

Pursuant to due call and notice thereof, an Avon City Council meeting was duly held at City Hall on the 10th day of September, 2012 at 7:00 pm.

**THE FOLLOWING MEMBERS WERE PRESENT:**

John Grutsch - Mayor, Hugh Knox, Margie Evens – Councilors

Jim Thares - City Clerk/Administrator

Absent: Kurt Marthaler and Jim Stang - Councilors

**CALL MEETING TO ORDER:**

Pledge of Allegiance

**PUBLIC ACCESS FORUM:**

Police Chief, Corey Nellis, announced that Reserve Officer, Brendan Mooney, was awarded a Minnesota Police Chiefs' Scholarship in the amount of \$750.00. He is one of eight recipients statewide to receive the award provided to individuals pursuing a degree in Law Enforcement. A photo was taken of Brendan with the City Council. No one else from the public came forward during the Public Access Forum.

**CONSENT AGENDA:**

City Clerk Thares informed the Council that the Agenda was slightly revised with the minutes from the Joint City-Township meeting of August 27<sup>th</sup> being added for Council review and approval.

1. Council Minutes of August 10th, 2012 and Joint City-Township Meeting Minutes of August 27<sup>th</sup>, 2012  
Clerk Thares noted that Councilor Evens name was spelled wrong and that would be corrected in the August minutes.

2. Claims Register

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

Question by Mayor Grutsch if the Suncrest Housing TIF District was being Decertified ahead of schedule? Clerk Thares responded that the TIF report indicates that all of the District's TIF obligations have been fulfilled so the plan is to Decertify the District at the October Council meeting.

Motion by Councilor Knox to adopt the consent agenda as presented, Second by Councilor Evens. Motion passed unanimously.

**OTHER MINUTES:**

Planning Commission Meeting Minutes of August 21st, 2012

**COUNCIL BUSINESS:**

**Street Reconstruction Project Update and Consider Contractor Payment Request #2**

City Engineer, Randy Jenniges, reviewed Pay Request #2 from Tri-City Paving, Inc. with the Council. He specifically noted retainage amounts. He told the Council that the Project unit numbers are coming in as expected overall; some materials are a bit higher than expected and others are a little lower. Overall the project is right on target for costs and progress. Motion by Councilor Knox, second by Councilor Evens, to approve Pay Request #2 in the amount of \$68,817.14. Motion Approved.

Randy J. gave an update of the project tasks and timelines. He said that work would start on Stratford Street East in a few days and be to a point of paving occurring in the last 5 to 7 days of September. The contractor will also be doing the final wear course in the Stratford Addition and black dirt and seed along the road edge. They will also finish up the second lift on Stratford Street West and the alleyways and some areas where there are elevation differences after the poured concrete driveways fully cure in seven days. He further said that the Stratford Street East storm sewer and common road excavation is expected to go fairly smoothly and the paving will be completed in conjunction with the other portions of the projects.

### **Consider Fire Hall Parking Lot Pavement (Change Order #1)**

A review of the Fire Hall (east side) parking lot paving options and costs was provided by Randy. The bids were calculated as a part of the overall street project bids for a 30 foot by 110 foot area as well as a second option that is 110 feet long by 110 feet wide. The costs are \$9,662.13 for the small area and \$28,074.75 for the larger paved area. The pavement would benefit the Fire Department by having the trucks be able to pull into the building on a cleanable, hard surface reducing the amount of mud and debris that gets tracked into the east side of the Hall. Questions were asked about grading and drainage and Randy J. responded. Fire Chief, Eric Linn, said he favors the smaller paved area. His goal is to provide a small paved area and still allow the use of the gravel surface area for fire training exercises. He asked about the source of funds and Mayor Grutsch indicated that it could be worked out with the Fire Department. Councilor Evens motioned approval of the bid for \$9,662.13 to pave the 30 foot by 110 foot area on the east side of the Fire Hall with a small concrete apron also added right in front of the garage door. Motion approved unanimously.

**Avon Estates Update** Mayor Grutsch moved the “Avon Estates Update” forward on the Agenda. Mayor Grutsch asked Clerk Thares for an update on the lot sale for the large twin home lot. Clerk Thares responded that messages had been left with the prospect regarding some final clarification in the paper work and to arrange the closing date and nothing was heard back yet. An update on the Real Estate agent review process and selection was provided by Mayor Grutsch. He said that he is very comfortable having Matt Imdieke, Premier Real Estate Services, represent the City and also adding he will be moving into Avon Estates very soon. Ray Schmidt, Public Works Director, reported that the bumps in the Avon Estates entrance road were going to be removed and reconstructed as part of the main City Street projects. He also updated the Council on the cover crop removal questions saying it’s at a point where this issue could probably wait until 2013 to decide how to proceed. For now, he will hang onto the cost estimates he received and save the money in his current budget. He also said that Clerk Thares and he had discussed meeting with the County Assessor’s staff out at the site either later this fall or in early spring 2013 to try to impress upon them the City’s need to perform basic maintenance in the form of removal of the cover grasses.

