

Pursuant to due call and notice thereof, an Avon City Council Meeting was duly held at City Hall on the 3rd day of November 2014 at 7:00 p.m.

**THE FOLLOWING MEMBERS WERE PRESENT:**

John Grutsch – Mayor; Hugh Knox, Kurt Marthaler, Jim Stang and Jeff Manthe – Councilors  
Jim Thares, City Clerk/Administrator

**CALL MEETING TO ORDER:**

Pledge of Allegiance

**PUBLIC ACCESS FORUM:** No one came forward.

**CONSENT AGENDA:**

- #1 Council Minutes – October 6, 2014
- #2 Claims Register
- #3 Capital Expenditures, Legal Fees, Engineering Fees and Detailed Reports
- #4 Consider Resolution #2014-34 designating Oct. 9, approval date for Resolution #2014-33
- #5 Consider Certification of SAC/WAC fees – Steven and Dana Weber, Lot 1, Block 10, Avon Estates
- #6 Proposed Amendment of Personnel Policy Sect. 5 L; Increase mtg. pay for hourly staff; \$35 to \$50
- #7 Avon Lions Club Request for a two-day Hard Liquor License for 2015 Spunktacular Days

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

**OTHER MINUTES:**

Planning Commission Minutes – October 21, 2014

**PRESENTATION OF FIRE DEP'T. CITIZEN APPRECIATION AWARDS, Joel Richter, Fire Chief**  
Chief Richter presented Citizen Appreciation Awards to Keven Cox and Tim Haeg who responded to a call to help John Kopyy who was suffering from a heart attack on August 3, 2014. They performed CPR until Avon Fire Department members arrived. Mr. Kopyy expressed gratitude to the two men for reviving him that evening.

**COUNCIL BUSINESS:**

**PUBLIC HEARING – Special Assessment; Lot 1, Block 2 Water Edge Third Addition (1207 Spunk Creek Ct.)** Mayor Grutsch opened the public hearing at 7:12 p.m. City Clerk/Administrator Thares noted that the amount of the assessment to be recertified is \$10,200. He explained that Lumber One of Avon is the buyer of the residential parcel and they already paid the full assessment. **Motion by Councilor Marthaler to close the Public Hearing at 7:14 p.m. Second by Councilor Stang. Motion passed unanimously. Motion by Councilor Stang to approve special assessments in the amount of \$10,200 for Lot 1, Block 2, Waters Edge Third Addition. Second by Councilor Manthe. Motion passed unanimously.**

**PUBLIC HEARING - Certifying Delinquent Sewer/Water Charges (MSS 444.75)**

Mayor Grutsch recommended staff double check to make sure water is turned off at both homes on the delinquent list. City Clerk/Administrator Thares noted that the owner of 213 First Street SW had contacted the City about setting up a payment plan to resolve the delinquent charges. Mayor Grutsch opened the Public Hearing at 7:16 p.m. **Motion by Councilor Marthaler to close the public hearing at 7:17 p.m. Second by Councilor Manthe. Motion passed unanimously. Motion by Councilor Knox to certify delinquent sewer and water charges to 404 Suncrest Drive in the amount of \$612.56 via Resolution # 2014-37. Second by Councilor Manthe. Motion passed unanimously.**

### **Consider Adoption of Building Relocation Ordinance Amendment**

Councilor Knox suggested additional language regarding procedures for abandoning wells. **Motion by Councilor Knox to approve the Building Relocation Ordinance Amendment contingent on adding language to Section 9 regarding well abandonment disclosures. Second by Councilor Stang. Motion passed unanimously.**

### **Midsota Mfg. Stormwater Management Plan Update, Randy Jenniges, S.E.H.**

Randy Jenniges, City Engineer, provided an overview of the current ordinance and how it is applied in development reviews. He noted similarities to other area city ordinances. He said the plan that Midsota submitted indicated a variance from the ordinance standards. Dan Folsom, Design Tree Eng., Midsota Mfg.'s engineer interprets a clause in the ordinance wherein a regional pond that serves a plat should be engineered to accommodate the entire land area included in the original plat. He suggested the City model the pond before other steps are asked of Midsota. Councilors discussed the issue at length. It was stated over a number of years the properties draining to the pond received investments by the owners with the belief that the pond was capable of handling the surface water flows from the entire plat. **Motion by Councilor Stang to authorize the City to model the regional pond with a potential adaptation to the culvert as a possible measure. Second by Councilor Marthaler. Motion passed unanimously.**

