



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

**CONTINUED MEETING
DECEMBER 21, 2015, 6:30p.m.
STACY CITY HALL**

Call to Order

The meeting was called back to order by Mayor Utecht at 6:30pm.

Roll Call

Present: Jim Ness, Mark Utecht, Samantha Denney, Chuck Lucia, and Tony Olivolo

Absent: None

Others Present: Ted Alliegro, and Tanner Jones

Continued Meeting

This meeting is a continuation of the December 8, 2015, Regular Council meeting. Agenda items from the original meeting may be discussed.

Perry Schneller – Invoice Payment Request

Motion by Utecht to take the Perry Schneller Invoice Payment Request off the table. Second by Ness and carried.

Attorney Alliegro’s memo stated:

At the last Council meeting I was asked whether the City code gives the City discretion to waive a survey prior to erection of a fence.

I believe the relevant portion of the City Code is § 153.032 (F)(1) which addresses fences proposed to be placed along property lines. This section provides that:

Where a property line is not clearly defined, a certificate of a survey shall be required to establish the location of the property line

It would appear from this provision that if the property line is clearly defined, no survey shall be required.

I would also point out that pursuant to § 153.032 (H), a condition of a fence permit is that:

...in the event of any improper placement of the fence the applicant shall relocate the fence within 1 week from notice thereof by the city. Any costs incurred for the relocation shall be the sole responsibility of the applicant.

I believe reading the entire provision dealing with fences along property lines lead to the conclusion that it is the applicant’s responsibility to ensure that the fence is located on the property line, both prior to erecting it and afterwards.

The situation surrounding the requirement for a survey was discussed; Mr. Kramer believed Mr. Schneller knew where the property line was, once the placement of the fence was disputed Mr. Kramer requested a survey.

There were no additional motions made; the original motion by the



council in November stands.

The clerk will direct Mr. Kramer to put a statement on the building permit or an attachment to the building permit wording that states that if the requirement for a survey is waived one may be required in the future at your expense.

Our current building permit does have wording stating that the city code ordinances must be followed.

**Employee Pay Increase
2016**

Motion by Ness to take the Employee Pay Increase off the table. Second by Denney and carried.

Maintenance Department

Mr. Jones presented a spreadsheet detailing out how he could accommodate the proposed increase for his department; the council would like added information to the report. However, future discussion determined this was not necessary as there was no support for the increase. Several reasons were sighted; the main one being the timing of the pay increase proposal. The proposal should be included during the budgeting process, not this late in the year. Because the employee performance review process took place after the budgeting process it was difficult to forecast increases at budget time.

Mayor Utecht asked that even though the process was flawed are we still willing to consider the proposal, even if done at the wrong time. He also said he thought Mr. Jones recommended increases were appropriate.

Motion by Ness to give a 3% budget raise to the Maintenance Department for 2016 and for the Maintenance Supervisor to distribute how he sees fit. Second by Lucia. Ness, Lucia, Denney, and Olivolo voted yes. Utecht voted no. Mayor Utecht declared the motion carried 4-1.

Mayor Utecht clarified the motion: the 2015 budgeted payroll will be increased by 3% for 2016.

City Clerk Department

Motion by Olivolo to award an increase of 2% for both the clerk and utility billing clerk. Second by Denney.

Mayor Utecht said shouldn't the motion be a 2% for the department and the supervisor determines where it goes? He then said the proposal presented by the clerk was appropriate for the 1% increase for the utility billing position but the 2% for the clerk was not appropriate. He would suggest 1% to the utility billing position and the rest to the clerk.

Member Lucia said 3% for the department and the clerk decides where it goes.

Vote on the motion: Denney and Olivolo voted yes. Utecht, Ness, and Lucia voted not. Mayor Utecht declared the motion fails.

Motion by Ness to give a 2% budget raise to the clerk's department and the clerk to determine the distribution. Second by Utecht. Ness, Utecht, Denney, and Lucia voted yes. Mayor Utecht declared the motion carried.

On-Sale

It was noted that both the old manager and new manager recommended no pay increases to the bar and grill staff as most of the staff is getting an increase through the minimum wage requirement.

Motion by Ness to follow the on-sale manager recommendation for no additional increases other than minimum wage for 2016. Second by Olivolo. Ness, Olivolo, Denney, Lucia, and Utecht voted yes. Mayor Utecht declared the motion carried.

Off-Sale

Motion by Ness to approve the off-sale manager's pay increase proposal as presented for 2016. Second by Olivolo. Ness, Olivolo, Denney, Lucia, and Utecht voted yes. Mayor Utecht declared the motion carried.

Adjourn at 8:08pm

Mayor Utecht declared the meeting adjourned at 8:08pm.

Sharon MT Payne