

Pursuant to due call and notice thereof, a City Council meeting was duly held at City Hall on the 2nd day of November 2009 at 7:00 pm.

**THE FOLLOWING MEMBERS WERE PRESENT:**

John Grutsch - Mayor, Hugh Knox, Jim Stang, Kurt Marthaler, and 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**

**Ervin Bueckers – Re: Purchase of Bueckers City Sanitation**

Ervin Bueckers and the owners of Tom's Refuse and Danny's Disposal are considering a partnership to buy out Bueckers City Sanitation. They are not requesting an extension of the existing contract, which currently extends to May of 2015. They are only requesting a change of name to Bueckers Environmental Service Transfer (BEST) under the same terms of the existing contract. There was discussion about the best way to provide recycling services. Some people prefer sorted recyclables to ensure that there is no contamination of the recyclables. Others prefer the one container system for convenience.

The council also noted the receipt of a letter from West Central Sanitation regarding the services that they provide.

**CONSENT AGENDA**

1. Council Minutes of October 5<sup>th</sup>
2. Claims Register and Monthly Expenditures/Revenues, Cash Flow
3. Capital Expenditures, Legal Fees, Engineering Fees Detailed Reports
4. Approve Changes to Comprehensive Plan and Zoning Ordinance as recommended by PC (see PC minutes)
5. ~~Approve Resolution Accepting Donation of Real Property from Tamara Kleinschmidt~~

Mayor Grutsch stated that he did not feel that it would be wise to accept the gift of land with the contingencies being presented. Councilor Evens agreed.

*Motion Hugh Knox to approve the consent agenda with the exception of #5 due to the contingencies attached to the gift.*

*Second Kurt Marthaler*

*Passed Unanimously*

**RECEIVE/ACKNOWLEDGEMENT OF MINUTES:**

- FD Minutes
- ACIC Minutes
- PC Minutes
- JPB Minutes
- Parks Board

**Scott Lange, S.E.H.**

Update on CMFCU/ Alley

*Motion Hugh Knox to award bid for Alley project to Lange Construction in the amount of \$28,379.80*

*Second Jim Stang*

*Passed Unanimously*

Final Pay Application Larson Excavating for Waters Edge III \$51,532.21

The final pay application was delay due to faulty wear course. This situation appears to have been resolved. S.E.H. recommends approval of the final pay application.

*Motion John Grutsch to approve final pay application to Larson Excavating in the amount of \$51,532.21 for work completed at Waters Edge III*

*Second Margie Evens*

*Passed Unanimously*

## **COUNCIL BUSINESS**

Update: Percheron/Avon Estates/Nodland

Litigation. Nodland is suing Percheron and the City, requesting the release of the retainage being held on the Avon Estates project.

## **ISSUES BY STAFF**

**Public Works:** Written Report

The council considered the Parks Board Recommendation to deny a request for placement of a granite memorial bench in a city park.

*Motion Hugh Knox to table the request for placement of a granite memorial bench in a city park and directing the Parks Board to develop a formal plan for memorials within the city and make a recommendation to the council at the next regular meeting.*

*Second Jim Stang*

*Passed Unanimously*

The council considered changes to the beach plan proposed by Parks Board.

No discussion. No action.

**Police Department:** Written Report

Request to purchase a new radar in the amount of \$2,049.00. Forfeiture funds will be used.

*Motion Jim Stang to purchase a new radar for the Avon Police Department*

*Second Hugh Knox*

*Passed Unanimously*

**Water/Wastewater:** Written Report

A pump went out on Lift Station #2. The majority of the work will be covered by warranty, with the exception of labor. In addition, a quotation from Braun Pump was presented for a new ABS Pump to replace the existing Barnes pump that is also in Lift Station #2. The price quoted for is \$5,020.63. There are 2 pumps in Lift Station #2. The one that went out is around 1 year old and is covered under warranty. The other one, which is around 12 years old – is the one we would like to replace with a new pump.

*Motion Hugh Knox to authorize the purchase of a new ABS Pump to replace the pump on Lift Station #2*

*Second Kurt Marthaler*

*Passed Unanimously*

There was a recall on the water hydrants. The work has been done.

We are eligible for an award for wastewater treatment. Joel will submit the paperwork for this.

## **ADJOURNMENT**

**Motion Margie Evens to adjourn at 8:02 pm.**

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