

Pursuant to due call and notice thereof, a City Council meeting was duly held at City Hall on the 6<sup>th</sup> day of April 2009 at 7:00 pm.

**THE FOLLOWING MEMBERS WERE PRESENT:**

John Grutsch Mayor, Hugh Knox, Jim Stang, Kurt Marthaler, Margie Evens – Councilors

Jodi Austing-Traut - Clerk/Administrator

Absent: None

The meeting was called to order by Mayor Grutsch and the Pledge of Allegiance was said.

**Open Forum**

Avon Estates Update:

Dale Heffron and Mark & Sherrie Klein were here to give an update of their progress at Avon Estates and to ask for the city council's support in their ongoing efforts to secure funding for affordable housing in Avon Estates. Mark and Sherrie Klein mentioned that homes would need to be priced about 10% less than they were priced last year. They mentioned that their biggest concern is the city SAC and WAC fees, which are currently higher in Avon than in Albany. Dale Heffron also requested the city council's support as he moves forward with developing the property. Mayor Grutsch asked if the assessments on the lots in Avon Estates could be shifted around a bit in order to make the lots on the front end more affordable in order to spark development in Avon Estates. Randy Jenniges explained that this might be possible.

**CONSENT AGENDA**

1. Council Minutes of March 2, 2009
2. Fire Board Minutes of March 11, 2009
3. Planning Commission Minutes of March 17, 2009
4. Claims Register and Monthly Expenditures/Revenues, Cash Flow
5. Capital Expenditures, Legal Fees, Engineering Fees Detailed Reports
6. Approve CUP for 209 Avon Ave (42.26480.0000) to allow the Construction of a Drive-Up Window
7. Approve Ordinance to Rezone 209 Avon Ave (42.26480.0000) from C-2 to C-1 District

6. The CUP is to allow a drive up window (which is only allowed via CUP in a C-1 or C-2 district in the ordinance). The rezoning is to make this property compliant with the city's comprehensive plan and future land use map.

*Motion Hugh Knox to approve consent agenda as presented.*

*Second Margie Evens*

*Passed Unanimously*

**ADMINISTRATION**

PD Layoff Resolution & Authorize Staff to Submit COPS Grant Application

*Motion Kurt Marthaler to pass Resolution 09-788 Providing for the Layoff of Two Fulltime Police Officers.*

*Second Jim Stang*

*Passed Unanimously*

Resolution Amending Code of Ordinances Title XI Business Regulations

This draft ordinance would authorize the city to deny applications for liquor, gambling, or other business licenses if the applicant has any delinquent bills/property taxes. Shane Eastman of Joseph's was present to explain their situation and request leniency due to the current economic situation. Shane will provide a written plan for the city council by May. The council is willing to accept their plan in order to ensure that any weddings that are already scheduled.

*Motion Hugh Knox to table this Resolution until the May meeting.*

*Second Jim Stang*

*Passed Unanimously*

DRAFT WWTP Operation Proposal

Jon Forsell was here to introduce himself and offer his services as a part time on-staff wastewater treatment operator for the City of Avon. John currently holds a Class A MN Wastewater Operator License. The council discussed how to deal with on-call pay and weekend pay for the water/wastewater department.

*Motion Kurt Marthaler to amend the personnel policy to include that the city will offer \$10 /day on-call pay. If the employee actually gets called out for duty they would receive a minimum of one hour of pay at their regular rate. If these extra hours*

were to put them over 40 hours in the pay week, they will need to take compensatory time off during the same pay period or the pay period immediately following.

*Second Margie Evens  
Passed Unanimously*

Letter to People Service

*Motion Kurt Marthaler to send Letter #1 to People Service.*

*Second Hugh Knox  
Passed Unanimously*

**ACIC – Cheryl Knox**

Requested changes to Business Subsidy Criteria and EDA Enabling Resolution

Cheryl Knox discussed the changes that ACIC is looking for the council to approve. There are changes to both the EDA enabling resolution (which is the original resolution that set up our EDA) and the business subsidy criteria (which is the criteria/guidelines for the city's revolving loan fund. Ms. Austing-Traut presented to the council a memo from Traci Ryan, the city's financial consultant, indicating some concern for a few of the recommendations being made by ACIC. Mayor Grutsch asked why the ACIC is seeking to make changes. Cheryl Knox stated that the ACIC feels that the business subsidy criteria for the city's revolving loan fund is too restrictive. ACIC would like to see the criteria restructured in a more user-friendly fashion.

A joint EDA/Planning Commission meeting will be held on April 21<sup>st</sup> to discuss ACIC recommendations further.

*Motion Hugh Knox to call a special joint EDA/PC meeting for April 21<sup>st</sup> 6:30 pm at City Hall to discuss ACIC recommendations further.*

*Second Kurt Marthaler  
Passed Unanimously*

**ISSUES BY STAFF**

**Ray Schmidt:** Written Report (Nate Brenner present in Ray Schmidt's place)

Request approval to hire Lange Trenching for street sweeping – maximum expenditure of \$4,250

*Motion Jim Stang to approve the request to hire Lange Trenching for street sweeping at a max cost of \$4,250.*

*Second Hugh Knox  
Passed Unanimously*

Request approval to buy 12 water meters w/radios – maximum expenditure of \$2,340 plus shipping.

*Motion Margie Evens to approve the purchase of 12 water meters at a max cost of \$2340 plus shipping.*

*Second Hugh Knox  
Passed Unanimously*

**Corey Nellis:** Written Report (Casey Jansky present in Chief Nellis' place)

**People Service:** Written Report. Joel Birr stated that they are putting a new pump in Lift Station No.1. It is still under warranty.

**COUNCIL ISSUES**

Water's Edge Update

Council discussed the assessments and letter of credit issues related to the insolvency of Lakeland Construction Finance. In addition, Randy Jenniges will check on issues of Waters Edge III water access outlot along Ochotto Lake and storm water pond ownership.

September Meeting Date

*Motion John Grutsch to set the September meeting date for Monday August 31<sup>st</sup>, 2009 due to the Labor Day holiday.*

*Second Hugh Knox  
Passed Unanimously*

**ADJOURNMENT**

**Motion Hugh Knox to adjourn at 9:02 pm.**

Respectfully Submitted by,  
Jodi Austing-Traut, City Clerk/Administrator