

Pursuant to due call and notice thereof, an Avon City Council meeting was duly held at City Hall on the 4<sup>th</sup> day of February, 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:** No one came forward

**CONSENT AGENDA:**

1. Council Minutes of January 6th, 2013
2. Claims Register
3. Capital Expenditures, Legal Fees, Engineering Fees, Detailed Reports
4. Consider Approval of September 9, 2013 as the regular September Council Meeting Date
5. Consider Approval of Charitable Gambling Permit for Church of St. Benedict (July 14, 2013)
6. Consider Approval of Charitable Gambling Permit for Central Stearns Co. Ducks Unlimited (March 28, 2013)

Motion by Councilor Marthaler to adopt the consent agenda as presented, Second by Councilor Stang. Motion passed unanimously.

**OTHER MINUTES:**

Planning Commission Meeting Minutes of January 15th, 2013

**COUNCIL BUSINESS:**

**PUBLIC HEARING – Proposed JOBZ Amendment for Tischler Wood Products, Inc.**

Clerk Thares provided background information on the amendment, saying Minnesota DEED is asking the City to hold a public hearing due to a request by Tischler to allow a smaller number of full-time equivalent (fte) jobs to be created, 3.2 versus the original goal of 4.0, for the already completed expansion project. Due to the proposed amendment allowing fewer new jobs, the State is also recommending a shortening of the JOBZ Term by two years, to 12-31-2013 versus 12-31-2015. Mayor Grutsch opened the public hearing at 7:06 p.m. Bryan Becker, Tischler Wood owner, spoke as to why the job creation numbers had to be revised downward. He told the Council that they had to reduce employee headcount for 2011 to lower expenses in the economic slowdown. They added jobs again in 2012. The JOBZ agreement requires the new jobs to be maintained during the entire Term of the agreement. He feels the proposed amendment is an equitable arrangement in view of the challenging economy of the past several years. No one else came forward to speak. The public hearing was closed at 7:09 p.m. Motion by Councilor Stang, second by Councilor Marthaler, to approve the JOBZ Business Subsidy Agreement between Tischler Wood Products, Inc. and the City of Avon reducing the number of FTE jobs from 4.0 to 3.2 and shortening the Term by two years so the end date is 12-31-2013. Motion unanimously approved.

**Consider Wellhead Protection Plan, Part 1, Karen Voz, MN Department of Health**

Mayor Grutsch welcomed Karen Voz to the meeting. She provided background information about the Wellhead Protection Plan process which started three years ago in the City of Avon. Extensive well data and geologic information was run through a computer program that indicates the aquifer draw area and the water flow. She pointed out the “one-year time of travel protection area” and the “10-year time of travel protection area” as being the two key zones. The threat vulnerability level is low in Avon due to the geology and the depth of the wells, so the biggest issues would be class five injection wells or direct entry floor drains or deep wells in

the protection zones. She reviewed the follow-on steps to identify specific threats to the City's water supply and also noted potential grant funding in the amount of \$10,000 to help seal unused wells that may be a threat. Councilor Knox asked about a well in the Avon Estates area that was previously used for a sand and gravel operation. It was noted that it falls outside of the Wellhead protection zone. Karen further explained that the second part of the Plan is the responsibility of the City to complete by August 2014. She can provide technical assistance. Specific Plan components include meetings to develop strategies, a Public Hearing for community input and other elements such as education and proactive collaboration steps with other jurisdictions and property owners who may be developing or changing uses of property and wells. Councilor Manthe asked about the City's emergency well south of I-94. Karen said it will be reviewed for threats within a 200 foot radius. It can be maintained as a reserve or for fires, etc. Since it is not actively pumping on a daily basis, a detailed delineation can not be completed for it. Karen recommended that the Council appoint Clerk Thares as the City's Wellhead Protection Manager for the planning process. Councilor Knox motioned approval of Resolution #13-05 adopting the Wellhead Protection Plan, Part 1, seconded by Councilor Manthe. Motion unanimously approved. Motion by Councilor Knox, seconded by Councilor Manthe, to appoint Clerk Thares as the Wellhead Protection Program Manager. Motion unanimously approved.

