

Pursuant to due call and notice thereof, an Avon City Council meeting was duly held at City Hall on the 1st day of October, 2012 at 7:00 pm.

**THE FOLLOWING MEMBERS WERE PRESENT:**

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

Jim Thares - City Clerk/Administrator

Absent: None

**CALL MEETING TO ORDER:**

Pledge of Allegiance

**PUBLIC ACCESS FORUM:**

Ted Boran, 1055 Hamlet Drive North, came forward and asked about the timeline for the “no-interest” Assessment pre-payment. He mentioned that he is among several residents in Stratford Addition who are concerned that the deadline for pre-payment occurs prior to the construction project being completed. Randy Jenniges, City Engineer, responded by telling the Council that it has the flexibility to adjust the deadline and can choose to push it into November from the previously set date of October 10<sup>th</sup>. Council discussed the deadline and decided to set it for November 10<sup>th</sup>. Mr. Boran also asked if any other adjustments would be made on pavement width or on moving mailboxes. Randy J. said that there would not be any extra pavement added to the road widening it from its current width. He added that the second lift will be placed exactly to the same width of the current base pavement. He also mentioned that mailbox heights and placements and any necessary adjustments are the responsibility of the property owners. Mr. Boran also asked if the City is responsible to maintain the boat launch on Middle Spunk Lake as he believes it needs some work to repair large holes in the ramp planks. Public Works Director Ray Schmidt said the Department of Natural Resources is solely responsible for that. No one else from the public came forward during the Public Access Forum.

**CONSENT AGENDA:**

1. Council Minutes of September 10th, 2012
2. Claims Register
3. Capital Expenditures, Legal Fees, Engineering Fees Detailed Reports

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

**OTHER MINUTES:**

Planning Commission Meeting Minutes of September 18th, 2012

**COUNCIL BUSINESS:**

**Street Reconstruction Project Update and Consider Contractor Payment Request #3**

City Engineer, Randy J. reviewed Pay Request #3 from Tri-City Paving, Inc. with the Council. He noted retainage amounts of 5 percent of the pay request. He told the Council that the final lift of pavement was expected to begin in Stratford Addition in the next few days. He also said that black dirt and seeding would be completed this fall as well, after the paving is completed. Overall the project is right on target for costs and progress. Motion by Councilor Knox, second by Councilor Marthaler, to approve Pay Request #3 in the amount of \$136,621.27. Motion Approved.

Mayor Grutsch asked about the concrete portion of the project, notably the areas in front of the Fire Hall? Randy J. told the Council that he understands the concerns and is urging the concrete contractor to get back on the site and complete their work so the fire department can have confidence and resolution in how it will move its vehicles and equipment around and onto the streets in the event of calls.

Randy J. also gave a quick update on the Lift Station Pump issues. Finally, he reported that he has been in discussion with the representative from W.W. Goetsch regarding buying back the Hydromatic Pumps. He will continue to work on this and report back to staff and Council in the next few weeks.

### **TIF District #1-2 – Suncrest Housing District Decertification**

Clerk Thares explained to Council that the TIF District payments and obligations have been fulfilled by the City. The District can be decertified and put back on the general tax rolls so it will again be paying taxes to all taxing jurisdictions. He noted the letter in the packet that he had written to the current owner of the property, the Central Minnesota Housing Partnership (CMHP), and that he had not received any comments back from them regarding decertification. Councilor Evens motioned approval of a resolution decertifying the TIF District, second by Councilor Marthaler. Motion unanimously approved.

### **Midsota Manufacturing Setback Variance Request**

Mayor Grutsch asked the Planning Commission Members in attendance if they had any other comments regarding Midsota Manufacturing's setback request? Ed Dunn said that the Planning Commission had reviewed the request and approved it. He explained that the crushed concrete materials on the site were already considered impervious and that the setback variance was justified per the review criteria. Councilor Stang motioned approval of the setback variance of 20 feet, seconded by Councilor Marthaler. Motion unanimously approved.

### **Housing Study and Authorization to Apply for Grant Funds from AgStar Fund**

Mayor Grutsch told the Council that a meeting had been held with Harold Jesh, a multi-family housing developer, exploring the potential need for new rental housing development in the City. He further said that documented needs came up as an issue that would have to be addressed. The timing is better now than in the past to have a Housing study completed. It would have a lot of useful information about the City and we can provide it to developers as we work to fulfill housing goals. Clerk Thares explained the background on the AgStar grant fund. He said that AgStar provides financing in rural communities and has a grant program for small projects and feasibility studies. He said that the City would be seeking a \$4,450 grant to offset the expenses of the study. He asked that a committee of the Mayor, Councilor Knox and himself be established to review a second Study bid that could be solicited very quickly along with the one that had already been received and that the committee be empowered to select the best bid. Councilor Knox motioned authorization for staff to apply for the AgStar grant in the amount of \$4,450 and to have the subcommittee select the best bid for the Housing Study, seconded by Councilor Evens. Motion unanimously approved.

