

Minutes of the Meeting of the Avon Township Planning Board
February 25, 2009
Avon City Hall

Call to Order: The regular meeting of the Planning Board was called to order by Chairman Mergen at 8:05 P.M.

Pledge: Everyone stood for the Pledge of Allegiance.

Roll Call: Present – Ken Mergen, Roger Nelson, Gerry Kremer, Lowell Rushmeyer, Stephen Saupe. Supervisor’s Gondringer, Merdan and Bresnahan and Treasurer Martini were also present.

Approval of Agenda: Mergen moved to include an announcement by Mr. Steve Plantenberg on the agenda. Nelson second. Approve unanimously.

Minutes: The last sentence of section 3 was amended to read, “The Deputy Clerk will prepare a draft of the ordinance for future consideration.” Mergen moved to approve the amended minutes. Rushmeyer second. Approved unanimously.

Business:

1. Noise Ordinance Discussion – Attorney Adam Ripple was present to offer advice about the draft of a potential noise ordinance. The draft was discussed and the following decisions/comments were made: (a) Sec 4.1 – change Licensed Premises to “boundaries of property; (b) Sec 4.2 – change party to event; (c) Sec 4.3 setting a time limit was deleted, though we questioned whether this would prevent all outdoor musical events; (d) We discussed the meaning of ‘clearly audible’ in section 4.2. In written comments about the ordinance, Angie Berg from the Environmental Services suggested that this is hard to define. Some Board members agreed. Ripple suggested to leave this phrase in because the Sheriff & deputies won’t likely have a decibel meter so they must rely on common sense judgments of what clearly audible means; (e) We will send the final draft to the Sheriff’s department for comment; (f) remove “whether on public or private land” in Sec 6.1; (g) remove “police department” and the second sentence in Sec 6.2; (h) remove “by any person” in Sec 6.1; (i) Ripple suggested that if this ordinance is passed we should send a note to the Stearns County Court Administrator so violators can pay the fine more easily; (j) In Sec 7.3 change \$300 to \$200; (k) we discussed keeping the ordinance simple since “less is more in an ordinance like this”; (l) If this ordinance doesn’t work, then we can change it; (m) we will need some sort of application form for any exemptions; (n) if there are violations, the violator can come anytime before the scheduled court date and pay the fine. If not, then the township will have to prosecute since the County will not prosecute any city or township ordinance. Ripple stated that most violators will pay the fine. When asked who gets the fine, the answer was ‘probably the county.’ Saupe will make the necessary changes in the document and send it to Ripple for final approval.
2. Website Discussion – Saupe announced that CloudNet, our internet service provider, called to tell him that their computer server that hosted our website had crashed. This means that we lost any changes made to our website since

last November. Since we will need to reconstruct the lost data, Saupe suggested that this was a good time to evaluate our website in general. He provided copies of the main pages of our current website for members to review. Overall, members were satisfied with the site, and offered a few suggestions for improvements (*i.e.*, fix announcements, use more earth tone colors).

3. Steve Plantenberg was present at the meeting to report that Stearns County Environmental Services will hold a meeting on Wednesday, March 17 in Collegeville Township Hall to discuss the revised 209 ordinance based on the new comp plan.
4. Avon Hills Grant – Plantenberg reported that there is a LCCMR (Legislator & Citizen Committee on Minnesota Resources) grant available to provide funding to have a consultant such as Randall Arendt review existing services /ordinances. The cost of his services is covered by the grant. The township would have to pay for travel and expenses and it could perhaps be shared with Collegeville Township. Plantenberg indicated that since there is now a development lull, this might be a good time to do it. We could send him a copy to examine/tweak. We could bring Arendt here in conjunction with Collegeville Township, though it may be a little less critical for us since we've finished our growth plan and don't have any T20 or A20 zones that will be eliminated in the new County plan. Further, our zoning lines match up with our parcel lines. Some suggested that we'd get more "bang for our buck" if we waited six months or so when the county plan is finished. There was some discussion of 'conservation design' that allows 4 homes per 40 acres within our growth area; this means we go from 1 home per 40 acres to 4 per 40 with 60% set aside. We could be more restrictive. Saupe will contact Jennifer Buckentine to request that she attend the next Planning Commission meeting to discuss the MOU.
5. Township Facility – we discussed developing a process to help plan a potential township facility. It was recommended that a Task Force be assembled that would report to the Supervisors. Everyone believed that resident input was desirable. The task force would evaluate the long-term needs of the township and address questions including – where locate? Space needs? Etc. The task force would include citizens and trades people. Chuck Griffith and Steve Plantenberg were named as possible members of the Task Force.

Reports/Announcements: Rushmeyer reported that the City called for a meeting of city and township officials to be held on April 15. Plantenberg reported that the CAPX 2020 project from Fargo to Monticello is currently on hold. Avon is the major bottleneck along the I-94 corridor.

Adjournment: Rushmeyer moved to adjourn the meeting at 9:50 PM. Kremers second. Approved unanimously.

Respectfully submitted,

Stephen Saupe, Deputy Clerk

Minutes amended & approved: March 25, 2009