

**Minutes
Avon City Council
March 07, 2022**

THE FOLLOWING MEMBERS WERE PRESENT

Jeff Manthe – Mayor, Katie Reiling, Aaron Goebel, Doug Schaefer, Jeff Meyer City Councilors
Corey Nellis – Chief of Police, Landon Gudim and Casey Jansky – Police Officers, Justin Kurtz – Water/Wastewater Foreman, Jason Molitor – Public Works Foreman, Josh Blommer and Chuck Pelkey – Public Works Technicians
Jodi Austing-Traut, City Clerk-Administrator

Mayor Manthe called the Avon City Council meeting to order and the Pledge of Allegiance was recited.

Janelle Kendall, County Attorney – Presentation of 2021 Criminal Activity

County Attorney Janelle Kendall presented 2021 prosecution numbers and diversion numbers. Homicide and crimes against persons and property are up, along with drug and weapon offenses. Full report is on file at the City Clerk's Office. Ms. Kendall congratulated Avon PD for its work in getting drugs off the streets and criminals apprehended.

Public Forum

None present.

CONSENT AGENDA

1. Council Minutes of February 7 and 22, 2022
2. Receive Planning Commission Minutes February 15, 2022
3. Receive Fire Board Minutes of February 9, 2022
4. Receive Fire Department Minutes of January 31, 2022
5. Paid Check Register, Manual Claims, Capital Expenditures, Payroll Deposits
6. Legal Fees, Engineering Fees, Auditor/Acct. Fees
7. Outdoor Event Permit – Spunk Days
8. Resolution 2022-03 Vacating a Drainage and Utility Easement
9. Resolution 2022-04 Amending the City of Avon Zoning Ordinance
10. Ordinance No 227 Amending Chapter 10 Subd 5 of the Zoning Ordinance Regarding C-2 Interim Uses
11. Resolution 2022-05 Approving Application for Gambling License for Over the Hills of Avon
12. Contract for Central MN Realty for listing certain lots in Avon Estates
13. Resolution 2022-06 Vacating a Drainage and Utility Easement
14. Resolution 2022-07 Adopting Amendment to Relief Association Bylaws
15. Resolution 2022-08 Vacating a Drainage and Utility Easement
16. Resolution 2022-09 Re-Establishing Precincts and Polling Places
17. MN Department of Admin Cooperative Purchasing Agreement

Motion Aaron Goebel to approve consent agenda second Katie Reiling and carried with Meyer abstaining.

COUNCIL BUSINESS

Kerwin Wolter 109 Chinook Ave SW – 2022 Street Project

Mr. Wolter presented his idea for alignment of the street and the raised a question about the possibility of his property being zoned commercial. Council suggested that this conversation be continued when the city engineer is present.

Contract with Stantec for 2022 Street Project Work

Austing-Traut presented information from City Attorney suggesting that the city not enter into a project specific contract, but rather modify Attachment A of the Master Professional Services Agreement to:

1. *Retitle Attachment A as “2022 Avon Capital Improvements Sub-Agreement (1st Street SW, Dorado Avenue SW, Stratford Street W, & 6th Street).”*
2. *Delete the first sentence of Attachment A after the March 7, 2022 date (beginning with “This Attachment details the Services, Contract Time, ...”) and add the following in its place: “This Agreement is meant to be read in conjunction with the Master Professional Services Terms and Conditions between the City of Avon and Stantec Consulting Services Inc. dated _____, 2021 (“Master Agreement”)*

such that both the Master Agreement and this Agreement together form the entire agreement between the parties related to the 2022 Avon Capital Improvements.”

Meyer suggested that the project should be done on a time and materials basis vs. a lump sum or percentage basis. Meyer also suggested that the city require an errors and omissions insurance policy.

Motion Reiling to table the contract with Stantec for 2022 Street Project Work, second Meyer and carried unanimously.

