

**Minutes  
Avon City Council  
May 01, 2023**

**THE FOLLOWING MEMBERS WERE PRESENT**

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

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

**PUBLIC FORUM**

Lanae Braegelmann of 16243 Linneman Lake Rd was present to contest an invoice that was sent to her for repairs to a hydrant that she backed into. Mark Schulzetenberge suggested Braegelmann check with her insurance agency to see if she could make a liability claim for the damage to the hydrant. Jeff Lange suggested checking to see if this hydrant could actually be eliminated.

*Motion Reiling to table this issue until Braegelmann checks with her insurance and staff determines whether the hydrant can be eliminated, second Schulzetenberge and carried.*

**CONSENT AGENDA**

1. Council Minutes of April 3<sup>rd</sup> and April 11<sup>th</sup>, 2023
2. Receive Fire Department Minutes of March 17<sup>th</sup>, 2023
3. Receive Planning Commission Minutes of April 18<sup>th</sup>, 2023
4. Paid Check Register, Manual Claims, Capital Expenditures, Payroll Deposits, Quarterly Reports (via email)
5. Legal Fees, Engineering Fees, Auditor/Acct. Fees
6. Approval of Liquor License Renewals July 1, 2023 – June 30, 2024
7. Resolution 2023-12 Approving Gambling License for Church of St. Benedict
8. Approve Certificate of Compliance for Administrative Subdivision of 934 Waters Edge Cir
9. Approve Certificate of Compliance for Consolidation of 940 and 942 Waters Edge Cir
10. Ordinance No. 231 Amending Zoning Ordinance Regarding Off Street Parking / Curbcuts

*Motion Schaefer to approve consent agenda second Reiling and carried unanimously.*

**COUNCIL BUSINESS**

Jacob Voss – Fisher’s Club Lease Agreement May 1 – Oct 31, 2023

Voss was present to request the council once again enter into an agreement for the use of a small section of grass between the Avon Beach and Fisher’s Club to provide additional space needs for serving.

*Motion Schaefer to enter into a Lease Agreement with Fisher’s Club for use of the additional outdoor space, second Goebel and carried unanimously.*

Jeff Lange/Dan Zimmermann – Beach Walking Access and Parks Board Updates

Lange explained his request for approval to remove a section of asphalt that lies next to the beach property between Stratford St W and the Saatzer cabin and to leave a 10’ wide walkway and emergency only access.

Zimmermann explained some existing problems with the parking lot at the ballfield and pickleball areas. The majority of the parking lot is owned by the Church of St. Benedict. Zimmermann has begun conversations with church leaders to try to work out some type of longer-term arrangement that would allow some improvements to be made to the parking lot.

*Motion Goebel to authorize the removal of a section of the asphalt that lies between the city beach and the Saatzer / Lange properties on Stratford St E second Reiling and carried unanimously.*

Jeremy Mathiasen, Stantec – Engineering Update

Mathiasen updated council on the 2023 Street Improvement Project (Boat Landing, 1<sup>st</sup> St SW, Dorado Ave SW and Stratford St W). Construction activities have begun. There have been some questions about boat access. Pavement must be removed and utility work must be completed which will interrupt boat access for a time. Crews will work diligently to restore the roadway as quickly as possible so the boat landing can be utilized.

Mathiasen updated council on the property located at 109 Chinook Ave SW. There are currently two sewer lines serving the property, although one of those is not active as it was originally intended to serve a second house on the property which is not currently habitable. Council discussed whether or not to replace that connection since it is unlikely that a connection could be made to the second home due to zoning regulations. Council consensus that the sewer connection can be replaced, but this would not imply any approval of any regulatory measure for zoning or for future use of the property.

***Motion Manthe to authorize the sewer connection to be made, with the understanding that this approval does not imply any approval or future approval of any regulatory measure for zoning or future use of the property, or connection to any structure on the property second Schaefer and carried unanimously.***

Consider Resolution 2023-13 Receiving and Accepting the Feasibility Study

***Motion Goebel to Adopt Resolution 2023-13 Receiving the Engineering Report, but to hold off on scheduling the Public Hearing until after budget meetings, second Reiling and carried unanimously.***

## **ISSUES BY STAFF**

### **Administration**

#### **Juneteenth**

MN Legislature has passed legislation designating June 19<sup>th</sup> “Juneteenth” a legal holiday for governmental entities in MN. Originally this was set to take effect in 2024, however, legislature is now considering an early implementation date of June 19, 2023 for the Juneteenth holiday.