### **Braun Intertec Invoice for Materials Testing on 2012 Street Reconstruction Projects**

Mayor Grutsch asked Randy J. if the Braun Intertec invoice was in order and Randy J. responded that it was. Motion by Councilor Stang, seconded Councilor Marthaler, to approve the Braun Intertec invoice in the amount of \$2,410.25.

### **Avon Estate Update**

Clerk Thares provided an update on the large lot sale. The buyer has signed all paperwork and paid the earnest money deposit. Staff is now coordinating a closing date. Mayor Grutsch noted the lot on the large wall map for the Council. Clerk Thares said the buyer paid an extra SAC and WAC for the lot as this parcel was originally slated to have a twinhome. He also explained that the developer who made an inquiry in the Avon Estates sites was Harold Jesh, the multi-family housing developer. There are large lots in Avon Estates near the freeway that are intended for multi-family development. Mayor Grutsch noted that the challenging issue with these lots are the very large assessments that are on them. Councilor Knox asked if Clerk Thares could look into a process of reducing the assessments. Mayor Grutsch said that some assessment modifications had already been done on the lots and recommended waiting to expend any further effort on this until a reasonable development proposal is presented to the City. Clerk Thares also pointed out that that TIF may be a tool to offset the assessments and lot prices to help keep any proposals moving forward.

Mayor Grutsch explained that he had asked the Parks Committee to consider getting started on the small central park in Avon Estates. He felt it would help with prospective lot buyers to see that the City is committed to providing a park as it is shown on the plans. Mayor Grutsch said the Lions have agreed to provide funding for the Park from a previous donation in the amount of \$5,000. He and Art Diedrich will be talking to the Lions again at upcoming meetings to ask for additional contributions. Motion by Councilor Stang, second by Councilor Marthaler, to authorize \$5,000 of the Lions donation for use in the Avon Estates Park project. Motion unanimously approved. Mayor Grutsch and Ray Schmidt provided an overview of the Park and entrance sign area improvements.

### **Issues By Staff - Public Works**

Ray told the Council that his written report covered his items. He also said his budget is on target for the year.

### **Police Department**

Corey Nellis, Police Chief, said that his written report is a good update on his items. He provided more information on the briefcase theft case. He indicated his frustrations at the challenges of the case and said it may play out over a considerable amount of time before its is all resolved satisfactorily. They have been coordinating investigations with Sartell and other area law enforcement agencies. He also said that the Police Department discovered and was monitoring deer hunting stands and trespassers on the Avon Estates property owned by the City.

### **Water/Wastewater**

Jon Forsell, Water/Wastewater Director, reported that they have been flushing sewer lines and are about half done with that. He is in contact with the sales rep at Electric Pump regarding the new trial Flygt Pump which will be coming in a few more weeks. Councilor Knox asked about the frequency of testing for mercury? Jon responded that it is tested two times per year. He also mentioned that there are still wastewater clarifier issues and some of the measurements are off. He has an idea where the source of the issue is coming from and has started to work with one of the local businesses to make adjustments in their operations to try to correct it. Mayor Grutsch asked if the second clarifier is now working? Jon said that it is and staff have been slowly adjusting the tests to ensure that it works as intended. The goal is to have it fully functional and rotate the use of the two clarifiers.

### **Other**

Clerk Thares noted that the County was holding a public hearing on a Township Road vacation request that was just east of the Avon Estates area. He asked Council if there was any reason to be concerned about this or if the roadway was needed for future access to any City developments? Mayor Grutsch said he would call the people who had asked about farming some of the land near Avon Estates to make sure that they understood that they would not have the ability to use City streets in Avon Estates to get into their fields.

For clarification purposes Mayor Grutsch asked Clerk Thares if he included the Park area in Avon Estates on a community profile fact sheet? Clerk Thares responded that he believed that was counted among the other City Parks for a grand total of nine.

### **Council Issues - None**

Motion to Adjourn the meeting by Councilor Marthaler, second by Councilor Stang. Motion approved.  
Meeting adjourned at 8:03 p.m.

Respectfully Submitted  
Jim Thares  
City Clerk/Administrator