



**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 13, 2016, 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, Chuck Lucia, Tony Olivolo, Mark Ness, and Mark Utecht

Absent: None

Others Present: Anne Thom, Mark Statz, Ted Alliegro, Troy Nelson, and Doug Green

Additions to the Agenda

Addition to the agenda: Request for bill adjustment at the Sports Grill.

Motion by J. Ness to approve the agenda as amended. Second by M. Ness. J. Ness, M. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Public Comment

Troy Nelson: Mr. Nelson expressed his overwhelming appreciation to the City's Maintenance Staff for their awesome work in keeping the ball fields in great condition. These guys are doing an immaculate job for him and do anything he requests. Because the fields are in great condition teams want to play here and we are able to host tournaments.

Consent Agenda

Motion by M. Utecht to approve the consent agenda as presented. Second by T. Olivolo. J. Ness, T. Olivolo, M. Ness, C. Lucia, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Staff Reports

City Attorney

Springsted Contract

Motion by J. Ness to approve the contract with Springsted Inc., for Municipal Advisor Services, as amended, and authorize the Mayor to sign. Second by T. Olivolo. J. Ness, M. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. Mayor Utecht declared the motion carried.



Sunrise Auto

The council asked how long it will take to complete; it's been going on a long time. Attorney Alliegro said it should be done in a month or two.

Frontage Avenue Quiet Title Action

The easement on Vogel's property has been vacated and recorded. Two of the three property owners have agreed to quit claim any interest in the gap area. The owner of the third property is being determined.

City Engineer

Mark Statz

City Hall Parking Lot

The council directed Mr. Statz to request additional parking at city hall from Magney Construction.

City Clerk

Sharon Payne

Resolution Approving the 2017 Levy

Motion by M. Utecht to approve Resolution Number 2016-12-2, "Resolution Approving the 2017 Levy;" in the amount of \$439,030. Second by J. Ness. J. Ness, M. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Employee Pay Increase for 2017

Stacy Sports Grill:

A federal judge halted the implementation of the new Department of Labor rule which was to take effect December first; this would have increased the On-Sale Manager to \$47,476. Therefore, this increase was not given.

Ms. Archer requested no increase for any Sports Grill employee; most employees were given the minimum wage increase August 1, 2016, and for herself she wants to wait until the kitchen improvement revenue can be shown.

Stacy Wine and Spirits:

Motion by M. Utecht to approve the increases as requested by the Off-Sale Manager proposed in his email dated December 9, 2016; with the exception of the manager, who is still in his probationary period. Second by T. Olivolo. J. Ness, M. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

City Clerk's Department:

Motion by J. Ness to approve a 6% increase for the City Clerk and a 3% increase to the Utility Billing Clerk as budgeted. Second by C. Lucia. Members M. Ness, J. Ness, and C. Lucia voted yes. Member T. Olivolo, and Mayor Utecht voted no. Mayor Utecht declared the motion carried 3-2.

Mayor Utecht and Member T. Olivolo both said the increase for the City Clerk should be 7% that is why the no vote. Member Lucia agreed but said we need to go with what was budgeted.

Maintenance Department:

Motion by J. Ness to approve a 6% increase for the Maintenance Supervisor and a 4% increase for the Maintenance Worker as budgeted. Second by M. Ness. Members M. Ness, J. Ness, and C. Lucia voted yes. Member T. Olivolo, and Mayor Utecht voted no. Mayor Utecht declared the motion carried 3-2.

Mayor Utecht and Member T. Olivolo both said the increase for the Maintenance Supervisor should be greater than 6% that is why they voted no on the motion. Member Lucia also agreed but said we need to go with what was budgeted.

Motion by M. Ness to approve the 50% increase to on-call pay as budgeted. Second by J. Ness. Members M. Ness, J. Ness, and C. Lucia voted yes. Member T. Olivolo, and Mayor Utecht voted no. Mayor Utecht declared the motion carried 3-2.

Posting Notices

The clerk indicated that we are currently posting notices at The First State Bank of Wyoming, City Hall, and Sunrise Mobile Home Park office.

They asked the clerk to check if Dollar General has a place to post notices; if not, then check with Stacy Do It Best also.

February 2017 Council Meeting

The February 2017 council meeting will be held on Wednesday, February 15th. There is a special election on the 14th.

Water Treatment Plant

- **Pay Request Number 3**

This item handled out of order by motion of M. Ness. Second by C. Lucia and carried.

Motion by J. Ness to approve pay request number 3 in the amount of \$138,794.12 for the water treatment plant project to Magney Construction. Second by T. Olivolo. J. Ness, M. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

- **MN DNR – Land Lease**

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

Motion by M. Ness to approve the Lease for the water treatment plant with Minnesota Department of Natural Resources contingent upon Minnesota Department of Health’s approval; change the date of the lease to when it is actually executed. Second by J. Ness. J. Ness, M. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Contract – Dennis Oberloh

Motion by M. Utecht to accept the contract with Dennis E. Oberloh, LTD for 2016 audit services as presented. Second by T. Olivolo. J. Ness, M. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

**Committees
Commissions**

Chisago Lakes Joint Sewage Treatment Commission (CLJSTC)

- **Connection Policy**

Member T. Olivolo will bring notes back to the commission regarding the connection policy.