Katie Reiling, planning commission member, raised questions about the Serenity Homes Common Interest Community (CIC) Plat. She asked if it was clearly understood by everyone involved exactly what the property ownership consisted of in the Serenity Homes area? Mayor Grutsch responded that the City and developer are on the same page for this portion of the Avon Estates area and that the developer is familiar with this type of housing product that should be attractive to retirees and people looking to own a nice home with a limited amount of exterior maintenance required; no lawn mowing, no snow shoveling, no parking area updating, etc.

### **PUBLIC HEARING – Special Assessments for Street Improvements – Stratford Addition Presentation of the Assessment Roll**

Mayor Grutsch noted it was time to hold the public hearing on Street Assessments. He opened up the public hearing at 7:35 p.m. and asked Randy J. to give his report. Randy J. indicated that the attached Final Assessment Roll is for \$1,000 for each property in the Stratford Addition. It is a cumulative total of \$95,000 in assessments on all properties or about 25 percent of the total project costs. He said this is essentially unchanged from the Preliminary Assessment Hearing held earlier in the spring of 2012. Property owners who want to pre-pay the assessment would have until October 10, 2012 to pay with no interest. Council members asked questions about the timing of the pre-payments and Randy J. clarified the timeline for the no interest payment. Clerk Thares asked if another notice would be sent to the property owners? Randy J. said he was not planning on another mailing. City staff suggested that the Homeowners’ Association could help spread the word about the deadline through their e-mail network. It could also be put on the website.

Mayor Grutsch asked if anyone was present to speak about the Assessments? One woman asked if the project would be finished yet this year? Randy J. responded that yes, the entire project would indeed be completed by early October. Clerk Thares noted that a written statement was received by Steve Blattner, 1033 Hamlet Drive North, regarding his desire to pay for an extra-wide pavement width to better serve the use of his property. He

had an estimate of \$250 and another \$125 for extra pavement on his neighbor's property (Pikes). His letter also noted that he would pre-pay the entire assessment amount.

Councilor Evens motioned to close the public hearing at 7:56 p.m., second by Councilor Knox. Motion Approved. Councilor Knox motioned approval of the Resolution adopting the Final Assessment Roll, second by Councilor Evens. Motion Approved.

Council and staff thoroughly discussed the mailbox situation in the project area. Staff also noted that public safety concerns come into play if people add pavement back in on the edge of the street with a dual goal of helping the mail route driver stay off the grass but also using the area for guest and event parking. They noted that the winding streets are not wide enough to accommodate this type of street parking. It was Council's feeling that the project pavement width should remain as the City Engineer has recommended.

### **Consideration of the 2013 Preliminary Budget and Tax Levy**

City Clerk Thares provided an update of the 2013 Budget process and the Tax Levy certification steps. He provided information on the Debt Service Levy for all bond issues and reviewed the Tax Levy that would fund City operations at the same level as 2012. Several changes were highlighted including Department requests for new equipment which he said should be adequately covered with additional funds from the 2013 Certified Local Government Aid (LGA) and allocation of the TIF Administrative dollars to cover appropriate costs.. Councilor Knox motioned approval of resolution #12-860 approving the 2013 Preliminary General Fund Levy and Debt Service Levy at a total of \$745,000, second by Councilor Evens. Motion approved.

### **Issues By Staff – Public Works**

Public Works Director, Ray Schmidt, mentioned that he was on track with his budget for 2012 and would be making minor repairs to the blue Ford.

**Police Department** – Police Chief, Corey Nellis, provided a brief update on the Police Department report noting the burglaries and the situation with one of the liquor license holders in the City. The State Liquor Control Board is conducting follow-up to the situation. It does not involve the Police Department. He also provided additional information on Officer Jansky's efforts in a policing incident in downtown St. Cloud as part of Safe and Sober patrols.

**Utilities** – Utilities Department Director, Jon Forsell, reviewed his report and mentioned that settling was still a little unusual at the Wastewater Treatment Facility. He also noted that the Hydromatic Pumps at Lift Station #1 and #7 both had seal failures two weeks ago leading to more repair expenses and additional staff response time. Jon said that he is talking to the Flygt Pump vendor sales representative about getting another trial period for a second Flygt Pump to alleviate the problem. Council discussed the Lift Station pump problems with staff and expressed a desire to see the pump failure incidents come to an end. Councilor Evens motioned, second by Councilor Knox to authorize staff to do an early pay off of the trial basis Flygt Pump and enter into an agreement to obtain a second trial basis Flygt Pump with essentially the same specs as the previous pump and pay for it in early 2013. Motion approved.

Randy J. explained that he has been in discussions with the Hydromatic Pump vendor about buying back the City's pumps. He will follow up with the sales representative again about the status of that dialogue. Mayor Grutsch said he would like S.E.H. to put it's best effort into negotiations with the vendor on the potential reimbursement. Council members agreed that they would like facts and figures provided to the vendor in this effort. Council members asked Jon Forsell to report back on his efforts at the October meeting as well.

**Other** - None

**Council Issues** - None

Motion to adjourn the meeting by Councilor Evens, second by Councilor Knox. Motion approved.  
Meeting adjourned at 8:36 p.m.

Respectfully Submitted  
Jim Thares  
City Clerk/Administrator