

Pursuant to due call and notice thereof, an Avon City Council meeting was duly held at City Hall on the 1st day of April, 2013 at 7:00 pm.

THE FOLLOWING MEMBERS WERE PRESENT:

John Grutsch - Mayor, Hugh Knox, Kurt Marthaler, Jim Stang, Jeff Manthe – Councilors

Jim Thares - City Clerk/Administrator

Absent: None

CALL MEETING TO ORDER:

Pledge of Allegiance

PUBLIC ACCESS FORUM: Josh Ricard, 205 Dolphin Avenue, SE, suggested that the City consider amending its ordinances to allow raising chickens in the City limits. Brandon Boquist, 940 Hamlet Drive South, voiced his concerns about drainage problems in the recently completed street improvement project in the Stratford Addition.

CONSENT AGENDA:

1. Council Minutes of March 4th, 2013; wording change “BOD” replaced by “TSS” in Wastewater Report
2. Claims Register
3. Capital Expenditures, Legal Fees, Engineering Fees, Detailed Reports
4. Acceptance of \$50.00 Donation from Avon Lions Club

Motion by Councilor Marthaler to adopt the consent agenda with changes. Second by Councilor Stang. Motion passed unanimously.

OTHER MINUTES:

Planning Commission Meeting Minutes of March 19th, 2013

COUNCIL BUSINESS:

Grant Funds awarded to City from Ag-Star Fund for Rural America (Jerry Briese)

Mr. Briese presented a check to the City in the amount of \$4,450.00 explaining the mission of the Ag-Star Fund and the purpose of the grant funding. Mayor Grutsch and Councilors thanked Mr. Briese.

Consider Participation in MN-DOT Grant Application for Local Noise Barrier

Claudia Dumont, MN-DOT, briefed the Council and the audience on the genesis of the noise issues, the barrier proposal and the study conducted by MN-DOT. She noted the timeline and the application process as well as funding details. The City would be asked to cover \$135,000 or 10 percent of the total costs of \$1,350,000. The application deadline is April 30, 2013. She will write the grant which would need evidence of the City desiring to participate in the project and committing its funds. Construction could take place in 2014 or 2015. It is a competitive grant. If approved, the City would be notified in July 2013. Engineering would be completed after that. Councilors asked about the timing of the local funding; when it needs to be available? Dana Weber and Gabe Jarnot, Stratford Neighborhood Assoc. officers, spoke about the residents’ survey results. Essentially residents closest to the freeway favor the wall by a slim majority. Property owners farther away are against the barrier by a similar slim margin. Cost is the biggest factor in residents’ opinions of the wall. Councilors noted the split opinions and the difficulty with the short time line to make the decision on this proposal. Several individuals spoke in favor of the wall while two residents said they were against it due to financial hardship and aesthetics. Councilors asked Clerk/Administrator Thares for any additional thoughts. He suggested giving the Stratford Association a couple more weeks to unify the neighborhood on the proposal and possibly MN-DOT may work with a delayed decision from Avon until mid April. Ms. Dumont noted increases in traffic volumes over the past 20 years starting with vehicle per day counts of 11,000 and growing to the current 30,000 per day. In the future they are expected to reach 47,000 each day. Councilors suggested that they would like to see higher support in the neighborhood for this proposal while noting the City’s financial constraints and also

expressing a concern about the expected increase in traffic in several years. **Councilor Knox motioned to set a special meeting to consider the MN-DOT Noise Barrier Grant Application for April 15th, 2013 at 6:30 p.m. Second by Councilor Manthe. Motion passed unanimously. Councilor Knox motioned to table the decision on the Noise Barrier until the special Council meeting, second by Councilor Manthe. Motion approved unanimously.**

Consider Multi-Family Housing Study Findings and Recommendations, Scott Knudson

Scott Knudson, Community Partners Research, Inc. introduced himself and gave an overview of the Housing Study findings and recommendations. Findings indicate a demand for 51 to 58 new units of general occupancy, market rate multi-family units. The assisted living analysis indicates a need for only 13 new units. Avon has a much lower number of rental units in its housing mix than many communities and the last multi-family project was completed over 20 years ago. The current vacancy rate in the community is very low, about 2 to 4 percent. Discussion by Councilors on how to get the word out about the Study. Jerry Briese, Ag-Star, mentioned that they have been involved in financing numerous apartment projects and typically see some government assistance as part of the funding approval. **Motion by Councilor Knox, second by Councilor Marthaler, to accept the 2013 Multi-family Housing Demand Study via resolution #2013-10. Motion passed unanimously.**

Wellhead Protection Plan, Karen Voz, MN Department of Health

Ms. Voz stated this discussion is part of the Public Information Meeting that the City has to hold for the Wellhead Protection Planning process. Ms. Voz said the next step is to have a scoping meeting with a local committee to chart the work on the Part II. Question by Avon Town Board Chair Leroy Gondringer about what would be expected from the Township as the Part II work unfolds. Ms. Voz said the Township could help by making the City aware of any significant land use changes in its jurisdiction that may impact the water draw from the deep aquifer as well as any abandoned wells. There is a grant program that provides assistance to seal unused wells.

