

Pursuant to due call and notice thereof, an Avon City Council Meeting was duly held at City Hall on the 9th day of September, 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

**PUBLIC ASSESS FORUM:**

Cody Rademacher, 1002 Waters Edge Circle, informed the Council that he has been parking his cube truck on a City street overnight for several years. He acknowledged this is a violation of the City Parking Ordinance and asked the City Council to overlook this situation. Pictures of his truck parked on Lakes Edge Court were provided by a complainant who also noted vehicle weight limits. Police Chief Corey Nellis offered background on the issue. He said this is a violation of the ordinance and he is enforcing it as he understands it. Dick Glatzmaier, 958 Waters Edge Circle, spoke about the need for street lights along County Road 9 between the Waters Edge development and Ochotto Lake area. Ray Schmidt, Public Works Director, mentioned that the Safe Routes to School Grant which the City applied for several years ago outlined an expensive pathway project requiring City matching funds. The grant did not get funded. Mr. Glatzmaier also suggested that a fitness center would be a great asset to have in the community.

**CONSENT AGENDA:**

- #1 Council Minutes – August 5, 2013
- #2 Claims Register
- #3 Capital Expenditures, Legal Fees, Engineering Fees, Detailed Reports (2012 Year End TIF Report)
- #4 Consider Transfer of \$1,059,000 from TIF District #1-1 Fund 250 to Debt Service Fund 320
- #5 Consider Resolution Approving Multi-Bank Securities as broker for City Investments
- #6 Consider Peddlers License Ordinance Amendment
- #7 Consider Tobacco License Approval – E-Cig Vaporium, LLC (James F. Hickman)

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

**OTHER MINUTES:**

Planning Commission Minutes – August 20, 2013

**COUNCIL BUSINESS:**

**Discuss City Options regarding Outlot E, Waters Edge**

City Attorney, Mike Couri, explained the reason Outlot E was even able to be sold to a private party was due to its omission from the Development Agreement requiring it to be deeded to the City. City options include acquiring it from a willing seller or doing nothing as the City does have an easement that allows the necessary access and maintenance or improvement work for drainage needs as warranted. Mr. Tim Sachs, current owner of Outlot E, stated that his preference is to split it into one to three private parcels without platting it. He is willing to sell the rest of the Outlot to the City. Council members clarified that a three lot split would be an issue for residents who live in front of those lots.

Mr. Couri reviewed the potential process for reviewing and approving a subdivision either via plat or administrative lot split. He noted that a variance may also be needed to allow flexibility in the approval steps. Mr. Sachs indicated that he was eager to settle this situation and that he could live with the potential steps as outlined.

### **Consider 2014 Preliminary General Fund Budget and Property Tax Levy**

City Clerk/Administrator Thares reviewed the Budget Review and Approval timeline, the General Fund Budget and the proposed 2014 property tax levy including the debt service levy. **Councilor Stang motioned to adopt the total preliminary property tax levy at an amount of \$745,000 which includes a General Fund/Purpose Levy of \$526,985 and a Debt Service Levy of \$218,015. Second by Councilor Knox. Motion passed unanimously.**

### **Discuss Sewer and Water Utility User Surcharges**

City Clerk/Administrator Thares reviewed the concept of a Sewer and Water Utility User Surcharge to bolster the two utility funds' revenues. The annual operating costs and the debt service requirements require additional funds. The concept would be to institute a monthly surcharge of \$4.00 that could be decreased or adjusted if development in Avon Estates and Waters Edge increases significantly. Mayor Grutsch and Councilors noted that at the August Financial Workshop, David Drown had recommended approving increases in sewer and water user rates totaling \$80,000, equal to a 30 percent jump. City Clerk/Administrator Thares reminded Council that SAC and WAC fees, the other revenue source for the utility funds, is higher than projected this year. He stated that in light of that trend, a small surcharge approach is reasonable. Funds would be used to upgrade the lift stations and pumps. Council directed this item to be brought back for consideration at the October meeting along with a review of the Enterprise Funds.

### **Update on Business Retention and Expansion Program and Wellhead Protection Plan**

City Clerk/Administrator Thares provided an update on the Business Retention and Expansion Program (BRE) visits and schedule for the remainder of September. He also said the Wellhead Protection Plan work is going as planned and should be done by March 2014.