Personnel Committee

- **Employee Wellness and Recognition Policy**

The revision to the Personnel Policy to include the Employee Wellness and Recognition Policy was discussed.

The main issue discussed was regarding the exemption of the restriction on managers consuming alcohol at the Stacy Sports Grill for the Holiday Party; the council would like to revisit this section of the policy.

Motion by J. Ness to approve the changes to the Personnel Policy incorporating the section on “Employee Wellness and Recognition;” with the noted changes. Second by M. Utecht. J. Ness, M. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Motion by M. Utecht for this year’s party we waive the prohibition of managers to have alcohol during the party when they are off the clock. Second by J. Ness. J. Ness, M. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Public Information Committee

- **Website Presentation**

- **Approve Newsletter for Mailing**

The committee members shared potential changes to the city’s website to one of the free templates hosted by GovOffice. The functionality of the template is better than our customized site. The council concurred with the committee’s recommendation to change to the template and save the costs of a website upgrade.

Discussed at length was Member T. Olivolo’s article soliciting members for the Lions Club. If it was any other organization than the answer would be easy – No.

The entire council stated that the Lion's Club does a lot for the city and it is greatly appreciated; but allowing this article may open a "box of worms." How do we decide who can put something into the newsletter, how can we restrict? Because this item requires further thought and attention the article will be removed from January's publication and possibly include in March 2017.

Motion by M. Ness to approve the newsletter as amended. Second by C. Lucia. J. Ness, M. Ness, and C. Lucia voted yes. Mayor Utecht and Member T. Olivolo voted no. Mayor Utecht declared the motion carried 3-2.

Park and Recreation Committee

Member T. Olivolo said he would be meeting with Bob Gustafson regarding soccer in Lions Park. He also said the committee is working on planning National Night Out and the Easter Festival.

EDA

Member T. Olivolo distributed welcome cards which included a gift card to the Sports Grill to the new businesses in Stacy; he said they were well received.

Old Business

None

New Business

Lions Club Liquor License for 2017

Motion by T. Olivolo to approve the liquor license for the Stacy Lions Club for 2017. Second by M. Ness. J. Ness, M. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. Mayor Utecht declared the motion carried.

Snow Removal

Mayor Utecht said he spoke with a resident on 314th Street regarding his dissatisfaction with the snow removal on his dirt road. Mayor Utecht talked to the Maintenance Supervisor who stated that the road was not frozen and he wanted to prevent damaging the road base; he was going to wait until the traffic had packed down some of the snow.

The council said that not plowing the road was not the answer; what is the best alternative? Also, to issue a letter in the fall to the residents on dirt roads regarding the city's policy on snow removal on those roads.

Initiative Foundation – Funding Request

The council will not be sending a contribution to the Initiative Foundation.

City Attorney – Request for Proposals

Member J. Ness asked if anyone was happy with the service we are getting from the city attorney?

Member T. Olivolo said that he isn't happy – things keep staying on his memo.

Member J. Ness said that the progress on the Sunrise Auto and Frontage Road project is slow; Sunrise Auto has been in process for 18 months.

Motion by J. Ness to solicit bids for City Attorney. Second by T. Olivolo. J. Ness, T. Olivolo, C. Lucia, and M. Utecht voted yes. M. Ness abstained. Mayor Utecht declared the motion carried.

Deadline for submittals January 5, 2017.

**Communication between
Stacy Sports Grill and
Maintenance Department**

Member J. Ness said that in reading Mr. Jones and Ms. Archer's reports it appears as though some kind of tension exists between them; is this correct? Mayor Utecht said yes. Possible solutions will be explored.

Mayor/Council

**Sports Grill Bill
Adjustment**

A patron from the Sports Grill was not happy with what they were charged for nachos for a special event; they feel they were overcharged and that when they complained to Ms. Archer they were treated rudely.

After discussing the specifics in more detail; even though some council members thought that Ms. Archer handled the situation poorly. We need to back up our managers even if we don't like their decision.

Motion by J. Ness that the council concur with Ms. Archer and give no compensation to the complainant. Second by T. Olivolo. J. Ness, T. Olivolo, M. Ness, and M. Utecht voted yes. C. Lucia voted no. Mayor Utecht declared the motion carried 4-1.

Council Communication

Member M. Ness said that he appreciates how the council operates, how they can act civil toward one another and discuss items. The other members concurred.

Adjourned at 10:10p.m.

Mayor Utecht declared the meeting adjourned at 10:10p.m.

Sharon MT Payne