

**Minutes
Avon City Council
May 2, 2016**

CALL MEETING TO ORDER

Mayor Knox called the meeting to order at 6:00 PM. The Pledge of Allegiance was recited.

THE FOLLOWING MEMBERS WERE PRESENT:

Hugh Knox – Mayor; Julie Jarnot, Jeff Manthe, Jeff Meyer, Jesse Springer – Councilors;
Bob Derus – Interim City Administrator; Corey Nellis – Police Chief; Jon Forsell – Utilities Superintendent and
Public Works Supervisor Casey Janskey; Jodi Austing-Traut and Randy Jenniges, City Engineer

LOCAL BOARD OF APPEAL AND EQUALIZATION

Stearns County Assessor Jeff Johnson and Deb Haus from the Assessor's Office were at the meeting to assist the Council in conducting the annual Board of Appeal and Equalization meeting. The County Assessor reviewed statistics of the real estate values, sales, etc. in the City of Avon and also for the whole County. There was no one from the audience that attended the meeting to address the Council during the Board of Appeal and Equalization meeting. M. Johnson explained that the Council had to conduct the Board of Appeal and Equalization meeting for one half hour, so the Council conducted other business until 6:30. Johnson and Ms. Haus left the meeting at approximately 6:30 PM. The Board of Appeal and Equalization meeting was closed prior to the County Attorney discussion later in the meeting.

ISSUES BY STAFF

Public Works; Casey Jansky

Approval of Submission of Grant Application for Noise Barrier

Casey Jansky referenced his written report regarding a grant application for noise barriers on I-94. He noted the grant is for \$700,000, but the cost of the project is estimated to be in excess of \$1.3 million. Jodi Austing-Traut had filled out the grant application. Claudia Dumont, from District 3 MNDOT had encourage the City to fill out the grant and had indicated it was the top candidate project. The Council discussed:

- Jeff Meyer mentioned that he had discussed this recently with Congressman Tom Emmer and he noted that Emmer wanted to see a copy of the grant application.
- The City can turn down the grant.
- The three-tiered assessment, with the closest houses paying the highest assessment, which had been discussed in the past.

**Motion by Councilor Manthe, second by Councilor Springer, to authorize submittal of the Noise Barrier grant.
Motion passed unanimously.**

Jansky mentioned that the vents at city hall would be looked at the following morning.

Water and Wastewater; Jon Forsell

Jon Forsell recommended a change in policy regarding turning on water service for residents that have temporarily had it shut off. Staff is being asked to turn on the water, sometimes without anyone present to verify whether there are leaks. He advised that it should be changed to only turning on the water when someone is able to check the house for leaks.

**Motion by Councilor Jarnot, second by Councilor Manthe, to require that there be someone present for the waterworks staff to turn on a water service.
Motion passed unanimously.**

Approval of RV/Camper Septic Dumping

The Council briefly discussed the RV/Camper Septic Dumping policy.

Motion by Councilor Manthe, second by Councilor Springer, to approve the proposal for RV/Camper Septic at the City's dumping station.

Motion passed unanimously.

Generator Maintenance

Motion by Councilor Meyer, second by Councilor Jarnot, to approve the generator maintenance at approximately \$1,400.

Motion passed unanimously.

Wastewater Treatment Plant CIP

The Council briefly discussed the draft wastewater treatment plant CIP.

- Jodi was asked to put together a CIP
- Jeff Meyer suggested a subcommittee
- It was noted that the budget process starts in June

Police Report

Chief Nellis did not have any additional reports, other than the staff report in the packet.

Close Board of Appeal and Equalization Meeting

Motion by Councilor Meyer, to close the Board of Equalization and Appeals meeting at 6:30 PM; Second by Councilor Manthe.

Motion carried unanimously.

JANELLE KENDALL, Stearns County Attorney Presentation

Janelle Kendall, Stearns County Attorney was at the meeting to discuss current statistics and activities in the County Attorney's Office. The following were some of the matters discussed:

- The County is expanding the County's Diversion Program, and modifying it to address kids with a more of a criminal history and less with first time offenders.
- She noted that Avon's crime stats are down, which is not the case in other parts of the County.
- Felony numbers are up in the County, but Avon's felonies are down.
- The Council questioned whether crime numbers going up due to the influence of the Twin Cities Metro

Mayor Knox thanked Ms. Kendall for presenting to the City.

PUBLIC ACCESS FORUM

Mayor Knox invited anyone to address the Council during the Public Access Forum:

Offer to Purchase Properties Behind City Hall

Mike from Lange Trenching was at the meeting to ask if the Council would consider selling the maintenance building behind City Hall to operate a Marine Repair business. The Council discussed the following:

- The City is not sure what to do with the buildings and it will take a while to come up with a plan
- Public Works completely moving out to the Wastewater plant is not ideal for all uses, such as mowers
- Councilor Jarnot suggested that having squads in town is preferred
- The Police Department needs space to park three squads
- The City will try to figure out the details and report back

John Habben – Options on Dahlin Property

Mr. Habben asked what the City is planning to do with Lehn property. He asked if they are going to make it a public access that he would like to be a part of it. The Council discussed:

- It was noted that this was discussed at a recent workshop for purchase by the city to expand the parking for the boat access
- If it is going to be a parking lot, Habben asked if there could be a natural buffer or privacy fence.
- The Council discussed that this is a unique opportunity to acquire it
- The Council was unsure if there was the cash to purchase it
- It would be more ideal having an expanded public access parking, rather than having cars park on the streets
- Jeff Meyer suggested that with the needs of the city, that he'd like to see the city to not purchase it and have it stay on the tax rolls
- Will there be pollution if it rains. Staff suggested that the silt fence should prevent pollutants from running off
- Police Chief Nellis expressed a concern that someone could get hurt.
- It was noted by Mr. Habben that there was a typo in the April 4 minutes, which referenced this as a discussion about the Middle Spunk Beach access.