Consider Limited Waiver of Three Dog Maximum, Mark and RaNae Alcorn

Mark Alcorn introduced himself and his request.

Motion by Councilor Marthaler, second by Councilor Stang, to approve the request for waiver of the Dog Ordinance requirement and allow an additional dog for a limited time for Mark and RaNae Alcorn. Motion passed unanimously.

Waters Edge Phase Three - Tax Forfeited Properties

Mayor Grutsch reviewed the materials in the packet and a phone discussion with County staff on the lots and sales process. The County has almost 600 lots for sale in this auction and they will market them for as long as it takes to sell them. A resident in the Waters Edge development said he was interested in acquiring some of the lots if the pricing is right. Questions about the sales proceeds; how much goes to the City? Clerk/Administrator Thares said he believed that the sale proceeds, after County expenses are subtracted, would all go to the City. Mayor Grutsch said it may be reasonable to make these lots priced similarly to those in Avon Estates. Question about the SAC and WAC fees and how they impact the pricing. Clerk/Administrator Thares said they are charged at the time of the building permit and are currently at \$5,700. There was a consensus that the pricing and assessment issues are complex. Mayor Grutsch suggested that the decision be tabled until April 15th.

Councilor Stang motioned to table the decision on Waters Edge tax forfeit lot pricing until the April 15th meeting. Second by Councilor Marthaler. Motion passed unanimously.

Consider Approval of New Computer System for City Clerk/Administrator

Councilors agreed that it is important to get updated equipment for staff. **Motion by Councilor Manthe, second by Councilor Marthaler, to approve the purchase of a new computer system (tower, monitor and software) for the City Clerk/Administrator. Motion passed unanimously.**

Consider Joseph's Application for an Outdoor Event Permit on June 14, 2013

Shane Eastman, Joseph's, explained his request and the nature of the event. He said it was well attended in 2012. He is hoping for another success this year. Discussion on security and policing. Police Chief Corey Nellis reviewed the public safety arrangements and the costs which are passed onto Joseph's. Councilors agreed that it is important to have a safe event; a police presence is part of the approval process. **Motion by Councilor Knox, second by Councilor Marthaler, to approve the Joseph's Outdoor Event Permit Application with the provision that Joseph's pay for the City of Avon Police security. Motion passed unanimously.**

Avon Estates Update

Ray Schmidt, Public Works Director, told the Council that the storm drain blockage was cleaned out during the day so it should not be an issue after today. Councilors noted typical drainage issues and patterns at this time of year.

Issues By Staff

Public Works – Ray said his report stands as presented. He asked for approval of the street sweeping bid by Lange Trenching in the amount of \$4,800. **Motion by Councilor Stang, second by Councilor Manthe, to approve the street sweeping bid from Lange Trenching in the amount of \$4,800. Motion passed unanimously.**

Police Department – Chief Nellis updated Council on the new 2013 Ford Explorer squad vehicle. It handles well on various road conditions and is possibly the best squad he has ever driven.

Water/Wastewater - Jon Forsell, Water/Wastewater Director, said his report is complete. Clerk/Administrator Thares suggested that the Council review the e-mail from Bryan Goehring, W.W. Goetsch, regarding the faulty lift station pumps that the City is seeking a settlement on. Discussion regarding Mr. Goehring's offer and the next steps to reach a point where the City is happy with the situation regarding the issues. Jon said that lift station #1 is still a concern and needs to be resolved soon because the new Flygt pump is running almost 75 percent of the time. He set it up this way to prevent another costly seal failure in the Hydromatic pump which is only used on weekends in that lift station. Randy Jenniges, S.E.H., summarized his understanding of the City's position and suggested meeting with Mr. Goehring to discuss his offer on maintenance costs settlement.

OTHER: Mayor Grutsch reviewed the letter of commendation that Officer Casey Jansky received from the Minnesota State Patrol for saving the life a driver who went into a deep pond after losing control of his vehicle. Corey also said that Casey will be honored at the State Patrol's annual banquet on April 24, 2013 in Duluth.

ISSUES BY COUNCIL: None

Mr. Boquist asked Council what the City would do to address the recent drainage issues in the Stratford Addition? Ray responded that he had been out there over the weekend to clear out the snow to open up drain paths. He continued by saying that he and his staff would monitor the situation and respond as appropriate. Mr. Boquist thanked Ray for his efforts thus far.

ADJOURNMENT: Motion by Councilor Stang to adjourn the meeting. Second by Councilor Marthaler. Motion passed unanimously.

Meeting adjourned at 9:26 p.m.

Respectfully Submitted
Jim Thares
City Clerk/Administrator