Couldn't we award the increase of 2% clarifying that the 2% is included in any adjustment to pay to bring the employee to the minimum for their position.

The liquor manager's will be asked: how they can accommodate the pay increases to fit into the matrix; how do they want to handle this? What would they suggest? Would they decrease the overall increase to all employees to accommodate those being brought to the minimum for their grade?

Motion by Ness to table until the January 2015 meeting. Second by Utecht. Ness, Utecht, and Carlson voted yes. Mayor Carlson declared the motion carried.

Foxtail Woods 5

Motion by Utecht to reduce the billing on invoice 1979 from the city attorney for the Foxtail Woods Plat 5 Development from \$1,371 to \$56. Second by Ness. Utecht, Ness, and Carlson voted yes. Mayor Utecht declared the motion carried.

Committees Commissions

Committee Listing

The clerk indicated that in 2015 there will be quorum of the council on both the EDA and Planning Commission. Member Bruss will be removed from both the EDA and Planning Commission until such a time she is able to return. Mayor Utecht said we are not trying to replace her but we need to have members who can attend the meetings.

The current listing of committees was presented; Mayor Utecht asked what Mr. Olivolo and Ms. Denney would like to serve on.

Mr. Olivolo to the CLJSTC which will be vacated in January by Member Lucia; this is in addition to the committees he is already on.

Ms. Denney to Personnel Committee, Maintenance Committee, and Liquor Committee in addition to the committees she is already on.

The clerk will add to the list Maintenance Committee, Liquor Committee, and Chisago Lakes Joint Sewage Treatment Commission (CLJSTC).

Planning Commission

Member Ness said the commission made changes to the swimming pool ordinance: the fence height will stay the same, clarified a portable pool is 24 inches deep, and pools will be fenced or have a latchable cover.

Personnel Committee

Pay Matrix

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

Motion by Utecht to adopt the pay scale that includes the ranges as presented and approve the title and grades. Second by Ness. Utecht, Ness, and Carlson voted yes. Mayor Utecht declared the motion carried.

Old Business

Security Cameras

Mayor Utecht said that he has not heard back from Mr. Sayouri regarding the financial contribution he was able to arrange for the cameras. He knows the fire department is moving forward with the security cameras. This item will be placed on the January 2015 agenda.

McKay LED Sign

The clerk said she has not contacted anyone about interest in participating in the cost of the sign; she wants to wait until we have quotes. She also asked for help on this project as it is confusing; Mayor Utecht will work with her.

**Stacy Sports Grill –
Maintenance Items**

Ms. Dahle stated in her bullet report how the direction given by the council at the last meeting for her to consult with Mr. Jones when repairing items at the Sports Grill slowed down the repair of a recent item. The council changes that direction that she consult with Mr. Jones on items she thinks Mr. Jones could repair.

Council Packet Deadline

Member Ness said that the important items to have before the council meeting are the bullet reports; and understands that the claims may not be ready by Thursday before the meeting. The council concurred.

New Business

Lions Club Liquor License

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

Motion by Ness to approve the Lions Club liquor license for 2015 contingent upon receipt of necessary paperwork. Second by Carlson. Ness, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

**League of Minnesota Cities
Conferences**

Motion by Ness to approve any newly elected official to attend the Newly Elected Officials Conference either in Brooklyn Center or Alexandria; the city will cover registration, mileage and lodging. Second by Carlson. Ness, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Motion by Utecht to approve any experienced official to attend the Experienced Officials Conference in Brooklyn Center; the city will cover registration and mileage. Second by Ness. Utecht, Ness, and Carlson voted yes. Mayor Utecht declared the motion carried.

**Selling Personal Property on
City Property**

The council directed no selling on city property by anyone.

**Midcontinent
Communications**

Mayor Utecht asked if the city could require a utility to provide services to all residents. If they cannot supply service to the entire city can another company provide? The clerk was directed to check the franchise agreement for the renewal date.

**CSAH 36 Funding Request –
Letter of Support**

The council approved the issuance of a letter of support for CSAH 36 funding as requested by Joe Triplett.

Mayor/Council

International Repair

The council had asked Mr. Jones to provide an accounting of how the International Truck repair would be paid for; they have not received this from him and request that he do it now. Mayor Utecht said that the Maintenance Committee had not met; Member Ness said that Mr. Jones should be able to act by reading the minutes and not have to be told by the committee.

Member Ness asked if a post mortem review had been done on the pump to see why it failed. Mayor Utecht said that the pump actually was rebuilt;

however, the cost was almost as much as a new one. Member Ness would still like to know what caused the pump failure, was it preventable, what can be done in the future (if anything) to prevent the reoccurrence?

Richland Meadows Lift Station

Member Ness requests that Mr. Jones communicate better; the Richland Meadows pump replacement was a big surprise to him. He reviewed Mr. Jones monthly reports and found reference that the lift station was worked on but nothing about a pump replacement. Mayor Utecht said that the pump was discussed by the Maintenance Committee. Member Ness said he prefers too much information than not enough.

Annexation

Mr. Olivolo asked if there was any update on annexation. Mayor Utecht said that the work session had been held, nothing further to report.

Michael Carlson – Service to the City

Mayor Utecht thanked Member Carlson for his service to the city; he also extended his appreciation for Member Carlson's perspective including his invaluable knowledge of his history of the city. He also said that he hopes this isn't the last time he will help out the city.

Member Ness concurred with Mayor Utecht and thanked Member Carlson for his years of service.

Closed Session 9:28-9:29pm

Motion by Utecht to go into closed session. Second by Ness. Utecht, Ness, and Carlson voted yes. Mayor Utecht declared the motion carried.

The closed session was to approve closed meeting minutes.

Motion by Ness to adjourn the closed session. Second by Utecht. Ness, Utecht, and Carlson said yes. Mayor Utecht declared the motion carried.

Approval of Closed Meeting Minutes

Motion by Ness to approve the closed meeting minutes. Second by Carlson. Ness, Carlson, and Utecht voted yes. Mayor Utecht declared the motion carried.

Adjourned at 9:30 p.m.

Mayor Utecht declared the meeting adjourned at 9:30p.m.

Sharon MT Payne