

Pursuant to due call and notice thereof, a City Council meeting was duly held at City Hall on the 3rd day of August 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

Mark and Robin Studniski of Pelican Lake Court

Request 2 signs near cul-de-sac on Pelican Lake Court. One sign to say “Watch for Children” and the other to say “Not a Thru Street” or something similar. Council consensus to authorize Ray Schmidt to order and place signs.

Fred Holthaus, Farming Township Board

Mr. Holthaus indicated that the township is no longer happy with the Richmond Fire Department’s billing formula. The contract ended as of August 1st. The request is to have the Avon Fire Department consider offering service on a temporary basis until Farming Township decides how to proceed long term. Council consensus that Avon Fire Dept would be willing to offer services to several sections of Farming Township. Mr. Holthaus will solidify the areas that they are looking at having Avon provide service to and will get back to the council.

CONSENT AGENDA

1. Council Minutes of July 6th
2. Planning Commission Minutes of July 16th
3. Joint Planning Board Minutes of July 13th
4. Avon Fire Department Minutes of June 29th and July 27th
5. Claims Register and Monthly Expenditures/Revenues, Cash Flow
6. Capital Expenditures, Legal Fees, Engineering Fees Detailed Reports
7. Resolution Accepting Donation from Art Diedrich Family
8. Resolution Authorizing Administrative Citations Pursuant to MN SS 169.999
9. Right of Way Vacation – 16343 Linneman Lake Road

#9 There was further discussion on the Right of Way Vacation at 16343 Linneman Lake Road. Ray Schmidt will check on the status of the well located on the property and will determine if the vacation can be further confined. The council would like to see the smallest amount of right-of-way vacated as possible.

Motion Kurt Marthaler to approve Items 1-8 on the consent agenda

Second Jim Stang

Passed Unanimously

Motion Hugh to table Item 9 on the consent agenda and authorize staff to check further into the Linneman Lake issue

Second Jim Stang

Passed with Margie Evens against

COUNCIL BUSINESS

Randy Jenniges and Heidi Peper of S.E.H. City Engineering Firm:

Funding Opportunities

Ms. Peper explained the funding opportunities available at the state and federal level. The city council found that most of the funds available would not apply to the City of Avon, unless the city would actually to do a new project and take on additional debt.

Waters Edge Phase III

Randy Jenniges, City Engineer explained that the sub-contractor on the Water's Edge III project has agreed to mill and re-overlay the faulty asphalt in Waters Edge III. Mr. Jenniges is expecting a letter in the mail from the sub-contractor agreeing to this.

Central MN Federal Credit Union Alley & Storm Sewer

Mr. Jenniges explained that from an engineering perspective it makes sense to divert the storm water and he presented a couple of options that would accomplish this. He also gave estimated costs for each option. The estimated cost is about \$19,000 total. Cost participation for the City has not yet been determined. Randy explained that we need to decide 1) how we want the drainage system handled 2) does the city want to participate in the cost of upgrading the alley 3) does the city want a wider alley then is being proposed? If so, there needs to be a conversation between the city and the church. Randy suggested that a 30' alley/street would be much more appropriate. Engineering standards require a minimum of 22' to deem it a low-volume street (two 11' lanes).

Motion Margie Evens to authorize staff to present to the CMFCU that city approves Drainage Option 1. Overland Drainage from S.E.H's engineering report dated July 17,2009 and the city is willing to take care of the swail and also participate up to \$2,000 in cost sharing for the alley project.

***Second John Grutsch
Passed Unanimously.***

OTHER

Initiative Foundation Donation Request for \$400

Motion Jim Stang to authorize donation for 2010

***Second Hugh Knox
Passed Unanimously***

Curt Sauer Request to install a new septic tank at 33401 Shorewood Drive

Council and staff discussed the options for connecting 33401 Shorewood Drive into Avon Estates Development vs. connecting into Shorewood Drive at a future date. The council discussed whether or not city water and sewer is technically available. The council discussed with the City Engineer, the impact of having this one property at the end of the sewer line brought online. There is some concern about the city's cost to maintain the water system to keep the water from getting stale. The mains would have to be flushed often. The mayor suggested that the council approve the request for the installation of the new septic system, however, as soon as the city council deems that the can supply appropriate water without the additional flushing/maintenance that would be required due to there being only one property on the end of the line, the property owners (either Sauer's or subsequent property owners) will be required to immediately connect to city water and sewer and pay all fees, assessments, and costs associated.

Motion Hugh Knox to approve the request for the installation of the new septic system, and as soon as the city council deems that the city can supply water the property owners (either Sauer's or subsequent property owners) will be required to immediately connect to city water and sewer and pay all fees, assessments, and costs associated with the connections.

***Second Jim Stang
Passed Unanimously***

ISSUES BY STAFF

Ray Schmidt: Written Report

John Schmidt of Schmidt Insurance has spoken with Ray regarding water draining from the parking lot and alley into the basement at his property (former Village Bean property) on Avon Avenue. Ray explained that there are several issues that need to be resolved first on John's property before the city would step in and assist. John Schmidt has redone his roof and has placed diversion structures to ensure that the water from his own property is diverted. He is wondering what can be done with the water from the adjacent Bank, Buckhorn, and City alley that is running into his building.

Request approval to purchase 12 meter/radio combos \$2,500

Motion Jim Stang to purchase 12 meter/radio combos at a max cost of \$2,500

Second Kurt Marthaler

Passed Unanimously

Corey Nellis: Written Report. Officer Casey Jansky filled in for Chief Nellis.

Motion Jim Stang to repeal Resolution 09-788 Providing for the Layoff of Two Fulltime Police Officers due to reinstatement of some of the city's LGA that was expected to be cut for 2009/2010.

Second Hugh Knox

Passed Unanimously

The council viewed video of raft situation at the beach. There is much concern for safety on the raft. It is being used improperly and in a dangerous manner. Beach patrol officers have reported that since the raft has been in disrepair and unusable, the incidents at the beach have decreased dramatically. They report that as of late, there are more families able to enjoy the beach. When the raft was in the water, much of the buoyed area was being used up by the raft as well as those who were jumping off of the raft. Now that the raft is pulled to shore, there is much more room for swimmers to use the lake within the buoyed area.

Motion Jim Stang to remove the raft from the Avon Beach

Second Kurt Marthaler

In favor: Stang, Marthaler, Knox

Against: Grutsch, Evans

People Service: Written Report. No one from People Service was present at the meeting.

REVISIONING SESSION AUGUST 13, 2009 6:00 PM AT AVON ELEMENTARY

Budget was presented.

Discussion of the process that the ACIC has undertaken to set up the re-visioning session and discussion of the budget.

Motion Kurt Marthaler to set the budget for the re-visioning Session at \$5,000

Second Jim Stang

Passed Unanimously

County Access to City Facilities

Motion Hugh Knox to authorize placement of a lockbox at city hall for Stearns County deputies to utilize facilities, contingent upon approval by the Chief of Police

Second Kurt Marthaler

Passed Unanimously

ADJOURNMENT

Motion Margie Evens to adjourn at 9:55 pm.

Respectfully Submitted by,

Jodi Austing-Traut, City Clerk/Administrator