**Consider Stearns County All Hazard Mitigation Plan Approval** – Councilor Knox explained the background and reasons to adopt the Resolution approving the All Hazard Mitigation Plan. The Mayor and Councilors discussed the recent history of storms and the various types of emergency declarations in which potential funding may be available to repair damaged public infrastructure. Motion by Councilor Manthe to adopt Resolution #13-06 approving the Stearns County All Hazard Mitigation Plan, second by Councilor Marthaler. Motion approved unanimously.

#### **Avon Estates Update**

Clerk Thares reported that he'd received a marketing update from Matt Imdeike, Premier Real Estate Services. Matt indicates that he has at least a couple of clients who are discussing the potential of buying lots and building homes. Matt also has a model home in Avon Estates listed in the St. Cloud Area Home Finder Magazine.

#### **ISSUES BY STAFF:**

**Public Works** - Ray Schmidt, Public Works Director, said his report covers his items. He also told the Council that he had to buy extra salt and sand for the roads due to the higher amounts of ice and snow this winter.

**Police Department** - Corey Nellis, Police Chief, briefed the Council about the status of the new squad car. It is currently in Fergus Falls where the equipment is being removed from the old vehicle and installed into the new one. He also updated Council on the foot chase that he and Stearns County deputies were involved in earlier in the day that resulted in two arrests being made just outside of Avon.

**Water-Wastewater** – Jon Forsell, Utilities Department Director, informed the Council about the delay in getting the new Chevy Truck from Blattner Energy. He reported that the old Ford Ranger is up for bids. He also asked for authorization to purchase \$2,300 worth of ultra violet disinfecting light bulbs for use at the Wastewater Treatment Plant. He noted these are typically purchased in February or March to make sure that we have enough for the year. Mayor Grutsch asked Jon and Clerk Thares to provide an update on the status of the lift station pump buyback. Clerk Thares responded that he had drafted a letter for the Mayor's signature that asked WW Goetsch to respond to the City's settlement offer of mid-December 2012. Council members asked what the next step will be after this point if we can not resolve the issue through this effort? It was suggested that possible litigation might be next step. Councilor Knox motioned approval of the purchase of \$2,300 of u v light bulbs, second by Councilor Stang. Motion approved unanimously

**OTHER:** Mayor Grutsch asked about the process for a new gambling license for the Avon Lions Club at the Quick Mart? Clerk Thares said he would research the process and get back to the Avon Lions Club. Clerk Thares reminded the Mayor and Councilors of the Emergency Response Incident Command System training for Wednesday evening at the Stearns County Government Services Center from 6:00 p.m. to 9:00 p.m. He asked

that a Committee of the Whole meeting be set for the training. Motion by Councilor Knox, second by Councilor Stang, to set a Committee of the Whole meeting for Wednesday February 6<sup>th</sup> from 6:00 p.m. to 9:00 p.m. Motion passed unanimously.

Clerk Thares also reported on the status of the potential bond refunding explaining that due to interest rate changes, the refunding does not appear to result in the level of savings that it may have been able to produce in late November 2012. He said that David Drown, Financial Advisor, is monitoring the market - and now with an updated Official Statement, the City is in a position to act on a refunding should interest rates move to a level that results in significant future reductions in debt service.

**COUNCIL ISSUES:** Mayor Grutsch asked Clerk Thares what date might work best for a staff meeting with Council liason and the Mayor in attendance? It was determined that Thursday February 21, 2013 at noon will work best.

Motion to Adjourn the meeting by Councilor Knox, second by Councilor Marthaler. Motion unanimously approved.

Meeting adjourned at 8:11 p.m.

Respectfully Submitted  
Jim Thares  
City Clerk/Administrator