Motion by Councilor Springer to pass on purchasing the property and direct staff to write a letter immediately to Dan Dahlin to clean up the nuisance and later discuss if he is willing to sell the property; Second by Councilor Meyer.

Motion passed with all members voting aye, except Manthe, who voted nay.

CONSENT AGENDA

Motion by Councilor Jarnot to approve the following Consent items, with the correction on Consent Item Number 2, that the date of the Minutes was April 14. Second by Councilor Manthe. Motion passed unanimously.

1. Council Minutes of April 4, 2016
2. Council Minutes of April 15, 2016
3. Paid Check Register, Payroll Summary April 2016
4. Planning Commission Minutes of April 19, 2016
5. Capital Expenditures, Legal Fees, Engineering Fees, Detailed Reports
6. Approve Clifton Larson Allen Engagement Letter for Audit Work
7. Approve Findings of Fact and Resolution Approving the Request for a Variance for St. Benedict's Church
8. Approve City of Avon 2016 Official Zoning Map
9. Approve Liquor License Renewals for July 1, 2016 – June 30, 2017
10. Approve Electric Franchise Ordinance with Northern States Power Company
11. Approve Resolution Approving Application for Outdoor Event Permit for Avon Community Church

Set Date for Audit Presentation

Motion by Councilor Jarnot to set the date of the Audit Presentation for June 20, 2016 at 6:00 PM; Second by Councilor Meyer. Motion passed unanimously.

COUNCIL BUSINESS

MERRY MORGEL, Proposal to purchase the property at 112 Avon Avenue South

Merry Morgel was at the meeting to request the purchase of the property at 112 Avon Avenue South. She explained that she has discussed purchasing the Lion's Den Bar and has an agreement with the owner for

purchasing when the owner is ready to sell. She would be willing the property at 112 Avon Avenue to combine it to expand the bar.

The Council Discussed:

- The conditions for a sale
- Ms. Morgel would need a contract to purchase the bar in order for the City to commit to selling
- The Council said they would need a guarantee that the redevelopment would take place
- It was noted that the City recently turned down a similar proposal

No action was taken, but the Council advised Ms. Morgel that she would need a more formal plan before the City could consider selling the property to her.

Consider Addendum to Exclusive Right to Sell Contract with Central MN Realty

The Council discussed the following with respect to the addendum to the exclusive right to sell contract with Central MN Realty:

- The City should consider an adjustment to the commission for properties that Amy completely processes
- The City needs to be involved in these transactions
- Some people may prefer to work with Amy
- Lot prices need to be adjusted to current rates according to schedule

The Council asked Jodi to sit down with Matt to resolve.

Planning/Zoning:

Tim & Donna Backes/Mark & Sherrie Klein – discuss Delaying payment of SAC and WAC Payments for Model Homes

Tim & Donna Backes/Mark & Sherrie Klein were at the meeting to discuss delaying payment of SAC and WAC payments for model homes on City owned properties. The Council discussed:

- The City would like to do it, but would have to protect the city and make sure payment gets made
- Jodi suggested that the city would have to record it on the property to make sure it gets paid

Motion by Councilor Manthe, second by Councilor Springer, to adopt, in general, the principle, the SAC and WAC fees for Spec home on City properties are required to be paid at time when the developer closes on selling the spec home and find a mechanism to waive monthly sewer and water charges, and review periodically by the City of Avon.

Motion passed unanimously.

Water's Edge Phase III Assessments

Jodi Austing-Traut brought a matter to the attention of the City Council that the Special Assessment amounts communicated to the County for tax forfeited properties in the Water's Edge Addition did not seem to be accurate. She wanted to make sure the City Council had not made any changes. The Council briefly discussed and confirmed that the amounts were not changed. The Council felt that the County needed to be informed that the numbers were not accurate.

Set Work Session

Motion by Councilor Manthe, second by Councilor Jarnot, to set a City Council Workshop for May 12, 2016 at 6:00 PM.

Motion passed unanimously.

Proposed contract for City Clerk/Administrator

Interim City Administrator Derus reviewed the contract with the City Council. The Council discussed the following items:

- Severance
- Health Insurance during severance
- Allotted Vacation
- Step Program

Motion by Councilor Manthe, second by Councilor Springer, to approve the proposed City Administrator Contract with Jodi Austing-Traut, with the following changes:

- **Revise the steps so the maximum salary range is to \$75,700**
- **Employee is slotted at 10 years for calculation of benefits**
- **Severance is set at 3 months and Health Benefit is paid by City during severance**
- **Section 5.10 Telecommuting is eliminated**
- **Steps are as follows:**

Wage	Year
\$72,134	10 Year (2016)
\$73,600	15 Year
\$75,700	20 Year

COLA applies throughout term of employment.

Motion passed unanimously.

City Engineer; Street Condition map

City Engineer Randy Jenniges was at the meeting to discuss the map of the condition of asphalt pavement in Avon. The Council discussed:

- The Engineer would propose a project, which would be bid in January or February.
- Sealcoating is advised every three to five years
- The City will be getting prices on seal coating a number of road in 2016

The Engineer was directed to put together a strategy and report back.

ADJOURNMENT: Motion by Councilor Meyer, to adjourn the meeting at 9:55 pm; Second by Councilor Springer. Motion passed unanimously.

Respectfully Submitted,
Robert T. Derus, Interim City Administrator