***Motion Reiling to amend the personnel policy to designate June 19<sup>th</sup> “Juneteenth” a holiday to be effective per Legislative Action by the State of MN second Manthe and carried unanimously.***

#### **Cash Balances**

Council discussed cash balances and levy needs as they consider a Fire Hall Expansion project as well as upcoming street projects. Staff will look into what remains of the current half-cent sales tax dollars as well as what a levy increase might look like if needed to complete the Fire Hall and First Street SE projects.

#### **Avon Estates Southern View**

Kevin Cox stated that there are six more homes starting and two additional lot sales for which permits are currently being prepared. There are about 14 lots left of the original 42 that C&L had purchased for Phase I of Avon Estates Southern View.

***Motion Reiling to close the meeting at 7:59 pm for the consideration of a real estate transaction, second Goebel and carried unanimously.***

The closed meeting was recorded per state statute.

***Motion Schaefer to open the meeting at 8:36 pm second Schulzetenberge and carried unanimously.***

***Motion Goebel to direct staff to work with city attorney to draft a development agreement for the next three phases of Avon Estates Southern View and to bring an agreement back to council for their consideration second Schaefer and carried unanimously.***

#### **Code Updates**

Staff will bring the code updates to council at the next meeting.

## **Public Works**

### **Street Sweeping**

Chuck Pelkey presented his written report and request approval for street sweeping quotes.

***Motion Reiling to have Lange Trenching complete street sweeping for \$6,500 second Goebel and carried unanimously.***

### **Street Maintenance**

Pelkey had contractor out to take a look at some of the badly deteriorated sections of streets that will require more than just a simple patching or crack filling. Cold patch will not adhere to these sections. Spray patch would be about \$10k per load, Pelkey explained, which is approximately enough to do just the sections in Stratford Addition and will likely only last one year. Some areas would benefit from a mill and overlay type of longer-term solution for those sections. Another option would be to reclaim and grade a few areas (Char Ave and Sixth Street were considered). To reclaim Sixth St would cost approximately \$7,000 to reclaim and grade, this would leave the road in a compacted gravel-like condition for a time until the city is able to complete the overlay of a bituminous surface. Pelkey will continue to work toward gathering information on the best way to complete street maintenance. Mathiasen will obtain a quote to overlay Sixth St.

### **Truck Quotes**

Pelkey presented several truck quotes. The ¾ ton with the plow package is really necessary for the blade and the utility uses that public works requires. A crew cab is an advantage, but not necessary. The long box would be nice for utility purposes, but might be a little more difficult to maneuver. Council consensus that the 2024 truck would give public works what they need and for a near similar price as the older models.

***Motion Goebel to purchase the 2024 Chevrolet Silverado for \$52,637 plus title/license using capital and equipment dollars that are available for public works and general fund dollars for the remainder, second Manthe and carried unanimously.***

Justin Kurtz presented the water and waste water report and updated the council on issues.

Kurtz presented quotes to replace two gate valves.

***Motion Schaefer to authorize replacement of two gate valves at a cost of \$13,570 by Lange Trenching, second Reiling and carried unanimously.***

Kurtz presented the findings of the S.E.H. chloride monitoring program. Staff will continue to work toward identifying high chloride emitters as well as educating the public on ways to reduce chlorides in order to achieve the standards that have been imposed on the city.

Kurtz discussed the alarm malfunctions that have been occurring as a result of the PLC's beginning to fail. Kurtz expressed concern that if the PLC fails completely the city does not have a backup PLC.

***Motion Goebel to approve up to \$6,900 for the PLC and authorizing Kurtz to work with Preferred Controls second Schulzetenberge and carried unanimously.***

## **Police Department**

Written report was presented by Chief Nellis. Nellis further requested an amendment to the Body Worn Camera policy related to the documentation of both an officer's use and their non-use of the portable recording system. The amendment would require that officers document the recording in an incident report or in CAD comments only and would remove some restrictions on the use of recording systems in certain locations.

***Motion Goebel to approve an amendment to the Body Worn Camera Policy as presented second Schulzetenberge and carried unanimously.***

## **Fire Department**

An updated schedule and draft plan were presented.

## **ISSUES BY COUNCIL**

**Adjourn**

*Adjourned at 10:02 pm.*

Respectfully Submitted,  
Jodi Austing-Traut  
City Clerk/Administrator