### **Avon Estates Lot Sales Updates**

Mayor Grutsch reported that a buyer had made an offer on a double lot in the Serenity At Avon portion of the development and the City had countered with a higher price. The buyer came back with a second counter and indicates that the home value will be in excess of \$285,000. **Motion by Councilor Stang to approve the sale of Lots 1 and 2, Block 1, Serenity At Avon for a price of \$38,300 and require payment of two full SAC and WAC fees as well. Second by Councilor Marthaler. Motion passed unanimously.**

### **ISSUES BY STAFF:**

**Public Works Department** – Ray Schmidt, Public Works Director, reported on variances in previously authorized purchases of new tires for the blue front-end loader and street patch repairs. He then noted the damaged streetlight repair project is complete at a cost lower than earlier quoted. He asked for authorization to pay Vinco, Inc. \$14,777 for the new street light and installation. **Motion by Mayor Grutsch to authorize payment to Vinco in the amount of \$14,777. Second by Councilor Marthaler. Motion passed unanimously.**

Ray provided information to Council about the bid of \$5,200 that was received to purchase and install a flashing warning light pedestrian crosswalk warning system on County Road 50 near the two Columbia Gear buildings. Councilors recommended further discussion with Columbia Gear noting that City's participation cost-share cap is \$2,000. Ray asked for approval to pay Knife River \$4,000 for a resurfacing project on Chinook Avenue SW. Ray said the work that was completed was absolutely necessary and the new surface should last for many years. **Motion by Councilor Marthaler to authorize payment of \$4,000 to Knife River for resurfacing work completed on Chinook Avenue SW. Second by Councilor Manthe. Motion passed unanimously.**

Ray also discussed a proposal to bid on a used snowplow. The vehicle is a 2003 Sterling with 75,000 miles on it. It has a belly blade which can help with main street snow removal. He asked for Council authorization to submit a bid of \$38,780 to the City of Coon Rapids for the snowplow. **Motion by Councilor Marthaler to authorize submittal of a bid for a 2003 Sterling Snow Plow Truck in the amount of \$38,780. Second by Councilor Stang. Motion passed unanimously.**

Ray also presented information on the proposed Fire Hall interior ceiling repairs. The leak in the roof has been fixed so that the damaged sheet rock can now be addressed. The Fire Department received a generalized estimate for time and materials by Sun Ridge Construction which should cost less than \$2,500. **Motion by Councilor Marthaler to authorize repairs to the interior ceiling of the Fire Department with costs shared among the three participating jurisdictions. Second by Councilor Manthe. Motion passed unanimously.** Ray said that the four office personnel are the only employees that are not allowed to obtain a City of Avon jacket. He offered

to use remaining funds in his clothing budget to pay for four jackets for the office staff. **Motion by Councilor Marthaler to authorize the four office staff to receive jackets. Second by Councilor Manthe. Motion passed unanimously.**

**Police Department** – Corey Nellis, Police Chief, referred Council to his report in the packet. He also introduced the new part-time Police Officer, Chad Klocker, to the Council.

**Water/Wastewater Department** – Jon Forsell, Utilities Supervisor, asked for authorization to pay Lange Trenching \$4,361.45 for the two recent water main breaks. **Motion by Councilor Marthaler to pay Lange Trenching \$4,361.45 for water main break repairs. Second by Councilor Stang. Motion passed unanimously.**

**OTHER:**

City Clerk/Administrator Thares noted the approval of the City's Wellhead Protection Plan by the Minnesota Department of Health (MDH). He also mentioned that Avon Township had submitted an application to the Minnesota Local Government Innovation Office for recognition of the Township and City working together on the compost site operation. He informed Council that the General Election canvassing had to occur between November 7 and November 14, 2014. **Motion by Councilor Manthe to hold a Special Council meeting at 5:45 a.m. on Friday November 7, 2014 at City Hall to canvass the election and certify the results to the County. Second by Councilor Stang. Motion passed unanimously.**

**ISSUES BY COUNCIL:** Mayor Grutsch asked Randy Jenniges if it was possible to have some of the grading improvements completed in Waters Edge Phase Four assessed to the property owner at this time. Randy said he could gather information on the cost/value of the completed work for a determination by the City Attorney. Council consensus is to look into this. Mayor Grutsch mentioned that City Clerk/Administrator Thares is able to perform all required duties again now since his last surgery and he believes that removing the probation status is appropriate. **Motion by Councilor Knox to end the 30-day probation for City Clerk/Administrator Thares. Second by Councilor Marthaler. Motion passed unanimously.**

**ADJOURNMENT:** **Motion by Councilor Marthaler to adjourn the meeting at 9:07 p.m. Second by Councilor Stang. Motion passed unanimously.**

Respectfully Submitted  
Jim Thares, City Clerk/Administrator