

Minutes
Avon City Council
August 5, 2024

THE FOLLOWING MEMBERS WERE PRESENT

Jeff Manthe – Mayor, Katie Reiling, Mark Schulzetenberge, Aaron Goebel - City Council
Justin Kurtz – Water Wastewater Foreman, Chuck Pelkey – Public Works Foreman, Corey Nellis – Police Chief
Jodi Austing-Traut, City Clerk-Administrator
Absent – Doug Schaefer, City Council

The Pledge of Allegiance was recited and the meeting was opened at 6:30 pm.

Public Hearing – Wellhead Protection Plan

Mark Sherrill of Short Elliott Hendrickson gave a presentation about the part two of the city's wellhead protection plan. Sherrill explained that the MN Department of Health completed the part one analysis and report. Part two identifies potential contamination sources such as private wells, tanks, etc... and helps to identify best management practices for the prevention of any contamination of the city's drinking water supply. In response to a question from the public, Sherrill indicated that the State of MN did not identify any concerns with the location of the city's wastewater treatment plant.

Motion Reiling to close hearing at 6:50 pm

Second Schulzetenberge

Public Hearing closed by unanimous vote

Public Forum

Claire Graham and Troy Huschle were present to discuss an ongoing drainage pipe issue at 403 Chinook Ave SW. Lange Trenching had come through and pushed the pipe down with a roller but the property owner has stated that it is heaving once again. Claire Graham built her porch and her driveway on top of the city's stormwater pipe. Staff will pull the file for more information and bring the info back to city council for review.

Jeff Meyer spoke and suggested that the city look at its policy for accepting sludge from outside of the city.

CONSENT AGENDA

1. Council Minutes of July 1st, 2024
2. Receive Planning Commission Minutes of July 9th, 2024
3. Receive Joint Planning Board Minutes of July 22nd, 2024
4. Receive Fire Department Minutes of June 24th, 2024
5. Paid Check Register, Capital Expenditures, Payroll Deposits
6. Legal Fees, Engineering Fees, Auditor/Acct. Fees
7. Avon Sportsman's Club Raffle – Gambling Permit
8. Resolution 2024-27 Vacating a Drainage and Utility Easement (42.26310.0847/L1&2 B1 Avon Estates S. View)
9. Resolution 2024-28 Vacating a Drainage and Utility Easement (42.26446.0044/L4B3&L1B3 Blattner&Sons Addn)
10. Resolution 2024-30 Accepting Donation for Water's Edge Park Improvements

Motion Goebel to approve consent agenda as presented

Second Reiling

Motion carried unanimously

COUNCIL BUSINESS

Brent Kapsner – Amendment to Serenity PA

Kapsner was present to request that the council consider an amendment to the original purchase agreement in order to allow residents under the age of 55 who need assisted living services to be able to qualify for residency at Serenity Village. Staff will work with Mr. Kapsner and Jason Murray to develop language and draft an amendment to the purchase agreement to bring to the next regular meeting.

Ken Pflipsen – 506 Suncrest Drive Drainage Concerns

Pflipsen was present to state that since the road way was resurfaced a couple years ago he has had some water puddling at the end of his driveway. Jeremy Mathiasen, City Engineer, will shoot some elevations and try to determine an efficient and effective solution and report back to city council.

Dan Zimmermann – Blattner Field Updates

Jeff Lange is working on the drainage plan for Blattner Field. Building permit has been approved for the press box. Spectator deck is awaiting construction plan design. Power serving the marquee is currently coming from the concession stand. It would be preferred that electricity would come from the third base dugout. The team would also like the refuse container to be moved and screened in. There were some changes made to the bleacher plan to include an additional row of seating and 13” risers. Also requesting approval to install fence poles on the right and left field fence lines for safety netting. Possible request for signage for new entrance. Zimmermann will work with city staff to determine signage needs. Request to allow the old concrete under the bleachers to be removed and to do a 6’ pour. Would also request the inside of the current grandstand to be painted.

Motion Goebel to approve installation of the electrical line, the updated bleacher plan, the placement and screening for the dumpster, approval to install fence poles as presented, to work with staff on signage, approval to allow removal of concrete under bleachers, approval of concept for patio and benches, and to authorize Zimmermann to work with staff and city attorney to draft a developer’s agreement

Second Reiling

Motion passed unanimously

Jeremy Mathiasen, Stantec - Engineering update received in written format.

ISSUES BY STAFF

Administration

Consider Resolution 2024-26 A Moratorium Prohibiting the Establishment/Expansion of Short-Term Rentals
Planning Commission held a public hearing during which there was quite a bit of discussion on how best to establish regulations for short term rentals in the City of Avon. At that meeting, it was determined that the city needs more time to study this issue and how to best determine how to regulate short term rentals. Existing short-term rentals that are operating *legally* per current Stearns County rules (i.e. are currently registered with Stearns County) will be allowed to continue as a legal non-conforming use according to the City Attorney. There is only one property (603 Chinook Ave SW) that is currently *legally* operating and is registered with Stearns County.

Motion Reiling to approve Resolution 2024-26 Adopting Ordinance 239 an Interim Ordinance Prohibiting the Establishment of New Short-Term Rentals or the Expansion of Existing Short-Term Rentals Within the City of Avon

Second Schulzetenberge

Motion carried unanimously

Consider Resolution 2024-29 Designating the Form of Question to be Placed on the Ballot for the 2024 General Election (and rescinding Resolution 2024-25)

Motion Manthe to adopt Resolution 2024-29 Designating the Form of Question to be Placed on the Ballot for the 2024 General Election and Rescinding Resolution 2024-25

Second Goebel

Motion carried unanimously

Consider Resolution 2024-31 Authorizing Fund Transfers from General Fund to Capital Fund Pursuant to Adopted Budget 2024

Motion Schulzetenberge to adopt Resolution 2024-31 Authorizing Fund Transfers from General Fund to Capital Fund Pursuant to Adopted Budget 2024

Second Reiling

Motion carried unanimously

Public Works

Pelkey presented his written report and gave an update on the grading and seeding at Avon Estates Park. The rain has caused the grass seed to wash out. There was discussion about placement of a civil siren in Avon Estates. The range for a new siren would cover a substantial area including many Avon Township properties. Staff will look into grant opportunities and perhaps partnering with Avon Township. Staff will bring more information back to council. Jeremy Mathiasen, City Engineer, will be talking with a structural engineer about the street lights to try to rectify the cracking.

Kurtz presented his written report and updated council on chloride reduction efforts. Kurtz shared photos of the clarifiers before and after cleaning.

***Motion Goebel to authorize \$3500 for quick lock for a repair to a damaged pipe that was found by Johnson Jetline
Second Manthe
Motion carried unanimously***

Police Department

Written Report was presented. Chief Nellis gave an update on the new squad that is on order. Chief Nellis stated that there have been some complaints about drone usage in town.

Fire Department

Pay Application 6L/Labor (\$205,941)
Pay Application 4M/Materials (\$147,454)
FYI: Contingency Report

***Motion Manthe to authorize pay applications 6L and 4M as presented
Second Goebel
Motion passed unanimously***

ISSUES BY COUNCIL

Councilman Goebel thanked Gathering Ground's coffee for their silent auction donation for the PD.

Adjourned at 8:55 pm.

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