



**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**

**SPECIAL EMERGENCY MEETING
JUNE 26, 2012, 6:00p.m.
STACY CITY HALL**

Call to Order

The meeting was called to order by Mayor Utecht at 6:00p.m.

Roll Call

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

Absent: None

Others Present: Peter Grundhoefer, Vickie Schauer, Bernard Schauer

**Purpose of the Special
Meeting**

The purpose of the special emergency meeting is to address an imminent
threat to health and safety regarding a failing septic system and take
action.

Discussion

The property owned by the Schauer's (30683 Forest Boulevard) has a
septic system that has failed and is posing a threat to public health and
safety.

Mayor Utecht stated that at the council meeting on June 12th the council
responded with a unanimous no regarding the city paying for the utility
connection and assessing to the property taxes.

Mr. Grundhoefer said at the previous meeting the council was not
interested in acting as a bank in putting city money out; what he has
prepared is a draft assessment for money that would be coming in and not
going out. Such as water and sewer access charges.

Mayor Utecht said that on the surface this appears to be a viable solution;
the city is not outlaying cash, they are deferring money owed to the city.

Member Ness asked what collateral the city has if they don't pay at some
point down the road. The worst scenario is if they didn't pay property
taxes the assessment would be paid by whoever purchased the property.
He stated he is not in favor of the assessment.

Motion

Motion by Utecht to authorize the mayor to sign the assessment, with
these additions require funds to be escrowed and the agreement is for a
period of 10 years at 6%. Second by Lucia.

Discussion: Member Ness said this is setting a bad precedence;
Members Carlson and Bruss concurred with Mr. Ness. Mayor Utecht said
that he understands the other council members concerns; however, the
property is deemed unlivable at this point and will be left vacant.

Member Utecht and Lucia voted yes. Member's Ness, Bruss, and Carlson voted no. Mayor Utecht declared the motion fails.

The council member's sympathized with the Schauer's; further discussion by the council did not change the action on the motion.

This item will be discussed again on July 10, 2012, once the council has had the opportunity to further review.

Adjourned at 6:55pm

Motion by Ness adjourn. Second Bruss. Ness, Bruss, Lucia, Ness, and Utecht voted yes. Mayor Utecht declared the motion carried.

Sharon MT Payne