### **Avon Estates Update**

Council discussed the renewal of Matt Imdieke's, Premier Real Estate Services, listing agreement for the Avon Estates lots. City Clerk/Administrator Thares indicated that the commission rate is the same as it was in the original listing agreement. Additional lots have been added into the agreement with the expectation that those lots will be sought by prospective buyers in 2014. The agreement is for a one year term. **Motion by Councilor Stang to approve a one-year listing agreement with Matt Imdieke, Premier Real Estate Services, as presented. Second by Councilor Marthaler. Motion passed unanimously.**

### **ISSUES BY STAFF:**

**Public Works** – Ray Schmidt noted his written report in the packet. He asked if the Council had any issues if the fence at the Police storage building on main-street was removed? All agreed that it would be a benefit to remove it. He also spoke about the water drainage problems at Steve and Dana Weber's house in the Stratford Addition, 924 Hamlet Drive South. He presented quotes on a wet well reaching into the water table that will help move the surface water away from the site. The cost for this option is \$2,300. A second option with a larger capacity drain/well is quoted at \$4,300. Ray said he believes the less expensive option will suffice. **Motion by Councilor Stang to approve spending \$2,300 to install a wet-well french drain system at 924 Hamlet Drive South. Second by Councilor Knox. Motion passed unanimously.**

Ray updated Council on the roof leak at City Hall and the Fire Department building. Repairs are quoted at \$15,000 from Buttweiler's Do-All Inc. Discussion occurred about splitting the cost between the Fire Department and City. It was agreed that the cost should be split according to the building usage. It was also noted that the roof area needing repair is now 45 years old. **Motion by Councilor Marthaler to approve the roof repair quote from Buttweiler's Do-All, Inc. in the amount of \$15,000 broken out as \$6,830 for the low roof (City Hall) and \$8,170 for the high roof (Fire Department). Second by Councilor Manthe. Motion passed unanimously.**

Fire Chief Eric Linn informed Council of the \$18,000 donation from the Blattner Family Foundation and Blattner Energy, Inc. to the Avon Fire and Rescue Department (funding raised during the Charity Golf Tournament).

**Police Department** – Police Chief Corey Nellis reported that the Police Department had also received a donation of \$1,000 from the Blattner Family Foundation and Blattner Energy, Inc. Charity Golf Tournament. He mentioned the recently installed squad car cameras had been very helpful in solving a crime in the past week.

**Water/Wastewater Department** – Jon Forsell said his written report was a good summation of the month. He asked for authorization to spend \$1,800 for new safety railing components in the Water Tower. **Motion by Councilor Knox to approve the installation of \$1,800 of safety railings in the Water Tower as quoted by Water Tower Clean and Coat, Inc. Second by Councilor Marthaler. Motion passed unanimously.**

Council discussed the settlement offer from Hydromatic, the supplier of lift station pumps. **Motion by Councilor Stang to accept Hydromatic's offer of \$6,000 cash and four pump retrofit kits in the amount of \$4,134 per kit for a grand total of \$22,536. Second by Councilor Marthaler. Motion passed unanimously.**

Jon informed Council that he was looking at purchasing a small generator that was priced at about \$1,200. He said this would work well for the smaller lift stations in the event of a power outage.

**ISSUES BY COUNCIL:** Councilor Stang asked if Josephs had made any additional payments of their past due property taxes? City Clerk/Administrator Thares said he did not know of any additional payments made by Josephs. He told the Council that he would follow up on this item after the meeting and send an e-mail update.

**OTHER:** Council and staff discussed the recent numerous power outages in the City as they are causing problems with battery back-up systems and equipment at the Wastewater Treatment Plant. Mayor Grutsch suggested City Clerk/Administrator Thares contact Xcel to discuss the recent issues and possible causes and solutions. City Clerk/Administrator Thares clarified the required certifications and available course offerings for the 2014 Local Board of Appeals and Equalization (LBAE) meeting. Councilor Manthe said he would sign up for the training course offered in Stearns County on November 13, 2013.

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

Meeting adjourned at 8:49 p.m.

Respectfully Submitted  
Jim Thares  
City Clerk/Administrator