

Pursuant to due call and notice thereof, a City Council meeting was duly held at City Hall on the 12<sup>th</sup> day of September, 2011 at 7:00 pm.

**THE FOLLOWING MEMBERS WERE PRESENT:**

John Grutsch - Mayor, Jim Stang, Kurt Marthaler, Margie Evens, Hugh Knox - Councilors

Jodi Austing-Traut - Clerk/Administrator

Absent: None

**CALL MEETING TO ORDER**

Pledge of Allegiance

**PUBLIC ACCESS FORUM**

Dan Zimmermann was present to request permission to put a sign/scoreboard up at the ballpark in Central Park (Laker's field). Ray Schmidt presented some information from Planning & Zoning that indicated that a conditional use permit would be needed due to the size of the sign. Mr. Zimmermann will attend the next Planning Commission meeting to request a CUP.

**CONSENT AGENDA**

1. Council Minutes of August 1, 2011
2. Claims Register
3. Capital Expenditures, Legal Fees, Engineering Fees Detailed Reports
4. PERA Resolution "Police Officer Declaration" for Louis R. Etshokin

*Motion Kurt Marthaler to approve consent agenda*

*Second Hugh Knox*

*Passed Unanimously*

**OTHER MINUTES:**

Planning Commission Minutes of August

**COUNCIL BUSINESS**

**Avon Estates:**

- **Tim Backes, Serenity Homes Inc.** – Avon Estates Patio Home Project Management Opportunity

Mayor Grutsch explained that the patio home lots in Avon Estates are very small and not likely marketable the way they are currently platted. Mr. Backes was introduced. He explained that he would be willing to consider managing the patio home development. He also explained the urgency in replatting the property in order to make it attractive. Mr. Backes and his wife also work as homebuilders in the field. They would like exclusive building rights in the patio home area of the development. Mr. Backes explained that he would not exclude other local builders, but he would want the first right to build. Mr. Backes will assist in replatting, setting up the association (bylaws/covenants), and marketing the properties in exchange he would like first building rights in the patio home area (Block 2 of Avon Estates). He plans to build a spec home there as well.

*Motion Hugh Knox to authorize Serenity Homes Inc. to have exclusive building rights in Block 2 of Avon Estates with the understanding that if they cannot meet the demand, no lot sale will be stopped and other builders will be allowed to build in Block 2. With the further understanding that expenses related to replatting and initial set up of the association bylaws and covenants will be paid by the city.*

*Second Jim Stang*

*Passed Unanimously*

- **Consideration of purchase agreement for sale of Lot 7 Block 7 in Avon Estates**

Through further review it was found that Lot 7 of Block 7 does not have single-phase power available at this time. The potential buyer will be asked to choose a lot that currently has single-phase power. In addition, the council sees benefit to the having a qualified buyer apply for TIF assistance and will encourage this potential buyer to do that.

With the TIF program the buyer will pay \$11,00 upfront and the city will hold an assessment lien on the property of \$13,000 that the city will cancel if the buyer builds a house within one year. If the buyer builds a house within a year, their net price is \$11,000.

*Motion Hugh Knox to reject the purchase agreement and maintain the asking price of \$24,000 and offer the potential buyer TIF assistance upon qualification which will bring the price of the lot down to \$11,000 and ask the property owner to choose a lot that currently has power available.*

*Second Kurt Marthaler*

*Passed Unanimously*

### **Raingardens**

Update by Stan Hanson. Stan explained that the heavy rains this summer caused some problems with the initial construction and planting of the raingardens. Stan requested council approval of partial payment to contractor.

*Motion Hugh Knox to approve payment of \$76,643.48 to Minnesota Native Landscapes contingent upon receipt of Stearns County Soil and Water Conservation District funds*

*Second Jim Stang*

*Passed Unanimously*

### **Barracuda Avenue Drainage Review – Bryan Remer S.E.H.**

Mr. Remer presented drawings and information to show that the elevations of the storm pond along I-94, Minnie Lake, and the wetland critical areas are essentially the same. In addition, the storm sewer inlet at the south end of Barracuda Avenue is about the same elevation as the water in the pond. Therefore an increase in the water elevation in the pond also shows up at the south end of Barracuda Avenue. The water level on Barracuda Ave, the pond along I-94 and the other wetlands in the area are also influenced by the elevation of the lakes in the area.

### **Budget 2012**

Budget figures were presented to the council along with notes to the budget. The levy for 2011 was \$745,000 (\$165,144 was for Debt Service/Bond Payments and \$579,856 was for other/general purpose spending). Taxable market value in the City of Avon decreased by about 3.3% in 2011.

### **Resolution Approving 2011 Property Tax Levy, Collectible in 2012 – no change in levy from 2011.**

*Motion Jim Stang to approve 2011 Property Tax Levy \$745,000 Collectible in 2012*

*Second Kurt Marthaler*

*Passed Unanimously*

### **ISSUES BY STAFF**

**Public Works:** Written Report and request to upgrade civil defense siren \$7,277

*Motion Jim Stang to approve \$7,277 expense to upgrade civil defense siren*

*Second Kurt Marthaler*

*Passed Unanimously*

**Police:** Written Report

**Water/Wastewater:** Written Report. Request for council direction on what to do with lift station pumps that are not operating as they should be. Joel Birr and Mayor Grutsch will work with pump reps to

### **OTHER ISSUES BY COUNCIL**

**Local Board of Appeals Training**

### **ADJOURNMENT**

*Motion Kurt Marthaler to adjourn at 9:00 pm.*

Respectfully Submitted,  
Jodi Austing-Traut, City Clerk/Administrator