ISSUES BY STAFF

Administration

Austing-Traut presented a draft revision to the personnel policy regarding overtime and on-call pay for public works. Recommendation to change wording in personnel policy as such:

Federal regulations concerning overtime apply to employees of the City of Avon. All full-time Department Heads of the City of Avon will be salaried employees. Excluding 'exempt' employees, compensatory time shall be accrued at 1½ times the employee's regular rate for any hours over forty (40) actually worked in a week (vacation/sick time or holidays do not count as 'worked' hours). For 'exempt' employees, compensatory time shall be earned at a rate of 1:1 meaning that for every hour worked in excess of forty (40) in a week, exempt employees will earn one hour of compensatory time. ~~Compensatory time shall be taken off whenever possible within the same pay period to avoid the banking of compensatory time.~~

*Overtime for ~~hourly employees~~, with prior approval from the Clerk/Administrator, shall be paid out at 1½ times the employee's regular rate for situations that are imminent threats to public health or safety. An employee that gets called out for **a weather related emergency** on a Saturday, ~~or Sunday~~, **or holiday**, shall receive ~~2 hours compensatory time in addition to regular pay for all actual hours worked~~ **overtime pay**. **Banked compensatory time over 40 hours at year end will be paid out as overtime.***

***On Call:** The city will offer \$20 per day on-call pay for employees who are required to be on-call. **Employees who are required to be available on Saturday, Sunday, or a holiday for an impending weather emergency will be paid \$50 on-call pay. If an employee is called out for duty during on-call time, the employee may request overtime pay at the discretion of the City Clerk/Administrator or will receive a minimum of two hours of pay at their regular rate. If this happens to put the employee over 40 hours in the pay week, they will need to take compensatory time off during the same pay period or the pay period immediately following. All on call hours must be recorded on the time sheet. In lieu of on-call pay, a corresponding amount of time may be taken off within the pay period if possible with the approval of the supervisor and City Clerk/Administrator.** ~~may elect to earn compensatory time.~~ On call response time must be less than 20 minutes, unless an exception is made by the city council.*

Motion Aaron Goebel to amend the personnel policy relating to overtime, compensatory time, and on-call time second Katie Reiling and carried with Meyer against.

Austing-Traut presented a proposal from David Drown Associates to a pay study. Council discussed wages and market challenges as well as budgetary challenges. Chief Nellis presented information on salary ranges of several cities. There are more than 70 law enforcement agencies currently hiring in MN. Staff will obtain another quote for a similar study and invite the firms to come in for a Q&A with the council.

Public Works

Jason Molitor and Just Kurtz presented their written report. Molitor presented a roof inspection program for council discussion \$1,325 annually. Consensus by council to get another quote on this type of roof inspection program.

Kurtz presented flow meter replacement quotes at Wells 4 & 5 (\$7,995 each). Council requested a second quote.

For residential water meters, the only supplier in MN is Core & Main. The supplier has suggested that we order them in larger quantity than 5-6 at a time like we have been. They are coming in short supply and staff is concerned that we will not have enough to do all the required change outs, new construction meters, and requests for second meter coming into the summer season. To purchase all 275 needed would be \$88,000. Staff will seek additional quotes.

Kurtz presented a quote for an asset management software program “DiamondMaps” for consideration. Staff got quotes from Silversmith and DiamondMaps. DiamondMaps is more affordable and offers what staff needs \$35/month plus the GPS “puck” module and a hotspot on the phone or a cell package for a tablet. Staff will update council at the next meeting with quotes for the GPS puck.

Police Department

Chief Nellis presented his written report. New squad car should hopefully be here sometime next week.

ISSUES BY COUNCIL

Councilman Schaefer requested that public works lift the wing when they push the snow back. The snow markers are helpful for the first couple of snows, but after that, there is often no room for the snow between the markers and the pavement.

Adjourn

Motion Aaron Goebel to adjourn at 9:30 pm second Katie Reiling.

Respectfully Submitted,
Jodi Austing-Traut
City Clerk/Administrator