

Pursuant to due call and notice thereof, an Avon City Council Meeting was duly held at City Hall on the 3rd day of June, 2013 at 7:00 p.m.

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

PRESENTATION OF CHECK/FUNDING

Dean Headley, Center Point Energy, Inc., presented a check in the amount of \$2,000 to the City of Avon Fire and Rescue Department to fund the purchase of a portable overhead projector system for training purposes.

PUBLIC ASSESS FORUM:

Mark Peitso, 932 Hamlet Drive South, questioned the number of years of assessment payments for the Wastewater Treatment Plant and Well? He feels that they should only be 10 years. Council directed staff to provide Mr. Peitso information indicating the term and interest rate of the two assessments.

CONSENT AGENDA:

#1 Council Minutes – May 6, 2013, Regular Meeting; May 23, 2013, Special Meeting

#2 Claims Register

#3 Capital Expenditures, Legal Fees, Engineering Fees, Detailed Reports

#4 Consider Approval of 2013 Budget Amendment #2 – Intern Stipend

Motion by Councilor Marthaler to approve the Consent Agenda. Second by Councilor Stang. Motion passed unanimously.

OTHER MINUTES:

Planning Commission Minutes – May 21, 2013

COUNCIL BUSINESS:

Consider Annexation of Neal and Roseann Rausch Property, 34122 County Road 9

Discussion on the proposed Rausch annexation. Clerk/Administrator Thares reported that he had spoken to Mr. Rausch wherein he indicated acceptance of the annexation. **Councilor Knox motioned to approve Resolution #2013-16 Annexing the Rausch property into the City of Avon. Second by Councilor Marthaler. Motion passed unanimously.**

Consider Outdoor Event Permit Request, Joseph's (Shane Eastman)

Mr. Eastman informed the Council about the proposal for a Blackhawk Outdoor Concert at Joseph's for August 9, 2013. Mr. Eastman reviewed the stage layout noting it was facing to the east. Councilors discussed potential impacts of multiple outdoor events in a single season. **Councilor Marthaler motioned to approve the Outdoor Event Permit for Joseph's August 9th Blackhawk Concert. Second by Councilor Manthe. Motion passed unanimously.**

Consider Revised Change Order from Braun Intertec for Material Testing of 2012 Street Projects

Mayor Grutsch and Councilors noted the reduction of the Change Order from \$1,517.75 to \$965.00. **Councilor Knox motioned approval of the Change Order and authority to pay the invoice in the amount of \$965.00. Second by Councilor Marthaler. Motion passed unanimously.**

Consider R-1 Ordinance Language Revisions

Councilors discussed the R-1 Ordinance language revisions from the May Council meeting. Mayor Grutsch asked if everyone understood the changes and where they were intended to be added in the Ordinance? Councilors agreed that it made sense; no additional action is needed as it was agreed that this is consistent with the language approved at the May 6th Council meeting. This is just a clarifying memo.

Fire Department Discussion – Potential Joint Powers Board, Avon and Collegeville Township

Richard Bresnahan and Ken Mergen, Avon Township, and Bob Simon, Bill Fahrney and Craig Guggenberger, Collegeville Township, were in attendance at the meeting to discuss their interest in having the Fire Department be structured as a Joint Powers Board (JPB). They are completely satisfied with the service of the Avon Fire and Rescue Department. They believe that by forming a JPB, the entities will all be able to support the Fire Relief Association – not just the City - and they would also like to have ownership in the Fire Department rather than the fee for service arrangement that now exists. They have drafted a proposal that they can submit to the City Clerk/Administrator for review. Discussion about how a JPB would split the ownership. Mayor Grutsch indicated that he felt the City would need to retain at least 51 percent ownership because the fixed fire-fighting infrastructure components are located in the City and have been funded entirely by the City. Ken Mergen stated there will be a day in the future where Avon will need a new Fire Hall. They are concerned about just getting handed a bill from the City for large capital outlay decisions without any input. Fire Chief Eric Linn expressed that he has worked very hard to foster a fair decision making process that keeps the Townships involved when new equipment purchases and building improvements are proposed. Consensus of the discussion participants is that the three-entity Department is positive for the area and there is a desire to keep working together. It was suggested that any draft documents on a proposed JPB can be provided to the City Clerk/Administrator for review.

Avon Estates Update

Discussion on a proposed 2nd lot sale to John and Sarah Arneson, 102 Casa Avenue. City Clerk/Administrator Thares said that the Planning Commission has reviewed the proposal and recommends approval of the lot combination and the site plan for the additional garage. He said the Arnesons have offered to pay the listing price of \$28,900 and the full SAC/WAC fees in the amount of \$5,750 via an assessment. Clerk/Administrator Thares suggested that there should also be a penalty if the Arnesons do not construct their new garage within two years from the date of the sale transaction. Mayor Grutsch and Councilors concurred. **Councilor Stang motioned to approve the sale of Lot 8, Block 4, Avon Estates, to John and Sarah Arneson for \$28,900 with the condition of full payment of SAC/WAC fees totaling \$5,750 and allowing them to be assessed over seven years as well as an imposed penalty of new incremental tax value beginning three years from the date of the transaction if the new garage is not constructed by at least two years from the date of the sale transaction. Second by Councilor Marthaler. Motion passed unanimously.**

Mayor Grutsch asked staff to follow up on problem properties in Avon Estates with letters as appropriate. Clerk/Administrator Thares said staff would do that.

ISSUES BY STAFF:

Public Works – Nate Brenner, filling in for Public Works Director Ray Schmidt, updated Council on the pothole repair project on Blattner Drive.

Police Department – Police Chief Corey Nellis said his written report was a good summary. He also wanted Council to know that the forfeited Saturn did sell for \$3,600 with the City's cut of that amount being \$2,519.11. He followed up on the Dog Ordinance discussion from the May 6th Council meeting. He learned that no other cities allow dogs to be off leash. A couple of them have Dog Parks where owners can run their dogs off the leash. He said one idea is for Avon to designate the south side of the compost site, which is already fenced in, as a Dog Park. This would effectively keep the Dog Ordinance the same and staff would enforce the leash requirements. Mayor Grutsch asked Chief Nellis to discuss potential increased compost site access road usage with Mr. Elmer Keppers. Chief Nellis said he would do so and follow up with the Council.

Clerk/Administrator Thares said that he looked into potential impacts on the City's liability insurance and learned that there would not be any increase in the premium.

Water/Wastewater - Jon Forsell, Utilities Director, said his report is a good update. He reported that the repair work on the sand/effluent filter is nearly complete. It will be useable in a couple weeks.

OTHER:

Clerk/Administrator Thares asked the Council to set a budget workshop ahead of the August 5th Council meeting. The proposed time is 5:30 p.m. to 7:00 p.m. **Councilor Knox motioned to set a Council Workshop to discuss 2014 Program Budgets, Avon Estates Fund and related inter-fund transfers for Monday August 5, 2013 from 5:30 p.m. to 7:00 p.m. Second by Councilor Marthaler. Motion passed unanimously.**

Mayor Grutsch noted an article in the St. Cloud Times regarding two bars that were recently denied liquor licenses by the St. Cloud City Council due to failure to pay their property taxes. Councilor Manthe told the Council that the Stratford Association would self-monitor the on-street parking situation in their neighborhood. The goal is to keep the roads open to public safety vehicles at all times.

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

Meeting adjourned at 9:01 p.m.

Respectfully Submitted
Jim Thares
City Clerk/Administrator